

JOURNAL OF THE HOUSE

First Regular Session, 102nd GENERAL ASSEMBLY

TWENTIETH DAY, WEDNESDAY, FEBRUARY 8, 2023

The House met pursuant to adjournment.

Speaker Plocher in the Chair.

Prayer by Reverend Monsignor Robert A. Kurwicky, Chaplain.

“My brethren, be strong in the Lord and in the power of his might.” (Ephesians 6:10)

God of our beloved Ancestors, amid the tension of troubled times, may we keep within our hearts a calm and a quiet place where You live, where Your power strengthens us, Your wisdom makes us wise and Your goodness keeps us good.

At times we may need to withdraw from our heavy workload and the noisy hallways, and silently lift up our hearts to You in prayer. Then alive with Your spirit may we face our daily tasks with new courage, faith and hope.

Bless our Missouri Supreme Court. Make it faithful in devotion to truth, great in desire for justice, strong in willingness to serve, and wise in its dealings. By doing Your will, may we bring satisfaction to our minds and joy to our hearts.

And the House says, “Amen!”

The Pledge of Allegiance to the flag was recited.

The Journal of the nineteenth day was approved as corrected.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 59, introduced by Representative Chappell, relating to voter qualifications.

HJR 60, introduced by Representative Matthiesen, relating to personal property tax.

HJR 61, introduced by Representative Copeland, relating to state department revenue from management of state natural resources.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1090, introduced by Representative Falkner, relating to payments for certain contracts.

HB 1091, introduced by Representative Shields, relating to opioid antagonists.

HB 1092, introduced by Representative Plank, relating to agricultural education.

HB 1093, introduced by Representative Plank, relating to renewable energy resources.

HB 1094, introduced by Representative Thompson, relating to mental health care.

HB 1095, introduced by Representative Chappell, relating to prosecuting attorneys.

HB 1096, introduced by Representative Kelly (141), relating to promoting Missouri hardwood.

HB 1097, introduced by Representative Riggs, relating to an income tax deduction for personal property taxes paid.

HB 1098, introduced by Representative Stephens, relating to telehealth services.

HB 1099, introduced by Representative Baker, relating to advisory bodies for the department of health and senior services.

HB 1100, introduced by Representative Weber, relating to a meat production justice grant program.

HB 1101, introduced by Representative Weber, relating to controlled livestock grazing.

HB 1102, introduced by Representative Stephens, relating to the labeling of prescriptions.

HB 1103, introduced by Representative Matthiesen, relating to personal property taxes.

HB 1104, introduced by Representative Copeland, relating to state department revenue from management of state natural resources.

HB 1105, introduced by Representative Oehlerking, relating to police pensions.

HB 1106, introduced by Representative Kalberloh, relating to wholesalers licensed to sell intoxicating liquor.

HB 1107, introduced by Representative Stephens, relating to concentrated animal feeding operations, with penalty provisions.

HB 1108, introduced by Representative Hicks, relating to the sexual offender registry.

HB 1109, introduced by Representative Thompson, relating to the state treasurer's ability to invest.

SECOND READING OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolution was read the second time:

HJR 58, relating to taxes for conservation purposes.

SECOND READING OF HOUSE BILLS - APPROPRIATIONS

The following House Bills were read the second time:

HB 1, to appropriate money to the Board of Fund Commissioners for the cost of issuing and processing State Water Pollution Control Bonds, Stormwater Control Bonds, and Fourth State Building Bonds, as provided by law, to include payments from the Water Pollution Control Bond and Interest Fund, Stormwater Control Bond and Interest Fund, and Fourth State Building Bond and Interest Fund, and to transfer money among certain funds for the period beginning July 1, 2023, and ending June 30, 2024.

HB 5, to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Conservation, the Department of Public Safety, the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2023, and ending June 30, 2024.

HB 10, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Department of Health and Senior Services, and the several divisions and programs thereof, and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2023, and ending June 30, 2024.

HB 11, to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2023, and ending June 30, 2024.

HB 12, to appropriate money for expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions

and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2023, and ending June 30, 2024.

HB 13, to appropriate money for real property leases, related services, utilities, systems furniture, structural modifications, and related expenses for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds for the period beginning July 1, 2023, and ending June 30, 2024.

SECOND READING OF HOUSE BILLS

The following House Bills were read the second time:

HB 1060, relating to MO HealthNet benefits.

HB 1061, relating to organized militia age requirements.

HB 1062, relating to income tax donations.

HB 1063, relating to the Missouri task force on nonprofit safety and security.

HB 1064, relating to the personal privacy protection act, with an emergency clause.

HB 1065, relating to regulation of solar energy.

HB 1066, relating to tattooing, with penalty provisions.

HB 1067, relating to Disabled American Veterans special license plates.

HB 1068, relating to school safety construction projects.

HB 1069, relating to incarceration costs.

