

FIRST REGULAR SESSION
HOUSE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE BILL NO. 138
102ND GENERAL ASSEMBLY

0556H.04F

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 60.401, 60.410, 60.421, 60.431, 60.441, 60.451, 60.471, 60.480, 60.491, 60.510, 135.772, 135.775, 135.778, 143.022, 143.121, 195.203, 195.740, 195.743, 195.746, 195.749, 195.752, 195.756, 195.758, 195.764, 195.767, 195.773, 196.311, 196.316, 261.265, 281.102, 304.180, 323.100, 340.341, 340.345, 340.381, 340.384, 340.387, and 413.225, RSMo, and to enact in lieu thereof twenty-eight new sections relating to agriculture, with penalty provisions.

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

Section A. Sections 60.401, 60.410, 60.421, 60.431, 60.441, 60.451, 60.471, 60.480, 60.491, 60.510, 135.772, 135.775, 135.778, 143.022, 143.121, 195.203, 195.740, 195.743, 195.746, 195.749, 195.752, 195.756, 195.758, 195.764, 195.767, 195.773, 196.311, 196.316, 261.265, 281.102, 304.180, 323.100, 340.341, 340.345, 340.381, 340.384, 340.387, and 413.225, RSMo, are repealed and twenty-eight new sections enacted in lieu thereof, to be known as sections 60.401, 60.411, 60.431, 60.441, 60.471, 60.480, 60.496, 60.510, 68.080, 135.772, 135.775, 135.778, 143.022, 143.121, 196.311, 196.316, 256.800, 262.911, 281.102, 304.180, 323.100, 340.341, 340.345, 340.381, 340.384, 340.387, 413.225, and 578.156, to read as follows:

60.401. The ~~[systems of]~~ **most recent system of state plane coordinates** ~~[which have been]~~ established by the ~~[National Ocean Survey/]~~ National Geodetic Survey, or its ~~[successors]~~ **successor, based on the National Spatial Reference System, or its successor, and known as the State Plane Coordinate System**, for defining and stating the ~~[geographic]~~ positions or locations of points on the surface of the earth within the state of

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

6 Missouri ~~[are hereafter to]~~ **shall** be known ~~[and designated]~~ as the ~~["Missouri Coordinate~~
7 ~~System of 1927" and the]~~ **"Missouri State Plane** Coordinate System ~~[of 1983]"~~.

60.411. The Missouri state plane coordinate system may have one or more
2 **projection zone layers**. Each layer of zones shall be covered by geodetically referenced
3 **mapping projections adopted and supported by the National Geodetic Survey as a**
4 **component of the National Spatial Reference System**. Each layer of zones shall be
5 **identified by the geodetic datum upon which they are defined and each zone shall**
6 **remain uniquely and consistently defined throughout its implementation within a**
7 **particular layer**.

60.431. The plane coordinate ~~[values for]~~ of a point on the earth's surface, ~~to be used~~
2 ~~[to express the geographic]~~ **in expressing the** position or location of ~~[such]~~ **the** point in the
3 appropriate zone of ~~[this system]~~ **the Missouri state plane coordinate system**, shall consist
4 of two distances expressed in ~~[U.S. Survey Feet]~~ **feet** and decimals of a foot ~~[when using the~~
5 ~~Missouri coordinate system of 1927 and expressed in]~~ **or in** meters and decimals of a meter
6 ~~[when using the Missouri coordinate system of 1983]~~. **If values are expressed in feet, the**
7 **International foot, which is equal to three thousand forty-eight ten-thousandths meter**
8 **(0.3048 meter), shall be used as the standard foot for the Missouri state plane coordinate**
9 **system**. One of these distances, to be known as the "east x-coordinate", shall give the
10 ~~[position in an east and west direction]~~ **distance east of the y-axis**; the other, to be known as
11 the "north y-coordinate", shall give the ~~[position in a north and south direction]~~ **distance**
12 **north of the x-axis. The y-axis of any zone shall be parallel with the central meridian of**
13 **that zone. The x-axis of any zone shall be at right angles to the central meridian of that**
14 **zone**. These coordinates shall ~~[be made to]~~ depend upon and conform to plane rectangular
15 coordinate values ~~[for the monumented points of the North American Horizontal Geodetic~~
16 ~~Control Network, as published by the National Ocean Survey/]~~ **as established, published, or**
17 **broadcast by the National Geodetic Survey, or its successors, and whose plane coordinates**
18 **have been computed on the systems defined in sections 60.401 to [60.481] 60.496**. Any such
19 station **or method** may be used for establishing a survey connection to ~~[either]~~ **the Missouri**
20 **state plane** coordinate system.

60.441. When any tract of land to be defined by a single description extends from one
2 into another of the coordinate zones ~~[set out in section 60.410]~~, the positions of all points on
3 its boundaries may be referred to as either of the zones and the zone which is used shall be
4 specifically named in the description.

60.471. The use of the term "Missouri **State Plane** Coordinate System ~~[of 1927" or~~
2 ~~"Missouri Coordinate System of 1983]"~~ on any map, report of survey, or other document shall
3 be limited to coordinates based on the Missouri **state plane** coordinate system as defined in
4 sections 60.401 to ~~[60.491]~~ **60.496**.

60.480. Descriptions of tracts of land by reference to subdivisions, lines, or corners of the United States public land survey, or other original pertinent surveys, are hereby recognized as the basic and prevailing method for describing such tracts. Whenever coordinates of the Missouri **state plane** coordinate system are used in such descriptions they shall be construed as being supplementary to descriptions of such subdivisions, lines, or corners contained in official plats and field notes of record; and, in the event of any conflict, the descriptions by reference to the subdivisions, lines, or corners of the United States public land surveys, or other original pertinent surveys shall prevail over the description by coordinates.

60.496. The provisions of this chapter shall not be construed to prohibit the appropriate use of other geodetic reference networks.

60.510. The functions, duties and responsibilities of the department of agriculture shall be as follows:

- (1) To restore, maintain, and preserve the land survey monuments, section corners, and quarter section corners established by the United States public land survey within Missouri, together with all pertinent field notes, plats and documents; and also to restore, establish, maintain, and preserve Missouri state and county boundary markers and other boundary markers considered by the department of agriculture to be of importance, or otherwise established by law;
- (2) To design and cause to be placed at established public land survey corner sites, where practical, substantial monuments permanently indicating, with words and figures, the exact location involved, but if such monuments cannot be placed at the exact corner point, then witness corners of similar design shall be placed as ~~near-by~~ **nearby** as possible, with words and figures indicating the bearing and distance to the true corner;
- (3) To establish, maintain, and provide safe storage facilities for a comprehensive system of recordation of information respecting all monuments established by the United States public land survey within this state, and such records as may be pertinent to the department of agriculture's establishment or maintenance of other land corners, Missouri state **plane** coordinate system stations and accessories, and survey monuments in general;
- (4) To provide the framework for all geodetic positioning activities in the state. The foundational elements include latitude, longitude, and elevation which contribute to informed decision making and impact on a wide range of important activities including mapping and geographic information systems, flood risk determination, transportation, land use and ecosystem management and use of the Missouri state **plane** coordinate system, as established by sections 60.401 to ~~[60.491]~~ **60.496**;

25 (5) To collect and preserve information obtained from surveys made by those
26 authorized to establish land monuments or land boundaries, and to assist in the proper
27 recording of the same by the duly constituted county officials, or otherwise;

28 (6) To furnish, upon reasonable request and tender of the required fees therefor,
29 certified copies of records created or maintained by the department of agriculture which,
30 when certified by the state land surveyor or a designated assistant, shall be admissible in
31 evidence in any court in this state, as the original record; and

32 (7) To prescribe, and disseminate to those engaged in the business of land surveying,
33 regulations designed to assist in uniform and professional surveying methods and standards in
34 this state.

**68.080. 1. There is hereby established in the state treasury the "Waterways and
2 Ports Trust Fund". The fund shall consist of revenues appropriated to it by the general
3 assembly.**

**4 2. The fund may also receive any gifts, contributions, grants, or bequests
5 received from federal, private, or other sources.**

**6 3. The fund shall be a revolving trust fund exempt from the provisions of section
7 33.080 relating to the transfer of unexpended balances by the state treasurer to the
8 general revenue fund of the state. All interest earned upon the balance in the fund shall
9 be deposited to the credit of the fund.**

**10 4. Moneys in the fund shall be withdrawn only upon appropriation by the
11 general assembly, to be administered by the state highways and transportation
12 commission and the department of transportation, in consultation with Missouri public
13 ports, for the purposes in subsection 2 of section 68.035 and for no other purpose. To be
14 eligible to receive an appropriation from the fund, a project shall be:**

**15 (1) A capital improvement project implementing physical improvements
16 designed to improve commerce or terminal and transportation facilities on or
17 adjacent to the navigable rivers of this state;**

**18 (2) Located on land owned or held in long term lease by a Missouri port
19 authority, or within a navigable river adjacent to such land, and within the boundaries
20 of a port authority;**

**21 (3) Funded by alternate sources so that moneys from the fund comprise no more
22 than eighty percent of the cost of the project;**

**23 (4) Selected and approved by the highways and transportation commission, in
24 consultation with Missouri public ports, to support a statewide plan for waterborne
25 commerce, in accordance with subdivision (1) of section 68.065; and**

**26 (5) Capable of completion within two years of approval by the highways and
27 transportation commission.**

28 **5. Appropriations made from the fund established in this section may be used as**
29 **a local share in applying for other grant programs.**

30 **6. The provisions of this section shall terminate on August 28, 2033, pending the**
31 **discharge of all warrant. On December 31, 2033, the fund shall be dissolved and the**
32 **unencumbered balance shall be transferred to the general revenue fund.**

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

- 2 (1) "Department", the Missouri department of revenue;
- 3 (2) "Distributor", a person, firm, or corporation doing business in this state that:
 - 4 (a) Produces, refines, blends, compounds, or manufactures motor fuel;
 - 5 (b) Imports motor fuel into the state; or
 - 6 (c) Is engaged in distribution of motor fuel;
- 7 (3) "Higher ethanol blend", a fuel capable of being dispensed directly into motor
8 vehicle fuel tanks for consumption that is comprised of at least fifteen percent but not more
9 than eighty-five percent ethanol;
- 10 (4) "Retail dealer", a person, firm, or corporation doing business in this state that
11 owns or operates a retail service station in this state;
- 12 (5) "Retail service station", a location in this state from which higher ethanol blend is
13 sold to the general public and is dispensed directly into motor vehicle fuel tanks for
14 consumption.

15 2. For all tax years beginning on or after January 1, 2023, a retail dealer that sells
16 higher ethanol blend at such retail dealer's retail service station or a distributor that sells
17 higher ethanol blend directly to the final user located in this state shall be allowed a tax credit
18 to be taken against the retail dealer's or distributor's state income tax liability. The amount of
19 the credit shall equal five cents per gallon of higher ethanol blend sold by the retail dealer and
20 dispensed through metered pumps at the retail dealer's retail service station or by a distributor
21 directly to the final user located in this state during the tax year for which the tax credit is
22 claimed. **For any retail dealer or distributor with a tax year beginning prior to January**
23 **1, 2023, but ending during the 2023 calendar year, such retail dealer or distributor shall**
24 **be allowed a tax credit for the amount of higher ethanol blend sold during the portion of**
25 **such tax year that occurs during the 2023 calendar year.** Tax credits authorized pursuant
26 to this section shall not be transferred, sold, or assigned. If the amount of the tax credit
27 exceeds the taxpayer's state tax liability, the difference shall not be refundable but may be
28 carried forward to any of the five subsequent tax years. The total amount of tax credits issued
29 pursuant to this section for any given fiscal year shall not exceed five million dollars.

30 3. In the event the total amount of tax credits claimed under this section exceeds the
31 amount of available tax credits, the tax credits shall be apportioned among all eligible retail

32 dealers and distributors claiming a tax credit by April fifteenth, or as directed by section
33 143.851, of the fiscal year in which the tax credit is claimed.

34 4. The tax credit allowed by this section shall be claimed by such taxpayer at the time
35 such taxpayer files a return and shall be applied against the income tax liability imposed by
36 chapter 143, excluding the withholding tax imposed by sections 143.191 to 143.265, after
37 reduction for all other credits allowed thereon. The department may require any
38 documentation it deems necessary to implement the provisions of this section.

39 5. The department shall promulgate rules to implement the provisions of this section.
40 Any rule or portion of a rule, as that term is defined in section 536.010, that is created under
41 the authority delegated in this section shall become effective only if it complies with and is
42 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section
43 and chapter 536 are nonseverable and if any of the powers vested with the general assembly
44 pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a
45 rule are subsequently held unconstitutional, then the grant of rulemaking authority and any
46 rule proposed or adopted after ~~[the effective date of this section]~~ **January 2, 2023**, shall be
47 invalid and void.

