

# JOURNAL OF THE HOUSE

Second Regular Session, 101st GENERAL ASSEMBLY

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THIRTY-NINTH DAY, WEDNESDAY, MARCH 23, 2022

The House met pursuant to adjournment.

Speaker Vescovo in the Chair.

Prayer by Reverend Monsignor Robert A. Kurwicki, Chaplain.

*He who is slow to anger is better than the mighty, and he who rules his spirit than he who takes a city.*  
(Proverbs 16:32)

Almighty God, our heavenly helper, before whom we bow in adoration and to whom we lift our hearts in prayer, help us to improve our self-control that we may do our duties and respond to our heavy responsibilities with a confident courage and a healthy humility.

May we feel Your guiding hand through all the scattered details of our daily life, and in the stress of this hour may we hear Your still small voice and feel underneath us Your everlasting arms holding us steady, keeping us strong, and leading us in the way we should go.

Bless all efforts to remove violence and to reduce prejudice, and prosper all endeavors to redouble our goodwill and to reaffirm our faith in You and in our show-me state.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Audrey Butz, Lyla Voges, Arie Jerden, Lucy Hund, Lydia Kelley, Kelly Lavin, and Lilah Vawter.

The Journal of the thirty-eighth day was approved as printed by the following vote:

AYES: 133

Adams	Anderson	Andrews	Atchison	Aune
Baker	Baringer	Barnes	Basye	Billington
Black 137	Black 7	Bromley	Brown 16	Brown 27
Brown 70	Buchheit-Courtway	Burger	Burnett	Burton
Busick	Butz	Chipman	Clemens	Coleman 32
Coleman 97	Cook	Copeland	Cupps	Davidson
Davis	Deaton	DeGroot	Dinkins	Doll
Eggleston	Evans	Falkner	Fishel	Fogle
Francis	Gray	Gregory 51	Gregory 96	Grier
Griffith	Gunby	Haden	Haffner	Haley
Hardwick	Henderson	Houx	Hovis	Hudson

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Hurlbert	Ingle	Johnson	Kalberloh	Kelley 127
Kelly 141	Kidd	Knight	Lewis 25	Lewis 6
Lovasco	Mackey	Mayhew	McCreery	McGaugh
McGill	Merideth	Morse	Murphy	Nurrenbern
O'Donnell	Owen	Perkins	Person	Pike
Plocher	Pollitt 52	Pollock 123	Porter	Pouche
Price IV	Quade	Railsback	Reedy	Richey
Riggs	Riley	Roberts	Rogers	Sander
Sassmann	Sauls	Schnelting	Schroer	Schwadron
Seitz	Sharp 36	Sharpe 4	Shaul	Shields
Simmons	Smith 155	Smith 163	Smith 45	Smith 67
Stacy	Stephens 128	Stevens 46	Tate	Taylor 139
Taylor 48	Terry	Thomas	Thompson	Toalson Reisch
Trent	Turnbaugh	Unsicker	Van Schoiack	Veit
Walsh 50	Walsh Moore 93	Weber	West	Wiemann
Wright	Young	Mr. Speaker		

NOES: 000

PRESENT: 003

Aldridge	Bosley	Collins
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ABSENT WITH LEAVE: 021

Appelbaum	Bailey	Bangert	Bland Manlove	Boggs
Christofanelli	Derges	Dogan	Ellebracht	Fitzwater
Hicks	McDaniel	Mosley	Patterson	Phifer
Pietzman	Proudie	Roden	Rone	Rowland
Windham				

VACANCIES: 006

### PERFECTION OF HOUSE BILLS - INFORMAL

**HCS HB 1696**, relating to the illegal discharge of a firearm, was taken up by Representative Reedy.

On motion of Representative Reedy, the title of **HCS HB 1696** was agreed to.

**HCS HB 1696** was laid over.

### PERFECTION OF HOUSE BILLS

**HCS HB 2208, HB 2455, HB 2493, HCS HB 2499, HCS HB 2587, HB 2590, HB 1480, HB 1563, HCS HB 1583, HCS HB 1641, HCS HB 1682, HCS HB 1699, HB 1721, HCS HB 1905, HCS HBs 1972 & 2483, HB 2056, HCS HB 2140, HB 2160, HB 2164, HB 2165, HCS HB 2220, HB 2255, HCS HB 2289, HB 2327, HB 2331, HB 2359, HCS HB 2450, and HCS HB 2485** were placed on the Informal Calendar.

**HCS HBs 2502 & 2556**, relating to sports wagering, was taken up by Representative Houx.

On motion of Representative Houx, the title of **HCS HBs 2502 & 2556** was agreed to.

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

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill Nos. 2502 & 2556, Page 4, Section 313.800, Line 97, by inserting after all of said section and line the following:

"313.813. The commission may promulgate rules allowing a person that is a problem gambler to voluntarily exclude him/herself from an excursion gambling boat, **or a licensed facility or platform regulated under sections 313.1000 to 313.1022**. Any person that has been self-excluded is guilty of trespassing in the first degree pursuant to section 569.140 if such person enters an excursion gambling boat. **Any person who has been self-excluded and is found to have placed a wager under sections 313.1000 to 313.1022 shall forfeit his or her winnings and such winnings shall be credited to the compulsive gamblers fund created under section 313.842.**

313.842. 1. There ~~may~~ **shall** be established programs which shall provide treatment, prevention, **recovery**, and education services for compulsive gambling. As used in this section, "compulsive gambling" means a condition suffered by a person who is chronically and progressively preoccupied with gambling and the urge to gamble. Subject to appropriation, such programs shall be funded from the one-cent admission fee authorized pursuant to section 313.820, and in addition, may be funded from the taxes collected and distributed to any city or county under section 313.822 **or any other funds appropriated by the general assembly**. Such moneys shall be submitted to the state and credited to the "Compulsive Gamblers Fund", which is hereby established within the department of mental health. Notwithstanding the provisions of section 33.080 to the contrary, moneys in the fund at the end of any biennium shall not be transferred to the credit of the general revenue fund. The department of mental health shall administer programs, **including a twenty-four-hour helpline**, either directly or by contract, for compulsive gamblers. The commission ~~may~~ **shall** administer programs to educate the public about problem gambling and promote treatment programs offered by the department of mental health. In addition, the commission shall administer the voluntary exclusion program for problem gamblers authorized by section ~~[313.833]~~ **313.813**.

**2. The commission, in cooperation with the department of mental health, shall develop an annual research report in order to assess the social and economic effects of gaming in the state and to obtain scientific information related to the neuroscience, psychology, sociology, epidemiology, and etiology of gambling. The report and associated studies shall be submitted to the governor, the president pro tempore of the senate, and the speaker of the house of representatives no later than January thirty-first of each year. The research report shall consist of at least:**

(1) A baseline study of the existing occurrence of compulsive gambling in the state. The study shall examine and describe the existing levels of compulsive gambling and the existing programs available that have a goal of preventing and addressing the harmful consequences of compulsive gambling;

(2) A comprehensive legal and factual study of the social and economic impacts of gambling on the state; and

(3) Recommendations on programs and legislative actions to address compulsive gambling in the state, including a recommended appropriation to the compulsive gamblers fund based on the study required in subdivision (1) of this subsection."; and

Further amend said bill, Page 6, Section 313.1000, Line 65, by inserting after the word "events" the words "in which all participants are eighteen years of age or older and"; and

Further amend said bill, Page 9, Section 313.1004, Lines 28-30, by deleting all of said lines and inserting in lieu thereof the following:

"gambling helpline phone number in all promotional activity."; and

Further amend said bill, Page 11, Section 313.1006, Line 6, by deleting the word "and"; and

Further amend said bill, page, and section, Line 9, by inserting after the number "313.835" the following:

"; and

(3) Submit to the commission a responsible gambling plan that shall include, but is not limited to:

(a) Annual training for all staff regarding the practice of responsible gambling and identifying compulsive or problem gamblers;

(b) Policies and strategies for handling situations in which players indicate they are in distress or experiencing a problem; and

(c) Policies and strategies to address third-party concerns about players' gambling behavior"; and

Further amend said bill and section, Page 13, Line 57, by inserting after all of said line the following:

**"10. A sports wagering operator shall include information and tools to assist players in making responsible decisions. The sports wagering operator shall provide at a minimum:**

**(1) Prominently displayed tools to set limits on the amount of time and money a player spends on any interactive sports wagering platform;**

**(2) Prominently displayed information regarding compulsive gambling and ways to seek treatment and support if a player believes he or she has a problem; and**

**(3) Provide a player with the ability to exclude the use of certain electronic payment methods if desired by the player."; and**

Further amend said bill and page, Section 313.1010, Line 7, by deleting the word "and"; and

Further amend said bill, page, and section, Line 9, by inserting after the word "dollars" the following:

"; and

(3) Submit to the commission a responsible gambling plan that shall include, but is not limited to:

(a) Annual training for all staff regarding the practice of responsible gambling and identifying compulsive or problem gamblers;

(b) Policies and strategies for handling situations in which players indicate they are in distress or experiencing a problem; and

(c) Policies and strategies to address third-party concerns about players' gambling behavior"; and

Further amend said bill, Page 15, Section 313.1012, Line 4, by inserting after the number "2." the following:

**"The commission shall establish an online method for a player to apply for placement in the self-exclusion program. Each sports wagering operator shall include a link to such application on all sports wagering platforms.**

**3."; and**

Further amend said bill, page, and section, Line 14, by deleting the number "3." and inserting in lieu thereof the number "4."; and

Further amend said bill, page, and section, Lines 22-26, by deleting all of said lines and inserting in lieu thereof the following:

**"(5) Are not included on internet sites or pages dedicated to compulsive or problem gambling; and  
(6) Include responsible gambling messages and a nationally recognized problem gambling helpline number in all promotional activity.**

**5. The commission shall establish penalties of not less than ten thousand dollars but not more than one hundred thousand dollars for any sports wagering operator who violates the restrictions placed on advertising to persons listed in subdivision (1) of subsection 4 of this section."; and**

Further amend said bill, Page 19, Section 313.1021, Line 17, by inserting after the number "4." the number "(1)"; and

Further amend said bill, page, and section, Line 19, by inserting after all of said line the following:

**"(2) The department of elementary and secondary education shall develop a curriculum relating to the nature of gambling and compulsive gambling for high school level personal finance courses. The department of elementary and secondary education may use funds from the gaming proceeds for education fund for the development of such curriculum.";** and

Further amend said bill and section, Page 20, Line 35, by inserting after the number "313.842." the following:

**"When considering the amount of funds to appropriate to the compulsive gamblers fund, the general assembly shall consider the findings and recommendations contained in the annual research report required under subsection 2 of section 313.842 for increased funding in excess of the five hundred thousand dollars.";** and

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

Representative Cook offered **House Substitute Amendment No. 1 for House Amendment No. 1.**

*House Substitute Amendment No. 1  
for  
House Amendment No. 1*

AMEND House Committee Substitute for House Bill Nos. 2502 & 2556, Page 4, Section 313.800, Line 97, by inserting after all of said section and line the following:

"313.813. The commission may promulgate rules allowing a person that is a problem gambler to voluntarily exclude him/herself from an excursion gambling boat, **or a licensed facility or platform regulated under sections 313.1000 to 313.1022.** Any person that has been self-excluded is guilty of trespassing in the first degree pursuant to section 569.140 if such person enters an excursion gambling boat. **Any person who has been self-excluded and is found to have placed a wager under sections 313.1000 to 313.1022 shall forfeit his or her winnings and such winnings shall be credited to the compulsive gamblers fund created under section 313.842.**

313.842. 1. There ~~may~~ **shall** be established programs which shall provide treatment, prevention, **recovery**, and education services for compulsive gambling. As used in this section, "compulsive gambling" means a condition suffered by a person who is chronically and progressively preoccupied with gambling and the urge to gamble. Subject to appropriation, such programs shall be funded from the one-cent admission fee authorized pursuant to section 313.820, and in addition, may be funded from the taxes collected and distributed to any city or county under section 313.822 **or any other funds appropriated by the general assembly.** Such moneys shall be submitted to the state and credited to the "Compulsive Gamblers Fund", which is hereby established within the department of mental health. Notwithstanding the provisions of section 33.080 to the contrary, moneys in the fund at the end of any biennium shall not be transferred to the credit of the general revenue fund. The department of mental health shall administer programs, either directly or by contract, for compulsive gamblers. The commission ~~may~~ **shall** administer programs to educate the public about problem gambling and promote treatment programs offered by the department of mental health. In addition, the commission shall administer the voluntary exclusion program for problem gamblers authorized by section ~~[313.833]~~ **313.813.**

**2. The commission, in cooperation with the department of mental health, shall develop an annual research report in order to assess the social and economic effects of gaming in the state and to obtain scientific information related to the neuroscience, psychology, sociology, epidemiology, and etiology of compulsive gambling. The report and associated studies shall be submitted to the governor, the president pro tempore of the senate, and the speaker of the house of representatives no later than January thirty-first of each year. The research report shall consist of at least:**

**(1) A baseline study of the existing occurrence of compulsive gambling in the state. The study shall examine and describe the existing levels of compulsive gambling and the existing programs available that have a goal of preventing and addressing the harmful consequences of compulsive gambling;**

**(2) A comprehensive legal and factual study of the social and economic impacts of gambling on the state; and**

**(3) Recommendations on programs and legislative actions to address compulsive gambling in the state, including a recommended appropriation to the compulsive gamblers fund based on the study required in subdivision (1) of this subsection."; and**

Further amend said bill, Page 6, Section 313.1000, Line 65, by inserting after the word "events" the words "in which all participants are eighteen years of age or older and"; and

Further amend said bill, Page 9, Section 313.1004, Lines 28-30, by deleting all of said lines and inserting in lieu thereof the following:

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Further amend said bill, page, and section, Line 9, by inserting after the number "313.835" the following:

**"; and**

**(3) Submit to the commission a responsible gambling plan that shall include, but is not limited to:**

**(a) Annual training for all staff regarding the practice of responsible gambling and identifying compulsive or problem gamblers;**

**(b) Policies and strategies for handling situations in which players indicate they are in distress or experiencing a problem; and**

**(c) Policies and strategies to address third-party concerns about players' gambling behavior"; and**

Further amend said bill and section, Page 13, Line 57, by inserting after all of said line the following:

**"10. A sports wagering operator shall include information and tools to assist players in making responsible decisions. The sports wagering operator shall provide at a minimum:**

**(1) Prominently displayed tools to set limits on the amount of time and money a player spends on any interactive sports wagering platform;**

**(2) Prominently displayed information regarding compulsive gambling and ways to seek treatment and support if a player believes he or she has a problem; and**

**(3) Provide a player with the ability to exclude the use of certain electronic payment methods if desired by the player."; and**

Further amend said bill and page, Section 313.1010, Line 7, by deleting the word "and"; and

Further amend said bill, page, and section, Line 9, by inserting after the word "dollars" the following:

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**(3) Submit to the commission a responsible gambling plan that shall include, but is not limited to:**

**(a) Annual training for all staff regarding the practice of responsible gambling and identifying compulsive or problem gamblers;**

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**(c) Policies and strategies to address third-party concerns about players' gambling behavior"; and**

Further amend said bill, Page 15, Section 313.1012, Line 4, by inserting after the number "2." the following:

**"The commission shall establish an online method for a player to apply for placement in the self-exclusion program. Each sports wagering operator shall include a link to such application on all sports wagering platforms.**

**3."; and**

Further amend said bill, page, and section, Line 14, by deleting the number "3." and inserting in lieu thereof the number "4."; and

Further amend said bill, page, and section, Lines 22-26, by deleting all of said lines and inserting in lieu thereof the following:

**"(5) Are not included on internet sites or pages dedicated to compulsive or problem gambling; and  
(6) Include responsible gambling messages and a nationally recognized problem gambling helpline number in all promotional activity.**

**5. The commission shall establish penalties of not less than ten thousand dollars but not more than one hundred thousand dollars for any sports wagering operator who violates the restrictions placed on advertising to persons listed in subdivision (1) of subsection 4 of this section.";** and

Further amend said bill, Page 20, Section 313.1021, Line 35, by inserting after the number "313.842." the following:

**"When considering the amount of funds to appropriate to the compulsive gamblers fund, the general assembly shall consider the findings and recommendations contained in the annual research report required under subsection 2 of section 313.842 for increased funding in excess of the five hundred thousand dollars.";** and

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

On motion of Representative Cook, **House Substitute Amendment No. 1 for House Amendment No. 1** was adopted.

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

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill Nos. 2502 & 2556, Page 19, Section 313.1021, Line 1, by deleting the word "ten" and inserting in lieu thereof the word "eight"; and

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

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

On motion of Representative Houx, **HCS HBs 2502 & 2556, as amended**, was adopted.

On motion of Representative Houx, **HCS HBs 2502 & 2556, as amended**, was ordered perfected and printed.

**PERFECTION OF HOUSE BILLS - INFORMAL**

**HCS HB 1699**, relating to domestic violence, was taken up by Representative Roberts.

On motion of Representative Roberts, the title of **HCS HB 1699** was agreed to.

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

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1699, Page 4, Section 595.320, Line 2, by deleting the phrase "**domestic violence-related class**" and inserting in lieu thereof the phrase "**batterer intervention program, as defined in section 455.549,**"; and

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

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

On motion of Representative Roberts, **HCS HB 1699, as amended**, was adopted.

On motion of Representative Roberts, **HCS HB 1699, as amended**, was ordered perfected and printed.

**HB 2143**, relating to cemetery trust funds, was taken up by Representative Kalberloh.

On motion of Representative Kalberloh, the title of **HB 2143** was agreed to.

On motion of Representative Kalberloh, **HB 2143** was ordered perfected and printed.

On motion of Representative Plocher, the House recessed until 2:00 p.m.

**AFTERNOON SESSION**

The hour of recess having expired, the House was called to order by Speaker Vescovo.

Representative Plocher suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 049

Atchison	Aune	Basye	Black 7	Boggs
Bromley	Brown 27	Busick	Collins	Cook
Davidson	Davis	Deaton	DeGroot	Doll
Evans	Gunby	Haden	Haffner	Haley
Hardwick	Johnson	Kalberloh	Kelley 127	Kelly 141
Lewis 6	Lovasco	McGill	Morse	Murphy
Nurrenbern	Owen	Perkins	Railsback	Reedy
Riggs	Roberts	Sander	Seitz	Sharp 36
Shields	Taylor 139	Terry	Thompson	Toalson Reich
Van Schoiack	Walsh 50	West	Wright	

NOES: 000

PRESENT: 058

Adams	Andrews	Appelbaum	Baringer	Black 137
Buchheit-Courtway	Burger	Burnett	Butz	Coleman 32
Coleman 97	Dinkins	Eggleston	Ellebracht	Falkner
Fishel	Fogle	Francis	Gregory 51	Gregory 96



Griffith	Henderson	Houx	Hudson	Hurlbert
Knight	Lewis 25	Mackey	McCreery	McGaugh
O'Donnell	Pike	Plocher	Pollitt 52	Porter
Pouche	Proudie	Quade	Riley	Roden
Schroer	Schwadron	Sharpe 4	Shaul	Smith 163
Smith 45	Smith 67	Stacy	Tate	Taylor 48
Thomas	Trent	Turnbaugh	Unsicker	Weber
Wiemann	Young	Mr. Speaker		

ABSENT WITH LEAVE: 050

Aldridge	Anderson	Bailey	Baker	Bangert
Barnes	Billington	Bland Manlove	Bosley	Brown 16
Brown 70	Burton	Chipman	Christofanelli	Clemens
Copeland	Cupps	Derges	Dogan	Fitzwater
Gray	Grier	Hicks	Hovis	Ingle
Kidd	Mayhew	McDaniel	Merideth	Mosley
Patterson	Person	Phifer	Pietzman	Pollock 123
Price IV	Richey	Rogers	Rone	Rowland
Sassmann	Sauls	Schnelting	Simmons	Smith 155
Stephens 128	Stevens 46	Veit	Walsh Moore 93	Windham

VACANCIES: 006

## PERFECTION OF HOUSE BILLS - INFORMAL

**HCS HB 2032**, relating to child trafficking, was taken up by Representative Lewis (6).

On motion of Representative Lewis (6), the title of **HCS HB 2032** was agreed to.

