JOURNAL OF THE HOUSE

Second Regular Session, 99th GENERAL ASSEMBLY

SEVENTY-FIRST DAY, THURSDAY, MAY 10, 2018

The House met pursuant to adjournment.

Speaker Pro Tem Haahr in the Chair.

Prayer by Reverend Monsignor Robert A. Kurwicki, Chaplain.

He that dwelleth in the secret place of the Most High shall abide under the shadow of the Almighty. (Psalm 91:1)

Great God of Grace and Goodness, we thank You for this quiet moment of prayer. When facing the serious duties that confront us and seeking to carry the responsibilities committed to our care, we can look from the visible to the invisible, from the temporal to the eternal, and in so doing gain courage for these minutes, wisdom for these hours, and strength for these final days. In Your presence may we receive the resources which make us suitable for our tasks, give us steadfast devotion for what is right, and keep us dedicated to the purpose for which this state was established.

Among the confusion and chaos of these times may we know that Your truth is eternal, and may we here determine that we will walk with You and work for You in building a state where righteousness, justice and peace shall prevail forever.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journal of the seventieth day was approved as printed by the following vote:

AYES: 116

Adams	Alferman	Anders	Andrews	Austin
Bahr	Bangert	Barnes 28	Beck	Bernskoetter
Berry	Black	Bondon	Brattin	Brown 57
Burnett	Burns	Butler	Christofanelli	Conway 104
Cornejo	Cross	Davis	DeGroot	Dinkins
Dogan	Eggleston	Engler	Evans	Fitzpatrick
Fitzwater	Fraker	Francis	Franklin	Frederick
Gannon	Gray	Gregory	Grier	Haahr
Hannegan	Hansen	Harris	Helms	Henderson
Higdon	Hill	Houx	Hurst	Johnson
Justus	Kelley 127	Kendrick	Knight	Kolkmeyer
Korman	Lant	Lauer	Lavender	Lichtenegger
Love	Lynch	Mathews	McCann Beatty	McCreery
McGaugh	McGee	Meredith 71	Merideth 80	Miller
Mitten	Moon	Morgan	Morris 140	Morse 151
Muntzel	Neely	Newman	Nichols	Pfautsch
Phillips	Pierson Jr	Pike	Quade	Razer
Redmon	Rehder	Reiboldt	Reisch	Remole

Revis	Rhoads	Rone	Rowland 155	Rowland 29
Runions	Ruth	Shaul 113	Shumake	Smith 85
Spencer	Stacy	Swan	Tate	Taylor
Trent	Unsicker	Vescovo	Walker 3	Walker 74
Walsh	Wessels	White	Wiemann	Wilson
Wood				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 045

Anderson	Arthur	Baringer	Barnes 60	Basye
Beard	Brown 27	Carpenter	Chipman	Conway 10
Cookson	Corlew	Curtis	Curtman	Dohrman
Ellebracht	Ellington	Franks Jr	Green	Haefner
Houghton	Kelly 141	Kidd	Marshall	Matthiesen
May	McDaniel	Messenger	Mosley	Peters
Pietzman	Plocher	Pogue	Roberts	Roden
Roeber	Ross	Schroer	Shull 16	Smith 163
Sommer	Stephens 128	Stevens 46	Washington	Mr. Speaker

VACANCIES: 002

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

The following Senate Concurrent Resolutions were read the second time:

SCR 35, relating to Diabetes and Cardiovascular Awareness Month.

SCR 52, relating to pornography.

COMMITTEE REPORTS

Committee on Fiscal Review, Vice-Chairman Smith (163) reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SS HCS HB 1606, as amended**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (9): Anderson, Conway (104), Fraker, Morgan, Smith (163), Swan, Unsicker, Wiemann and Wood

Noes (0)

Absent (5): Alferman, Haefner, Morris (140), Rowland (29) and Wessels

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SS SCS HCS HB 1991, as amended**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (6): Anderson, Fraker, Morris (140), Smith (163), Swan and Wessels

Noes (0)

Present (3): Morgan, Rowland (29) and Unsicker

Absent (5): Alferman, Conway (104), Haefner, Wiemann and Wood

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **CCR SCS SB 892, with House Amendment No. 1**, **House Amendment No. 2**, **House Amendment No. 3**, **House Amendment No. 4**, and **House Amendment No. 5**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (6): Anderson, Fraker, Morris (140), Rowland (29), Smith (163) and Swan

Noes (0)

Present (3): Morgan, Unsicker and Wessels

Absent (5): Alferman, Conway (104), Haefner, Wiemann and Wood

THIRD READING OF SENATE BILLS - INFORMAL

HCS SCS SB 598, relating to the department of transportation utility corridor, was taken up by Representative Korman.

On motion of Representative Korman, the title of **HCS SCS SB 598** was agreed to.

Representative Korman offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 598, Page 1, Section 227.240, Lines 13-17, by deleting all of said lines and inserting in lieu thereof the following:

"3. **The department of transportation utility corridor established for the placement of utility facilities on the right-of-way of highways in the state highway system shall be up to twelve feet in width when space is reasonably available, with the location of the utility corridor to be determined by the state highways and transportation commission. The commission**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Korman, **House Amendment No. 1** was adopted.

Representative Higdon offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 598, Page 2, Section 227.240, Line 44, by inserting immediately after all of said section and line the following:

"250.190. Any such city, town or village or sewer district operating a sewerage system or a combined waterworks and sewerage system under this chapter shall have power to supply water services or sewerage services or both such services to premises situated outside its corporate boundaries and for that purpose to extend and improve its sewerage system or its combined waterworks and sewerage system. Rates charged for sewerage services or water services to premises outside the corporate boundaries **[**~~may~~**] shall not** exceed **one and one-half times** those charged for such services to premises within the corporate limits."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative McCreery raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

House Amendment No. 2 was withdrawn.

On motion of Representative Korman, **HCS SCS SB 598, as amended**, was adopted.

On motion of Representative Korman, **HCS SCS SB 598, as amended**, was read the third time and passed by the following vote:

AYES: 140

Adams	Anders	Anderson	Andrews	Arthur
Austin	Bahr	Bangert	Barnes 60	Barnes 28
Basye	Beard	Beck	Bernskoetter	Berry
Black	Bondon	Brattin	Brown 57	Burnett
Burns	Butler	Carpenter	Chipman	Christofanelli
Conway 10	Conway 104	Cookson	Cornejo	Cross
Curtman	Davis	DeGroot	Dinkins	Dogan
Dohrman	Eggleston	Ellebracht	Engler	Evans
Fitzpatrick	Fraker	Franks Jr	Frederick	Gannon
Gray	Green	Gregory	Grier	Haahr
Hannegan	Hansen	Harris	Helms	Henderson
Higdon	Hill	Houghton	Houx	Hurst
Johnson	Justus	Kelley 127	Kelly 141	Kendrick
Kidd	Knight	Kolkmeyer	Korman	Lant
Lauer	Lavender	Lichtenegger	Love	Lynch
Marshall	Mathews	May	McCann Beatty	McCreery
McGaugh	McGee	Meredith 71	Messenger	Miller
Mitten	Morgan	Morris 140	Morse 151	Mosley
Muntzel	Neely	Newman	Nichols	Pfautsch
Pierson Jr	Pietzman	Pike	Plocher	Quade
Razer	Redmon	Rehder	Reiboldt	Reisch
Remole	Revis	Rhoads	Roberts	Roden
Roeber	Rone	Ross	Rowland 155	Rowland 29
Runions	Ruth	Shaul 113	Shumake	Smith 85
Smith 163	Sommer	Spencer	Stacy	Stephens 128
Stevens 46	Swan	Tate	Taylor	Trent
Unsicker	Vescovo	Walker 3	Walker 74	Walsh
White	Wiemann	Wilson	Wood	Mr. Speaker

NOES: 002

Curtis	Moon

PRESENT: 000

ABSENT WITH LEAVE: 019

Alferman	Baringer	Brown 27	Corlew	Ellington
Fitzwater	Francis	Franklin	Haefner	Matthiesen
McDaniel	Merideth 80	Peters	Phillips	Pogue
Schroer	Shull 16	Washington	Wessels	

VACANCIES: 002

Speaker Pro Tem Haahr declared the bill passed.

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HB 1797, as amended, **SS HB 1953**, **SS SCS HCS HB 1364**, and **SCS HCS HB 1635** were placed on the Informal Calendar.

SS SCS HB 1350, as amended, relating to criminal history records, was taken up by Representative Smith (163).

Representative Smith (163) moved that the House refuse to adopt **SS SCS HB 1350, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted by the following vote:

AYES: 145

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Austin	Bahr	Bangert	Barnes 60
Barnes 28	Basye	Beard	Beck	Bernskoetter
Berry	Black	Bondon	Brattin	Brown 57
Burnett	Burns	Butler	Carpenter	Chipman
Christofanelli	Conway 10	Conway 104	Cookson	Cornejo
Cross	Curtis	Curtman	Davis	DeGroot
Dinkins	Dogan	Dohrman	Eggleston	Ellebracht
Engler	Evans	Fitzpatrick	Fraker	Franklin
Franks Jr	Frederick	Gannon	Gray	Green
Gregory	Grier	Haahr	Hannegan	Hansen
Harris	Helms	Henderson	Higdon	Hill
Houghton	Houx	Hurst	Johnson	Justus
Kelley 127	Kelly 141	Kendrick	Kidd	Knight
Kolkmeyer	Korman	Lant	Lavender	Lichtenegger
Love	Lynch	Marshall	Mathews	May
McCann Beatty	McCreery	McGaugh	McGee	Meredith 71
Merideth 80	Messenger	Mitten	Moon	Morgan
Morris 140	Morse 151	Mosley	Muntzel	Neely
Newman	Nichols	Pfautsch	Phillips	Pierson Jr
Pietzman	Pike	Plocher	Quade	Razer
Redmon	Rehder	Reiboldt	Reisch	Remole
Revis	Rhoads	Roberts	Roden	Roeber
Ross	Rowland 155	Rowland 29	Runions	Ruth
Shaul 113	Shull 16	Shumake	Smith 85	Smith 163
Sommer	Spencer	Stacy	Stephens 128	Stevens 46

Swan	Tate	Taylor	Trent	Unsicker
Vescovo	Walker 3	Walker 74	Walsh	Washington
Wessels	White	Wiemann	Wilson	Mr. Speaker

NOES: 000

PRESENT: 001

Ellington

ABSENT WITH LEAVE: 015

Baringer	Brown 27	Corlew	Fitzwater	Francis
Haefner	Lauer	Matthiesen	McDaniel	Miller
Peters	Pogue	Rone	Schroer	Wood

VACANCIES: 002

BILLS IN CONFERENCE

CCR SS SCS HCS HB 1879, as amended, relating to financial transactions involving public entities, was taken up by Representative Fraker.

On motion of Representative Fraker, **CCR SS SCS HCS HB 1879, as amended**, was adopted by the following vote:

AYES: 140

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Austin	Bahr	Bangert	Baringer
Barnes 60	Barnes 28	Basye	Beard	Beck
Bernskoetter	Berry	Black	Bondon	Brattin
Brown 57	Burnett	Burns	Butler	Carpenter
Chipman	Christofanelli	Conway 10	Cookson	Cornejo
Cross	Curtman	Davis	DeGroot	Dinkins
Dohrman	Eggleston	Ellebracht	Ellington	Engler
Evans	Fitzpatrick	Fitzwater	Fraker	Franklin
Frederick	Gannon	Gray	Green	Gregory
Grier	Haahr	Hannegan	Hansen	Harris
Helms	Henderson	Hill	Houghton	Houx
Johnson	Justus	Kelley 127	Kelly 141	Kendrick
Kidd	Knight	Kolkmeyer	Korman	Lant
Lauer	Lavender	Lichtenegger	Love	Lynch
Mathews	May	McCann Beatty	McCreery	McGaugh
McGee	Meredith 71	Merideth 80	Messenger	Miller
Mitten	Morgan	Morris 140	Morse 151	Mosley
Muntzel	Neely	Newman	Nichols	Pfautsch
Phillips	Pierson Jr	Pietzman	Pike	Quade
Razer	Redmon	Rehder	Reiboldt	Reisch
Remole	Revis	Rhoads	Roberts	Roden
Roeber	Ross	Rowland 155	Rowland 29	Runions
Ruth	Shaul 113	Shull 16	Shumake	Smith 85
Smith 163	Sommer	Spencer	Stacy	Stephens 128
Stevens 46	Swan	Tate	Taylor	Trent
Unsicker	Vescovo	Walker 3	Walsh	Washington
Wessels	White	Wiemann	Wilson	Wood

NOES: 003

Hurst	Marshall	Moon

PRESENT: 000

ABSENT WITH LEAVE: 018

Brown 27	Conway 104	Corlew	Curtis	Dogan
Francis	Franks Jr	Haefner	Higdon	Matthiesen
McDaniel	Peters	Plocher	Pogue	Rone
Schroer	Walker 74	Mr. Speaker		

VACANCIES: 002

On motion of Representative Fraker, **CCS SS SCS HCS HB 1879, as amended**, was read the third time and passed by the following vote:

AYES: 140

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Austin	Bahr	Bangert	Baringer
Barnes 60	Barnes 28	Basye	Beard	Beck
Bernskoetter	Berry	Black	Bondon	Brattin
Brown 57	Burnett	Burns	Butler	Carpenter
Chipman	Christofanelli	Conway 10	Cookson	Cornejo
Cross	Curtman	Davis	DeGroot	Dinkins
Dogan	Dohrman	Eggleston	Ellebracht	Ellington
Engler	Evans	Fitzpatrick	Fitzwater	Fraker
Franklin	Franks Jr	Frederick	Gannon	Gray
Green	Gregory	Grier	Haahr	Hannegan
Hansen	Harris	Helms	Henderson	Hill
Houghton	Houx	Johnson	Justus	Kelley 127
Kelly 141	Kendrick	Kidd	Knight	Kolkmeyer
Korman	Lant	Lauer	Lavender	Lichtenegger
Love	Mathews	May	McCann Beatty	McCreery
McGaugh	McGee	Meredith 71	Merideth 80	Messenger
Miller	Mitten	Morgan	Morris 140	Morse 151
Mosley	Muntzel	Neely	Newman	Nichols
Pfautsch	Phillips	Pierson Jr	Pietzman	Pike
Quade	Razer	Redmon	Rehder	Reiboldt
Reisch	Remole	Revis	Rhoads	Roberts
Roden	Roeber	Ross	Rowland 155	Rowland 29
Runions	Ruth	Shaul 113	Shull 16	Shumake
Smith 85	Smith 163	Sommer	Spencer	Stacy
Stephens 128	Stevens 46	Swan	Tate	Taylor
Trent	Unsicker	Vescovo	Walker 3	Walsh
Washington	White	Wiemann	Wilson	Wood

NOES: 003

Hurst	Marshall	Moon

PRESENT: 000

ABSENT WITH LEAVE: 018

Brown 27	Conway 104	Corlew	Curtis	Francis
Haefner	Higdon	Lynch	Matthiesen	McDaniel
Peters	Plocher	Pogue	Rone	Schroer
Walker 74	Wessels	Mr. Speaker		

VACANCIES: 002

Speaker Pro Tem Haahr declared the bill passed.

THIRD READING OF SENATE BILLS - INFORMAL

SCS SBs 999 & 1000, relating to the designation of memorial infrastructure, was taken up by Representative Reisch.

On motion of Representative Reisch, the title of **SCS SBs 999 & 1000** was agreed to.

On motion of Representative Reisch, **SCS SBs 999 & 1000** was truly agreed to and finally passed by the following vote:

AYES: 141

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Austin	Bahr	Bangert	Baringer
Barnes 60	Barnes 28	Basye	Beard	Beck
Bernskoetter	Berry	Black	Bondon	Brattin
Brown 57	Burnett	Burns	Carpenter	Chipman
Christofanelli	Conway 10	Conway 104	Cookson	Cornejo
Cross	Curtman	Davis	DeGroot	Dinkins
Dogan	Dohrman	Eggleston	Ellebracht	Engler
Evans	Fitzpatrick	Fitzwater	Fraker	Franklin
Franks Jr	Frederick	Gray	Green	Gregory
Grier	Haahr	Hannegan	Hansen	Harris
Helms	Henderson	Hill	Houghton	Houx
Hurst	Johnson	Justus	Kelley 127	Kelly 141
Kendrick	Kidd	Knight	Kolkmeyer	Korman
Lant	Lauer	Lavender	Lichtenegger	Love
Lynch	Marshall	Mathews	May	McCann Beatty
McCreery	McGaugh	Meredith 71	Merideth 80	Messenger
Miller	Mitten	Moon	Morgan	Morris 140
Morse 151	Mosley	Muntzel	Neely	Nichols
Pfautsch	Phillips	Pierson Jr	Pietzman	Pike
Quade	Razer	Redmon	Rehder	Reiboldt
Reisch	Remole	Revis	Rhoads	Roberts
Roden	Roeber	Ross	Rowland 155	Rowland 29
Runions	Ruth	Shaul 113	Shull 16	Shumake
Smith 85	Smith 163	Sommer	Spencer	Stacy
Stephens 128	Stevens 46	Swan	Tate	Taylor
Trent	Unsicker	Vescovo	Walker 3	Walsh
Washington	Wessels	White	Wiemann	Wilson
Wood				

NOES: 001

Ellington

PRESENT: 000

ABSENT WITH LEAVE: 019

Brown 27	Butler	Corlew	Curtis	Francis
Gannon	Haefner	Higdon	Matthiesen	McDaniel
McGee	Newman	Peters	Plocher	Pogue
Rone	Schroer	Walker 74	Mr. Speaker	

VACANCIES: 002

Speaker Pro Tem Haahr declared the bill passed.

HCS SS SCS SBs 603, 576 & 898, relating to virtual education, was taken up by Representative Spencer.

On motion of Representative Spencer, the title of **HCS SS SCS SBs 603, 576 & 898** was agreed to.

Representative Spencer offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 603, 576 & 898, Page 3, Section 161.670, Lines 53 through 56, by deleting all of said lines and inserting in lieu thereof the following:

"**(2) Each school district or charter school shall adopt a policy that**"; and

Further amend said bill, page, and section, Lines 63 through 68, by deleting all of said lines and inserting in lieu thereof the following:

"**student's enrollment in the Missouri course access and virtual school program. If the school district or charter school disapproves a student's request to enroll in a course or courses provided by the Missouri course access and virtual school program, including full-time enrollment in courses provided by the Missouri course access and virtual school program, the reason shall be provided in writing and it shall be for "good cause". "Good cause" justification to disapprove a student's request for enrollment in a course shall be a determination that doing so is not in the best educational interest of the student. In cases of denial by the school district or charter school, local education agencies shall inform the student and the student's family of their right to appeal any enrollment denial in the Missouri course access and virtual school program to the local school district board or charter school governing body where the family shall be given an opportunity to present their reasons for the child or children to enroll in the Missouri course access and virtual school program in an official school board meeting. In addition, the school district or charter school administration shall provide its "good cause" justification for denial at a school board meeting or governing body meeting. Both the family and school administration shall also provide their reasons in writing to the members of the school board or governing body and the documents shall be entered into the official board minutes. The members of the board or governing body shall issue their decision in writing within thirty calendar days, and then an appeal may be made to the department of elementary and secondary education, which shall provide**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Spencer, **House Amendment No. 1** was adopted.

Representative Redmon offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 603, 576 & 898, Page 7, Section 161.670, Line 222, by inserting after all of said section and line the following:

"162.064. **1.** Each school district shall have on file a statement from a medical examiner which indicates that the driver is physically qualified to operate a school bus for the purpose of transporting pupils. Such statement shall be made on an annual basis**, unless a statement is issued by a department of transportation certified medical examiner, in which case such examiner may issue a statement for up to a two-year duration, subject to rules promulgated by the department of transportation**. The term "medical examiner" includes, but is not limited to, doctors of medicine, doctors of osteopathy, physician assistants, advanced practice nurses, and doctors of chiropractic. For new drivers, such statement shall be on file prior to the driver's initial operation of a school bus. This section shall apply to drivers employed by the school district or under contract with the school district.

2. The director of the department of transportation may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2018, shall be invalid and void."; and

Further amend said bill, Page 13, Section 173.1107, Line 8, by inserting immediately after said line the following:

"302.272. 1. No person shall operate any school bus owned by or under contract with a public school or the state board of education unless such driver has qualified for a school bus endorsement under this section and complied with the pertinent rules and regulations of the department of revenue and any final rule issued by the secretary of the United States Department of Transportation or has a valid school bus endorsement on a valid commercial driver's license issued by another state. A school bus endorsement shall be issued to any applicant who meets the following qualifications:

(1) The applicant has a valid state license issued under this chapter;

(2) The applicant is at least twenty-one years of age; and

(3) The applicant has successfully passed an examination for the operation of a school bus as prescribed by the director of revenue. The examination shall include any examinations prescribed by the secretary of the United States Department of Transportation, and a driving test in the type of vehicle to be operated. The test shall be completed in the appropriate class of vehicle to be driven. For purposes of this section classes of school buses shall comply with the Commercial Motor Vehicle Safety Act of 1986 (Title XII of Pub. Law 99-570). For drivers who are at least seventy years of age, such examination**, excluding the pre-trip inspection portion of the commercial driver's license skills test,** shall be completed annually **to retain the school bus endorsement**.

2. The director of revenue, to the best of the director's knowledge, shall not issue or renew a school bus endorsement to any applicant whose driving record shows that such applicant's privilege to operate a motor vehicle has been suspended, revoked or disqualified or whose driving record shows a history of moving vehicle violations.

3. The director may adopt any rules and regulations necessary to carry out the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a

rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be invalid and void.

4. Notwithstanding the requirements of this section, an applicant who resides in another state and possesses a valid driver's license from his or her state of residence with a valid school bus endorsement for the type of vehicle being operated shall not be required to obtain a Missouri driver's license with a school bus endorsement."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative May raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

House Amendment No. 2 was withdrawn.

Representative Lichtenegger offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 603, 576 & 898, Page 8, Section 167.121, Line 33, by inserting immediately after all of said section and line the following:

"173.234. 1. As used in this section, unless the context clearly requires otherwise, the following terms mean:

(1) "Board", the coordinating board for higher education;

(2) "Books", any books required for any course for which tuition was paid by a grant awarded under this section;

(3) "Eligible student", the natural, adopted, or stepchild of a qualifying military member, who is less than twenty-five years of age and who was a dependent of a qualifying military member at the time of death or injury or within five years subsequent to the injury, or the spouse of a qualifying military member which was the spouse of a veteran at the time of death or injury or within five years subsequent to the injury;

(4) "Grant", the veteran's survivors grant as established in this section;

(5) "Institution of postsecondary education", any approved Missouri public institution of postsecondary education, as defined in subdivision (3) of **subsection 1 of** section 173.1102;

(6) "Qualifying military member", any member of the military of the United States, whether active duty, reserve, or National Guard, who served in the military after September 11, 2001, during time of war and for whom the following criteria apply:

(a) A veteran was a Missouri resident when first entering the military service or at the time of death or injury;

(b) A veteran died or was injured as a result of combat action or a veteran's death or injury was certified by the Department of Veterans' Affairs medical authority to be attributable to an illness or accident that occurred while serving in combat, or became eighty percent disabled as a result of injuries or accidents sustained in combat action after September 11, 2001; and

(c) "Combat veteran", a Missouri resident who is discharged for active duty service having served since September 11, 2001, and received a DD214 in a geographic area entitled to receive combat pay tax exclusion exemption, hazardous duty pay, or imminent danger pay, or hostile fire pay;

(7) "Survivor", an eligible student of a qualifying military member;

(8) "Tuition", any tuition or incidental fee, or both, charged by an institution of postsecondary education for attendance at the institution by a student as a resident of this state. The tuition grant shall not exceed the amount of tuition charged a Missouri resident at the University of Missouri-Columbia for attendance.

2. Within the limits of the amounts appropriated therefor, the coordinating board for higher education shall award annually up to twenty-five grants to survivors of qualifying military members to attend institutions of postsecondary education in this state, which shall continue to be awarded annually to eligible recipients as long as the recipient achieves and maintains a cumulative grade point average of at least two and one-half on a four-point scale, or its equivalent. If the waiting list of eligible survivors exceeds fifty, the coordinating board may petition the

general assembly to expand the quota. If the quota is not expanded, then the eligibility of survivors on the waiting list shall be extended.

3. A survivor may receive a grant under this section only so long as the survivor is enrolled in a program leading to a certificate, or an associate or baccalaureate degree. In no event shall a survivor receive a grant beyond the completion of the first baccalaureate degree, regardless of age.

4. The coordinating board for higher education shall:

(1) Promulgate all necessary rules and regulations for the implementation of this section; and

(2) Provide the forms and determine the procedures necessary for a survivor to apply for and receive a grant under this section.

5. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2008, shall be invalid and void.

6. In order to be eligible to receive a grant under this section, a survivor shall be certified as eligible by the Missouri veterans' commission.

7. A survivor who is enrolled or has been accepted for enrollment as an undergraduate postsecondary student at an approved institution of postsecondary education, and who is selected to receive a grant under this section, shall receive the following:

(1) An amount not to exceed the actual tuition charged at the approved institution of postsecondary education where the survivor is enrolled or accepted for enrollment;

(2) An allowance of up to two thousand dollars per semester for room and board; and

(3) The actual cost of books, up to a maximum of five hundred dollars per semester.

8. A survivor who is a recipient of a grant may transfer from one approved public institution of postsecondary education to another without losing his or her entitlement under this section. The board shall make necessary adjustments in the amount of the grant. If a grant recipient at any time withdraws from the institution of postsecondary education so that under the rules and regulations of that institution he or she is entitled to a refund of any tuition, fees, room and board, books, or other charges, the institution shall pay the portion of the refund to which he or she is entitled attributable to the grant for that semester or similar grading period to the board.

9. If a survivor is granted financial assistance under any other student aid program, public or private, the full amount of such aid shall be reported to the board by the institution and the eligible survivor.

10. Nothing in this section shall be construed as a promise or guarantee that a person will be admitted to an institution of postsecondary education or to a particular institution of postsecondary education, will be allowed to continue to attend an institution of postsecondary education after having been admitted, or will be graduated from an institution of postsecondary education.

11. The benefits conferred by this section shall be available to any academically eligible student of a qualifying military member. Surviving children who are eligible shall be permitted to apply for full benefits conferred by this section until they reach twenty-five years of age.

12. Pursuant to section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall be reauthorized as of June 13, 2016, and shall expire on August 28, 2020, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall sunset automatically twelve years after June 13, 2016; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.

173.616. 1. The following schools, training programs, and courses of instruction shall be exempt from the provisions of sections 173.600 to 173.618:

(1) A public institution;

(2) Any college or university represented directly or indirectly on the advisory committee of the coordinating board for higher education as provided in subsection 3 of section 173.005;

(3) An institution that is certified by the board as an “approved private institution” under subdivision (2) of **subsection 1 of** section 173.1102;

(4) A not-for-profit religious school that is accredited by the American Association of Bible Colleges, the Association of Theological Schools in the United States and Canada, or a regional accrediting association, such as

the North Central Association, which is recognized by the Council on Postsecondary Accreditation and the United States Department of Education; and

(5) Beginning July 1, 2008, all out-of-state public institutions of higher education, as such term is defined in subdivision (13) of subsection 2 of section 173.005.

2. The coordinating board shall exempt the following schools, training programs and courses of instruction from the provisions of sections 173.600 to 173.618:

(1) A not-for-profit school owned, controlled and operated by a bona fide religious or denominational organization which offers no programs or degrees and grants no degrees or certificates other than those specifically designated as theological, bible, divinity or other religious designation;

(2) A not-for-profit school owned, controlled and operated by a bona fide eleemosynary organization which provides instruction with no financial charge to its students and at which no part of the instructional cost is defrayed by or through programs of governmental student financial aid, including grants and loans, provided directly to or for individual students;

(3) A school which offers instruction only in subject areas which are primarily for avocational or recreational purposes as distinct from courses to teach employable, marketable knowledge or skills, which does not advertise occupational objectives and which does not grant degrees;

(4) A course of instruction, study or training program sponsored by an employer for the training and preparation of its own employees;

(5) A course of study or instruction conducted by a trade, business or professional organization with a closed membership where participation in the course is limited to bona fide members of the trade, business or professional organization, or a course of instruction for persons in preparation for an examination given by a state board or commission where the state board or commission approves that course and school;

(6) A school or person whose clientele are primarily students aged sixteen or under;

(7) A yoga teacher training course, program, or school.

3. A school which is otherwise licensed and approved under and pursuant to any other licensing law of this state shall be exempt from sections 173.600 to 173.618, but a state certificate of incorporation shall not constitute licensing for the purpose of sections 173.600 to 173.618.

4. Any school, training program or course of instruction exempted herein may elect by majority action of its governing body or by action of its director to apply for approval of the school, training program or course of instruction under the provisions of sections 173.600 to 173.618. Upon application to and approval by the coordinating board, such school training program or course of instruction may become exempt from the provisions of sections 173.600 to 173.618 at any subsequent time, except the board shall not approve an application for exemption if the approved school is then in any status of noncompliance with certification standards and a reversion to exempt status shall not relieve the school of any liability for indemnification or any penalty for noncompliance with certification standards during the period of the school's approved status."; and

Further amend said bill, Page 13, Section 173.1107, Line 8, by inserting immediately after all of said section and line the following:

"173.1150. 1. Notwithstanding any provision of law to the contrary, any individual who is in the process of separating from any branch of the military forces of the United States with an honorable discharge or a general discharge shall have student resident status for purposes of admission and in-state tuition at any approved public four-year institution in Missouri or in-state, in-district tuition at any approved two-year institution in Missouri.

2. To be eligible for student resident status under this section, any such individual shall demonstrate presence and declare residency within the state of Missouri. For purposes of attending a community college, an individual shall demonstrate presence and declare residency within the taxing district of the community college he or she attends.

3. The coordinating board for higher education shall promulgate rules to implement this section.

4. For purposes of this section, "approved public institution" shall have the same meaning as provided in subdivision (3) of **subsection 1 of** section 173.1102.

5. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or

to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.

173.1153. 1. Notwithstanding any provision of law to the contrary, any individual who is currently serving in the Missouri National Guard or in a reserve component of the Armed Forces of the United States shall be deemed to be domiciled in this state for purposes of eligibility for in-state tuition at any approved public institution in Missouri.

2. To be eligible for in-state tuition under this section, any such individual shall demonstrate presence within the state of Missouri. For purposes of attending a community college, an individual shall demonstrate presence within the taxing district of the community college he or she attends.

3. If any such individual is eligible to receive financial assistance under any other federal or state student aid program, public or private, the full amount of such aid shall be reported to the coordinating board for higher education by the institution and the individual. The tuition limitation under this section shall be provided after all other federal and state aid for which the individual is eligible has been applied, and no individual shall receive more than the actual cost of attendance when the limitation is combined with other aid made available to such individual.

4. The coordinating board for higher education shall promulgate rules to implement this section.

5. For purposes of this section, "approved public institution" shall have the same meaning as provided in subdivision (3) of **subsection 1 of** section 173.1102.

6. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void."; and

Further amend said bill and page, Section B, Line 1, by deleting the phrase "Section A" and inserting in lieu thereof the phrase "The repeal and reenactment of sections 161.670 and 167.121"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Lichtenegger, **House Amendment No. 3** was adopted.

Representative Bahr offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 603, 576 & 898, Page 5, Section 161.670, Lines 138 through 143, by deleting all of said lines and inserting in lieu thereof the following:

"**(14) Any online course or virtual program offered by a school district or charter school, including those offered prior to August 28, 2018, which meets the requirements of section 162.1250 shall be automatically approved to participate in the Missouri course access and virtual school program. Such course or program shall be subject to periodic renewal. A school district or charter school offering such a course or virtual school program shall be deemed an approved provider.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Bahr, **House Amendment No. 4** was adopted.

Representative May offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 603, 576 & 898, Page 13, Section 173.1107, Line 8, by inserting immediately after said line the following:

"**173.1562. 1. To ensure compliance with federal land grant institution laws and to prevent the potential loss of any federal moneys to land grant institutions in this state based on a failure to appropriate the state matching moneys, and notwithstanding any other provision of law, the state shall appropriate matching moneys to all land grant institutions in the state in compliance with the one-to-one match obligation established in the First Morrill Act of 1862 and the Second Morrill Act of 1890. Any one-to-one match made by the state shall not result in a reduction in other state moneys appropriated to a land grant institution.**

2. Notwithstanding any other provision of law, the state shall not seek a waiver or require any land grant institution in the state to seek a waiver of the state's one-to-one match obligation."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Ruth raised a point of order that **House Amendment No. 5** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Spencer, **HCS SS SCS SBs 603, 576 & 898, as amended**, was adopted.

On motion of Representative Spencer, **HCS SS SCS SBs 603, 576 & 898, as amended**, was read the third time and passed by the following vote:

AYES: 084

Alferman	Anderson	Austin	Bahr	Barnes 60
Basye	Beard	Bernskoetter	Berry	Bondon
Brattin	Chipman	Christofanelli	Conway 104	Cookson
Cornejo	Cross	Curtis	Curtman	Davis
DeGroot	Dogan	Dohrman	Eggleston	Ellington
Engler	Evans	Fitzpatrick	Fitzwater	Frederick
Gregory	Grier	Haahr	Hannegan	Helms
Hill	Houghton	Houx	Johnson	Justus
Kelley 127	Kelly 141	Kolkmeyer	Lauer	Lichtenegger
Love	Lynch	Mathews	Miller	Morris 140
Morse 151	Muntzel	Neely	Pfautsch	Pietzman
Pike	Plocher	Rehder	Reiboldt	Reisch
Remole	Rhoads	Roden	Roeber	Ross
Schroer	Shaul 113	Shull 16	Shumake	Smith 163
Spencer	Stacy	Stephens 128	Swan	Tate
Taylor	Trent	Vescovo	Walsh	White
Wiemann	Wilson	Wood	Mr. Speaker	

NOES: 066

Adams	Anders	Andrews	Arthur	Bangert
Baringer	Barnes 28	Beck	Black	Burnett
Burns	Butler	Carpenter	Conway 10	Dinkins
Ellebracht	Fraker	Francis	Franklin	Franks Jr
Gannon	Gray	Green	Hansen	Harris
Henderson	Higdon	Hurst	Kendrick	Kidd
Knight	Korman	Lavender	Marshall	May
McCann Beatty	McCreery	McGaugh	McGee	Meredith 71
Merideth 80	Messenger	Mitten	Moon	Morgan
Mosley	Newman	Nichols	Phillips	Pierson Jr

Quade	Razer	Redmon	Revis	Roberts
Rowland 155	Rowland 29	Runions	Ruth	Smith 85
Sommer	Stevens 46	Unsicker	Walker 3	Washington
Wessels				

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 27	Brown 57	Corlew	Haefner	Lant
Matthiesen	McDaniel	Peters	Pogue	Rone
Walker 74				

VACANCIES: 002

Speaker Pro Tem Haahr declared the bill passed.

HCS SCS SBs 807 & 577, relating to higher education, was taken up by Representative Lichtenegger.

On motion of Representative Lichtenegger, the title of **HCS SCS SBs 807 & 577** was agreed to.