48 6. Under section 23.253 of the Missouri sunset act:

49 (1) The provisions of this section shall automatically sunset on December 31, 2028,
50 unless reauthorized by an act of the general assembly; and

51 (2) If such program is reauthorized, the program authorized under this section shall
52 automatically sunset twelve years after the effective date of the reauthorization of this section;
53 and

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

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

2 (1) "Biodiesel blend", a blend of diesel fuel and biodiesel fuel of at least five percent
3 and not more than twenty percent for on-road and off-road diesel-fueled vehicle use;

4 (2) "Biodiesel fuel", a renewable, biodegradable, mono alkyl ester combustible liquid
5 fuel that is derived from agricultural and other plant oils or animal fats and that meets the
6 most recent version of the ASTM International D6751 Standard Specification for Biodiesel
7 Fuel Blend Stock. A fuel shall be deemed to be biodiesel fuel if the fuel consists of a pure
8 B100 or B99 ratio. Biodiesel produced from palm oil is not biodiesel fuel for the purposes of
9 this section unless the palm oil is contained within waste oil and grease collected within the
10 United States;

11 (3) "B99", a blend of ninety-nine percent biodiesel fuel that meets the most recent
12 version of the ASTM International D6751 Standard Specification for Biodiesel Fuel Blend
13 Stock with a minimum of one-tenth of one percent and maximum of one percent diesel fuel

14 that meets the most recent version of the ASTM International D975 Standard Specification
15 for Diesel Fuel;

16 (4) "Department", the Missouri department of revenue;

17 (5) "Distributor", a person, firm, or corporation doing business in this state that:

18 (a) Produces, refines, blends, compounds, or manufactures motor fuel;

19 (b) Imports motor fuel into the state; or

20 (c) Is engaged in distribution of motor fuel;

21 (6) "Retail dealer", a person, firm, or corporation doing business in this state that
22 owns or operates a retail service station in this state;

23 (7) "Retail service station", a location in this state from which biodiesel blend is sold
24 to the general public and is dispensed directly into motor vehicle fuel tanks for consumption
25 at retail.

26 2. For all tax years beginning on or after January 1, 2023, a retail dealer that sells a
27 biodiesel blend at a retail service station or a distributor that sells a biodiesel blend directly to
28 the final user located in this state shall be allowed a tax credit to be taken against the retail
29 dealer or distributor's state income tax liability. **For any retail dealer or distributor with a**
30 **tax year beginning prior to January 1, 2023, but ending during the 2023 calendar year,**
31 **such retail dealer or distributor shall be allowed a tax credit for the amount of biodiesel**
32 **blend sold during the portion of such tax year that occurs during the 2023 calendar year.**
33 The amount of the credit shall be equal to:

34 (1) Two cents per gallon of biodiesel blend of at least five percent but not more than
35 ten percent sold by the retail dealer at a retail service station or by a distributor directly to the
36 final user located in this state during the tax year for which the tax credit is claimed; and

37 (2) Five cents per gallon of biodiesel blend in excess of ten percent but not more than
38 twenty percent sold by the retail dealer at a retail service station or by a distributor directly to
39 the final user located in this state during the tax year for which the tax credit is claimed.

40 3. Tax credits authorized under this section shall not be transferred, sold, or assigned.
41 If the amount of the tax credit exceeds the taxpayer's state tax liability, the difference shall be
42 refundable. The total amount of tax credits issued under this section for any given fiscal year
43 shall not exceed sixteen million dollars.

44 4. In the event the total amount of tax credits claimed under this section exceeds the
45 amount of available tax credits, the tax credits shall be apportioned among all eligible retail
46 dealers and distributors claiming a tax credit by April fifteenth, or as directed by section
47 143.851, of the fiscal year in which the tax credit is claimed.

48 5. The tax credit allowed by this section shall be claimed by such taxpayer at the time
49 such taxpayer files a return and shall be applied against the income tax liability imposed by
50 chapter 143, excluding the withholding tax imposed by sections 143.191 to 143.265, after

51 reduction for all other credits allowed thereon. The department may require any
52 documentation it deems necessary to administer the provisions of this section.

53 ~~6. [Notwithstanding any other provision of law to the contrary, if the maximum~~
54 ~~amount of tax credits authorized by this section are not claimed, the remaining amount of tax~~
55 ~~credits available to claim shall be applied to the tax credit in section 135.778 if the maximum~~
56 ~~amount of tax credits authorized by section 135.778 have been claimed.~~

57 ~~7.]~~ Notwithstanding the provisions of section 32.057 to the contrary, the department
58 may work with the division of weights and measures within the department of agriculture to
59 validate that the biodiesel blend a retail dealer or distributor claims for the tax credit
60 authorized under this section contains a sufficient percentage of biodiesel fuel.

61 ~~[8-]~~ 7. The department shall promulgate rules to implement and administer the
62 provisions of this section. Any rule or portion of a rule, as that term is defined in section
63 536.010, that is created pursuant to the authority delegated in this section shall become
64 effective only if it complies with and is subject to all of the provisions of chapter 536 and, if
65 applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the
66 powers vested with the general assembly pursuant to chapter 536 to review, to delay the
67 effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then
68 the grant of rulemaking authority and any rule proposed or adopted after January 2, 2023,
69 shall be invalid and void.

70 ~~[9-]~~ 8. Under section 23.253 of the Missouri sunset act:

71 (1) The provisions of the new program authorized under this section shall
72 automatically sunset on December 31, 2028, unless reauthorized by an act of the general
73 assembly;

74 (2) If such program is reauthorized, the program authorized under this section shall
75 automatically sunset twelve years after the effective date of the reauthorization of this section;
76 and

77 (3) This section shall terminate on September first of the calendar year immediately
78 following the calendar year in which the program authorized under this section is sunset. The
79 termination of the program as described in this subsection shall not be construed to preclude
80 any qualified taxpayer who claims any benefit under any program that is sunset under this
81 subsection from claiming such benefit for all allowable activities related to such claim that
82 were completed before the program was sunset or to eliminate any responsibility of the
83 department to verify the continued eligibility of qualified individuals receiving tax credits and
84 to enforce other requirements of law that applied before the program was sunset.

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

2 (1) "Biodiesel fuel", a renewable, biodegradable, mono alkyl ester combustible liquid
3 fuel that is derived from agricultural and other plant oils or animal fats and that meets the

4 most recent version of the ASTM International D6751 Standard Specification for Biodiesel
5 Fuel Blend Stock. A fuel shall be deemed to be biodiesel fuel if the fuel consists of a pure
6 B100 or B99 ratio. Biodiesel produced from palm oil is not biodiesel fuel for the purposes of
7 this section unless the palm oil is contained within waste oil and grease collected within the
8 United States;

9 (2) "B99", a blend of ninety-nine percent biodiesel fuel that meets the most recent
10 version of the ASTM International D6751 Standard Specification for Biodiesel Fuel Blend
11 Stock with a minimum of one-tenth of one percent and maximum of one percent diesel fuel
12 that meets the most recent version of the ASTM International D975 Standard Specification
13 for Diesel Fuel;

14 (3) "Department", the Missouri department of revenue;

15 (4) "Missouri biodiesel producer", a person, firm, or corporation doing business in
16 this state that produces biodiesel fuel in this state, is registered with the United States
17 Environmental Protection Agency according to the requirements of 40 CFR Part 79, and has
18 begun construction on such facility or has been selling biodiesel fuel produced at such facility
19 on or before January 2, 2023.

20 2. For all tax years beginning on or after January 1, 2023, a Missouri biodiesel
21 producer shall be allowed a tax credit to be taken against the producer's state income tax
22 liability. **For any Missouri biodiesel producer with a tax year beginning prior to**
23 **January 1, 2023, but ending during the 2023 calendar year, such Missouri biodiesel**
24 **producer shall be allowed a tax credit for the amount of biodiesel fuel produced during**
25 **the portion of such tax year that occurs during the 2023 calendar year.** The amount of
26 the tax credit shall be two cents per gallon of biodiesel fuel produced by the Missouri
27 biodiesel producer during the tax year for which the tax credit is claimed.

28 3. Tax credits authorized under this section shall not be transferred, sold, or assigned.
29 If the amount of the tax credit exceeds the taxpayer's state tax liability, the difference shall be
30 refundable. The total amount of tax credits issued under this section for any given fiscal year
31 shall not exceed ~~four~~ **five million five hundred thousand** dollars, **which shall be**
32 **authorized on a first-come, first-served basis.**

33 4. ~~[In the event the total amount of tax credits claimed under this section exceeds the~~
34 ~~amount of available tax credits, the tax credits shall be apportioned among all eligible~~
35 ~~Missouri biodiesel producers claiming the credit by April fifteenth, or as directed by section~~
36 ~~143.851, of the fiscal year in which the tax credit is claimed.~~

37 5.] The tax credit authorized under this section shall be claimed by such taxpayer at
38 the time such taxpayer files a return and shall be applied against the income tax liability
39 imposed by chapter 143, excluding the withholding tax imposed by sections 143.191 to

40 143.265, after reduction for all other credits allowed thereon. The department may require
41 any documentation it deems necessary to administer the provisions of this section.

42 ~~[6. Notwithstanding any other provision of law to the contrary, if the maximum~~
43 ~~amount of tax credits authorized by this section are not claimed, the remaining amount of tax~~
44 ~~credits available to claim shall be applied to the tax credit in section 135.775 if the maximum~~
45 ~~amount of tax credits authorized by section 135.775 have been claimed.~~

46 ~~7.]~~ 5. The department shall promulgate rules to implement and administer the
47 provisions of this section. Any rule or portion of a rule, as that term is defined in section
48 536.010, that is created pursuant to the authority delegated in this section shall become
49 effective only if it complies with and is subject to all of the provisions of chapter 536 and, if
50 applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the
51 powers vested with the general assembly pursuant to chapter 536 to review, to delay the
52 effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then
53 the grant of rulemaking authority and any rule proposed or adopted after January 2, 2023,
54 shall be invalid and void.

55 ~~[8:]~~ 6. Under section 23.253 of the Missouri sunset act:

56 (1) The provisions of the new program authorized under this section shall
57 automatically sunset on December 31, 2028, unless reauthorized by an act of the general
58 assembly;

59 (2) If such program is reauthorized, the program authorized under this section shall
60 automatically sunset twelve years after the effective date of the reauthorization of this section;
61 and

62 (3) This section shall terminate on September first of the calendar year immediately
63 following the calendar year in which the program authorized under this section is sunset. The
64 termination of the program as described in this subsection shall not be construed to preclude
65 any qualified taxpayer who claims any benefit under any program that is sunset under this
66 subsection from claiming such benefit for all allowable activities related to such claim that
67 were completed before the program was sunset, or to eliminate any responsibility of the
68 department to verify the continued eligibility of qualified individuals receiving tax credits and
69 to enforce other requirements of law that applied before the program was sunset.

143.022. 1. As used in this section, "business income" means the income greater than
2 zero arising from transactions in the regular course of all of a taxpayer's trade or business and
3 shall be limited to the Missouri source net profit from the combination of the following:

4 (1) The total combined profit as properly reported to the Internal Revenue Service on
5 each Schedule C, or its successor form, filed; ~~[and]~~

6 (2) The total partnership and S corporation income or loss properly reported to the
7 Internal Revenue Service on Part II of Schedule E, or its successor form;

8 **(3) The total combined profit as properly reported to the Internal Revenue**
9 **Service on each Schedule F, or its successor form, filed; and**

10 **(4) The total combined profit as properly reported to the Internal Revenue**
11 **Service on each Form 4835, or its successor form, filed.**

12 2. In addition to all other modifications allowed by law, there shall be subtracted from
13 the federal adjusted gross income of an individual taxpayer a percentage of such individual's
14 business income, to the extent that such amounts are included in federal adjusted gross
15 income when determining such individual's Missouri adjusted gross income **and are not**
16 **otherwise subtracted or deducted in determining such individual's Missouri taxable**
17 **income.**

18 3. In the case of an S corporation described in section 143.471 or a partnership
19 computing the deduction allowed under subsection 2 of this section, taxpayers described in
20 subdivision (1) or (2) of this subsection shall be allowed such deduction apportioned in
21 proportion to their share of ownership of the business as reported on the taxpayer's Schedule
22 K-1, or its successor form, for the tax period for which such deduction is being claimed when
23 determining the Missouri adjusted gross income of:

24 (1) The shareholders of an S corporation as described in section 143.471;

25 (2) The partners in a partnership.

26 4. The percentage to be subtracted under subsection 2 of this section shall be
27 increased over a period of years. Each increase in the percentage shall be by five percent and
28 no more than one increase shall occur in a calendar year. The maximum percentage that may
29 be subtracted is twenty percent of business income. Any increase in the percentage that may
30 be subtracted shall take effect on January first of a calendar year and such percentage shall
31 continue in effect until the next percentage increase occurs. An increase shall only apply to
32 tax years that begin on or after the increase takes effect.

33 5. An increase in the percentage that may be subtracted under subsection 2 of this
34 section shall only occur if the amount of net general revenue collected in the previous fiscal
35 year exceeds the highest amount of net general revenue collected in any of the three fiscal
36 years prior to such fiscal year by at least one hundred fifty million dollars.