HB 1070, relating to mental health leave.

HB 1071, relating to contracting authority for the public service commission.

HB 1072, relating to tax revenues dedicated to school districts.

HB 1073, relating to accreditation goals.

HB 1074, relating to civil detention procedures.

HB 1075, relating to voters who are visually impaired.

HB 1076, relating to a tax exemption for certain grants.

HB 1077, relating to liability of employers.

HB 1078, relating to real property valuation assessments.

HB 1079, relating to renewable energy.

HB 1080, relating to an apprenticeship program listing.

HB 1081, relating to privacy protections, with a penalty provision.

HB 1082, relating to behavioral health services for certain accused persons.

HB 1083, relating to statewide mechanical contractor licenses, with penalty provisions.

HB 1084, relating to suffrage of persons confined in jails.

HB 1085, relating to the habitability of the premises of a tenant.

HB 1086, relating to a conviction review unit.

HB 1087, relating to school antibullying policies.

HB 1088, relating to the collection of delinquent taxes, with penalty provisions.

HB 1089, relating to homeowners' associations.

PERFECTION OF HOUSE BILLS

HCS HBs 115 & 99, relating to the scope of practice for physical therapists, was placed on the Informal Calendar.

HCS HB 301, relating to public safety, was taken up by Representative Roberts.

On motion of Representative Roberts, the title of **HCS HB 301** was agreed to.

HCS HB 301 was laid over.

MOTION

Representative Patterson moved that Rule 123 be suspended.

Which motion was adopted by the following vote:

AYES: 141

Adams	Allen	Amato	Anderson	Appelbaum
Atchison	Aune	Baker	Banderman	Bangert
Baringer	Barnes	Billington	Black	Boggs
Bonacker	Boyd	Bromley	Brown 149	Brown 16
Brown 27	Buchheit-Courtway	Burger	Burnett	Burton
Busick	Butz	Byrnes	Casteel	Chappell
Christ	Christofanelli	Clemens	Coleman	Collins
Cook	Copeland	Cupps	Davidson	Davis
Deaton	Diehl	Dinkins	Falkner	Farnan
Fogle	Fountain Henderson	Francis	Gallick	Gragg
Gray	Gregory	Griffith	Haden	Haffner
Haley	Hardwick	Hausman	Henderson	Hicks
Hinman	Houx	Hovis	Hudson	Hurlbert
Ingle	Johnson 12	Johnson 23	Jones	Justus
Kalberloh	Kelley 127	Kelly 141	Knight	Lavender
Lewis 25	Lewis 6	Lonsdale	Lovasco	Marquart
Matthiesen	Mayhew	McGaugh	McGill	McMullen
Merideth	Mosley	Murphy	Myers	Nurrenbern
O'Donnell	Oehlerking	Owen	Parker	Patterson
Perkins	Peters	Plank	Pollitt	Pouche
Quade	Reedy	Reuter	Richey	Riggs
Riley	Sander	Sassmann	Sauls	Schnelting
Schulte	Schwadron	Seitz	Sharpe 4	Shields
Smith 155	Smith 46	Sparks	Stacy	Steinhoff
Stephens	Stinnett	Taylor 48	Taylor 84	Terry
Thomas	Thompson	Titus	Toalson Reisch	Unsicker
Van Schoiack	Veit	Voss	Waller	Walsh Moore
Weber	West	Wilson	Woods	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 022

Aldridge	Bland Manlove	Bosley	Brown 87	Crossley
Doll	Ealy	Evans	Hein	Keathley
Mackey	Mann	Morse	Nickson-Clark	Phifer
Proudie	Roberts	Sharp 37	Smith 163	Strickler
Windham	Young			

VACANCIES: 000

JOINT SESSION

The hour of the Joint Session having arrived, the Senate in a body was admitted and Lieutenant Governor Mike Kehoe, presiding, called the Joint Assembly to order.

The Secretary of the Senate called the roll, which showed a majority of the Senators present:

AYES: 031

Arthur	Bean	Beck	Bernskoetter	Black
Brown 26	Carter	Cierpiot	Coleman	Crawford
Eigel	Fitzwater	Gannon	Hoskins	Hough
Koenig	Luetkemeyer	May	McCreery	Moon
Mosley	O'Laughlin	Razer	Rizzo	Roberts
Rowden	Schroer	Thompson Rehder	Trent	Washington
Williams				

NOES: 000

ABSENT: 002

Brattin Brown 16

ABSENT WITH LEAVE: 001

Eslinger

The Chief Clerk of the House called the roll, which showed a majority of the Representatives present:

AYES: 136

Adams	Allen	Amato	Anderson	Appelbaum
Atchison	Baker	Banderman	Bangert	Baringer
Barnes	Billington	Black	Boggs	Bonacker
Bosley	Boyd	Bromley	Brown 149	Brown 16
Brown 27	Buchheit-Courtway	Burger	Burnett	Burton
Busick	Butz	Byrnes	Casteel	Christ
Christofanelli	Clemens	Collins	Cook	Copeland
Cupps	Davidson	Davis	Deaton	Diehl
Dinkins	Falkner	Farnan	Fogle	Fountain Henderson
Francis	Gallick	Gragg	Gray	Gregory
Griffith	Haden	Haffner	Haley	Hardwick
Hausman	Henderson	Hicks	Hinman	Houx
Hovis	Hudson	Ingle	Johnson 12	Johnson 23
Jones	Justus	Kalberloh	Kelley 127	Kelly 141
Knight	Lewis 25	Lewis 6	Lonsdale	Lovasco
Marquart	Matthiesen	Mayhew	McGaugh	McGill
McMullen	Merideth	Mosley	Murphy	Myers
Nurrenbern	O'Donnell	Oehlerking	Owen	Parker
Patterson	Perkins	Peters	Plank	Pollitt
Quade	Reedy	Reuter	Richey	Riggs
Riley	Roberts	Sander	Sassmann	Sauls
Schnelting	Schulte	Schwadron	Seitz	Sharpe 4

Shields	Smith 155	Smith 163	Smith 46	Sparks
Stacy	Steinhoff	Stinnett	Taylor 48	Taylor 84
Thomas	Thompson	Titus	Toalson Reisch	Unsicker
Van Schoiack	Veit	Voss	Waller	Walsh Moore
Weber	West	Wilson	Woods	Wright
Mr. Speaker				

NOES: 000

PRESENT: 005

Bland Manlove	Coleman	Hurlbert	Pouche	Stephens
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ABSENT WITH LEAVE: 022

Aldridge	Aune	Brown 87	Chappell	Crossley
Doll	Ealy	Evans	Hein	Keathley
Lavender	Mackey	Mann	Morse	Nickson-Clark
Phifer	Proudie	Sharp 37	Strickler	Terry
Windham	Young			

VACANCIES: 000

The Sergeant-at-Arms announced the approach of the Honorable Paul C. Wilson, Chief Justice of the Supreme Court of Missouri. Chief Justice Wilson was duly escorted to the House Chamber and to the Speaker's dais, where he delivered the following message to the Assembly in Joint Session.

STATE OF THE JUDICIARY ADDRESS BY CHIEF JUSTICE PAUL C. WILSON

Introduction

Speaker Plocher, Lieutenant Governor Kehoe, President Pro Tem Rowden, members of the 102nd General Assembly, statewide office holders, cabinet members and other executive branch officials: thank you for the opportunity to speak with you this morning.

Earlier this year, I had the privilege of speaking to a number of new legislators. It occurred to me, not for the first time, how incredibly difficult your role is. You come to this magnificent building with a lifetime of expertise and achievement in so many separate fields: education, law enforcement, agriculture, business and so many more. You gather from all these diverse backgrounds to take on a new challenge, to help manage one of the largest and most complex businesses there is ... state government.

Of course, there is simply no way you can learn all there is to know about everything the government does ... not in one year, or one term, or one lifetime. So, my job this morning is to try to describe for you the part of government I know best; to tell you who the judicial branch is and what we do.

You all know Government Relations Counsel Patricia Churchill, and Betsy AuBuchon, clerk of the Supreme Court, and you've been introduced to my six colleagues on that Court ... but *we* are *not* the judiciary. Not even close.

The heart and hands of the judicial branch

No, the heart and the hands of the judicial branch are the 400 circuit and associate circuit judges around this state, and the 3,000 clerks, bailiffs, juvenile officers, juvenile detention staff, court reporters, commissioners and all the

rest who work, together, to resolve nearly 750,000 cases a year. When you add in all the full and part-time municipal judges and staff, the number of cases nearly doubles.

Together, day in and day out, *these* are the people who do the work of the judicial branch. And none of them work across the street in the Supreme Court building. Instead, they work in local courthouses across the state. They're your friends, your neighbors, and your constituents. The work they do is difficult, often taxing, and it requires them to handle a high volume of work without ever losing the compassion needed to serve their communities one case at a time. *They* are the judicial branch, and they do the work of one of the most important institutions we have.

That's why, to begin with, I want to thank all of you – on behalf of all 3,000 of our court employees – for the efforts you've made to increase their compensation, especially last year. They understand the importance of the work they do, but having pride in what you do just won't fill the gas tank or pay for child care, and it sure doesn't buy any groceries. That's why I join Governor Parson in asking that you pass the recommended cost-of-living adjustment in the FY23 supplemental budget.

This COLA will help make sure the ground these employees gained in recent years isn't lost to inflation. In addition, we are asking you to fund the overtime court clerks are already working to meet the unprecedented obligations imposed by the passage of Amendment 3 last fall.