Representative Lichtenegger offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 807 & 577, Page 9, Section 170.013, Line 16, by deleting the word "**in**" and inserting in lieu thereof the word "**on**"; and

Further amend said bill and page, Section 172.280, Lines 7 through 8, by deleting all of said line and inserting in lieu thereof the following:

"**degrees, including dentistry, law, medicine, optometry, pharmacy, and veterinary medicine.**"; and

Further amend said bill, Page 10, Section 173.005, Line 51, by deleting the period "**.**" and inserting in lieu thereof a semicolon "**;**"; and

Further amend said bill, Page 16, Section 173.260, Line 40, by deleting the phrase "**emergency medical technician,**"; and

Further amend said bill, Page 26, Section 174.231, Line 8, by deleting the numeral "(2)" and inserting in lieu thereof the numerals "**[**~~(2)~~**] (3)**"; and

Further amend said bill, Page 31, Section 436.218, Line 96, by deleting the word "**an**" and inserting in lieu thereof the word "**a**"; and

Further amend said bill, Page 32, Section 436.227, Line 28, by deleting the phrase "**the parent**" and inserting in lieu thereof the phrase "**a parent**"; and

Further amend said bill and section, Page 33, Line 50, by deleting the word "**subdivisions**" and inserting in lieu thereof the word "**subdivision**"; and

Further amend said bill, page, and section, Line 66, by deleting the word "and" and inserting in lieu thereof the word "**[**~~and~~**]**"; and

Further amend said bill, Page 36, Section 436.242, Line 23, by inserting immediately after the word "**FIRST**" a comma "**,**"; and

Further amend said bill, page, and section, Line 30, by deleting the phrase "**the parent**" and inserting in lieu thereof the phrase "**a parent**"; and

Further amend said bill and section, Page 37, Line 34, by deleting the phrase "**the parent**" and inserting in lieu thereof the phrase "**a parent**"; and

Further amend said bill, page, and section, Line 38, by deleting the phrase "**the parent**" and inserting in lieu thereof the phrase "**a parent**"; and

Further amend said bill, page, and section, Line 41, by deleting the phrase "**the parent**" and inserting in lieu thereof the phrase "**a parent**"; and

Further amend said bill, Page 38, Section 436.245, Line 31, by deleting the phrase "**the parent**" and inserting in lieu thereof the phrase "**a parent**"; and

Further amend said bill and page, Section 436.248, Line 1, by deleting the phrase "**the parent**" and inserting in lieu thereof the phrase "**a parent**"; and

Further amend said bill, page, and section, Line 4, by deleting the phrase "**the parent**" and inserting in lieu thereof the phrase "**a parent**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Lichtenegger, **House Amendment No. 1** was adopted.

Representative Frederick offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 807 & 577, Page 24, Section 173.1450, Line 22, by inserting immediately after said line the following:

"**173.2530. Beginning in the 2020-21 school year, and continuing on an annual basis thereafter, each public institution of higher education shall publish a report measuring compliance with the standards promulgated by the International Association of Counseling Services, Inc. relating to mental health services provided on college campuses. The report shall include a measure of the institution's ability to adequately meet student mental health needs. All reports required by this section shall be made available to the public.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Kolkmeyer assumed the Chair.

On motion of Representative Frederick, **House Amendment No. 2** was adopted.

Representative Swan offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 807 & 577, Page 1, Section A, Line 9, by inserting immediately after said line the following:

"34.010. 1. The term "department" as used in this chapter shall be deemed to mean department, office, board, commission, bureau, institution, or any other agency of the state, except the legislative and judicial departments **and public institutions of higher education**.

2. The term "lowest and best" in determining the lowest and best award, cost, and other factors are to be considered in the evaluation process. Factors may include, but are not limited to, value, performance, and quality of a product.

3. The term "Missouri product" refers to goods or commodities which are manufactured, mined, produced, or grown by companies in Missouri, or services provided by such companies.

4. The term "negotiation" as used in this chapter means the process of selecting a contractor by the competitive methods described in this chapter, whereby the commissioner of administration can establish any and all terms and conditions of a procurement contract by discussion with one or more prospective contractors.

5. The term "purchase" as used in this chapter shall include the rental or leasing of any equipment, articles or things.

6. The term "supplies" used in this chapter shall be deemed to mean supplies, materials, equipment, contractual services and any and all articles or things, except for utility services regulated under chapter 393 or as in this chapter otherwise provided.

7. The term "value" includes but is not limited to price, performance, and quality. In assessing value, the state purchaser may consider the economic impact to the state of Missouri for Missouri products versus the economic impact of products generated from out of state. This economic impact may include the revenues returned to the state through tax revenue obligations."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Swan, **House Amendment No. 3** was adopted.

Representative May offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 807 & 577, Page 24, Section 173.1450, Line 22, by inserting immediately after said line the following:

"**173.1562. 1. To ensure compliance with federal land grant institution laws and to prevent the potential loss of any federal moneys to land grant institutions in this state based on a failure to appropriate the state matching moneys, and notwithstanding any other provision of law, the state shall appropriate matching moneys to all land grant institutions in the state in compliance with the one-to-one match obligation established in the First Morrill Act of 1862 and the Second Morrill Act of 1890. Any one-to-one match made by the state shall not result in a reduction in other state moneys appropriated to a land grant institution.**

2. Notwithstanding any other provision of law, the state shall not seek a waiver or require any land grant institution in the state to seek a waiver of the state's one-to-one match obligation."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative May moved that **House Amendment No. 4** be adopted.

Which motion was defeated.

On motion of Representative Lichtenegger, **HCS SCS SBs 807 & 577, as amended**, was adopted.

On motion of Representative Lichtenegger, **HCS SCS SBs 807 & 577, as amended**, was third read and passed by the following vote:

AYES: 135

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Austin	Bahr	Bangert	Baringer
Barnes 28	Basye	Beard	Beck	Bernskoetter
Berry	Black	Bondon	Brattin	Brown 57
Butler	Chipman	Christofanelli	Conway 104	Cookson
Cornejo	Cross	Curtis	Curtman	Davis
DeGroot	Dinkins	Dogan	Dohrman	Eggleston
Ellebracht	Ellington	Engler	Evans	Fitzpatrick
Fitzwater	Francis	Franklin	Franks Jr	Frederick
Gannon	Gray	Green	Gregory	Grier
Haahr	Hannegan	Hansen	Harris	Helms
Henderson	Hill	Houghton	Houx	Johnson
Justus	Kelley 127	Kelly 141	Kendrick	Kidd
Knight	Kolkmeyer	Korman	Lauer	Lavender
Lichtenegger	Love	Lynch	Mathews	May
McCann Beatty	McCreery	McGaugh	McGee	Meredith 71
Merideth 80	Miller	Mitten	Morgan	Morris 140
Morse 151	Mosley	Muntzel	Neely	Nichols
Pfautsch	Phillips	Pierson Jr	Pietzman	Pike
Plocher	Quade	Razer	Redmon	Rehder
Reiboldt	Reisch	Remole	Revis	Roberts
Roden	Roeber	Ross	Rowland 155	Runions
Ruth	Schroer	Shaul 113	Shull 16	Shumake
Smith 85	Smith 163	Sommer	Spencer	Stacy
Stevens 46	Swan	Tate	Taylor	Trent
Unsicker	Vescovo	Walker 3	Walsh	Wessels
White	Wiemann	Wilson	Wood	Mr. Speaker

NOES: 004

Burnett	Hurst	Marshall	Moon

PRESENT: 001

Washington

ABSENT WITH LEAVE: 021

Barnes 60	Brown 27	Burns	Carpenter	Conway 10
Corlew	Fraker	Haefner	Higdon	Lant
Matthiesen	McDaniel	Messenger	Newman	Peters
Pogue	Rhoads	Rone	Rowland 29	Stephens 128
Walker 74				

VACANCIES: 002

Representative Kolkmeyer declared the bill passed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS SB 892, as amended**, and has taken up and passed **CCS SCS SB 892**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS#2 SCS SB 949** entitled:

An act to repeal sections 167.225, 167.263, 167.268, and 167.645, RSMo, and to enact in lieu thereof three new sections relating to reading intervention in schools.

In which the concurrence of the House is respectfully requested.

CONFERENCE COMMITTEE CHANGE

The Speaker hereby removes Representative Haefner from the Conference Committee on **HCS SB 660, as amended**, and appoints Representative Franklin.

On motion of Representative Vescovo, the House recessed until 3:15 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Representative Ross.

Representative Austin suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 030

Alferman	Basye	Bernskoetter	Bondon	Cookson
DeGroot	Dogan	Fraker	Francis	Gannon
Henderson	Hurst	Justus	Kelley 127	Kelly 141
Korman	Matthiesen	Mitten	Morse 151	Muntzel
Phillips	Redmon	Reiboldt	Reisch	Remole
Rhoads	Rowland 29	Taylor	Walsh	White

NOES: 000

PRESENT: 066

Adams	Anderson	Andrews	Austin	Bangert
Baringer	Barnes 28	Berry	Black	Brattin
Brown 57	Christofanelli	Conway 104	Davis	Dinkins
Eggleston	Franklin	Frederick	Gray	Green
Grier	Hannegan	Hansen	Harris	Helms
Higdon	Houghton	Houx	Johnson	Kendrick
Kidd	Knight	Kolkmeyer	Lauer	Lichtenegger
Lynch	Marshall	Mathews	McCann Beatty	McCreery
Miller	Neely	Pfautsch	Pike	Razer
Roberts	Roden	Ross	Rowland 155	Runions

Ruth	Shaul 113	Shull 16	Shumake	Smith 163
Sommer	Stacy	Stephens 128	Swan	Tate
Trent	Walker 3	Washington	Wessels	Wilson
Wood				

ABSENT WITH LEAVE: 065

Anders	Arthur	Bahr	Barnes 60	Beard
Beck	Brown 27	Burnett	Burns	Butler
Carpenter	Chipman	Conway 10	Corlew	Cornejo
Cross	Curtis	Curtman	Dohrman	Ellebracht
Ellington	Engler	Evans	Fitzpatrick	Fitzwater
Franks Jr	Gregory	Haahr	Haefner	Hill
Lant	Lavender	Love	May	McDaniel
McGaugh	McGee	Meredith 71	Merideth 80	Messenger
Moon	Morgan	Morris 140	Mosley	Newman
Nichols	Peters	Pierson Jr	Pietzman	Plocher
Pogue	Quade	Rehder	Revis	Roeber
Rone	Schroer	Smith 85	Spencer	Stevens 46
Unsicker	Vescovo	Walker 74	Wiemann	Mr. Speaker

VACANCIES: 002

HOUSE BILLS WITH SENATE AMENDMENTS

SS SCS HB 1558, as amended, relating to the offense of nonconsensual dissemination of private sexual images, was taken up by Representative Neely.

Speaker Pro Tem Haahr resumed the Chair.

On motion of Representative Neely, **SS SCS HB 1558, as amended**, was adopted by the following vote:

AYES: 131

Adams	Alferman	Anders	Anderson	Andrews
Austin	Bahr	Bangert	Baringer	Barnes 28
Beck	Bernskoetter	Berry	Black	Bondon
Brattin	Brown 57	Burnett	Carpenter	Christofanelli
Conway 10	Conway 104	Cookson	Cornejo	Curtis
Curtman	Davis	Dinkins	Dogan	Dohrman
Eggleston	Ellebracht	Engler	Evans	Fitzpatrick
Fitzwater	Fraker	Francis	Franklin	Frederick
Gannon	Gray	Green	Gregory	Grier
Haahr	Hannegan	Hansen	Harris	Helms
Henderson	Higdon	Hill	Houghton	Houx
Hurst	Johnson	Kelley 127	Kelly 141	Kendrick
Kidd	Knight	Kolkmeyer	Korman	Lauer
Lavender	Lichtenegger	Love	Lynch	Marshall
Mathews	Matthiesen	May	McCann Beatty	McCreery
McGaugh	Merideth 80	Miller	Mitten	Moon
Morgan	Morris 140	Morse 151	Mosley	Muntzel
Neely	Pfautsch	Phillips	Pierson Jr	Pietzman
Pike	Plocher	Quade	Rehder	Reiboldt

Reisch	Remole	Revis	Rhoads	Roberts
Roden	Roeber	Ross	Rowland 155	Rowland 29
Runions	Ruth	Schroer	Shaul 113	Shull 16
Smith 163	Sommer	Spencer	Stacy	Stephens 128
Stevens 46	Swan	Tate	Taylor	Trent
Unsicker	Vescovo	Walker 3	Walsh	Washington
Wessels	White	Wiemann	Wilson	Wood
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 030

Arthur	Barnes 60	Basye	Beard	Brown 27
Burns	Butler	Chipman	Corlew	Cross
DeGroot	Ellington	Franks Jr	Haefner	Justus
Lant	McDaniel	McGee	Meredith 71	Messenger
Newman	Nichols	Peters	Pogue	Razer
Redmon	Rone	Shumake	Smith 85	Walker 74

VACANCIES: 002

On motion of Representative Neely, **SS SCS HB 1558, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 138

Adams	Alferman	Anders	Anderson	Andrews
Austin	Bahr	Bangert	Baringer	Barnes 60
Barnes 28	Basye	Beard	Beck	Bernskoetter
Berry	Black	Bondon	Brown 57	Burnett
Carpenter	Christofanelli	Conway 10	Conway 104	Cookson
Cornejo	Cross	Curtis	Curtman	Davis
DeGroot	Dinkins	Dogan	Dohrman	Eggleston
Ellebracht	Engler	Evans	Fitzpatrick	Fitzwater
Fraker	Francis	Franklin	Frederick	Gannon
Gray	Green	Gregory	Grier	Haahr
Hannegan	Hansen	Harris	Helms	Henderson
Higdon	Hill	Houghton	Houx	Hurst
Johnson	Justus	Kelley 127	Kelly 141	Kendrick
Kidd	Knight	Kolkmeyer	Korman	Lauer
Lavender	Lichtenegger	Love	Lynch	Marshall
Mathews	Matthiesen	May	McCann Beatty	McCreery
McGaugh	Merideth 80	Miller	Mitten	Moon
Morgan	Morris 140	Morse 151	Mosley	Muntzel
Neely	Pfautsch	Phillips	Pierson Jr	Pietzman
Pike	Plocher	Quade	Razer	Redmon
Rehder	Reiboldt	Reisch	Remole	Revis
Rhoads	Roberts	Roden	Roeber	Ross
Rowland 155	Rowland 29	Runions	Ruth	Schroer
Shaul 113	Shull 16	Smith 163	Sommer	Spencer
Stacy	Stephens 128	Stevens 46	Swan	Tate
Taylor	Trent	Unsicker	Vescovo	Walker 3
Walsh	Washington	Wessels	White	Wiemann
Wilson	Wood	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 023

Arthur	Brattin	Brown 27	Burns	Butler
Chipman	Corlew	Ellington	Franks Jr	Haefner
Lant	McDaniel	McGee	Meredith 71	Messenger
Newman	Nichols	Peters	Pogue	Rone
Shumake	Smith 85	Walker 74		

VACANCIES: 002

Speaker Pro Tem Haahr declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 138

Adams	Alferman	Anders	Anderson	Andrews
Austin	Bahr	Bangert	Baringer	Barnes 60
Barnes 28	Basye	Beard	Beck	Bernskoetter
Berry	Black	Bondon	Brattin	Brown 57
Burnett	Carpenter	Chipman	Christofanelli	Conway 10
Conway 104	Cookson	Cornejo	Cross	Curtis
Curtman	Davis	Dinkins	Dogan	Dohrman
Eggleston	Ellebracht	Ellington	Engler	Evans
Fitzpatrick	Fitzwater	Fraker	Francis	Franklin
Frederick	Gannon	Gray	Green	Gregory
Grier	Haahr	Hannegan	Hansen	Harris
Henderson	Higdon	Hill	Houghton	Houx
Hurst	Johnson	Justus	Kelley 127	Kelly 141
Kendrick	Knight	Kolkmeyer	Korman	Lauer
Lavender	Lichtenegger	Love	Lynch	Marshall
Mathews	Matthiesen	May	McCann Beatty	McCreery
McGaugh	Merideth 80	Miller	Mitten	Moon
Morgan	Morris 140	Morse 151	Mosley	Muntzel
Neely	Pfautsch	Phillips	Pierson Jr	Pietzman
Pike	Plocher	Quade	Razer	Redmon
Rehder	Reiboldt	Reisch	Remole	Revis
Rhoads	Roberts	Roden	Roeber	Ross
Rowland 155	Rowland 29	Runions	Ruth	Schroer
Shaul 113	Shull 16	Shumake	Smith 163	Sommer
Spencer	Stacy	Stephens 128	Stevens 46	Swan
Tate	Taylor	Trent	Unsicker	Vescovo
Walker 3	Walsh	Washington	Wessels	White
Wiemann	Wilson	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 023

Arthur	Brown 27	Burns	Butler	Corlew
DeGroot	Franks Jr	Haefner	Helms	Kidd

Lant	McDaniel	McGee	Meredith 71	Messenger
Newman	Nichols	Peters	Pogue	Rone
Smith 85	Walker 74	Wood		

VACANCIES: 002

COMMITTEE REPORTS

Committee on Fiscal Review, Vice-Chairman Smith (163) reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 2171, with Senate Amendment No. 1**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (12): Alferman, Anderson, Conway (104), Fraker, Morgan, Morris (140), Smith (163), Swan, Unsicker, Wessels, Wiemann and Wood

Noes (0)

Absent (2): Haefner and Rowland (29)

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **CCR HCS SS SCS SB 707, as amended**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (10): Anderson, Conway (104), Fraker, Morgan, Rowland (29), Smith (163), Swan, Unsicker, Wiemann and Wood

Noes (0)

Absent (4): Alferman, Haefner, Morris (140) and Wessels

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SB 569, as amended**, and has taken up and passed **CCS HCS SB 569**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SS SCS SB 707, as amended**, and has taken up and passed **CCS HCS SS SCS SB 707**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS** for **SB 793, as amended**, and has taken up and passed **HCS SB 793, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS** for **SB 800, as amended**, and has taken up and passed **HCS SB 800, as amended**.

BILLS IN CONFERENCE

CCR SCS SB 892, with House Amendment No. 1, **House Amendment No. 2**, **House Amendment No. 3**, **House Amendment No. 4**, and **House Amendment No. 5**, relating to public employee retirement systems, was taken up by Representative Walker (3).

On motion of Representative Walker (3), **CCR SCS SB 892, with House Amendment No. 1**, **House Amendment No. 2**, **House Amendment No. 3**, **House Amendment No. 4**, and **House Amendment No. 5** was adopted by the following vote:

AYES: 124

Adams	Alferman	Anders	Anderson	Andrews
Austin	Bangert	Baringer	Barnes 28	Basye
Beard	Beck	Bernskoetter	Bondon	Brown 57
Burnett	Carpenter	Chipman	Christofanelli	Conway 10
Conway 104	Cookson	Cross	Curtis	Curtman
Davis	Dinkins	Dogan	Dohrman	Eggleston
Ellebracht	Ellington	Engler	Evans	Fitzpatrick
Fitzwater	Fraker	Francis	Franklin	Frederick
Gannon	Gray	Gregory	Grier	Haahr
Hannegan	Hansen	Harris	Helms	Henderson
Higdon	Hill	Houghton	Houx	Johnson
Justus	Kelley 127	Kelly 141	Kendrick	Knight
Kolkmeyer	Korman	Lauer	Lavender	Lichtenegger
Love	Lynch	Mathews	Matthiesen	May
McCann Beatty	McCreery	McGaugh	Merideth 80	Miller
Morris 140	Morse 151	Mosley	Muntzel	Neely
Nichols	Pfautsch	Phillips	Pierson Jr	Pietzman
Pike	Plocher	Quade	Razer	Redmon
Reiboldt	Reisch	Remole	Revis	Roberts
Roden	Roeber	Ross	Rowland 155	Rowland 29
Runions	Ruth	Schroer	Shaul 113	Shull 16
Shumake	Smith 163	Sommer	Spencer	Stacy
Stephens 128	Stevens 46	Swan	Tate	Taylor
Unsicker	Vescovo	Walker 3	Walsh	Washington
Wessels	White	Wiemann	Wilson	

NOES: 003

Hurst	Marshall	Moon

PRESENT: 002

Black	Morgan

ABSENT WITH LEAVE: 032

Arthur	Bahr	Barnes 60	Berry	Brattin
Brown 27	Burns	Butler	Corlew	Cornejo
DeGroot	Franks Jr	Green	Haefner	Kidd
Lant	McDaniel	McGee	Meredith 71	Messenger
Mitten	Newman	Peters	Pogue	Rehder

Rhoads	Rone	Smith 85	Trent	Walker 74
Wood	Mr. Speaker			

VACANCIES: 002

On motion of Representative Walker (3), **CCS SCS SB 892** was truly agreed to and finally passed by the following vote:

AYES: 128

Adams	Alferman	Anders	Anderson	Andrews
Austin	Bahr	Bangert	Baringer	Barnes 28
Basye	Beard	Beck	Bernskoetter	Berry
Bondon	Brown 57	Burnett	Carpenter	Chipman
Conway 104	Cookson	Cornejo	Cross	Curtis
Curtman	Davis	Dinkins	Dogan	Dohrman
Eggleston	Ellebracht	Engler	Evans	Fitzpatrick
Fitzwater	Fraker	Francis	Franklin	Frederick
Gannon	Gray	Green	Gregory	Grier
Haahr	Hannegan	Hansen	Harris	Helms
Henderson	Higdon	Hill	Houghton	Houx
Johnson	Justus	Kelley 127	Kelly 141	Kendrick
Kidd	Knight	Korman	Lauer	Lavender
Lichtenegger	Love	Lynch	Mathews	Matthiesen
May	McCann Beatty	McCreery	McGaugh	Merideth 80
Miller	Morris 140	Morse 151	Mosley	Muntzel
Neely	Nichols	Pfautsch	Phillips	Pierson Jr
Pietzman	Pike	Plocher	Quade	Razer
Redmon	Reiboldt	Reisch	Remole	Revis
Rhoads	Roberts	Roden	Roeber	Ross
Rowland 155	Rowland 29	Runions	Ruth	Schroer
Shaul 113	Shull 16	Shumake	Smith 85	Smith 163
Sommer	Spencer	Stacy	Stephens 128	Stevens 46
Swan	Tate	Taylor	Trent	Unsicker
Vescovo	Walker 3	Walsh	Washington	Wessels
White	Wiemann	Wilson		

NOES: 005

DeGroot	Ellington	Hurst	Marshall	Moon

PRESENT: 002

Black	Morgan

ABSENT WITH LEAVE: 026

Arthur	Barnes 60	Brattin	Brown 27	Burns
Butler	Christofanelli	Conway 10	Corlew	Franks Jr
Haefner	Kolkmeyer	Lant	McDaniel	McGee
Meredith 71	Messenger	Mitten	Newman	Peters
Pogue	Rehder	Rone	Walker 74	Wood
Mr. Speaker				

VACANCIES: 002

Speaker Pro Tem Haahr declared the bill passed.

CCR HCS SS SCS SB 707, as amended, relating to vehicle sales, was taken up by Representative Engler.

Representative Ross resumed the Chair.

CCR HCS SS SCS SB 707, as amended, was laid over.

THIRD READING OF SENATE BILLS

HCS SCS SB 672, relating to fiduciary relationships, was taken up by Representative Bahr.

On motion of Representative Bahr, the title of **HCS SCS SB 672** was agreed to.

HCS SCS SB 672 was laid over.

BILLS IN CONFERENCE

CCR HCS SS SCS SB 707, as amended, relating to vehicle sales, was again taken up by Representative Engler.

On motion of Representative Engler, **CCR HCS SS SCS SB 707, as amended**, was adopted by the following vote:

AYES: 120

Adams	Alferman	Anders	Anderson	Austin
Bahr	Bangert	Baringer	Barnes 28	Beard
Beck	Bernskoetter	Berry	Black	Bondon
Brattin	Brown 57	Burnett	Carpenter	Chipman
Conway 104	Cookson	Cornejo	Cross	Curtman
Davis	DeGroot	Dinkins	Dogan	Dohrman
Eggleston	Ellebracht	Engler	Fitzwater	Fraker
Francis	Franklin	Frederick	Gannon	Gray
Green	Gregory	Grier	Haahr	Hannegan
Hansen	Harris	Helms	Henderson	Hill
Houghton	Houx	Justus	Kelley 127	Kelly 141
Kendrick	Kidd	Knight	Kolkmeyer	Lauer
Lavender	Lichtenegger	Love	Lynch	Mathews
Matthiesen	McCann Beatty	McCreery	McGaugh	Miller
Mitten	Morgan	Morris 140	Morse 151	Mosley
Muntzel	Nichols	Pfautsch	Phillips	Pierson Jr
Pietzman	Pike	Plocher	Razer	Redmon
Rehder	Reiboldt	Remole	Revis	Roberts
Roden	Roeber	Ross	Rowland 155	Rowland 29
Runions	Ruth	Schroer	Shaul 113	Shull 16
Shumake	Smith 85	Smith 163	Sommer	Spencer
Stacy	Stephens 128	Swan	Tate	Taylor
Trent	Vescovo	Walker 3	Walker 74	Walsh
Wessels	White	Wiemann	Wilson	Wood

NOES: 013

Andrews	Conway 10	Curtis	Ellington	Hurst
Johnson	Marshall	May	Merideth 80	Moon
Quade	Unsicker	Washington		

PRESENT: 000

ABSENT WITH LEAVE: 028

Arthur	Barnes 60	Basye	Brown 27	Burns
Butler	Christofanelli	Corlew	Evans	Fitzpatrick
Franks Jr	Haefner	Higdon	Korman	Lant
McDaniel	McGee	Meredith 71	Messenger	Neely
Newman	Peters	Pogue	Reisch	Rhoads
Rone	Stevens 46	Mr. Speaker		

VACANCIES: 002

On motion of Representative Engler, **CCS HCS SS SCS SB 707** was truly agreed to and finally passed by the following vote:

AYES: 119

Adams	Alferman	Anders	Anderson	Austin
Bahr	Bangert	Baringer	Barnes 28	Beard
Beck	Bernskoetter	Berry	Black	Bondon
Brattin	Brown 57	Burnett	Carpenter	Chipman
Christofanelli	Conway 104	Cookson	Cornejo	Cross
Curtman	Davis	Dinkins	Dogan	Dohrman
Eggleston	Ellebracht	Engler	Fitzwater	Fraker
Francis	Franklin	Frederick	Gannon	Gray
Green	Gregory	Grier	Haahr	Hannegan
Hansen	Harris	Helms	Henderson	Hill
Houghton	Houx	Justus	Kelley 127	Kelly 141
Kendrick	Kidd	Knight	Kolkmeyer	Lauer
Lavender	Lichtenegger	Love	Lynch	Mathews
Matthiesen	McCann Beatty	McCreery	McGaugh	Miller
Mitten	Morgan	Morris 140	Morse 151	Mosley
Muntzel	Nichols	Pfautsch	Phillips	Pierson Jr
Pietzman	Pike	Plocher	Razer	Redmon
Rehder	Reiboldt	Reisch	Remole	Revis
Roberts	Roden	Roeber	Ross	Rowland 155
Rowland 29	Runions	Ruth	Schroer	Shaul 113
Shull 16	Shumake	Smith 85	Smith 163	Sommer
Spencer	Stacy	Stephens 128	Swan	Tate
Taylor	Trent	Vescovo	Walker 3	Walsh
White	Wiemann	Wilson	Wood	

NOES: 015

Andrews	Conway 10	Curtis	Ellington	Hurst
Johnson	Marshall	May	Merideth 80	Moon
Quade	Unsicker	Walker 74	Washington	Wessels

PRESENT: 000

ABSENT WITH LEAVE: 027

Arthur	Barnes 60	Basye	Brown 27	Burns
Butler	Corlew	DeGroot	Evans	Fitzpatrick
Franks Jr	Haefner	Higdon	Korman	Lant
McDaniel	McGee	Meredith 71	Messenger	Neely
Newman	Peters	Pogue	Rhoads	Rone
Stevens 46	Mr. Speaker			

VACANCIES: 002

Representative Ross declared the bill passed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SS SB 870, as amended**, and has taken up and passed **CCS HCS SS SB 870**.

THIRD READING OF SENATE BILLS

HCS SB 951, relating to health care, was taken up by Representative Bondon.

On motion of Representative Bondon, the title of **HCS SB 951** was agreed to.

Representative Bondon offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 951, Page 1, Section 191.227, Line 6, by deleting the phrase "**For the purposes of this subsection,**" and

Further amend said bill and section, Page 2, Line 27, by inserting at the end of said line a hard return and the following:

"**Such fee shall be the fee in effect on February 1, 2018, increased or decreased annually under this section.**"; and

Further amend said bill, Section 197.305, Pages 4 and 5, Lines 44 to 51, by deleting said lines and inserting in lieu thereof the following:

"(e) Any change in licensed bed capacity of a health care facility **licensed under chapter 198** which increases the total number of beds by more than ten or more than ten percent of total bed capacity, whichever is less, over a two-year period**, provided that any such health care facility seeking an increase in total beds or total bed capacity in an amount less than described in this paragraph shall be eligible for such increase only if the facility has had no patient care class I deficiencies within the last eighteen months and has maintained at least an eighty-five percent average occupancy rate for the previous six quarters**;"; and

Further amend said bill, Page 6, Section 577.029, Line 1, by deleting the numeral "**1.**"; and

Further amend said bill, page, and section, Line 3, by deleting the words, "**[**~~shall~~**] may**" and inserting in lieu thereof the word, "shall"; and

Further amend said section, Pages 6 and 7, Lines 5 and 6, by deleting all of said lines and inserting in lieu thereof the following:

"the blood, unless such medical personnel, in his or her good faith medical judgment, believes such procedure would endanger the life or health of the person in custody. Blood may be"; and

Further amend said section, Page 7, Lines 13-16, by deleting all of said lines from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Bondon, **House Amendment No. 1** was adopted.

Representative Pike offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 951, Page 1, Section A, Line 3, by inserting immediately after said line the following:

"**9.158. The month of November shall be known and designated as "Diabetes Awareness Month". The citizens of the state of Missouri are encouraged to participate in appropriate activities and events to increase awareness of diabetes. Diabetes is a group of metabolic diseases in which the body has elevated blood sugar levels over a prolonged period of time and affects Missourians of all ages.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Pike, **House Amendment No. 2** was adopted.

Representative Frederick offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Bill No. 951, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

"**9.192. The years of 2018 to 2028 shall hereby be designated as the "Show-Me Freedom from Opioid Addiction Decade".**"; and

Further amend said bill, Page 3, Section 191.227, Line 72, by inserting after all of said section and line the following:

"191.1145. 1. As used in sections 191.1145 and 191.1146, the following terms shall mean:

(1) "Asynchronous store-and-forward transfer", the collection of a patient's relevant health information and the subsequent transmission of that information from an originating site to a health care provider at a distant site without the patient being present;

(2) "Clinical staff", any health care provider licensed in this state;

(3) "Distant site", a site at which a health care provider is located while providing health care services by means of telemedicine;

(4) "Health care provider", as that term is defined in section 376.1350;

(5) "Originating site", a site at which a patient is located at the time health care services are provided to him or her by means of telemedicine. For the purposes of asynchronous store-and-forward transfer, originating site shall also mean the location at which the health care provider transfers information to the distant site;

(6) "Telehealth" or "telemedicine", the delivery of health care services by means of information and communication technologies which facilitate the assessment, diagnosis, consultation, treatment, education, care

management, and self-management of a patient's health care while such patient is at the originating site and the health care provider is at the distant site. Telehealth or telemedicine shall also include the use of asynchronous store-and-forward technology.

2. Any licensed health care provider shall be authorized to provide telehealth services if such services are within the scope of practice for which the health care provider is licensed and are provided with the same standard of care as services provided in person. **This section shall not be construed to prohibit a health carrier, as defined in section 376.1350, from reimbursing non-clinical staff for services otherwise allowed by law.**

3. In order to treat patients in this state through the use of telemedicine or telehealth, health care providers shall be fully licensed to practice in this state and shall be subject to regulation by their respective professional boards.

4. Nothing in subsection 3 of this section shall apply to:

(1) Informal consultation performed by a health care provider licensed in another state, outside of the context of a contractual relationship, and on an irregular or infrequent basis without the expectation or exchange of direct or indirect compensation;

(2) Furnishing of health care services by a health care provider licensed and located in another state in case of an emergency or disaster; provided that, no charge is made for the medical assistance; or

(3) Episodic consultation by a health care provider licensed and located in another state who provides such consultation services on request to a physician in this state.

5. Nothing in this section shall be construed to alter the scope of practice of any health care provider or to authorize the delivery of health care services in a setting or in a manner not otherwise authorized by the laws of this state.

6. No originating site for services or activities provided under this section shall be required to maintain immediate availability of on-site clinical staff during the telehealth services, except as necessary to meet the standard of care for the treatment of the patient's medical condition if such condition is being treated by an eligible health care provider who is not at the originating site, has not previously seen the patient in person in a clinical setting, and is not providing coverage for a health care provider who has an established relationship with the patient.

7. Nothing in this section shall be construed to alter any collaborative practice requirement as provided in chapters 334 and 335.

208.670. 1. As used in this section, these terms shall have the following meaning:

(1) **"Consultation", a type of evaluation and management service as defined by the most recent edition of the Current Procedural Terminology published annually by the American Medical Association;**

(2) "Distant site", the same meaning as such term is defined in section 191.1145;

(3) "Originating site", the same meaning as such term is defined in section 191.1145;

(4) "Provider", **[**~~any provider of medical services and mental health services, including all other medical disciplines~~**] the same meaning as the term "health care provider" is defined in section 191.1145, and such provider meets all other MO HealthNet eligibility requirements**;

[~~(2)~~**] (5)** "Telehealth", the same meaning as such term is defined in section 191.1145.

2. **[**~~Reimbursement for the use of asynchronous store-and-forward technology in the practice of telehealth in the MO HealthNet program shall be allowed for orthopedics, dermatology, ophthalmology and optometry, in cases of diabetic retinopathy, burn and wound care, dental services which require a diagnosis, and maternal-fetal medicine ultrasounds.~~

~~3. The department of social services, in consultation with the departments of mental health and health and senior services, shall promulgate rules governing the practice of telehealth in the MO HealthNet program. Such rules shall address, but not be limited to, appropriate standards for the use of telehealth, certification of agencies offering telehealth, and payment for services by providers. Telehealth providers shall be required to obtain participant consent before telehealth services are initiated and to ensure confidentiality of medical information.~~

~~4. Telehealth may be utilized to service individuals who are qualified as MO HealthNet participants under Missouri law. Reimbursement for such services shall be made in the same way as reimbursement for in-person contacts.~~

~~5. The provisions of section 208.671 shall apply to the use of asynchronous store-and-forward technology in the practice of telehealth in the MO HealthNet program~~**] The department of social services shall reimburse providers for services provided through telehealth if such providers can ensure services are rendered meeting the standard of care that would otherwise be expected should such services be provided in person. The department shall not restrict the originating site through rule or payment so long as the provider can ensure**

services are rendered meeting the standard of care that would otherwise be expected should such services be provided in person. Payment for services rendered via telehealth shall not depend on any minimum distance requirement between the originating and distant site. Reimbursement for telehealth services shall be made in the same way as reimbursement for in-person contact; however, consideration shall also be made for reimbursement to the originating site. Reimbursement for asynchronous store-and-forward may be capped at the reimbursement rate had the service been provided in person.