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

### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 2032, Page 3, Section 210.1505, Line 24, by deleting the word "**and**"; and

Further amend said bill, page, and section, Line 27, by inserting after the word "**services**" the following:

**"; and**

**(12) A member of the judiciary, who shall be appointed by the supreme court"; and**

Further amend said bill, Page 7, Section 567.020, Line 23, by deleting the words "**was committed**" and inserting in lieu thereof the word "**occurred**"; and

Further amend said bill, Page 12, Section 573.024, Lines 8-11, by deleting said lines and inserting in lieu thereof the following:

**"an owner of a business or the owner's agent and the business provided the location or locations for such exploitation, the business location or locations shall be required to close for up to one year for the first offense, and the length of time shall be determined by the court. For a second offense, such business location or locations shall permanently close. As used in this section, "business" shall include, but is"; and**

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

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

On motion of Representative Lewis (6), **HCS HB 2032, as amended**, was adopted.

On motion of Representative Lewis (6), **HCS HB 2032, as amended**, was ordered perfected and printed.

**HB 1637**, relating to the offense of mail theft, was taken up by Representative Schwadron.

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

*House Amendment No. 1*

AMEND House Bill No. 1637, Page 1, In the Title, Lines 2-3, by deleting the phrase "the offense of mail theft" and inserting in lieu thereof the phrase "crime prevention"; and

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

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

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

*House Amendment No. 2*

AMEND House Bill No. 1637, Page 1, Section A, Line 2, by inserting after said section and line the following:

"569.170. 1. A person commits the offense of burglary in the second degree when he or she knowingly:  
(1) Enters unlawfully or knowingly remains unlawfully in a building or inhabitable structure for the purpose of committing a crime therein; or

(2) Enters unlawfully into a motor vehicle or any part of a motor vehicle with the intent to commit any felony or theft. As used in this subdivision, "enters" means a person intrudes with:

(a) Any part of the body; or

(b) Any physical object connected with the body.

2. The offense of burglary in the second degree is a class D felony unless committed under subdivision (2) of subsection 1 of this section and the person was in possession of a firearm or stole a firearm from the motor vehicle in which case it is a class C felony.

569.175. 1. A person commits the offense of unlawfully gaining entry into motor vehicles if the person lifts the door handles or otherwise tries the doors and locks of successive motor vehicles to gain entry into the motor vehicles unless the person is the owner of the motor vehicles or has the owners' permission to enter the motor vehicles. For purposes of this section, "successive" means lifting the door handles or otherwise trying the doors and locks of one vehicle after another.

2. The offense of unlawfully gaining entry into motor vehicles is a class E felony."; and

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

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

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

*House Amendment No. 3*

AMEND House Bill No. 1637, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

**"544.453. Notwithstanding any provision of the law or court rule to the contrary, a judge or judicial officer, when setting bail or conditions of release in all courts in Missouri for any offense charged, shall consider, in addition to any factor required by law, whether:**

**(1) A defendant poses a danger to a victim of crime, the community, any witness to the crime, or to any other person;**

**(2) A defendant is a flight risk;**

**(3) A defendant has committed a violent misdemeanor offense, sexual offense, or felony offense in this state or any other state in the last five years; and**

**(4) A defendant has failed to appear in court as a required condition of probation or parole for a violent misdemeanor or felony within the last three years."; and**

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

Representative West 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 Bill No. 1637, Page 1, Line 4, by deleting all of said line and inserting in lieu thereof the following:

""374.702. 1. No person shall engage in the bail bond business as a bail bond agent or a general bail bond agent without being licensed as provided in sections 374.695 to 374.775.

2. No judge, attorney, court official, ~~or law enforcement officer~~, ~~state, county, or municipal employee who is either elected or appointed~~ shall be licensed as a bail bond agent or a general bail bond agent.

3. A licensed bail bond agent shall not execute or issue an appearance bond in this state without holding a valid appointment from a general bail bond agent and without attaching to the appearance bond an executed and prenumbered power of attorney referencing the general bail bond agent or insurer.

4. A person licensed as an active bail bond agent shall hold the license for at least two years prior to owning or being an officer of a licensed general bail bond agent.

5. A general bail bond agent shall not engage in the bail bond business:

(1) Without having been licensed as a general bail bond agent pursuant to sections 374.695 to 374.775; or

(2) Except through an agent licensed as a bail bond agent pursuant to sections 374.695 to 374.775.

6. A general bail bond agent shall not permit any unlicensed person to solicit or engage in the bail bond business on the general bail bond agent's behalf, except for individuals who are employed solely for the performance of clerical, stenographic, investigative, or other administrative duties which do not require a license pursuant to sections 374.695 to 374.789.

7. Any person who is convicted of a violation of this section is guilty of a class A misdemeanor. For any subsequent convictions, a person who is convicted of a violation of this section is guilty of a class E felony.

**544.453. Notwithstanding any provision of the law or court rule to the contrary, a judge or"; and**

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

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

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

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

*House Amendment No. 4*

AMEND House Bill No. 1637, Page 1, Section A, Line 2, by inserting after said section and line the following:

- "566.010. As used in this chapter and chapter 568, the following terms mean:
- (1) "Aggravated sexual offense", any sexual offense, in the course of which, the actor:
    - (a) Inflicts serious physical injury on the victim;
    - (b) Displays a deadly weapon or dangerous instrument in a threatening manner;
    - (c) Subjects the victim to sexual intercourse or deviate sexual intercourse with more than one person;
    - (d) Had previously been found guilty of an offense under this chapter or under section 573.200, child used in sexual performance; section 573.205, promoting sexual performance by a child; section 573.023, sexual exploitation of a minor; section 573.025, promoting child pornography in the first degree; section 573.035, promoting child pornography in the second degree; section 573.037, possession of child pornography; or section 573.040, furnishing pornographic materials to minors; or has previously been found guilty of an offense in another jurisdiction which would constitute an offense under this chapter or said sections;
    - (e) Commits the offense as part of an act or series of acts performed by two or more persons as part of an established or prescribed pattern of activity; or
    - (f) Engages in the act that constitutes the offense with a person the actor knows to be, without regard to legitimacy, the actor's:
      - a. Ancestor or descendant by blood or adoption;
      - b. Stepchild while the marriage creating that relationship exists;
      - c. Brother or sister of the whole or half blood; or
      - d. Uncle, aunt, nephew, or niece of the whole blood;
  - (2) "Commercial sex act", any sex act on account of which anything of value is given to or received by any person;
  - (3) "Deviate sexual intercourse", any act involving the genitals of one person and the hand, mouth, tongue, or anus of another person or a sexual act involving the penetration, however slight, of the penis, female genitalia, or the anus by a finger, instrument or object done for the purpose of arousing or gratifying the sexual desire of any person or for the purpose of terrorizing the victim;
  - (4) "Forced labor", a condition of servitude induced by means of:
    - (a) Any scheme, plan, or pattern of behavior intended to cause a person to believe that, if the person does not enter into or continue the servitude, such person or another person will suffer substantial bodily harm or physical restraint; or
    - (b) The abuse or threatened abuse of the legal process;
  - (5) "Sexual conduct", sexual intercourse, deviate sexual intercourse or sexual contact;
  - (6) "Sexual contact", any touching of another person with the genitals or any touching of the genitals or anus of another person, or the breast of a female person, or such touching through the clothing, **or causing semen, seminal fluid, or other ejaculate to come into contact with another person**, for the purpose of arousing or gratifying the sexual desire of any person or for the purpose of terrorizing the victim;
  - (7) "Sexual intercourse", any penetration, however slight, of the female genitalia by the penis.
- 566.086. 1. A person commits the offense of sexual contact with a student if he or she has sexual contact with a student of the school and is:
- (1) A teacher, as that term is defined in subdivisions (4), (5), and (7) of section 168.104;
  - (2) A student teacher; ~~or~~
  - (3) An employee of the school; ~~or~~
  - (4) A volunteer of the school or of an organization working with the school on a project or program who is not a student at the school; ~~or~~
  - (5) An elected or appointed official of the school district; ~~or~~
  - (6) A person employed by an entity that contracts with the school or school district to provide services; **or**
  - (7) **A coach, assistant coach, director, or other adult with a school-aged team, club, or ensemble, regardless of whether such team, club, or ensemble is connected to a school or scholastic association. For purposes of this subdivision, "school-aged team, club, or ensemble" means any group organized for**

**individual or group competition for the performance of sports activities or any group organized for individual or group presentation for fine or performing arts, by any child under eighteen years of age.**

2. For the purposes of this section, "school" shall mean any public or private school in this state serving kindergarten through grade twelve or any school bus used by the school district.

3. The offense of sexual contact with a student is a class E felony.

4. It is not a defense to prosecution for a violation of this section that the student consented to the sexual contact."; and

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

Representative Owen offered **House Amendment No. 1 to House Amendment No. 4.**

*House Amendment No. 1  
to  
House Amendment No. 4*

AMEND House Amendment No. 4 to House Bill No. 1637, Page 2, Line 28, by deleting said line and inserting in lieu thereof the following:

"to the sexual contact.

566.155. 1. Any person who has been found guilty of:

(1) Violating any of the provisions of this chapter or the provisions of section 568.020, incest; section 568.045, endangering the welfare of a child in the first degree; section 573.200, use of a child in a sexual performance; section 573.205, promoting a sexual performance by a child; section 573.023, sexual exploitation of a minor; section 573.025, promoting child pornography; or section 573.040, furnishing pornographic material to minors; ~~or~~

(2) Any offense in any other jurisdiction which, if committed in this state, would be a violation listed in this section; **or**

**(3) Any tier III offense listed under section 589.414**

shall not serve as an athletic coach, manager, or athletic trainer for any sports team in which a child less than ~~[seventeen]~~ **eighteen** years of age is a member **or shall not supervise or employ any child under eighteen years of age.**

2. The first violation of the provisions of this section is a class E felony.

3. A second or subsequent violation of this section is a class D felony."; and"; and

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

On motion of Representative Owen, **House Amendment No. 1 to House Amendment No. 4** was adopted.

On motion of Representative Evans, **House Amendment No. 4, as amended**, was adopted.

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

*House Amendment No. 5*

AMEND House Bill No. 1637, Page 1, Section A, Line 2, by inserting after all of said line the following:

"569.010. As used in this chapter the following terms mean:

(1) "Cave or cavern", any naturally occurring subterranean cavity enterable by a person including, without limitation, a pit, pothole, natural well, grotto, and tunnel, whether or not the opening has a natural entrance;

(2) "Enter unlawfully or remain unlawfully", a person enters or remains in or upon premises when he or she is not licensed or privileged to do so. A person who, regardless of his or her purpose, enters or remains in or upon premises which are at the time open to the public does so with license and privilege unless he or she defies a lawful order not to enter or remain, personally communicated to him or her by the owner of such premises or by other authorized person. A license or privilege to enter or remain in a building which is only partly open to the public is not a license or privilege to enter or remain in that part of the building which is not open to the public;

(3) "Nuclear power plant", a power generating facility that produces electricity by means of a nuclear reactor owned by a utility or a consortium utility. Nuclear power plant shall be limited to property within the structure or fenced yard, as defined in section 563.011;

(4) "To tamper", to interfere with something improperly, to meddle with it, displace it, make unwarranted alterations in its existing condition, or to deprive, temporarily, the owner or possessor of that thing;

(5) **"Teller machine", an automated teller machine (ATM) or interactive teller machine (ITM) is a remote computer terminal owned or controlled by a financial institution or a private business that allows individuals to obtain financial services including obtaining cash, transferring or transmitting money or digital currencies, payment of bills, loading money or digital currency to a payment card or other device without physical in-person assistance from another person. "Teller machine" does not include personally owned electronic devices used to access financial services;**

(6) "Utility", an enterprise which provides gas, electric, steam, water, sewage disposal, or communication, video, internet, or voice over internet protocol services, and any common carrier. It may be either publicly or privately owned or operated.

569.100. 1. A person commits the offense of property damage in the first degree if such person:

(1) Knowingly damages property of another to an extent exceeding seven hundred fifty dollars; or

(2) Damages property to an extent exceeding seven hundred fifty dollars for the purpose of defrauding an insurer; ~~or~~

(3) Knowingly damages a motor vehicle of another and the damage occurs while such person is making entry into the motor vehicle for the purpose of committing the crime of stealing therein or the damage occurs while such person is committing the crime of stealing within the motor vehicle; **or**

**(4) Knowingly damages, modifies, or destroys a teller machine or otherwise makes it inoperable.**

2. The offense of property damage in the first degree committed under subdivision (1) or (2) of subsection 1 of this section is a class E felony, unless the offense of property damage in the first degree was committed under subdivision (1) of subsection 1 of this section and the victim was intentionally targeted as a law enforcement officer, as defined in section 556.061, or the victim is targeted because he or she is a relative within the second degree of consanguinity or affinity to a law enforcement officer, in which case it is a class D felony. The offense of property damage in the first degree committed under subdivision (3) of subsection 1 of this section is a class D felony unless committed as a second or subsequent violation of subdivision (3) of subsection 1 of this section in which case it is a class B felony. **The offense of property damage in the first degree committed under subdivision (4) of subsection 1 of this section is a class D felony unless committed for the purpose of executing any scheme or artifice to defraud or obtain any property, the value of which exceeds seven hundred fifty dollars or the damage to the teller machine exceeds seven hundred fifty dollars in which case it is a class C felony. If the offense of property damage in the first degree committed under subdivision (4) of subsection 1 of this section is committed to obtain the personal financial credentials of another person or unless committed as a second or subsequent violation of subdivision (4) of subsection 1 of this section in which case it is a class B felony.**

569.190. 1. A person commits the offense of tampering with a teller machine as defined under section 570.010 if he or she knowingly and without authorization or reasonable grounds to believe that he or she has authorization:

(1) **Modifies, destroys, damages, or takes a teller machine; or**

(2) **Otherwise renders a teller machine inoperable.**

2. The offense of tampering with a teller machine is a class D felony unless:

(1) **The offense is committed for the purpose of executing any scheme or artifice to defraud or obtain any property, the value of which is one thousand dollars or more, or to obtain the personal financial credentials of another person; or**

(2) **The damage to the teller machine is one thousand dollars or more, in which case it is a class C felony.**

570.010. As used in this chapter, the following terms mean:

(1) "Adulterated", varying from the standard of composition or quality prescribed by statute or lawfully promulgated administrative regulations of this state lawfully filed, or if none, as set by commercial usage;

- (2) "Appropriate", to take, obtain, use, transfer, conceal, retain or dispose;
- (3) "Check", a check or other similar sight order or any other form of presentment involving the transmission of account information for the payment of money;
- (4) "Coercion", a threat, however communicated:
  - (a) To commit any offense; or
  - (b) To inflict physical injury in the future on the person threatened or another; or
  - (c) To accuse any person of any offense; or
  - (d) To expose any person to hatred, contempt or ridicule; or
  - (e) To harm the credit or business reputation of any person; or
  - (f) To take or withhold action as a public servant, or to cause a public servant to take or withhold action; or
  - (g) To inflict any other harm which would not benefit the actor. A threat of accusation, lawsuit or other invocation of official action is justified and not coercion if the property sought to be obtained by virtue of such threat was honestly claimed as restitution or indemnification for harm done in the circumstances to which the accusation, exposure, lawsuit or other official action relates, or as compensation for property or lawful service. The defendant shall have the burden of injecting the issue of justification as to any threat;
- (5) "Credit device", a writing, card, code, number or other device purporting to evidence an undertaking to pay for property or services delivered or rendered to or upon the order of a designated person or bearer;
- (6) "Dealer", a person in the business of buying and selling goods;
- (7) "Debit device", a writing, card, code, number or other device, other than a check, draft or similar paper instrument, by the use of which a person may initiate an electronic fund transfer, including but not limited to devices that enable electronic transfers of benefits to public assistance recipients;
- (8) "Deceit or deceive", making a representation which is false and which the actor does not believe to be true and upon which the victim relies, as to a matter of fact, law, value, intention or other state of mind, or concealing a material fact as to the terms of a contract or agreement. The term "deceit" does not, however, include falsity as to matters having no pecuniary significance, or puffing by statements unlikely to deceive ordinary persons in the group addressed. Deception as to the actor's intention to perform a promise shall not be inferred from the fact alone that he did not subsequently perform the promise;
- (9) "Deprive":
  - (a) To withhold property from the owner permanently; or
  - (b) To restore property only upon payment of reward or other compensation; or
  - (c) To use or dispose of property in a manner that makes recovery of the property by the owner unlikely;
- (10) "Electronic benefits card" or "EBT card", a debit card used to access food stamps or cash benefits issued by the department of social services;
- (11) "Financial institution", a bank, trust company, savings and loan association, or credit union;
- (12) "Food stamps", the nutrition assistance program in Missouri that provides food and aid to low-income individuals who are in need of benefits to purchase food operated by the United States Department of Agriculture (USDA) in conjunction with the department of social services;
- (13) "Forcibly steals", a person, in the course of stealing, uses or threatens the immediate use of physical force upon another person for the purpose of:
  - (a) Preventing or overcoming resistance to the taking of the property or to the retention thereof immediately after the taking; or
  - (b) Compelling the owner of such property or another person to deliver up the property or to engage in other conduct which aids in the commission of the theft;
- (14) "Internet service", an interactive computer service or system or an information service, system, or access software provider that provides or enables computer access by multiple users to a computer server, and includes, but is not limited to, an information service, system, or access software provider that provides access to a network system commonly known as the internet, or any comparable system or service and also includes, but is not limited to, a world wide web page, newsgroup, message board, mailing list, or chat area on any interactive computer service or system or other online service;
- (15) "Means of identification", anything used by a person as a means to uniquely distinguish himself or herself;
- (16) "Merchant", a person who deals in goods of the kind or otherwise by his or her occupation holds oneself out as having knowledge or skill peculiar to the practices or goods involved in the transaction or to whom such knowledge or skill may be attributed by his or her employment of an agent or broker or other intermediary who by his or her occupation holds oneself out as having such knowledge or skill;

(17) "Misabeled", varying from the standard of truth or disclosure in labeling prescribed by statute or lawfully promulgated administrative regulations of this state lawfully filed, or if none, as set by commercial usage; or represented as being another person's product, though otherwise accurately labeled as to quality and quantity;

(18) "Pharmacy", any building, warehouse, physician's office, hospital, pharmaceutical house or other structure used in whole or in part for the sale, storage, or dispensing of any controlled substance as defined in chapter 195;

(19) "Property", anything of value, whether real or personal, tangible or intangible, in possession or in action, and shall include but not be limited to the evidence of a debt actually executed but not delivered or issued as a valid instrument;

(20) "Public assistance benefits", anything of value, including money, food, EBT cards, food stamps, commodities, clothing, utilities, utilities payments, shelter, drugs and medicine, materials, goods, and any service including institutional care, medical care, dental care, child care, psychiatric and psychological service, rehabilitation instruction, training, transitional assistance, or counseling, received by or paid on behalf of any person under chapters 198, 205, 207, 208, 209, and 660, or benefits, programs, and services provided or administered by the Missouri department of social services or any of its divisions;

(21) "Services" includes transportation, telephone, electricity, gas, water, or other public service, cable television service, video service, voice over internet protocol service, or internet service, accommodation in hotels, restaurants or elsewhere, admission to exhibitions and use of vehicles;

(22) "Stealing-related offense", federal and state violations of criminal statutes against stealing, robbery, or buying or receiving stolen property and shall also include municipal ordinances against the same if the offender was either represented by counsel or knowingly waived counsel in writing and the judge accepting the plea or making the findings was a licensed attorney at the time of the court proceedings;

(23) **"Teller machine", an automated teller machine (ATM) or interactive teller machine (ITM) that is a remote computer terminal or other device owned or controlled by a financial institution or a private business that allows individuals to obtain financial services, including obtaining cash, transferring or transmitting moneys or digital currencies, payment of bills, or loading moneys or digital currency to a payment card, without physical in-person assistance from another person. "Teller machine" does not include personally owned electronic devices used to access financial services;**

(24) "Video service", the provision of video programming provided through wireline facilities located at least in part in the public right-of-way without regard to delivery technology, including internet protocol technology whether provided as part of a tier, on demand, or a per-channel basis. This definition includes cable service as defined by 47 U.S.C. Section 522(6), but does not include any video programming provided by a commercial mobile service provider as "commercial mobile service" is defined in 47 U.S.C. Section 332(d), or any video programming provided solely as part of and via a service that enables users to access content, information, electronic mail, or other services offered over the public internet, and includes microwave television transmission, from a multipoint distribution service not capable of reception by conventional television receivers without the use of special equipment;

~~[(24)]~~ (25) "Voice over internet protocol service", a service that:

- (a) Enables real-time, two-way voice communication;
- (b) Requires a broadband connection from the user's location;
- (c) Requires internet protocol-compatible customer premises equipment; and
- (d) Permits users generally to receive calls that originate on the public switched telephone network and to terminate calls to the public switched telephone network;

~~[(25)]~~ (26) "Writing" includes printing, any other method of recording information, money, coins, negotiable instruments, tokens, stamps, seals, credit cards, badges, trademarks and any other symbols of value, right, privilege or identification.