It's simple: Courts resolve disputes

That's a little about who the judicial branch is, but what really matters is what do we do. We resolve disputes – period. Nearly a million and half times every year, courts apply the law to the facts to resolve the dispute in front of them. The law comes from the people in the form of the state and federal constitutions, and it comes from you in the form of the laws you write, and the local ordinances and administrative regulations you authorize. Judges apply this law to the facts to resolve the disputes brought to them. That's it. Lawyers like to make simple things sound complicated, but that's all we do – figure out the facts of each dispute – who did what to whom – and apply the law to resolve it. Being a judge isn't easy, but it's real simple.

What's so important about the justice system is not merely what we do, it's how much of it we do. And how essential it is to have one place in society where the law controls, where facts are proved with evidence, where truth matters, and where justice prevails.

The framers knew that, in a free society, there would be disputes – not only between citizens, but between citizens and their government, and between different parts of government. That's why our constitution provides for an independent judiciary – to resolve those disputes. The constitution empowers judges *not* because we're blessed with infallible wisdom (we aren't or, at least, I'm not), but because the framers understood the rule of law matters, *someone* must decide, and those decisions need to have the force and effect of law. The framers knew the only alternative was anarchy, and they were right.

Courts are able to fulfill this essential function because the people believe they do. The rule of law matters because the people believe it matters, and because they know the courts are there to defend it.

Now, what do I mean by the “rule of law”? Well, scholars have spent thousands of pages debating that question, but I don't think it's that complicated. Think about it this way: every one of us has pulled up to a blinking red stop light in the middle of the night ... with perfect visibility and not another car in sight. We still stop Why? Because we believe so firmly in the rule of law we don't even consciously think about it.

If that belief falters, if we only follow the laws we agree with, or only when we want to, society won't be fit for any of us to live in. Everything we do depends on that public trust, and all of us have a stake in protecting and fostering it.

Here's another, more poignant example. Every Friday night, thousands and thousands of parents in this state shuttle their children across town to the custody of the other parent. Why? Because a judge told them they have to. They don't do it because they agree with it – they do it because they respect your laws and the courts that enforce them. Due process ensures these people have a right to be heard, but they know, when the judgment is final, that's it.

And it's not just family law. Missouri courts resolve thousands of disputes involving businesses and consumers every year. And both sides – those who prevail and those who don't – comply with those judgments. Not because they agree. One side – and sometimes both sides – can disagree with the court's judgment. But they comply because they believe in the rule of law and they know no one can do business – at all – without the system of laws you write and the judicial branch to enforce them.

Preserving public trust and confidence

If the public loses its trust in the judicial branch and the rule of law, if we return to the time when might makes right, when the mob rules whether you're *in* it or being chased *by* it, it will be because we – all of us in this room – failed in our duty to safeguard one of the essential institutions created by our constitution.

The Rules of Professional Conduct for lawyers spell this out clearly. Its preamble states: “A lawyer should further the public's understanding of and confidence in the rule of law and the justice system [L]egal institutions in a constitutional democracy depend on popular participation and support to maintain their authority.”

But I'm telling you, lawyers and judges can't do it alone. We need your support. No one in this government has a more direct line of communication to the public than the 200 legislators in this room – our entire form of government is built on that simple fact. You are closer to the citizens of this state than anyone else. More than that, I believe no one has a greater interest than you do in upholding the public's trust in the judicial branch. We are the ones who apply and enforce the laws you write. So, when you speak to your constituents, remember how important it is for them – and you – to understand and trust your judicial system.

I doubt you agree with every decision the seven of us make, let alone the hundreds of thousands of decisions made every year by trial judges all around this state. I know I don't. So, if you want to tell your constituents you think we got it wrong, that's your right. But when you do, take a minute to explain that – even when you think we got it wrong – you know judges are just public servants like you ... doing their best to decide cases based on the facts and their best understanding of the law ... because I promise you that's true.

I know the judges in this state – I've spent most of my professional life working in front of and alongside them. As a lawyer, I won and lost. As a trial judge, I was affirmed and reversed. And, now, sometimes I'm in the majority and sometimes I'm in the dissent. But I have never met a single judge who didn't do their best to apply the law to the facts to decide each case. They are as committed to the rule of law as you would want them to be, and Missourians deserve to know that. So, I'm asking for your help in preserving and promoting the people's trust in the rule of law and their judicial system.

Technology is essential to making courts open and accessible

Of course, it takes more than education to foster and protect that trust. We work hard to ensure that those who bring or have cases brought against them are treated fairly and with respect, that their rights are protected, and that they understand what the court is doing and why.

One of the keys to making Missouri courts more open and accessible is the work we have done on court technology and automation. These innovations have not only revolutionized how we work, they've fundamentally changed how Missourians interact with their court system.