195.070. 1. A physician, podiatrist, dentist, a registered optometrist certified to administer pharmaceutical agents as provided in section 336.220, or an assistant physician in accordance with section 334.037 or a physician assistant in accordance with section 334.747 in good faith and in the course of his or her professional practice only, may prescribe, administer, and dispense controlled substances or he or she may cause the same to be administered or dispensed by an individual as authorized by statute.

2. An advanced practice registered nurse, as defined in section 335.016, but not a certified registered nurse anesthetist as defined in subdivision (8) of section 335.016, who holds a certificate of controlled substance prescriptive authority from the board of nursing under section 335.019 and who is delegated the authority to prescribe controlled substances under a collaborative practice arrangement under section 334.104 may prescribe any controlled substances listed in Schedules III, IV, and V of section 195.017, and may have restricted authority in Schedule II. Prescriptions for Schedule II medications prescribed by an advanced practice registered nurse who has a certificate of controlled substance prescriptive authority are restricted to only those medications containing hydrocodone. However, no such certified advanced practice registered nurse shall prescribe controlled substance for his or her own self or family. Schedule III narcotic controlled substance and Schedule II - hydrocodone prescriptions shall be limited to a one hundred twenty-hour supply without refill.

3. A veterinarian, in good faith and in the course of the veterinarian's professional practice only, and not for use by a human being, may prescribe, administer, and dispense controlled substances and the veterinarian may cause them to be administered by an assistant or orderly under his or her direction and supervision.

4. A practitioner shall not accept any portion of a controlled substance unused by a patient, for any reason, if such practitioner did not originally dispense the drug**, except as provided in section 195.265**.

5. An individual practitioner shall not prescribe or dispense a controlled substance for such practitioner's personal use except in a medical emergency.

195.265. 1. Unused controlled substances may be accepted from ultimate users, from hospice or home health care providers on behalf of ultimate users to the extent federal law allows, or any person lawfully entitled to dispose of a decedent's property if the decedent was an ultimate user who died while in lawful possession of a controlled substance, through:

(1) Collection receptacles, drug disposal boxes, mail back packages, and other means by a Drug Enforcement Agency-authorized collector in accordance with federal regulations even if the authorized collector did not originally dispense the drug; or

(2) Drug take back programs conducted by federal, state, tribal, or local law enforcement agencies in partnership with any person or entity.

This subsection shall supersede and preempt any local ordinances or regulations, including any ordinances or regulations enacted by any political subdivision of the state, regarding the disposal of unused controlled substances. For the purposes of this section, the term "ultimate user" shall mean a person who has lawfully obtained and possesses a controlled substance for his or her own use or for the use of a member of his or her household or for an animal owned by him or her or a member of his or her household.

2. By August 28, 2019, the department of health and senior services shall develop an education and awareness program regarding drug disposal, including controlled substances. The education and awareness program may include, but not be limited to:

(1) A web-based resource that:

(a) Describes available drug disposal options including take back, take back events, mail back packages, in-home disposal options that render a product safe from misuse, or any other methods that comply with state and federal laws and regulations, may reduce the availability of unused controlled substances, and may minimize the potential environmental impact of drug disposal;

(b) Provides a list of drug disposal take back sites, which may be sorted and searched by name or location and is updated every six months by the department;

(c) Provides a list of take back events and mail back events in the state, including the date, time, and location information for each event and is updated every six months by the department; and

(d) Provides information for authorized collectors regarding state and federal requirements to comply with the provisions of subsection 1 of this section; and

(2) Promotional activities designed to ensure consumer awareness of proper storage and disposal of prescription drugs, including controlled substances."; and

Further amend said bill, Page 5, Section 197.305, Line 68, by inserting after all of said line the following:

"208.677. **[**~~1. For purposes of the provision of telehealth services in the MO HealthNet program, the term "originating site" shall mean a telehealth site where the MO HealthNet participant receiving the telehealth service is located for the encounter. The standard of care in the practice of telehealth shall be the same as the standard of care for services provided in person. An originating site shall be one of the following locations:~~

~~(1) An office of a physician or health care provider;~~

~~(2) A hospital;~~

~~(3) A critical access hospital;~~

~~(4) A rural health clinic;~~

~~(5) A federally qualified health center;~~

~~(6) A long-term care facility licensed under chapter 198;~~

~~(7) A dialysis center;~~

~~(8) A Missouri state habilitation center or regional office;~~

~~(9) A community mental health center;~~

~~(10) A Missouri state mental health facility;~~

~~(11) A Missouri state facility;~~

~~(12) A Missouri residential treatment facility licensed by and under contract with the children's division. Facilities shall have multiple campuses and have the ability to adhere to technology requirements. Only Missouri licensed psychiatrists, licensed psychologists, or provisionally licensed psychologists, and advanced practice registered nurses who are MO HealthNet providers shall be consulting providers at these locations;~~

~~(13) A comprehensive substance treatment and rehabilitation (CSTAR) program;~~

~~(14) A school;~~

~~(15) The MO HealthNet recipient's home;~~

~~(16) A clinical designated area in a pharmacy; or~~

~~(17) A child assessment center as described in section 210.001.~~

~~2. If the originating site is a school, the school shall obtain permission from the parent or guardian of any student receiving telehealth services prior to each provision of service.~~**] Prior to the provision of telehealth services in a school, the parent or guardian of the child shall provide authorization for the provision of such service. Such authorization shall include the ability for the parent or guardian to authorize services via telehealth in the school for the remainder of the school year.**"; and

Further amend said bill, Page 5, Section 210.070, Line 8, by inserting after all of said section and line the following:

"217.364. 1. The department of corrections shall establish by regulation the "Offenders Under Treatment Program". The program shall include institutional placement of certain offenders, as outlined in subsection 3 of this section, under the supervision and control of the department of corrections. The department shall establish rules determining how, when and where an offender shall be admitted into or removed from the program.

2. As used in this section, the term "offenders under treatment program" means a one-hundred-eighty-day institutional correctional program for the monitoring, control and treatment of certain substance abuse offenders and certain nonviolent offenders followed by placement on parole with continued supervision. **As used in this section, the term "medication-assisted treatment" means the use of pharmacological medications, in combination with counseling and behavioral therapies, to provide a whole-patient approach to the treatment of substance use disorders.**

3. The following offenders may participate in the program as determined by the department:

(1) Any nonviolent offender who has not previously been remanded to the department and who has been found guilty of violating the provisions of chapter 195 or 579 or whose substance abuse was a precipitating or contributing factor in the commission of his offense; or

(2) Any nonviolent offender who has pled guilty or been found guilty of a crime which did not involve the use of a weapon, and who has not previously been remanded to the department.

4. This program shall be used as an intermediate sanction by the department. The program may include education, treatment and rehabilitation programs. If an offender successfully completes the institutional phase of the program, the department shall notify the board of probation and parole within thirty days of completion. Upon notification from the department that the offender has successfully completed the program, the board of probation and parole may at its discretion release the offender on parole as authorized in subsection 1 of section 217.690.

5. The availability of space in the institutional program shall be determined by the department of corrections.

6. If the offender fails to complete the program, the offender shall be taken out of the program and shall serve the remainder of his sentence with the department.

7. Time spent in the program shall count as time served on the sentence.

8. If an offender requires treatment for opioid or other substance misuse or dependence, the department shall not prohibit such offender from participating in and receiving medication-assisted treatment under the care of a physician licensed in this state to practice medicine. An offender shall not be required to refrain from using medication-assisted treatment as a term or condition of his or her sentence.

334.036. 1. For purposes of this section, the following terms shall mean:

(1) "Assistant physician", any medical school graduate who:

(a) Is a resident and citizen of the United States or is a legal resident alien;

(b) Has successfully completed **[**~~Step 1 and~~**]** Step 2 of the United States Medical Licensing Examination or the equivalent of such **[**~~steps~~**] step** of any other board-approved medical licensing examination within the **[**~~two-year~~**] three-year** period immediately preceding application for licensure as an assistant physician, **[**~~but in no event more than~~**] or within** three years after graduation from a medical college or osteopathic medical college**, whichever is later**;

(c) Has not completed an approved postgraduate residency and has successfully completed Step 2 of the United States Medical Licensing Examination or the equivalent of such step of any other board-approved medical licensing examination within the immediately preceding **[**~~two-year~~**] three-year** period unless when such **[**~~two-year~~**] three-year** anniversary occurred he or she was serving as a resident physician in an accredited residency in the United States and continued to do so within thirty days prior to application for licensure as an assistant physician; and

(d) Has proficiency in the English language.

Any medical school graduate who could have applied for licensure and complied with the provisions of this subdivision at any time between August 28, 2014, and August 28, 2017, may apply for licensure and shall be deemed in compliance with the provisions of this subdivision;

(2) "Assistant physician collaborative practice arrangement", an agreement between a physician and an assistant physician that meets the requirements of this section and section 334.037;

(3) "Medical school graduate", any person who has graduated from a medical college or osteopathic medical college described in section 334.031.

2. (1) An assistant physician collaborative practice arrangement shall limit the assistant physician to providing only primary care services and only in medically underserved rural or urban areas of this state or in any pilot project areas established in which assistant physicians may practice.

(2) For a physician-assistant physician team working in a rural health clinic under the federal Rural Health Clinic Services Act, P.L. 95-210, as amended:

(a) An assistant physician shall be considered a physician assistant for purposes of regulations of the Centers for Medicare and Medicaid Services (CMS); and

(b) No supervision requirements in addition to the minimum federal law shall be required.

3. (1) For purposes of this section, the licensure of assistant physicians shall take place within processes established by rules of the state board of registration for the healing arts. The board of healing arts is authorized to establish rules under chapter 536 establishing licensure and renewal procedures, supervision, collaborative practice arrangements, fees, and addressing such other matters as are necessary to protect the public and discipline the profession. **No licensure fee for an assistant physician shall exceed the amount of any licensure fee for a physician assistant.** An application for licensure may be denied or the licensure of an assistant physician may be suspended or revoked by the board in the same manner and for violation of the standards as set forth by section 334.100, or such other standards of conduct set by the board by rule. **No rule or regulation shall require an assistant physician to complete more hours of continuing medical education than that of a licensed physician.**

(2) Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2014, shall be invalid and void.

(3) Any rules or regulations regarding assistant physicians in effect as of the effective date of this section that conflict with the provisions of this section and section 334.037 shall be null and void as of the effective date of this section.

4. An assistant physician shall clearly identify himself or herself as an assistant physician and shall be permitted to use the terms "doctor", "Dr.", or "doc". No assistant physician shall practice or attempt to practice without an assistant physician collaborative practice arrangement, except as otherwise provided in this section and in an emergency situation.

5. The collaborating physician is responsible at all times for the oversight of the activities of and accepts responsibility for primary care services rendered by the assistant physician.

6. The provisions of section 334.037 shall apply to all assistant physician collaborative practice arrangements. **[**~~To be eligible to practice as an assistant physician, a licensed assistant physician shall enter into an assistant physician collaborative practice arrangement within six months of his or her initial licensure and shall not have more than a six-month time period between collaborative practice arrangements during his or her licensure period.~~**]** Any renewal of licensure under this section shall include verification of actual practice under a collaborative practice arrangement in accordance with this subsection during the immediately preceding licensure period.

7. Each health carrier or health benefit plan that offers or issues health benefit plans that are delivered, issued for delivery, continued, or renewed in this state shall reimburse an assistant physician for the diagnosis, consultation, or treatment of an insured or enrollee on the same basis that the health carrier or health benefit plan covers the service when it is delivered by another comparable mid-level health care provider including, but not limited to, a physician assistant.

334.037. 1. A physician may enter into collaborative practice arrangements with assistant physicians. Collaborative practice arrangements shall be in the form of written agreements, jointly agreed-upon protocols, or standing orders for the delivery of health care services. Collaborative practice arrangements, which shall be in writing, may delegate to an assistant physician the authority to administer or dispense drugs and provide treatment as long as the delivery of such health care services is within the scope of practice of the assistant physician and is consistent with that assistant physician's skill, training, and competence and the skill and training of the collaborating physician.

2. The written collaborative practice arrangement shall contain at least the following provisions:

(1) Complete names, home and business addresses, zip codes, and telephone numbers of the collaborating physician and the assistant physician;

(2) A list of all other offices or locations besides those listed in subdivision (1) of this subsection where the collaborating physician authorized the assistant physician to prescribe;

(3) A requirement that there shall be posted at every office where the assistant physician is authorized to prescribe, in collaboration with a physician, a prominently displayed disclosure statement informing patients that they may be seen by an assistant physician and have the right to see the collaborating physician;

(4) All specialty or board certifications of the collaborating physician and all certifications of the assistant physician;

(5) The manner of collaboration between the collaborating physician and the assistant physician, including how the collaborating physician and the assistant physician shall:

(a) Engage in collaborative practice consistent with each professional's skill, training, education, and competence;

(b) Maintain geographic proximity; except, the collaborative practice arrangement may allow for geographic proximity to be waived for a maximum of twenty-eight days per calendar year for rural health clinics as defined by **[**~~P.L.~~**] Pub. L.** 95-210 **[**~~,~~**] (42 U.S.C. Section 1395x), as amended,** as long as the collaborative practice arrangement includes alternative plans as required in paragraph (c) of this subdivision. Such exception to geographic proximity shall apply only to independent rural health clinics, provider-based rural health clinics if the provider is a critical access hospital as provided in 42 U.S.C. Section 1395i-4, and provider-based rural health

clinics if the main location of the hospital sponsor is greater than fifty miles from the clinic. The collaborating physician shall maintain documentation related to such requirement and present it to the state board of registration for the healing arts when requested; and

(c) Provide coverage during absence, incapacity, infirmity, or emergency by the collaborating physician;

(6) A description of the assistant physician's controlled substance prescriptive authority in collaboration with the physician, including a list of the controlled substances the physician authorizes the assistant physician to prescribe and documentation that it is consistent with each professional's education, knowledge, skill, and competence;

(7) A list of all other written practice agreements of the collaborating physician and the assistant physician;

(8) The duration of the written practice agreement between the collaborating physician and the assistant physician;

(9) A description of the time and manner of the collaborating physician's review of the assistant physician's delivery of health care services. The description shall include provisions that the assistant physician shall submit a minimum of ten percent of the charts documenting the assistant physician's delivery of health care services to the collaborating physician for review by the collaborating physician, or any other physician designated in the collaborative practice arrangement, every fourteen days; and

(10) The collaborating physician, or any other physician designated in the collaborative practice arrangement, shall review every fourteen days a minimum of twenty percent of the charts in which the assistant physician prescribes controlled substances. The charts reviewed under this subdivision may be counted in the number of charts required to be reviewed under subdivision (9) of this subsection.

3. The state board of registration for the healing arts under section 334.125 shall promulgate rules regulating the use of collaborative practice arrangements for assistant physicians. Such rules shall specify:

(1) Geographic areas to be covered;

(2) The methods of treatment that may be covered by collaborative practice arrangements;

(3) In conjunction with deans of medical schools and primary care residency program directors in the state, the development and implementation of educational methods and programs undertaken during the collaborative practice service which shall facilitate the advancement of the assistant physician's medical knowledge and capabilities, and which may lead to credit toward a future residency program for programs that deem such documented educational achievements acceptable; and

(4) The requirements for review of services provided under collaborative practice arrangements, including delegating authority to prescribe controlled substances.

Any rules relating to dispensing or distribution of medications or devices by prescription or prescription drug orders under this section shall be subject to the approval of the state board of pharmacy. Any rules relating to dispensing or distribution of controlled substances by prescription or prescription drug orders under this section shall be subject to the approval of the department of health and senior services and the state board of pharmacy. The state board of registration for the healing arts shall promulgate rules applicable to assistant physicians that shall be consistent with guidelines for federally funded clinics. The rulemaking authority granted in this subsection shall not extend to collaborative practice arrangements of hospital employees providing inpatient care within hospitals as defined in chapter 197 or population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.

4. The state board of registration for the healing arts shall not deny, revoke, suspend, or otherwise take disciplinary action against a collaborating physician for health care services delegated to an assistant physician provided the provisions of this section and the rules promulgated thereunder are satisfied.

5. Within thirty days of any change and on each renewal, the state board of registration for the healing arts shall require every physician to identify whether the physician is engaged in any collaborative practice arrangement, including collaborative practice arrangements delegating the authority to prescribe controlled substances, and also report to the board the name of each assistant physician with whom the physician has entered into such arrangement. The board may make such information available to the public. The board shall track the reported information and may routinely conduct random reviews of such arrangements to ensure that arrangements are carried out for compliance under this chapter.

6. A collaborating physician **or supervising physician** shall not enter into a collaborative practice arrangement **or supervision agreement** with more than **[**~~three~~**] six** full-time equivalent assistant physicians**, full-time equivalent physician assistants, or full-time equivalent advance practice registered nurses, or any combination thereof**. Such limitation shall not apply to collaborative arrangements of hospital employees providing inpatient care service in hospitals as defined in chapter 197 or population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008**, or to a certified registered nurse anesthetist providing**

anesthesia services under the supervision of an anesthesiologist or other physician, dentist, or podiatrist who is immediately available if needed as set out in subsection 7 of section 334.104.

7. The collaborating physician shall determine and document the completion of at least a one-month period of time during which the assistant physician shall practice with the collaborating physician continuously present before practicing in a setting where the collaborating physician is not continuously present. **No rule or regulation shall require the collaborating physician to review more than ten percent of the assistant physician's patient charts or records during such one-month period.** Such limitation shall not apply to collaborative arrangements of providers of population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.

8. No agreement made under this section shall supersede current hospital licensing regulations governing hospital medication orders under protocols or standing orders for the purpose of delivering inpatient or emergency care within a hospital as defined in section 197.020 if such protocols or standing orders have been approved by the hospital's medical staff and pharmaceutical therapeutics committee.

9. No contract or other agreement shall require a physician to act as a collaborating physician for an assistant physician against the physician's will. A physician shall have the right to refuse to act as a collaborating physician, without penalty, for a particular assistant physician. No contract or other agreement shall limit the collaborating physician's ultimate authority over any protocols or standing orders or in the delegation of the physician's authority to any assistant physician, but such requirement shall not authorize a physician in implementing such protocols, standing orders, or delegation to violate applicable standards for safe medical practice established by a hospital's medical staff.

10. No contract or other agreement shall require any assistant physician to serve as a collaborating assistant physician for any collaborating physician against the assistant physician's will. An assistant physician shall have the right to refuse to collaborate, without penalty, with a particular physician.

11. All collaborating physicians and assistant physicians in collaborative practice arrangements shall wear identification badges while acting within the scope of their collaborative practice arrangement. The identification badges shall prominently display the licensure status of such collaborating physicians and assistant physicians.

12. (1) An assistant physician with a certificate of controlled substance prescriptive authority as provided in this section may prescribe any controlled substance listed in Schedule III, IV, or V of section 195.017, and may have restricted authority in Schedule II, when delegated the authority to prescribe controlled substances in a collaborative practice arrangement. Prescriptions for Schedule II medications prescribed by an assistant physician who has a certificate of controlled substance prescriptive authority are restricted to only those medications containing hydrocodone. Such authority shall be filed with the state board of registration for the healing arts. The collaborating physician shall maintain the right to limit a specific scheduled drug or scheduled drug category that the assistant physician is permitted to prescribe. Any limitations shall be listed in the collaborative practice arrangement. Assistant physicians shall not prescribe controlled substances for themselves or members of their families. Schedule III controlled substances and Schedule II - hydrocodone prescriptions shall be limited to a five-day supply without refill**, except that buprenorphine may be prescribed for up to a thirty-day supply without refill for patients receiving medication assisted treatment for substance use disorders under the direction of the collaborating physician**. Assistant physicians who are authorized to prescribe controlled substances under this section shall register with the federal Drug Enforcement Administration and the state bureau of narcotics and dangerous drugs, and shall include the Drug Enforcement Administration registration number on prescriptions for controlled substances.

(2) The collaborating physician shall be responsible to determine and document the completion of at least one hundred twenty hours in a four-month period by the assistant physician during which the assistant physician shall practice with the collaborating physician on-site prior to prescribing controlled substances when the collaborating physician is not on-site. Such limitation shall not apply to assistant physicians of population-based public health services as defined in 20 CSR 2150-5.100 as of April 30, 2009**, or assistant physicians providing opioid addiction treatment**.

(3) An assistant physician shall receive a certificate of controlled substance prescriptive authority from the state board of registration for the healing arts upon verification of licensure under section 334.036.

334.104. 1. A physician may enter into collaborative practice arrangements with registered professional nurses. Collaborative practice arrangements shall be in the form of written agreements, jointly agreed-upon protocols, or standing orders for the delivery of health care services. Collaborative practice arrangements, which shall be in writing, may delegate to a registered professional nurse the authority to administer or dispense drugs and

provide treatment as long as the delivery of such health care services is within the scope of practice of the registered professional nurse and is consistent with that nurse's skill, training and competence.

2. Collaborative practice arrangements, which shall be in writing, may delegate to a registered professional nurse the authority to administer, dispense or prescribe drugs and provide treatment if the registered professional nurse is an advanced practice registered nurse as defined in subdivision (2) of section 335.016. Collaborative practice arrangements may delegate to an advanced practice registered nurse, as defined in section 335.016, the authority to administer, dispense, or prescribe controlled substances listed in Schedules III, IV, and V of section 195.017, and Schedule II - hydrocodone; except that, the collaborative practice arrangement shall not delegate the authority to administer any controlled substances listed in Schedules III, IV, and V of section 195.017, or Schedule II - hydrocodone for the purpose of inducing sedation or general anesthesia for therapeutic, diagnostic, or surgical procedures. Schedule III narcotic controlled substance and Schedule II - hydrocodone prescriptions shall be limited to a one hundred twenty-hour supply without refill. Such collaborative practice arrangements shall be in the form of written agreements, jointly agreed-upon protocols or standing orders for the delivery of health care services. **An advanced practice registered nurse may prescribe buprenorphine for up to a thirty-day supply without refill for patient's receiving medication assisted treatment for substance use disorders under the direction of the collaborating physician.**

3. The written collaborative practice arrangement shall contain at least the following provisions:

(1) Complete names, home and business addresses, zip codes, and telephone numbers of the collaborating physician and the advanced practice registered nurse;

(2) A list of all other offices or locations besides those listed in subdivision (1) of this subsection where the collaborating physician authorized the advanced practice registered nurse to prescribe;

(3) A requirement that there shall be posted at every office where the advanced practice registered nurse is authorized to prescribe, in collaboration with a physician, a prominently displayed disclosure statement informing patients that they may be seen by an advanced practice registered nurse and have the right to see the collaborating physician;

(4) All specialty or board certifications of the collaborating physician and all certifications of the advanced practice registered nurse;

(5) The manner of collaboration between the collaborating physician and the advanced practice registered nurse, including how the collaborating physician and the advanced practice registered nurse will:

(a) Engage in collaborative practice consistent with each professional's skill, training, education, and competence;

(b) Maintain geographic proximity, except the collaborative practice arrangement may allow for geographic proximity to be waived for a maximum of twenty-eight days per calendar year for rural health clinics as defined by P.L. 95-210, as long as the collaborative practice arrangement includes alternative plans as required in paragraph (c) of this subdivision. This exception to geographic proximity shall apply only to independent rural health clinics, provider-based rural health clinics where the provider is a critical access hospital as provided in 42 U.S.C. Section 1395i-4, and provider-based rural health clinics where the main location of the hospital sponsor is greater than fifty miles from the clinic. The collaborating physician is required to maintain documentation related to this requirement and to present it to the state board of registration for the healing arts when requested; and

(c) Provide coverage during absence, incapacity, infirmity, or emergency by the collaborating physician;

(6) A description of the advanced practice registered nurse's controlled substance prescriptive authority in collaboration with the physician, including a list of the controlled substances the physician authorizes the nurse to prescribe and documentation that it is consistent with each professional's education, knowledge, skill, and competence;

(7) A list of all other written practice agreements of the collaborating physician and the advanced practice registered nurse;

(8) The duration of the written practice agreement between the collaborating physician and the advanced practice registered nurse;

(9) A description of the time and manner of the collaborating physician's review of the advanced practice registered nurse's delivery of health care services. The description shall include provisions that the advanced practice registered nurse shall submit a minimum of ten percent of the charts documenting the advanced practice registered nurse's delivery of health care services to the collaborating physician for review by the collaborating physician, or any other physician designated in the collaborative practice arrangement, every fourteen days; and

(10) The collaborating physician, or any other physician designated in the collaborative practice arrangement, shall review every fourteen days a minimum of twenty percent of the charts in which the advanced practice registered nurse prescribes controlled substances. The charts reviewed under this subdivision may be counted in the number of charts required to be reviewed under subdivision (9) of this subsection.

4. The state board of registration for the healing arts pursuant to section 334.125 and the board of nursing pursuant to section 335.036 may jointly promulgate rules regulating the use of collaborative practice arrangements. Such rules shall be limited to specifying geographic areas to be covered, the methods of treatment that may be covered by collaborative practice arrangements and the requirements for review of services provided pursuant to collaborative practice arrangements including delegating authority to prescribe controlled substances. Any rules relating to dispensing or distribution of medications or devices by prescription or prescription drug orders under this section shall be subject to the approval of the state board of pharmacy. Any rules relating to dispensing or distribution of controlled substances by prescription or prescription drug orders under this section shall be subject to the approval of the department of health and senior services and the state board of pharmacy. In order to take effect, such rules shall be approved by a majority vote of a quorum of each board. Neither the state board of registration for the healing arts nor the board of nursing may separately promulgate rules relating to collaborative practice arrangements. Such jointly promulgated rules shall be consistent with guidelines for federally funded clinics. The rulemaking authority granted in this subsection shall not extend to collaborative practice arrangements of hospital employees providing inpatient care within hospitals as defined pursuant to chapter 197 or population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.

5. The state board of registration for the healing arts shall not deny, revoke, suspend or otherwise take disciplinary action against a physician for health care services delegated to a registered professional nurse provided the provisions of this section and the rules promulgated thereunder are satisfied. Upon the written request of a physician subject to a disciplinary action imposed as a result of an agreement between a physician and a registered professional nurse or registered physician assistant, whether written or not, prior to August 28, 1993, all records of such disciplinary licensure action and all records pertaining to the filing, investigation or review of an alleged violation of this chapter incurred as a result of such an agreement shall be removed from the records of the state board of registration for the healing arts and the division of professional registration and shall not be disclosed to any public or private entity seeking such information from the board or the division. The state board of registration for the healing arts shall take action to correct reports of alleged violations and disciplinary actions as described in this section which have been submitted to the National Practitioner Data Bank. In subsequent applications or representations relating to his medical practice, a physician completing forms or documents shall not be required to report any actions of the state board of registration for the healing arts for which the records are subject to removal under this section.

6. Within thirty days of any change and on each renewal, the state board of registration for the healing arts shall require every physician to identify whether the physician is engaged in any collaborative practice agreement, including collaborative practice agreements delegating the authority to prescribe controlled substances, or physician assistant agreement and also report to the board the name of each licensed professional with whom the physician has entered into such agreement. The board may make this information available to the public. The board shall track the reported information and may routinely conduct random reviews of such agreements to ensure that agreements are carried out for compliance under this chapter.

7. Notwithstanding any law to the contrary, a certified registered nurse anesthetist as defined in subdivision (8) of section 335.016 shall be permitted to provide anesthesia services without a collaborative practice arrangement provided that he or she is under the supervision of an anesthesiologist or other physician, dentist, or podiatrist who is immediately available if needed. Nothing in this subsection shall be construed to prohibit or prevent a certified registered nurse anesthetist as defined in subdivision (8) of section 335.016 from entering into a collaborative practice arrangement under this section, except that the collaborative practice arrangement may not delegate the authority to prescribe any controlled substances listed in Schedules III, IV, and V of section 195.017, or Schedule II - hydrocodone.

8. A collaborating physician **or supervising physician** shall not enter into a collaborative practice arrangement **or supervision agreement** with more than **[**~~three~~**] six** full-time equivalent advanced practice registered nurses**, full-time equivalent licensed physician assistants, or full-time equivalent assistant physicians, or any combination thereof**. This limitation shall not apply to collaborative arrangements of hospital employees providing inpatient care service in hospitals as defined in chapter 197 or population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008**, or to a certified registered nurse anesthetist providing anesthesia services under the supervision of an anesthesiologist or other physician, dentist, or podiatrist who is immediately available if needed as set out in subsection 7 of this section**.

9. It is the responsibility of the collaborating physician to determine and document the completion of at least a one-month period of time during which the advanced practice registered nurse shall practice with the

collaborating physician continuously present before practicing in a setting where the collaborating physician is not continuously present. This limitation shall not apply to collaborative arrangements of providers of population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.

10. No agreement made under this section shall supersede current hospital licensing regulations governing hospital medication orders under protocols or standing orders for the purpose of delivering inpatient or emergency care within a hospital as defined in section 197.020 if such protocols or standing orders have been approved by the hospital's medical staff and pharmaceutical therapeutics committee.

11. No contract or other agreement shall require a physician to act as a collaborating physician for an advanced practice registered nurse against the physician's will. A physician shall have the right to refuse to act as a collaborating physician, without penalty, for a particular advanced practice registered nurse. No contract or other agreement shall limit the collaborating physician's ultimate authority over any protocols or standing orders or in the delegation of the physician's authority to any advanced practice registered nurse, but this requirement shall not authorize a physician in implementing such protocols, standing orders, or delegation to violate applicable standards for safe medical practice established by hospital's medical staff.

12. No contract or other agreement shall require any advanced practice registered nurse to serve as a collaborating advanced practice registered nurse for any collaborating physician against the advanced practice registered nurse's will. An advanced practice registered nurse shall have the right to refuse to collaborate, without penalty, with a particular physician.

334.735. 1. As used in sections 334.735 to 334.749, the following terms mean:

(1) "Applicant", any individual who seeks to become licensed as a physician assistant;

(2) "Certification" or "registration", a process by a certifying entity that grants recognition to applicants meeting predetermined qualifications specified by such certifying entity;

(3) "Certifying entity", the nongovernmental agency or association which certifies or registers individuals who have completed academic and training requirements;

(4) "Department", the department of insurance, financial institutions and professional registration or a designated agency thereof;

(5) "License", a document issued to an applicant by the board acknowledging that the applicant is entitled to practice as a physician assistant;

(6) "Physician assistant", a person who has graduated from a physician assistant program accredited by the American Medical Association's Committee on Allied Health Education and Accreditation or by its successor agency, who has passed the certifying examination administered by the National Commission on Certification of Physician Assistants and has active certification by the National Commission on Certification of Physician Assistants who provides health care services delegated by a licensed physician. A person who has been employed as a physician assistant for three years prior to August 28, 1989, who has passed the National Commission on Certification of Physician Assistants examination, and has active certification of the National Commission on Certification of Physician Assistants;

(7) "Recognition", the formal process of becoming a certifying entity as required by the provisions of sections 334.735 to 334.749;

(8) "Supervision", control exercised over a physician assistant working with a supervising physician and oversight of the activities of and accepting responsibility for the physician assistant's delivery of care. The physician assistant shall only practice at a location where the physician routinely provides patient care, except existing patients of the supervising physician in the patient's home and correctional facilities. The supervising physician must be immediately available in person or via telecommunication during the time the physician assistant is providing patient care. Prior to commencing practice, the supervising physician and physician assistant shall attest on a form provided by the board that the physician shall provide supervision appropriate to the physician assistant's training and that the physician assistant shall not practice beyond the physician assistant's training and experience. Appropriate supervision shall require the supervising physician to be working within the same facility as the physician assistant for at least four hours within one calendar day for every fourteen days on which the physician assistant provides patient care as described in subsection 3 of this section. Only days in which the physician assistant provides patient care as described in subsection 3 of this section shall be counted toward the fourteen-day period. The requirement of appropriate supervision shall be applied so that no more than thirteen calendar days in which a physician assistant provides patient care shall pass between the physician's four hours working within the same facility. The board shall promulgate rules pursuant to chapter 536 for documentation of joint review of the physician assistant activity by the supervising physician and the physician assistant.

2. (1) A supervision agreement shall limit the physician assistant to practice only at locations described in subdivision (8) of subsection 1 of this section, **[**~~where the supervising physician is no further than fifty miles by road~~

~~using the most direct route available and where the location is not so situated as to create an impediment to effective intervention and supervision of patient care or adequate review of services~~**] within a geographic proximity to be determined by the board of registration for the healing arts**.

(2) For a physician-physician assistant team working in a **certified community behavioral health clinic as defined by P.L. 113-93 and a** rural health clinic under the federal Rural Health Clinic Services Act, P.L. 95-210, as amended, **or a federally qualified health center as defined in 42 U.S.C. Section 1395 of the Public Health Service Act, as amended,** no supervision requirements in addition to the minimum federal law shall be required.

3. The scope of practice of a physician assistant shall consist only of the following services and procedures:

(1) Taking patient histories;

(2) Performing physical examinations of a patient;

(3) Performing or assisting in the performance of routine office laboratory and patient screening procedures;

(4) Performing routine therapeutic procedures;

(5) Recording diagnostic impressions and evaluating situations calling for attention of a physician to institute treatment procedures;

(6) Instructing and counseling patients regarding mental and physical health using procedures reviewed and approved by a licensed physician;

(7) Assisting the supervising physician in institutional settings, including reviewing of treatment plans, ordering of tests and diagnostic laboratory and radiological services, and ordering of therapies, using procedures reviewed and approved by a licensed physician;

(8) Assisting in surgery;

(9) Performing such other tasks not prohibited by law under the supervision of a licensed physician as the physician's assistant has been trained and is proficient to perform; and

(10) Physician assistants shall not perform or prescribe abortions.

4. Physician assistants shall not prescribe any drug, medicine, device or therapy unless pursuant to a physician supervision agreement in accordance with the law, nor prescribe lenses, prisms or contact lenses for the aid, relief or correction of vision or the measurement of visual power or visual efficiency of the human eye, nor administer or monitor general or regional block anesthesia during diagnostic tests, surgery or obstetric procedures. Prescribing of drugs, medications, devices or therapies by a physician assistant shall be pursuant to a physician assistant supervision agreement which is specific to the clinical conditions treated by the supervising physician and the physician assistant shall be subject to the following:

(1) A physician assistant shall only prescribe controlled substances in accordance with section 334.747;

(2) The types of drugs, medications, devices or therapies prescribed by a physician assistant shall be consistent with the scopes of practice of the physician assistant and the supervising physician;

(3) All prescriptions shall conform with state and federal laws and regulations and shall include the name, address and telephone number of the physician assistant and the supervising physician;

(4) A physician assistant, or advanced practice registered nurse as defined in section 335.016 may request, receive and sign for noncontrolled professional samples and may distribute professional samples to patients; and

(5) A physician assistant shall not prescribe any drugs, medicines, devices or therapies the supervising physician is not qualified or authorized to prescribe.

5. A physician assistant shall clearly identify himself or herself as a physician assistant and shall not use or permit to be used in the physician assistant's behalf the terms "doctor", "Dr." or "doc" nor hold himself or herself out in any way to be a physician or surgeon. No physician assistant shall practice or attempt to practice without physician supervision or in any location where the supervising physician is not immediately available for consultation, assistance and intervention, except as otherwise provided in this section, and in an emergency situation, nor shall any physician assistant bill a patient independently or directly for any services or procedure by the physician assistant; except that, nothing in this subsection shall be construed to prohibit a physician assistant from enrolling with the department of social services as a MO HealthNet or Medicaid provider while acting under a supervision agreement between the physician and physician assistant.