570.030. 1. A person commits the offense of stealing if he or she:

- (1) Appropriates property or services of another with the purpose to deprive him or her thereof, either without his or her consent or by means of deceit or coercion;
- (2) Attempts to appropriate anhydrous ammonia or liquid nitrogen of another with the purpose to deprive him or her thereof, either without his or her consent or by means of deceit or coercion; or
- (3) For the purpose of depriving the owner of a lawful interest therein, receives, retains or disposes of property of another knowing that it has been stolen, or believing that it has been stolen.

2. The offense of stealing is a class A felony if the property appropriated consists of any of the following containing any amount of anhydrous ammonia: a tank truck, tank trailer, rail tank car, bulk storage tank, field nurse, field tank or field applicator.

3. The offense of stealing is a class B felony if:



(1) The property appropriated or attempted to be appropriated consists of any amount of anhydrous ammonia or liquid nitrogen;

(2) The property consists of any animal considered livestock as the term livestock is defined in section 144.010, or any captive wildlife held under permit issued by the conservation commission, and the value of the animal or animals appropriated exceeds three thousand dollars and that person has previously been found guilty of appropriating any animal considered livestock or captive wildlife held under permit issued by the conservation commission. Notwithstanding any provision of law to the contrary, such person shall serve a minimum prison term of not less than eighty percent of his or her sentence before he or she is eligible for probation, parole, conditional release, or other early release by the department of corrections;

(3) A person appropriates property consisting of a motor vehicle, watercraft, or aircraft, and that person has previously been found guilty of two stealing-related offenses committed on two separate occasions where such offenses occurred within ten years of the date of occurrence of the present offense;

(4) The property appropriated or attempted to be appropriated consists of any animal considered livestock as the term is defined in section 144.010 if the value of the livestock exceeds ten thousand dollars; or

(5) The property appropriated or attempted to be appropriated is owned by or in the custody of a financial institution and the property is taken or attempted to be taken physically from an individual person to deprive the owner or custodian of the property.

4. The offense of stealing is a class C felony if the value of the property or services appropriated is twenty-five thousand dollars or more **or the property is a teller machine or the contents of a teller machine, including cash, regardless of the value or amount.**

5. The offense of stealing is a class D felony if:

(1) The value of the property or services appropriated is seven hundred fifty dollars or more;

(2) The offender physically takes the property appropriated from the person of the victim; or

(3) The property appropriated consists of:

(a) Any motor vehicle, watercraft or aircraft;

(b) Any will or unrecorded deed affecting real property;

(c) Any credit device, debit device or letter of credit;

(d) Any firearms;

(e) Any explosive weapon as defined in section 571.010;

(f) Any United States national flag designed, intended and used for display on buildings or stationary flagstaves in the open;

(g) Any original copy of an act, bill or resolution, introduced or acted upon by the legislature of the state of Missouri;

(h) Any pleading, notice, judgment or any other record or entry of any court of this state, any other state or of the United States;

(i) Any book of registration or list of voters required by chapter 115;

(j) Any animal considered livestock as that term is defined in section 144.010;

(k) Any live fish raised for commercial sale with a value of seventy-five dollars or more;

(l) Any captive wildlife held under permit issued by the conservation commission;

(m) Any controlled substance as defined by section 195.010;

(n) Ammonium nitrate;

(o) Any wire, electrical transformer, or metallic wire associated with transmitting telecommunications, video, internet, or voice over internet protocol service, or any other device or pipe that is associated with conducting electricity or transporting natural gas or other combustible fuels; or

(p) Any material appropriated with the intent to use such material to manufacture, compound, produce, prepare, test or analyze amphetamine or methamphetamine or any of their analogues.

6. The offense of stealing is a class E felony if:

(1) The property appropriated is an animal;

(2) The property is a catalytic converter; or

(3) A person has previously been found guilty of three stealing-related offenses committed on three separate occasions where such offenses occurred within ten years of the date of occurrence of the present offense.

7. The offense of stealing is a class D misdemeanor if the property is not of a type listed in subsection 2, 3, 5, or 6 of this section, the property appropriated has a value of less than one hundred fifty dollars, and the person has no previous findings of guilt for a stealing-related offense.

8. The offense of stealing is a class A misdemeanor if no other penalty is specified in this section.
  9. If a violation of this section is subject to enhanced punishment based on prior findings of guilt, such findings of guilt shall be pleaded and proven in the same manner as required by section 558.021.
  10. The appropriation of any property or services of a type listed in subsection 2, 3, 5, or 6 of this section or of a value of seven hundred fifty dollars or more may be considered a separate felony and may be charged in separate counts.
  11. The value of property or services appropriated pursuant to one scheme or course of conduct, whether from the same or several owners and whether at the same or different times, constitutes a single criminal episode and may be aggregated in determining the grade of the offense, except as set forth in subsection 10 of this section.";
- and

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

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

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

*House Amendment No. 6*

AMEND House Bill No. 1637, Page 1, Section 570.212, Line 11, by inserting after said section and line the following:

- "575.095. 1. A person commits the offense of tampering with a judicial officer if, with the purpose to harass, intimidate or influence a judicial officer in the performance of such officer's official duties, such person:
- (1) Threatens or causes harm to such judicial officer or members of such judicial officer's family;
  - (2) Uses force, threats, or deception against or toward such judicial officer or members of such judicial officer's family;
  - (3) Offers, conveys or agrees to convey any benefit direct or indirect upon such judicial officer or such judicial officer's family;
  - (4) Engages in conduct reasonably calculated to harass or alarm such judicial officer or such judicial officer's family, including stalking pursuant to section 565.225 or 565.227;
  - (5) Disseminates through any means, including by posting on the internet, the judicial officer's family's personal information. For purposes of this section, "personal information" includes a home address, home or mobile telephone number, personal email address, Social Security number, federal tax identification number, checking or savings account numbers, marital status, and identity of a child under eighteen years of age.**
2. A judicial officer for purposes of this section shall be a judge **or commissioner of a state or federal court**, arbitrator, special master, juvenile officer, deputy juvenile officer, state prosecuting or circuit attorney, state assistant prosecuting or circuit attorney, juvenile court commissioner, state probation or parole officer, or referee.
3. A judicial officer's family for purposes of this section shall be:
- (1) Such officer's spouse; or
  - (2) Such officer or such officer's spouse's ancestor or descendant by blood or adoption; or
  - (3) Such officer's stepchild, while the marriage creating that relationship exists.
4. The offense of tampering with a judicial officer is a class D felony.
- 5. If a violation of this section results in death or bodily injury to a judicial officer or a member of the judicial officer's family, the offense is a class B felony.";** and

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

Representative Taylor (139) offered **House Amendment No. 1 to House Amendment No. 6.**

*House Amendment No. 1*  
*to*  
*House Amendment No. 6*

AMEND House Amendment No. 6 to House Bill No. 1637, Page 1, Line 30, by deleting all of said line and inserting in lieu thereof the following:

**"member of the judicial officer's family, the offense is a class B felony.**

**Section 1. A person commits the offense of tampering with a public official if, with the purpose to harass, intimidate, or influence a public official in the performance of such official's official duties, such person disseminates through any means, including by posting on the internet, the public official's family's personal information. For purposes of this section, "personal information" includes a home address, Social Security number, federal tax identification number, checking or savings account numbers, marital status, and identity of a child under eighteen years of age. For the purposes of this section, the term "public official" includes members of the general assembly, statewide elected officials, first responders, children's division employees, and employees of the department of corrections. The offense of tampering with a public official is a class D felony. If a violation of this section results in death or bodily injury to a public official or a member of the public official's family, the offense is a class B felony. "; and"; and**

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

On motion of Representative Taylor (139), **House Amendment No. 1 to House Amendment No. 6** was adopted.

Representative Rogers offered **House Amendment No. 2 to House Amendment No. 6.**

*House Amendment No. 2*  
*to*  
*House Amendment No. 6*

AMEND House Amendment No. 6 to House Bill No. 1637, Page 1, Line 15, by inserting after the word "**judicial**" the words "**officer's or the judicial**"; and

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

On motion of Representative Rogers, **House Amendment No. 2 to House Amendment No. 6** was adopted.

On motion of Representative DeGroot, **House Amendment No. 6, as amended**, was adopted.

Representative Evans offered **House Amendment No. 7.**

*House Amendment No. 7*

AMEND House Bill No. 1637, Page 1, Section A, Line 2, by inserting after said section and line the following:

"556.046. 1. A person may be convicted of an offense included in an offense charged in the indictment or information. An offense is so included when:

- (1) It is established by proof of the same or less than all the facts required to establish the commission of the offense charged; or
- (2) It is specifically denominated by statute as a lesser degree of the offense charged; or

(3) It consists of an attempt to commit the offense charged or to commit an offense otherwise included therein.

2. The court shall not be obligated to charge the jury with respect to an included offense unless there is a **rational** basis for a verdict acquitting the person of the offense charged and convicting him **or her** of the included offense. An offense is charged for purposes of this section if:

(1) It is in an indictment or information; or

(2) It is an offense submitted to the jury because there is a **rational** basis for a verdict acquitting the person of the offense charged and convicting the person of the included offense.

3. The court shall be obligated to instruct the jury with respect to a particular included offense only if **the instruction is requested and** there is a **rational** basis in the evidence for acquitting the person of the immediately higher included offense and ~~[there is a basis in the evidence for]~~ convicting the person of that particular included offense."; and

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

On motion of Representative Evans, **House Amendment No. 7** was adopted.

Representative Roberts offered **House Amendment No. 8**.

*House Amendment No. 8*

AMEND House Bill No. 1637, Page 1, Section A, Line 2, by inserting after said section and line the following:

"43.650. 1. The patrol shall, subject to appropriation, maintain a web page on the internet which shall be open to the public and shall include a registered sexual offender **and registered violent offender** search capability.

2. Except as provided in subsections 4 and 5 of this section, the registered sexual offender **and registered violent offender** search shall make it possible for any person using the internet to search for and find the information specified in subsection 4 of this section, if known, on offenders registered in this state pursuant to sections 589.400 to 589.425 **or section 589.437**.

3. The registered sexual offender **and registered violent offender** search shall include the capability to search for sexual offenders by name, **by** zip code, and by typing in an address and specifying a search within a certain number of miles radius from that address. **The search shall also have the capability to filter results by sexual offenders or violent offenders.**

4. Only the information listed in this subsection shall be provided to the public in the registered sexual offender **and registered violent offender** search:

(1) The name and any known aliases of the offender;

(2) The date of birth and any known alias dates of birth of the offender;

(3) A physical description of the offender;

(4) The residence, temporary, work, and school addresses of the offender, including the street address, city, county, state, and zip code;

(5) Any photographs of the offender;

(6) A physical description of the offender's vehicles, including the year, make, model, color, and license plate number;

(7) The nature and dates of all offenses qualifying the offender to register, including the tier level assigned to the offender under sections 589.400 to 589.425;

(8) The date on which the offender was released from the department of mental health, prison, or jail[-] or placed on parole, supervised release, or probation for the offenses qualifying the offender to register;

(9) Compliance status of the **sexual or violent** offender with the provisions of ~~[section]~~ **sections** 589.400 to 589.425; and

(10) Any online identifiers, as defined in section 43.651, used by the person. Such online identifiers shall not be included in the general profile of an offender on the web page and shall only be available to a member of the public by a search using the specific online identifier to determine if a match exists with a registered offender.

5. Juveniles required to register under subdivision (5) of subsection 1 of section 589.400 shall be exempt from public notification to include any adjudications from another state, territory, the District of Columbia, or foreign country or any federal, tribal, or military jurisdiction."; and

Further amend said bill and page, Section 570.212, Line 11, by inserting after said section and line the following:

**"589.437. 1. For purposes of this section and section 43.650, the following persons shall be known as violent offenders:**

**(1) Any person who is on probation or parole for:**

**(a) The offense of murder in the first degree under section 565.020;**

**(b) The offense of murder in the second degree under section 565.021; or**

**(c) An offense in a jurisdiction outside of this state that would qualify under paragraph (a) or (b) of this subdivision if the offense were to have been committed in this state; and**

**(2) Any person who was found not guilty by reason of mental disease or defect of an offense listed under subdivision (1) of this subsection.**

**2. The division of probation and parole of the department of corrections, or the department of mental health if the person qualifies as a violent offender under subdivision (2) of subsection 1 of this section, shall notify the Missouri state highway patrol if a violent offender is placed on probation or parole, is placed on conditional release, is removed from probation or parole, or relocates to this state under the interstate compact for adult offender supervision, sections 589.500 to 589.569, so that the Missouri state highway patrol can update the offender registry under section 43.650."; and**

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

Representative Mackey offered **House Amendment No. 1 to House Amendment No. 8.**

*House Amendment No. 1  
to  
House Amendment No. 8*

AMEND House Amendment No. 8 to House Bill No. 1637, Page 2, Line 8, by deleting said line and inserting in lieu thereof the following:

"the District of Columbia, or foreign country or any federal, tribal, or military jurisdiction.

285.575. 1. This section shall be known and may be cited as the "Whistleblower's Protection Act".

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

(1) "Because" or "because of", as it relates to the adverse decision or action, the person's status as a protected person was the motivating factor;

(2) "Employer", an entity that has six or more employees for each working day in each of twenty or more calendar weeks in the current or preceding calendar year. "Employer" shall not include the state of Missouri or its agencies, instrumentalities, or political subdivisions, including but not limited to any public institution of higher education, a corporation wholly owned by the state of Missouri, an individual employed by an employer, or corporations and associations owned or operated by religious or sectarian organizations; **except that, "employer" shall include law enforcement agencies;**

(3) "Proper authorities", a governmental or law enforcement agency, an officer of an employee's employer, the employee's supervisor employed by the employer, or the employee's human resources representative employed by the employer;

(4) "Protected person", an employee of an employer who has reported to the proper authorities an unlawful act of his or her employer; an employee of an employer who reports to his or her employer serious misconduct of the employer that violates a clear mandate of public policy as articulated in a constitutional provision, statute, or regulation promulgated under statute; or an employee of an employer who has refused to carry out a directive issued by his or her employer that if completed would be a violation of the law[~~—An employee of an employer is not a protected person if:~~

~~—(a) The employee is a supervisory, managerial, or executive employee or an officer of his or her employer and the unlawful act or serious misconduct reported concerns matters upon which the employee is employed to report or provide professional opinion; or~~

~~\_\_\_\_\_ (b) The proper authority or person to whom the employee makes his or her report is the person whom the employee claims to have committed the unlawful act or violation of a clear mandate of public policy];~~

(5) "The motivating factor", the employee's protected classification actually played a role in the adverse decision or action and had a determinative influence on the adverse decision or action.

3. This section is intended to codify the existing common law exceptions to the at-will employment doctrine and to limit their future expansion by the courts. This section, in addition to chapter 213 and chapter 287, shall provide the exclusive remedy for any and all claims of unlawful employment practices.

4. It shall be an unlawful employment practice for an employer to discharge an individual defined as a protected person in this section because of that person's status as a protected person.

5. A protected person aggrieved by a violation of this section shall have a private right of action for actual damages for violations of this section but not for punitive damages. However, if a private right of action for damages exists under another statutory or regulatory scheme, whether under state or federal law, no private right of action shall exist under this ~~[statute]~~ **section**.

6. Any party to any action initiated under this section may demand a trial by jury.

7. A protected person aggrieved by a violation of this section shall have a private right of action that may be filed in a court of competent jurisdiction. The only remedies available in such an action shall be:

(1) Back pay;

(2) Reimbursement of medical bills directly related to a violation of this section; and

(3) Additionally, if a protected person proves, by clear and convincing evidence, that the conduct of the employer was outrageous because of the employer's evil motive or reckless indifference to the rights of others, then, such person may receive double the amount awarded under subdivisions (1) and (2) of this subsection, as liquidated damages. In applying this subdivision, the provisions of section 510.263 shall be applied as though liquidated damages were punitive damages and as though the amounts referenced in subdivisions (1) and (2) of this subsection were compensatory damages.

8. The court, in addition to the damages set forth in subsection 7 of this section, may award the prevailing party court costs and reasonable attorney fees; except that a prevailing respondent may be awarded reasonable attorney fees only upon a showing that the case was without foundation."; and"; and

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

On motion of Representative Mackey, **House Amendment No. 1 to House Amendment No. 8** was adopted.

On motion of Representative Roberts, **House Amendment No. 8, as amended**, was adopted.

Representative Mayhew offered **House Amendment No. 9**.

*House Amendment No. 9*

AMEND House Bill No. 1637, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

"407.300. 1. Every purchaser or collector of, or dealer in, junk, scrap metal, or any secondhand property who obtains items for resale or profit shall keep a register containing a written or electronic record for each purchase or ~~[trade in which]~~ **trade-in of** each type of material subject to the provisions of this section ~~[is]~~ obtained for value. There shall be a separate record for each transaction involving any:

(1) Copper, brass, or bronze;

(2) Aluminum wire, cable, pipe, tubing, bar, ingot, rod, fitting, or fastener;

(3) Material containing copper or aluminum that is knowingly used for farming purposes as farming is defined in section 350.010; whatever may be the condition or length of such metal;

(4) Detached catalytic converter; or

(5) Motor vehicle, heavy equipment, or tractor battery.

2. The record required by this section shall contain the following data:

(1) A copy of the driver's license, or **other** photo identification issued by the state or by the United States government or agency thereof, of the person from whom the material is obtained;

(2) The current address, gender, birth date, and a color photograph of the person from whom the material is obtained if not included or are different from the identification required in subdivision (1) of this subsection;

(3) The date, time, and place of the transaction;

(4) The license plate number of the vehicle used by the seller during the transaction; ~~and~~

(5) A full description of the material, including the weight and purchase price; **and**

**(6) If the purchase or trade-in includes a detached catalytic converter:**

**(a) Either proof the seller is a bona fide automobile repair shop or an affidavit that attests the detached catalytic converter was acquired lawfully; and**

**(b) The make, model, year, and vehicle identification number of the vehicle from which the detached catalytic converter originated.**

3. **(1)** The records required under this section shall be maintained **in order of transaction date** for a minimum of ~~[thirty-six months]~~ **four years** from when such material is obtained and shall be available for inspection by any law enforcement officer.