37 6. The first year that a taxpayer may make the subtraction under subsection 2 of this
38 section is 2017, provided that the provisions of subsection 5 of this section are met. If the
39 provisions of subsection 5 of this section are met, the percentage that may be subtracted in
40 2017 is five percent.

 143.121. 1. The Missouri adjusted gross income of a resident individual shall be the
2 taxpayer's federal adjusted gross income subject to the modifications in this section.

3 2. There shall be added to the taxpayer's federal adjusted gross income:

4 (1) The amount of any federal income tax refund received for a prior year which
5 resulted in a Missouri income tax benefit. The amount added pursuant to this subdivision
6 shall not include any amount of a federal income tax refund attributable to a tax credit
7 reducing a taxpayer's federal tax liability pursuant to Public Law 116-136 or 116-260, enacted
8 by the 116th United States Congress, for the tax year beginning on or after January 1, 2020,
9 and ending on or before December 31, 2020, and deducted from Missouri adjusted gross
10 income pursuant to section 143.171. The amount added under this subdivision shall also not
11 include any amount of a federal income tax refund attributable to a tax credit reducing a
12 taxpayer's federal tax liability under any other federal law that provides direct economic
13 impact payments to taxpayers to mitigate financial challenges related to the COVID-19
14 pandemic, and deducted from Missouri adjusted gross income under section 143.171;

15 (2) Interest on certain governmental obligations excluded from federal gross income
16 by 26 U.S.C. Section 103 of the Internal Revenue Code, as amended. The previous sentence
17 shall not apply to interest on obligations of the state of Missouri or any of its political
18 subdivisions or authorities and shall not apply to the interest described in subdivision (1) of
19 subsection 3 of this section. The amount added pursuant to this subdivision shall be reduced
20 by the amounts applicable to such interest that would have been deductible in computing the
21 taxable income of the taxpayer except only for the application of 26 U.S.C. Section 265 of the
22 Internal Revenue Code, as amended. The reduction shall only be made if it is at least five
23 hundred dollars;

24 (3) The amount of any deduction that is included in the computation of federal
25 taxable income pursuant to 26 U.S.C. Section 168 of the Internal Revenue Code as amended
26 by the Job Creation and Worker Assistance Act of 2002 to the extent the amount deducted
27 relates to property purchased on or after July 1, 2002, but before July 1, 2003, and to the
28 extent the amount deducted exceeds the amount that would have been deductible pursuant to
29 26 U.S.C. Section 168 of the Internal Revenue Code of 1986 as in effect on January 1, 2002;

30 (4) The amount of any deduction that is included in the computation of federal
31 taxable income for net operating loss allowed by 26 U.S.C. Section 172 of the Internal
32 Revenue Code of 1986, as amended, other than the deduction allowed by 26 U.S.C. Section
33 172(b)(1)(G) and 26 U.S.C. Section 172(i) of the Internal Revenue Code of 1986, as
34 amended, for a net operating loss the taxpayer claims in the tax year in which the net
35 operating loss occurred or carries forward for a period of more than twenty years and carries
36 backward for more than two years. Any amount of net operating loss taken against federal
37 taxable income but disallowed for Missouri income tax purposes pursuant to this subdivision
38 after June 18, 2002, may be carried forward and taken against any income on the Missouri
39 income tax return for a period of not more than twenty years from the year of the initial loss;
40 and

41 (5) For nonresident individuals in all taxable years ending on or after December 31,
42 2006, the amount of any property taxes paid to another state or a political subdivision of
43 another state for which a deduction was allowed on such nonresident's federal return in the
44 taxable year unless such state, political subdivision of a state, or the District of Columbia
45 allows a subtraction from income for property taxes paid to this state for purposes of
46 calculating income for the income tax for such state, political subdivision of a state, or the
47 District of Columbia;

48 (6) For all tax years beginning on or after January 1, 2018, any interest expense paid
49 or accrued in a previous taxable year, but allowed as a deduction under 26 U.S.C. Section
50 163, as amended, in the current taxable year by reason of the carryforward of disallowed
51 business interest provisions of 26 U.S.C. Section 163(j), as amended. For the purposes of this
52 subdivision, an interest expense is considered paid or accrued only in the first taxable year the
53 deduction would have been allowable under 26 U.S.C. Section 163, as amended, if the
54 limitation under 26 U.S.C. Section 163(j), as amended, did not exist.

55 3. There shall be subtracted from the taxpayer's federal adjusted gross income the
56 following amounts to the extent included in federal adjusted gross income:

57 (1) Interest received on deposits held at a federal reserve bank or interest or dividends
58 on obligations of the United States and its territories and possessions or of any authority,
59 commission or instrumentality of the United States to the extent exempt from Missouri
60 income taxes pursuant to the laws of the United States. The amount subtracted pursuant to
61 this subdivision shall be reduced by any interest on indebtedness incurred to carry the
62 described obligations or securities and by any expenses incurred in the production of interest
63 or dividend income described in this subdivision. The reduction in the previous sentence
64 shall only apply to the extent that such expenses including amortizable bond premiums are
65 deducted in determining the taxpayer's federal adjusted gross income or included in the
66 taxpayer's Missouri itemized deduction. The reduction shall only be made if the expenses
67 total at least five hundred dollars;

68 (2) The portion of any gain, from the sale or other disposition of property having a
69 higher adjusted basis to the taxpayer for Missouri income tax purposes than for federal
70 income tax purposes on December 31, 1972, that does not exceed such difference in basis. If
71 a gain is considered a long-term capital gain for federal income tax purposes, the modification
72 shall be limited to one-half of such portion of the gain;

73 (3) The amount necessary to prevent the taxation pursuant to this chapter of any
74 annuity or other amount of income or gain which was properly included in income or gain and
75 was taxed pursuant to the laws of Missouri for a taxable year prior to January 1, 1973, to the
76 taxpayer, or to a decedent by reason of whose death the taxpayer acquired the right to receive

77 the income or gain, or to a trust or estate from which the taxpayer received the income or
78 gain;

79 (4) Accumulation distributions received by a taxpayer as a beneficiary of a trust to the
80 extent that the same are included in federal adjusted gross income;

81 (5) The amount of any state income tax refund for a prior year which was included in
82 the federal adjusted gross income;

83 (6) The portion of capital gain specified in section 135.357 that would otherwise be
84 included in federal adjusted gross income;

85 (7) The amount that would have been deducted in the computation of federal taxable
86 income pursuant to 26 U.S.C. Section 168 of the Internal Revenue Code as in effect on
87 January 1, 2002, to the extent that amount relates to property purchased on or after July 1,
88 2002, but before July 1, 2003, and to the extent that amount exceeds the amount actually
89 deducted pursuant to 26 U.S.C. Section 168 of the Internal Revenue Code as amended by the
90 Job Creation and Worker Assistance Act of 2002;

91 (8) For all tax years beginning on or after January 1, 2005, the amount of any income
92 received for military service while the taxpayer serves in a combat zone which is included in
93 federal adjusted gross income and not otherwise excluded therefrom. As used in this section,
94 "combat zone" means any area which the President of the United States by Executive Order
95 designates as an area in which Armed Forces of the United States are or have engaged in
96 combat. Service is performed in a combat zone only if performed on or after the date
97 designated by the President by Executive Order as the date of the commencing of combat
98 activities in such zone, and on or before the date designated by the President by Executive
99 Order as the date of the termination of combatant activities in such zone;

100 (9) For all tax years ending on or after July 1, 2002, with respect to qualified property
101 that is sold or otherwise disposed of during a taxable year by a taxpayer and for which an
102 additional modification was made under subdivision (3) of subsection 2 of this section, the
103 amount by which additional modification made under subdivision (3) of subsection 2 of this
104 section on qualified property has not been recovered through the additional subtractions
105 provided in subdivision (7) of this subsection;

106 (10) For all tax years beginning on or after January 1, 2014, the amount of any
107 income received as payment from any program which provides compensation to agricultural
108 producers who have suffered a loss as the result of a disaster or emergency, including the:

109 (a) Livestock Forage Disaster Program;

110 (b) Livestock Indemnity Program;

111 (c) Emergency Assistance for Livestock, Honeybees, and Farm-Raised Fish;

112 (d) Emergency Conservation Program;

113 (e) Noninsured Crop Disaster Assistance Program;

- 114 (f) Pasture, Rangeland, Forage Pilot Insurance Program;
115 (g) Annual Forage Pilot Program;
116 (h) Livestock Risk Protection Insurance Plan;
117 (i) Livestock Gross Margin Insurance Plan;
- 118 (11) For all tax years beginning on or after January 1, 2018, any interest expense paid
119 or accrued in the current taxable year, but not deducted as a result of the limitation imposed
120 under 26 U.S.C. Section 163(j), as amended. For the purposes of this subdivision, an interest
121 expense is considered paid or accrued only in the first taxable year the deduction would have
122 been allowable under 26 U.S.C. Section 163, as amended, if the limitation under 26 U.S.C.
123 Section 163(j), as amended, did not exist; and
- 124 (12) One hundred percent of any retirement benefits received by any taxpayer as a
125 result of the taxpayer's service in the Armed Forces of the United States, including reserve
126 components and the National Guard of this state, as defined in 32 U.S.C. Sections 101(3) and
127 109, and any other military force organized under the laws of this state.
- 128 4. There shall be added to or subtracted from the taxpayer's federal adjusted gross
129 income the taxpayer's share of the Missouri fiduciary adjustment provided in section 143.351.
- 130 5. There shall be added to or subtracted from the taxpayer's federal adjusted gross
131 income the modifications provided in section 143.411.
- 132 6. In addition to the modifications to a taxpayer's federal adjusted gross income in this
133 section, to calculate Missouri adjusted gross income there shall be subtracted from the
134 taxpayer's federal adjusted gross income any gain recognized pursuant to 26 U.S.C. Section
135 1033 of the Internal Revenue Code of 1986, as amended, arising from compulsory or
136 involuntary conversion of property as a result of condemnation or the imminence thereof.
- 137 7. (1) As used in this subsection, "qualified health insurance premium" means the
138 amount paid during the tax year by such taxpayer for any insurance policy primarily
139 providing health care coverage for the taxpayer, the taxpayer's spouse, or the taxpayer's
140 dependents.
- 141 (2) In addition to the subtractions in subsection 3 of this section, one hundred percent
142 of the amount of qualified health insurance premiums shall be subtracted from the taxpayer's
143 federal adjusted gross income to the extent the amount paid for such premiums is included in
144 federal taxable income. The taxpayer shall provide the department of revenue with proof of
145 the amount of qualified health insurance premiums paid.
- 146 8. (1) Beginning January 1, 2014, in addition to the subtractions provided in this
147 section, one hundred percent of the cost incurred by a taxpayer for a home energy audit
148 conducted by an entity certified by the department of natural resources under section 640.153
149 or the implementation of any energy efficiency recommendations made in such an audit shall
150 be subtracted from the taxpayer's federal adjusted gross income to the extent the amount paid

151 for any such activity is included in federal taxable income. The taxpayer shall provide the
152 department of revenue with a summary of any recommendations made in a qualified home
153 energy audit, the name and certification number of the qualified home energy auditor who
154 conducted the audit, and proof of the amount paid for any activities under this subsection for
155 which a deduction is claimed. The taxpayer shall also provide a copy of the summary of any
156 recommendations made in a qualified home energy audit to the department of natural
157 resources.

158 (2) At no time shall a deduction claimed under this subsection by an individual
159 taxpayer or taxpayers filing combined returns exceed one thousand dollars per year for
160 individual taxpayers or cumulatively exceed two thousand dollars per year for taxpayers
161 filing combined returns.

162 (3) Any deduction claimed under this subsection shall be claimed for the tax year in
163 which the qualified home energy audit was conducted or in which the implementation of the
164 energy efficiency recommendations occurred. If implementation of the energy efficiency
165 recommendations occurred during more than one year, the deduction may be claimed in more
166 than one year, subject to the limitations provided under subdivision (2) of this subsection.

167 (4) A deduction shall not be claimed for any otherwise eligible activity under this
168 subsection if such activity qualified for and received any rebate or other incentive through a
169 state-sponsored energy program or through an electric corporation, gas corporation, electric
170 cooperative, or municipally owned utility.

171 9. The provisions of subsection 8 of this section shall expire on December 31, 2020.