Today, most traffic cases can be resolved online. Our eJuror system makes more efficient use of citizens' time when they are called to provide this essential form of public service. Public terminals in every county courthouse, and even in your legislative library, give Missourians access to any public document in their case ... or any case across the state. And, starting this July, we will begin making this same functionality available over the internet so Missourians can access public court documents when and where it's most convenient for them.

For years, remote video appearances were used mostly in early stages of criminal cases, to avoid the expense and security concerns of transporting defendants to and from jail unnecessarily. But, when the pandemic hit, suddenly these virtual appearances became a necessity for nearly every kind of case. Now, they are a permanent, indispensable part of the judicial landscape. They not only help make judges more efficient, they can make many court appearances more convenient for those we serve.

It is astounding how quickly a cutting-edge innovation becomes an essential part of what we do and how we do it. Things we couldn't imagine yesterday, people simply can't do without today. In recent years, you've supported this work by helping to stabilize the various funding streams for court automation, and this year brings another important step on that path.

The statute imposing a \$7 filing fee for court automation, first enacted way back in 1994, is again up for renewal. Some of the funding for court automation comes from general revenue because the courts serve every Missourian every day, whether they have a case pending or not. Nevertheless, it is fair for those using the judicial system to pay a part of the costs of that system, and this \$7 filing fee – which has *never* gone up in the 30 years we've had it – provides an essential part of the funding for an essential part of our work. I urge you – actually I'm begging you – to renew it this session.

The success of treatment courts

We can also strengthen the public's trust in the judicial system by working with you to find better, more just ways of resolving some of the disputes we see every day in courtrooms around the state. One of the best examples of this collaboration has been the way treatment courts respond to defendants with mental health and co-occurring substance use disorders.

Each treatment court success story means a prison term or a life-altering felony conviction avoided. It means strengthening our communities by helping one person at a time break the cycle of addiction before it lands them in prison. But even more important, every one of these success stories means a family restored, not shattered; a constructive life returned to society, not lost to incarceration; and – so many times – it means a parent who is there to play a meaningful role in their children's lives, not someone those kids see through a piece of plexiglass only once a month, if at all.

The return on investment you've made in treatment courts has exceeded every expectation, and the future is even brighter. Not only do treatment courts save money, they're a better and more just way of handling these offenses.

Impacts of the mental health crisis

But treatment courts can't solve every problem. Increasingly, Missouri courts are finding themselves on the front lines of a growing mental health crisis in this country. Too often, we are confronted with individuals manifesting mental health conditions so profound they are not even competent to stand trial. Police have to arrest them and prosecutors charge them – both to protect those defendants and the rest of us – but we can't proceed with their case. Medication, case management and treatment can often restore competency, but delays in getting defendants into traditional in-patient facilities leaves them – and our courts – stuck in limbo, unable to move forward or back.

This is why the Missouri Justice Reinvestment Initiative recommends you strengthen efforts to bring competency restoration services to the defendants where they are. By using mobile medication and case management teams – and by empowering local behavioral health clinicians – we can get more help, sooner, to those who need it; restore their competence; resolve the charges against them; and return them to their communities – and to community-based care – as soon as possible. Missouri courts are proud to be a part of this initiative, led by Corrections Director Precythe and Mental Health Director Huhn, and we strongly support this recommendation.

The mental health crisis is also creating problems for judges outside the courtroom. Violence and threats of violence toward judges and their families are increasing every day. When I spoke to you last year, I recited a frightening list of deadly attacks, both inside and outside Missouri. I won't repeat them.

But what I said last year is just as true today: We owe it to the those who serve in Missouri's judiciary not to wait until we learn – in the worst possible way – that we waited too long, and did too little. This session, you will be considering several bills aimed at protecting judges' private information, and I urge you to give them your most careful consideration.

Using judges as a resource

All of the things I've mentioned are things you can do to help courts perform better for all Missourians. But I urge you to use us as a resource as well. Just as we did in 2014, when you rewrote the criminal code, I believe we can help inform the decisions you make throughout the substantive law.

When you consider changes – whether to family law, landlord-tenant, debt collection, crimes and punishments, or any one of a hundred other areas of law you write – don't forget this: some of the men and women who know the *most* about those issues – and the important, often competing, rights involved – are the judges in your communities who hear those cases every day.

Judges know the constitution empowers *you* to write the substantive law, not us. But I'm hoping you will use them and their expertise to inform the decisions you make.

Conclusion

Soon, my turn as chief justice will come to an end – 142 days, but who's counting! So, if you'll allow me a point of personal privilege, I'd like to thank my wife Laura for all of her support, not only while I've been chief, but throughout my career. You'll never know what it cost her, and I ask you to help me thank her now.

I also want to take this opportunity to express how profoundly grateful I am for the opportunity to serve the people of this state as a member of their Supreme Court. Each of you, I'm sure, gets a thrill every time you walk into this magnificent chamber – the People's Chamber – and you feel a sense of obligation to fulfill the promises this great building represents.

