

SECOND REGULAR SESSION

# HOUSE BILL NO. 1836

## 97TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE JOHNSON.

6010H.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To amend chapter 262, RSMo, by adding thereto one new section relating to the Missouri international agricultural exchange website.

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

Section A. Chapter 262, RSMo, is amended by adding thereto one new section, to be known as section 262.975, to read as follows:

- 262.975. 1. The department of agriculture may contract with an internet website development company to build and maintain the "Missouri International Agricultural Exchange" website. Such website shall contain content approved by the department to promote Missouri agricultural products and services to international agricultural buyers.**
- 2. The exchange shall allow Missouri-based agricultural sellers to post their products produced in this state on the website at no charge to assist in marketing such products to international buyers. All sellers shall be required to register through the website and show proof of Missouri residency and other information as required by the department. Except for advertising under subdivision (2) of subsection 3 of this section, only agricultural products and services produced in this state shall be allowed on the exchange website.**
- 3. The state of Missouri shall have exclusive rights of ownership of all website content produced on the Missouri international agricultural exchange website, including but not limited to all creative materials, copyrights, photographs, or illustrations contained on the website. Subject to department approval, the website developer is authorized to:**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16           (1) Use all informational content provided by the department of agriculture, add  
17 to such content, and apply search engine optimization to the website content to achieve a  
18 high search engine ranking;

19           (2) Sell advertising on the exchange website to any entity that will benefit from  
20 marketing to international agriculture producers and buyers. The website developer shall  
21 be solely responsible for all costs associated with the development, marketing, and  
22 maintenance of the exchange website with the website developer retaining all advertising  
23 revenues obtained from such exchange website to provide the financing for such exchange  
24 website;

25           (3) Prohibit the sale of advertising to any entity on the exchange website that is not  
26 related to agriculture or furthers the interest of hate content, obscenity and sexual  
27 material, bombs, spyware, adult content, political content, antigroup content and violence,  
28 discrimination, political campaigns or causes, public advocacy or lobbying, copyrighted  
29 works, counterfeit designer goods, drug and drug paraphernalia, fake documents,  
30 gambling, hacking and cracking sites, miracle cures, prostitution, scams, phishing for  
31 personal information, tobacco and cigarettes, traffic devices, and other types of advertising  
32 deemed not appropriate by the director; and

33           (4) Ensure that all website content shall be named a ".com" domain to allow for  
34 advertisement.

35           4. The website developer shall:

36           (1) Have proven experience and expertise in search engine optimization, as  
37 determined by the department or the department of economic development;

38           (2) Provide evidence of prior website development projects produced by the website  
39 developer which increased search engine rankings for the client.

40           5. The department of agriculture in consultation with the department of economic  
41 development shall review all applications and award one annual contract for the  
42 development, design, marketing, and maintenance of the exchange website with annual  
43 renewals for continuing upgrades, marketing, and maintenance of the website. The  
44 department of agriculture shall have the authority to terminate any contract under this  
45 section at the department's discretion. Any website developer under contract with the  
46 department of agriculture may have a contract terminated for failure to operate under the  
47 department's guidelines for the exchange website. If a contract is terminated, the  
48 department shall immediately assume ownership of all site-related domain names. If a  
49 contract is terminated, the department shall award a new contract in accordance with the  
50 procedures for awarding the initial contract under this section.

51           **6. The department of agriculture may promulgate rules necessary to implement the**  
52 **provisions of this section. Any rule or portion of a rule, as that term is defined in section**  
53 **536.010, that is created under the authority delegated in this section shall become effective**  
54 **only if it complies with and is subject to all of the provisions of chapter 536 and, if**  
55 **applicable, section 536.028. This section and chapter 536 are nonseverable and if any of**  
56 **the powers vested with the general assembly under chapter 536 to review, to delay the**  
57 **effective date, or to disapprove and annul a rule are subsequently held unconstitutional,**  
58 **then the grant of rulemaking authority and any rule proposed or adopted after August 28,**  
59 **2014, shall be invalid and void.**

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