172 **10. (1) As used in this subsection, the following terms mean:**

173 **(a) "Beginning farmer", a taxpayer who:**

174 **a. Has filed at least one but not more than ten Internal Revenue Service**
175 **Schedule F (Form 1040) Profit or Loss From Farming forms since turning eighteen**
176 **years of age;**

177 **b. Is approved for a beginning farmer loan through the USDA Farm Service**
178 **Agency Beginning Farmer direct or guaranteed loan program;**

179 **c. Has a farming operation that is determined by the department of agriculture**
180 **to be new production agriculture but is the principal operator of a farm and has**
181 **substantial farming knowledge; or**

182 **d. Has been determined by the department of agriculture to be a qualified family**
183 **member;**

184 **(b) "Farm owner", an individual who owns farmland and disposes of or**
185 **relinquishes use of all or some portion of such farmland as follows:**

186 **a. A sale to a beginning farmer;**

187 **b. A lease or rental agreement not exceeding ten years with a beginning farmer;**
188 **or**

189 **c. A crop-share arrangement not exceeding ten years with a beginning farmer;**
190 **(c) "Qualified family member", an individual who is related to a farm owner**
191 **within the fourth degree by blood or marriage and who is purchasing or leasing or is in**
192 **a crop-share arrangement for land from all or a portion of such farm owner's farming**
193 **operation.**

194 **(2) (a) In addition to all other subtractions authorized in this section, a taxpayer**
195 **who is a farm owner who sells all or a portion of such farmland to a beginning farmer**
196 **may subtract from such taxpayer's Missouri adjusted gross income an amount to the**
197 **extent included in federal adjusted gross income as provided in this subdivision.**

198 **(b) Subject to the limitations in paragraph (c) of this subdivision, the amount**
199 **that may be subtracted shall be equal to the portion of capital gains received from the**
200 **sale of such farmland that such taxpayer receives in the tax year for which such**
201 **taxpayer subtracts such capital gain.**

202 **(c) A taxpayer may subtract the following amounts and percentages per tax year**
203 **in total capital gains received from the sale of such farmland under this subdivision:**

204 **a. For the first two million dollars received, one hundred percent;**

205 **b. For the next one million dollars received, eighty percent;**

206 **c. For the next one million dollars received, sixty percent;**

207 **d. For the next one million dollars received, forty percent; and**

208 **e. For the next one million dollars received, twenty percent.**

209 **(d) The department of revenue shall prepare an annual report reviewing the**
210 **costs and benefits and containing statistical information regarding the subtraction of**
211 **capital gains authorized under this subdivision for the previous tax year including, but**
212 **not limited to, the total amount of all capital gains subtracted and the number of**
213 **taxpayers subtracting such capital gains. Such report shall be submitted before**
214 **February first of each year to the committee on agriculture policy of the Missouri house**
215 **of representatives and the committee on agriculture, food production and outdoor**
216 **resources of the Missouri senate, or the successor committees.**

217 **(3) (a) In addition to all other subtractions authorized in this section, a taxpayer**
218 **who is a farm owner who enters a lease or rental agreement for all or a portion of such**
219 **farmland with a beginning farmer may subtract from such taxpayer's Missouri adjusted**
220 **gross income an amount to the extent included in federal adjusted gross income as**
221 **provided in this subdivision.**

222 **(b) Subject to the limitation in paragraph (c) of this subdivision, the amount that**
223 **may be subtracted shall be equal to the portion of cash rent income received from the**

224 lease or rental of such farmland that such taxpayer receives in the tax year for which
225 such taxpayer subtracts such income.

226 (c) No taxpayer shall subtract more than twenty-five thousand dollars per tax
227 year in total cash rent income received from the lease or rental of such farmland under
228 this subdivision.

229 (4) (a) In addition to all other subtractions authorized in this section, a taxpayer
230 who is a farm owner who enters a crop-share arrangement on all or a portion of such
231 farmland with a beginning farmer may subtract from such taxpayer's Missouri adjusted
232 gross income an amount to the extent included in federal adjusted gross income as
233 provided in this subdivision.

234 (b) Subject to the limitation in paragraph (c) of this subdivision, the amount that
235 may be subtracted shall be equal to the portion of income received from the crop-share
236 arrangement on such farmland that such taxpayer receives in the tax year for which
237 such taxpayer subtracts such income.

238 (c) No taxpayer shall subtract more than twenty-five thousand dollars per tax
239 year in total income received from the lease or rental of such farmland under this
240 subdivision.

241 (5) The department of agriculture shall, by rule, establish a process to verify that
242 a taxpayer is a beginning farmer for purposes of this section and shall provide
243 verification to the beginning farmer and farm seller of such farmer's and seller's
244 certification and qualification for the exemption provided in this subsection.

196.311. Unless otherwise indicated by the context, when used in sections 196.311 to
2 196.361:

3 (1) "Consumer" means any person who purchases eggs for ~~[his or her]~~ **such person's**
4 own family use or consumption; or any restaurant, hotel, boardinghouse, bakery, or other
5 institution or concern which purchases eggs for serving to guests or patrons thereof, or for its
6 own use in cooking, baking, or manufacturing their products;

7 (2) "Container" means any box, case, basket, carton, sack, bag, or other receptacle.
8 "Subcontainer" means any container when being used within another container;

9 (3) "Dealer" means any person who purchases eggs from the producers thereof, or
10 another dealer, for the purpose of selling such eggs to another dealer, a processor, or retailer;

11 (4) "Denatured" means eggs (a) made unfit for human food by treatment or the
12 addition of a foreign substance, or (b) with one-half or more of the shell's surface covered by
13 a permanent black, dark purple or dark blue dye;

14 (5) "Director" means the director of the department of agriculture;

15 (6) "Eggs" means the shell eggs of a domesticated chicken, turkey, duck, **quail**,
16 goose, or guinea that are intended for human consumption;

17 (7) "Inedible eggs" means eggs which are defined as such in the rules and regulations
18 of the director adopted under sections 196.311 to 196.361, which definition shall conform to
19 the specifications adopted therefor by the United States Department of Agriculture;

20 (8) "Person" means and includes any individual, firm, partnership, exchange,
21 association, trustee, receiver, corporation or any other business organization, and any
22 member, officer or employee thereof;

23 (9) "Processor" means any person engaged in breaking eggs or manufacturing or
24 processing egg liquids, whole egg meats, yolks, whites, or any mixture of yolks and whites,
25 with or without the addition of other ingredients, whether chilled, frozen, condensed,
26 concentrated, dried, powdered or desiccated;

27 (10) "Retailer" means any person who sells eggs to a consumer;

28 (11) "Sell" means offer for sale, expose for sale, have in possession for sale,
29 exchange, barter, or trade.

196.316. 1. All persons engaged in buying, selling, trading or trafficking in, or
2 processing eggs, except those listed in section 196.313, shall be required to be licensed under
3 sections 196.311 to 196.361. Such persons shall file an annual application for such license on
4 forms to be prescribed by the director, and shall obtain an annual license for each separate
5 place of business from the director. The following types of licenses shall be issued:

6 (1) A "retailer's license" shall be required of any person defined as a retailer in section
7 196.311. A holder of a retailer's license shall not, by virtue of such license, be permitted or
8 authorized to buy eggs from any person other than a licensed dealer, and any retailer desiring
9 to buy eggs from persons other than licensed dealers shall obtain a dealer's license in addition
10 to a retailer's license. **Fees for such license shall not exceed one hundred dollars annually**
11 **per license;**

12 (2) A "dealer's license" shall be required of any person defined as a dealer in section
13 196.311. A holder of a dealer's license shall not, by virtue of such license, be authorized or
14 permitted to sell eggs to consumers, and any dealer desiring to sell eggs to consumers shall
15 obtain a retailer's license in addition to a dealer's license. **Fees for such license shall not**
16 **exceed one hundred seventy-five dollars annually per license;**

17 (3) A "processor's license" shall be required of any person defined as a processor in
18 section 196.311. A holder of a processor's license shall not, by virtue of such license, be
19 authorized or permitted to sell eggs in the shell to other persons, and any person desiring to
20 sell eggs in the shell to other persons shall obtain a dealer's license in addition to a processor's
21 license. **Fees for such license shall not exceed two hundred fifty dollars annually per**
22 **license.**

23 [~~2. The annual license fee shall be:—~~]

24	[(1)]	[Retailers]	[\$ 5.00]
25	[(2)]	[Dealers—License fees for dealers shall be	
26		determined on the basis of cases (30 dozen per	
27		case) of eggs sold in the shell in any one week, as	
28		follows:]	
29	[(a)]	[1 to 25 cases]	[\$ 5.00]
30	[(b)]	[26 to 50 cases]	[12.50]
31	[(c)]	[51 to 100 cases]	[25.00]
32	[(d)]	[more than 100 cases]	[50.00]
33	[(3)]	[Processors—License fees for processors shall be	
34		determined on the basis of cases (30 dozen per	
35		case) of eggs, or the equivalent in liquid or frozen	
36		eggs, processed in any one day, as follows:]	
37	[(a)]	[Less than 50 cases]	[\$ 25.00]
38	[(b)]	[More than 50 and less than 250 cases]	[50.00]
39	[(c)]	[More than 250 and less than 1000 cases]	[75.00]
40	[(d)]	[More than 1000 cases]	[100.00]

41 **2. The director of agriculture shall have the authority to assess egg licensing fees**
 42 **to assist in defraying operating expenses. A schedule of licensing fees shall be fixed by**
 43 **rule or regulation promulgated under chapter 536 by the director of the department of**
 44 **agriculture.**

45 3. All licenses shall be conspicuously posted in the place of business to which it
 46 applies. The license year shall be twelve months, or any fraction thereof, beginning July first
 47 and ending June thirtieth.

48 4. No license shall be transferable, but it may be moved from one place to another by
 49 the consent of the director.

50 5. All moneys received from license fees collected hereunder shall be deposited in the
 51 state treasury to the credit of the agriculture protection fund created in section 261.200.

256.800. 1. This section shall be known and may be cited as the "Flood Resiliency Act".

2. As used in this section, unless the context otherwise requires, the following terms shall mean:

(1) "Director", the director of the department of natural resources;

(2) "Flood resiliency measures", structural improvements, studies, and activities employed to improve flood resiliency in local to regional or multi-jurisdictional areas;

(3) "Flood resiliency project", a project containing planning, design, construction, or renovation of flood resiliency measures or the conduct of studies or activities in support of flood resiliency measures;

(4) "Partner", a political subdivision, entity, or person working in conjunction with a promoter to facilitate the completion of a flood resiliency project;

(5) "Plan", a preliminary report describing the need for, and implementation of, flood resiliency measures;

(6) "Promoter", any political subdivision of the state, or any levee district or drainage district organized or incorporated in the state.

3. (1) There is hereby established in the state treasury a fund to be known as the "Flood Resiliency Improvement Fund", which shall consist of all moneys deposited in such fund from any source, whether public or private. 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 moneys in the fund shall be used solely for the purposes of this section. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

(2) Upon appropriation, the department of natural resources shall use moneys in the fund created by this subsection for the purposes of carrying out the provisions of this section including, but not limited to, the provision of grants or other financial assistance and, if limitations or conditions are imposed, only upon such other limitations or conditions specified in the instrument that appropriates, grants, bequeaths, or otherwise authorizes the transmission of moneys to the fund.

4. In order to increase flood resiliency along the Missouri and Mississippi Rivers and their tributaries and improve statewide flood forecasting and monitoring ability, there is hereby established a "Flood Resiliency Program". The program shall be administered by the department of natural resources. The state may participate with a promoter in the development, construction, or renovation of a flood resiliency project if

38 the promoter has a plan which has been submitted to and approved by the director, or
39 the state may promote a flood resiliency project and initiate a plan on its own accord.

40 5. The plan shall include a description of the flood resiliency project, the need for
41 the project, the flood resiliency measures to be implemented, the partners to be involved
42 in the project, and other such information as the director may require to adequately
43 evaluate the merit of the project.

44 6. The director shall only approve a plan upon a determination that long-term
45 flood mitigation is needed in that area of the state and that such a plan proposes flood
46 resiliency measures that will provide long-term flood resiliency.

47 7. Promoters with approved flood resiliency plans and their partners shall be
48 eligible to receive any gifts, contributions, grants, or bequests from federal, state,
49 private, or other sources for costs associated with flood resiliency projects that are part
50 of such plans.

51 8. Promoters with approved flood resiliency plans and their partners may be
52 granted moneys from the flood resiliency improvement fund under subsection 3 of this
53 section for eligible costs associated with flood resiliency projects that are part of such
54 plans.

55 9. The department of natural resources is hereby granted authority to
56 promulgate rules to implement this section. Any rule or portion of a rule, as that term is
57 defined in section 536.010, that is created under the authority delegated in this section
58 shall become effective only if it complies with and is subject to all of the provisions of
59 chapter 536 and, if applicable, section 536.028. This section and chapter 536 are
60 nonseverable, and if any of the powers vested with the general assembly pursuant to
61 chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are
62 subsequently held unconstitutional, then the grant of rulemaking authority and any rule
63 proposed or adopted after August 28, 2023, shall be invalid and void.

262.911. 1. The department of economic development shall promote Missouri
2 hardwood forest products and educate the public on the value and benefits of such
3 hardwood products. The department may contract with any statewide association
4 dedicated to the promotion of Missouri hardwood forest products to satisfy the
5 requirements of this section.