**(2) The department of public safety shall create and make available on the department website a standardized form for recording the records required under this section.**

**(3) At least monthly, a purchaser or collector of, or dealer in, junk, scrap metal, or any secondhand property shall submit to a local law enforcement agency with jurisdiction over the purchaser's, collector's, or dealer's primary place of business the records required under this section on the department of public safety's form, with copies of the purchaser's, collector's, or dealer's other records, if any, attached. The submission may be in either a paper or electronic format. A law enforcement agency may prescribe the format of forms submitted electronically.**

4. No transaction that includes a detached catalytic converter shall occur at any location other than the ~~[fixed]~~ **primary** place of business of the purchaser or collector of, or dealer in, junk, scrap metal, or any secondhand property. No detached catalytic converter shall be altered, modified, disassembled, or destroyed until it has been in the purchaser's, collector's, or dealer's possession for five business days.

5. Anyone ~~[licensed under section 301.218 who knowingly purchases a stolen detached catalytic converter]~~ shall be subject to the following penalties:

~~(1) For a first violation, a fine in the amount of five thousand dollars;~~

~~(2) For a second violation, a fine in the amount of ten thousand dollars; and~~

~~(3) For a third violation, revocation of the]~~ **convicted of violating this section shall be guilty of a class B misdemeanor and shall be subject to having any license for a business described under section 301.218 revoked.**

6. This section shall not apply to ~~[either of]~~ the following transactions:

**(1) Any transaction for which the total amount paid for all regulated material purchased or sold does not exceed fifty dollars, unless the material is a detached catalytic converter;**

**(2) Any transaction for which the seller, including a farm or farmer, has an existing business relationship with the scrap metal dealer and is known to the scrap metal dealer making the purchase to be an established business or political subdivision that operates a business with a fixed location that can be reasonably expected to generate regulated scrap metal and can be reasonably identified as such a business, [and for which the seller is paid by check or by electronic funds transfer, or the seller produces an acceptable identification, which shall be a copy of the driver's license or photo identification issued by the state or by the United States government or agency thereof, and a copy is retained by the purchaser] unless the material is a detached catalytic converter; or**

~~[(2)]~~ **(3) Any transaction for which the type of metal subject to subsection 1 of this section is a minor part of a larger item, except for [heating and cooling equipment or] equipment, including equipment with a detached catalytic converter used in the generation and transmission of electrical power or telecommunications.**

570.030. 1. A person commits the offense of stealing if he or she:

**(1) Appropriates property or services of another with the purpose to deprive him or her thereof, either without his or her consent or by means of deceit or coercion;**

**(2) Attempts to appropriate anhydrous ammonia or liquid nitrogen of another with the purpose to deprive him or her thereof, either without his or her consent or by means of deceit or coercion; or**

**(3) For the purpose of depriving the owner of a lawful interest therein, receives, retains or disposes of property of another [knowing] and knows that it has been stolen, [or believing] believes that it has been stolen, or reasonably should suspect that it has been stolen.**

2. The offense of stealing is a class A felony if the property appropriated consists of any of the following containing any amount of anhydrous ammonia: a tank truck, tank trailer, rail tank car, bulk storage tank, field nurse, field tank or field applicator.

3. The offense of stealing is a class B felony if:

(1) The property appropriated or attempted to be appropriated consists of any amount of anhydrous ammonia or liquid nitrogen;

(2) The property consists of any animal considered livestock as the term livestock is defined in section 144.010, or any captive wildlife held under permit issued by the conservation commission, and the value of the animal or animals appropriated exceeds three thousand dollars and that person has previously been found guilty of appropriating any animal considered livestock or captive wildlife held under permit issued by the conservation commission. Notwithstanding any provision of law to the contrary, such person shall serve a minimum prison term of not less than eighty percent of his or her sentence before he or she is eligible for probation, parole, conditional release, or other early release by the department of corrections;

(3) A person appropriates property consisting of a motor vehicle, watercraft, or aircraft, and that person has previously been found guilty of two stealing-related offenses committed on two separate occasions where such offenses occurred within ten years of the date of occurrence of the present offense;

(4) The property appropriated or attempted to be appropriated consists of any animal considered livestock as the term is defined in section 144.010 if the value of the livestock exceeds ten thousand dollars; or

(5) The property appropriated or attempted to be appropriated is owned by or in the custody of a financial institution and the property is taken or attempted to be taken physically from an individual person to deprive the owner or custodian of the property.

4. The offense of stealing is a class C felony if the value of the property or services appropriated is twenty-five thousand dollars or more.

5. The offense of stealing is a class D felony if:

(1) The value of the property or services appropriated is seven hundred fifty dollars or more;

(2) The offender physically takes the property appropriated from the person of the victim; or

(3) The property appropriated consists of:

(a) Any motor vehicle, watercraft or aircraft;

(b) Any will or unrecorded deed affecting real property;

(c) Any credit device, debit device or letter of credit;

(d) Any firearms;

(e) Any explosive weapon as defined in section 571.010;

(f) Any United States national flag designed, intended and used for display on buildings or stationary flagstaffs in the open;

(g) Any original copy of an act, bill or resolution, introduced or acted upon by the legislature of the state of Missouri;

(h) Any pleading, notice, judgment or any other record or entry of any court of this state, any other state or of the United States;

(i) Any book of registration or list of voters required by chapter 115;

(j) Any animal considered livestock as that term is defined in section 144.010;

(k) Any live fish raised for commercial sale with a value of seventy-five dollars or more;

(l) Any captive wildlife held under permit issued by the conservation commission;

(m) Any controlled substance as defined by section 195.010;

(n) Ammonium nitrate;

(o) Any wire, electrical transformer, or metallic wire associated with transmitting telecommunications, video, internet, or voice over internet protocol service, or any other device or pipe that is associated with conducting electricity or transporting natural gas or other combustible fuels; or

(p) Any material appropriated with the intent to use such material to manufacture, compound, produce, prepare, test or analyze amphetamine or methamphetamine or any of their analogues.

6. The offense of stealing is a class E felony if:

(1) The property appropriated is an animal;

(2) The property is a **detached** catalytic converter; or

(3) A person has previously been found guilty of three stealing-related offenses committed on three separate occasions where such offenses occurred within ten years of the date of occurrence of the present offense.



7. The offense of stealing is a class D misdemeanor if the property is not of a type listed in subsection 2, 3, 5, or 6 of this section, the property appropriated has a value of less than one hundred fifty dollars, and the person has no previous findings of guilt for a stealing-related offense.

8. The offense of stealing is a class A misdemeanor if no other penalty is specified in this section.

9. If a violation of this section is subject to enhanced punishment based on prior findings of guilt, such findings of guilt shall be pleaded and proven in the same manner as required by section 558.021.

10. The appropriation of any property or services of a type listed in subsection 2, 3, 5, or 6 of this section or of a value of seven hundred fifty dollars or more may be considered a separate felony and may be charged in separate counts.

11. The value of property or services appropriated pursuant to one scheme or course of conduct, whether from the same or several owners and whether at the same or different times, constitutes a single criminal episode and may be aggregated in determining the grade of the offense, except as set forth in subsection 10 of this section."; and

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

Representative Billington 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 House Bill No. 1637, Page 1, Lines 13-14, by deleting said lines and inserting in lieu thereof the following:

"(4) Detached catalytic converter; ~~[or]~~

(5) Motor vehicle, heavy equipment, or tractor battery; **or**

**(6) If the transaction includes a catalytic converter, the vehicle identification number of the vehicle from which the catalytic converter was removed.";** and

Further amend said amendment, Page 2, Line 22, by inserting after the number "6." the following:

**"A violation of subdivision (6) of subsection 1 of this section is an infraction.**  
**7.";** and

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

On motion of Representative Billington, **House Amendment No. 1 to House Amendment No. 9** was adopted.

On motion of Representative Mayhew, **House Amendment No. 9, as amended**, was adopted.

Representative Coleman (32) offered **House Amendment No. 10.**

*House Amendment No. 10*

AMEND House Bill No. 1637, Page 1, Section A, Line 2, by inserting after said section and line the following:

"566.151. 1. A person twenty-one years of age or older commits the offense of enticement of a child if he or she persuades, solicits, coaxes, entices, or lures whether by words, actions or through communication via the

internet or any electronic communication, any person who is less than ~~[fifteen]~~ **seventeen** years of age for the purpose of engaging in sexual conduct.

2. It is not a defense to a prosecution for a violation of this section that the other person was a peace officer masquerading as a minor.

3. Enticement of a child or an attempt to commit enticement of a child is a felony for which the authorized term of imprisonment shall be not less than five years and not more than thirty years. No person convicted under this section shall be eligible for parole, probation, conditional release, or suspended imposition or execution of sentence for a period of five calendar years.

567.030. 1. A person commits the offense of patronizing prostitution if he or she:

(1) Pursuant to a prior understanding, gives something of value to another person as compensation for having engaged in sexual conduct with any person; or

(2) Gives or agrees to give something of value to another person with the understanding that such person or another person will engage in sexual conduct with any person; or

(3) Solicits or requests another person to engage in sexual conduct with any person in return for something of value.

2. It shall not be a defense that the person believed that the individual he or she patronized for prostitution was eighteen years of age or older.

3. The offense of patronizing prostitution is a class B misdemeanor, unless the individual who the person patronizes is less than eighteen years of age but older than ~~[fourteen]~~ **fifteen** years of age, in which case patronizing prostitution is a class E felony.

4. The offense of patronizing prostitution is a class ~~[D]~~ **B** felony if the individual who the person patronizes is ~~[fourteen]~~ **fifteen** years of age or younger. Nothing in this section shall preclude the prosecution of an individual for the offenses of:

(1) Statutory rape in the first degree pursuant to section 566.032;

(2) Statutory rape in the second degree pursuant to section 566.034;

(3) Statutory sodomy in the first degree pursuant to section 566.062; or

(4) Statutory sodomy in the second degree pursuant to section 566.064."; and

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

On motion of Representative Coleman (32), **House Amendment No. 10** was adopted.

Representative Schroer offered **House Amendment No. 11**.

*House Amendment No. 11*

AMEND House Bill No. 1637, Page 1, Section 570.212, Line 11, by inserting after said section and line the following:

"610.130. 1. After a period of not less than ten years, an individual who has pleaded guilty or has been convicted for a first intoxication-related traffic offense or intoxication-related boating offense ~~[which]~~ **that is a misdemeanor or a county or city ordinance violation, or for an intoxication-related traffic offense that is a class D felony under subdivision (4) of subsection 2 of section 577.010 or an intoxication-related boating offense that is a class D felony under subdivision (4) of subsection 2 of section 577.013**, and ~~[which]~~ **that is not a conviction for driving a commercial motor vehicle while under the influence of alcohol and who since such date has not been convicted of any intoxication-related traffic offense or intoxication-related boating offense may apply to the court in which he or she pled guilty or was sentenced for an order to expunge from all official records all recordings of his or her arrest, plea, trial or conviction.**

2. If the court determines, after hearing, that such person has not been convicted of any subsequent intoxication-related traffic offense or intoxication-related boating offense, has no other subsequent alcohol-related enforcement contacts as defined in section 302.525, and has no other intoxication-related traffic offense or intoxication-related boating offenses or alcohol-related enforcement actions pending at the time of the hearing on the application, the court shall enter an order of expungement.

3. Upon granting of the order of expungement, the records and files maintained in any administrative or court proceeding in an associate or circuit division of the circuit court under this section shall be confidential and only available to the parties or by order of the court for good cause shown. The effect of such order shall be to restore such person to the status he or she occupied prior to such arrest, plea or conviction and as if such event had never taken place. No person as to whom such order has been entered shall be held thereafter under any provision of any law to be guilty of perjury or otherwise giving a false statement by reason of his or her failure to recite or acknowledge such arrest, plea, trial, conviction or expungement in response to any inquiry made of him or her for any purpose whatsoever and no such inquiry shall be made for information relating to an expungement under this section. A person shall only be entitled to one expungement pursuant to this section. Nothing contained in this section shall prevent the director from maintaining such records as to ensure that an individual receives only one expungement pursuant to this section for the purpose of informing the proper authorities of the contents of any record maintained pursuant to this section.

4. The provisions of this section shall not apply to any individual who has been issued a commercial driver's license or is required to possess a commercial driver's license issued by this state or any other state.";

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

**Representative Lovasco offered House Amendment No. 1 to House Amendment No. 11.**

*House Amendment No. 1  
to  
House Amendment No. 11*

AMEND House Amendment No. 11 to House Bill No. 1637, Page 1, Line 4, by deleting said line and inserting in lieu thereof the following:

""610.120. 1. Except as otherwise provided under section 610.124, records required to be closed shall ~~not~~ be destroyed; ~~they~~ **however, the record of arrest shall be closed and** shall be inaccessible to the general public and to all persons other than the defendant except as provided in this section and chapter 43. Closed records shall be available to: criminal justice agencies for the administration of criminal justice pursuant to section 43.500, criminal justice employment, screening persons with access to criminal justice facilities, procedures, and sensitive information; to law enforcement agencies for issuance or renewal of a license, permit, certification, or registration of authority from such agency including but not limited to watchmen, security personnel, and private investigators; those agencies authorized by chapter 43 and applicable state law when submitting fingerprints to the central repository; the sentencing advisory commission created in section 558.019 for the purpose of studying sentencing practices in accordance with chapter 43; to qualified entities for the purpose of screening providers defined in chapter 43; the department of revenue for driver license administration; the department of public safety for the purposes of determining eligibility for crime victims' compensation pursuant to sections 595.010 to 595.075, department of health and senior services for the purpose of licensing and regulating facilities and regulating in-home services provider agencies and federal agencies for purposes of criminal justice administration, criminal justice employment, child, elderly, or disabled care, and for such investigative purposes as authorized by law or presidential executive order.

2. These records shall be made available only for the purposes and to the entities listed in this section. A criminal justice agency receiving a request for criminal history information under its control may require positive identification, to include fingerprints of the subject of the record search, prior to releasing closed record information. Dissemination of closed and open records from the Missouri criminal records repository shall be in accordance with section 43.509. All records which are closed records shall be removed from the records of the courts, administrative agencies, and law enforcement agencies which are available to the public and shall be kept in separate records which are to be held confidential and, where possible, pages of the public record shall be retyped or rewritten omitting those portions of the record which deal with the defendant's case. If retyping or rewriting is not feasible because of the permanent nature of the record books, such record entries shall be blacked out and recopied in a confidential book.

610.130. 1. After a period of not less than ten years, an individual who has pleaded guilty or has"; and

Further amend said amendment and page, Line 32, by deleting said line and inserting in lieu thereof the following:

"driver's license or is required to possess a commercial driver's license issued by this state or any other state.

610.140. 1. Notwithstanding any other provision of law and subject to the provisions of this section, any person may apply to any court in which such person was charged or found guilty of any offenses, violations, or infractions for an order to expunge records of such arrest, plea, trial, or conviction. Subject to the limitations of subsection 12 of this section, a person may apply to have one or more offenses, violations, or infractions expunged if such offense, violation, or infraction occurred within the state of Missouri and was prosecuted under the jurisdiction of a Missouri municipal, associate circuit, or circuit court, so long as such person lists all the offenses, violations, and infractions he or she is seeking to have expunged in the petition and so long as all such offenses, violations, and infractions are not excluded under subsection 2 of this section. If the offenses, violations, or infractions were charged as counts in the same indictment or information or were committed as part of the same course of criminal conduct, the person may include all the related offenses, violations, and infractions in the petition, regardless of the limits of subsection 12 of this section, and the petition shall only count as a petition for expungement of the highest level violation or offense contained in the petition for the purpose of determining future eligibility for expungement.

2. The following offenses, violations, and infractions shall not be eligible for expungement under this section:

- (1) Any class A felony offense;
- (2) Any dangerous felony as that term is defined in section 556.061;
- (3) Any offense that requires registration as a sex offender;
- (4) Any felony offense where death is an element of the offense;
- (5) Any felony offense of assault; misdemeanor or felony offense of domestic assault; or felony offense of kidnapping;

(6) Any offense listed, or previously listed, in chapter 566 or section 105.454, 105.478, 115.631, 130.028, 188.030, 188.080, 191.677, 194.425, 217.360, 217.385, 334.245, 375.991, 389.653, 455.085, 455.538, 557.035, 565.084, 565.085, 565.086, 565.095, 565.120, 565.130, 565.156, 565.200, 565.214, 566.093, 566.111, 566.115, 568.020, 568.030, 568.032, 568.045, 568.060, 568.065, 568.080, 568.090, 568.175, 569.030, 569.035, 569.040, 569.050, 569.055, 569.060, 569.065, 569.067, 569.072, 569.160, 570.025, 570.090, 570.180, 570.223, 570.224, 570.310, 571.020, 571.060, 571.063, 571.070, 571.072, 571.150, 574.070, 574.105, 574.115, 574.120, 574.130, 575.040, 575.095, 575.153, 575.155, 575.157, 575.159, 575.195, 575.200, 575.210, 575.220, 575.230, 575.240, 575.350, 575.353, 577.078, 577.703, 577.706, 578.008, 578.305, 578.310, or 632.520;

(7) Any offense eligible for expungement under section 577.054 or 610.130;

(8) Any intoxication-related traffic or boating offense as defined in section 577.001, or any offense of operating an aircraft with an excessive blood alcohol content or while in an intoxicated condition;

(9) Any ordinance violation that is the substantial equivalent of any offense that is not eligible for expungement under this section;

(10) Any violation of any state law or county or municipal ordinance regulating the operation of motor vehicles when committed by an individual who has been issued a commercial driver's license or is required to possess a commercial driver's license issued by this state or any other state; and

(11) Any offense of section 571.030, except any offense under subdivision (1) of subsection 1 of section 571.030 where the person was convicted or found guilty prior to January 1, 2017, or any offense under subdivision (4) of subsection 1 of section 571.030.

3. The petition shall name as defendants all law enforcement agencies, courts, prosecuting or circuit attorneys, municipal prosecuting attorneys, central state repositories of criminal records, or others who the petitioner has reason to believe may possess the records subject to expungement for each of the offenses, violations, and infractions listed in the petition. The court's order of expungement shall not affect any person or entity not named as a defendant in the action.

4. The petition shall include the following information:

- (1) The petitioner's:
  - (a) Full name;
  - (b) Sex;
  - (c) Race;
  - (d) Driver's license number, if applicable; and
  - (e) Current address;

- (2) Each offense, violation, or infraction for which the petitioner is requesting expungement;
- (3) The approximate date the petitioner was charged for each offense, violation, or infraction; and
- (4) The name of the county where the petitioner was charged for each offense, violation, or infraction and if any of the offenses, violations, or infractions occurred in a municipality, the name of the municipality for each offense, violation, or infraction; and

- (5) The case number and name of the court for each offense.