The same is true for me. Every time I walk into the red brick building across the street, I am so very proud of our judicial system and the work it does. Every day, I'm reminded how incredibly fortunate I am to play a role in that work, and how thankful I am that I get to do it with colleagues I love and respect.

Last year, I had the great pleasure of introducing to you Judge Robin Ransom, our newest member. But, for every sunrise, there must be a sunset. This fall, we will lose two of our number to retirement. Combined, those two judges have served the people of this state for more than 70 years, first as trial judges, then on the court of appeals, and now on the Supreme Court. Both of them have dedicated their lives – not just to the work of the courts – but to the principles of access, fairness, and equal justice for all; principles that lie at the heart of our justice system. The courts have benefited immeasurably from their work, and we will miss them dearly.

Judge Patricia Breckenridge was unable to join us today, but the Honorable George W. Draper III is here. Please join me now in recognizing the lifetime of service both Judge Draper and Judge Breckenridge have given to this state and its people.

Judges – like legislators – come and we go. We're called, we serve, and we step aside. But the institutions in which we serve will go on. No player, no team is bigger than the game. The judicial branch goes on – the legislative and executive branches go on – this government “of the people, by the people and for the people” goes on. That's the strength, the miracle of our constitutional democracy.

So, look around this chamber and think of the millions of Missourians we are privileged to serve. Remember how incredibly precious that opportunity to serve is ... and how fleeting it is. And remember, too, when each of us reaches the end of our service, none of us will be judged in isolation – on what we alone said or even did. No, we will all be judged, as we should be, collectively. On how well the government – the People's Government – worked. On how well it served them.

May God bless each of you. May God continue to bless the great State of Missouri. And, of course, may God bless Patrick Mahomes' right ankle! Thank you.

The Joint Session was dissolved by Senator O'Laughlin.

Speaker Plocher resumed the Chair.

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

AFTERNOON SESSION

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

Representative Patterson suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 076

Allen	Amato	Anderson	Appelbaum	Atchison
Banderman	Baringer	Barnes	Billington	Black
Bonacker	Bromley	Brown 149	Brown 16	Brown 27
Busick	Christ	Collins	Cook	Copeland
Crossley	Cupps	Davidson	Davis	Diehl
Farnan	Francis	Gallick	Haden	Haffner
Haley	Hardwick	Hausman	Henderson	Hicks
Hinman	Hovis	Johnson 23	Jones	Justus
Kelley 127	Kelly 141	Lewis 6	Lonsdale	Lovasco
Marquart	McGill	McMullen	Mosley	Owen
Parker	Patterson	Peters	Pollitt	Quade
Reuter	Roberts	Sander	Sassmann	Schulte
Seitz	Sharp 37	Shields	Smith 155	Smith 46
Sparks	Steinhoff	Stinnett	Thompson	Titus
Van Schoiack	Veit	West	Wilson	Woods
Wright				

NOES: 000

PRESENT: 062

Adams	Aldridge	Aune	Baker	Bangert
Bosley	Boyd	Burger	Burnett	Butz
Casteel	Chappell	Coleman	Deaton	Dinkins
Falkner	Fogle	Fountain Henderson	Gragg	Gray
Gregory	Griffith	Houx	Hudson	Hurlbert
Ingle	Johnson 12	Kalberloh	Keathley	Knight
Lavender	Lewis 25	Matthiesen	Mayhew	McGaugh
Merideth	Murphy	Nurrenbern	O'Donnell	Oehlerking
Perkins	Plank	Pouche	Reedy	Riley
Sauls	Schwadron	Sharpe 4	Stacy	Stephens
Taylor 48	Taylor 84	Terry	Thomas	Toalson Reisch
Unsicker	Voss	Waller	Walsh Moore	Weber
Windham	Mr. Speaker			

ABSENT WITH LEAVE: 025

Bland Manlove	Boggs	Brown 87	Buchheit-Courtway	Burton
Byrnes	Christofanelli	Clemens	Doll	Ealy
Evans	Hein	Mackey	Mann	Morse
Myers	Nickson-Clark	Phifer	Proudie	Richey
Riggs	Schnelting	Smith 163	Strickler	Young

VACANCIES: 000

PERFECTION OF HOUSE BILLS - INFORMAL

HCS HBs 115 & 99, relating to the scope of practice for physical therapists, was taken up by Representative Shields.

On motion of Representative Shields, the title of **HCS HBs 115 & 99** was agreed to.