6. For purposes of this section, the licensing of physician assistants shall take place within processes established by the state board of registration for the healing arts through rule and regulation. The board of healing arts is authorized to establish rules pursuant to chapter 536 establishing licensing and renewal procedures, supervision, supervision agreements, fees, and addressing such other matters as are necessary to protect the public

and discipline the profession. An application for licensing may be denied or the license of a physician assistant may be suspended or revoked by the board in the same manner and for violation of the standards as set forth by section 334.100, or such other standards of conduct set by the board by rule or regulation. Persons licensed pursuant to the provisions of chapter 335 shall not be required to be licensed as physician assistants. All applicants for physician assistant licensure who complete a physician assistant training program after January 1, 2008, shall have a master's degree from a physician assistant program.

7. "Physician assistant supervision agreement" means a written agreement, jointly agreed-upon protocols or standing order between a supervising physician and a physician assistant, which provides for the delegation of health care services from a supervising physician to a physician assistant and the review of such services. The agreement shall contain at least the following provisions:

(1) Complete names, home and business addresses, zip codes, telephone numbers, and state license numbers of the supervising physician and the physician assistant;

(2) A list of all offices or locations where the physician routinely provides patient care, and in which of such offices or locations the supervising physician has authorized the physician assistant to practice;

(3) All specialty or board certifications of the supervising physician;

(4) The manner of supervision between the supervising physician and the physician assistant, including how the supervising physician and the physician assistant shall:

(a) Attest on a form provided by the board that the physician shall provide supervision appropriate to the physician assistant's training and experience and that the physician assistant shall not practice beyond the scope of the physician assistant's training and experience nor the supervising physician's capabilities and training; and

(b) Provide coverage during absence, incapacity, infirmity, or emergency by the supervising physician;

(5) The duration of the supervision agreement between the supervising physician and physician assistant; and

(6) A description of the time and manner of the supervising physician's review of the physician assistant's delivery of health care services. Such description shall include provisions that the supervising physician, or a designated supervising physician listed in the supervision agreement review a minimum of ten percent of the charts of the physician assistant's delivery of health care services every fourteen days.

8. When a physician assistant supervision agreement is utilized to provide health care services for conditions other than acute self-limited or well-defined problems, the supervising physician or other physician designated in the supervision agreement shall see the patient for evaluation and approve or formulate the plan of treatment for new or significantly changed conditions as soon as practical, but in no case more than two weeks after the patient has been seen by the physician assistant.

9. At all times the physician is responsible for the oversight of the activities of, and accepts responsibility for, health care services rendered by the physician assistant.

10. It is the responsibility of the supervising physician to determine and document the completion of at least a one-month period of time during which the licensed physician assistant shall practice with a supervising physician continuously present before practicing in a setting where a supervising physician is not continuously present.

11. No contract or other agreement shall require a physician to act as a supervising physician for a physician assistant against the physician's will. A physician shall have the right to refuse to act as a supervising physician, without penalty, for a particular physician assistant. No contract or other agreement shall limit the supervising physician's ultimate authority over any protocols or standing orders or in the delegation of the physician's authority to any physician assistant, but this requirement shall not authorize a physician in implementing such protocols, standing orders, or delegation to violate applicable standards for safe medical practice established by the hospital's medical staff.

12. Physician assistants shall file with the board a copy of their supervising physician form.

13. No physician shall be designated to serve as supervising physician **or collaborating physician** for more than **[**~~three~~**] six** full-time equivalent licensed physician assistants**, full-time equivalent advanced practice registered nurses, or full-time equivalent assistant physicians, or any combination thereof**. This limitation shall not apply to physician assistant agreements of hospital employees providing inpatient care service in hospitals as defined in chapter 197**, or to a certified registered nurse anesthetist providing anesthesia services under the supervision of an anesthesiologist or other physician, dentist, or podiatrist who is immediately available if needed as set out in subsection 7 of section 334.104**.

334.747. 1. A physician assistant with a certificate of controlled substance prescriptive authority as provided in this section may prescribe any controlled substance listed in Schedule III, IV, or V of section 195.017, and may have restricted authority in Schedule II, when delegated the authority to prescribe controlled substances in

a supervision agreement. Such authority shall be listed on the supervision verification form on file with the state board of healing arts. The supervising physician shall maintain the right to limit a specific scheduled drug or scheduled drug category that the physician assistant is permitted to prescribe. Any limitations shall be listed on the supervision form. Prescriptions for Schedule II medications prescribed by a physician assistant with authority to prescribe delegated in a supervision agreement are restricted to only those medications containing hydrocodone. Physician assistants shall not prescribe controlled substances for themselves or members of their families. Schedule III controlled substances and Schedule II - hydrocodone prescriptions shall be limited to a five-day supply without refill**, except that buprenorphine may be prescribed for up to a thirty-day supply without refill for patients receiving medication assisted treatment for substance use disorders under the direction of the supervising physician**. Physician assistants who are authorized to prescribe controlled substances under this section shall register with the federal Drug Enforcement Administration and the state bureau of narcotics and dangerous drugs, and shall include the Drug Enforcement Administration registration number on prescriptions for controlled substances.

2. The supervising physician shall be responsible to determine and document the completion of at least one hundred twenty hours in a four-month period by the physician assistant during which the physician assistant shall practice with the supervising physician on-site prior to prescribing controlled substances when the supervising physician is not on-site. Such limitation shall not apply to physician assistants of population-based public health services as defined in 20 CSR 2150-5.100 as of April 30, 2009.

3. A physician assistant shall receive a certificate of controlled substance prescriptive authority from the board of healing arts upon verification of the completion of the following educational requirements:

(1) Successful completion of an advanced pharmacology course that includes clinical training in the prescription of drugs, medicines, and therapeutic devices. A course or courses with advanced pharmacological content in a physician assistant program accredited by the Accreditation Review Commission on Education for the Physician Assistant (ARC-PA) or its predecessor agency shall satisfy such requirement;

(2) Completion of a minimum of three hundred clock hours of clinical training by the supervising physician in the prescription of drugs, medicines, and therapeutic devices;

(3) Completion of a minimum of one year of supervised clinical practice or supervised clinical rotations. One year of clinical rotations in a program accredited by the Accreditation Review Commission on Education for the Physician Assistant (ARC-PA) or its predecessor agency, which includes pharmacotherapeutics as a component of its clinical training, shall satisfy such requirement. Proof of such training shall serve to document experience in the prescribing of drugs, medicines, and therapeutic devices;

(4) A physician assistant previously licensed in a jurisdiction where physician assistants are authorized to prescribe controlled substances may obtain a state bureau of narcotics and dangerous drugs registration if a supervising physician can attest that the physician assistant has met the requirements of subdivisions (1) to (3) of this subsection and provides documentation of existing federal Drug Enforcement Agency registration.

337.025. 1. The provisions of this section shall govern the education and experience requirements for initial licensure as a psychologist for the following persons:

(1) A person who has not matriculated in a graduate degree program which is primarily psychological in nature on or before August 28, 1990; and

(2) A person who is matriculated after August 28, 1990, in a graduate degree program designed to train professional psychologists.

2. Each applicant shall submit satisfactory evidence to the committee that the applicant has received a doctoral degree in psychology from a recognized educational institution, and has had at least one year of satisfactory supervised professional experience in the field of psychology.

3. A doctoral degree in psychology is defined as:

(1) A program accredited, or provisionally accredited, by the American Psychological Association **[**~~or~~**] (APA),** the Canadian Psychological Association**, or the Psychological Clinical Science Accreditation System (PCSAS) provided that such program include a supervised practicum, internship, field, or laboratory training appropriate to the practice of psychology**; or

(2) A program designated or approved, including provisional approval, by the Association of State and Provincial Psychology Boards or the Council for the National Register of Health Service Providers in Psychology, or both; or

(3) A graduate program that meets all of the following criteria:

(a) The program, wherever it may be administratively housed, shall be clearly identified and labeled as a

psychology program. Such a program shall specify in pertinent institutional catalogues and brochures its intent to educate and train professional psychologists;

(b) The psychology program shall stand as a recognizable, coherent organizational entity within the institution of higher education;

(c) There shall be a clear authority and primary responsibility for the core and specialty areas whether or not the program cuts across administrative lines;

(d) The program shall be an integrated, organized, sequence of study;

(e) There shall be an identifiable psychology faculty and a psychologist responsible for the program;

(f) The program shall have an identifiable body of students who are matriculated in that program for a degree;

(g) The program shall include a supervised practicum, internship, field, or laboratory training appropriate to the practice of psychology;

(h) The curriculum shall encompass a minimum of three academic years of full-time graduate study, with a minimum of one year's residency at the educational institution granting the doctoral degree; and

(i) Require the completion by the applicant of a core program in psychology which shall be met by the completion and award of at least one three-semester-hour graduate credit course or a combination of graduate credit courses totaling three semester hours or five quarter hours in each of the following areas:

a. The biological bases of behavior such as courses in: physiological psychology, comparative psychology, neuropsychology, sensation and perception, psychopharmacology;

b. The cognitive-affective bases of behavior such as courses in: learning, thinking, motivation, emotion, and cognitive psychology;

c. The social bases of behavior such as courses in: social psychology, group processes/dynamics, interpersonal relationships, and organizational and systems theory;

d. Individual differences such as courses in: personality theory, human development, abnormal psychology, developmental psychology, child psychology, adolescent psychology, psychology of aging, and theories of personality;

e. The scientific methods and procedures of understanding, predicting and influencing human behavior such as courses in: statistics, experimental design, psychometrics, individual testing, group testing, and research design and methodology.

4. Acceptable supervised professional experience may be accrued through preinternship, internship, predoctoral postinternship, or postdoctoral experiences. The academic training director or the postdoctoral training supervisor shall attest to the hours accrued to meet the requirements of this section. Such hours shall consist of:

(1) A minimum of fifteen hundred hours of experience in a successfully completed internship to be completed in not less than twelve nor more than twenty-four months; and

(2) A minimum of two thousand hours of experience consisting of any combination of the following:

(a) Preinternship and predoctoral postinternship professional experience that occurs following the completion of the first year of the doctoral program or at any time while in a doctoral program after completion of a master's degree in psychology or equivalent as defined by rule by the committee;

(b) Up to seven hundred fifty hours obtained while on the internship under subdivision (1) of this subsection but beyond the fifteen hundred hours identified in subdivision (1) of this subsection; or

(c) Postdoctoral professional experience obtained in no more than twenty-four consecutive calendar months. In no case shall this experience be accumulated at a rate of more than fifty hours per week. Postdoctoral supervised professional experience for prospective health service providers and other applicants shall involve and relate to the delivery of psychological services in accordance with professional requirements and relevant to the applicant's intended area of practice.

5. Experience for those applicants who intend to seek health service provider certification and who have completed a program in one or more of the American Psychological Association designated health service provider delivery areas shall be obtained under the primary supervision of a licensed psychologist who is also a health service provider or who otherwise meets the requirements for health service provider certification. Experience for those applicants who do not intend to seek health service provider certification shall be obtained under the primary supervision of a licensed psychologist or such other qualified mental health professional approved by the committee.

6. For postinternship and postdoctoral hours, the psychological activities of the applicant shall be performed pursuant to the primary supervisor's order, control, and full professional responsibility. The primary supervisor shall maintain a continuing relationship with the applicant and shall meet with the applicant a minimum of one hour per month in face-to-face individual supervision. Clinical supervision may be delegated by the primary supervisor to one or more secondary supervisors who are qualified psychologists. The secondary supervisors shall

retain order, control, and full professional responsibility for the applicant's clinical work under their supervision and shall meet with the applicant a minimum of one hour per week in face-to-face individual supervision. If the primary supervisor is also the clinical supervisor, meetings shall be a minimum of one hour per week. Group supervision shall not be acceptable for supervised professional experience. The primary supervisor shall certify to the committee that the applicant has complied with these requirements and that the applicant has demonstrated ethical and competent practice of psychology. The changing by an agency of the primary supervisor during the course of the supervised experience shall not invalidate the supervised experience.

7. The committee by rule shall provide procedures for exceptions and variances from the requirements for once a week face-to-face supervision due to vacations, illness, pregnancy, and other good causes.

337.029. 1. A psychologist licensed in another jurisdiction who has had no violations and no suspensions and no revocation of a license to practice psychology in any jurisdiction may receive a license in Missouri, provided the psychologist passes a written examination on Missouri laws and regulations governing the practice of psychology and meets one of the following criteria:

(1) Is a diplomate of the American Board of Professional Psychology;

(2) Is a member of the National Register of Health Service Providers in Psychology;

(3) Is currently licensed or certified as a psychologist in another jurisdiction who is then a signatory to the Association of State and Provincial Psychology Board's reciprocity agreement;

(4) Is currently licensed or certified as a psychologist in another state, territory of the United States, or the District of Columbia and:

(a) Has a doctoral degree in psychology from a program accredited, or provisionally accredited, by the American Psychological Association **or the Psychological Clinical Science Accreditation System,** or that meets the requirements as set forth in subdivision (3) of subsection 3 of section 337.025;

(b) Has been licensed for the preceding five years; and

(c) Has had no disciplinary action taken against the license for the preceding five years; or

(5) Holds a current certificate of professional qualification (CPQ) issued by the Association of State and Provincial Psychology Boards (ASPPB).

2. Notwithstanding the provisions of subsection 1 of this section, applicants may be required to pass an oral examination as adopted by the committee.

3. A psychologist who receives a license for the practice of psychology in the state of Missouri on the basis of reciprocity as listed in subsection 1 of this section or by endorsement of the score from the examination of professional practice in psychology score will also be eligible for and shall receive certification from the committee as a health service provider if the psychologist meets one or more of the following criteria:

(1) Is a diplomate of the American Board of Professional Psychology in one or more of the specialties recognized by the American Board of Professional Psychology as pertaining to health service delivery;

(2) Is a member of the National Register of Health Service Providers in Psychology; or

(3) Has completed or obtained through education, training, or experience the requisite knowledge comparable to that which is required pursuant to section 337.033.

337.033. 1. A licensed psychologist shall limit his or her practice to demonstrated areas of competence as documented by relevant professional education, training, and experience. A psychologist trained in one area shall not practice in another area without obtaining additional relevant professional education, training, and experience through an acceptable program of respecialization.

2. A psychologist may not represent or hold himself or herself out as a state certified or registered psychological health service provider unless the psychologist has first received the psychologist health service provider certification from the committee; provided, however, nothing in this section shall be construed to limit or prevent a licensed, whether temporary, provisional or permanent, psychologist who does not hold a health service provider certificate from providing psychological services so long as such services are consistent with subsection 1 of this section.

3. "Relevant professional education and training" for health service provider certification, except those entitled to certification pursuant to subsection 5 or 6 of this section, shall be defined as a licensed psychologist whose graduate psychology degree from a recognized educational institution is in an area designated by the American Psychological Association as pertaining to health service delivery or a psychologist who subsequent to receipt of his or her graduate degree in psychology has either completed a respecialization program from a recognized educational institution in one or more of the American Psychological Association recognized clinical health service provider areas and who in addition has completed at least one year of postdegree supervised

experience in such clinical area or a psychologist who has obtained comparable education and training acceptable to the committee through completion of postdoctoral fellowships or otherwise.

4. The degree or respecialization program certificate shall be obtained from a recognized program of graduate study in one or more of the health service delivery areas designated by the American Psychological Association as pertaining to health service delivery, which shall meet one of the criteria established by subdivisions (1) to (3) of this subsection:

(1) A doctoral degree or completion of a recognized respecialization program in one or more of the American Psychological Association designated health service provider delivery areas which is accredited, or provisionally accredited, **either** by the American Psychological Association **or the Psychological Clinical Science Accreditation System**; or

(2) A clinical or counseling psychology doctoral degree program or respecialization program designated, or provisionally approved, by the Association of State and Provincial Psychology Boards or the Council for the National Register of Health Service Providers in Psychology, or both; or

(3) A doctoral degree or completion of a respecialization program in one or more of the American Psychological Association designated health service provider delivery areas that meets the following criteria:

(a) The program, wherever it may be administratively housed, shall be clearly identified and labeled as being in one or more of the American Psychological Association designated health service provider delivery areas;

(b) Such a program shall specify in pertinent institutional catalogues and brochures its intent to educate and train professional psychologists in one or more of the American Psychological Association designated health service provider delivery areas.

5. A person who is lawfully licensed as a psychologist pursuant to the provisions of this chapter on August 28, 1989, or who has been approved to sit for examination prior to August 28, 1989, and who subsequently passes the examination shall be deemed to have met all requirements for health service provider certification; provided, however, that such person shall be governed by the provisions of subsection 1 of this section with respect to limitation of practice.

6. Any person who is lawfully licensed as a psychologist in this state and who meets one or more of the following criteria shall automatically, upon payment of the requisite fee, be entitled to receive a health service provider certification from the committee:

(1) Is a diplomate of the American Board of Professional Psychology in one or more of the specialties recognized by the American Board of Professional Psychology as pertaining to health service delivery; or

(2) Is a member of the National Register of Health Service Providers in Psychology.

374.426. 1. Any entity in the business of delivering or financing health care shall provide data regarding quality of patient care and patient satisfaction to the director of the department of insurance, financial institutions and professional registration. Failure to provide such data as required by the director of the department of insurance, financial institutions and professional registration shall constitute grounds for violation of the unfair trade practices act, sections 375.930 to 375.948.

2. In defining data standards for quality of care and patient satisfaction, the director of the department of insurance, financial institutions and professional registration shall:

(1) Use as the initial data set the HMO Employer Data and Information Set developed by the National Committee for Quality Assurance;

(2) Consult with nationally recognized accreditation organizations, including but not limited to the National Committee for Quality Assurance and the Joint Committee on Accreditation of Health Care Organizations; and

(3) Consult with a state committee of a national committee convened to develop standards regarding uniform billing of health care claims.

3. In defining data standards for quality of care and patient satisfaction, the director of the department of insurance, financial institutions and professional registration shall not require patient scoring of pain control.

4. Beginning August 28, 2018, the director of the department of insurance, financial institutions and professional registration shall discontinue the use of patient satisfaction scores and shall not make them available to the public to the extent allowed by federal law.

376.811. 1. Every insurance company and health services corporation doing business in this state shall offer in all health insurance policies benefits or coverage for chemical dependency meeting the following minimum standards:

(1) Coverage for outpatient treatment through a nonresidential treatment program, or through partial- or full-day program services, of not less than twenty-six days per policy benefit period;

(2) Coverage for residential treatment program of not less than twenty-one days per policy benefit period;

(3) Coverage for medical or social setting detoxification of not less than six days per policy benefit period;

(4) **Coverage for medication-assisted treatment for substance use disorders, using any drug approved for sale by the Food and Drug Administration for use in treating such patient's condition, including opioid-use and heroin-use disorders. No prior authorization, step therapy, or fail-first therapy shall be required for medication-assisted treatment;**

[~~(4)~~**] (5)** The coverages set forth in this subsection may be subject to a separate lifetime frequency cap of not less than ten episodes of treatment, except that such separate lifetime frequency cap shall not apply to medical detoxification in a life-threatening situation as determined by the treating physician and subsequently documented within forty-eight hours of treatment to the reasonable satisfaction of the insurance company or health services corporation; and

[~~(5)~~**] (6)** The coverages set forth in this subsection:

(a) Shall be subject to the same coinsurance, co-payment and deductible factors as apply to physical illness;

(b) May be administered pursuant to a managed care program established by the insurance company or health services corporation; and

(c) May deliver covered services through a system of contractual arrangements with one or more providers, hospitals, nonresidential or residential treatment programs, or other mental health service delivery entities certified by the department of mental health, or accredited by a nationally recognized organization, or licensed by the state of Missouri.

2. In addition to the coverages set forth in subsection 1 of this section, every insurance company, health services corporation and health maintenance organization doing business in this state shall offer in all health insurance policies, benefits or coverages for recognized mental illness, excluding chemical dependency, meeting the following minimum standards:

(1) Coverage for outpatient treatment, including treatment through partial- or full-day program services, for mental health services for a recognized mental illness rendered by a licensed professional to the same extent as any other illness;

(2) Coverage for residential treatment programs for the therapeutic care and treatment of a recognized mental illness when prescribed by a licensed professional and rendered in a psychiatric residential treatment center licensed by the department of mental health or accredited by the Joint Commission on Accreditation of Hospitals to the same extent as any other illness;

(3) Coverage for inpatient hospital treatment for a recognized mental illness to the same extent as for any other illness, not to exceed ninety days per year;

(4) The coverages set forth in this subsection shall be subject to the same coinsurance, co-payment, deductible, annual maximum and lifetime maximum factors as apply to physical illness; and

(5) The coverages set forth in this subsection may be administered pursuant to a managed care program established by the insurance company, health services corporation or health maintenance organization, and covered services may be delivered through a system of contractual arrangements with one or more providers, community mental health centers, hospitals, nonresidential or residential treatment programs, or other mental health service delivery entities certified by the department of mental health, or accredited by a nationally recognized organization, or licensed by the state of Missouri.

3. The offer required by sections 376.810 to 376.814 may be accepted or rejected by the group or individual policyholder or contract holder and, if accepted, shall fully and completely satisfy and substitute for the coverage under section 376.779. Nothing in sections 376.810 to 376.814 shall prohibit an insurance company, health services corporation or health maintenance organization from including all or part of the coverages set forth in sections 376.810 to 376.814 as standard coverage in their policies or contracts issued in this state.

4. Every insurance company, health services corporation and health maintenance organization doing business in this state shall offer in all health insurance policies mental health benefits or coverage as part of the policy or as a supplement to the policy. Such mental health benefits or coverage shall include at least two sessions per year to a licensed psychiatrist, licensed psychologist, licensed professional counselor, licensed clinical social worker, or, subject to contractual provisions, a licensed marital and family therapist, acting within the scope of such license and under the following minimum standards:

(1) Coverage and benefits in this subsection shall be for the purpose of diagnosis or assessment, but not dependent upon findings; and

(2) Coverage and benefits in this subsection shall not be subject to any conditions of preapproval, and shall be deemed reimbursable as long as the provisions of this subsection are satisfied; and

(3) Coverage and benefits in this subsection shall be subject to the same coinsurance, co-payment and deductible factors as apply to regular office visits under coverages and benefits for physical illness.

5. If the group or individual policyholder or contract holder rejects the offer required by this section, then the coverage shall be governed by the mental health and chemical dependency insurance act as provided in sections 376.825 to 376.836.

6. This section shall not apply to a supplemental insurance policy, including a life care contract, accident-only policy, specified disease policy, hospital policy providing a fixed daily benefit only, Medicare supplement policy, long-term care policy, hospitalization-surgical care policy, short-term major medical policy of six months or less duration, or any other supplemental policy as determined by the director of the department of insurance, financial institutions and professional registration.

376.1550. 1. Notwithstanding any other provision of law to the contrary, each health carrier that offers or issues health benefit plans which are delivered, issued for delivery, continued, or renewed in this state on or after January 1, 2005, shall provide coverage for a mental health condition, as defined in this section, and shall comply with the following provisions:

(1) A health benefit plan shall provide coverage for treatment of a mental health condition and shall not establish any rate, term, or condition that places a greater financial burden on an insured for access to treatment for a mental health condition than for access to treatment for a physical health condition. Any deductible or out-of-pocket limits required by a health carrier or health benefit plan shall be comprehensive for coverage of all health conditions, whether mental or physical;

(2) The coverages set forth is this subsection:

(a) May be administered pursuant to a managed care program established by the health carrier; and

(b) May deliver covered services through a system of contractual arrangements with one or more providers, hospitals, nonresidential or residential treatment programs, or other mental health service delivery entities certified by the department of mental health, or accredited by a nationally recognized organization, or licensed by the state of Missouri;

(3) A health benefit plan that does not otherwise provide for management of care under the plan or that does not provide for the same degree of management of care for all health conditions may provide coverage for treatment of mental health conditions through a managed care organization; provided that the managed care organization is in compliance with rules adopted by the department of insurance, financial institutions and professional registration that assure that the system for delivery of treatment for mental health conditions does not diminish or negate the purpose of this section. The rules adopted by the director shall assure that:

(a) Timely and appropriate access to care is available;

(b) The quantity, location, and specialty distribution of health care providers is adequate; and

(c) Administrative or clinical protocols do not serve to reduce access to medically necessary treatment for any insured;

(4) Coverage for treatment for chemical dependency shall comply with sections 376.779, 376.810 to 376.814, and 376.825 to 376.836 and for the purposes of this subdivision the term "health insurance policy" as used in sections 376.779, 376.810 to 376.814, and 376.825 to 376.836, the term "health insurance policy" shall include group coverage.

2. As used in this section, the following terms mean:

(1) "Chemical dependency", the psychological or physiological dependence upon and abuse of drugs, including alcohol, characterized by drug tolerance or withdrawal and impairment of social or occupational role functioning or both;

(2) "Health benefit plan", the same meaning as such term is defined in section 376.1350;

(3) "Health carrier", the same meaning as such term is defined in section 376.1350;

(4) "Mental health condition", any condition or disorder defined by categories listed in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders **[**~~except for chemical dependency~~**]**;

(5) "Managed care organization", any financing mechanism or system that manages care delivery for its members or subscribers, including health maintenance organizations and any other similar health care delivery system or organization;

(6) "Rate, term, or condition", any lifetime or annual payment limits, deductibles, co-payments, coinsurance, and other cost-sharing requirements, out-of-pocket limits, visit limits, and any other financial component of a health benefit plan that affects the insured.

3. This section shall not apply to a health plan or policy that is individually underwritten or provides such coverage for specific individuals and members of their families pursuant to section 376.779, sections 376.810 to 376.814, and sections 376.825 to 376.836, a supplemental insurance policy, including a life care contract, accident-only policy, specified disease policy, hospital policy providing a fixed daily benefit only, Medicare supplement policy, long-term care policy, hospitalization-surgical care policy, short-term major medical policies of six months or less duration, or any other supplemental policy as determined by the director of the department of insurance, financial institutions and professional registration.

4. Notwithstanding any other provision of law to the contrary, all health insurance policies that cover state employees, including the Missouri consolidated health care plan, shall include coverage for mental illness. Multiyear group policies need not comply until the expiration of their current multiyear term unless the policyholder elects to comply before that time.

5. The provisions of this section shall not be violated if the insurer decides to apply different limits or exclude entirely from coverage the following:

(1) Marital, family, educational, or training services unless medically necessary and clinically appropriate;

(2) Services rendered or billed by a school or halfway house;

(3) Care that is custodial in nature;

(4) Services and supplies that are not immediately nor clinically appropriate; or

(5) Treatments that are considered experimental.

6. The director shall grant a policyholder a waiver from the provisions of this section if the policyholder demonstrates to the director by actual experience over any consecutive twenty-four-month period that compliance with this section has increased the cost of the health insurance policy by an amount that results in a two percent increase in premium costs to the policyholder. The director shall promulgate rules establishing a procedure and appropriate standards for making such a demonstration. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be invalid and void."; and

Further amend said bill, Page 7, Section 577.029, Line 16, by inserting after all of said section and line the following:

"**630.875. 1. This section shall be known and may be cited as the "Improved Access to Treatment for Opioid Addictions Act" or "IATOA Act".**

2. As used in this section, the following terms mean:

(1) "Department", the department of mental health;

(2) "IATOA program", the improved access to treatment for opioid addictions program created under subsection 3 of this section.

3. Subject to appropriations, the department shall create and oversee an "Improved Access to Treatment for Opioid Addictions Program", which is hereby created and whose purpose is to disseminate information and best practices regarding opioid addiction and to facilitate collaborations to better treat and prevent opioid addiction in this state. The IATOA program shall facilitate partnerships between assistant physicians, physician assistants, and advanced practice registered nurses practicing in federally qualified health centers, rural health clinics, and other health care facilities and physicians practicing at remote facilities located in this state. The IATOA program shall provide resources that grant patients and their treating assistant physicians, physician assistants, advanced practice registered nurses, or physicians access to knowledge and expertise through means such as telemedicine and Extension for Community Healthcare Outcomes (ECHO) programs established under section 191.1140.

4. Assistant physicians, physician assistants, and advanced practice registered nurses who participate in the IATOA program shall complete the necessary requirements to prescribe buprenorphine within at least thirty days of joining the IATOA program.

5. For the purposes of the IATOA program, a remote collaborating or supervising physician working with an on-site assistant physician, physician assistant, or advanced practice registered nurse shall

be considered to be on-site. An assistant physician, physician assistant, or advanced practice registered nurse collaborating with a remote physician shall comply with all laws and requirements applicable to assistant physicians, physician assistants, or advanced practice registered nurses with on-site supervision before providing treatment to a patient.

6. An assistant physician, physician assistant, or advanced practice registered nurse collaborating with a physician who is waiver-certified for the use of buprenorphine, may participate in the IATOA program in any area of the state and provide all services and functions of an assistant physician, physician assistant, or advanced practice registered nurse.

7. The department may develop curriculum and benchmark examinations on the subject of opioid addiction and treatment. The department may collaborate with specialists, institutions of higher education, and medical schools for such development. Completion of such a curriculum and passing of such an examination by an assistant physician, physician assistant, advanced practice registered nurse, or physician shall result in a certificate awarded by the department or sponsoring institution, if any.

8. An assistant physician, physician assistant, or advanced practice registered nurse participating in the IATOA program may also:

(1) Engage in community education;

(2) Engage in professional education outreach programs with local treatment providers;

(3) Serve as a liaison to courts;

(4) Serve as a liaison to addiction support organizations;

(5) Provide educational outreach to schools;

(6) Treat physical ailments of patients in an addiction treatment program or considering entering such a program;

(7) Refer patients to treatment centers;

(8) Assist patients with court and social service obligations;

(9) Perform other functions as authorized by the department; and

(10) Provide mental health services in collaboration with a qualified licensed physician.

The list of authorizations in this subsection is a nonexclusive list, and assistant physicians, physician assistants, or advanced practice registered nurses participating in the IATOA program may perform other actions.

9. When an overdose survivor arrives in the emergency department, the assistant physician, physician assistant, or advanced practice registered nurse serving as a recovery coach or, if the assistant physician, physician assistant, or advanced practice registered nurse is unavailable, another properly trained recovery coach shall, when reasonably practicable, meet with the overdose survivor and provide treatment options and support available to the overdose survivor. The department shall assist recovery coaches in providing treatment options and support to overdose survivors.

10. The provisions of this section shall supersede any contradictory statutes, rules, or regulations. The department shall implement the improved access to treatment for opioid addictions program as soon as reasonably possible using guidance within this section. Further refinement to the improved access to treatment for opioid addictions program may be done through the rules process.

11. The department shall promulgate rules to implement the provisions of the improved access to treatment for opioid addictions act as soon as reasonably possible. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2018, shall be invalid and void.

632.005. As used in chapter 631 and this chapter, unless the context clearly requires otherwise, the following terms shall mean:

(1) "Comprehensive psychiatric services", any one, or any combination of two or more, of the following services to persons affected by mental disorders other than intellectual disabilities or developmental disabilities: inpatient, outpatient, day program or other partial hospitalization, emergency, diagnostic, treatment, liaison, follow-up, consultation, education, rehabilitation, prevention, screening, transitional living, medical prevention and treatment for alcohol abuse, and medical prevention and treatment for drug abuse;

(2) "Council", the Missouri advisory council for comprehensive psychiatric services;

(3) "Court", the court which has jurisdiction over the respondent or patient;

(4) "Division", the division of comprehensive psychiatric services of the department of mental health;

(5) "Division director", director of the division of comprehensive psychiatric services of the department of mental health, or his designee;

(6) "Head of mental health facility", superintendent or other chief administrative officer of a mental health facility, or his designee;

(7) "Judicial day", any Monday, Tuesday, Wednesday, Thursday or Friday when the court is open for business, but excluding Saturdays, Sundays and legal holidays;

(8) "Licensed physician", a physician licensed pursuant to the provisions of chapter 334 or a person authorized to practice medicine in this state pursuant to the provisions of section 334.150;

(9) "Licensed professional counselor", a person licensed as a professional counselor under chapter 337 and with a minimum of one year training or experience in providing psychiatric care, treatment, or services in a psychiatric setting to individuals suffering from a mental disorder;

(10) "Likelihood of serious harm" means any one or more of the following but does not require actual physical injury to have occurred:

(a) A substantial risk that serious physical harm will be inflicted by a person upon his own person, as evidenced by recent threats, including verbal threats, or attempts to commit suicide or inflict physical harm on himself. Evidence of substantial risk may also include information about patterns of behavior that historically have resulted in serious harm previously being inflicted by a person upon himself;

(b) A substantial risk that serious physical harm to a person will result or is occurring because of an impairment in his capacity to make decisions with respect to his hospitalization and need for treatment as evidenced by his current mental disorder or mental illness which results in an inability to provide for his own basic necessities of food, clothing, shelter, safety or medical care or his inability to provide for his own mental health care which may result in a substantial risk of serious physical harm. Evidence of that substantial risk may also include information about patterns of behavior that historically have resulted in serious harm to the person previously taking place because of a mental disorder or mental illness which resulted in his inability to provide for his basic necessities of food, clothing, shelter, safety or medical or mental health care; or

(c) A substantial risk that serious physical harm will be inflicted by a person upon another as evidenced by recent overt acts, behavior or threats, including verbal threats, which have caused such harm or which would place a reasonable person in reasonable fear of sustaining such harm. Evidence of that substantial risk may also include information about patterns of behavior that historically have resulted in physical harm previously being inflicted by a person upon another person;

(11) "Mental health coordinator", a mental health professional who has knowledge of the laws relating to hospital admissions and civil commitment and who is authorized by the director of the department, or his designee, to serve a designated geographic area or mental health facility and who has the powers, duties and responsibilities provided in this chapter;

(12) "Mental health facility", any residential facility, public or private, or any public or private hospital, which can provide evaluation, treatment and, inpatient care to persons suffering from a mental disorder or mental illness and which is recognized as such by the department or any outpatient treatment program certified by the department of mental health. No correctional institution or facility, jail, regional center or developmental disability facility shall be a mental health facility within the meaning of this chapter;

(13) "Mental health professional", a psychiatrist, resident in psychiatry, **psychiatric physician assistant, psychiatric assistant physician, psychiatric advanced practice registered nurse,** psychologist, psychiatric nurse, licensed professional counselor, or psychiatric social worker;

(14) "Mental health program", any public or private residential facility, public or private hospital, public or private specialized service or public or private day program that can provide care, treatment, rehabilitation or services, either through its own staff or through contracted providers, in an inpatient or outpatient setting to persons with a mental disorder or mental illness or with a diagnosis of alcohol abuse or drug abuse which is recognized as such by the department. No correctional institution or facility or jail may be a mental health program within the meaning of this chapter;

(15) "Ninety-six hours" shall be construed and computed to exclude Saturdays, Sundays and legal holidays which are observed either by the court or by the mental health facility where the respondent is detained;

(16) "Peace officer", a sheriff, deputy sheriff, county or municipal police officer or highway patrolman;

(17) **"Psychiatric advanced practice registered nurse", a registered nurse who is currently recognized by the board of nursing as an advanced practice registered nurse, who has at least two years of experience in providing psychiatric treatment to individuals suffering from mental disorders;**

(18) "Psychiatric assistant physician", a licensed assistant physician under chapter 334 and who has had at least two years of experience as an assistant physician in providing psychiatric treatment to individuals suffering from mental health disorders;

(19) "Psychiatric nurse", a registered professional nurse who is licensed under chapter 335 and who has had at least two years of experience as a registered professional nurse in providing psychiatric nursing treatment to individuals suffering from mental disorders;

(20) "Psychiatric physician assistant", a licensed physician assistant under chapter 334 and who has had at least two years of experience as a physician assistant in providing psychiatric treatment to individuals suffering from mental health disorders or a graduate of a postgraduate residency or fellowship for physician assistants in psychiatry;

[~~(18)~~**] (21)** "Psychiatric social worker", a person with a master's or further advanced degree from an accredited school of social work, practicing pursuant to chapter 337, and with a minimum of one year training or experience in providing psychiatric care, treatment or services in a psychiatric setting to individuals suffering from a mental disorder;

[~~(19)~~**] (22)** "Psychiatrist", a licensed physician who in addition has successfully completed a training program in psychiatry approved by the American Medical Association, the American Osteopathic Association or other training program certified as equivalent by the department;

[~~(20)~~**] (23)** "Psychologist", a person licensed to practice psychology under chapter 337 with a minimum of one year training or experience in providing treatment or services to mentally disordered or mentally ill individuals;

[~~(21)~~**] (24)** "Resident in psychiatry", a licensed physician who is in a training program in psychiatry approved by the American Medical Association, the American Osteopathic Association or other training program certified as equivalent by the department;

[~~(22)~~**] (25)** "Respondent", an individual against whom involuntary civil detention proceedings are instituted pursuant to this chapter;

[~~(23)~~**] (26)** "Treatment", any effort to accomplish a significant change in the mental or emotional conditions or the behavior of the patient consistent with generally recognized principles or standards in the mental health professions.