5. The clerk of the court shall give notice of the filing of the petition to the office of the prosecuting attorney, circuit attorney, or municipal prosecuting attorney that prosecuted the offenses, violations, or infractions listed in the petition. If the prosecuting attorney, circuit attorney, or municipal prosecuting attorney objects to the petition for expungement, he or she shall do so in writing within thirty days after receipt of service. Unless otherwise agreed upon by the parties, the court shall hold a hearing within sixty days after any written objection is filed, giving reasonable notice of the hearing to the petitioner. If no objection has been filed within thirty days after receipt of service, the court may set a hearing on the matter and shall give reasonable notice of the hearing to each entity named in the petition. At any hearing, the court may accept evidence and hear testimony on, and may consider, the following criteria for each of the offenses, violations, or infractions listed in the petition for expungement:

- (1) At the time the petition is filed, it has been at least three years if the offense is a felony, or at least one year if the offense is a misdemeanor, municipal offense, or infraction, from the date the petitioner completed any authorized disposition imposed under section 557.011 for each offense, violation, or infraction listed in the petition;

- (2) At the time the petition is filed, the person has not been found guilty of any other misdemeanor or felony, not including violations of the traffic regulations provided under chapters 301, 302, 303, 304, and 307, during the time period specified for the underlying offense, violation, or infraction in subdivision (1) of this subsection;

- (3) The person has satisfied all obligations relating to any such disposition, including the payment of any fines or restitution;

- (4) The person does not have charges pending;

- (5) The petitioner's habits and conduct demonstrate that the petitioner is not a threat to the public safety of the state; and

- (6) The expungement is consistent with the public welfare and the interests of justice warrant the expungement.

A pleading by the petitioner that such petitioner meets the requirements of subdivisions (5) and (6) of this subsection shall create a rebuttable presumption that the expungement is warranted so long as the criteria contained in subdivisions (1) to (4) of this subsection are otherwise satisfied. The burden shall shift to the prosecuting attorney, circuit attorney, or municipal prosecuting attorney to rebut the presumption. A victim of an offense, violation, or infraction listed in the petition shall have an opportunity to be heard at any hearing held under this section, and the court may make a determination based solely on such victim's testimony.

6. A petition to expunge records related to an arrest for an eligible offense, violation, or infraction may be made in accordance with the provisions of this section to a court of competent jurisdiction in the county where the petitioner was arrested no earlier than three years from the date of arrest; provided that, during such time, the petitioner has not been charged and the petitioner has not been found guilty of any misdemeanor or felony offense.

7. If the court determines that such person meets all the criteria set forth in subsection 5 of this section for each of the offenses, violations, or infractions listed in the petition for expungement, the court shall enter an order of expungement. In all cases under this section, the court shall issue an order of expungement or dismissal within six months of the filing of the petition. A copy of the order of expungement shall be provided to the petitioner and each entity possessing records subject to the order, and, upon receipt of the order, each entity shall ~~delete~~ **destroy** any record, **except a record of arrest**, in its possession relating to any offense, violation, or infraction listed in the petition, in the manner established by section 610.120. The records and files maintained in any administrative or court proceeding in a municipal, associate, or circuit court for any offense, infraction, or violation ordered expunged under this section shall be confidential and only available to the parties or by order of the court for good cause shown. The central repository shall request the Federal Bureau of Investigation to expunge the records from its files.

8. The order shall not limit any of the petitioner's rights that were restricted as a collateral consequence of such person's criminal record, and such rights shall be restored upon issuance of the order of expungement. For purposes of 18 U.S.C. Section 921(a)(33)(B)(ii), an order of expungement granted pursuant to this section shall be considered a complete removal of all effects of the expunged conviction. Except as otherwise provided under this section, the effect of such order shall be to restore such person to the status he or she occupied prior to such arrests, pleas, trials, or convictions as if such events had never taken place. No person as to whom such order has been

entered shall be held thereafter under any provision of law to be guilty of perjury or otherwise giving a false statement by reason of his or her failure to recite or acknowledge such arrests, pleas, trials, convictions, or expungement in response to an inquiry made of him or her and no such inquiry shall be made for information relating to an expungement, except the petitioner shall disclose the expunged offense, violation, or infraction to any court when asked or upon being charged with any subsequent offense, violation, or infraction. The expunged offense, violation, or infraction may be considered a prior offense in determining a sentence to be imposed for any subsequent offense that the person is found guilty of committing.

9. Notwithstanding the provisions of subsection 8 of this section to the contrary, a person granted an expungement shall disclose any expunged offense, violation, or infraction when the disclosure of such information is necessary to complete any application for:

- (1) A license, certificate, or permit issued by this state to practice such individual's profession;
- (2) Any license issued under chapter 313 or permit issued under chapter 571;
- (3) Paid or unpaid employment with an entity licensed under chapter 313, any state-operated lottery, or any emergency services provider, including any law enforcement agency;
- (4) Employment with any federally insured bank or savings institution or credit union or an affiliate of such institution or credit union for the purposes of compliance with 12 U.S.C. Section 1829 and 12 U.S.C. Section 1785;
- (5) Employment with any entity engaged in the business of insurance or any insurer for the purpose of complying with 18 U.S.C. Section 1033, 18 U.S.C. Section 1034, or other similar law which requires an employer engaged in the business of insurance to exclude applicants with certain criminal convictions from employment; or
- (6) Employment with any employer that is required to exclude applicants with certain criminal convictions from employment due to federal or state law, including corresponding rules and regulations.

An employer shall notify an applicant of the requirements under subdivisions (4) to (6) of this subsection. Notwithstanding any provision of law to the contrary, an expunged offense, violation, or infraction shall not be grounds for automatic disqualification of an applicant, but may be a factor for denying employment, or a professional license, certificate, or permit; except that, an offense, violation, or infraction expunged under the provisions of this section may be grounds for automatic disqualification if the application is for employment under subdivisions (4) to (6) of this subsection.

10. A person who has been granted an expungement of records pertaining to a misdemeanor or felony offense, an ordinance violation, or an infraction may answer "no" to an employer's inquiry into whether the person has ever been convicted of a crime if, after the granting of the expungement, the person has no public record of a misdemeanor or felony offense, an ordinance violation, or an infraction. The person, however, shall answer such an inquiry affirmatively and disclose his or her criminal convictions, including any offense or violation expunged under this section or similar law, if the employer is required to exclude applicants with certain criminal convictions from employment due to federal or state law, including corresponding rules and regulations.

11. If the court determines that the petitioner has not met the criteria for any of the offenses, violations, or infractions listed in the petition for expungement or the petitioner has knowingly provided false information in the petition, the court shall enter an order dismissing the petition. Any person whose petition for expungement has been dismissed by the court for failure to meet the criteria set forth in subsection 5 of this section may not refile another petition until a year has passed since the date of filing for the previous petition.

12. A person may be granted more than one expungement under this section provided that during his or her lifetime, the total number of offenses, violations, or infractions for which orders of expungement are granted to the person shall not exceed the following limits:

- (1) Not more than two misdemeanor offenses or ordinance violations that have an authorized term of imprisonment; and
- (2) Not more than one felony offense.

A person may be granted expungement under this section for any number of infractions. Nothing in this section shall prevent the court from maintaining records to ensure that an individual has not exceeded the limitations of this subsection. Nothing in this section shall be construed to limit or impair in any way the subsequent use of any record expunged under this section of any arrests or findings of guilt by a law enforcement agency, criminal justice agency, prosecuting attorney, circuit attorney, or municipal prosecuting attorney, including its use as a prior offense, violation, or infraction.

13. The court shall make available a form for pro se petitioners seeking expungement, which shall include the following statement: "I declare under penalty of perjury that the statements made herein are true and correct to the best of my knowledge, information, and belief."

14. Nothing in this section shall be construed to limit or restrict the availability of expungement to any person under any other law."; and"; and

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

On motion of Representative Lovasco, **House Amendment No. 1 to House Amendment No. 11** was adopted.

On motion of Representative Schroer, **House Amendment No. 11, as amended**, was adopted.

Representative Sharp (36) offered **House Amendment No. 12**.

*House Amendment No. 12*

AMEND House Bill No. 1637, Page 1, Section 570.212, Line 11, by inserting after said section and line the following:

"571.031. 1. This section shall be known and may be cited as "Blair's Law".

2. A person commits the offense of unlawful discharge of a firearm if, with criminal negligence, he or she discharges a firearm within or into the limits of any municipality.

3. This section shall not apply if the firearm is discharged:

(1) As allowed by a defense of justification under chapter 563;

(2) On a properly supervised shooting range;

(3) To lawfully take wildlife during an open season established by the department of conservation.

Nothing in this subdivision shall prevent a municipality from adopting an ordinance restricting the discharge of a firearm within one-quarter mile of an occupied structure;

(4) For the control of nuisance wildlife as permitted by the department of conservation or the United States Fish and Wildlife Service;

(5) By special permit of the chief of police of the municipality;

(6) As required by an animal control officer in the performance of his or her duties;

(7) Using blanks;

(8) More than one mile from any occupied structure;

(9) In self-defense or defense of another person against an animal attack if a reasonable person would believe that deadly physical force against the animal is immediately necessary and reasonable under the circumstances to protect oneself or the other person; or

(10) By law enforcement personnel, as defined in section 590.1040, or a member of the United States Armed Forces if acting in an official capacity.

4. A person who commits the offense of discharge of a firearm shall be guilty of:

(1) For a first offense, a class A misdemeanor;

(2) For a second offense, a class E felony; and

(3) For a third or subsequent offense, a class D felony."; and

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

On motion of Representative Sharp (36), **House Amendment No. 12** was adopted.

Representative Veit offered **House Amendment No. 13**.

*House Amendment No. 13*

AMEND House Bill No. 1637, Page 1, Section A, Line 2, by inserting after said section and line the following:

"210.493. 1. Officers, managers, contractors, volunteers with access to children, **and employees**~~], and other support staff~~] of licensed residential care facilities and licensed child placing agencies in accordance with sections 210.481 to 210.536; owners of such residential care facilities who will have access to the facilities; and owners of such child placing agencies who will have access to children shall submit fingerprints and any information that the department requires to complete the background checks, as specified in regulations established by the department, to the Missouri state highway patrol for the purpose of conducting state and federal fingerprint-based background checks.

2. Officers, managers, contractors, volunteers with access to children, **and employees**~~], and other support staff~~] of residential care facilities subject to the notification requirements under sections 210.1250 to 210.1286; any person eighteen years of age or older who resides at or on the property of such residential care facility; any person who has unsupervised contact with a resident of the residential care facility; and owners of such residential care facilities who will have access to the facilities shall submit fingerprints and any information that the department requires to complete the background checks, as specified in regulations established by the department, to the Missouri state highway patrol for the purpose of conducting state and federal fingerprint-based background checks.

3. A background check shall include:

(1) A **state and** Federal Bureau of Investigation fingerprint check; **and**

(2) ~~[A search of the National Crime Information Center's National Sex Offender Registry; and~~

~~(3)]~~ A search of the following registries, repositories, or databases in Missouri, the state where the applicant resides, and each state where such applicant resided during the preceding five years:

(a) The state criminal registry or repository, with the use of fingerprints being required in the state where the applicant resides and optional in other states;

(b) The state sex offender registry or repository;

(c) The state family care safety registry; and

(d) The state-based child abuse and neglect registry and database.

4. For the purposes of this section and notwithstanding any other provision of law, "department" means the department of social services.

5. The department shall be responsible for background checks as part of a residential care facility or child placing agency application for licensure, renewal of licensure, or for license monitoring.

6. The department shall be responsible for background checks for residential care facilities subject to the notification requirements of sections 210.1250 to 210.1286.

7. Fingerprint cards and any required fees shall be sent to the Missouri state highway patrol's central repository. The fingerprints shall be used for searching the state criminal records repository and shall also be forwarded to the Federal Bureau of Investigation for a federal criminal records search under section 43.540. The Missouri state highway patrol shall notify the department of any criminal history record information or lack of criminal history record information discovered on the individual. Notwithstanding the provisions of section 610.120, all records related to any criminal history information discovered shall be accessible and available to the department.

8. Fingerprints submitted to the Missouri state highway patrol for the purpose of conducting state and federal fingerprint-based background checks under this section shall be valid for a period of five years.

9. The department shall provide the results of the background check to the applicant in a statement that indicates whether the applicant is eligible or ineligible for employment or presence at the licensed residential care facility or licensed child placing agency. The department shall not reveal to the residential care facility or the child placing agency any disqualifying offense or other related information regarding the applicant. The applicant shall have the opportunity to appeal an ineligible finding.

10. The department shall provide the results of the background check to the applicant in a statement that indicates whether the applicant is eligible or ineligible for employment or presence at the residential care facility subject to the notification requirements of sections 210.1250 to 210.1286. The department shall not reveal to the residential care facility any disqualifying offense or other related information regarding the applicant. The applicant shall have the opportunity to appeal an ineligible finding.

11. An applicant shall be ineligible if the applicant:

(1) Refuses to consent to the background check as required by this section;

(2) Knowingly makes a materially false statement in connection with the background check as required by this section;

(3) Is registered, or is required to be registered, on a state sex offender registry or repository ~~[or the National Sex Offender Registry];~~



- (4) Is listed as a perpetrator of child abuse or neglect under sections 210.109 to 210.183 or any other finding of child abuse or neglect based on any other state's registry or database; or
- (5) Has pled guilty or nolo contendere to or been found guilty of:
  - (a) Any felony for an offense against the person as defined in chapter 565;
  - (b) Any other offense against the person involving the endangerment of a child as prescribed by law;
  - (c) Any misdemeanor or felony for a sexual offense as defined in chapter 566;
  - (d) Any misdemeanor or felony for an offense against the family as defined in chapter 568;
  - (e) Burglary in the first degree as defined in section 569.160;
  - (f) Any misdemeanor or felony for robbery as defined in chapter 570;
  - (g) Any misdemeanor or felony for pornography or related offense as defined in chapter 573;
  - (h) Any felony for arson as defined in chapter 569;
  - (i) Any felony for armed criminal action as defined in section 571.015, unlawful use of a weapon as defined in section 571.030, unlawful possession of a firearm as defined in section 571.070, or the unlawful possession of an explosive as defined in section 571.072;
  - (j) Any felony for making a terrorist threat as defined in section 574.115, 574.120, or 574.125;
  - (k) A felony drug-related offense committed during the preceding five years; or
  - (l) Any similar offense in any federal, state, or other court of similar jurisdiction of which the department has knowledge.

12. Any person aggrieved by a decision of the department shall have the right to seek an administrative review. The review shall be filed with the department within fourteen days from the mailing of the notice of ineligibility. Any decision not timely appealed shall be final.

13. Any required fees shall be paid by the individual applicant, facility, or agency.

14. The department is authorized to promulgate rules, including emergency rules, to implement 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 July 14, 2021, shall be invalid and void."; and

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

Representative Bosley offered **House Amendment No. 1 to House Amendment No. 13.**

*House Amendment No. 1*  
*to*  
*House Amendment No. 13*

AMEND House Amendment No. 13 to House Bill No. 1637, Page 1, Line 4, by deleting all of said line and inserting in lieu thereof the following:

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

- (1) "Recreational facility", any facility in which a school safety program is offered to students of a school district, or any community center;**
- (2) "School district", any:**
  - (a) Metropolitan school district; or**
  - (b) Urban school district serving students who reside in any city with more than four hundred thousand inhabitants and located in more than one county;**
- (3) "School safety program", any public or nonprofit after-school program focused on gun violence reduction in a school district, a community lacking gun violence reduction efforts, or a city not within a county.**

**2. (1) There is hereby created in the state treasury the "School Safety Program Fund", which shall consist of moneys appropriated to it by the general assembly under this section. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, moneys in the fund shall be used solely as provided in this section.**

(2) 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.

(3) 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.

3. If the general assembly appropriates to the school safety program fund any moneys from the gaming proceeds for education fund; any moneys received under the federal Victims of Crime Act of 1984, as amended; any revenues derived from any expansion of gaming in this state; or any revenues derived from any imposition of use tax on any tangible personal property sold for delivery into this state, such moneys shall be provided for school safety programs under this section. No moneys shall be appropriated to the school safety program fund from the gaming proceeds for education fund after all amounts are transferred from the gaming proceeds for education fund as required under sections 160.534 and 164.303 and any other applicable state law.

4. Upon appropriation, moneys in the school safety program fund shall be used to supplement, not supplant, nonlottery educational resources for a school safety program in a school district and shall be distributed to eligible programs by the department of elementary and secondary education. Moneys may be provided under this section to any program or entity that provides a school safety program in a school district including, but not limited to, any nonprofit organization that offers a school safety program or any recreational facility.

210.493. 1. Officers, managers, contractors, volunteers, with access to children, **and**"; and

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

Representative Bosley moved that **House Amendment No. 1 to House Amendment No. 13** be adopted.

Which motion was defeated by the following vote, the ayes and noes having been demanded by Representative Bosley:

AYES: 046

Adams	Aldridge	Anderson	Appelbaum	Aune
Bailey	Baringer	Barnes	Bland Manlove	Bosley
Brown 27	Brown 70	Burnett	Burton	Butz
Clemens	Collins	Dogan	Doll	Ellebracht
Fogle	Gunby	Ingle	Johnson	Lewis 25
Lovasco	Mackey	McCreery	Merideth	Mosley
Nurrenbern	Person	Phifer	Proudie	Quade
Sauls	Smith 45	Smith 67	Stevens 46	Terry
Turnbaugh	Unsicker	Walsh Moore 93	Weber	Windham
Young				

NOES: 090

Andrews	Atchison	Baker	Basye	Billington
Black 137	Black 7	Boggs	Bromley	Brown 16
Buchheit-Courtway	Burger	Busick	Chipman	Coleman 97
Cook	Copeland	Cupps	Davidson	Davis
Deaton	DeGroot	Dinkins	Evans	Falkner
Fishel	Francis	Gregory 51	Gregory 96	Griffith
Haden	Haffner	Haley	Hardwick	Henderson
Hovis	Hudson	Hurlbert	Kalberloh	Kelley 127
Kelly 141	Lewis 6	Mayhew	McGaugh	McGirl
Morse	Murphy	O'Donnell	Owen	Patterson
Perkins	Pike	Plocher	Pollitt 52	Pollock 123
Porter	Pouche	Railsback	Reedy	Richey

Riggs	Riley	Roberts	Sander	Schnelting
Schroer	Schwadron	Seitz	Sharpe 4	Shaul
Shields	Simmons	Smith 155	Smith 163	Stacy
Stephens 128	Tate	Taylor 139	Taylor 48	Thomas
Thompson	Toalson Reisch	Trent	Van Schoiack	Veit
Walsh 50	West	Wiemann	Wright	Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 021

Bangert	Christofanelli	Coleman 32	Derges	Eggleston
Fitzwater	Gray	Grier	Hicks	Houx
Kidd	Knight	McDaniel	Pietzman	Price IV
Roden	Rogers	Rone	Rowland	Sassmann
Sharp 36				

VACANCIES: 006

Representative Lewis (6) offered **House Amendment No. 2 to House Amendment No. 13.**

*House Amendment No. 2  
to  
House Amendment No. 13*

AMEND House Amendment No. 13 to House Bill No. 1637, Page 1, Line 4, by deleting all of said line and inserting in lieu thereof the following:

""191.900. As used in sections 191.900 to 191.910, the following terms mean:

- (1) "Abuse", the infliction of physical, sexual or emotional harm or injury. "Abuse" includes the taking, obtaining, using, transferring, concealing, appropriating or taking possession of property of another person without such person's consent;
- (2) "Claim", any attempt to cause a health care payer to make a health care payment;
- (3) "False", wholly or partially untrue. A false statement or false representation of a material fact means the failure to reveal material facts in a manner which is intended to deceive a health care payer with respect to a claim;
- (4) "Health care", any service, assistance, care, product, device or thing provided pursuant to a medical assistance program, or for which payment is requested or received, in whole or part, pursuant to a medical assistance program;
- (5) "Health care payer", a medical assistance program, or any person reviewing, adjusting, approving or otherwise handling claims for health care on behalf of or in connection with a medical assistance program;
- (6) "Health care payment", a payment made, or the right under a medical assistance program to have a payment made, by a health care payer for a health care service;
- (7) "Health care provider", any person delivering, or purporting to deliver, any health care, and including any employee, agent or other representative of such a person, and further including any employee, representative, or subcontractor of the state of Missouri delivering, purporting to deliver, or arranging for the delivery of any health care;
- (8) "Knowing" and "knowingly", that a person, with respect to information:
  - (a) Has actual knowledge of the information;
  - (b) Acts in deliberate ignorance of the truth or falsity of the information; or
  - (c) Acts in reckless disregard of the truth or falsity of the information.