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

House Amendment No. 1

AMEND House Committee Substitute for House Bill Nos. 115 & 99, Page 8, Section 334.506, Line 27, by inserting after the word "**therapy**," the following:

"The physical therapist shall not provide physical therapy services or treatment after this referral has been made."; and

Further amend said bill, page, and section, Lines 31-32, by deleting all of said lines and inserting in lieu thereof the following:

"demonstrate measurable or functional improvement after ten visits or thirty days, whichever occurs first. The physical therapist shall not provide further therapy services or treatment after this referral has been made."; and

Further amend said bill, page, and section, Line 44, by deleting the words "**ten visits or twenty-one business**" and inserting in lieu thereof the words "**every ten visits or thirty**"; and

Further amend said bill and section, Page 9, Line 66, by inserting after the first occurrence of the word "**with**" the words "**and approval by**"; and

Further amend said bill, page, and section, Line 69, by deleting the word "**every**" and inserting in lieu thereof the words "**and the patient's progress at least every ten visits or**"; and

Further amend said bill, page, and section, Lines 72-73, by deleting the phrase "**under twenty-two years of age**" and inserting in lieu thereof the phrase "**within ages not in excess of twenty-one years**"; and

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

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

On motion of Representative Shields, **HCS HBs 115 & 99, as amended**, was adopted.

On motion of Representative Shields, **HCS HBs 115 & 99, as amended**, was ordered perfected and printed by the following vote, the ayes and noes having been demanded pursuant to Rule 16:

AYES: 141

Adams	Aldridge	Allen	Amato	Anderson
Appelbaum	Atchison	Aune	Baker	Banderman
Bangert	Baringer	Barnes	Billington	Black
Bonacker	Bosley	Boyd	Bromley	Brown 149
Brown 16	Brown 27	Buchheit-Courtway	Burger	Burnett
Burton	Butz	Casteel	Chappell	Christ

Christofanelli	Coleman	Collins	Cook	Copeland
Crossley	Davidson	Davis	Deaton	Diehl
Dinkins	Falkner	Farnan	Fogle	Fountain Henderson
Francis	Gallick	Gragg	Gregory	Griffith
Haden	Haffner	Haley	Hardwick	Hausman
Henderson	Hicks	Hinman	Houx	Hovis
Hudson	Hurlbert	Ingle	Johnson 12	Jones
Justus	Kalberloh	Keathley	Kelley 127	Kelly 141
Knight	Lavender	Lewis 25	Lewis 6	Lonsdale
Lovasco	Marquart	Matthiesen	Mayhew	McGaugh
McGill	McMullen	Merideth	Mosley	Murphy
Nurrenbern	O'Donnell	Oehlerking	Owen	Parker
Patterson	Perkins	Peters	Plank	Pollitt
Pouche	Quade	Reedy	Reuter	Richey
Riggs	Riley	Roberts	Sander	Sassmann
Sauls	Schnelting	Schulte	Schwadron	Seitz
Sharp 37	Sharpe 4	Shields	Smith 155	Smith 163
Smith 46	Sparks	Stacy	Steinhoff	Stephens
Stinnett	Taylor 48	Taylor 84	Terry	Thomas
Thompson	Titus	Toalson Reisch	Unsicker	Van Schoiack
Veit	Voss	Waller	Walsh Moore	Weber
West	Wilson	Windham	Woods	Wright
Mr. Speaker				

NOES: 001

Busick

PRESENT: 000

ABSENT WITH LEAVE: 021

Bland Manlove	Boggs	Brown 87	Byrnes	Clemens
Cupps	Doll	Ealy	Evans	Gray
Hein	Johnson 23	Mackey	Mann	Morse
Myers	Nickson-Clark	Phifer	Proudie	Strickler
Young				

VACANCIES: 000

PERFECTION OF HOUSE BILLS

HCS HB 301, relating to public safety, was again taken up by Representative Roberts.

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

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 301, Pages 1-2, Section 56.110, Lines 1-19, by deleting said section and lines from the bill; and

Further amend said bill, Page 2, Section 56.601, Lines 1-15, by deleting said lines and inserting in lieu thereof the following:

"56.601. 1. If the governor determines that a threat to public safety and health exists in a circuit or prosecuting attorney's jurisdiction after:

- (1) Reviewing federal, state, or local crime statistics; or
- (2) Finding that the number of occurrences of homicide cases in the twelve months immediately preceding exceeds a rate of thirty-five cases per every one hundred thousand people within the circuit or prosecuting attorney's jurisdiction,

the governor may appoint a special prosecutor who shall serve for a period of up to five years. The special prosecutor shall be employed at the will of the governor, shall not be required to reside in the jurisdiction to which he or she was appointed to serve, and shall be an attorney but shall not be the attorney general or an assistant attorney general."; and

Further amend said bill, page, and section, Lines 17-18, by deleting said lines and inserting in lieu thereof the following:

"prosecute the following felony offenses:"; and

Further amend said bill and section, Page 3, Lines 50-51, by deleting the phrase **"the backlog of criminal cases in the circuit or prosecuting attorney's office"** and inserting in lieu thereof the phrase **"finding that the number of occurrences of homicide cases in the twelve months immediately preceding exceeds a rate of thirty-five cases per every one hundred thousand people within the circuit or prosecuting attorney's jurisdiction"**; and