[~~208.671. 1. As used in this section and section 208.673, the following terms shall mean:~~

~~(1) "Asynchronous store-and-forward", the transfer of a participant's clinically important digital samples, such as still images, videos, audio, text files, and relevant data from an originating site through the use of a camera or similar recording device that stores digital samples that are forwarded via telecommunication to a distant site for consultation by a consulting provider without requiring the simultaneous presence of the participant and the participant's treating provider;~~

~~(2) "Asynchronous store-and-forward technology", cameras or other recording devices that store images which may be forwarded via telecommunication devices at a later time;~~

~~(3) "Consultation", a type of evaluation and management service as defined by the most recent edition of the Current Procedural Terminology published annually by the American Medical Association;~~

~~(4) "Consulting provider", a provider who, upon referral by the treating provider, evaluates a participant and appropriate medical data or images delivered through asynchronous store-and-forward technology. If a consulting provider is unable to render an opinion due to insufficient information, the consulting provider may request additional information to facilitate the rendering of an opinion or decline to render an opinion;~~

~~(5) "Distant site", the site where a consulting provider is located at the time the consultation service is provided;~~

~~(6) "Originating site", the site where a MO HealthNet participant receiving services and such participant's treating provider are both physically located;~~

~~(7) "Provider", any provider of medical, mental health, optometric, or dental~~

~~health services, including all other medical disciplines, licensed and providing MO HealthNet services who has the authority to refer participants for medical, mental health, optometric, dental, or other health care services within the scope of practice and licensure of the provider;~~
~~(8) "Telehealth", as that term is defined in section 191.1145;~~
~~(9) "Treating provider", a provider who:~~
~~(a) Evaluates a participant;~~
~~(b) Determines the need for a consultation;~~
~~(c) Arranges the services of a consulting provider for the purpose of diagnosis and treatment; and~~
~~(d) Provides or supplements the participant's history and provides pertinent physical examination findings and medical information to the consulting provider.~~
~~2. The department of social services, in consultation with the departments of mental health and health and senior services, shall promulgate rules governing the use of asynchronous store-and-forward technology in the practice of telehealth in the MO HealthNet program. Such rules shall include, but not be limited to:~~
~~(1) Appropriate standards for the use of asynchronous store-and-forward technology in the practice of telehealth;~~
~~(2) Certification of agencies offering asynchronous store-and-forward technology in the practice of telehealth;~~
~~(3) Timelines for completion and communication of a consulting provider's consultation or opinion, or if the consulting provider is unable to render an opinion, timelines for communicating a request for additional information or that the consulting provider declines to render an opinion;~~
~~(4) Length of time digital files of such asynchronous store-and-forward services are to be maintained;~~
~~(5) Security and privacy of such digital files;~~
~~(6) Participant consent for asynchronous store-and-forward services; and~~
~~(7) Payment for services by providers; except that, consulting providers who decline to render an opinion shall not receive payment under this section unless and until an opinion is rendered.~~

~~Telehealth providers using asynchronous store-and-forward technology shall be required to obtain participant consent before asynchronous store-and-forward services are initiated and to ensure confidentiality of medical information.~~
~~3. Asynchronous store-and-forward technology in the practice of telehealth may be utilized to service individuals who are qualified as MO HealthNet participants under Missouri law. The total payment for both the treating provider and the consulting provider shall not exceed the payment for a face-to-face consultation of the same level.~~
~~4. The standard of care for the use of asynchronous store-and-forward technology in the practice of telehealth shall be the same as the standard of care for services provided in person.~~**]**

[~~208.673. 1. There is hereby established the "Telehealth Services Advisory Committee" to advise the department of social services and propose rules regarding the coverage of telehealth services in the MO HealthNet program utilizing asynchronous store-and-forward technology.~~
~~2. The committee shall be comprised of the following members:~~
~~(1) The director of the MO HealthNet division, or the director's designee;~~
~~(2) The medical director of the MO HealthNet division;~~

~~(3) A representative from a Missouri institution of higher education with expertise in telehealth;~~
~~(4) A representative from the Missouri office of primary care and rural health;~~
~~(5) Two board-certified specialists licensed to practice medicine in this state;~~
~~(6) A representative from a hospital located in this state that utilizes telehealth;~~
~~(7) A primary care physician from a federally qualified health center (FQHC) or rural health clinic;~~
~~(8) A primary care physician from a rural setting other than from an FQHC or rural health clinic;~~
~~(9) A dentist licensed to practice in this state; and~~
~~(10) A psychologist, or a physician who specializes in psychiatry, licensed to practice in this state.~~
~~3. Members of the committee listed in subdivisions (3) to (10) of subsection 2 of this section shall be appointed by the governor with the advice and consent of the senate. The first appointments to the committee shall consist of three members to serve three-year terms, three members to serve two-year terms, and three members to serve a one-year term as designated by the governor. Each member of the committee shall serve for a term of three years thereafter.~~
~~4. Members of the committee shall not receive any compensation for their services but shall be reimbursed for any actual and necessary expenses incurred in the performance of their duties.~~
~~5. Any member appointed by the governor may be removed from office by the governor without cause. If there is a vacancy for any cause, the governor shall make an appointment to become effective immediately for the unexpired term.~~
~~6. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.~~**]**

[~~208.675. For purposes of the provision of telehealth services in the MO HealthNet program, the following individuals, licensed in Missouri, shall be considered eligible health care providers:~~
~~(1) Physicians, assistant physicians, and physician assistants;~~
~~(2) Advanced practice registered nurses;~~
~~(3) Dentists, oral surgeons, and dental hygienists under the supervision of a currently registered and licensed dentist;~~
~~(4) Psychologists and provisional licensees;~~
~~(5) Pharmacists;~~
~~(6) Speech, occupational, or physical therapists;~~
~~(7) Clinical social workers;~~
~~(8) Podiatrists;~~
~~(9) Optometrists;~~
~~(10) Licensed professional counselors; and~~
~~(11) Eligible health care providers under subdivisions (1) to (10) of this section practicing in a rural health clinic, federally qualified health center, or community mental health center.~~**]**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Wiemann offered **House Amendment No. 1 to House Amendment No. 3**.

House Amendment No. 1
to
House Amendment No. 3

AMEND House Amendment No. 3 to House Committee Substitute for Senate Bill No. 951, Page 10, Line 28, by inserting after all of said line the following:

"**13. Nothing in this section or section 334.036 shall be construed to limit the authority of hospitals or hospital medical staff to make employment or medical staff credentialing or privileging decisions.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wiemann, **House Amendment No. 1 to House Amendment No. 3** was adopted.

On motion of Representative Frederick, **House Amendment No. 3, as amended**, was adopted.

Representative Hurst offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Bill No. 951, Page 5, Section 197.305, Line 68, by inserting immediately after said section and line the following:

"208.217. 1. As used in this section, the following terms mean:

(1) "Data match", a method of comparing the department's information with that of another entity and identifying those records which appear in both files. This process is accomplished by a computerized comparison by which both the department and the entity utilize a computer readable electronic media format;

(2) "Department", the Missouri department of social services;

(3) "Entity":

(a) Any insurance company as defined in chapter 375 or any public organization or agency transacting or doing the business of insurance; or

(b) Any health service corporation or health maintenance organization as defined in chapter 354 or any other provider of health services as defined in chapter 354;

(c) Any self-insured organization or business providing health services as defined in chapter 354; or

(d) Any third-party administrator (TPA), administrative services organization (ASO), or pharmacy benefit manager (PBM) transacting or doing business in Missouri or administering or processing claims or benefits, or both, for residents of Missouri;

(4) "Individual", any applicant or present or former participant receiving public assistance benefits under sections 208.151 to 208.159 **or a person receiving department of mental health services for the purposes of subsection 9 of this section**;

(5) "Insurance", any agreement, contract, policy plan or writing entered into voluntarily or by court or administrative order providing for the payment of medical services or for the provision of medical care to or on behalf of an individual;

(6) "Request", any inquiry by the MO HealthNet division for the purpose of determining the existence of insurance where the department may have expended MO HealthNet benefits.

2. The department may enter into a contract with any entity, and the entity shall, upon request of the department of social services, inform the department of any records or information pertaining to the insurance of any individual.

3. The information which is required to be provided by the entity regarding an individual is limited to those insurance benefits that could have been claimed and paid by an insurance policy agreement or plan with respect to medical services or items which are otherwise covered under the MO HealthNet program.

4. A request for a data match made by the department pursuant to this section shall include sufficient information to identify each person named in the request in a form that is compatible with the record-keeping methods of the entity. Requests for information shall pertain to any individual or the person legally responsible for such individual and may be requested at a minimum of twice a year.

5. The department shall reimburse the entity which is requested to supply information as provided by this section for actual direct costs, based upon industry standards, incurred in furnishing the requested information and as set out in the contract. The department shall specify the time and manner in which information is to be delivered by the entity to the department. No reimbursement will be provided for information requested by the department other than by means of a data match.

6. Any entity which has received a request from the department pursuant to this section shall provide the requested information in compliance with HIPPAA required transactions within sixty days of receipt of the request. Willful failure of an entity to provide the requested information within such period shall result in liability to the state for civil penalties of up to ten dollars for each day thereafter. The attorney general shall, upon request of the department, bring an action in a circuit court of competent jurisdiction to recover the civil penalty. The court shall determine the amount of the civil penalty to be assessed. A health insurance carrier, including instances where it acts in the capacity of an administrator of an ASO account, and a TPA acting in the capacity of an administrator for a fully insured or self-funded employer, is required to accept and respond to the HIPPAA ANSI standard transaction for the purpose of validating eligibility.

7. The director of the department shall establish guidelines to assure that the information furnished to any entity or obtained from any entity does not violate the laws pertaining to the confidentiality and privacy of an applicant or participant receiving MO HealthNet benefits. Any person disclosing confidential information for purposes other than set forth in this section shall be guilty of a class A misdemeanor.

8. The application for or the receipt of benefits under sections 208.151 to 208.159 shall be deemed consent by the individual to allow the department to request information from any entity regarding insurance coverage of said person.

9. The provisions of this section that apply to the department of social services shall also apply to the department of mental health when contracting with any entity to supply information as provided for in this section regarding an individual receiving department of mental health services."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hurst, **House Amendment No. 4** was adopted.

Representative Neely offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Bill No. 951, Page 1, Section A, Line 3, by inserting immediately after said line the following:

"58.451. 1. When any person, in any county in which a coroner is required by section 58.010, dies and there is reasonable ground to believe that such person died as a result of:

(1) Violence by homicide, suicide, or accident;

(2) Criminal abortions, including those self-induced;

(3) Some unforeseen sudden occurrence and the deceased had not been attended by a physician during the thirty-six-hour period preceding the death;

(4) In any unusual or suspicious manner;

(5) Any injury or illness while in the custody of the law or while an inmate in a public institution**[;]**

the police, sheriff, law enforcement officer or official, or any person having knowledge of such a death shall immediately notify the coroner of the known facts concerning the time, place, manner and circumstances of the death. Immediately upon receipt of notification, the coroner or deputy coroner shall take charge of the dead body and fully investigate the essential facts concerning the medical causes of death, including whether by the act of man, and the manner of death. The coroner or deputy coroner may take the names and addresses of witnesses to the death and shall file this information in the coroner's office. The coroner or deputy coroner shall take possession of all

property of value found on the body, making exact inventory of such property on the report and shall direct the return of such property to the person entitled to its custody or possession. The coroner or deputy coroner shall take possession of any object or article which, in the coroner's or the deputy coroner's opinion, may be useful in establishing the cause of death, and deliver it to the prosecuting attorney of the county.

2. When a death occurs outside a licensed health care facility, the first licensed medical professional or law enforcement official learning of such death shall immediately contact the county coroner. Immediately upon receipt of such notification, the coroner or the coroner's deputy shall make the determination if further investigation is necessary, based on information provided by the individual contacting the coroner, and immediately advise such individual of the coroner's intentions.

3. Notwithstanding the provisions of subsection 2 of this section, when a death occurs under the care of a hospice, no investigation shall be required if the death is certified by the treating physician of the deceased or the medical director of the hospice. The hospice shall provide written notice to the coroner within twenty-four hours of the death.

[~~3.~~**] 4.** Upon taking charge of the dead body and before moving the body the coroner shall notify the police department of any city in which the dead body is found, or if the dead body is found in the unincorporated area of a county governed by the provisions of sections 58.451 to 58.457, the coroner shall notify the county sheriff or the highway patrol and cause the body to remain unmoved until the police department, sheriff or the highway patrol has inspected the body and the surrounding circumstances and carefully noted the appearance, the condition and position of the body and recorded every fact and circumstance tending to show the cause and manner of death, with the names and addresses of all known witnesses, and shall subscribe the same and make such record a part of the coroner's report.

[~~4.~~**] 5.** In any case of sudden, violent or suspicious death after which the body was buried without any investigation or autopsy, the coroner, upon being advised of such facts, may at the coroner's own discretion request that the prosecuting attorney apply for a court order requiring the body to be exhumed.

[~~5.~~**] 6.** The coroner may certify the cause of death in any case where death occurred without medical attendance or where an attending physician refuses to sign a certificate of death or when a physician is unavailable to sign a certificate of death.

[~~6.~~**] 7.** When the cause of death is established by the coroner, the coroner shall file a copy of the findings in the coroner's office within thirty days.

[~~7.~~**] 8.** If on view of the dead body and after personal inquiry into the cause and manner of death, the coroner determines that a further examination is necessary in the public interest, the coroner on the coroner's own authority may make or cause to be made an autopsy on the body. The coroner may on the coroner's own authority employ the services of a pathologist, chemist, or other expert to aid in the examination of the body or of substances supposed to have caused or contributed to death, and if the pathologist, chemist, or other expert is not already employed by the city or county for the discharge of such services, the pathologist, chemist, or other expert shall, upon written authorization of the coroner, be allowed reasonable compensation, payable by the city or county, in the manner provided in section 58.530. The coroner shall, at the time of the autopsy, record or cause to be recorded each fact and circumstance tending to show the condition of the body and the cause and manner of death.

[~~8.~~**] 9.** If on view of the dead body and after personal inquiry into the cause and manner of death, the coroner considers a further inquiry and examination necessary in the public interest, the coroner shall make out the coroner's warrant directed to the sheriff of the city or county requiring the sheriff forthwith to summon six good and lawful citizens of the county to appear before the coroner, at the time and place expressed in the warrant, and to inquire how and by whom the deceased died.

[~~9.~~**] 10.** (1) When a person is being transferred from one county to another county for medical treatment and such person dies while being transferred, or dies while being treated in the emergency room of the receiving facility**,** the place which the person is determined to be dead shall be considered the place of death and the county coroner or medical examiner of the county from which the person was originally being transferred shall be responsible for determining the cause and manner of death for the Missouri certificate of death.

(2) The coroner or medical examiner in the county in which the person is determined to be dead may with authorization of the coroner or medical examiner from the original transferring county, investigate and conduct postmortem examinations at the expense of the coroner or medical examiner from the original transferring county. The coroner or medical examiner from the original transferring county shall be responsible for investigating the circumstances of such and completing the Missouri certificate of death. The certificate of death shall be filed in the county where the deceased was pronounced dead.

(3) Such coroner or medical examiner of the county where a person is determined to be dead shall immediately notify the coroner or medical examiner of the county from which the person was originally being transferred of the death of such person, and shall make available information and records obtained for investigation of the death.

(4) If a person does not die while being transferred and is institutionalized as a regularly admitted patient after such transfer and subsequently dies while in such institution, the coroner or medical examiner of the county in which the person is determined to be dead shall immediately notify the coroner or medical examiner of the county from which such person was originally transferred of the death of such person. In such cases, the county in which the deceased was institutionalized shall be considered the place of death. If the manner of death is by homicide, suicide, accident, criminal abortion including those that are self-induced, child fatality, or any unusual or suspicious manner, the investigation of the cause and manner of death shall revert to the county of origin, and this coroner or medical examiner shall be responsible for the Missouri certificate of death. The certificate of death shall be filed in the county where the deceased was pronounced dead.

[~~10.~~**] 11.** There shall not be any statute of limitations or time limits on the cause of death when death is the final result or determined to be caused by homicide, suicide, accident, child fatality, criminal abortion including those self-induced, or any unusual or suspicious manner. The place of death shall be the place in which the person is determined to be dead. The final investigation of death in determining the cause and matter of death shall revert to the county of origin, and the coroner or medical examiner of such county shall be responsible for the Missouri certificate of death. The certificate of death shall be filed in the county where the deceased was pronounced dead.

[~~11.~~**] 12.** Except as provided in subsection **[**~~9~~**] 10** of this section, if a person dies in one county and the body is subsequently transferred to another county, for burial or other reasons, the county coroner or medical examiner where the death occurred shall be responsible for the certificate of death and for investigating the cause and manner of the death.

[~~12.~~**] 13.** In performing the duties, the coroner or medical examiner shall comply with sections 58.775 to 58.785 with respect to organ donation.

58.720. 1. When any person dies within a county having a medical examiner as a result of:

(1) Violence by homicide, suicide, or accident;

(2) Thermal, chemical, electrical, or radiation injury;

(3) Criminal abortions, including those self-induced;

(4) Disease thought to be of a hazardous and contagious nature or which might constitute a threat to public health; or when any person dies:

(a) Suddenly when in apparent good health;

(b) When unattended by a physician, chiropractor, or an accredited Christian Science practitioner, during the period of thirty-six hours immediately preceding his death;

(c) While in the custody of the law, or while an inmate in a public institution;

(d) In any unusual or suspicious manner**[**~~;~~**]**

the police, sheriff, law enforcement officer or official, or any person having knowledge of such a death shall immediately notify the office of the medical examiner of the known facts concerning the time, place, manner and circumstances of the death. Immediately upon receipt of notification, the medical examiner or his designated assistant shall take charge of the dead body and fully investigate the essential facts concerning the medical causes of death. He may take the names and addresses of witnesses to the death and shall file this information in his office. The medical examiner or his designated assistant shall take possession of all property of value found on the body, making exact inventory thereof on his report and shall direct the return of such property to the person entitled to its custody or possession. The medical examiner or his designated assistant examiner shall take possession of any object or article which, in his opinion, may be useful in establishing the cause of death, and deliver it to the prosecuting attorney of the county.

2. When a death occurs outside a licensed health care facility, the first licensed medical professional or law enforcement official learning of such death shall contact the county medical examiner. Immediately upon receipt of such notification, the medical examiner or the medical examiner's deputy shall make a determination if further investigation is necessary, based on information provided by the individual contacting the medical examiner, and immediately advise such individual of the medical examiner's intentions.

3. Notwithstanding the provisions of subsection 2 of this section, when a death occurs under the care of a hospice, no investigation shall be required if the death is certified by the treating physician of the deceased or the medical director of the hospice. The hospice shall provide written notice to the medical examiner within twenty-four hours of the death.

[~~3.~~**] 4.** In any case of sudden, violent or suspicious death after which the body was buried without any investigation or autopsy, the medical examiner, upon being advised of such facts, may at his own discretion request that the prosecuting attorney apply for a court order requiring the body to be exhumed.

[~~4.~~**] 5.** The medical examiner shall certify the cause of death in any case where death occurred without medical attendance or where an attending physician refuses to sign a certificate of death, and may sign a certificate of death in the case of any death.

[~~5.~~**] 6.** When the cause of death is established by the medical examiner, he shall file a copy of his findings in his office within thirty days after notification of the death.

[~~6.~~**] 7.** (1) When a person is being transferred from one county to another county for medical treatment and such person dies while being transferred, or dies while being treated in the emergency room of the receiving facility, the place which the person is determined to be dead shall be considered the place of death and the county coroner or the medical examiner of the county from which the person was originally being transferred shall be responsible for determining the cause and manner of death for the Missouri certificate of death.

(2) The coroner or medical examiner in the county in which the person is determined to be dead may, with authorization of the coroner or medical examiner from the transferring county, investigate and conduct postmortem examinations at the expense of the coroner or medical examiner from the transferring county. The coroner or medical examiner from the transferring county shall be responsible for investigating the circumstances of such and completing the Missouri certificate of death. The certificate of death shall be filed in the county where the deceased was pronounced dead.

(3) Such coroner or medical examiner, or the county where a person is determined to be dead, shall immediately notify the coroner or medical examiner of the county from which the person was originally being transferred of the death of such person and shall make available information and records obtained for investigation of death.

(4) If a person does not die while being transferred and is institutionalized as a regularly admitted patient after such transfer and subsequently dies while in such institution, the coroner or medical examiner of the county in which the person is determined to be dead shall immediately notify the coroner or medical examiner of the county from which such person was originally transferred of the death of such person. In such cases, the county in which the deceased was institutionalized shall be considered the place of death. If the manner of death is by homicide, suicide, accident, criminal abortion including those that are self-induced, child fatality, or any unusual or suspicious manner, the investigation of the cause and manner of death shall revert to the county of origin, and this coroner or medical examiner shall be responsible for the Missouri certificate of death. The certificate of death shall be filed in the county where the deceased was pronounced dead.

[~~7.~~**] 8.** There shall not be any statute of limitations or time limits on cause of death when death is the final result or determined to be caused by homicide, suicide, accident, criminal abortion including those self-induced, child fatality, or any unusual or suspicious manner. The place of death shall be the place in which the person is determined to be dead, but the final investigation of death determining the cause and manner of death shall revert to the county of origin, and this coroner or medical examiner shall be responsible for the Missouri certificate of death. The certificate of death shall be filed in the county where the deceased was pronounced dead.

[~~8.~~**] 9.** Except as provided in subsection **[**~~6~~**] 7** of this section, if a person dies in one county and the body is subsequently transferred to another county, for burial or other reasons, the county coroner or medical examiner where the death occurred shall be responsible for the certificate of death and for investigating the cause and manner of the death.

[~~9.~~**] 10.** In performing the duties, the coroner or medical examiner shall comply with sections 58.775 to 58.785 with respect to organ donation."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Neely, **House Amendment No. 5** was adopted.

Representative Swan offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Bill No. 951, Page 5, Section 210.070, Line 8, by inserting immediately after said line the following:

"**334.1000. As used in sections 334.1000 to 334.1030, the following terms shall mean:**

(1) "Advisory committee", the Missouri radiologic imaging and radiation therapy advisory committee;

(2) "Board", the state board of registration for the healing arts;

(3) "Certification organization", a certification organization that specializes in the certification and registration of radiologic imaging or radiation therapy technical personnel that is accredited by the National Commission for Certifying Agencies, American National Standards Institute, or other accreditation organization recognized by the board;

(4) "Ionizing radiation", radiation that may consist of alpha particles, beta particles, gamma rays, x-rays, neutrons, high-speed electrons, high-speed protons, or other particles capable of producing ions. Ionizing radiation does not include non-ionizing radiation, such as radiofrequency or microwaves, visible infrared or ultraviolet light, or ultrasound;

(5) "Licensed practitioner", a person licensed to practice medicine, chiropractic medicine, podiatry, dentistry, or a certified registered nurse anesthetist in this state with education and specialist training in the medical or dental use of radiation who is deemed competent to independently perform or supervise radiologic imaging or radiation therapy procedures by their respective state licensure board;

(6) "Limited x-ray machine operator", a person who is licensed to perform only x-ray or bone densitometry procedures not involving the administration or utilization of contrast media on selected specific parts of human anatomy under the supervision of a licensed practitioner;

(7) "Nuclear medicine technologist", a person who is licensed to perform a variety of nuclear medicine and molecular imaging procedures using sealed and unsealed radiation sources, ionizing radiation, adjunctive medicine and pharmaceuticals associated with nuclear medicine procedures, and therapeutic procedures using unsealed radioactive sources;

(8) "Radiation therapist", a person who is licensed to administer ionizing radiation to human beings for therapeutic purposes;

(9) "Radiation therapy", the use of ionizing radiation for the purpose of treating disease;

(10) "Radiographer", a person who is licensed to perform a comprehensive set of diagnostic radiographic procedures using external ionizing radiation to produce radiographic, fluoroscopic, or digital images;

(11) "Radiologic imaging", any procedure or article intended for use in the diagnosis or visualization of disease or other medical conditions in human beings, including, but not limited to computed tomography, fluoroscopy, nuclear medicine, radiography, and other procedures using ionizing radiation;

(12) "Radiologist", a physician licensed in this state and certified by or board-eligible to be certified by the American Board of Radiology, the American Osteopathic Board of Radiology, the British Royal College of Radiology, or the Canadian College of Physicians and Surgeons in that medical specialty;

(13) "Radiologist assistant", a person who is licensed to perform a variety of activities under the supervision of a radiologist in the areas of patient care, patient management, radiologic imaging, or interventional procedures guided by radiologic imaging, and who does not interpret images, render diagnoses or prescribe medications or therapies.

334.1005. 1. Except as provided in this section, after January 1, 2020, only a person licensed under the provisions of sections 334.1000 to 334.1030 or a licensed practitioner may perform radiologic imaging or radiation therapy procedures on humans for diagnostic or therapeutic purposes.

2. The board shall issue licenses to persons certified by a certification organization to perform nuclear medicine technology, radiation therapy, radiography, and radiologist assistant procedures and to limited x-ray machine operators meeting licensure standards established by the board.

3. No person, corporation, or facility shall knowingly employ a person who does not hold a license or who is not exempt from the provisions of sections 334.1000 to 334.1030 to perform radiologic imaging or radiation therapy procedures for more than one hundred eighty days.

4. Nothing in this section relating to radiologic imaging or radiation therapy shall limit or enlarge the practice of a licensed practitioner.

5. The provisions of section 334.1000 to 334.1030 shall not apply to the following:

(1) A dental hygienist or dental assistant licensed by this state;

(2) A resident physician enrolled in and attending a school or college of medicine, chiropractic, podiatry, dentistry, radiologic imaging, or radiation therapy who performs radiologic imaging or radiation therapy procedures on humans;

(3) A student enrolled in and attending a school or college of medicine, chiropractic, podiatry, dentistry, radiologic imaging, or radiation therapy who performs radiologic imaging or radiation therapy procedures on humans while under the supervision of a licensed practitioner or a person holding a nuclear medicine technologist, radiation therapist, radiographer, or radiologist assistant license;

(4) A person who is employed by the United States government when performing radiologic imaging or radiation therapy associated with that employment; or

(5) A person performing radiologic imaging procedures on nonhuman subjects or cadavers.

334.1010. 1. There is hereby created the "Missouri Radiologic Imaging and Radiation Therapy Advisory Committee". The board shall provide administrative support to the advisory committee. The advisory committee shall guide, advise, and make recommendations to the board, and shall consist of five members appointed by the director of the division of professional registration, a majority of whom shall be licensed practitioners, individuals certified or registered by a certification organization, or individuals licensed under sections 334.1000 to 334.1030.

2. The board, based on recommendations, guidance, and advice from the advisory committee, shall:

(1) Establish scopes of practice for limited x-ray machine operators, nuclear medicine technologists, radiation therapists, radiographers, and radiologist assistants;

(2) Promulgate rules for issuance of licenses;

(3) Establish minimum requirements for the issuance of licenses and recognition of licenses issued by other states;

(4) Establish minimum requirements for continuing education;

(5) Determine fees and requirements for the issuance of new licenses and renewal of licenses;

(6) Contract to use a competency based examination that shall provide for a virtually administered option for the determination of limited x-ray machine operator qualifications for licensure;

(7) Promulgate rules for acceptance of certification and registration by a certification organization recognized by the board as qualification for licensure;

(8) Promulgate rules for issuance of licenses to retired military personnel and spouses of active-duty military personnel;

(9) Establish ethical, moral, and practice standards; and

(10) Promulgate rules and procedures for the denial or refusal to renew a license, and the suspension, revocation, or other discipline of active licensees.

3. The board shall create alternative licensure requirements for individuals working in rural health clinics as defined in P.L. 95-210 and for areas of this state that the board deems too remote to contain a sufficient number of qualified persons licensed under sections 334.1000 to 334.1030 to perform radiologic imaging or radiation therapy procedures.

4. All fees payable pursuant to the provisions of sections 334.1000 to 334.1030 shall be collected by the division of professional registration, which shall transmit such funds to the department of revenue for deposit in the state treasury to the credit of the board of registration for the healing arts fund. The division of professional registration and the board of registration for the healing arts may use these funds as necessary for the administration of sections 334.1000 to 334.1030.

5. The fee charged for a limited x-ray machine operator examination shall not exceed the actual cost to administer the examination.

334.1015. 1. To be eligible for licensure by the board, at the time of application an applicant shall be at least eighteen years of age.

2. The board shall accept nuclear medicine technology, radiation therapy, radiography, or radiologist assistant certification and registration by a certification organization recognized by the board as a qualification for licensure.

3. The board may issue limited x-ray machine operator licenses in the following areas:

(1) Chest radiography: radiography of the thorax, heart, and lungs;

(2) Extremity radiography: radiography of the upper and lower extremities, including the pectoral girdle;

(3) Spine radiography: radiography of the vertebral column;

(4) Skull/sinus radiography: radiography of the skull and facial structures;

(5) Podiatric radiography: radiography of the foot, ankle, and lower leg below the knee;

(6) Bone densitometry: performance and analysis of bone density scans; or

(7) Other areas the board deems necessary to ensure necessary services throughout the state.

4. The board may require a limited x-ray machine operator to verify training in x-ray procedures at their place of employment, including a minimum of one hundred hours of supervised experience performing x-ray procedures.

(1) The hours shall be sufficient for individuals to be licensed in any limited machine operator area for which they pass an examination;

(2) The hours shall be documented by the licensee and verified by the licensee's supervisor.

5. Individuals shall be licensed in any limited machine operator area for which they successfully pass an examination as defined by the board.

6. The board shall not require, but may recommend, any advance class work, either remote or in person, prior to a limited x-ray machine operator candidate taking such examination.

7. No additional testing requirements or other stipulations shall be imposed after the initial examination for limited x-ray machine operator licensure provided the licensee maintain required continuing education and is not disciplined under rules promulgated pursuant to subdivision (10) of subsection 2 of section 334.1010.

8. The board shall require limited x-ray machine operators to complete a minimum of twelve hours biannually of continuing education that may be fulfilled by approved continuing education activities at the licensee's place of employment.

9. The board may accept certification from the American Chiropractic Registry of Radiologic Technologists for persons applying for a limited x-ray machine operator license in spine radiography.

10. The board may accept certification from the American Society of Podiatric Medical Assistants for persons applying for a limited x-ray machine operator license in podiatric radiography.

11. The board may accept certification from the International Society of Clinical Densitometry for persons applying for a limited x-ray machine operator license in bone densitometry.

334.1020. 1. A licensee who violates any provision of sections 334.1000 to 334.1030 shall be guilty of a class A misdemeanor. Each act of such unlawful practice shall constitute a distinct and separate offense.

2. The board may assess a civil penalty not in excess of two hundred dollars for each violation of sections 334.1000 to 334.1030 or any rules adopted by the board. The clear proceeds of any civil penalty assessed under this section shall be remitted to the credit of the public school fund of the state.

334.1025. A person who has been engaged in the practice of radiologic imaging and radiation therapy, other than a radiologist assistant, and who does not hold a current certification and registration by a certification organization recognized by the board may continue to practice in the radiologic imaging or radiation therapy modality in which they are currently employed, provided that such person:

(1) Registers with the board on or before January 1, 2020;

(2) Does not change the scope of their current practice or current place of employment;

(3) Completes all continuing education requirements for their modality biennially as prescribed by the board;

(4) Practices only under the supervision of a licensed practitioner; and

(5) Meets all licensure requirements of sections 334.1000 to 334.1030 and the rules adopted by the board and obtains a license from the board on or before October 1, 2023.

334.1030. 1. The board may promulgate rules to implement the provisions of sections 334.1000 to 334.1030. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2018, shall be invalid and void.

2. Any authority granted to the board or the advisory committee to adopt or promulgate rules or to establish the scope of practice for the licensure issued by the board shall not include the authority to define, regulate, or interpret the scope of practice of any profession not licensed by the board."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Swan, **House Amendment No. 6** was adopted.

On motion of Representative Bondon, **HCS SB 951, as amended**, was adopted.

On motion of Representative Bondon, **HCS SB 951, as amended**, was read the third time and passed by the following vote:

AYES: 121

Adams	Alferman	Anders	Anderson	Andrews
Austin	Bahr	Bangert	Baringer	Barnes 28
Beard	Beck	Bernskoetter	Berry	Black
Bondon	Brattin	Brown 57	Burnett	Carpenter
Chipman	Christofanelli	Conway 104	Cornejo	Curtman
Davis	Dinkins	Dogan	Dohrman	Eggleston
Ellebracht	Ellington	Engler	Fitzwater	Fraker
Francis	Franklin	Frederick	Gannon	Gray
Gregory	Grier	Hannegan	Hansen	Harris
Helms	Henderson	Hill	Houghton	Houx
Johnson	Justus	Kelley 127	Kelly 141	Kendrick
Kidd	Knight	Lauer	Lavender	Lichtenegger
Love	Lynch	Mathews	Matthiesen	May
McCann Beatty	McCreery	McGaugh	Merideth 80	Mitten
Morgan	Morris 140	Mosley	Muntzel	Neely
Nichols	Pfautsch	Pierson Jr	Pietzman	Pike
Quade	Razer	Redmon	Reiboldt	Reisch
Remole	Revis	Rhoads	Roberts	Roden
Roeber	Ross	Rowland 155	Rowland 29	Runions
Ruth	Schroer	Shaul 113	Shull 16	Shumake
Smith 85	Smith 163	Sommer	Spencer	Stacy
Stephens 128	Swan	Tate	Taylor	Trent
Unsicker	Vescovo	Walker 3	Walsh	Washington
Wessels	White	Wiemann	Wilson	Wood
Mr. Speaker				

NOES: 003

Hurst	Marshall	Moon

PRESENT: 000

ABSENT WITH LEAVE: 037

Arthur	Barnes 60	Basye	Brown 27	Burns
Butler	Conway 10	Cookson	Corlew	Cross
Curtis	DeGroot	Evans	Fitzpatrick	Franks Jr
Green	Haahr	Haefner	Higdon	Kolkmeyer
Korman	Lant	McDaniel	McGee	Meredith 71
Messenger	Miller	Morse 151	Newman	Peters
Phillips	Plocher	Pogue	Rehder	Rone
Stevens 46	Walker 74			

VACANCIES: 002

Representative Ross declared the bill passed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SB 718, as amended**, and requests the House to recede from its position and failing to do so grant the Senate a conference thereon.