6 2. (1) There is hereby created in the state treasury the "Missouri Hardwood
7 Forest Product Promotion Fund", which shall consist of any grants, gifts, devises,
8 bequests, and moneys appropriated by the general assembly to the fund. The state
9 treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180,
10 the state treasurer may approve disbursements. The fund shall be a dedicated fund and,

11 upon appropriation, moneys in this fund shall be used solely to promote and educate
12 about Missouri hardwood forest products as provided in this section.

13 (2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys
14 remaining in the fund at the end of the biennium shall not revert to the credit of the
15 general revenue fund.

16 (3) The state treasurer shall invest moneys in the fund in the same manner as
17 other funds are invested. Any interest and moneys earned on such investments shall be
18 credited to the fund.

19 3. Under section 23.253 of the Missouri sunset act:

20 (1) The provisions of the new program authorized under this section shall
21 automatically sunset six years after the effective date of this section unless reauthorized
22 by an act of the general assembly; and

23 (2) If such program is reauthorized, the program authorized under this section
24 shall automatically sunset twelve years after the effective date of the reauthorization of
25 this section; and

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

281.102. The enactment of section 281.048 and the repeal and reenactment of
2 sections 281.015, 281.020, 281.025, 281.030, 281.035, 281.037, 281.038, 281.040, 281.045,
3 281.050, 281.055, 281.060, 281.063, 281.065, 281.070, 281.075, 281.085, and 281.101 of
4 this act shall become effective on January 1, [2024] 2025.

304.180. 1. No vehicle or combination of vehicles shall be moved or operated on any
2 highway in this state having a greater weight than twenty thousand pounds on one axle, no
3 combination of vehicles operated by transporters of general freight over regular routes as
4 defined in section 390.020 shall be moved or operated on any highway of this state having a
5 greater weight than the vehicle manufacturer's rating on a steering axle with the maximum
6 weight not to exceed twelve thousand pounds on a steering axle, and no vehicle shall be
7 moved or operated on any state highway of this state having a greater weight than thirty-four
8 thousand pounds on any tandem axle; the term "tandem axle" shall mean a group of two or
9 more axles, arranged one behind another, the distance between the extremes of which is more
10 than forty inches and not more than ninety-six inches apart.

11 2. An "axle load" is defined as the total load transmitted to the road by all wheels
12 whose centers are included between two parallel transverse vertical planes forty inches apart,
13 extending across the full width of the vehicle.

14 3. Subject to the limit upon the weight imposed upon a highway of this state through
15 any one axle or on any tandem axle, the total gross weight with load imposed by any group of

16 two or more consecutive axles of any vehicle or combination of vehicles shall not exceed the
 17 maximum load in pounds as set forth in the following table:

18	Distance in feet between the					
19	extremes of any group of two or					
20	more consecutive axles, measured					
21	to the nearest foot, except where					
22	indicated otherwise					
23		Maximum load in pounds				
24	feet	2 axles	3 axles	4 axles	5 axles	6 axles
25	4	34,000				
26	5	34,000				
27	6	34,000				
28	7	34,000				
29	8	34,000	34,000			
30	More than 8	38,000	42,000			
31	9	39,000	42,500			
32	10	40,000	43,500			
33	11	40,000	44,000			
34	12	40,000	45,000	50,000		
35	13	40,000	45,500	50,500		
36	14	40,000	46,500	51,500		
37	15	40,000	47,000	52,000		
38	16	40,000	48,000	52,500	58,000	
39	17	40,000	48,500	53,500	58,500	
40	18	40,000	49,500	54,000	59,000	
41	19	40,000	50,000	54,500	60,000	
42	20	40,000	51,000	55,500	60,500	66,000
43	21	40,000	51,500	56,000	61,000	66,500
44	22	40,000	52,500	56,500	61,500	67,000
45	23	40,000	53,000	57,500	62,500	68,000
46	24	40,000	54,000	58,000	63,000	68,500
47	25	40,000	54,500	58,500	63,500	69,000
48	26	40,000	55,500	59,500	64,000	69,500
49	27	40,000	56,000	60,000	65,000	70,000
50	28	40,000	57,000	60,500	65,500	71,000

51	29	40,000	57,500	61,500	66,000	71,500
52	30	40,000	58,500	62,000	66,500	72,000
53	31	40,000	59,000	62,500	67,500	72,500
54	32	40,000	60,000	63,500	68,000	73,000
55	33	40,000	60,000	64,000	68,500	74,000
56	34	40,000	60,000	64,500	69,000	74,500
57	35	40,000	60,000	65,500	70,000	75,000
58	36		60,000	66,000	70,500	75,500
59	37		60,000	66,500	71,000	76,000
60	38		60,000	67,500	72,000	77,000
61	39		60,000	68,000	72,500	77,500
62	40		60,000	68,500	73,000	78,000
63	41		60,000	69,500	73,500	78,500
64	42		60,000	70,000	74,000	79,000
65	43		60,000	70,500	75,000	80,000
66	44		60,000	71,500	75,500	80,000
67	45		60,000	72,000	76,000	80,000
68	46		60,000	72,500	76,500	80,000
69	47		60,000	73,500	77,500	80,000
70	48		60,000	74,000	78,000	80,000
71	49		60,000	74,500	78,500	80,000
72	50		60,000	75,500	79,000	80,000
73	51		60,000	76,000	80,000	80,000
74	52		60,000	76,500	80,000	80,000
75	53		60,000	77,500	80,000	80,000
76	54		60,000	78,000	80,000	80,000
77	55		60,000	78,500	80,000	80,000
78	56		60,000	79,500	80,000	80,000
79	57		60,000	80,000	80,000	80,000

80

81 Notwithstanding the above table, two consecutive sets of tandem axles may carry a gross load
 82 of thirty-four thousand pounds each if the overall distance between the first and last axles of
 83 such consecutive sets of tandem axles is thirty-six feet or more.

84 4. Whenever the state highways and transportation commission finds that any state
 85 highway bridge in the state is in such a condition that use of such bridge by vehicles of the

86 weights specified in subsection 3 of this section will endanger the bridge, or the users of the
87 bridge, the commission may establish maximum weight limits and speed limits for vehicles
88 using such bridge. The governing body of any city or county may grant authority by act or
89 ordinance to the commission to enact the limitations established in this section on those
90 roadways within the purview of such city or county. Notice of the weight limits and speed
91 limits established by the commission shall be given by posting signs at a conspicuous place at
92 each end of any such bridge.

93 5. Nothing in this section shall be construed as permitting lawful axle loads, tandem
94 axle loads or gross loads in excess of those permitted under the provisions of P.L. 97-424
95 codified in Title 23 of the United States Code (23 U.S.C. Section 101, et al.), as amended.

96 6. Notwithstanding the weight limitations contained in this section, any vehicle or
97 combination of vehicles operating on highways other than the interstate highway system may
98 exceed single axle, tandem axle and gross weight limitations in an amount not to exceed two
99 thousand pounds. However, total gross weight shall not exceed eighty thousand pounds,
100 except as provided in subsections 9, 10, 12, 13, and 14 of this section.

101 7. Notwithstanding any provision of this section to the contrary, the commission shall
102 issue a single-use special permit, or upon request of the owner of the truck or equipment shall
103 issue an annual permit, for the transporting of any crane or concrete pump truck or well-
104 drillers' equipment. The commission shall set fees for the issuance of permits and parameters
105 for the transport of cranes pursuant to this subsection. Notwithstanding the provisions of
106 section 301.133, cranes, concrete pump trucks, or well-drillers' equipment may be operated
107 on state-maintained roads and highways at any time on any day.

108 8. Notwithstanding the provision of this section to the contrary, the maximum gross
109 vehicle limit and axle weight limit for any vehicle or combination of vehicles equipped with
110 an idle reduction technology may be increased by a quantity necessary to compensate for the
111 additional weight of the idle reduction system as provided for in 23 U.S.C. Section 127, as
112 amended. In no case shall the additional weight increase allowed by this subsection be
113 greater than five hundred fifty pounds. Upon request by an appropriate law enforcement
114 officer, the vehicle operator shall provide proof that the idle reduction technology is fully
115 functional at all times and that the gross weight increase is not used for any purpose other
116 than for the use of idle reduction technology.

117 9. Notwithstanding any provision of this section or any other law to the contrary, the
118 total gross weight of any vehicle or combination of vehicles hauling milk from a farm to a
119 processing facility or livestock may be as much as, but shall not exceed, eighty-five thousand
120 five hundred pounds while operating on highways other than the interstate highway system.
121 The provisions of this subsection shall not apply to vehicles operated and operating on the
122 Dwight D. Eisenhower System of Interstate and Defense Highways.

10. Notwithstanding any provision of this section or any other law to the contrary, any vehicle or combination of vehicles hauling grain or grain coproducts during times of harvest may be as much as, but not exceeding, ten percent over the maximum weight limitation allowable under subsection 3 of this section while operating on highways other than the interstate highway system. The provisions of this subsection shall not apply to vehicles operated and operating on the Dwight D. Eisenhower System of Interstate and Defense Highways.

11. Notwithstanding any provision of this section or any other law to the contrary, the commission shall issue emergency utility response permits for the transporting of utility wires or cables, poles, and equipment needed for repair work immediately following a disaster where utility service has been disrupted. Under exigent circumstances, verbal approval of such operation may be made either by the department of transportation motor carrier compliance supervisor or other designated motor carrier services representative. Utility vehicles and equipment used to assist utility companies granted special permits under this subsection may be operated and transported on state-maintained roads and highways at any time on any day. The commission shall promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2014, shall be invalid and void.

12. Notwithstanding any provision of this section to the contrary, emergency vehicles designed to be used under emergency conditions to transport personnel and equipment and to support the suppression of fires and mitigate hazardous situations may have a maximum gross vehicle weight of eighty-six thousand pounds inclusive of twenty-four thousand pounds on a single steering axle; thirty-three thousand five hundred pounds on a single drive axle; sixty-two thousand pounds on a tandem axle; or fifty-two thousand pounds on a tandem rear-drive steer axle; except that, such emergency vehicles shall only operate on the Dwight D. Eisenhower National System of Interstate and Defense Highways.

13. Notwithstanding any provision of this section to the contrary, a vehicle operated by an engine fueled primarily by natural gas may operate upon the public highways of this state in excess of the vehicle weight limits set forth in this section by an amount that is equal to the difference between the weight of the vehicle attributable to the natural gas tank and fueling system carried by that vehicle and the weight of a comparable diesel tank and fueling

160 system. In no event shall the maximum gross vehicle weight of the vehicle operating with a
161 natural gas engine exceed eighty-two thousand pounds.

162 14. Notwithstanding any provision of law to the contrary, local log trucks and local
163 log truck tractors, as defined in section 301.010, may be operated with a weight not exceeding
164 twenty-two thousand four hundred pounds on one axle or a weight not exceeding forty-four
165 thousand eight hundred pounds on any tandem axle, except the front steering axle shall not
166 exceed fifteen thousand pounds or the gross vehicle weight rating set by the manufacturer,
167 and may have a total weight of up to one hundred ~~[five]~~ **nine** thousand **six hundred** pounds.
168 Provided however, when operating on the national system of interstate and defense highways
169 described in 23 U.S.C. Section 103, as amended, or outside the radius from the forested site
170 specified in section 301.010 with an extended distance local log truck permit, the vehicle shall
171 not exceed the weight limits otherwise specified in this section.

323.100. 1. The director of the department of agriculture shall annually inspect and
2 test all liquid meters used for the measurement and retail sale of liquefied petroleum gas and
3 shall condemn all meters which are found to be inaccurate. All meters shall meet the
4 tolerances and specifications of the National Institute of Standards and Technology Handbook
5 44, 1994 edition and supplements thereto. It is unlawful to use a meter for retail measurement
6 and sale which has been condemned. All condemned meters shall be conspicuously marked
7 "inaccurate", and the mark shall not be removed or defaced except upon authorization of the
8 director of the department of agriculture or ~~[his]~~ **the director's** authorized representative. It
9 is the duty of each person owning or in possession of a meter to pay to the director of the
10 department of agriculture at the time of each test a testing fee ~~[of ten dollars. On January 1,~~
11 ~~2014, the testing fee shall be twenty-five dollars. On January 1, 2015, the testing fee shall be~~
12 ~~set at fifty dollars. On January 1, 2016, and annually thereafter,].~~ The director shall ascertain
13 the total expenses for administering this section and shall set the testing fee at a rate to cover
14 the expenses for the ensuing year but not to exceed ~~[seventy-five]~~ **four hundred** dollars.

15 2. On the first day of October, 2014, and each year thereafter, the director of the
16 department of agriculture shall submit a report to the general assembly that states the current
17 testing fee, the expenses for administering this section for the previous calendar year, any
18 proposed change to the testing fee, and estimated expenses for administering this section
19 during the ensuing year. The proposed change to the testing fee shall not yield revenue
20 greater than the total cost of administering this section during the ensuing year.

21 3. Beginning August 28, 2013, and each year thereafter, the director of the
22 department of agriculture shall publish the testing fee schedule on the departmental website.
23 The website shall be updated within thirty days of a change in the testing fee schedule set
24 forth in this section.