Use of the terms knowing or knowingly shall be construed to include the term "intentionally", which means that a person, with respect to information, intended to act in violation of the law;

(9) "Medical assistance program", MO HealthNet, or any program to provide or finance health care to participants which is established pursuant to title 42 of the United States Code, any successor federal health insurance program, or a waiver granted thereunder. A medical assistance program may be funded either solely by state funds or by state and federal funds jointly. The term "medical assistance program" shall include the medical assistance program provided by section 208.151, et seq., and any state agency or agencies administering all or any part of such a program;

(10) **"Neglect", the failure to provide to a person receiving health care the care, goods, or services, including visitations as allowed by law, that are reasonable and necessary to maintain the physical and mental health of such person, when such failure presents either an imminent danger to the health, safety, or welfare of the person or a substantial probability that death or serious physical harm would result;**

(11) "Person", a natural person, corporation, partnership, association or any legal entity.

191.905. 1. No health care provider shall knowingly make or cause to be made a false statement or false representation of a material fact in order to receive a health care payment, including but not limited to:

(1) Knowingly presenting to a health care payer a claim for a health care payment that falsely represents that the health care for which the health care payment is claimed was medically necessary, if in fact it was not;

(2) Knowingly concealing the occurrence of any event affecting an initial or continued right under a medical assistance program to have a health care payment made by a health care payer for providing health care;

(3) Knowingly concealing or failing to disclose any information with the intent to obtain a health care payment to which the health care provider or any other health care provider is not entitled, or to obtain a health care payment in an amount greater than that which the health care provider or any other health care provider is entitled;

(4) Knowingly presenting a claim to a health care payer that falsely indicates that any particular health care was provided to a person or persons, if in fact health care of lesser value than that described in the claim was provided.

2. No person shall knowingly solicit or receive any remuneration, including any kickback, bribe, or rebate, directly or indirectly, overtly or covertly, in cash or in kind in return for:

(1) Referring another person to a health care provider for the furnishing or arranging for the furnishing of any health care; or

(2) Purchasing, leasing, ordering or arranging for or recommending purchasing, leasing or ordering any health care.

3. No person shall knowingly offer or pay any remuneration, including any kickback, bribe, or rebate, directly or indirectly, overtly or covertly, in cash or in kind, to any person to induce such person to refer another person to a health care provider for the furnishing or arranging for the furnishing of any health care.

4. Subsections 2 and 3 of this section shall not apply to a discount or other reduction in price obtained by a health care provider if the reduction in price is properly disclosed and appropriately reflected in the claim made by the health care provider to the health care payer, or any amount paid by an employer to an employee for employment in the provision of health care.

5. Exceptions to the provisions of subsections 2 and 3 of this section shall be provided for as authorized in 42 U.S.C. Section 1320a-7b(3)(E), as may be from time to time amended, and regulations promulgated pursuant thereto.

6. No person shall knowingly abuse **or neglect** a person receiving health care.

7. A person who violates subsections 1 to 3 of this section is guilty of a class D felony upon his or her first conviction, and shall be guilty of a class B felony upon his or her second and subsequent convictions. Any person who has been convicted of such violations shall be referred to the Office of Inspector General within the United States Department of Health and Human Services. The person so referred shall be subject to the penalties provided for under 42 U.S.C. Chapter 7, Subchapter XI, Section 1320a-7. A prior conviction shall be pleaded and proven as provided by section 558.021. A person who violates subsection 6 of this section shall be guilty of a class D felony, unless the act involves no physical, sexual or emotional harm or injury and the value of the property involved is less than five hundred dollars, in which event a violation of subsection 6 of this section is a class A misdemeanor.

8. Any natural person who willfully prevents, obstructs, misleads, delays, or attempts to prevent, obstruct, mislead, or delay the communication of information or records relating to a violation of sections 191.900 to 191.910 is guilty of a class E felony.

9. Each separate false statement or false representation of a material fact proscribed by subsection 1 of this section or act proscribed by subsection 2 or 3 of this section shall constitute a separate offense and a separate violation of this section, whether or not made at the same or different times, as part of the same or separate episodes, as part of the same scheme or course of conduct, or as part of the same claim.

10. In a prosecution pursuant to subsection 1 of this section, circumstantial evidence may be presented to demonstrate that a false statement or claim was knowingly made. Such evidence of knowledge may include but shall not be limited to the following:

(1) A claim for a health care payment submitted with the health care provider's actual, facsimile, stamped, typewritten or similar signature on the claim for health care payment;

(2) A claim for a health care payment submitted by means of computer billing tapes or other electronic means;

(3) A course of conduct involving other false claims submitted to this or any other health care payer.

11. Any person convicted of a violation of this section, in addition to any fines, penalties or sentences imposed by law, shall be required to make restitution to the federal and state governments, in an amount at least equal to that unlawfully paid to or by the person, and shall be required to reimburse the reasonable costs attributable to the investigation and prosecution pursuant to sections 191.900 to 191.910. All of such restitution shall be paid and deposited to the credit of the "MO HealthNet Fraud Reimbursement Fund", which is hereby established in the state treasury. Moneys in the MO HealthNet fraud reimbursement fund shall be divided and appropriated to the federal government and affected state agencies in order to refund moneys falsely obtained from the federal and state governments. All of such cost reimbursements attributable to the investigation and prosecution shall be paid and deposited to the credit of the "MO HealthNet Fraud Prosecution Revolving Fund", which is hereby established in the state treasury. Moneys in the MO HealthNet fraud prosecution revolving fund may be appropriated to the attorney general, or to any prosecuting or circuit attorney who has successfully prosecuted an action for a violation of sections 191.900 to 191.910 and been awarded such costs of prosecution, in order to defray the costs of the attorney general and any such prosecuting or circuit attorney in connection with their duties provided by sections 191.900 to 191.910. No moneys shall be paid into the MO HealthNet fraud protection revolving fund pursuant to this subsection unless the attorney general or appropriate prosecuting or circuit attorney shall have commenced a prosecution pursuant to this section, and the court finds in its discretion that payment of attorneys' fees and investigative costs is appropriate under all the circumstances, and the attorney general and prosecuting or circuit attorney shall prove to the court those expenses which were reasonable and necessary to the investigation and prosecution of such case, and the court approves such expenses as being reasonable and necessary. Any moneys remaining in the MO HealthNet fraud reimbursement fund after division and appropriation to the federal government and affected state agencies shall be used to increase MO HealthNet provider reimbursement until it is at least one hundred percent of the Medicare provider reimbursement rate for comparable services. The provisions of section 33.080 notwithstanding, moneys in the MO HealthNet fraud prosecution revolving fund shall not lapse at the end of the biennium.

12. A person who violates subsections 1 to 3 of this section shall be liable for a civil penalty of not less than five thousand dollars and not more than ten thousand dollars for each separate act in violation of such subsections, plus three times the amount of damages which the state and federal government sustained because of the act of that person, except that the court may assess not more than two times the amount of damages which the state and federal government sustained because of the act of the person, if the court finds:

(1) The person committing the violation of this section furnished personnel employed by the attorney general and responsible for investigating violations of sections 191.900 to 191.910 with all information known to such person about the violation within thirty days after the date on which the defendant first obtained the information;

(2) Such person fully cooperated with any government investigation of such violation; and

(3) At the time such person furnished the personnel ~~of~~ **employed by** the attorney general with the information about the violation, no criminal prosecution, civil action, or administrative action had commenced with respect to such violation, and the person did not have actual knowledge of the existence of an investigation into such violation.

13. Upon conviction pursuant to this section, the prosecution authority shall provide written notification of the conviction to all regulatory or disciplinary agencies with authority over the conduct of the defendant health care provider.

14. The attorney general may bring a civil action against any person who shall receive a health care payment as a result of a false statement or false representation of a material fact made or caused to be made by that person. The person shall be liable for up to double the amount of all payments received by that person based upon the false statement or false representation of a material fact, and the reasonable costs attributable to the prosecution of the civil action. All such restitution shall be paid and deposited to the credit of the MO HealthNet fraud reimbursement fund, and all such cost reimbursements shall be paid and deposited to the credit of the MO HealthNet fraud prosecution revolving fund. No reimbursement of such costs attributable to the prosecution of the civil action shall be made or allowed except with the approval of the court having jurisdiction of the civil action. No civil action provided by this subsection shall be brought if restitution and civil penalties provided by subsections 11 and 12 of this section have been previously ordered against the person for the same cause of action.

15. Any person who discovers a violation by himself or herself or such person's organization and who reports such information voluntarily before such information is public or known to the attorney general shall not be prosecuted for a criminal violation.

210.493. 1. Officers, managers, contractors, volunteers with access to children, **and**"; and

Further amend said amendment, Page 3, Line 30, by deleting all of said line and inserting in lieu thereof the following:

"authority and any rule proposed or adopted after July 14, 2021, shall be invalid and void.

565.184. 1. A person commits the offense of abuse of an elderly person, a person with a disability, or a vulnerable person if he or she:

(1) Purposely engages in conduct involving more than one incident that causes emotional distress to an elderly person, a person with a disability, or a vulnerable person. The course of conduct shall be such as would cause a reasonable elderly person, person with a disability, or vulnerable person to suffer substantial emotional distress; or

(2) Intentionally fails to provide care, goods ~~[or]~~, services, **or visitations allowable by law** to an elderly person, a person with a disability, or a vulnerable person. The result of the conduct shall be such as would cause a reasonable elderly person, person with a disability, or vulnerable person to suffer physical or emotional distress; or

(3) Knowingly acts or knowingly fails to act in a manner which results in a substantial risk to the life, body or health of an elderly person, a person with a disability, or a vulnerable person.

2. **Any person who commits the offense of abuse of an elderly person, a person with a disability, or a vulnerable person under subdivision (1) or (2) of subsection 1 of this section is guilty of a class D felony. Any person who commits the offense of abuse of an elderly person, a person with a disability, or a vulnerable person under subdivision (3) of subsection 1 of this section is guilty of a class A misdemeanor.** Nothing in this section shall be construed to mean that an elderly person, a person with a disability, or a vulnerable person is abused solely because such person chooses to rely on spiritual means through prayer, in lieu of medical care, for his or her health care, as evidence by such person's explicit consent, advance directive for health care, or practice."; and

Further amend said bill and page, Section 570.212, Line 11, by inserting after said section and line the following:

"630.155. 1. A person commits the offense of patient, resident or client abuse or neglect against any person admitted on a voluntary or involuntary basis to any mental health facility or mental health program in which people may be civilly detained pursuant to chapter 632, or any patient, resident or client of any residential facility, day program or specialized service operated, funded or licensed by the department if he knowingly does any of the following:

(1) Beats, strikes or injures any person, patient, resident or client;

(2) Mistreats or maltreats, handles or treats any such person, patient, resident or client in a brutal or inhuman manner;

(3) Uses any more force than is reasonably necessary for the proper control, treatment or management of such person, patient, resident or client;

(4) Fails to provide services which are reasonable and necessary to maintain the physical and mental health of any person, patient, resident or client when such failure presents either an imminent danger to the health, safety or welfare of the person, patient, resident or client, or a substantial probability that death or serious physical harm will result.

2. Patient, resident or client abuse or neglect is a class A misdemeanor unless committed under subdivision (2) or (4) of subsection 1 of this section in which case such abuse or neglect shall be a class ~~[E]~~ **D** felony."; and"; and

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

On motion of Representative Lewis (6), **House Amendment No. 2 to House Amendment No. 13** was adopted.

Representative Sauls offered **House Amendment No. 3 to House Amendment No. 13.**

House Amendment No. 3  
to  
House Amendment No. 13

AMEND House Amendment No. 13 to House Bill No. 1637, Page 1, Line 4, by deleting all of said line and inserting in lieu thereof the following:

""67.145. 1. No political subdivision of this state shall prohibit any first responder from engaging in any political activity while off duty and not in uniform, being a candidate for elected or appointed public office, or holding such office unless such political activity or candidacy is otherwise prohibited by state or federal law.

2. As used in this section, "first responder" means any person trained and authorized by law or rule to render emergency medical assistance or treatment. Such persons may include, but shall not be limited to, emergency first responders, **telecommunicator first responders**, police officers, sheriffs, deputy sheriffs, firefighters, ambulance attendants and attendant drivers, emergency medical technicians, mobile emergency medical technicians, emergency medical technician-paramedics, registered nurses, or physicians.

70.631. 1. Each political subdivision may, by majority vote of its governing body, elect to cover ~~[emergency telecommunicators]~~ **telecommunicator first responders**, jailors, and emergency medical service personnel as public safety personnel members of the system. The clerk or secretary of the political subdivision shall certify an election concerning the coverage of ~~[emergency telecommunicators]~~ **telecommunicator first responders**, jailors, and emergency medical service personnel as public safety personnel members of the system to the board within ten days after such vote. The date in which the political subdivision's election becomes effective shall be the first day of the calendar month specified by such governing body, the first day of the calendar month next following receipt by the board of the certification of the election, or the effective date of the political subdivision's becoming an employer, whichever is the latest date. Such election shall not be changed after the effective date. If the election is made, the coverage provisions shall be applicable to all past and future employment with the employer by present and future employees. If a political subdivision makes no election under this section, no ~~[emergency]~~ **telecommunicator first responder**, jailor, or emergency medical service personnel of the political subdivision shall be considered public safety personnel for purposes determining a minimum service retirement age as defined in section 70.600.

2. If an employer elects to cover ~~[emergency telecommunicators]~~ **telecommunicator first responders**, jailors, and emergency medical service personnel as public safety personnel members of the system, the employer's contributions shall be correspondingly changed effective the same date as the effective date of the political subdivision's election.

3. The limitation on increases in an employer's contributions provided by subsection 6 of section 70.730 shall not apply to any contribution increase resulting from an employer making an election under the provisions of this section.

4. The provisions of this section shall only apply to counties of the third classification and any county of the first classification with more than seventy thousand but fewer than eighty-three thousand inhabitants and with a city of the fourth classification with more than thirteen thousand five hundred but fewer than sixteen thousand inhabitants as the county seat, and any political subdivisions located, in whole or in part, within such counties.

170.310. 1. For school year 2017-18 and each school year thereafter, upon graduation from high school, pupils in public schools and charter schools shall have received thirty minutes of cardiopulmonary resuscitation instruction and training in the proper performance of the Heimlich maneuver or other first aid for choking given any time during a pupil's four years of high school.

2. Beginning in school year 2017-18, any public school or charter school serving grades nine through twelve shall provide enrolled students instruction in cardiopulmonary resuscitation. Students with disabilities may participate to the extent appropriate as determined by the provisions of the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act. Instruction shall be included in the district's existing health or physical education curriculum. Instruction shall be based on a program established by the American Heart Association or the American Red Cross, or through a nationally recognized program based on the most current national evidence-based emergency cardiovascular care guidelines, and psychomotor skills development shall be incorporated into the instruction. For purposes of this section, "psychomotor skills" means the use of hands-on practicing and skills testing to support cognitive learning.

3. The teacher of the cardiopulmonary resuscitation course or unit shall not be required to be a certified trainer of cardiopulmonary resuscitation if the instruction is not designed to result in certification of students. Instruction that is designed to result in certification being earned shall be required to be taught by an authorized cardiopulmonary instructor. Schools may develop agreements with any local chapter of a voluntary organization of first responders to provide the required hands-on practice and skills testing. **For purposes of this subsection, first responders shall include telecommunicator first responders as defined in section 650.320.**

4. The department of elementary and secondary education may promulgate rules to implement 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, 2012, shall be invalid and void.

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

(1) "Bioterrorism", the intentional use of any microorganism, virus, infectious substance, or biological product that may be engineered as a result of biotechnology or any naturally occurring or bioengineered component of any microorganism, virus, infectious substance, or biological product to cause death, disease, or other biological malfunction in a human, an animal, a plant, or any other living organism to influence the conduct of government or to intimidate or coerce a civilian population;

(2) "Department", the Missouri department of health and senior services;

(3) "Director", the director of the department of health and senior services;

(4) "Disaster locations", any geographical location where a bioterrorism attack, terrorist attack, catastrophic or natural disaster, or emergency occurs;

(5) "First responders", state and local law enforcement personnel, **telecommunicator first responders**, fire department personnel, and emergency medical personnel who will be deployed to bioterrorism attacks, terrorist attacks, catastrophic or natural disasters, and emergencies.

2. The department shall offer a vaccination program for first responders who may be exposed to infectious diseases when deployed to disaster locations as a result of a bioterrorism event or a suspected bioterrorism event. The vaccinations shall include, but are not limited to, smallpox, anthrax, and other vaccinations when recommended by the federal Centers for Disease Control and Prevention's Advisory Committee on Immunization Practices.

3. Participation in the vaccination program shall be voluntary by the first responders, except for first responders who, as determined by their employer, cannot safely perform emergency responsibilities when responding to a bioterrorism event or suspected bioterrorism event without being vaccinated. The recommendations of the Centers for Disease Control and Prevention's Advisory Committee on Immunization Practices shall be followed when providing appropriate screening for contraindications to vaccination for first responders. A first responder shall be exempt from vaccinations when a written statement from a licensed physician is presented to their employer indicating that a vaccine is medically contraindicated for such person.

4. If a shortage of the vaccines referred to in subsection 2 of this section exists following a bioterrorism event or suspected bioterrorism event, the director, in consultation with the governor and the federal Centers for Disease Control and Prevention, shall give priority for such vaccinations to persons exposed to the disease and to first responders who are deployed to the disaster location.

5. The department shall notify first responders concerning the availability of the vaccination program described in subsection 2 of this section and shall provide education to such first responders and their employers concerning the vaccinations offered and the associated diseases.

6. The department may contract for the administration of the vaccination program described in subsection 2 of this section with health care providers, including but not limited to local public health agencies, hospitals, federally qualified health centers, and physicians.

7. The provisions of this section shall become effective upon receipt of federal funding or federal grants which designate that the funding is required to implement vaccinations for first responders in accordance with the recommendations of the federal Centers for Disease Control and Prevention's Advisory Committee on Immunization Practices. Upon receipt of such funding, the department shall make available the vaccines to first responders as provided in this section.

210.493. 1. Officers, managers, contractors, volunteers with access to children, **and**"; and

Further amend said amendment, Page 3, Line 30, by inserting after all of said line the following:



"Further amend said bill and page, Section 570.212, Line 11, by inserting after all of said section and line the following:

"650.320. For the purposes of sections 650.320 to 650.340, the following terms mean:

(1) "Board", the Missouri 911 service board established in section 650.325;  
(2) "Public safety answering point", the location at which 911 calls are answered;  
(3) "Telecommunicator **first responder**", any person employed as an emergency telephone worker, call taker or public safety dispatcher whose duties include receiving, processing or transmitting public safety information received through a 911 public safety answering point.

650.340. 1. The provisions of this section may be cited and shall be known as the "911 Training and Standards Act".

2. Initial training requirements for ~~[telecommunicators]~~ **telecommunicator first responders** who answer 911 calls that come to public safety answering points shall be as follows:

- (1) Police telecommunicator **first responder**, 16 hours;
- (2) Fire telecommunicator **first responder**, 16 hours;
- (3) Emergency medical services telecommunicator **first responder**, 16 hours;
- (4) Joint communication center telecommunicator **first responder**, 40 hours.

3. All persons employed as a telecommunicator **first responder** in this state shall be required to complete ongoing training so long as such person engages in the occupation as a telecommunicator **first responder**. Such persons shall complete at least twenty-four hours of ongoing training every three years by such persons or organizations as provided in subsection 6 of this section.