BILLS CARRYING REQUEST MESSAGES

HCS SCS SB 718, as amended, relating to health care, was taken up by Representative Rhoads.

Representative Rhoads moved that the House refuse to recede from its position on **HCS SCS SB 718, as amended**, and grant the Senate a conference.

Which motion was adopted.

THIRD READING OF SENATE BILLS - INFORMAL

SS SCS SB 549, relating to the reauthorization of financial incentives for job creation, was taken up by Representative Rehder.

On motion of Representative Rehder, the title of **SS SCS SB 549**, relating to tax credits, was agreed to.

Representative Rehder offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 549, Page 1, In the Title, Line 3, by deleting the words "the reauthorization of financial incentives for job creation" and inserting in lieu thereof the words "tax credits"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Rehder, **House Amendment No. 1** was adopted.

Representative Helms offered **House Amendment No. 2**.

House Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 549, Page 1, Section A, Line 3, by inserting immediately after all of said section and line the following:

"**135.801. Notwithstanding any other provision of law to the contrary, no taxpayer shall claim more than one tax credit from any and all of the following tax credits in a single tax year: agricultural tax credits, business recruitment tax credits, community development tax credits, entrepreneurial tax credits, environmental tax credits, housing tax credits, redevelopment tax credits, or training and educational tax credits, as those terms are defined under section 135.800. This section shall not prevent a taxpayer from claiming a portion of a tax credit carried over from a previous tax year.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Speaker Richardson assumed the Chair.

Representative Engler raised a point of order that a member was in violation of Rule 85.

The Chair took the point of order under advisement and instructed members to confine remarks to the question under debate.

Representative Alferman assumed the Chair.

Representative Brattin offered **House Amendment No. 1 to House Amendment No. 2**.

House Amendment No. 1
to
House Amendment No. 2

AMEND House Amendment No. 2 to Senate Substitute for Senate Committee Substitute for Senate Bill No. 549, Page 1, Line 5, by inserting after the phrase "**tax year**" the phrase "**for any single project**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Brattin, **House Amendment No. 1 to House Amendment No. 2** was adopted by the following vote, the ayes and noes having been demanded pursuant to Article III, Section 26 of the Constitution:

AYES: 089

Alferman	Anderson	Andrews	Austin	Bahr
Basye	Black	Bondon	Brattin	Brown 57
Chipman	Christofanelli	Conway 104	Cornejo	Cross
Curtman	Davis	DeGroot	Dinkins	Dogan
Dohrman	Eggleston	Engler	Fitzwater	Fraker
Francis	Franklin	Gannon	Gregory	Grier
Hansen	Helms	Henderson	Hill	Houghton
Houx	Hurst	Johnson	Justus	Kelly 141
Kidd	Knight	Lichtenegger	Love	Lynch
Marshall	Mathews	McGaugh	Miller	Moon
Morris 140	Morse 151	Muntzel	Neely	Pfautsch
Phillips	Pierson Jr	Pietzman	Pike	Plocher
Redmon	Rehder	Reiboldt	Reisch	Remole
Roden	Roeber	Ross	Rowland 155	Ruth
Schroer	Shaul 113	Shull 16	Smith 163	Sommer
Spencer	Stacy	Stephens 128	Swan	Tate
Taylor	Trent	Vescovo	Walker 3	Walsh
White	Wiemann	Wilson	Wood	

NOES: 033

Adams	Anders	Bangert	Baringer	Barnes 28
Beck	Burnett	Carpenter	Conway 10	Curtis
Ellebracht	Gray	Hannegan	Harris	Kendrick

Lauer	Lavender	McCann Beatty	McCreery	Merideth 80
Morgan	Nichols	Quade	Razer	Revis
Roberts	Rowland 29	Runions	Smith 85	Stevens 46
Unsicker	Washington	Wessels		

PRESENT: 000

ABSENT WITH LEAVE: 039

Arthur	Barnes 60	Beard	Bernskoetter	Berry
Brown 27	Burns	Butler	Cookson	Corlew
Ellington	Evans	Fitzpatrick	Franks Jr	Frederick
Green	Haahr	Haefner	Higdon	Kelley 127
Kolkmeyer	Korman	Lant	Matthiesen	May
McDaniel	McGee	Meredith 71	Messenger	Mitten
Mosley	Newman	Peters	Pogue	Rhoads
Rone	Shumake	Walker 74	Mr. Speaker	

VACANCIES: 002

Representative Helms moved that **House Amendment No. 2, as amended**, be adopted.

Which motion was defeated by the following vote, the ayes and noes having been demanded pursuant to Article III, Section 26 of the Constitution:

AYES: 054

Anderson	Andrews	Bahr	Brattin	Chipman
Christofanelli	Curtman	DeGroot	Dinkins	Dogan
Eggleston	Engler	Fitzwater	Francis	Gregory
Grier	Helms	Henderson	Hurst	Johnson
Justus	Kelley 127	Kelly 141	Lichtenegger	Love
Marshall	Mathews	Matthiesen	Moon	Morris 140
Morse 151	Neely	Phillips	Pietzman	Rehder
Reiboldt	Reisch	Remole	Roeber	Ross
Rowland 155	Smith 163	Spencer	Stacy	Stephens 128
Tate	Taylor	Trent	Vescovo	Walker 3
Walsh	White	Wiemann	Wilson	

NOES: 073

Adams	Alferman	Anders	Austin	Bangert
Baringer	Barnes 28	Basye	Beard	Beck
Bernskoetter	Berry	Black	Brown 57	Burnett
Conway 10	Conway 104	Cornejo	Cross	Curtis
Davis	Dohrman	Ellebracht	Fraker	Franklin
Gannon	Gray	Haahr	Hannegan	Hansen
Harris	Hill	Houghton	Houx	Kendrick
Kidd	Knight	Lauer	Lavender	Lynch
McCann Beatty	McCreery	McGaugh	Merideth 80	Miller
Morgan	Muntzel	Nichols	Pfautsch	Pierson Jr
Pike	Quade	Razer	Redmon	Revis
Rhoads	Roberts	Roden	Rowland 29	Runions
Ruth	Schroer	Shaul 113	Shull 16	Shumake
Smith 85	Sommer	Stevens 46	Swan	Unsicker
Washington	Wessels	Wood		

PRESENT: 000

ABSENT WITH LEAVE: 034

Arthur	Barnes 60	Bondon	Brown 27	Burns
Butler	Carpenter	Cookson	Corlew	Ellington
Evans	Fitzpatrick	Franks Jr	Frederick	Green
Haefner	Higdon	Kolkmeyer	Korman	Lant
May	McDaniel	McGee	Meredith 71	Messenger
Mitten	Mosley	Newman	Peters	Plocher
Pogue	Rone	Walker 74	Mr. Speaker	

VACANCIES: 002

Representative Taylor offered **House Amendment No. 3**.

House Amendment No. 3

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 549, Page 1, Section A, Line 3, by inserting immediately after all of said section and line the following:

"**135.835. 1. Notwithstanding any law to the contrary, for all tax years beginning on or after January 1, 2019, any tax credit that contains a limit on the amount that may be issued, authorized, or redeemed shall have such limit reduced by fifteen percent, which shall be the limit of the tax credit thereafter.**

2. Each state entity responsible for issuing, authorizing, or redeeming a tax credit affected by this section shall publish notice of the limit reduction under this section with materials regarding such tax credit.

3. This section shall not apply to:

(1) Any domestic and social tax credit, as that term is defined under section 135.800; or

(2) Any tax credit that is not subject to a cap or limit."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Taylor, **House Amendment No. 3** was adopted.

Representative Hill offered **House Amendment No. 4**.

House Amendment No. 4

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 549, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

"135.352. 1. A taxpayer owning an interest in a qualified Missouri project shall, subject to the limitations provided under the provisions of subsection 3 of this section, be allowed a state tax credit, whether or not allowed a federal tax credit, to be termed the Missouri low-income housing tax credit, if the commission issues an eligibility statement for that project.

2. For qualified Missouri projects placed in service after January 1, 1997, the Missouri low-income housing tax credit available to a project shall be such amount as the commission shall determine is necessary to ensure the feasibility of the project, up to an amount equal to the federal low-income housing tax credit for a qualified Missouri project, for a federal tax period, and such amount shall be subtracted from the amount of state tax otherwise due for the same tax period.

3. No more than six million dollars in tax credits shall be authorized each fiscal year for projects financed through tax-exempt bond issuance.

4. The Missouri low-income housing tax credit shall be taken against the taxes and in the order specified pursuant to section 32.115. The credit authorized by this section shall not be refundable. Any amount of credit that exceeds the tax due for a taxpayer's taxable year may be carried back to any of the taxpayer's three prior taxable years or carried forward to any of the taxpayer's five subsequent taxable years.

5. All or any portion of Missouri tax credits issued in accordance with the provisions of sections 135.350 to 135.362 may be allocated to parties who are eligible pursuant to the provisions of subsection 1 of this section. Beginning January 1, 1995, for qualified projects which began on or after January 1, 1994, an owner of a qualified Missouri project shall certify to the director the amount of credit allocated to each taxpayer. The owner of the project shall provide to the director appropriate information so that the low-income housing tax credit can be properly allocated.

6. In the event that recapture of Missouri low-income housing tax credits is required pursuant to subsection 2 of section 135.355, any statement submitted to the director as provided in this section shall include the proportion of the state credit required to be recaptured, the identity of each taxpayer subject to the recapture and the amount of credit previously allocated to such taxpayer.

7. **Notwithstanding any provision of law to the contrary, the value of any tax credit authorized under this section shall be ninety percent of the value determined by the commission under subsection 2 of this section for qualified projects located in municipalities unless the applicable municipality agrees by council vote to remit to the department of revenue one percent of the value of the tax credit determined under subsection 2 of this section for qualified projects located within their boundaries to be credited to general revenue. Thereupon, the value of the tax credit shall equal the amount determined by the commission under subsection 2 of this section.**

8. The director of the department may promulgate rules and regulations necessary to administer the provisions of this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.

253.550. 1. Any taxpayer incurring costs and expenses for the rehabilitation of eligible property, which is a certified historic structure or structure in a certified historic district, may, subject to the provisions of this section and section 253.559, receive a credit against the taxes imposed pursuant to chapters 143 and 148, except for sections 143.191 to 143.265, on such taxpayer in an amount equal to twenty-five percent of the total costs and expenses of rehabilitation incurred after January 1, 1998, which shall include, but not be limited to, qualified rehabilitation expenditures as defined under section 47(c)(2)(A) of the Internal Revenue Code of 1986, as amended, and the related regulations thereunder, provided the rehabilitation costs associated with rehabilitation and the expenses exceed fifty percent of the total basis in the property and the rehabilitation meets standards consistent with the standards of the Secretary of the United States Department of the Interior for rehabilitation as determined by the state historic preservation officer of the Missouri department of natural resources.

2. During the period beginning on January 1, 2010, but ending on or after June 30, 2010, the department of economic development shall not approve applications for tax credits under the provisions of subsections 3 and 8 of section 253.559 which, in the aggregate, exceed seventy million dollars, increased by any amount of tax credits for which approval shall be rescinded under the provisions of section 253.559. For each fiscal year beginning on or after July 1, 2010, the department of economic development shall not approve applications for tax credits under the provisions of subsections 3 and 8 of section 253.559 which, in the aggregate, exceed one hundred forty million dollars, increased by any amount of tax credits for which approval shall be rescinded under the provisions of section 253.559. The limitations provided under this subsection shall not apply to applications approved under the provisions of subsection 3 of section 253.559 for projects to receive less than two hundred seventy-five thousand dollars in tax credits.

3. For all applications for tax credits approved on or after January 1, 2010, no more than two hundred fifty thousand dollars in tax credits may be issued for eligible costs and expenses incurred in the rehabilitation of an eligible property which is a nonincome producing single-family, owner-occupied residential property and is either a certified historic structure or a structure in a certified historic district.

4. The limitations on tax credit authorization provided under the provisions of subsections 2 and 3 of this section shall not apply to:

(1) Any application submitted by a taxpayer, which has received approval from the department prior to January 1, 2010; or

(2) Any taxpayer applying for tax credits, provided under this section, which, on or before January 1, 2010, has filed an application with the department evidencing that such taxpayer:

(a) Has incurred costs and expenses for an eligible property which exceed the lesser of five percent of the total project costs or one million dollars and received an approved Part I from the Secretary of the United States Department of Interior; or

(b) Has received certification, by the state historic preservation officer, that the rehabilitation plan meets the standards consistent with the standards of the Secretary of the United States Department of the Interior, and the rehabilitation costs and expenses associated with such rehabilitation shall exceed fifty percent of the total basis in the property.

5. Notwithstanding any provision of law to the contrary, the value of any tax credit authorized under this section shall be ninety percent of the value determined under subsection 1 of this section for eligible property located in municipalities unless the applicable municipality agrees by council vote to remit to the department of revenue one percent of the value of the tax credit determined under subsection 1 of this section for eligible property located within their boundaries to be credited to general revenue. Thereupon, the value of the tax credit shall equal the amount determined under subsection 1 of this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hill, **House Amendment No. 4** was adopted.

Representative Brattin offered **House Amendment No. 5**.

House Amendment No. 5

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 549, Page 1, Section A, Line 3, by inserting immediately after all of said section and line the following:

"253.545. As used in sections 253.545 to 253.559, the following terms mean, unless the context requires otherwise:

(1) "Certified historic structure", a property located in Missouri and listed individually on the National Register of Historic Places;

(2) "Deed in lieu of foreclosure or voluntary conveyance", a transfer of title from a borrower to the lender to satisfy the mortgage debt and avoid foreclosure;

(3) "Eligible property", **either:**

(a) Before January 1, 2019, property located in Missouri and offered or used for residential or business purposes; **or**

(b) After January 1, 2019, property located in Missouri and offered or used for:

a. Business purposes; or

b. Residential purposes if such residential property has an assessed value of no more than two hundred fifty thousand dollars;

(4) "Leasehold interest", a lease in an eligible property for a term of not less than thirty years;

(5) "Principal", a managing partner, general partner, or president of a taxpayer;

(6) **"Projected net fiscal benefit", the total net fiscal benefit to the state or municipality, less any state or local benefits offered to the taxpayer for a project, as determined by the department of economic development;**

(7) "Qualified census tract", a census tract with a poverty rate of twenty percent or higher as determined by a map and listing of census tracts which shall be published by the department of economic development and updated on a five-year cycle, and which map and listing shall depict census tracts with twenty percent poverty rate or higher, grouped by census tracts with twenty percent to forty-two percent poverty, and forty-two percent to eighty-one percent poverty as determined by the most current five-year figures published by the American Community Survey conducted by the United States Census Bureau;

(8) "Structure in a certified historic district", a structure located in Missouri which is certified by the department of natural resources as contributing to the historic significance of a certified historic district listed on the National Register of Historic Places, or a local district that has been certified by the United States Department of the Interior;

[~~(7)~~**] (9)** "Taxpayer", any person, firm, partnership, trust, estate, limited liability company, or corporation.

253.550. 1. Any taxpayer incurring costs and expenses for the rehabilitation of eligible property, which is a certified historic structure or structure in a certified historic district, may, subject to the provisions of this section and section 253.559, receive a credit against the taxes imposed pursuant to chapters 143 and 148, except for sections 143.191 to 143.265, on such taxpayer in an amount equal to twenty-five percent of the total costs and expenses of rehabilitation incurred after January 1, 1998, which shall include, but not be limited to, qualified rehabilitation expenditures as defined under section 47(c)(2)(A) of the Internal Revenue Code of 1986, as amended, and the related regulations thereunder, provided the rehabilitation costs associated with rehabilitation and the expenses exceed fifty percent of the total basis in the property and the rehabilitation meets standards consistent with the standards of the Secretary of the United States Department of the Interior for rehabilitation as determined by the state historic preservation officer of the Missouri department of natural resources.

2. **(1)** During the period beginning on January 1, 2010, but ending on or after June 30, 2010, the department of economic development shall not approve applications for tax credits under the provisions of subsections **[**~~3~~**] 4** and **[**~~8~~**] 10** of section 253.559 which, in the aggregate, exceed seventy million dollars, increased by any amount of tax credits for which approval shall be rescinded under the provisions of section 253.559. For each fiscal year beginning on or after July 1, 2010, **but ending before June 30, 2018,** the department of economic development shall not approve applications for tax credits under the provisions of subsections **[**~~3~~**] 4** and **[**~~8~~**] 10** of section 253.559 which, in the aggregate, exceed one hundred forty million dollars, increased by any amount of tax credits for which approval shall be rescinded under the provisions of section 253.559. **For each fiscal year beginning on or after July 1, 2018, the department of economic development shall not approve applications for tax credits under the provisions of subsections 4 and 9 of section 253.559 which, in the aggregate, exceed ninety million dollars, increased by any amount of tax credits for which approval shall be rescinded under the provisions of section 253.559.** The limitations provided under this subsection shall not apply to applications approved under the provisions of subsection **[**~~3~~**] 4** of section 253.559 for projects to receive less than two hundred seventy-five thousand dollars in tax credits.

(2) For each fiscal year beginning on or after July 1, 2018, the department may authorize an amount up to, but not to exceed, an additional thirty million dollars in tax credits issued under subsections 4 and 9 of section 253.559, provided that such tax credits are authorized solely for projects located in a qualified census tract.

(3) For each fiscal year beginning on or after July 1, 2018, if the maximum amount of tax credits allowed in any fiscal year as provided under subdivisions (1) and (2) of this subsection is authorized, the maximum amount of tax credits allowed under subdivision (1) of this subsection shall be adjusted by the percentage increase in the Consumer Price Index for All Urban Consumers, or its successor index, as such index is defined and officially reported by the United States Department of Labor, or its successor agency. Only one such adjustment shall be made for each instance in which the provisions of this subdivision apply. The director of the department of economic development shall publish such adjusted amount.

3. For all applications for tax credits approved on or after January 1, 2010, no more than two hundred fifty thousand dollars in tax credits may be issued for eligible costs and expenses incurred in the rehabilitation of an eligible property which is a nonincome producing single-family, owner-occupied residential property and is either a certified historic structure or a structure in a certified historic district.

4. The limitations on tax credit authorization provided under the provisions of subsections 2 and 3 of this section shall not apply to:

(1) Any application submitted by a taxpayer, which has received approval from the department prior to January 1, 2010; or

(2) Any taxpayer applying for tax credits, provided under this section, which, on or before January 1, 2010, has filed an application with the department evidencing that such taxpayer:

(a) Has incurred costs and expenses for an eligible property which exceed the lesser of five percent of the total project costs or one million dollars and received an approved Part I from the Secretary of the United States Department of Interior; or

(b) Has received certification, by the state historic preservation officer, that the rehabilitation plan meets the standards consistent with the standards of the Secretary of the United States Department of the Interior, and the rehabilitation costs and expenses associated with such rehabilitation shall exceed fifty percent of the total basis in the property.

253.559. 1. To obtain approval for tax credits allowed under sections 253.545 to 253.559, a taxpayer shall submit an application for tax credits to the department of economic development. Each application for approval, including any applications received for supplemental allocations of tax credits as provided under subsection **[**~~8~~**] 10** of this section, shall be prioritized for review and approval, in the order of the date on which the application was

postmarked, with the oldest postmarked date receiving priority. Applications postmarked on the same day shall go through a lottery process to determine the order in which such applications shall be reviewed.

2. Each application shall be reviewed by the department of economic development for approval. In order to receive approval, an application, other than applications submitted under the provisions of subsection **[**~~8~~**] 10** of this section, shall include:

(1) Proof of ownership or site control. Proof of ownership shall include evidence that the taxpayer is the fee simple owner of the eligible property, such as a warranty deed or a closing statement. Proof of site control may be evidenced by a leasehold interest or an option to acquire such an interest. If the taxpayer is in the process of acquiring fee simple ownership, proof of site control shall include an executed sales contract or an executed option to purchase the eligible property;

(2) Floor plans of the existing structure, architectural plans, and, where applicable, plans of the proposed alterations to the structure, as well as proposed additions;

(3) The estimated cost of rehabilitation, the anticipated total costs of the project, the actual basis of the property, as shown by proof of actual acquisition costs, the anticipated total labor costs, the estimated project start date, and the estimated project completion date;

(4) Proof that the property is an eligible property and a certified historic structure or a structure in a certified historic district; **[**~~and~~**]**

(5) **A copy of all land use and building approvals reasonably necessary for the commencement of the project; and**

(6) Any other information which the department of economic development may reasonably require to review the project for approval.

Only the property for which a property address is provided in the application shall be reviewed for approval. Once selected for review, a taxpayer shall not be permitted to request the review of another property for approval in the place of the property contained in such application. Any disapproved application shall be removed from the review process. If an application is removed from the review process, the department of economic development shall notify the taxpayer in writing of the decision to remove such application. Disapproved applications shall lose priority in the review process. A disapproved application, which is removed from the review process, may be resubmitted, but shall be deemed to be a new submission for purposes of the priority procedures described in this section.

3. **In evaluating an application for tax credits submitted under this section, the department of economic development shall also consider:**

(1) The amount of projected net fiscal benefit of the project to the state and local municipality, and the period in which the state and municipality would realize such net fiscal benefit;

(2) The overall size and quality of the proposed project, including the estimated number of new jobs to be created by the project, the potential multiplier effect of the project, and similar factors;

(3) The level of economic distress in the area; and

(4) Input from the local elected officials and local municipality in which the proposed project is located as to the importance of the proposed project to the municipality.

4. If the department of economic development deems the application sufficient, the taxpayer shall be notified in writing of the approval for an amount of tax credits equal to the amount provided under section 253.550 less any amount of tax credits previously approved. Such approvals shall be granted to applications in the order of priority established under this section and shall require full compliance thereafter with all other requirements of law as a condition to any claim for such credits. **If the department of economic development disapproves an application, the taxpayer shall be notified in writing of the reasons for such disapproval. A disapproved application may be resubmitted.**

[~~4.~~**] 5.** Following approval of an application, the identity of the taxpayer contained in such application shall not be modified except:

(1) The taxpayer may add partners, members, or shareholders as part of the ownership structure, so long as the principal remains the same, provided however, that subsequent to the commencement of renovation and the expenditure of at least ten percent of the proposed rehabilitation budget, removal of the principal for failure to perform duties and the appointment of a new principal thereafter shall not constitute a change of the principal; or

(2) Where the ownership of the project is changed due to a foreclosure, deed in lieu of a foreclosure or voluntary conveyance, or a transfer in bankruptcy.

[~~5.~~**] 6.** In the event that the department of economic development grants approval for tax credits equal to the total amount available under subsection 2 of section 253.550, or sufficient that when totaled with all other

approvals, the amount available under subsection 2 of section 253.550 is exhausted, all taxpayers with applications then awaiting approval or thereafter submitted for approval shall be notified by the department of economic development that no additional approvals shall be granted during the fiscal year and shall be notified of the priority given to such taxpayer's application then awaiting approval. Such applications shall be kept on file by the department of economic development and shall be considered for approval for tax credits in the order established in this section in the event that additional credits become available due to the rescission of approvals or when a new fiscal year's allocation of credits becomes available for approval.

7. All taxpayers with applications receiving approval on or after July 1, 2019, shall submit within sixty days following the award of credits evidence of the capacity of the applicant to finance the costs and expenses for the rehabilitation of the eligible property in the form of a line of credit or letter of commitment subject to the lender's termination for a material adverse change impacting the extension of credit. If the department of economic development determines that a taxpayer has failed to comply with the requirements under this subsection, then the department shall notify the applicant of such failure and the applicant shall have a thirty day period from the date of such notice to submit additional evidence to remedy the failure.

[~~6.~~**] 8.** All taxpayers with applications receiving approval on or after the effective date of this act shall commence rehabilitation within **[**~~two years~~**] nine months** of the date of issuance of the letter from the department of economic development granting the approval for tax credits. "Commencement of rehabilitation" shall mean that as of the date in which actual physical work, contemplated by the architectural plans submitted with the application, has begun, the taxpayer has incurred no less than ten percent of the estimated costs of rehabilitation provided in the application. Taxpayers with approval of a project shall submit evidence of compliance with the provisions of this subsection. If the department of economic development determines that a taxpayer has failed to comply with the requirements provided under this section, the approval for the amount of tax credits for such taxpayer shall be rescinded and such amount of tax credits shall then be included in the total amount of tax credits, provided under subsection 2 of section 253.550, from which approvals may be granted. Any taxpayer whose approval shall be subject to rescission shall be notified of such from the department of economic development and, upon receipt of such notice, may submit a new application for the project.

[~~7.~~**] 9.** To claim the credit authorized under sections 253.550 to 253.559, a taxpayer with approval shall apply for final approval and issuance of tax credits from the department of economic development which, in consultation with the department of natural resources, shall determine the final amount of eligible rehabilitation costs and expenses and whether the completed rehabilitation meets the standards of the Secretary of the United States Department of the Interior for rehabilitation as determined by the state historic preservation officer of the Missouri department of natural resources. For financial institutions credits authorized pursuant to sections 253.550 to 253.561 shall be deemed to be economic development credits for purposes of section 148.064. The approval of all applications and the issuing of certificates of eligible credits to taxpayers shall be performed by the department of economic development. The department of economic development shall inform a taxpayer of final approval by letter and shall issue, to the taxpayer, tax credit certificates. The taxpayer shall attach the certificate to all Missouri income tax returns on which the credit is claimed.

[~~8.~~**] 10.** Except as expressly provided in this subsection, tax credit certificates shall be issued in the final year that costs and expenses of rehabilitation of the project are incurred, or within the twelve-month period immediately following the conclusion of such rehabilitation. In the event the amount of eligible rehabilitation costs and expenses incurred by a taxpayer would result in the issuance of an amount of tax credits in excess of the amount provided under such taxpayer's approval granted under subsection **[**~~3~~**] 4** of this section, such taxpayer may apply to the department for issuance of tax credits in an amount equal to such excess. Applications for issuance of tax credits in excess of the amount provided under a taxpayer's application shall be made on a form prescribed by the department. Such applications shall be subject to all provisions regarding priority provided under subsection 1 of this section.

[~~9.~~**] 11.** The department of economic development shall determine, on an annual basis, the overall economic impact to the state from the rehabilitation of eligible property."; and

Further amend said bill, Page 8, Section 620.809, Line 241, by inserting immediately after all of said section and line the following:

"620.1900. 1. The department of economic development may charge a fee to the recipient of any tax credits issued by the department, in an amount up to two and one-half percent of the amount of tax credits issued**, or for tax credits issued under sections 253.545 to 253.559 in an amount equal to four percent of the amount of tax credits issued**. The fee shall be paid by the recipient upon the issuance of the tax credits. However, no fee shall

be charged for the tax credits issued under section 135.460, or section 208.770, or under sections 32.100 to 32.125, if issued for community services, crime prevention, education, job training, or physical revitalization.

2. **(1)** All fees received by the department of economic development under this section shall be deposited solely to the credit of the economic development advancement fund, created under subsection 3 of this section.

(2) Thirty-seven and one-half percent of the revenue derived from the four percent fee charged on tax credits issued under sections 253.545 to 253.559 shall be appropriated from the economic development advancement fund for business recruitment and marketing.

3. There is hereby created in the state treasury the "Economic Development Advancement Fund", which shall consist of money collected under this section. The state treasurer shall be custodian of the fund and shall approve disbursements from the fund in accordance with sections 30.170 and 30.180. Upon appropriation, money in the fund shall be used solely for the administration of this section. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. Such fund shall consist of any fees charged under subsection 1 of this section, any gifts, contributions, grants, or bequests received from federal, private, or other sources, fees or administrative charges from private activity bond allocations, moneys transferred or paid to the department in return for goods or services provided by the department, and any appropriations to the fund.

5. At least fifty percent of the fees and other moneys deposited in the fund shall be appropriated for marketing, technical assistance, and training, contracts for specialized economic development services, and new initiatives and pilot programming to address economic trends. The remainder may be appropriated toward the costs of staffing and operating expenses for the program activities of the department of economic development, and for accountability functions."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Grier offered **House Amendment No. 1 to House Amendment No. 5**.

House Amendment No. 1
to
House Amendment No. 5

AMEND House Amendment No. 5 to Senate Substitute for Senate Committee Substitute for Senate Bill No. 549, Page 1, Line 15, by deleting the phrase "**Residential purposes**" and inserting in lieu thereof the phrase "**Single-family, owner-occupied residential purposes**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Grier, **House Amendment No. 1 to House Amendment No. 5** was adopted.

On motion of Representative Brattin, **House Amendment No. 5, as amended**, was adopted.

Representative Engler offered **House Amendment No. 6**.

House Amendment No. 6

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 549, Page 8, Section 620.809, Line 235, by deleting the number "**2030**" and inserting in lieu thereof the number "**2025**"; and

Further amend said bill, Page 14, Section 620.2020, Line 207, by deleting the number "**2030**" and inserting in lieu thereof the number "**2025**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Engler, **House Amendment No. 6** was adopted.

Representative Christofanelli offered **House Amendment No. 7**.

House Amendment No. 7

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 549, Page 1, Section A, Line 3, by inserting immediately after all of said section and line the following:

"135.700. For all tax years beginning on or after January 1, 1999, **but before January 1, 2019,** a grape grower or wine producer shall be allowed a tax credit against the state tax liability incurred pursuant to chapter 143, exclusive of the provisions relating to the withholding of tax as provided in sections 143.191 to 143.265, in an amount equal to twenty-five percent of the purchase price of all new equipment and materials used directly in the growing of grapes or the production of wine in the state. Each grower or producer shall apply to the department of economic development and specify the total amount of such new equipment and materials purchased during the calendar year. The department of economic development shall certify to the department of revenue the amount of such tax credit to which a grape grower or wine producer is entitled pursuant to this section. The provisions of this section notwithstanding, a grower or producer may only apply for and receive the credit authorized by this section for five tax periods.

135.800. 1. The provisions of sections 135.800 to 135.830 shall be known and may be cited as the "Tax Credit Accountability Act of 2004".

2. As used in sections 135.800 to 135.830, the following terms mean:

(1) "Administering agency", the state agency or department charged with administering a particular tax credit program, as set forth by the program's enacting statute; where no department or agency is set forth, the department of revenue;

(2) "Agricultural tax credits", the agricultural product utilization contributor tax credit created pursuant to section 348.430, the new generation cooperative incentive tax credit created pursuant to section 348.432, the family farm breeding livestock loan tax credit created under section 348.505, the qualified beef tax credit created under section 135.679, and the wine and grape production tax credit created pursuant to section 135.700;

(3) "All tax credit programs", or "any tax credit program", the tax credit programs included in the definitions of agricultural tax credits, business recruitment tax credits, community development tax credits, domestic and social tax credits, entrepreneurial tax credits, environmental tax credits, financial and insurance tax credits, housing tax credits, redevelopment tax credits, and training and educational tax credits;

(4) "Business recruitment tax credits", the business facility tax credit created pursuant to sections 135.110 to 135.150 and section 135.258, the enterprise zone tax benefits created pursuant to sections 135.200 to 135.270, the business use incentives for large-scale development programs created pursuant to sections 100.700 to 100.850, the development tax credits created pursuant to sections 32.100 to 32.125, the rebuilding communities tax credit created pursuant to section 135.535, the film production tax credit created pursuant to section 135.750, the enhanced enterprise zone created pursuant to sections 135.950 to 135.970, and the Missouri quality jobs program created pursuant to sections 620.1875 to 620.1900;

(5) "Community development tax credits", the neighborhood assistance tax credit created pursuant to sections 32.100 to 32.125, the family development account tax credit created pursuant to sections 208.750 to 208.775, the dry fire hydrant tax credit created pursuant to section 320.093, and the transportation development tax credit created pursuant to section 135.545;

(6) "Domestic and social tax credits", the youth opportunities tax credit created pursuant to section 135.460 and sections 620.1100 to 620.1103, the shelter for victims of domestic violence created pursuant to section 135.550, the senior citizen or disabled person property tax credit created pursuant to sections 135.010 to 135.035, the special needs adoption tax credit created pursuant to sections 135.325 to 135.339, the champion for children tax credit created pursuant to section 135.341, the maternity home tax credit created pursuant to section 135.600, the surviving spouse tax credit created pursuant to section 135.090, the residential treatment agency tax credit created pursuant to section 135.1150, the pregnancy resource center tax credit created pursuant to section 135.630, the food pantry tax credit created pursuant to section 135.647, the health care access fund tax credit created pursuant to section 135.575, the residential dwelling access tax credit created pursuant to section 135.562, the developmental disability care

provider tax credit created under section 135.1180, and the shared care tax credit created pursuant to section 192.2015;

(7) "Entrepreneurial tax credits", the capital tax credit created pursuant to sections 135.400 to 135.429, the certified capital company tax credit created pursuant to sections 135.500 to 135.529, the seed capital tax credit created pursuant to sections 348.300 to 348.318, the new enterprise creation tax credit created pursuant to sections 620.635 to 620.653, the research tax credit created pursuant to section 620.1039, the small business incubator tax credit created pursuant to section 620.495, the guarantee fee tax credit created pursuant to section 135.766, and the new generation cooperative tax credit created pursuant to sections 32.105 to 32.125;

(8) "Environmental tax credits", the charcoal producer tax credit created pursuant to section 135.313, the wood energy tax credit created pursuant to sections 135.300 to 135.311, and the alternative fuel stations tax credit created pursuant to section 135.710;

(9) "Financial and insurance tax credits", the bank franchise tax credit created pursuant to section 148.030, the bank tax credit for S corporations created pursuant to section 143.471, the exam fee tax credit created pursuant to section 148.400, the health insurance pool tax credit created pursuant to section 376.975, the life and health insurance guaranty tax credit created pursuant to section 376.745, the property and casualty guaranty tax credit created pursuant to section 375.774, and the self-employed health insurance tax credit created pursuant to section 143.119;

(10) "Housing tax credits", the neighborhood preservation tax credit created pursuant to sections 135.475 to 135.487, the low-income housing tax credit created pursuant to sections 135.350 to 135.363, and the affordable housing tax credit created pursuant to sections 32.105 to 32.125;

(11) "Recipient", the individual or entity who is the original applicant for and who receives proceeds from a tax credit program directly from the administering agency, the person or entity responsible for the reporting requirements established in section 135.805;

(12) "Redevelopment tax credits", the historic preservation tax credit created pursuant to sections 253.545 to 253.559, the brownfield redevelopment program tax credit created pursuant to sections 447.700 to 447.718, the community development corporations tax credit created pursuant to sections 135.400 to 135.430, the infrastructure tax credit created pursuant to subsection 6 of section 100.286, the bond guarantee tax credit created pursuant to section 100.297, the disabled access tax credit created pursuant to section 135.490, **[**~~the new markets tax credit created pursuant to section 135.680,~~**]** and the distressed areas land assemblage tax credit created pursuant to section 99.1205;

(13) "Training and educational tax credits", the Missouri works new jobs tax credit and Missouri works retained jobs credit created pursuant to sections 620.800 to 620.809.