340.341. 1. The department shall adopt and promulgate rules establishing standards
2 for determining eligible students for loan repayment pursuant to sections 340.335 to 340.350.
3 Such standards shall include, but are not limited to the following:

- 4 (1) Citizenship or lawful permanent residency in the United States;
- 5 (2) Residence in the state of Missouri;
- 6 (3) Enrollment as a full-time veterinary medical student in the final year of a course
7 of study offered by an approved educational institution in Missouri;
- 8 (4) Application for loan repayment.

9 2. The department shall not grant repayment for more than ~~[six]~~ **twelve** veterinarians
10 each year.

340.345. 1. A loan payment provided for an individual pursuant to a written contract
2 under the large animal veterinary medicine loan repayment program shall consist of payment
3 on behalf of the individual of the principal, interest and related expenses on government and
4 commercial loans received by the individual for tuition, fees, books, laboratory and living
5 expenses incurred by the individual.

6 2. For each year of obligated services that an individual contracts to serve in an area
7 of defined need, the department may pay up to ~~[twenty]~~ **thirty** thousand dollars on behalf of
8 the individual for loans described in subsection 1 of this section.

9 3. The department may enter into an agreement with the holder of the loans for which
10 repayments are made under the large animal veterinary medicine loan repayment program to
11 establish a schedule for the making of such payments if the establishment of such a schedule
12 would result in reducing the costs to the state.

13 4. Any qualifying communities providing a portion of a loan repayment shall be
14 considered first for placement.

340.381. 1. Sections 340.381 to 340.396 establish a student loan forgiveness program
2 for approved veterinary students who practice in areas of defined need. Such program shall
3 be known as the "Dr. Merrill Townley **and Dr. Dan Brown** Large Animal Veterinary Student
4 Loan Program".

5 2. There is hereby created in the state treasury the "Veterinary Student Loan Payment
6 Fund", which shall consist of general revenue appropriated to the large animal veterinary
7 student loan program, voluntary contributions to support or match program activities, money
8 collected under section 340.396, **any private grant, gift, donation, devise, or bequest of**
9 **moneys, funds, real or personal property, or other assets**, and funds received from the
10 federal government. The state treasurer shall be custodian of the fund and shall approve
11 disbursements from the fund in accordance with sections 30.170 and 30.180. Upon
12 appropriation, money in the fund shall be used solely for the administration of sections
13 340.381 to 340.396. Notwithstanding the provisions of section 33.080 to the contrary, any

14 moneys remaining in the fund at the end of the biennium shall not revert to the credit of the
15 general revenue fund. The state treasurer shall invest moneys in the fund in the same manner
16 as other funds are invested. Any interest and moneys earned on such investments shall be
17 credited to the fund.

340.384. 1. Eligible students may apply to the department for financial assistance
2 under the provisions of sections 340.381 to 340.396. If, at the time of application for a loan, a
3 student has formally applied for acceptance at the college, receipt of financial assistance is
4 contingent upon acceptance and continued enrollment at the college. A qualified applicant
5 may receive financial assistance up to ~~[twenty]~~ **thirty** thousand dollars for each academic
6 year he or she remains a student in good standing at the college, provided that the cumulative
7 total shall not exceed ~~[eighty]~~ **one hundred twenty** thousand dollars per qualified applicant.
8 An eligible student may apply for financial assistance under this section at any point in his or
9 her educational career at the college, however any such financial assistance shall only be
10 awarded for current or future academic years, as applicable, and shall not be awarded for any
11 academic year completed prior to the time of application.

12 2. Up to ~~[six]~~ **twelve** qualified applicants per academic year may be awarded loans
13 under the provisions of sections 340.381 to 340.396. **The department may increase beyond**
14 **twelve the number of qualified applicants that may be awarded such loans per academic**
15 **year if the amount of any additional moneys from private grants, gifts, donations,**
16 **devises, or bequests of moneys, funds, real or personal property, or other assets**
17 **deposited in the veterinary student loan payment fund allows the full funding of such**
18 **increase in the number of applicants.** Priority for loans shall be given to eligible students
19 who have established financial need. All financial assistance shall be made from funds
20 credited to the veterinary student loan payment fund.

340.387. 1. The department of agriculture may enter into a contract with each
2 qualified applicant receiving financial assistance under the provisions of sections 340.381 to
3 340.396. Such contract shall specify terms and conditions of loan forgiveness through
4 qualified employment as well as terms and conditions for repayment of the principal and
5 interest.

6 2. The department shall establish schedules for repayment of the principal and interest
7 on any financial assistance made under the provisions of sections 340.381 to 340.396.
8 Interest at a rate set by the department, with the advice of the advisory panel created in section
9 ~~[340.341]~~ **340.375**, shall be charged from the time of the payment of financial assistance on
10 all financial assistance made under the provisions of sections 340.381 to 340.396, but the
11 interest and principal of the total financial assistance granted to a qualified applicant at the
12 time of the successful completion of a doctor of veterinary medicine degree program shall be
13 forgiven through qualified employment.

14 3. For each year of qualified employment that an individual contracts to serve in an
15 area of defined need, the department shall forgive up to ~~[twenty]~~ **thirty** thousand dollars and
16 accrued interest thereon on behalf of the individual for financial assistance provided under
17 sections 340.381 to 340.396.

 413.225. 1. There is established a fee for registration, inspection and calibration
2 services performed by the division of weights and measures. The fees are due at the time the
3 service is rendered and shall be paid to the director by the person receiving the service. The
4 director shall collect fees according to the following schedule and shall deposit them with the
5 state treasurer into the agriculture protection fund as set forth in section 261.200:

6 (1) ~~[From August 28, 2013, until the next January first, laboratory fees for metrology~~
7 ~~calibrations shall be at the rate of sixty dollars per hour for tolerance testing or precision~~
8 ~~calibration. Time periods over one hour shall be computed to the nearest one-quarter hour.~~
9 ~~On the first day of January, 2014, and each year thereafter,]~~ The director of agriculture shall
10 ascertain the total receipts and expenses for the metrology calibrations during the preceding
11 year and shall fix a fee schedule for the ensuing year ~~[at a rate per hour]~~ as will yield revenue
12 not more than the total cost of operating the metrology laboratory during the ensuing year, but
13 not to exceed ~~[one hundred twenty-five]~~ **five hundred dollars per calibration;**

14 (2) All device test fees charged shall include, but not be limited to, the following
15 devices:

- 16 (a) Small scales;
- 17 (b) Vehicle scales;
- 18 (c) Livestock scales;
- 19 (d) Hopper scales;
- 20 (e) Railroad scales;
- 21 (f) Monorail scales;
- 22 (g) In-motion scales including but not limited to vehicle, railroad and belt conveyor
23 scales;
- 24 (h) Taximeters;
- 25 (i) ~~[Timing devices;~~
- 26 ~~(j) Fabric measuring devices;~~
- 27 ~~(k) Wire and cordage measuring devices;~~
- 28 ~~(l) Milk for quantity determination;~~
- 29 ~~(m)]~~ (j) Vehicle tank meters;
- 30 ~~(n)]~~ (k) Compressed natural gas meters;
- 31 ~~(o)]~~ (l) Liquefied natural gas meters;
- 32 ~~(p)]~~ (m) Electrical charging stations; and
- 33 ~~(q)]~~ (n) Hydrogen fuel meters;

34 (3) Devices that require participation in on-site field evaluations for National Type
35 Evaluation Program Certification and all tests of in-motion scales shall be charged a fee, plus
36 mileage from the inspector's official domicile to and from the inspection site. The time shall
37 begin when the state inspector performing the inspection arrives at the site to be inspected and
38 shall end when the final report is signed by the owner/operator and the inspector departs;

39 (4) Every person shall register each location of such person's place of business where
40 devices or instruments are used to ascertain the moisture content of grains and seeds offered
41 for sale, processing or storage in this state with the director and shall pay a registration fee for
42 each location so registered and a fee for each additional device or instrument at such location.
43 Thereafter, by January thirty-first of each year, each person who is required to register
44 pursuant to this subdivision shall pay an annual fee for each location so registered and an
45 additional fee for each additional machine at each location. The fee on newly purchased
46 devices shall be paid within thirty days after the date of purchase. Application for registration
47 of a place of business shall be made on forms provided by the director and shall require
48 information concerning the make, model and serial number of the device and such other
49 information as the director shall deem necessary. Provided, however, this subsection shall not
50 apply to moisture-measuring devices used exclusively for the purpose of obtaining
51 information necessary to manufacturing processes involving plant products. In addition to
52 fees required by this subdivision, a fee shall be charged for each device subject to retest.

53 2. On the first day of January, 1995, and each year thereafter, the director of
54 agriculture shall ascertain the total receipts and expenses for the testing of weighing and
55 measuring devices referred to in subdivisions (2), (3), and (4) of subsection 1 of this section
56 and shall fix the fees ~~[or rate per hour]~~ for such weighing and measuring devices to derive
57 revenue not more than the total cost of the operation.

58 3. On the first day of October, 2014, and each year thereafter, the director of the
59 department of agriculture shall submit a report to the general assembly that states the current
60 laboratory fees for metrology calibration, the expenses for administering this section for the
61 previous calendar year, any proposed change to the laboratory fee structure, and estimated
62 expenses for administering this section during the ensuing year. The proposed change to the
63 laboratory fee structure shall not yield revenue greater than the total cost of administering this
64 section during the ensuing year.

65 4. Beginning August 28, 2013, and each year thereafter, the director of the
66 department of agriculture shall publish the laboratory fee schedule on the departmental
67 website. The website shall be updated within thirty days of a change in the laboratory fee
68 schedule set forth in this section.

69 5. Retests for any device within the same calendar year will be charged at the same
70 rate as the initial test. Devices being retested in the same calendar year as a result of rejection
71 and repair are exempt from the requirements of this subsection.

72 6. All device inspection fees shall be paid **at the time of service or** within thirty days
73 of the issuance of the original invoice. Any fee not paid within ~~ninety~~ **thirty** days after the
74 date of the original invoice will be cause for the director to deem the device as incorrect and it
75 may be condemned and taken out of service, and may be seized by the director until all fees
76 are paid.

77 7. No fee provided for by this section shall be required of any person owning or
78 operating a moisture-measuring device or instrument who uses such device or instrument
79 solely in agricultural or horticultural operations on such person's own land, and not in
80 performing services, whether with or without compensation, for another person.

**578.156. 1. A person commits the offense of interference with the transportation
2 of livestock if the person knowingly does any of the following:**

3 **(1) Stops, hinders, impedes, boards, obstructs, or otherwise interferes with a**
4 **motor vehicle transporting livestock regardless of whether the motor vehicle is moving;**

5 **(2) Provokes or disturbs livestock when the livestock is confined in a motor**
6 **vehicle regardless of whether the motor vehicle is moving; or**

7 **(3) Puts or places a compound or substance on, near, or upon such livestock that**
8 **would:**

9 **(a) Affect the livestock's marketability or suitability for use;**

10 **(b) Affect animal or human health; or**

11 **(c) Result in an unreasonable transportation or shipping delay.**

12 **2. The offense of interference with the transportation of livestock is a class E**
13 **felony for a first offense and a class C felony for any second or subsequent offense.**

14 **3. In a prosecution alleging that a person committed the offense of interference**
15 **with the transportation of livestock under subsection 1 of this section, the person may**
16 **assert an affirmative defense of consent. The person shall prove by a preponderance of**
17 **the evidence that the person was acting with the consent of any of the following:**

18 **(1) A person having real or apparent authority to transport the livestock; or**

19 **(2) The owner of the livestock or any other person having real or apparent**
20 **authority to possess or control the livestock.**

21 **4. The provisions of this section shall not apply to any enforcement action or**
22 **services provided by a law enforcement officer or agency or an employee or agent of the**
23 **department of agriculture acting under section 267.645.**

24 **5. As used in this section, the following terms mean:**

25 **(1) "Livestock", as defined under section 265.300;**

26 (2) "Motor vehicle", any self-propelled vehicle not operated exclusively upon
27 tracks and an item attached to the motor vehicle. "Motor vehicle" shall not include
28 farm tractors and electric bicycles.