4. Any person employed as a telecommunicator on August 28, 1999, shall not be required to complete the training requirement as provided in subsection 2 of this section. Any person hired as a telecommunicator **or a telecommunicator first responder** after August 28, 1999, shall complete the training requirements as provided in subsection 2 of this section within twelve months of the date such person is employed as a telecommunicator **or telecommunicator first responder**.

5. The training requirements as provided in subsection 2 of this section shall be waived for any person who furnishes proof to the committee that such person has completed training in another state which is at least as stringent as the training requirements of subsection 2 of this section.

6. The board shall determine by administrative rule the persons or organizations authorized to conduct the training as required by subsection 2 of this section.

7. This section shall not apply to an emergency medical dispatcher or **dispatch** agency as defined in section 190.100, or a person trained by an entity accredited or certified under section 190.131, or a person who provides prearrival medical instructions who works for an agency which meets the requirements set forth in section 190.134."; and"; and

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

On motion of Representative Sauls, **House Amendment No. 3 to House Amendment No. 13** was adopted.

On motion of Representative Veit, **House Amendment No. 13, as amended**, was adopted.

Representative Schroer offered **House Amendment No. 14**.

*House Amendment No. 14*

AMEND House Bill No. 1637, Page 1, Section 570.212, Line 11, by inserting after all of said section and line the following:

**"571.069. 1. Any business that elects to prohibit the possession of firearms or other arms on its premises by posting a sign described under section 571.107 or by another method authorized under chapter 571 shall assume custodial responsibility for the safety and defense of any person who is authorized to carry**

firearms or other arms under chapter 571 while the person is on the premises of the business. The provisions of this section shall not apply to private property not used for commercial purposes or private residences of any type. As used in this section, "business" means any business that sells or provides goods or services to the general public.

2. Notwithstanding any other provision of law, the requirement to ensure the safety and defense of persons under subsection 1 of this section shall include a mandatory and explicit duty to defend persons authorized to carry firearms or other arms under chapter 571 against the intentional or reckless conduct of a third party including, but not limited to, trespassers, employees, customers, or other invitees of the business. The requirement to ensure safety and defense shall also include a duty to defend persons authorized to carry firearms or other arms against vicious animals and wild animals. The duty to defend such persons under this section shall apply only to the defense against conduct that could reasonably have been prevented by the use of arms in lawful self-defense. If a business restricts the possession of firearms or other arms, such business shall post, together with the sign required under section 571.107, notice stating that persons authorized to carry firearms or other arms under chapter 571 are under the custodial responsibility of the business.

3. If a person authorized to carry firearms or other arms under chapter 571 is injured, suffers bodily injury or death, incurs economic loss or expense, or suffers property damage as a result of a business breaching the duty to defend such person, the person shall have a cause of action against the business prohibiting the possession of firearms or other arms under chapter 571.

4. The standard of proof for tort actions under this section shall require a plaintiff to show by a preponderance of the evidence that:

- (1) The plaintiff was authorized to carry firearms or other arms under chapter 571;
- (2) The plaintiff was lawfully prohibited from carrying firearms or other arms by reason of a sign voluntarily posted by a business under section 571.107;
- (3) The business was not required to prohibit firearms or other arms under state or federal law or by a rule or policy enacted by a political subdivision or the state contracting with such business entity; and
- (4) The business's prohibition of carrying firearms or other arms was the proximate cause of the damages, loss, or injury suffered by the plaintiff.

5. If a plaintiff is successful in a lawsuit under this section, the plaintiff shall be entitled to reasonable attorney's fees, expert witness costs, and court costs.

6. The statute of limitations for an action under this section shall be two years from the date on which the damages, loss, or injury occurred.

7. Any business electing to allow invitees, employees, or other guests to lawfully possess firearms or other lawful weapons on its premises as authorized under section 571.107, or other provisions of chapter 571, shall not be held liable for any bodily injury or death, economic loss or expense, property damage, emotional distress, or other injury any person suffers while such person is on the premises of the business unless the business, or an owner or agent thereof, acted purposely, with consent or knowledge by the business, in committing or assisting in committing the act that caused such injury."; and

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

Representative Schwadron offered **House Amendment No. 1 to House Amendment No. 14.**

*House Amendment No. 1  
to  
House Amendment No. 14*

AMEND House Amendment No. 14 to House Bill No. 1637, Page 1, Lines 4-30, and Page 2, Lines 1-10, by deleting said lines and inserting in lieu thereof the following:

**""571.069. Any business electing to allow invitees, employees, or other guests to lawfully possess"; and**

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

On motion of Representative Schwadron, **House Amendment No. 1 to House Amendment No. 14** was adopted.

Representative Schnelting offered **House Amendment No. 2 to House Amendment No. 14**.

*House Amendment No. 2  
to  
House Amendment No. 14*

AMEND House Amendment No. 14 to House Bill No. 1637, Page 1, Line 1, by inserting after the word "Page 1," the following:

"Section A, Line 2, by inserting after all of said section and line the following:

"304.022. 1. Upon the immediate approach of an emergency vehicle giving audible signal by siren or while having at least one lighted lamp exhibiting red light visible under normal atmospheric conditions from a distance of five hundred feet to the front of such vehicle or a flashing blue light authorized by section 307.175, the driver of every other vehicle shall yield the right-of-way and shall immediately drive to a position parallel to, and as far as possible to the right of, the traveled portion of the highway and thereupon stop and remain in such position until such emergency vehicle has passed, except when otherwise directed by a police or traffic officer.

2. Upon approaching a stationary vehicle displaying lighted red or red and blue lights, or a stationary vehicle displaying lighted amber or amber and white lights, the driver of every motor vehicle shall:

(1) Proceed with caution and yield the right-of-way, if possible with due regard to safety and traffic conditions, by making a lane change into a lane not adjacent to that of the stationary vehicle, if on a roadway having at least four lanes with not less than two lanes proceeding in the same direction as the approaching vehicle; or

(2) Proceed with due caution and reduce the speed of the vehicle, maintaining a safe speed for road conditions, if changing lanes would be unsafe or impossible.

3. The motorman of every streetcar shall immediately stop such car clear of any intersection and keep it in such position until the emergency vehicle has passed, except as otherwise directed by a police or traffic officer.

4. An "emergency vehicle" is a vehicle of any of the following types:

(1) A vehicle operated by the state highway patrol, the state water patrol, the Missouri capitol police, a conservation agent, or a state, **county, or municipal** park ranger, those vehicles operated by enforcement personnel of the state highways and transportation commission, police or fire department, sheriff, constable or deputy sheriff, federal law enforcement officer authorized to carry firearms and to make arrests for violations of the laws of the United States, traffic officer, coroner, medical examiner, or forensic investigator of the county medical examiner's office, or by a privately owned emergency vehicle company;

(2) A vehicle operated as an ambulance or operated commercially for the purpose of transporting emergency medical supplies or organs;

(3) Any vehicle qualifying as an emergency vehicle pursuant to section 307.175;

(4) Any wrecker, or tow truck or a vehicle owned and operated by a public utility or public service corporation while performing emergency service;

(5) Any vehicle transporting equipment designed to extricate human beings from the wreckage of a motor vehicle;

(6) Any vehicle designated to perform emergency functions for a civil defense or emergency management agency established pursuant to the provisions of chapter 44;

(7) Any vehicle operated by an authorized employee of the department of corrections who, as part of the employee's official duties, is responding to a riot, disturbance, hostage incident, escape or other critical situation where there is the threat of serious physical injury or death, responding to mutual aid call from another criminal justice agency, or in accompanying an ambulance which is transporting an offender to a medical facility;

(8) Any vehicle designated to perform hazardous substance emergency functions established pursuant to the provisions of sections 260.500 to 260.550;

(9) Any vehicle owned by the state highways and transportation commission and operated by an authorized employee of the department of transportation that is marked as a department of transportation emergency response or motorist assistance vehicle; or

(10) Any vehicle owned and operated by the civil support team of the Missouri National Guard while in response to or during operations involving chemical, biological, or radioactive materials or in support of official requests from the state of Missouri involving unknown substances, hazardous materials, or as may be requested by the appropriate state agency acting on behalf of the governor.

5. (1) The driver of any vehicle referred to in subsection 4 of this section shall not sound the siren thereon or have the front red lights or blue lights on except when such vehicle is responding to an emergency call or when in pursuit of an actual or suspected law violator, or when responding to, but not upon returning from, a fire.

(2) The driver of an emergency vehicle may:

(a) Park or stand irrespective of the provisions of sections 304.014 to 304.025;

(b) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;

(c) Exceed the prima facie speed limit so long as the driver does not endanger life or property;

(d) Disregard regulations governing direction of movement or turning in specified directions.

(3) The exemptions granted to an emergency vehicle pursuant to subdivision (2) of this subsection shall apply only when the driver of any such vehicle while in motion sounds audible signal by bell, siren, or exhaust whistle as may be reasonably necessary, and when the vehicle is equipped with at least one lighted lamp displaying a red light or blue light visible under normal atmospheric conditions from a distance of five hundred feet to the front of such vehicle.

6. No person shall purchase an emergency light as described in this section without furnishing the seller of such light an affidavit stating that the light will be used exclusively for emergency vehicle purposes.

7. Violation of this section shall be deemed a class A misdemeanor."; and

Further amend said bill and page,"; and

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

On motion of Representative Schnelting, **House Amendment No. 2 to House Amendment No. 14** was adopted.

On motion of Representative Schroer, **House Amendment No. 14, as amended**, was adopted.

Representative Veit offered **House Amendment No. 15**.

*House Amendment No. 15*

AMEND House Bill No. 1637, Page 1, Section 570.212, Line 11, by inserting after said section and line the following:

"575.205. 1. A person commits the offense of tampering with electronic monitoring equipment if he or she intentionally removes, alters, tampers with, damages, ~~or~~ destroys, **fails to charge, or otherwise disables** electronic monitoring equipment which a court, the division of probation and parole or the parole board has required such person to wear.

2. This section does not apply to the owner of the equipment or an agent of the owner who is performing ordinary maintenance or repairs on the equipment.

3. The offense of tampering with electronic monitoring equipment is a class D felony.

**4. The offense of tampering with electronic monitoring equipment if a person fails to charge or otherwise disables electronic monitoring equipment is a class E felony, unless the offense for which the person was placed on electronic monitoring was a misdemeanor, in which case it is a class A misdemeanor.";** and

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

On motion of Representative Veit, **House Amendment No. 15** was adopted.

On motion of Representative Schwadron, **HB 1637, as amended**, was ordered perfected and printed.

**HB 2455**, relating to the Missouri veterans commission, was taken up by Representative Griffith.

On motion of Representative Griffith, the title of **HB 2455** was agreed to.

On motion of Representative Griffith, **HB 2455** was ordered perfected and printed.

**HCS HB 1656**, relating to requirements of certain public employees, was taken up by Representative Hicks.

Representative Hicks moved that the title of **HCS HB 1656** be agreed to.

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

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1656, Page 1, In the Title, Line 3, by deleting the words "requirements of"; and

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

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

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

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 1656, Page 5, Section 320.210, Line 19, by inserting after all of said section and line the following:

"575.095. 1. A person commits the offense of tampering with a judicial officer if, with the purpose to harass, intimidate or influence a judicial officer in the performance of such officer's official duties, such person:

(1) Threatens or causes harm to such judicial officer or members of such judicial officer's family;  
(2) Uses force, threats, or deception against or toward such judicial officer or members of such judicial officer's family;

(3) Offers, conveys or agrees to convey any benefit direct or indirect upon such judicial officer or such judicial officer's family;

(4) Engages in conduct reasonably calculated to harass or alarm such judicial officer or such judicial officer's family, including stalking pursuant to section 565.225 or 565.227[-];

**(5) Disseminates through any means, including by posting on the internet, the personal information of the judicial officer or the judicial officer's family.**

2. A judicial officer for purposes of this section shall be a judge **or commissioner of the state or federal court**, arbitrator, special master, juvenile officer, deputy juvenile officer, state prosecuting or circuit attorney, state assistant prosecuting or circuit attorney, ~~juvenile court commissioner,~~ state probation or parole officer, or referee.

3. A judicial officer's family for purposes of this section shall be:

- (1) Such officer's spouse; or
- (2) Such officer or such officer's spouse's ancestor or descendant by blood or adoption; or
- (3) Such officer's stepchild, while the marriage creating that relationship exists.

**4. Personal information for purposes of this section shall include the home address, home telephone number, mobile telephone number, personal email address, Social Security number, federal tax identification number, checking and saving account numbers, credit card numbers, marital status, and identity of a child under eighteen years of age.**

[4] **5. The offense of tampering with a judicial officer is a class D felony. However, if a violation of this section results in death or bodily injury to the judicial officer or a member of the judicial officer's family, the offense is a class B felony.**

**578.710. 1. For purposes of this section, the following terms mean:**

(1) "Elected official", any elected member of state government or any political subdivision thereof;

(2) "Law enforcement officer", any commissioned peace officer with the power to arrest for a violation of the criminal code who is employed by any unit of the state or any county, charter county, city, charter city, municipality, district, college, university, or any other political subdivision or is employed by the board of police commissioners as defined in chapter 84;

(3) "Personal information", the same meaning as defined in section 407.1500.

**2. A person commits the offense of unlawful disclosing of personally identifiable information if he or she knowingly releases, publicizes, or otherwise publicly discloses the name, home address, Social Security number, telephone number, or other personal information of a law enforcement officer or elected official with the intent to harass, intimidate, or cause death or bodily injury to the law enforcement officer or elected official.**

**3. The offense of unlawful disclosing of personally identifiable information is a class A misdemeanor. However, if a violation of this section is done with the intent to influence a law enforcement officer or elected official in the performance of such officer's or official's official duties, the offense is a class D felony."; and**

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

Representative Christofanelli 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 House Committee Substitute for House Bill No. 1656, Page 1, Line 1, by inserting after the number "1656," the following:

"Page 2, Section 84.344, Line 40, by inserting at the end of said line the following:

**"The provisions of this subsection shall not apply to employees appointed by the mayor or city council."; and**

Further amend said bill, Page 4, Section 285.040, Line 6, by inserting after the word "county" the phrase "**except for an employee appointed by the mayor or city council**,"; and

Further amend said bill and page, Section 285.043, Line 1, by inserting after the word "state" the phrase "**except for an employee appointed by a mayor or city council**,"; and

Further amend said bill,"; and

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

On motion of Representative Christofanelli, **House Amendment No. 1 to House Amendment No. 2** was adopted.

Representative Taylor (139) offered **House Amendment No. 2 to House Amendment No. 2**.

*House Amendment No. 2*  
*to*  
*House Amendment No. 2*

AMEND House Amendment No. 2 to House Committee Substitute for House Bill No. 1656, Page 2, Line 6, by deleting all of said lines and inserting in lieu thereof the following:

**"home address, Social Security number, or other personal information of a law "; and**

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

On motion of Representative Taylor (139), **House Amendment No. 2 to House Amendment No. 2** was adopted.

On motion of Representative Roberts, **House Amendment No. 2, as amended**, was adopted.

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

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 1656, Page 4, Section 285.043, Line 4, by inserting after said section and line the following:

"285.575. 1. This section shall be known and may be cited as the "Whistleblower's Protection Act".

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

(1) "Because" or "because of", as it relates to the adverse decision or action, the person's status as a protected person was the motivating factor;

(2) "Employer", an entity that has six or more employees for each working day in each of twenty or more calendar weeks in the current or preceding calendar year. "Employer" shall not include the state of Missouri or its agencies, instrumentalities, or political subdivisions, including but not limited to any public institution of higher education, a corporation wholly owned by the state of Missouri, an individual employed by an employer, or corporations and associations owned or operated by religious or sectarian organizations; **except that, "employer" shall include all public employers;**

(3) "Proper authorities", a governmental or law enforcement agency, an officer of an employee's employer, the employee's supervisor employed by the employer, or the employee's human resources representative employed by the employer;

(4) "Protected person", an employee of an employer who has reported to the proper authorities an unlawful act of his or her employer; an employee of an employer who reports to his or her employer serious misconduct of the employer that violates a clear mandate of public policy as articulated in a constitutional provision, statute, or regulation promulgated under statute; or an employee of an employer who has refused to carry out a directive issued by his or her employer that if completed would be a violation of the law[~~—An employee of an employer is not a protected person if:~~

~~—(a) The employee is a supervisory, managerial, or executive employee or an officer of his or her employer and the unlawful act or serious misconduct reported concerns matters upon which the employee is employed to report or provide professional opinion; or~~

~~—(b) The proper authority or person to whom the employee makes his or her report is the person whom the employee claims to have committed the unlawful act or violation of a clear mandate of public policy];~~

(5) "The motivating factor", the employee's protected classification actually played a role in the adverse decision or action and had a determinative influence on the adverse decision or action.

3. This section is intended to codify the existing common law exceptions to the at-will employment doctrine and to limit their future expansion by the courts. This section, in addition to chapter 213 and chapter 287, shall provide the exclusive remedy for any and all claims of unlawful employment practices.

4. It shall be an unlawful employment practice for an employer to discharge an individual defined as a protected person in this section because of that person's status as a protected person.

5. A protected person aggrieved by a violation of this section shall have a private right of action for actual damages for violations of this section but not for punitive damages. However, if a private right of action for damages exists under another statutory or regulatory scheme, whether under state or federal law, no private right of action shall exist under this ~~[statute]~~ **section**.

6. Any party to any action initiated under this section may demand a trial by jury.

7. A protected person aggrieved by a violation of this section shall have a private right of action that may be filed in a court of competent jurisdiction. The only remedies available in such an action shall be:

(1) Back pay;

(2) Reimbursement of medical bills directly related to a violation of this section; and

(3) Additionally, if a protected person proves, by clear and convincing evidence, that the conduct of the employer was outrageous because of the employer's evil motive or reckless indifference to the rights of others, then, such person may receive double the amount awarded under subdivisions (1) and (2) of this subsection, as liquidated damages. In applying this subdivision, the provisions of section 510.263 shall be applied as though liquidated damages were punitive damages and as though the amounts referenced in subdivisions (1) and (2) of this subsection were compensatory damages.

8. The court, in addition to the damages set forth in subsection 7 of this section, may award the prevailing party court costs and reasonable attorney fees; except that a prevailing respondent may be awarded reasonable attorney fees only upon a showing that the case was without foundation."; and

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

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

On motion of Representative Hicks, **HCS HB 1656, as amended**, was adopted.

On motion of Representative Hicks, **HCS HB 1656, as amended**, was ordered perfected and printed.