447.708. 1. For eligible projects, the director of the department of economic development, with notice to the directors of the departments of natural resources and revenue, and subject to the other provisions of sections 447.700 to 447.718, may not create a new enterprise zone but may decide that a prospective operator of a facility being remedied and renovated pursuant to sections 447.700 to 447.718 may receive the tax credits and exemptions pursuant to sections 135.100 to 135.150 and sections 135.200 to 135.257. The tax credits allowed pursuant to this subsection shall be used to offset the tax imposed by chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, or the tax otherwise imposed by chapter 147, or the tax otherwise imposed by chapter 148. **No tax credit authorized under this subsection shall be issued after August 28, 2018.** For purposes of this subsection:

(1) For receipt of the ad valorem tax abatement pursuant to section 135.215, the eligible project must create at least ten new jobs or retain businesses which supply at least twenty-five existing jobs. The city, or county if the eligible project is not located in a city, must provide ad valorem tax abatement of at least fifty percent for a period not less than ten years and not more than twenty-five years;

(2) For receipt of the income tax exemption pursuant to section 135.220 and tax credit for new or expanded business facilities pursuant to sections 135.100 to 135.150, and 135.225, the eligible project must create at least ten new jobs or retain businesses which supply at least twenty-five existing jobs, or combination thereof. For purposes of sections 447.700 to 447.718, the tax credits described in section 135.225 are modified as follows: the tax credit shall be four hundred dollars per employee per year, an additional four hundred dollars per year for each employee exceeding the minimum employment thresholds of ten and twenty-five jobs for new and existing businesses, respectively, an additional four hundred dollars per year for each person who is a person difficult to employ as defined by section 135.240, and investment tax credits at the same amounts and levels as provided in subdivision (4) of subsection 1 of section 135.225;

(3) For eligibility to receive the income tax refund pursuant to section 135.245, the eligible project must create at least ten new jobs or retain businesses which supply at least twenty-five existing jobs, or combination thereof, and otherwise comply with the provisions of section 135.245 for application and use of the refund and the eligibility requirements of this section;

(4) The eligible project operates in compliance with applicable environmental laws and regulations, including permitting and registration requirements, of this state as well as the federal and local requirements;

(5) The eligible project operator shall file such reports as may be required by the director of economic development or the director's designee;

(6) The taxpayer may claim the state tax credits authorized by this subsection and the state income exemption for a period not in excess of ten consecutive tax years. For the purpose of this section, "taxpayer" means an individual proprietorship, partnership or corporation described in section 143.441 or 143.471 who operates an eligible project. The director shall determine the number of years the taxpayer may claim the state tax credits and the state income exemption based on the projected net state economic benefits attributed to the eligible project;

(7) For the purpose of meeting the new job requirement prescribed in subdivisions (1), (2) and (3) of this subsection, it shall be required that at least ten new jobs be created and maintained during the taxpayer's tax period for which the credits are earned, in the case of an eligible project that does not replace a similar facility in Missouri. "New job" means a person who was not previously employed by the taxpayer or related taxpayer within the twelve-month period immediately preceding the time the person was employed by that taxpayer to work at, or in connection with, the eligible project on a full-time basis. "Full-time basis" means the employee works an average of at least thirty-five hours per week during the taxpayer's tax period for which the tax credits are earned. For the purposes of this section, "related taxpayer" has the same meaning as defined in subdivision (10) of section 135.100;

(8) For the purpose of meeting the existing job retention requirement, if the eligible project replaces a similar facility that closed elsewhere in Missouri prior to the end of the taxpayer's tax period in which the tax credits are earned, it shall be required that at least twenty-five existing jobs be retained at, and in connection with the eligible project, on a full-time basis during the taxpayer's tax period for which the credits are earned. "Retained job" means a person who was previously employed by the taxpayer or related taxpayer, at a facility similar to the eligible project that closed elsewhere in Missouri prior to the end of the taxpayer's tax period in which the tax credits are earned, within the tax period immediately preceding the time the person was employed by the taxpayer to work at, or in connection with, the eligible project on a full-time basis. "Full-time basis" means the employee works an average of at least thirty-five hours per week during the taxpayer's tax period for which the tax credits are earned;

(9) In the case where an eligible project replaces a similar facility that closed elsewhere in Missouri prior to the end of the taxpayer's tax period in which the tax credits are earned, the owner and operator of the eligible project shall provide the director with a written statement explaining the reason for discontinuing operations at the closed facility. The statement shall include a comparison of the activities performed at the closed facility prior to the date the facility ceased operating, to the activities performed at the eligible project, and a detailed account describing the need and rationale for relocating to the eligible project. If the director finds the relocation to the eligible project significantly impaired the economic stability of the area in which the closed facility was located, and that such move was detrimental to the overall economic development efforts of the state, the director may deny the taxpayer's request to claim tax benefits;

(10) Notwithstanding any provision of law to the contrary, for the purpose of this section, the number of new jobs created and maintained, the number of existing jobs retained, and the value of new qualified investment used at the eligible project during any tax year shall be determined by dividing by twelve, in the case of jobs, the sum of the number of individuals employed at the eligible project, or in the case of new qualified investment, the value of new qualified investment used at the eligible project, on the last business day of each full calendar month of the tax year. If the eligible project is in operation for less than the entire tax year, the number of new jobs created and maintained, the number of existing jobs retained, and the value of new qualified investment created at the eligible project during any tax year shall be determined by dividing the sum of the number of individuals employed at the eligible project, or in the case of new qualified investment, the value of new qualified investment used at the eligible project, on the last business day of each full calendar month during the portion of the tax year during which the eligible project was in operation, by the number of full calendar months during such period;

(11) For the purpose of this section, "new qualified investment" means new business facility investment as defined and as determined in subdivision (8) of section 135.100 which is used at and in connection with the eligible project. New qualified investment shall not include small tools, supplies and inventory. "Small tools" means tools that are portable and can be hand held.

2. The determination of the director of economic development pursuant to subsection 1 of this section shall not affect requirements for the prospective purchaser to obtain the approval of the granting of real property tax abatement by the municipal or county government where the eligible project is located.

3. (1) The director of the department of economic development, with the approval of the director of the department of natural resources, may, in addition to the tax credits allowed in subsection 1 of this section, grant a remediation tax credit to the applicant for up to one hundred percent of the costs of materials, supplies, equipment, labor, professional engineering, consulting and architectural fees, permitting fees and expenses, demolition, asbestos abatement, and direct utility charges for performing the voluntary remediation activities for the preexisting hazardous substance contamination and releases, including, but not limited to, the costs of performing operation and maintenance of the remediation equipment at the property beyond the year in which the systems and equipment are built and installed at the eligible project and the costs of performing the voluntary remediation activities over a period not in excess of four tax years following the taxpayer's tax year in which the system and equipment were first put into use at the eligible project, provided the remediation activities are the subject of a plan submitted to, and approved by, the director of natural resources pursuant to sections 260.565 to 260.575. The tax credit may also include up to one hundred percent of the costs of demolition that are not directly part of the remediation activities, provided that the demolition is on the property where the voluntary remediation activities are occurring, the demolition is necessary to accomplish the planned use of the facility where the remediation activities are occurring, and the demolition is part of a redevelopment plan approved by the municipal or county government and the department of economic development. The demolition may occur on an adjacent property if the project is located in a municipality which has a population less than twenty thousand and the above conditions are otherwise met. The adjacent property shall independently qualify as abandoned or underutilized. The amount of the credit available for demolition not associated with remediation cannot exceed the total amount of credits approved for remediation including demolition required for remediation.

(2) The amount of remediation tax credits issued shall be limited to the least amount necessary to cause the project to occur, as determined by the director of the department of economic development.

(3) The director may, with the approval of the director of natural resources, extend the tax credits allowed for performing voluntary remediation maintenance activities, in increments of three-year periods, not to exceed five consecutive three-year periods. The tax credits allowed in this subsection shall be used to offset the tax imposed by chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, or the tax otherwise imposed by chapter 147, or the tax otherwise imposed by chapter 148. The remediation tax credit may be taken in the same tax year in which the tax credits are received or may be taken over a period not to exceed twenty years.

(4) The project facility shall be projected to create at least ten new jobs or at least twenty-five retained jobs, or a combination thereof, as determined by the department of economic development, to be eligible for tax credits pursuant to this section.

(5) No more than seventy-five percent of earned remediation tax credits may be issued when the remediation costs were paid, and the remaining percentage may be issued when the department of natural resources issues a letter of completion letter or covenant not to sue following completion of the voluntary remediation activities. It shall not include any costs associated with ongoing operational environmental compliance of the facility or remediation costs arising out of spills, leaks, or other releases arising out of the ongoing business operations of the facility. In the event the department of natural resources issues a letter of completion for a portion of a property, an impacted media such as soil or groundwater, or for a site or a portion of a site improvement, a prorated amount of the remaining percentage may be released based on the percentage of the total site receiving a letter of completion.

4. In the exercise of the sound discretion of the director of the department of economic development or the director's designee, the tax credits and exemptions described in this section may be terminated, suspended or revoked if the eligible project fails to continue to meet the conditions set forth in this section. In making such a determination, the director shall consider the severity of the condition violation, actions taken to correct the violation, the frequency of any condition violations and whether the actions exhibit a pattern of conduct by the eligible facility owner and operator. The director shall also consider changes in general economic conditions and the recommendation of the director of the department of natural resources, or his or her designee, concerning the severity, scope, nature, frequency and extent of any violations of the environmental compliance conditions. The taxpayer or person claiming the tax credits or exemptions may appeal the decision regarding termination, suspension or revocation of any tax credit or exemption in accordance with the procedures outlined in subsections 4 and 5 of section 135.250. The director of the department of economic development shall notify the directors of the

departments of natural resources and revenue of the termination, suspension or revocation of any tax credits as determined in this section or pursuant to the provisions of section 447.716.

5. Notwithstanding any provision of law to the contrary, no taxpayer shall earn the tax credits, exemptions or refund otherwise allowed in subdivisions (2), (3) and (4) of subsection 1 of this section and the tax credits otherwise allowed in section 135.110, or the tax credits, exemptions and refund otherwise allowed in sections 135.215, 135.220, 135.225 and 135.245, respectively, for the same facility for the same tax period.

6. The total amount of the tax credits allowed in subsection 1 of this section may not exceed the greater of:

(1) That portion of the taxpayer's income attributed to the eligible project; or

(2) One hundred percent of the total business' income tax if the eligible facility does not replace a similar facility that closed elsewhere in Missouri prior to the end of the taxpayer's tax period in which the tax credits are earned, and further provided the taxpayer does not operate any other facilities besides the eligible project in Missouri; fifty percent of the total business' income tax if the eligible facility replaces a similar facility that closed elsewhere in Missouri prior to the end of the taxpayer's tax period in which the credits are earned, and further provided the taxpayer does not operate any other facilities besides the eligible project in Missouri; or twenty-five percent of the total business income if the taxpayer operates, in addition to the eligible facility, any other facilities in Missouri. In no case shall a taxpayer operating more than one eligible project in Missouri be allowed to offset more than twenty-five percent of the taxpayer's business income in any tax period. That portion of the taxpayer's income attributed to the eligible project as referenced in subdivision (1) of this subsection, for which the credits allowed in sections 135.110 and 135.225 and subsection 3 of this section may apply, shall be determined in the same manner as prescribed in subdivision (5) of section 135.100. That portion of the taxpayer's franchise tax attributed to the eligible project for which the remediation tax credit may offset, shall be determined in the same manner as prescribed in paragraph (a) of subdivision (5) of section 135.100.

7. Taxpayers claiming the state tax benefits allowed in subdivisions (2) and (3) of subsection 1 of this section shall be required to file all applicable tax credit applications, forms and schedules prescribed by the director during the taxpayer's tax period immediately after the tax period in which the eligible project was first put into use. Otherwise, the taxpayer's right to claim such state tax benefits shall be forfeited. Unused business facility and enterprise zone tax credits shall not be carried forward but shall be initially claimed for the tax period during which the eligible project was first capable of being used, and during any applicable subsequent tax periods.

8. Taxpayers claiming the remediation tax credit allowed in subsection 3 of this section shall be required to file all applicable tax credit applications, forms and schedules prescribed by the director during the taxpayer's tax period immediately after the tax period in which the eligible project was first put into use, or during the taxpayer's tax period immediately after the tax period in which the voluntary remediation activities were performed.

9. The recipient of remediation tax credits, for the purpose of this subsection referred to as assignor, may assign, sell or transfer, in whole or in part, the remediation tax credit allowed in subsection 3 of this section to any other person, for the purpose of this subsection referred to as assignee. To perfect the transfer, the assignor shall provide written notice to the director of the assignor's intent to transfer the tax credits to the assignee, the date the transfer is effective, the assignee's name, address and the assignee's tax period and the amount of tax credits to be transferred. The number of tax periods during which the assignee may subsequently claim the tax credits shall not exceed twenty tax periods, less the number of tax periods the assignor previously claimed the credits before the transfer occurred.

10. In the case where an operator and assignor of an eligible project has been certified to claim state tax benefits allowed in subdivisions (2) and (3) of subsection 1 of this section, and sells or otherwise transfers title of the eligible project to another taxpayer or assignee who continues the same or substantially similar operations at the eligible project, the director shall allow the assignee to claim the credits for a period of time to be determined by the director; except that, the total number of tax periods the tax credits may be earned by the assignor and the assignee shall not exceed ten. To perfect the transfer, the assignor shall provide written notice to the director of the assignor's intent to transfer the tax credits to the assignee, the date the transfer is effective, the assignee's name, address, and the assignee's tax period, and the amount of tax credits to be transferred.

11. For the purpose of the state tax benefits described in this section, in the case of a corporation described in section 143.471 or partnership, in computing Missouri's tax liability, such state benefits shall be allowed to the following:

(1) The shareholders of the corporation described in section 143.471;

(2) The partners of the partnership.

The credit provided in this subsection shall be apportioned to the entities described in subdivisions (1) and (2) of this subsection in proportion to their share of ownership on the last day of the taxpayer's tax period.

12. Notwithstanding any provision of law to the contrary, in any county **[**~~of the first classification~~**]** that has a charter form of government and that has a population of over nine hundred thousand inhabitants, all demolition costs incurred during the redevelopment of any former automobile manufacturing plant shall be allowable costs eligible for tax credits under sections 447.700 to 447.718 so long as the redevelopment of such former automobile manufacturing plant shall be projected to create at least two hundred fifty new jobs or at least three hundred retained jobs, or a combination thereof, as determined by the department of economic development. The amount of allowable costs eligible for tax credits shall be limited to the least amount necessary to cause the project to occur, as determined by the director of the department of economic development, provided that no tax credit shall be issued under this subsection until July 1, 2017. For purposes of this subsection, "former automobile manufacturing plant" means a redevelopment area that qualifies as an eligible project under section 447.700, that consists of at least one hundred acres, and that was used primarily for the manufacture of automobiles but, after 2007, ceased such manufacturing."; and

Further amend said bill, Page 14, Section 620.2020, Line 213, by inserting after all of said section and line the following:

"**[**~~135.680. 1. As used in this section, the following terms shall mean:~~

~~(1) "Adjusted purchase price", the product of:~~

~~(a) The amount paid to the issuer of a qualified equity investment for such qualified equity investment; and~~

~~(b) The following fraction:~~

~~a. The numerator shall be the dollar amount of qualified low-income community investments held by the issuer in this state as of the credit allowance date during the applicable tax year; and~~

~~b. The denominator shall be the total dollar amount of qualified low-income community investments held by the issuer in all states as of the credit allowance date during the applicable tax year;~~

~~c. For purposes of calculating the amount of qualified low-income community investments held by an issuer, an investment shall be considered held by an issuer even if the investment has been sold or repaid; provided that the issuer reinvests an amount equal to the capital returned to or recovered by the issuer from the original investment, exclusive of any profits realized, in another qualified low-income community investment within twelve months of the receipt of such capital. An issuer shall not be required to reinvest capital returned from qualified low-income community investments after the sixth anniversary of the issuance of the qualified equity investment, the proceeds of which were used to make the qualified low-income community investment, and the qualified low-income community investment shall be considered held by the issuer through the seventh anniversary of the qualified equity investment's issuance;~~

~~(2) "Applicable percentage", zero percent for each of the first two credit allowance dates, seven percent for the third credit allowance date, and eight percent for the next four credit allowance dates;~~

~~(3) "Credit allowance date", with respect to any qualified equity investment:~~

~~(a) The date on which such investment is initially made; and~~

~~(b) Each of the six anniversary dates of such date thereafter;~~

~~(4) "Long-term debt security", any debt instrument issued by a qualified community development entity, at par value or a premium, with an original maturity date of at least seven years from the date of its issuance, with no acceleration of repayment, amortization, or prepayment features prior to its original maturity date, and with no distribution, payment, or interest features related to the profitability of the qualified community development entity or the performance of the qualified community development entity's investment portfolio. The foregoing shall in no way limit the holder's ability to accelerate payments on the debt instrument in situations where the issuer has defaulted on covenants designed to ensure compliance with this section or Section 45D of the Internal Revenue Code of 1986, as amended;~~

~~(5) "Qualified active low-income community business", the meaning given such term in Section 45D of the Internal Revenue Code of 1986, as amended; provided that any business that derives or projects to derive fifteen percent or more of its annual revenue from the rental or sale of real estate shall not be considered to be a qualified active low-income community business;~~

~~(6) "Qualified community development entity", the meaning given such term in Section 45D of the Internal Revenue Code of 1986, as amended; provided that such entity has entered into an allocation agreement with the Community Development Financial Institutions Fund of the U.S. Treasury Department~~

~~with respect to credits authorized by Section 45D of the Internal Revenue Code of 1986, as amended, which includes the state of Missouri within the service area set forth in such allocation agreement;~~

~~(7) "Qualified equity investment", any equity investment in, or long-term debt security issued by, a qualified community development entity that:~~

~~(a) Is acquired after September 4, 2007, at its original issuance solely in exchange for cash;~~

~~(b) Has at least eighty-five percent of its cash purchase price used by the issuer to make qualified low-income community investments; and~~

~~(c) Is designated by the issuer as a qualified equity investment under this subdivision and is certified by the department of economic development as not exceeding the limitation contained in subsection 2 of this section. This term shall include any qualified equity investment that does not meet the provisions of paragraph (a) of this subdivision if such investment was a qualified equity investment in the hands of a prior holder;~~

~~(8) "Qualified low-income community investment", any capital or equity investment in, or loan to, any qualified active low-income community business. With respect to any one qualified active low-income community business, the maximum amount of qualified low-income community investments made in such business, on a collective basis with all of its affiliates, that may be used from the calculation of any numerator described in subparagraph a. of paragraph (b) of subdivision (1) of this subsection shall be ten million dollars whether issued to one or several qualified community development entities;~~

~~(9) "Tax credit", a credit against the tax otherwise due under chapter 143, excluding withholding tax imposed in sections 143.191 to 143.265, or otherwise due under section 375.916 or chapter 147, 148, or 153;~~

~~(10) "Taxpayer", any individual or entity subject to the tax imposed in chapter 143, excluding withholding tax imposed in sections 143.191 to 143.265, or the tax imposed in section 375.916 or chapter 147, 148, or 153.~~

~~2. A taxpayer that makes a qualified equity investment earns a vested right to tax credits under this section. On each credit allowance date of such qualified equity investment the taxpayer, or subsequent holder of the qualified equity investment, shall be entitled to a tax credit during the taxable year including such credit allowance date. The tax credit amount shall be equal to the applicable percentage of the adjusted purchase price paid to the issuer of such qualified equity investment. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the tax year for which the tax credit is claimed. No tax credit claimed under this section shall be refundable or transferable. Tax credits earned by a partnership, limited liability company, S-corporation, or other pass-through entity may be allocated to the partners, members, or shareholders of such entity for their direct use in accordance with the provisions of any agreement among such partners, members, or shareholders. Any amount of tax credit that the taxpayer is prohibited by this section from claiming in a taxable year may be carried forward to any of the taxpayer's five subsequent taxable years. The department of economic development shall limit the monetary amount of qualified equity investments permitted under this section to a level necessary to limit tax credit utilization at no more than twenty-five million dollars of tax credits in any fiscal year. Such limitation on qualified equity investments shall be based on the anticipated utilization of credits without regard to the potential for taxpayers to carry forward tax credits to later tax years.~~

~~3. The issuer of the qualified equity investment shall certify to the department of economic development the anticipated dollar amount of such investments to be made in this state during the first twelve-month period following the initial credit allowance date. If on the second credit allowance date, the actual dollar amount of such investments is different than the amount estimated, the department of economic development shall adjust the credits arising on the second allowance date to account for such difference.~~

~~4. The department of economic development shall recapture the tax credit allowed under this section with respect to such qualified equity investment under this section if:~~

~~(1) Any amount of the federal tax credit available with respect to a qualified equity investment that is eligible for a tax credit under this section is recaptured under Section 45D of the Internal Revenue Code of 1986, as amended; or~~

~~(2) The issuer redeems or makes principal repayment with respect to a qualified equity investment prior to the seventh anniversary of the issuance of such qualified equity investment. Any tax credit that is subject to recapture shall be recaptured from the taxpayer that claimed the tax credit on a return.~~

~~5. The department of economic development shall promulgate rules to implement the provisions of this section, including recapture provisions on a scaled proportional basis, and to administer the~~

~~allocation of tax credits issued for qualified equity investments, which shall be conducted on a first-come, first-serve basis. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after September 4, 2007, shall be invalid and void.~~

~~6. For fiscal years following fiscal year 2010, qualified equity investments shall not be made under this section unless reauthorization is made pursuant to this subsection. For all fiscal years following fiscal year 2010, unless the general assembly adopts a concurrent resolution granting authority to the department of economic development to approve qualified equity investments for the Missouri new markets development program and clearly describing the amount of tax credits available for the next fiscal year, or otherwise complies with the provisions of this subsection, no qualified equity investments may be permitted to be made under this section. The amount of available tax credits contained in such a resolution shall not exceed the limitation provided under subsection 2 of this section. In any year in which the provisions of this section shall sunset pursuant to subsection 7 of this section, reauthorization shall be made by general law and not by concurrent resolution. Nothing in this subsection shall preclude a taxpayer who makes a qualified equity investment prior to the expiration of authority to make qualified equity investments from claiming tax credits relating to such qualified equity investment for each applicable credit allowance date.~~

~~7. Under section 23.253 of the Missouri sunset act:~~

~~(1) The provisions of the new program authorized under this section shall automatically sunset six years after September 4, 2007, unless reauthorized by an act of the general assembly; and~~

~~(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and~~

~~(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset. However, nothing in this subsection shall preclude a taxpayer who makes a qualified equity investment prior to sunset of this section under the provisions of section 23.253 from claiming tax credits relating to such qualified equity investment for each credit allowance date.~~**]**

[~~135.682. 1. The director of the department of economic development or the director's designee shall issue letter rulings regarding the tax credit program authorized under section 135.680, subject to the terms and conditions set forth in this section. The director of the department of economic development may impose additional terms and conditions consistent with this section to requests for letter rulings by regulation promulgated under chapter 536. For the purposes of this section, the term "letter ruling" means a written interpretation of law to a specific set of facts provided by the applicant requesting a letter ruling.~~

~~2. The director or director's designee shall respond to a request for a letter ruling within sixty days of receipt of such request. The applicant may provide a draft letter ruling for the department's consideration. The applicant may withdraw the request for a letter ruling, in writing, prior to the issuance of the letter ruling. The director or the director's designee may refuse to issue a letter ruling for good cause, but must list the specific reasons for refusing to issue the letter ruling. Good cause includes, but is not limited to:~~

~~(1) The applicant requests the director to determine whether a statute is constitutional or a regulation is lawful;~~

~~(2) The request involves a hypothetical situation or alternative plans;~~

~~(3) The facts or issues presented in the request are unclear, overbroad, insufficient, or otherwise inappropriate as a basis upon which to issue a letter ruling; and~~

~~(4) The issue is currently being considered in a rulemaking procedure, contested case, or other agency or judicial proceeding that may definitely resolve the issue.~~

~~3. Letter rulings shall bind the director and the director's agents and their successors until such time as the taxpayer or its shareholders, members, or partners, as applicable, claim all of such tax credits on a Missouri tax return, subject to the terms and conditions set forth in properly published regulations. The letter ruling shall apply only to the applicant.~~

~~4. Letter rulings issued under the authority of this section shall not be a rule as defined in section 536.010 in that it is an interpretation issued by the department with respect to a specific set of facts and intended to apply only to that specific set of facts, and therefore shall not be subject to the rulemaking requirements of chapter 536.~~

~~5. Information in letter ruling requests as described in section 620.014 shall be closed to the public. Copies of letter rulings shall be available to the public provided that the applicant identifying information and otherwise protected information is redacted from the letter ruling as provided in subsection 1 of section 610.024.~~**]**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Christofanelli, **House Amendment No. 7** was adopted.

Representative Lavender offered **House Amendment No. 8**.

House Amendment No. 8

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 549, Page 8, Section 620.809, Line 241, by inserting immediately after all of said section and line the following:

"620.2005. As used in sections 620.2000 to 620.2020, the following terms mean:

(1) "Average wage", the new payroll divided by the number of new jobs, or the payroll of the retained jobs divided by the number of retained jobs;

(2) "Commencement of operations", the starting date for the qualified company's first new employee, which shall be no later than twelve months from the date of the approval;

(3) "County average wage", the average wages in each county as determined by the department for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of determining eligibility. The department shall publish the county average wage for each county at least annually. Notwithstanding the provisions of this subdivision to the contrary, for any qualified company that in conjunction with their project is relocating employees from a Missouri county with a higher county average wage, the company shall obtain the endorsement of the governing body of the community from which jobs are being relocated or the county average wage for their project shall be the county average wage for the county from which the employees are being relocated;

(4) "Department", the Missouri department of economic development;

(5) "Director", the director of the department of economic development;

(6) "Employee", a person employed by a qualified company, excluding:

(a) Owners of the qualified company unless the qualified company is participating in an employee stock ownership plan; or

(b) Owners of a noncontrolling interest in stock of a qualified company that is publicly traded;

(7) "Existing Missouri business", a qualified company that, for the ten-year period preceding submission of a notice of intent to the department, had a physical location in Missouri and full-time employees who routinely perform job duties within Missouri;

(8) "Full-time employee", an employee of the qualified company that is scheduled to work an average of at least thirty-five hours per week for a twelve-month period, and one for which the qualified company offers health insurance and pays at least fifty percent of such insurance premiums. An employee that spends less than fifty percent of the employee's work time at the facility shall be considered to be located at a facility if the employee receives his or her directions and control from that facility, is on the facility's payroll, one hundred percent of the employee's income from such employment is Missouri income, and the employee is paid at or above the applicable percentage of the county average wage;

(9) "Local incentives", the present value of the dollar amount of direct benefit received by a qualified company for a project facility from one or more local political subdivisions, but this term shall not include loans or other funds provided to the qualified company that shall be repaid by the qualified company to the political subdivision;

(10) "NAICS" or "NAICS industry classification", the classification provided by the most recent edition of the North American Industry Classification System as prepared by the Executive Office of the President, Office of Management and Budget;

(11) "New capital investment", shall include costs incurred by the qualified company at the project facility after acceptance by the qualified company of the proposal for benefits from the department or the approval notice of intent, whichever occurs first, for real or personal property, and may include the value of finance or capital leases for real or personal property for the term of such lease at the project facility executed after acceptance by the qualified company of the proposal for benefits from the department or the approval of the notice of intent;

(12) "New direct local revenue", the present value of the dollar amount of direct net new tax revenues of the local political subdivisions likely to be produced by the project over a ten-year period as calculated by the department, excluding local earnings tax, and net new utility revenues, provided the local incentives include a discount or other direct incentives from utilities owned or operated by the political subdivision;

(13) "New job", the number of full-time employees located at the project facility that exceeds the project facility base employment less any decrease in the number of full-time employees at related facilities below the related facility base employment. No job that was created prior to the date of the notice of intent shall be deemed a new job;

(14) "New payroll", the amount of wages paid for all new jobs, located at the project facility during the qualified company's tax year that exceeds the project facility base payroll;

(15) "Notice of intent", a form developed by the department and available online, completed by the qualified company, and submitted to the department stating the qualified company's intent to request benefits under this program;

(16) "Percent of local incentives", the amount of local incentives divided by the amount of new direct local revenue;

(17) "Program", the Missouri works program established in sections 620.2000 to 620.2020;

(18) "Project facility", the building or buildings used by a qualified company at which new or retained jobs and any new capital investment are or will be located. A project facility may include separate buildings located within sixty miles of each other such that their purpose and operations are interrelated; provided that where the buildings making up the project facility are not located within the same county, the average wage of the new payroll shall exceed the applicable percentage of the highest county average wage among the counties in which the buildings are located. Upon approval by the department, a subsequent project facility may be designated if the qualified company demonstrates a need to relocate to the subsequent project facility at any time during the project period;

(19) "Project facility base employment", the greater of the number of full-time employees located at the project facility on the date of the notice of intent or, for the twelve-month period prior to the date of the notice of intent, the average number of full-time employees located at the project facility. In the event the project facility has not been in operation for a full twelve-month period, the average number of full-time employees for the number of months the project facility has been in operation prior to the date of the notice of intent;

(20) "Project facility base payroll", the annualized payroll for the project facility base employment or the total amount of wages paid by the qualified company to full-time employees of the qualified company located at the project facility in the twelve months prior to the notice of intent. For purposes of calculating the benefits under this program, the amount of base payroll shall increase each year based on an appropriate measure, as determined by the department;

(21) "Project period", the time period within which benefits are awarded to a qualified company or within which the qualified company is obligated to perform under an agreement with the department, whichever is greater;

(22) "Projected net fiscal benefit", the total fiscal benefit to the state less any state benefits offered to the qualified company, as determined by the department;

(23) "Qualified company", a firm, partnership, joint venture, association, private or public corporation whether organized for profit or not, or headquarters of such entity registered to do business in Missouri that is the owner or operator of a project facility, certifies that it offers health insurance to all full-time employees of all facilities located in this state, and certifies that it pays at least fifty percent of such insurance premiums. For the purposes of sections 620.2000 to 620.2020, the term "qualified company" shall not include:

(a) Gambling establishments (NAICS industry group 7132);

(b) Store front consumer-based retail trade establishments (under NAICS sectors 44 and 45), except with respect to any company headquartered in this state with a majority of its full-time employees engaged in operations not within the NAICS codes specified in this subdivision;

(c) Food and drinking places (NAICS subsector 722);

(d) Public utilities (NAICS 221 including water and sewer services);

(e) Any company that is delinquent in the payment of any nonprotested taxes or any other amounts due the state or federal government or any other political subdivision of this state;

(f) Any company requesting benefits for retained jobs that has filed for or has publicly announced its intention to file for bankruptcy protection. However, a company that has filed for or has publicly announced its intention to file for bankruptcy may be a qualified company provided that such company:

a. Certifies to the department that it plans to reorganize and not to liquidate; and

b. After its bankruptcy petition has been filed, it produces proof, in a form and at times satisfactory to the department, that it is not delinquent in filing any tax returns or making any payment due to the state of Missouri, including but not limited to all tax payments due after the filing of the bankruptcy petition and under the terms of the plan of reorganization. Any taxpayer who is awarded benefits under this subsection and who files for bankruptcy under Chapter 7 of the United States Bankruptcy Code, Title 11 U.S.C., shall immediately notify the department and shall forfeit such benefits and shall repay the state an amount equal to any state tax credits already redeemed and any withholding taxes already retained;

(g) Educational services (NAICS sector 61);

(h) Religious organizations (NAICS industry group 8131);

(i) Public administration (NAICS sector 92);

(j) Ethanol distillation or production;

(k) Biodiesel production; or

(l) Health care and social services (NAICS sector 62).

Notwithstanding any provision of this section to the contrary, the headquarters, administrative offices, or research and development facilities of an otherwise excluded business may qualify for benefits if the offices or facilities serve a multistate territory. In the event a national, state, or regional headquarters operation is not the predominant activity of a project facility, the jobs and investment of such operation shall be considered eligible for benefits under this section if the other requirements are satisfied;

(24) "Related company", shall mean:

(a) A corporation, partnership, trust, or association controlled by the qualified company;

(b) An individual, corporation, partnership, trust, or association in control of the qualified company; or

(c) Corporations, partnerships, trusts or associations controlled by an individual, corporation, partnership, trust, or association in control of the qualified company. As used in this paragraph, "control of a qualified company" shall mean:

a. Ownership, directly or indirectly, of stock possessing at least fifty percent of the total combined voting power of all classes of stock entitled to vote in the case of a qualified company that is a corporation;

b. Ownership of at least fifty percent of the capital or profits interest in such qualified company if it is a partnership or association;

c. Ownership, directly or indirectly, of at least fifty percent of the beneficial interest in the principal or income of such qualified company if it is a trust, and ownership shall be determined as provided in Section 318 of the Internal Revenue Code of 1986, as amended;

(25) "Related facility", a facility operated by the qualified company or a related company located in this state that is directly related to the operations of the project facility or in which operations substantially similar to the operations of the project facility are performed;

(26) "Related facility base employment", the greater of the number of full-time employees located at all related facilities on the date of the notice of intent or, for the twelve-month period prior to the date of the notice of intent, the average number of full-time employees located at all related facilities of the qualified company or a related company located in this state;

(27) "Related facility base payroll", the annualized payroll of the related facility base payroll or the total amount of taxable wages paid by the qualified company to full-time employees of the qualified company located at a related facility in the twelve months prior to the filing of the notice of intent. For purposes of calculating the benefits under this program, the amount of related facility base payroll shall increase each year based on an appropriate measure, as determined by the department;

(28) "Rural area", a county in Missouri with a population less than seventy-five thousand or that does not contain an individual city with a population greater than fifty thousand according to the most recent federal decennial census;

(29) "Tax credits", tax credits issued by the department to offset the state taxes imposed by chapters 143 and 148, or which may be sold **[**~~or refunded~~**]** as provided for in this program;

(30) "Withholding tax", the state tax imposed by sections 143.191 to 143.265. For purposes of this program, the withholding tax shall be computed using a schedule as determined by the department based on average wages; and

(31) This section is subject to the provisions of section 196.1127.