2 ~~[60.410. 1. For the purpose of the use of this system, Missouri is~~
3 ~~divided into three separate zones, to be officially known as "The East Zone",~~
4 ~~"The Central Zone", and "The West Zone".~~

5 ~~2. The area now included in the following counties shall constitute the~~
6 ~~east zone: Bollinger, Butler, Cape Girardeau, Carter, Clark, Crawford, Dent,~~
7 ~~Dunklin, Franklin, Gaseonade, Iron, Jefferson, Lewis, Lincoln, Madison,~~
8 ~~Marion, Mississippi, Montgomery, New Madrid, Oregon, Pemiscot, Perry,~~
9 ~~Pike, Ralls, Reynolds, Ripley, St. Charles, Ste. Genevieve, St. Francois, St.~~
10 ~~Louis, St. Louis (city), Scott, Shannon, Stoddard, Warren, Washington and~~
11 ~~Wayne.~~

12 ~~3. The area now included in the following counties shall constitute the~~
13 ~~central zone: Adair, Audrain, Benton, Boone, Callaway, Camden, Carroll,~~
14 ~~Chariton, Christian, Cole, Cooper, Dallas, Douglas, Greene, Grundy, Hickory,~~
15 ~~Howard, Howell, Knox, Laclede, Linn, Livingston, Macon, Maries, Mercer,~~
16 ~~Miller, Moniteau, Monroe, Morgan, Osage, Ozark, Pettis, Phelps, Polk,~~
17 ~~Pulaski, Putnam, Randolph, Saline, Schuyler, Scotland, Shelby, Stone,~~
18 ~~Sullivan, Taney, Texas, Webster and Wright.~~

19 ~~4. The area now included in the following counties shall constitute the~~
20 ~~west zone: Andrew, Atchison, Barry, Barton, Bates, Buchanan, Caldwell,~~
21 ~~Cass, Cedar, Clay, Clinton, Dade, Daviess, DeKalb, Gentry, Harrison, Henry,~~
22 ~~Holt, Jackson, Jasper, Johnson, Lafayette, Lawrence, McDonald, Newton,~~
~~Nodaway, Platte, Ray, St. Clair, Vernon and Worth.]~~

2 ~~[60.421. 1. As established for use in the east zone, the Missouri~~
3 ~~coordinate system of 1927 or the Missouri coordinate system of 1983 shall be~~
4 ~~named; and, in any land description in which it is used, it shall be designated~~
5 ~~the "Missouri Coordinate System of 1927, East Zone" or "Missouri Coordinate~~
6 ~~System of 1983, East Zone".~~

7 ~~2. As established for use in the central zone, the Missouri coordinate~~
8 ~~system of 1927 or the Missouri coordinate system of 1983 shall be named;~~
9 ~~and, in any land description in which it is used, it shall be designated the~~
10 ~~"Missouri Coordinate System of 1927, Central Zone" or "Missouri Coordinate~~
11 ~~System of 1983, Central Zone".~~

12 ~~3. As established for use in the west zone, the Missouri coordinate~~
13 ~~system of 1927 or the Missouri coordinate system of 1983 shall be named;~~
14 ~~and, in any land description in which it is used, it shall be designated the~~
15 ~~"Missouri Coordinate System of 1927, West Zone" or "Missouri Coordinate~~
~~System of 1983, West Zone".]~~

2 ~~[60.451. 1. For the purpose of more precisely defining the Missouri~~
3 ~~coordinate system of 1927, the following definition by the United States Coast~~
~~and Geodetic Survey is adopted:~~

4 (1) The Missouri coordinate system of 1927, east zone, is a transverse
5 Mercator projection of the Clarke spheroid of 1866, having a central meridian
6 90 degrees — 30 minutes west of Greenwich, on which meridian the scale is
7 set at one part in fifteen thousand too small. The origin of coordinates is at the
8 intersection of the meridian 90 degrees — 30 minutes west of Greenwich and
9 the parallel 35 degrees — 50 minutes north latitude. This origin is given the
10 coordinates: $x = 500,000$ feet and $y = 0$ feet;

11 (2) The Missouri coordinate system of 1927, central zone, is a
12 transverse Mercator projection of the Clarke spheroid of 1866, having a central
13 meridian 92 degrees — 30 minutes west of Greenwich, on which meridian the
14 scale is set at one part in fifteen thousand too small. The origin of coordinates
15 is at the intersection of the meridian 92 degrees — 30 minutes west of
16 Greenwich and the parallel of 35 degrees — 50 minutes north latitude. This
17 origin is given the coordinates: $x = 500,000$ feet and $y = 0$ feet;

18 (3) The Missouri coordinate system of 1927, west zone, is a transverse
19 Mercator projection of the Clarke spheroid of 1866, having a central meridian
20 94 degrees — 30 minutes west of Greenwich, on which meridian the scale is
21 set at one part in seventeen thousand too small. The origin of coordinates is at
22 the intersection of the meridian 94 degrees — 30 minutes west of Greenwich
23 and the parallel 36 degrees — 10 minutes north latitude. This origin is given
24 the coordinates: $x = 500,000$ feet and $y = 0$ feet.

25 2. For purposes of more precisely defining the Missouri coordinate
26 system of 1983, the following definition by the National Ocean Survey/
27 National Geodetic Survey is adopted:

28 (1) The Missouri coordinate system 1983, east zone, is a transverse
29 Mercator projection of the North American Datum of 1983 having a central
30 meridian 90 degrees — 30 minutes west of Greenwich, on which meridian the
31 scale is set at one part in fifteen thousand too small. The origin of coordinates
32 is at the intersection of the meridian 90 degrees — 30 minutes west of
33 Greenwich and the parallel 35 degrees — 50 minutes north latitude. This
34 origin is given the coordinates: $x = 250,000$ meters and $y = 0$ meters;

35 (2) The Missouri coordinate system 1983, central zone, is a transverse
36 Mercator projection of the North American Datum of 1983 having a central
37 meridian 92 degrees — 30 minutes west of Greenwich, on which meridian the
38 scale is set at one part in fifteen thousand too small. The origin of coordinates
39 is at the intersection of the meridian 92 degrees — 30 minutes west of
40 Greenwich and the parallel of 35 degrees — 50 minutes north latitude. This
41 origin is given the coordinates: $x = 500,000$ meters and $y = 0$ meters;

42 (3) The Missouri coordinate system 1983, west zone, is a transverse
43 Mercator projection of the North American Datum of 1983 having a central
44 meridian 94 degrees — 30 minutes west of Greenwich, on which meridian the
45 scale is set at one part in seventeen thousand too small. The origin of
46 coordinates is at the intersection of the meridian 94 degrees — 30 minutes
47 west of Greenwich and the parallel 36 degrees — 10 minutes north latitude.
48 This origin is given the coordinates: $x = 850,000$ meters and $y = 0$ meters.

49 3. The position of either Missouri coordinate system shall be as
50 marked on the ground by horizontal control stations established in conformity
51 with the standards adopted by the department of agriculture for first order and

52 ~~second-order work, whose geodetic positions have been rigidly adjusted on the~~
53 ~~appropriate datum and whose coordinates have been computed on the system~~
54 ~~defined in this section. Any such station may be used for establishing a survey~~
55 ~~connection with the Missouri coordinate system.]~~

2 ~~[60.491. The Missouri coordinate system of 1927 shall not be used~~
3 ~~after July, 1990; and the Missouri coordinate system of 1983 shall be the sole~~
4 ~~system after this date.]~~

2 ~~[195.203. Notwithstanding any other provision of this chapter or~~
3 ~~chapter 579 to the contrary, any person who has a valid industrial hemp~~
4 ~~registration as provided under section 195.746 may grow, harvest, cultivate,~~
5 ~~and process industrial hemp, as defined in section 195.010, in accordance with~~
6 ~~the requirements of such sections.]~~

2 ~~[195.740. For the purposes of sections 195.740 to 195.773, the~~
3 ~~following terms shall mean:~~

4 ~~(1) "Agricultural hemp propagule", any viable nonseed plant material~~
5 ~~used to cultivate industrial hemp including, but not limited to, transplants,~~
6 ~~cuttings, and clones;~~

7 ~~(2) "Agricultural hemp seed", Cannabis sativa L. seed that meets any~~
8 ~~labeling, quality, or other standards set by the department of agriculture and~~
9 ~~that is intended for sale, is sold to, or is purchased by registered producers for~~
10 ~~planting;~~

11 ~~(3) "Crop", industrial hemp grown under a single registration;~~

12 ~~(4) "Department", the Missouri department of agriculture;~~

13 ~~(5) "Indoor cultivation facility", any greenhouse or enclosed building~~
14 ~~or structure capable of continuous cultivation throughout the year that is not a~~
15 ~~residential building;~~

16 ~~(6) "Industrial hemp plant monitoring system", a reporting system that~~
17 ~~includes, but is not limited to, testing, transfer reports, and data collection~~
18 ~~maintained by a producer or agricultural hemp propagule and seed permit~~
19 ~~holder and available to the department for purposes of monitoring viable~~
20 ~~industrial hemp cultivated as an agricultural product from planting to final sale~~
21 ~~or transfer as a publicly marketable hemp product;~~

22 ~~(7) "Nonviable", plant material or agricultural hemp seed that is not~~
23 ~~capable of living or growing;~~

24 ~~(8) "Produce", the cultivation and harvest of viable industrial hemp;~~

25 ~~(9) "Producer", a person who is a Missouri resident, or an entity that is~~
26 ~~domiciled in this state, who grows or produces viable industrial hemp;~~

27 ~~(10) "Publicly marketable product", any nonviable hemp material,~~
28 ~~including seed, stem, root, leaf, or floral material, that contains no material~~
29 ~~with a delta-9 tetrahydrocannabinol concentration exceeding three-tenths of~~
30 ~~one percent on a dry weight basis.]~~

2 ~~[195.743. Viable industrial hemp shall be an agricultural product that~~
3 ~~is subject to regulation by the department, including compliance with an~~
4 ~~industrial hemp plant monitoring system.]~~

~~[195.746. 1. Any producer of industrial hemp shall obtain a registration from the department. Any producer of agricultural hemp shall ensure that all agricultural hemp propagules and agricultural hemp seed comply with any standards established by the department.~~

~~2. Any person who sells, distributes, or offers for sale any agricultural hemp propagule or agricultural hemp seed in the state shall obtain an agricultural hemp propagule and seed permit from the department. An agricultural hemp propagule and seed permit shall authorize a permit holder to sell, distribute, or offer for sale agricultural hemp propagules or agricultural hemp seed to registered producers or other permit holders. A permit holder is exempt from requirements in chapter 266 if he or she only sells, distributes, or offers for sale agricultural hemp propagules or agricultural hemp seed.~~

~~3. An application for an industrial hemp registration or agricultural hemp propagule and seed permit shall include:~~

- ~~(1) The name and address of the applicant;~~
- ~~(2) The name and address of the industrial hemp or agricultural hemp propagule or seed operation;~~
- ~~(3) For any industrial hemp registration, the global positioning system coordinates and legal description for the property used for the industrial hemp operation;~~
- ~~(4) The application fee, as determined by the department, in an amount sufficient to cover the administration, regulation, and enforcement costs associated with sections 195.740 to 195.773; and~~

~~(5) Any other information the department deems necessary.~~

~~4. The department shall issue a registration under this section to an applicant who meets the requirements of this section and section 195.749 and who satisfactorily completes a state and federal fingerprint criminal history background check under section 43.543. The department may charge an applicant an additional fee for the cost of the fingerprint criminal history background check in addition to the registration fee. If required by federal law, the department shall require an applicant for an agricultural hemp propagule and seed permit to comply with the fingerprint criminal history background check requirements of this subsection.~~

~~5. Upon issuance of a registration or permit, information regarding all producers and permit holders shall be forwarded to the Missouri state highway patrol.~~

~~6. An industrial hemp registration or agricultural hemp propagule and seed permit is:~~

- ~~(1) Nontransferable, except such registration or permit may be transferred to a person who otherwise meets the requirements of a registrant or permit holder, and the person may operate under the existing registration or permit until the registration or permit expires, at which time the renewal shall reflect the change of the registrant or permit holder;~~

~~(2) Valid for a three-year term unless revoked by the department; and~~

~~(3) Renewable as determined by the department, if the registrant or permit holder is found to be in good standing.~~

47 7. Each individual parcel of ground or indoor cultivation facility with a
48 ~~separate legal description shall be required to obtain a separate registration~~
49 ~~unless the parcels are contiguous and owned by the same person of record.]~~

2 ~~[195.749. 1. The department may revoke, refuse to issue, or refuse to~~
3 ~~renew an industrial hemp registration or agricultural hemp propagule and seed~~
4 ~~permit and may impose a civil penalty of not less than five hundred dollars or~~
5 ~~more than fifty thousand dollars for violation of:~~

6 ~~(1) A registration or permit requirement, term, or condition;~~
7 ~~(2) Department rules relating to the production of industrial hemp or~~
8 ~~an agricultural hemp propagule and seed permit;~~
9 ~~(3) Any industrial hemp plant monitoring system requirement; or~~
10 ~~(4) A final order of the department that is specifically directed to the~~
11 ~~producer or permit holder's industrial hemp operations or activities.~~

12 ~~2. A registration or permit shall not be issued to a person who in the~~
13 ~~ten years immediately preceding the application date has been found guilty of,~~
14 ~~or pled guilty to, a felony offense under any state or federal law regarding the~~
15 ~~possession, distribution, manufacturing, cultivation, or use of a controlled~~
16 ~~substance.~~

17 ~~3. The department may revoke, refuse to issue, or refuse to renew an~~
18 ~~industrial hemp registration or agricultural hemp propagule and seed permit~~
19 ~~for failing to comply with any provision of this chapter, or for a violation of~~
20 ~~any department rule relating to agricultural operations or activities other than~~
~~industrial hemp production.]~~