## **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HCS HB 1677** - Fiscal Review

**HCS HB 1734** - Fiscal Review

## **COMMITTEE REPORTS**

**Committee on Elections and Elected Officials**, Chairman Shaul reporting:

Mr. Speaker: Your Committee on Elections and Elected Officials, to which was referred **HB 2389**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 24(28)(b) be referred to the Committee on Rules - Administrative Oversight by the following vote:



Ayes (8): Davidson, Kelley (127), McGaugh, Schwadron, Shaul, Simmons, Stacy and Toalson Reisch

Noes (3): Adams, Smith (45) and Windham

Absent (2): Baringer and Coleman (32)

**Committee on General Laws, Chairman Trent reporting:**

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 1613**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 24(25)(c) be referred to the Committee on Rules - Legislative Oversight by the following vote:

Ayes (12): Boggs, Brown (16), Davidson, Hurlbert, Ingle, Merideth, Pollitt (52), Riley, Rogers, Schwadron, Trent and Weber

Noes (0)

Absent (4): Hardwick, Schnelting, Schroer and Sharp (36)

**Special Committee on Government Oversight, Chairman Taylor (139) reporting:**

Mr. Speaker: Your Special Committee on Government Oversight, to which was referred **HJR 134**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 24(28)(a) be referred to the Committee on Rules - Administrative Oversight by the following vote:

Ayes (10): Bailey, Cupps, Deaton, Eggleston, Evans, Falkner, Kelly (141), Lovasco, Proudie and Taylor (139)

Noes (3): Ellebracht, Ingle and Rogers

Absent (0)

Mr. Speaker: Your Special Committee on Government Oversight, to which was referred **HB 2810**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 24(28)(a) be referred to the Committee on Rules - Administrative Oversight by the following vote:

Ayes (8): Bailey, Cupps, Deaton, Eggleston, Falkner, Kelly (141), Lovasco and Taylor (139)

Noes (4): Ellebracht, Ingle, Proudie and Rogers

Absent (1): Evans

**Committee on Utilities, Chairman Kidd reporting:**

Mr. Speaker: Your Committee on Utilities, to which was referred **HB 2052**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 24(28)(b) be referred to the Committee on Rules - Administrative Oversight by the following vote:

Ayes (9): Atchison, Black (137), Bromley, Brown (70), Ingle, Kidd, Lewis (6), McCreery and Simmons

Noes (0)

Absent (1): Fitzwater

**Committee on Fiscal Review**, Vice Chair Richey reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 1750**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (5): Baringer, Chipman, Eggleston, Fogle and Richey

Noes (0)

Absent (2): Fitzwater and Walsh (50)

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 2694**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (3): Chipman, Eggleston and Richey

Noes (2): Baringer and Fogle

Absent (2): Fitzwater and Walsh (50)

**Committee on Rules - Administrative Oversight**, Chairman Eggleston reporting:

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HCR 57**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (10): Cupps, Eggleston, Gregory (51), Gregory (96), Hudson, Ingle, Mackey, McGaugh, Patterson and Smith (45)

Noes (0)

Absent (4): Bosley, Dogan, Fitzwater and McDaniel

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HCR 71**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (10): Cupps, Eggleston, Gregory (51), Gregory (96), Hudson, Ingle, Mackey, McGaugh, Patterson and Smith (45)

Noes (0)

Absent (4): Bosley, Dogan, Fitzwater and McDaniel

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HJR 116**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (10): Cupps, Eggleston, Gregory (51), Gregory (96), Hudson, Ingle, Mackey, McGaugh, Patterson and Smith (45)

Noes (0)

Absent (4): Bosley, Dogan, Fitzwater and McDaniel

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HCS HJR 123**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (10): Cupps, Eggleston, Gregory (51), Gregory (96), Hudson, Ingle, Mackey, McGaugh, Patterson and Smith (45)

Noes (0)

Absent (4): Bosley, Dogan, Fitzwater and McDaniel

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HCS HJR 131**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (7): Cupps, Eggleston, Gregory (51), Gregory (96), Hudson, McGaugh and Patterson

Noes (3): Ingle, Mackey and Smith (45)

Absent (4): Bosley, Dogan, Fitzwater and McDaniel

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HJR 132**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (7): Cupps, Eggleston, Gregory (51), Gregory (96), Hudson, McGaugh and Patterson

Noes (3): Ingle, Mackey and Smith (45)

Absent (4): Bosley, Dogan, Fitzwater and McDaniel

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HCS HB 1472**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (9): Cupps, Eggleston, Gregory (51), Gregory (96), Hudson, Ingle, Mackey, McGaugh and Patterson

Noes (0)

Absent (5): Bosley, Dogan, Fitzwater, McDaniel and Smith (45)

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HCS HB 1595**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (7): Cupps, Eggleston, Gregory (51), Gregory (96), Hudson, McGaugh and Patterson

Noes (2): Ingle and Mackey

Absent (5): Bosley, Dogan, Fitzwater, McDaniel and Smith (45)

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HB 1601**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (10): Cupps, Eggleston, Gregory (51), Gregory (96), Hudson, Ingle, Mackey, McGaugh, Patterson and Smith (45)

Noes (0)

Absent (4): Bosley, Dogan, Fitzwater and McDaniel

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HCS HB 1614**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (7): Cupps, Eggleston, Gregory (51), Gregory (96), Hudson, McGaugh and Patterson

Noes (3): Ingle, Mackey and Smith (45)

Absent (4): Bosley, Dogan, Fitzwater and McDaniel

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HB 1629**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (10): Cupps, Eggleston, Gregory (51), Gregory (96), Hudson, Ingle, Mackey, McGaugh, Patterson and Smith (45)

Noes (0)

Absent (4): Bosley, Dogan, Fitzwater and McDaniel

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HB 1705**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (9): Cupps, Eggleston, Gregory (51), Gregory (96), Hudson, Ingle, Mackey, McGaugh and Patterson

Noes (1): Smith (45)

Absent (4): Bosley, Dogan, Fitzwater and McDaniel

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HB 1736**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (10): Cupps, Eggleston, Gregory (51), Gregory (96), Hudson, Ingle, Mackey, McGaugh, Patterson and Smith (45)

Noes (0)

Absent (4): Bosley, Dogan, Fitzwater and McDaniel

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HB 1954**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (10): Cupps, Eggleston, Gregory (51), Gregory (96), Hudson, Ingle, Mackey, McGaugh, Patterson and Smith (45)

Noes (0)

Absent (4): Bosley, Dogan, Fitzwater and McDaniel

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HCS#2 HB 1992**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (10): Cupps, Eggleston, Gregory (51), Gregory (96), Hudson, Ingle, Mackey, McGaugh, Patterson and Smith (45)

Noes (0)

Absent (4): Bosley, Dogan, Fitzwater and McDaniel

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HCS HB 2118**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (7): Cupps, Eggleston, Gregory (51), Gregory (96), Hudson, McGaugh and Patterson

Noes (3): Ingle, Mackey and Smith (45)

Absent (4): Bosley, Dogan, Fitzwater and McDaniel

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HCS HB 2142**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (10): Cupps, Eggleston, Gregory (51), Gregory (96), Hudson, Ingle, Mackey, McGaugh, Patterson and Smith (45)

Noes (0)

Absent (4): Bosley, Dogan, Fitzwater and McDaniel

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HB 2174**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (10): Cupps, Eggleston, Gregory (51), Gregory (96), Hudson, Ingle, Mackey, McGaugh, Patterson and Smith (45)

Noes (0)

Absent (4): Bosley, Dogan, Fitzwater and McDaniel

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HCS HB 2218**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (10): Cupps, Eggleston, Gregory (51), Gregory (96), Hudson, Ingle, Mackey, McGaugh, Patterson and Smith (45)

Noes (0)

Absent (4): Bosley, Dogan, Fitzwater and McDaniel

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was returned **HB 2325**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (10): Cupps, Eggleston, Gregory (51), Gregory (96), Hudson, Ingle, Mackey, McGaugh, Patterson and Smith (45)

Noes (0)

Absent (4): Bosley, Dogan, Fitzwater and McDaniel

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HCS HB 2363**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (10): Cupps, Eggleston, Gregory (51), Gregory (96), Hudson, Ingle, Mackey, McGaugh, Patterson and Smith (45)

Noes (0)

Absent (4): Bosley, Dogan, Fitzwater and McDaniel

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HB 2391**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (10): Cupps, Eggleston, Gregory (51), Gregory (96), Hudson, Ingle, Mackey, McGaugh, Patterson and Smith (45)

Noes (0)

Absent (4): Bosley, Dogan, Fitzwater and McDaniel

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HCS HB 2453**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (10): Cupps, Eggleston, Gregory (51), Gregory (96), Hudson, Ingle, Mackey, McGaugh, Patterson and Smith (45)

Noes (0)

Absent (4): Bosley, Dogan, Fitzwater and McDaniel

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HCS HBs 2574, 1929 & 1456**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (10): Cupps, Eggleston, Gregory (51), Gregory (96), Hudson, Ingle, Mackey, McGaugh, Patterson and Smith (45)

Noes (0)

Absent (4): Bosley, Dogan, Fitzwater and McDaniel

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HB 2576**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (10): Cupps, Eggleston, Gregory (51), Gregory (96), Hudson, Ingle, Mackey, McGaugh, Patterson and Smith (45)

Noes (0)

Absent (4): Bosley, Dogan, Fitzwater and McDaniel

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HB 2603**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (10): Cupps, Eggleston, Gregory (51), Gregory (96), Hudson, Ingle, Mackey, McGaugh, Patterson and Smith (45)

Noes (0)

Absent (4): Bosley, Dogan, Fitzwater and McDaniel

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HB 2607**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (10): Cupps, Eggleston, Gregory (51), Gregory (96), Hudson, Ingle, Mackey, McGaugh, Patterson and Smith (45)

Noes (0)

Absent (4): Bosley, Dogan, Fitzwater and McDaniel

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HCS HB 2616**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (10): Cupps, Eggleston, Gregory (51), Gregory (96), Hudson, Ingle, Mackey, McGaugh, Patterson and Smith (45)

Noes (0)

Absent (4): Bosley, Dogan, Fitzwater and McDaniel

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HB 2697**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (10): Cupps, Eggleston, Gregory (51), Gregory (96), Hudson, Ingle, Mackey, McGaugh, Patterson and Smith (45)

Noes (0)

Absent (4): Bosley, Dogan, Fitzwater and McDaniel

The following members' presence was noted: Christofanelli, Hicks, and Pietzman.

## **ADJOURNMENT**

On motion of Representative Plocher, the House adjourned until 10:00 a.m., Thursday, March 24, 2022.

## COMMITTEE HEARINGS

### ECONOMIC DEVELOPMENT

Thursday, March 24, 2022, 9:30 AM, House Hearing Room 5.

Executive session will be held: HB 1661

### FISCAL REVIEW

Thursday, March 24, 2022, 9:45 AM, House Hearing Room 5.

Executive session will be held: HB 2202, HCS HB 2382

Executive session may be held on any matter referred to the committee.

Room change.

CORRECTED

### JOINT COMMITTEE ON CHILD ABUSE AND NEGLECT

Tuesday, April 5, 2022, 8:30 AM, Joint Hearing Room (117).

Introduction and discussion about vacancies and casework overload with Darrell Missey, the new children's division director. The Joint Committee will also ask for updates regarding the spending and development of IT programs to better serve children and families in foster care, including, but not limited to, the FACES system and mobile or computer programs for case management services. Individuals from both the Department of Social Services and the Office of Administration are invited to testify for informational purposes.

### LOCAL GOVERNMENT

Thursday, March 24, 2022, 8:00 AM, House Hearing Room 7.

Public hearing will be held: HB 2761, HB 2795, HB 2798, HB 2838, HB 2729

Executive session will be held: HB 2147, HB 2526

### RULES - ADMINISTRATIVE OVERSIGHT

Thursday, March 24, 2022, 9:45 AM, House Hearing Room 4.

Executive session will be held: HJR 133, HCS HB 2136, HB 2365, HCS HB 2452, HB 2439

Executive session may be held on any matter referred to the committee.

Room change.

CORRECTED

### RULES - LEGISLATIVE OVERSIGHT

Thursday, March 24, 2022, 9:30 AM, House Hearing Room 4.

Executive session will be held: HCR 58, HB 1490, HB 1579, HB 1717, HCS HB 1722, HB 1863, HB 1881, HCS HB 1908, HCS HB 1998, HCS HB 2206, HB 2129, HB 2219, HCS HB 2447, HCS HB 2600, HB 2625, HCS HB 2652

Executive session may be held on any matter referred to the committee.

### RURAL COMMUNITY DEVELOPMENT

Thursday, March 24, 2022, 8:00 AM, House Hearing Room 1.

Public hearing will be held: HB 1586



**SPECIAL COMMITTEE ON PUBLIC POLICY**

Thursday, March 24, 2022, 8:50 AM, House Hearing Room 6.

Public hearing will be held: HB 1608

Executive session will be held: HJR 80

**HOUSE CALENDAR**

**FORTIETH DAY, THURSDAY, MARCH 24, 2022**

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

HJR 107 - Dinkins

HJR 125 - Christofanelli

HJR 116 - Schnelting

HCS HJR 123 - Kidd

HCS HJR 131 - Shaul

HJR 132 - Kidd

**HOUSE JOINT RESOLUTIONS FOR PERFECTION - INFORMAL**

HJR 100 - Richey

HCS HJR 110 - Christofanelli

HJR 114 - Coleman (32)

HCS HJR 82 & 106 - Black (137)

HCS HJR 88 - McGirl

**HOUSE BILLS FOR PERFECTION**

HCS HB 2564 - Riggs

HCS HB 2583 - Riggs

HB 2611 - Richey

HB 2623 - Veit

HCS HB 1472 - Pike

HB 1547 - Veit

HCS HB 1550 - Veit

HB 1585 - Murphy

HCS HB 1595 - Hudson

HB 1601 - Chipman

HCS HB 1614 - Lovasco

HB 1629 - Morse

HB 1680 - Sharp (36)

HB 1705 - Roberts

HB 1736 - Roberts

HCS HB 1740 - Dogan

HB 1804 - Veit

HB 1954 - Henderson  
HCS#2 HB 1992 - Coleman (97)  
HCS HB 2013 - Kelly (141)  
HB 2088 - Grier  
HCS HB 2118 - Taylor (139)  
HCS HB 2142 - Mayhew  
HB 2145 - Murphy  
HB 2172 - Francis  
HB 2174 - Mayhew  
HCS HB 2218 - O'Donnell  
HB 2293 - Knight  
HB 2325 - Patterson  
HCS HB 2363 - McGirl  
HB 2371 - Smith (155)  
HCS HB 2381 - Roden  
HB 2391 - Buchheit-Courtway  
HCS HB 2434 - Grier  
HCS HB 2453 - McDaniel  
HCS HB 2543 - O'Donnell  
HB 2566 - Porter  
HB 2568 - Perkins  
HCS HBs 2574, 1929 & 1456 - Mayhew  
HB 2576 - Bromley  
HB 2603 - Patterson  
HB 2607 - Rone  
HCS HB 2616 - Coleman (32)  
HB 2697 - Shaul

#### **HOUSE BILLS FOR PERFECTION - INFORMAL**

HB 2310, (Legislative Review 3/2/22) - McDaniel  
HCS HB 1749 - Basye  
HCS HB 1903 - Christofanelli  
HCS HB 2093 - Wiemann  
HB 2356 - McDaniel  
HB 2010 - Smith (155)  
HCS HB 2306 - Christofanelli  
HCS HB 1619, as amended, with HA 2, pending - Van Schoiack  
HCS HB 1695 - Gregory (51)  
HB 1715 - Riley  
HCS HB 1876 - Haffner  
HCS HB 1559 - Davidson  
HB 1687 - Hardwick  
HB 2308 - Atchison  
HB 1627 - Morse  
HB 1628 - Morse

HB 1652 - Bromley  
HB 1672 - Taylor (48)  
HB 1475 - Schroer  
HB 1624 - Schroer  
HB 1451 - Billington  
HB 1594 - Walsh (50)  
HCS HB 1562 - Griffith  
HCS HBs 1593 & 1959 - Walsh (50)  
HB 1616 - Van Schoiack  
HCS HB 1833 - Basye  
HB 2009 - Pollock (123)  
HCS HB 2120 - Taylor (139)  
HB 2307 - Coleman (32)  
HCS HB 2000 - Schwadron  
HCS HB 2376 - Kelly (141)  
HB 2474 - Hicks  
HB 1692 - Boggs  
HCS HB 1757 - Railsback  
HB 1762 - Sander  
HB 1859 - Eggleston  
HB 1864 - Thomas  
HCS HB 1875 - Haffner  
HB 1977 - Kelley (127)  
HB 2090 - Griffith  
HB 2095 - Kelly (141)  
HB 2123 - Taylor (139)  
HB 2169 - Trent  
HCS HB 2246 - Copeland  
HB 2372 - Chipman  
HB 2387 - Gregory (51)  
HB 2515 - Perkins  
HCS HB 1854 - Schroer  
HCS HB 2012 - Kelly (141)  
HCS HB 1747 - Basye  
HB 2050 - Schroer  
HB 2593 - Lovasco  
HB 1455 - Billington  
HCS HB 1464 - Schnelting  
HB 1478 - Dinkins  
HCS HB 1489 - Porter  
HCS HB 1597 - Busick  
HB 1684 - Black (137)  
HCS HB 1696 - Reedy  
HCS HB 1716 - Riley  
HB 1860 - Eggleston

HCS HBs 1904 & 1575 - Murphy  
HB 1973 - Gregory (51)  
HB 2085 - Cook  
HCS HB 2127 - Francis  
HB 2156 - Perkins  
HCS HB 2208 - Christofanelli  
HB 2493 - Black (7)  
HCS HB 2499 - Eggleston  
HCS HB 2587 - Riley  
HB 2590 - Evans  
HB 1480 - Dinkins  
HB 1563 - Griffith  
HCS HB 1583 - Murphy  
HCS HB 1641 - Coleman (32)  
HCS HB 1682 - Brown (16)  
HB 1721 - Shields  
HCS HB 1905 - Shaul  
HCS HBs 1972 & 2483 - Copeland  
HB 2056 - Evans  
HCS HB 2140 - McGaugh  
HB 2160 - Dinkins  
HB 2164 - Buchheit-Courtway  
HB 2165 - Buchheit-Courtway  
HCS HB 2220 - Falkner  
HB 2255 - Bailey  
HCS HB 2289 - Andrews  
HB 2327 - Riggs  
HB 2331 - Baker  
HB 2359 - Basye  
HCS HB 2450 - Reedy  
HCS HB 2485 - Knight

#### **HOUSE BILLS FOR PERFECTION - CONSENT**

(03/21/2022)

HCS HB 2627 - Sharp (36)

(03/22/2022)

HCS HB 1662 - Fishel  
HCS HB 2462 - Burger

(03/24/2022)

HB 2400 - Houx  
HB 2416 - Porter

**HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING**

HCR 57 - Chipman  
HCR 71 - Riggs

**HOUSE JOINT RESOLUTIONS FOR THIRD READING - INFORMAL**

HJR 70 - Davidson

**HOUSE BILLS FOR THIRD READING**

HB 2694, E.C. - Hudson  
HCS HB 1750, E.C. - Basye  
HB 1856 - Baker  
HB 1962 - Copeland  
HB 2163 - Houx  
HB 2202, (Fiscal Review 3/22/22) - Fitzwater  
HCS HB 2382, (Fiscal Review 3/22/22) - Hardwick  
HCS HB 2005 - Haffner  
HB 2193 - Toalson Reisch  
HCS HB 1734, (Fiscal Review 3/23/22) - O'Donnell  
HCS HB 1677, (Fiscal Review 3/23/22) - Wright  
HCS HBs 2502 & 2556 - Houx

**HOUSE BILLS FOR THIRD READING - INFORMAL**

HB 2355 - Andrews

**HOUSE BILLS FOR THIRD READING - CONSENT**

HCS HB 1606 - McGaugh  
HCS HB 1984 - Hovis

**HOUSE RESOLUTIONS**

HR 3268 - Chipman  
HCS HR 3279 - Grier  
HCS HR 3737 - Schroer

**ACTIONS PURSUANT TO ARTICLE IV, SECTION 27**

HCS HB 1 - Smith (163)  
CCS SS SCS HCS HB 2 - Smith (163)  
CCS SS SCS HCS HB 3 - Smith (163)  
CCS SS SCS HCS HB 4 - Smith (163)

CCS SCS HCS HB 5 - Smith (163)  
CCS SCS HCS HB 6 - Smith (163)  
CCS SCS HCS HB 7 - Smith (163)  
CCS SCS HCS HB 8 - Smith (163)  
CCS SCS HCS HB 9 - Smith (163)  
CCS SS SCS HCS HB 10 - Smith (163)  
CCS SS SCS HCS HB 11 - Smith (163)  
CCS SCS HCS HB 12 - Smith (163)  
SCS HCS HB 13 - Smith (163)  
HCS HB 17 - Smith (163)  
SCS HCS HB 18 - Smith (163)  
SS SCS HCS HB 19 - Smith (163)