620.2010. 1. In exchange for the consideration provided by the new tax revenues and other economic stimuli that will be generated by the new jobs created, a qualified company may, for a period of five years from the date the new jobs are created, or for a period of six years from the date the new jobs are created if the qualified company is an existing Missouri business, retain an amount equal to the withholding tax as calculated under subdivision (30) of section 620.2005 from the new jobs that would otherwise be withheld and remitted by the qualified company under the provisions of sections 143.191 to 143.265 if:

(1) The qualified company creates ten or more new jobs, and the average wage of the new payroll equals or exceeds ninety percent of the county average wage;

(2) The qualified company creates two or more new jobs at a project facility located in a rural area, the average wage of the new payroll equals or exceeds ninety percent of the county average wage, and the qualified company commits to making at least one hundred thousand dollars of new capital investment at the project facility within two years; or

(3) The qualified company creates two or more new jobs at a project facility located within a zone designated under sections 135.950 to 135.963, the average wage of the new payroll equals or exceeds eighty percent of the county average wage, and the qualified company commits to making at least one hundred thousand dollars in new capital investment at the project facility within two years of approval.

2. In addition to any benefits available under subsection 1 of this section, the department may award a qualified company that satisfies subdivision (1) of subsection 1 of this section additional tax credits, issued each year for a period of five years from the date the new jobs are created, or for a period of six years from the date the new jobs are created if the qualified company is an existing Missouri business, in an amount equal to or less than six percent of new payroll; provided that in no event may the total amount of benefits awarded to a qualified company under this section exceed nine percent of new payroll in any calendar year. The amount of tax credits awarded to a qualified company under this subsection shall not exceed the projected net fiscal benefit to the state, as determined by the department, and shall not exceed the least amount necessary to obtain the qualified company's commitment to initiate the project. In determining the amount of tax credits to award to a qualified company under this subsection, the department shall consider the following factors:

(1) The significance of the qualified company's need for program benefits;

(2) The amount of projected net fiscal benefit to the state of the project and the period in which the state would realize such net fiscal benefit;

(3) The overall size and quality of the proposed project, including the number of new jobs, new capital investment, proposed wages, growth potential of the qualified company, the potential multiplier effect of the project, and similar factors;

(4) The financial stability and creditworthiness of the qualified company;

(5) The level of economic distress in the area;

(6) An evaluation of the competitiveness of alternative locations for the project facility, as applicable; and

(7) The percent of local incentives committed.

3. Upon approval of a notice of intent to receive tax credits under subsections 2 and 5 of this section, the department and the qualified company shall enter into a written agreement covering the applicable project period. The agreement shall specify, at a minimum:

(1) The committed number of new jobs, new payroll, and new capital investment for each year during the project period;

(2) The date or time period during which the tax credits shall be issued, which may be immediately or over a period not to exceed two years from the date of approval of the notice of intent;

(3) Clawback provisions, as may be required by the department; and

(4) Any other provisions the department may require.

4. In lieu of the benefits available under sections 1 and 2 of this section, and in exchange for the consideration provided by the new tax revenues and other economic stimuli that will be generated by the new jobs created by the program, a qualified company may, for a period of five years from the date the new jobs are created,

or for a period of six years from the date the new jobs are created if the qualified company is an existing Missouri business, retain an amount equal to the withholding tax as calculated under subdivision (30) of section 620.2005 from the new jobs that would otherwise be withheld and remitted by the qualified company under the provisions of sections 143.191 to 143.265 equal to:

(1) Six percent of new payroll for a period of five years from the date the required number of new jobs were created if the qualified company creates one hundred or more new jobs and the average wage of the new payroll equals or exceeds one hundred twenty percent of the county average wage of the county in which the project facility is located; or

(2) Seven percent of new payroll for a period of five years from the date the required number of jobs were created if the qualified company creates one hundred or more new jobs and the average wage of the new payroll equals or exceeds one hundred forty percent of the county average wage of the county in which the project facility is located.

[~~The department shall issue a refundable tax credit for~~**]** Any difference between the amount of benefit allowed under this subsection and the amount of withholding tax retained by the company, **[**~~in the event the withholding tax is not sufficient to provide the entire amount of benefit due to the qualified company under this subsection~~**] shall not be refunded**.

5. In addition to the benefits available under subsection 4 of this section, the department may award a qualified company that satisfies the provisions of subsection 4 of this section additional tax credits, issued each year for a period of five years from the date the new jobs are created, or for a period of six years from the date the new jobs are created if the qualified company is an existing Missouri business, in an amount equal to or less than three percent of new payroll; provided that in no event may the total amount of benefits awarded to a qualified company under this section exceed nine percent of new payroll in any calendar year. The amount of tax credits awarded to a qualified company under this subsection shall not exceed the projected net fiscal benefit to the state, as determined by the department, and shall not exceed the least amount necessary to obtain the qualified company's commitment to initiate the project. In determining the amount of tax credits to award to a qualified company under this subsection, the department shall consider the factors provided under subsection 2 of this section.

6. No benefits shall be available under this section for any qualified company that has performed significant, project-specific site work at the project facility, purchased machinery or equipment related to the project, or has publicly announced its intention to make new capital investment at the project facility prior to receipt of a proposal for benefits under this section or approval of its notice of intent, whichever occurs first."; and

Further amend said bill, Page 9, Section 620.2020, Line 40, by deleting all of said line and inserting in lieu thereof the following:

"but the department shall issue a **[**~~refundable~~**] nonrefundable** tax credit for the **[**~~full~~**]** amount of "; and

Further amend said bill and section, Page 12, Lines 144-146, by deleting all of said lines and inserting in lieu thereof the following:

"11. **[**~~The director of revenue shall issue a refund to the qualified company to the extent that~~**]** The amount of tax credits allowed under this program **that** exceeds the amount of the qualified company's tax liability under chapter 143 or 148 **shall not be refunded**."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Lavender, **House Amendment No. 8** was adopted.

Representative Pietzman offered **House Amendment No. 9**.

House Amendment No. 9

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 549, Page 1, Section A, Line 3, by inserting immediately after all of said section and line the following:

"135.802. 1. Beginning January 1, 2005, all applications for all tax credit programs shall include, in addition to any requirements provided by the enacting statutes of a particular credit program, the following information to be submitted to the department administering the tax credit:

(1) Name, address, and phone number of the applicant or applicants, and the name, address, and phone number of a contact person or agent for the applicant or applicants;

(2) Taxpayer type, whether individual, corporation, nonprofit or other, and taxpayer identification number, if applicable;

(3) Standard industry code, if applicable;

(4) Program name and type of tax credit, including the identity of any other state or federal program being utilized for the same activity or project; and

(5) Number of estimated jobs to be created, as a result of the tax credits, if applicable, separated by construction, part-time permanent, and full-time permanent.

2. In addition to the information required by subsection 1 of this section, an applicant for a community development tax credit shall also provide information detailing the title and location of the corresponding project, the estimated time period for completion of the project, and all geographic areas impacted by the project.

3. In addition to the information required by subsection 1 of this section, an applicant for a redevelopment tax credit shall also provide information detailing the location and legal description of the property, age of the structure, if applicable, whether the property is residential, commercial, or governmental, and the projected project cost, labor cost, and projected date of completion. Where a redevelopment tax credit applicant is required to submit contemporaneously a federal application for a similar credit on the same underlying project, the submission of a copy of the federal application shall be sufficient to meet the requirements of this subsection.

4. In addition to the information required by subsection 1 of this section, an applicant for a business recruitment tax credit shall also provide information detailing the category of business by size, the address of the business headquarters and all offices located within this state, the number of employees at the time of the application, the number of employees projected to increase as a result of the completion of the project, and the estimated project cost.

5. In addition to the information required by subsection 1 of this section, an applicant for a training and educational tax credit shall also provide information detailing the name and address of the educational institution to be used, the average salary of workers to be served, the estimated project cost, and the number of employees and number of students to be served.

6. In addition to the information required by subsection 1 of this section, an applicant for a housing tax credit also shall provide information detailing the address, legal description, and fair market value of the property, and the projected labor cost and projected completion date of the project. Where a housing tax credit applicant is required to submit contemporaneously a federal application for a similar credit on the same underlying project, the submission of a copy of the federal application shall be sufficient to meet the requirements of this subsection. For the purposes of this subsection, "fair market value" means the value as of the purchase of the property or the most recent assessment, whichever is more recent.

7. In addition to the information required by subsection 1 of this section, an applicant for an entrepreneurial tax credit shall also provide information detailing the amount of investment and the names of the project, fund, and research project.

8. In addition to the information required by subsection 1 of this section, an applicant for an agricultural tax credit shall also provide information detailing the type of agricultural commodity, the amount of contribution, the type of equipment purchased, and the name and description of the facility.

9. In addition to the information required by subsection 1 of this section, an applicant for an environmental tax credit shall also include information detailing the type of equipment, if applicable, purchased and any environmental impact statement, if required by state or federal law.

10. **In addition to the information required by subsection 1 of this section, an applicant for all tax credit programs, excluding the domestic and social tax credits, shall also include information detailing any political contributions in excess of twenty-five dollars made to a candidate committee, campaign committee, or a state political party committee, as these entities are defined under chapter 130, during the two years immediately prior to the application filing date . The administrating agency shall provide the information submitted under this subsection to the Missouri ethics commission. Such information shall be considered a public record under chapter 610.**

11. An administering agency may, by rule, require additional information to be submitted by an applicant. Any rule or portion of a rule, as that term is defined in section 536.010, that is created pursuant to the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be void.

[~~11.~~**] 12.** Where the sole requirement for receiving a tax credit in the enabling legislation of any tax credit is an obligatory assessment upon a taxpayer or a monetary contribution to a particular group or entity, the application requirements provided in this section shall apply to the recipient of such assessment or contribution and shall not apply to the assessed nor the contributor.

[~~12.~~**] 13.** It shall be the duty of each administering agency to provide information to every applicant, at some time prior to authorization of an applicant's tax credit application, wherein the requirements of this section, the annual reporting requirements of section 135.805, and the penalty provisions of section 135.810 are described in detail."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Justus offered **House Amendment No. 1 to House Amendment No. 9**.

House Amendment No. 1
to
House Amendment No. 9

AMEND House Amendment No. 9 to Senate Substitute for Senate Committee Substitute for Senate Bill No. 549, Page 1, Line 4, by deleting all of said line and inserting in lieu thereof the following:

"**135.005. 1. Notwithstanding any other section, if the highest income tax rate under section 143.011 is reduced under subsection 2 of section 143.011, then the amount authorized for any and all tax credits shall be reduced by a percentage equal to the percentage that such tax rate is reduced under subsection 2 of section 143.011.**

2. Notwithstanding any other section, if the highest income tax rate under section 143.011 is reduced by any means other than subsection 2 of section 143.011, then the amount authorized for any and all tax credits shall be reduced by a percentage equal to the percentage that such tax rate is reduced.

3. Notwithstanding section 143.022 or any other section to the contrary, if the deduction for business income under section 143.022 increases under subsections 4 and 5 of section 143.022, then the amount authorized for any and all tax credits shall be reduced by a percentage equal to the percentage that such deduction for business income is increased under subsections 4 and 5 of section 143.022.

4. Any tax credit authorized on or after August 28, 2018, shall be reduced under this section by a percentage equal only to an income tax reduction or a deduction for business income increase that occurs after such tax credit is authorized. No tax credit reduction under this section shall be calculated using an income tax reduction or a deduction for business income increase that occurred before such tax credit was authorized.

5. A tax credit reduction under this section shall take effect the tax year immediately following the tax year an income tax reduction or a deduction for business income increase occurs.

6. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset on December thirty-first six years after the effective date of this section unless reauthorized by an act of the general assembly;

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset on December thirty-first twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.

135.802. 1. Beginning January 1, 2005, all applications for all tax credit programs shall"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Justus moved that **House Amendment No. 1 to House Amendment No. 9** be adopted.

Which motion was defeated.

On motion of Representative Pietzman, **House Amendment No. 9** was adopted.

Representative Roberts offered **House Amendment No. 10**.

House Amendment No. 10

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 549, Page 1, Section A, Line 3, by inserting immediately after said section and line the following:

"135.562. 1. If any taxpayer with a federal adjusted gross income of thirty thousand dollars or less incurs costs for the purpose of making all or any portion of such taxpayer's principal dwelling accessible to an individual with a disability who permanently resides with the taxpayer, such taxpayer shall receive a tax credit against such taxpayer's Missouri income tax liability in an amount equal to the lesser of one hundred percent of such costs or two thousand five hundred dollars per taxpayer, per tax year.

2. Any taxpayer with a federal adjusted gross income greater than thirty thousand dollars but less than sixty thousand dollars who incurs costs for the purpose of making all or any portion of such taxpayer's principal dwelling accessible to an individual with a disability who permanently resides with the taxpayer shall receive a tax credit against such taxpayer's Missouri income tax liability in an amount equal to the lesser of fifty percent of such costs or two thousand five hundred dollars per taxpayer per tax year. No taxpayer shall be eligible to receive tax credits under this section in any tax year immediately following a tax year in which such taxpayer received tax credits under the provisions of this section.

3. Tax credits issued pursuant to this section may be refundable in an amount not to exceed two thousand five hundred dollars per tax year.

4. Eligible costs for which the credit may be claimed include:

(1) Constructing entrance or exit ramps;

(2) Widening exterior or interior doorways;

(3) Widening hallways;

(4) Installing handrails or grab bars;

(5) Moving electrical outlets and switches;

(6) Installing stairway lifts;

(7) Installing or modifying fire alarms, smoke detectors, and other alerting systems;

(8) Modifying hardware of doors; or

(9) Modifying bathrooms.

5. The tax credits allowed, including the maximum amount that may be claimed, pursuant to this section shall be reduced by an amount sufficient to offset any amount of such costs a taxpayer has already deducted from such taxpayer's federal adjusted gross income or to the extent such taxpayer has applied any other state or federal income tax credit to such costs.

6. A taxpayer shall claim a credit allowed by this section in the same taxable year as the credit is issued, and at the time such taxpayer files his or her Missouri income tax return; provided that such return is timely filed.

7. The department may, in consultation with the department of social services, promulgate such rules or regulations as are necessary to administer the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held

unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

8. The provisions of this section shall apply to all tax years beginning on or after January 1, 2008.

9. The provisions of this section shall expire December 31, **[**~~2019~~**] 2026**, unless reauthorized by the general assembly. This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset. The provisions of this subsection shall not be construed to limit or in any way impair the department's ability to redeem tax credits authorized on or before the date the program authorized under this section expires or a taxpayer's ability to redeem such tax credits.

10. In no event shall the aggregate amount of all tax credits allowed pursuant to this section exceed **[**~~one~~**] two** hundred thousand dollars in any given fiscal year. The tax credits issued pursuant to this section shall be on a first-come, first-served filing basis."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Roberts, **House Amendment No. 10** was adopted.

On motion of Representative Rehder, **SS SCS SB 549, as amended**, was read the third time and passed by the following vote:

AYES: 092

Alferman	Anderson	Andrews	Austin	Bahr
Basye	Bernskoetter	Black	Brattin	Chipman
Christofanelli	Conway 104	Cornejo	Cross	Curtman
Davis	DeGroot	Dinkins	Dogan	Dohrman
Eggleston	Engler	Fitzwater	Fraker	Francis
Franklin	Gannon	Grier	Haahr	Hansen
Helms	Henderson	Hill	Houghton	Houx
Johnson	Justus	Kelley 127	Kelly 141	Kidd
Knight	Kolkmeyer	Lauer	Lavender	Lichtenegger
Love	Lynch	Mathews	Matthiesen	McGaugh
Miller	Morris 140	Morse 151	Muntzel	Neely
Pfautsch	Phillips	Pietzman	Pike	Plocher
Redmon	Rehder	Reiboldt	Reisch	Remole
Rhoads	Roberts	Roeber	Ross	Rowland 155
Rowland 29	Ruth	Shaul 113	Shull 16	Shumake
Smith 163	Sommer	Spencer	Stacy	Stephens 128
Swan	Tate	Taylor	Trent	Vescovo
Walker 3	Walsh	Wessels	White	Wiemann
Wilson	Wood			

NOES: 036

Adams	Anders	Bangert	Baringer	Barnes 28
Beck	Berry	Burnett	Carpenter	Curtis
Ellebracht	Ellington	Gray	Hannegan	Hurst
Kendrick	Marshall	May	McCann Beatty	McCreery
Merideth 80	Mitten	Moon	Morgan	Mosley
Nichols	Pierson Jr	Quade	Razer	Revis
Roden	Runions	Smith 85	Stevens 46	Unsicker
Washington				

PRESENT: 000

ABSENT WITH LEAVE: 033

Arthur	Barnes 60	Beard	Bondon	Brown 27
Brown 57	Burns	Butler	Conway 10	Cookson

Corlew	Evans	Fitzpatrick	Franks Jr	Frederick
Green	Gregory	Haefner	Harris	Higdon
Korman	Lant	McDaniel	McGee	Meredith 71
Messenger	Newman	Peters	Pogue	Rone
Schroer	Walker 74	Mr. Speaker		

VACANCIES: 002

Representative Alferman declared the bill passed.

HCS SS SCS SB 547 was placed back on the Senate Bills for Third Reading Calendar.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS** for **SCS SB 598, as amended**, and has taken up and passed **HCS SCS SB 598, as amended**.

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolution was referred to the Committee indicated:

HCS HJR 100 - Fiscal Review

COMMITTEE REPORTS

Committee on Crime Prevention and Public Safety, Chairman Phillips reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was returned **SCS SB 953**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 24(25)(c) be referred to the Committee on Rules - Legislative Oversight by the following vote:

Ayes (7): Basye, Hannegan, Hill, Lauer, Phillips, Rhoads and Wessels

Noes (3): Baringer, Franks Jr. and McDaniel

Absent (1): Dogan

Committee on Economic Development, Chairman Rehder reporting:

Mr. Speaker: Your Committee on Economic Development, to which was referred **SCR 37**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 24(25)(c) be referred to the Committee on Rules - Legislative Oversight by the following vote:

Ayes (11): Beck, Berry, Ellebracht, Fitzwater, Green, Grier, Knight, Lant, Pietzman, Rehder and Washington

Noes (0)

Absent (2): Miller and Plocher

Committee on Fiscal Review, Vice-Chairman Smith (163) reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HJR 100**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (7): Anderson, Conway (104), Fraker, Morris (140), Smith (163), Swan and Wiemann

Noes (3): Morgan, Unsicker and Wessels

Absent (4): Alferman, Haefner, Rowland (29) and Wood

Committee on General Laws, Chairman Cornejo reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **SB 954**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 24(25)(c) be referred to the Committee on Rules - Legislative Oversight by the following vote:

Ayes (12): Anderson, Arthur, Basye, Carpenter, Cornejo, Evans, Mathews, McCreery, Merideth (80), Roeber, Schroer and Taylor

Noes (0)

Absent (1): Cross

Mr. Speaker: Your Committee on General Laws, to which was referred **SCS SB 1007**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 24(25)(c) be referred to the Committee on Rules - Legislative Oversight by the following vote:

Ayes (8): Anderson, Basye, Cornejo, Evans, Mathews, Roeber, Schroer and Taylor

Noes (4): Arthur, Carpenter, McCreery and Merideth (80)

Absent (1): Cross

Committee on Local Government, Chairman Dogan reporting:

Mr. Speaker: Your Committee on Local Government, to which was returned **SS SB 704**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute No. 2**, and pursuant to Rule 24(25)(b) be referred to the Committee on Rules - Administrative Oversight by the following vote:

Ayes (9): Adams, Baringer, Burnett, Dogan, Grier, McGaugh, Muntzel, Wessels and Wilson

Noes (0)

Absent (3): Brattin, Hannegan and Houghton

Committee on Professional Registration and Licensing, Chairman Ross reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **SCS SB 824**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 24(25)(b) be referred to the Committee on Rules - Administrative Oversight by the following vote:

Ayes (9): Carpenter, Franklin, Helms, Mathews, McGee, Ross, Sommer, Walker (74) and White

Noes (0)

Absent (3): Brown (27), Grier and Neely

Committee on Transportation, Chairman Reiboldt reporting:

Mr. Speaker: Your Committee on Transportation, to which was returned **SS#2 SCS SB 1050**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute No. 2**, and pursuant to Rule 24(25)(b) be referred to the Committee on Rules - Administrative Oversight by the following vote:

Ayes (7): Kolkmeyer, Korman, Razer, Reiboldt, Runions, Ruth and Tate

Noes (1): Hurst

Absent (3): Corlew, Cornejo and May

Committee on Consent and House Procedure, Chairman Pfautsch reporting:

Mr. Speaker: Your Committee on Consent and House Procedure, to which was referred **HR 5755**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute** by the following vote:

Ayes (11): Black, Kelly (141), Love, McCreery, Muntzel, Pfautsch, Pike, Schroer, Stevens (46), Trent and Washington

Noes (0)

Absent (2): Beard and Razer

Committee on Rules - Administrative Oversight, Vice-Chairman Sommer reporting:

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HCS HB 2091**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (8): Austin, Carpenter, Evans, Franks Jr., Mathews, Runions, Sommer and Unsicker

Noes (2): Berry and Roeber

Absent (4): Barnes (60), Engler, Johnson and Wiemann

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HCS SCS SBs 632 & 675**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (7): Austin, Berry, Evans, Mathews, Roeber, Runions and Sommer

Noes (3): Carpenter, Franks Jr. and Unsicker

Absent (4): Barnes (60), Engler, Johnson and Wiemann

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HCS SS#2 SB 674**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (6): Austin, Berry, Evans, Mathews, Roeber and Sommer

Noes (4): Carpenter, Franks Jr., Runions and Unsicker

Absent (4): Barnes (60), Engler, Johnson and Wiemann

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

HCS SCS SBs 632 & 675 - Fiscal Review
HCS SB 773 - Fiscal Review
HCS SB 884 - Fiscal Review
SB 981 - Fiscal Review

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HCS SCS SB 718: Representatives Rhoads, Barnes (60), Rehder, Stevens (46) and Walker (74)

CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 569

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 569, with House Amendment No. 1, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 569, as amended;

2. That the Senate recede from its position on Senate Bill No. 569;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 569 be Third Read and Finally Passed.

FOR THE SENATE:	FOR THE HOUSE:
/s/ Mike Cunningham	/s/ Lyndall Fraker
/s/ Paul Wieland	/s/ Craig Redmon
/s/ Sandy Crawford	Robert Cornejo
/s/ Gina Walsh	/s/ Gina Mitten
/s/ Scott Sifton	/s/ Tracy McCreery

CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 826

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 826, with House Amendment Nos. 1, 2, 3, 4, 5, 6, and House Substitute Amendment No. 1 for House Amendment No. 9, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 826, as amended;

2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 826;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 826, be Third Read and Finally Passed.

FOR THE SENATE:	FOR THE HOUSE:
/s/ David Sater	/s/ Robert Ross
/s/ Jeanie Riddle	/s/ Justin Hill
/s/ Bob Onder	/s/ Jim Neely
/s/ Jill Schupp	/s/ Lauren Arthur
/s/ Scott Sifton	/s/ Martha Stevens (46)

CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE SUBSTITUTE
FOR
SENATE BILL NO. 870

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Bill No. 870, with House Amendment No. 1, House Amendment No. 1 to House Amendment No. 2, House Amendment No. 2, as amended, House Amendment Nos. 3 and 4, House Substitute Amendment No. 1 for House Amendment No. 5, House Amendment No. 1 to House Amendment No. 6, House Amendment No. 6, as amended, House Amendment Nos. 7, 8, 9, 10, and 11, House Amendment No. 1 to House Amendment No. 13, and House Amendment No. 13, as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Bill No. 870, as amended;

2. That the Senate recede from its position on Senate Substitute for Senate Bill No. 870;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 870 be Third Read and Finally Passed.

FOR THE SENATE:	FOR THE HOUSE:
/s/ Dan Hegeman	/s/ Justin Alferman
/s/ David Sater	/s/ Shane Roden
/s/ Jeanie Riddle	/s/ Shamed Dogan
/s/ Shalonn “KiKi” Curls	/s/ Jerome Barnes (28)
/s/ Jacob Hummel	/s/ Deb Lavender

REFERRAL OF CONFERENCE COMMITTEE REPORTS

The following Conference Committee Reports were referred to the Committee indicated:

CCR HCS SB 569, as amended - Fiscal Review
CCR HCS SS SCS SB 826, as amended - Fiscal Review
CCR HCS SS SB 870, as amended - Fiscal Review

COMMITTEE REPORTS

Committee on Fiscal Review, Vice-Chairman Smith (163) reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **CCR HCS SB 569, as amended**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (12): Alferman, Anderson, Conway (104), Fraker, Morgan, Morris (140), Smith (163), Swan, Unsicker, Wessels, Wiemann and Wood

Noes (0)

Absent (2): Haefner and Rowland (29)

ADJOURNMENT

On motion of Representative Austin, the House adjourned until 9:15 a.m., Friday, May 11, 2018.

COMMITTEE HEARINGS

BUDGET
Tuesday, May 15, 2018, 8:30 AM, House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Annual review of state tax credits.

FISCAL REVIEW
Friday, May 11, 2018, 9:00 AM, House Hearing Room 7.
Executive session may be held on any matter referred to the committee.

GENERAL LAWS
Friday, May 11, 2018, upon adjournment, House Hearing Room 1.
Executive session will be held: HB 1360, HB 2100
Executive session may be held on any matter referred to the committee.
CANCELLED

GOVERNMENT EFFICIENCY
Tuesday, May 15, 2018, 12:00 PM or upon conclusion of morning session (whichever is later), House Hearing Room 6.
Public hearing will be held: HCR 108
Executive session will be held: HCR 108
Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH - PERSONNEL SUBCOMMITTEE
Monday, May 14, 2018, 11:30 AM, Room 117A (Legislative Research).
Executive session may be held on any matter referred to the committee.
Personnel meeting.
The meeting will be closed pursuant to Section 610.021(3).

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT
Wednesday, May 16, 2018, 8:30 AM, House Hearing Room 5.
Executive session may be held on any matter referred to the committee.
We will be voting on the designation of the Killian Glen Clay Memorial Bridge. This designation is the bridge on State Highway 169 crossing over Interstate 29 in Buchanan County.

RULES - ADMINISTRATIVE OVERSIGHT
Friday, May 11, 2018, 9:00 AM, House Hearing Room 5.
Executive session will be held: HCS#2 SS SB 704, HCS#2 SS#2 SCS SB 1050
Executive session may be held on any matter referred to the committee.
Adding HCS#2 SS SB 704 and HCS#2 SS#2 SCS SB 1050
AMENDED

RULES - ADMINISTRATIVE OVERSIGHT
Monday, May 14, 2018, 5:00 PM or upon conclusion of afternoon session (whichever is later), House Hearing Room 6.
Executive session may be held on any matter referred to the committee.

RULES - ADMINISTRATIVE OVERSIGHT
Tuesday, May 15, 2018, 5:00 PM or upon conclusion of afternoon session (whichever is later), House Hearing Room 6.
Executive session may be held on any matter referred to the committee.

RULES - ADMINISTRATIVE OVERSIGHT
Wednesday, May 16, 2018, 5:00 PM or upon conclusion of afternoon session (whichever is later), House Hearing Room 7.
Executive session may be held on any matter referred to the committee.

RULES - ADMINISTRATIVE OVERSIGHT
Thursday, May 17, 2018, 8:30 AM, House Hearing Room 7.
Executive session may be held on any matter referred to the committee.

RULES - ADMINISTRATIVE OVERSIGHT
Friday, May 18, 2018, 8:30 AM, House Hearing Room 6.
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

SEVENTY-SECOND DAY, FRIDAY, MAY 11, 2018

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 61 - Shumake
HJR 79 - Brattin

HOUSE BILLS FOR PERFECTION - REVISION

HRB 2 - Shaul (113)

HOUSE BILLS FOR PERFECTION

HCS HB 2257 - Redmon
HCS HB 2324 - Korman

HCS HB 2393 - Cookson
HB 2403 - Muntzel
HB 2425 - Alferman
HCS HB 2410 - Bernskoetter
HB 2480 - Rhoads
HCS HB 2580 - Bondon
HB 2681 - Corlew
HCS HB 2247 - Roeber
HB 2384 - Barnes (60)
HB 1662 - Swan
HCS HB 1857 - Shaul (113)
HCS HB 1803 - Matthiesen
HB 1397 - Shaul (113)
HCS HB 2210 - Christofanelli
HB 2460 - Vescovo
HB 1590 - Smith (163)
HB 2381 - Sommer
HB 2352 - Fraker
HB 1728 - Lant
HB 1378 - Trent
HCS HB 1424 - Roeber
HB 1569 - Christofanelli
HCS HB 1549 - Alferman
HB 1626 - Morris (140)
HCS HB 1363 - Kidd
HB 1290 - Henderson
HCS HB 1248 - Pike
HCS HB 2364 - Bondon
HCS HB 2356 - Haefner
HB 1906 - Higdon
HCS HB 2038 - Fraker
HCS HB 1273 - Kendrick
HCS HB 1870 - Barnes (60)
HB 1901 - Cross
HB 1972 - Wiemann
HB 1431 - Barnes (28)
HB 1454 - May
HB 1795 - Bernskoetter
HCS HB 2157 - Bahr
HB 2632 - Dinkins
HB 2607 - Knight
HCS HB 2259 - Lichtenegger
HCS HB 2091 - Reiboldt

HOUSE BILLS FOR PERFECTION - INFORMAL

HCS HB 2234 - Rehder
HCS HB 1444 - Eggleston
HCS HB 1722 - Moon
HB 2211 - Kidd
HB 2421 - Pfautsch
HB 2159 - Hurst
HB 1977 - Redmon
HB 2232 - Ross
HCS HB 2233 - Ross
HB 2409 - Fraker
HCS HB 2295 - Helms
HB 2334 - Shaul (113)
HCS HB 2335 - Black
HCS HB 2180 - Kolkmeyer
HB 2184 - Bondon
HCS HB 1929 - Corlew
HB 1837 - Rhoads
HCS HB 2411 - Pike
HB 2453 - Austin
HB 2590 - Gregory
HB 1811 - Smith (85)
HCS HB 2397 - Dogan
HCS HB 1457 - Lauer
HB 1715 - Phillips
HB 1470 - Kelley (127)
HCS HB 1491 - Kelley (127)
HB 1767 - Arthur
HB 1966 - Cornejo
HB 2139 - Morris (140)
HB 1846 - Cornejo
HB 1485 - Brown (57)
HB 2549 - Morse (151)
HCS HBs 2061 & 2219 - Kidd
HCS HB 1260 - Schroer
HB 1742 - Davis

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING - INFORMAL

HCR 55 - Basye
HCR 87 - Black
HCS HCR 105 - Fitzwater
HCR 60 - Morris (140)

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 100 - Plocher

HOUSE COMMITTEE BILLS FOR THIRD READING

HCB 15, (Fiscal Review 4/25/18), E.C. - Frederick

HOUSE BILLS FOR THIRD READING

HCS HB 2125, (Fiscal Review 5/8/18) - Helms

HOUSE BILLS FOR THIRD READING - INFORMAL

HCS#2 HB 1802 - Miller
HCS HB 1577, (Fiscal Review 5/3/18) - Wiemann

SENATE BILLS FOR SECOND READING

SS#2 SCS SB 949

SENATE BILLS FOR THIRD READING - REVISION

SCS SRBs 975 & 1024 - Shaul (113)

SENATE BILLS FOR THIRD READING

SCS SB 787 - Morris (140)
SS SB 666 - Schroer
SB 919 - Reiboldt
SS SCS SB 752 - Ross
HCS SB 871 - Trent
SS SCS SB 652 - Engler
HCS SB 575 - Trent
SB 891 - Shaul (113)
HCS SS SCS SB 966 - Gregory
SB 706 - Korman
HCS SCS SB 672 - Bahr
HCS SB 581 - Cross
SB 582 - Wood
HCS SB 780 - Hill
SS#2 SCS SB 802 - Evans
SS SCS SBs 627 & 925 - Houghton
HCS SB 850 - Franklin
HCS SB 796 - Ross
HCS SS SCS SB 547 - Curtman

SS SCS SB 907 - Roden
HCS SCS SBs 946 & 947 - Cornejo
SB 981, (Fiscal Review 5/10/18) - Engler
HCS SB 808 - Bondon
HCS SB 884, (Fiscal Review 5/10/18) - Wiemann
HCS SB 773, (Fiscal Review 5/10/18) - Swan
HCS SS#2 SB 674 - Curtman
HCS SCS SBs 632 & 675, (Fiscal Review 5/10/18) - Engler

SENATE BILLS FOR THIRD READING - INFORMAL

SB 625 - Miller
SB 757, as amended, with HA 2, pending - Tate
SCS SB 629 - Miller
HCS SB 727, with HA 1, pending - Bondon
HCS SB 681 - Ruth
SB 649 - Engler
SS#5 SB 564, E.C. - Berry
HCS SB 695 - Swan
HCS SS SCS SB 843, E.C. - Ross
SB 819 - Neely
HCS SS SB 881 - Davis
SB 626 - Kidd
SB 708 - Fitzpatrick
HCS SS SCS SB 918, as amended - Houghton
SS SCS SB 568 - Fraker
SS SB 882 - Bernskoetter

SENATE CONCURRENT RESOLUTIONS FOR THIRD READING

SCR 43 - Black
SCR 36 - Kidd
SCR 40 - Basye

HOUSE BILLS WITH SENATE AMENDMENTS

SS HCS HB 1606, as amended - Gannon
SS SCS HB 1769 - Mathews
SS SCS HB 1355, as amended - Phillips
HCS HB 2171, with SA 1 - Wood
SCS HCS#2 HB 1503 - Dohrman
SS SCS HCS HB 1991, as amended - Rhoads

HOUSE BILLS WITH SENATE AMENDMENTS - INFORMAL

SCS HB 1797, as amended - Fitzwater
SS HB 1953 - Neely

SS SCS HCS HB 1364 - Kidd
SCS HCS HB 1635 - Bernskoetter

BILLS CARRYING REQUEST MESSAGES

SS SCS HB 1350, as amended (request Senate recede/grant conference) - Smith (163)

BILLS IN CONFERENCE

CCR HCS SB 569, as amended - Fraker
HCS SS SB 608 - Rhoads
CCR HCS SS SCS SB 826, as amended (Fiscal Review 5/10/18), E.C. - Ross
CCR HCS SS SB 870, as amended (Fiscal Review 5/10/18) - Alferman
HCS SS SCS SB 775, as amended - Fitzpatrick
HCS SB 660, as amended - Fitzwater
HCS SB 806, as amended - Neely
HCS SB 743, as amended - Redmon
HCS SB 687, as amended - Rowland (155)
HCS SCS SB 718, as amended - Rhoads

HOUSE RESOLUTIONS

HR 4878 - Shaul (113)
HR 5237 - Fraker
HR 5612 - Justus
HR 5589 - Bernskoetter

ACTIONS PURSUANT TO ARTICLE IV, SECTION 27

HCS HB 1 - Fitzpatrick
CCS SCS HCS HB 2 - Fitzpatrick
CCS SCS HCS HB 3 - Fitzpatrick
CCS SCS HCS HB 4 - Fitzpatrick
CCS SCS HCS HB 5 - Fitzpatrick
CCS SCS HCS HB 6 - Fitzpatrick
CCS SCS HCS HB 7 - Fitzpatrick
CCS SCS HCS HB 8 - Fitzpatrick
CCS SCS HCS HB 9 - Fitzpatrick
CCS SCS HCS HB 10 - Fitzpatrick
CCS SCS HCS HB 11 - Fitzpatrick
CCS SCS HCS HB 12 - Fitzpatrick
SCS HCS HB 13 - Fitzpatrick
CCS SCS HCS HB 17 - Fitzpatrick
SCS HCS HB 18 - Fitzpatrick

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