2 ~~[195.752. 1. Any person producing industrial hemp who does not~~
3 ~~have a valid industrial hemp registration issued under section 195.746 may be~~
4 ~~subject to an administrative fine of five hundred dollars and may be fined one~~
5 ~~thousand dollars per day until such person destroys the industrial hemp crop.~~
6 ~~The Missouri state highway patrol shall certify such destruction to the~~
7 ~~department.~~

8 ~~2. Any person selling, distributing, or offering for sale any agricultural~~
9 ~~hemp propagule or agricultural hemp seed in the state who does not have a~~
10 ~~valid agricultural hemp propagule and seed permit issued under section~~
11 ~~195.746 may be subject to an administrative fine of five hundred dollars and~~
12 ~~may be fined one thousand dollars per day until such person obtains a valid~~
~~permit.]~~

2 ~~[195.756. Notwithstanding sections 281.050 and 281.101 to the~~
3 ~~contrary, in the production of industrial hemp consistent with sections 195.740~~
4 ~~to 195.773, no retailer of pesticides as defined in 7 U.S.C. Section 136, or~~
5 ~~agricultural chemicals shall be liable for the sale, application, or handling of~~
6 ~~such products by a producer or applicator in any manner or for any purpose not~~
7 ~~approved by applicable state and federal agencies. No producer or applicator~~
8 ~~may use or apply pesticides or agricultural chemicals in the growing or~~
~~handling of industrial hemp except as approved by state and federal law.]~~

~~[195.758. 1. Every producer or permit holder shall be subject to an industrial hemp plant monitoring system and shall keep industrial hemp crop and agricultural hemp propagule and seed records as required by the department. The department may require an inspection or audit during any normal business hours for the purpose of ensuring compliance with:~~

- ~~(1) Any provision of sections 195.740 to 195.773;~~
- ~~(2) Department rules and regulations;~~
- ~~(3) Industrial hemp registration or agricultural hemp propagule and seed permit requirements, terms, or conditions;~~
- ~~(4) Any industrial hemp plant monitoring system requirement; or~~
- ~~(5) A final department order directed to the producer's or permit holder's industrial hemp or agricultural hemp propagule and seed operations or activities.~~

~~2. In addition to any inspection conducted under subsection 1 of this section, the department may inspect any industrial hemp crop during the crop's growth phase and take a representative sample for field analysis. If a crop contains an average delta-9 tetrahydrocannabinol concentration exceeding three tenths of one percent or the maximum concentration allowed under federal law, whichever is greater, on a dry weight basis, the department may retest the crop. If the second test indicates that a crop contains an average delta-9 tetrahydrocannabinol concentration exceeding three tenths of one percent or the maximum concentration allowed under federal law, whichever is greater, on a dry weight basis, the department may order any producer to destroy the crop.~~

~~3. If such crop is not destroyed within fifteen days of the producer being notified by the department by certified mail that the crop contains concentrations exceeding those set forth in subsection 2 of this section, and directing the producer to destroy the crop, such producer shall be subject to a fine of five thousand dollars per day until such crop is destroyed. No such penalty or fine shall be imposed prior to the expiration of the fifteen-day notification period.~~

~~4. The Missouri state highway patrol may, at its own expense, perform aerial surveillance to ensure illegal industrial hemp plants are not being cultivated on or near legal, registered industrial hemp plantings.~~

~~5. The Missouri state highway patrol may coordinate with local law enforcement agencies to certify the destruction of illegal industrial hemp plants.~~

~~6. The department shall notify the Missouri state highway patrol and local law enforcement agencies of the need to certify that a crop of industrial hemp deemed illegal through field analysis has been destroyed.~~

~~7. Unless required by federal law, the department shall not regulate the sale or transfer of nonviable hemp including, but not limited to, stripped stalks, fiber, dried roots, nonviable leaf material, nonviable floral material, nonviable seeds, seed oils, floral and plant extracts, unadulterated forage, and other marketable agricultural hemp products to members of the general public both within and outside the state.]~~

~~[195.764. 1. The department may charge producers and permit holders reasonable fees as determined by the department for the purposes of administering sections 195.740 to 195.773. Fees charged for purposes of administering sections 195.740 to 195.773 shall only be used to administer such sections, and shall not provide additional revenue for the department to use to administer any other program or provide staff to the department for any other program. All fees collected under sections 195.740 to 195.773 shall be deposited in the industrial hemp fund created under this section for use by the department to administer sections 195.740 to 195.773.~~

~~2. There is hereby created in the state treasury the "Industrial Hemp Fund", which shall consist of any grants, gifts, donations, bequests, or money collected under sections 195.740 to 195.773. 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 money in the fund shall be used solely by the department of agriculture for the purpose of administering such sections, including reimbursing the Missouri state highway patrol for the enforcement of such sections. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.]~~

~~[195.767. An institution of higher education may engage in the research and study of the growth, cultivation, or marketing of industrial hemp as authorized by Section 7606 of the federal Agricultural Act of 2014, Pub. L. 113-79, or any successor law. Institutions of higher education shall not be required to obtain a registration for the production of industrial hemp from the department as set forth in sections 195.746 and 195.749.]~~

~~[195.773. 1. The department of agriculture shall execute its responsibilities relating to the cultivation of industrial hemp in the most cost-efficient manner possible, including in establishing permit and registration fees. For the purpose of testing industrial hemp for pesticides, the department shall explore the option of transporting samples from Missouri to departments of agriculture or testing laboratories in contiguous states, which participate in an agricultural pilot program authorized by the federal Agricultural Act of 2014, or any state program authorized by successor federal law. All transport between states shall be in compliance with the federal Agricultural Act of 2014, or any successor federal law, as well as any other applicable state and federal law.~~

~~2. The department shall promulgate rules necessary to administer the provisions of sections 195.740 to 195.773. 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~~

19 ~~delay the effective date, or to disapprove and annul a rule are subsequently~~
20 ~~held unconstitutional, then the grant of rulemaking authority and any rule~~
21 ~~proposed or adopted after August 28, 2018, shall be invalid and void.]~~

2 ~~[261.265. 1. For purposes of this section, the following terms shall~~
3 ~~mean:~~

4 ~~(1) "Cannabidiol oil care center", the premises specified in an~~
5 ~~application for a cultivation and production facility license in which the~~
6 ~~licensee is authorized to distribute processed hemp extract to persons~~
7 ~~possessing a hemp extract registration card issued under section 192.945;~~

8 ~~(2) "Cultivation and production facility", the land and premises~~
9 ~~specified in an application for a cultivation and production facility license on~~
10 ~~which the licensee is authorized to grow, cultivate, process, and possess hemp~~
11 ~~and hemp extract;~~

12 ~~(3) "Cultivation and production facility license", a license that~~
13 ~~authorizes the licensee to grow, cultivate, process, and possess hemp and hemp~~
14 ~~extract, and distribute hemp extract to its cannabidiol oil care centers;~~

15 ~~(4) "Department", the department of agriculture;~~

16 ~~(5) "Grower", a nonprofit entity issued a cultivation and production~~
17 ~~facility license by the department of agriculture that produces hemp extract for~~
18 ~~the treatment of intractable epilepsy;~~

19 ~~(6) "Hemp":~~

20 ~~(a) All nonseed parts and varieties of the cannabis sativa plant,~~
21 ~~whether growing or not, that contain a crop-wide average~~
22 ~~tetrahydrocannabinol (THC) concentration that does not exceed the lesser of:~~

23 ~~a. Three-tenths of one percent on a dry weight basis; or~~

24 ~~b. The percent based on a dry weight basis determined by the federal~~
25 ~~Controlled Substances Act under 21 U.S.C. Section 801, et seq.;~~

26 ~~(b) Any cannabis sativa seed that is:~~

27 ~~a. Part of a growing crop;~~

28 ~~b. Retained by a grower for future planting; or~~

29 ~~c. For processing into or use as agricultural hemp seed.~~

30 ~~This term shall not include industrial hemp commodities or products;~~

31 ~~(7) "Hemp monitoring system", an electronic tracking system that~~
32 ~~includes, but is not limited to, testing and data collection established and~~
33 ~~maintained by the cultivation and production facility and is available to the~~
34 ~~department for the purposes of documenting the hemp extract production and~~
35 ~~retail sale of the hemp extract.~~

36 ~~2. The department shall issue a cultivation and production facility~~
37 ~~license to a nonprofit entity to grow or cultivate the cannabis plant used to~~
38 ~~make hemp extract as defined in subsection 1 of section 195.207 or hemp on~~
39 ~~the entity's property if the entity has submitted to the department an~~
40 ~~application as required by the department under subsection 7 of this section,~~
41 ~~the entity meets all requirements of this section and the department's rules, and~~
42 ~~there are fewer than two licensed cultivation and production facilities~~
43 ~~operating in the state.~~

44 ~~3. A grower may produce and manufacture hemp and hemp extract,~~
45 ~~and distribute hemp extract as defined in section 195.207 for the treatment of~~
46 ~~persons suffering from intractable epilepsy as defined in section 192.945~~
47 ~~consistent with any and all state or federal regulations regarding the~~
48 ~~production, manufacture, or distribution of such product. The department~~
49 ~~shall not issue more than two cultivation and production facility licenses for~~
50 ~~the operation of such facilities at any one time.~~

51 ~~4. The department shall maintain a list of growers.~~

52 ~~5. All growers shall keep records in accordance with rules adopted by~~
53 ~~the department. Upon at least three days' notice, the director of the department~~
54 ~~may audit the required records during normal business hours. The director~~
55 ~~may conduct an audit for the purpose of ensuring compliance with this section.~~

56 ~~6. In addition to an audit conducted in accordance with subsection 5 of~~
57 ~~this section, the director may inspect independently, or in cooperation with the~~
58 ~~state highway patrol or a local law enforcement agency, any hemp crop during~~
59 ~~the crop's growth phase and take a representative composite sample for field~~
60 ~~analysis. If a crop contains an average tetrahydrocannabinol (THC)~~
61 ~~concentration exceeding the lesser of:~~

62 ~~(1) Three-tenths of one percent on a dry weight basis; or~~

63 ~~(2) The percent based on a dry weight basis determined by the federal~~
64 ~~Controlled Substances Act under 21 U.S.C. Section 801, et seq.,~~

65
66 ~~the director may detain, seize, or embargo the crop.~~

67 ~~7. The department shall promulgate rules including, but not limited to:~~

68 ~~(1) Application requirements for licensing, including requirements for~~
69 ~~the submission of fingerprints and the completion of a criminal background~~
70 ~~check;~~

71 ~~(2) Security requirements for cultivation and production facility~~
72 ~~premises, including, at a minimum, lighting, physical security, video and alarm~~
73 ~~requirements;~~

74 ~~(3) Rules relating to hemp monitoring systems as defined in this~~
75 ~~section;~~

76 ~~(4) Other procedures for internal control as deemed necessary by the~~
77 ~~department to properly administer and enforce the provisions of this section;~~
78 ~~including reporting requirements for changes, alterations, or modifications of~~
79 ~~the premises;~~

80 ~~(5) Requirements that any hemp extract received from a legal source~~
81 ~~be submitted to a testing facility designated by the department to ensure that~~
82 ~~such hemp extract complies with the provisions of section 195.207 and to~~
83 ~~ensure that the hemp extract does not contain any pesticides. Any hemp~~
84 ~~extract that is not submitted for testing or which after testing is found not to~~
85 ~~comply with the provisions of section 195.207 shall not be distributed or used~~
86 ~~and shall be submitted to the department for destruction; and~~

87 ~~(6) Rules regarding the manufacture, storage, and transportation of~~
88 ~~hemp and hemp extract, which shall be in addition to any other state or federal~~
89 ~~regulations.~~

90 ~~8. Any rule or portion of a rule, as that term is defined in section~~
91 ~~536.010, that is created under the authority delegated in this section shall~~

92 ~~become effective only if it complies with and is subject to all of the provisions~~
93 ~~of chapter 536 and, if applicable, section 536.028. This section and chapter~~
94 ~~536 are nonseverable, and if any of the powers vested with the general~~
95 ~~assembly under chapter 536 to review, to delay the effective date, or to~~
96 ~~disapprove and annul a rule are subsequently held unconstitutional, then the~~
97 ~~grant of rulemaking authority and any rule proposed or adopted after July 14,~~
98 ~~2014.~~

99 ~~9. All hemp waste from the production of hemp extract shall either be~~
100 ~~destroyed, recycled by the licensee at the hemp cultivation and production~~
101 ~~facility, or donated to the department or an institution of higher education for~~
102 ~~research purposes, and shall not be used for commercial purposes.~~

103 ~~10. In addition to any other liability or penalty provided by law, the~~
104 ~~director may revoke or refuse to issue or renew a cultivation and production~~
105 ~~facility license and may impose a civil penalty on a grower for any violation of~~
106 ~~this section, or section 192.945 or 195.207. The director may not impose a~~
107 ~~civil penalty under this section that exceeds two thousand five hundred~~
108 ~~dollars.]~~

✓