Further amend said bill, page, and section, Line 52, by deleting the phrase **"or a backlog in criminal cases in the jurisdiction"**; and

Further amend said bill, Pages 3-10, Section 208.151, Lines 1-261, by deleting said section and lines from the bill; and

Further amend said bill, Page 10, Section 217.830, Line 2, by inserting after the word **"offenders"** the phrase **"how to apply for Medicaid and"**; and

Further amend said bill, page, and section, Line 6, by inserting after the word **"release."** the following:

"Any educational or special training certificate shall be provided to the offender at the time he or she is released from custody."; and

Further amend said bill, Pages 12-15, Section 558.019, Lines 1-144, by deleting said lines and inserting in lieu thereof the following:

"558.019. 1. This section shall not be construed to affect the powers of the governor under Article IV, Section 7, of the Missouri Constitution. This statute shall not affect those provisions of section 565.020, section 566.125, or section 571.015, which set minimum terms of sentences, or the provisions of section 559.115, relating to probation.

2. The provisions of subsections 2 to 5 of this section shall ~~[only]~~ be applicable to ~~[the offenses contained in sections 565.021, 565.023, 565.024, 565.027, 565.050, 565.052, 565.054, 565.072, 565.073, 565.074, 565.090, 565.110, 565.115, 565.120, 565.153, 565.156, 565.225, 565.300, 566.030, 566.031, 566.032, 566.034, 566.060, 566.061, 566.062, 566.064, 566.067, 566.068, 566.069, 566.071, 566.083, 566.086, 566.100, 566.101, 566.103, 566.111, 566.115, 566.145, 566.151, 566.153, 566.203, 566.206, 566.209, 566.210, 566.211, 566.215, 568.030, 568.045, 568.060, 568.065, 568.175, 569.040, 569.160, 570.023, 570.025, 570.030 when punished as a class A, B, or C felony, 570.145 when punished as a class A or B felony, 570.223 when punished as a class B or C felony, 571.020, 571.030, 571.070, 573.023, 573.025, 573.035, 573.037, 573.200, 573.205, 574.070, 574.080, 574.115, 575.030, 575.150, 575.153, 575.155, 575.157, 575.200 when punished as a class A felony, 575.210, 575.230 when punished as a class B felony, 575.240 when punished as a class B felony, 576.070, 576.080, 577.010, 577.013, 577.078, 577.703, 577.706, 579.065, and 579.068 when punished as a class A or B felony]~~ **all classes of felonies except those set forth in chapter 579, or in chapter 195 prior to January 1, 2017, and those otherwise excluded in subsection 1 of this section.** For the purposes of this section, "prison commitment" means and is the receipt by the department of corrections of an offender after sentencing. For purposes of this section, prior prison

commitments to the department of corrections shall not include an offender's first incarceration prior to release on probation under section 217.362 or 559.115. Other provisions of the law to the contrary notwithstanding, any offender who has been found guilty of a felony other than a dangerous felony as defined in section 556.061 and is committed to the department of corrections shall be required to serve the following minimum prison terms:

(1) If the offender has one previous prison commitment to the department of corrections for a felony offense, the minimum prison term which the offender must serve shall be forty percent of his or her sentence or until the offender attains seventy years of age, and has served at least thirty percent of the sentence imposed, whichever occurs first;

(2) If the offender has two previous prison commitments to the department of corrections for felonies unrelated to the present offense, the minimum prison term which the offender must serve shall be fifty percent of his or her sentence or until the offender attains seventy years of age, and has served at least forty percent of the sentence imposed, whichever occurs first;

(3) If the offender has three or more previous prison commitments to the department of corrections for felonies unrelated to the present offense, the minimum prison term which the offender must serve shall be eighty percent of his or her sentence or until the offender attains seventy years of age, and has served at least forty percent of the sentence imposed, whichever occurs first.

3. Other provisions of the law to the contrary notwithstanding, any offender who has been found guilty of a dangerous felony as defined in section 556.061 and is committed to the department of corrections shall be required to serve a minimum prison term of eighty-five percent of the sentence imposed by the court or until the offender attains seventy years of age, and has served at least forty percent of the sentence imposed, whichever occurs first.

4. For the purpose of determining the minimum prison term to be served, the following calculations shall apply:

(1) A sentence of life shall be calculated to be thirty years;

(2) Any sentence either alone or in the aggregate with other consecutive sentences for offenses committed at or near the same time which is over seventy-five years shall be calculated to be seventy-five years.

5. For purposes of this section, the term "minimum prison term" shall mean time required to be served by the offender before he or she is eligible for parole, conditional release or other early release by the department of corrections.

~~6. [An offender who was convicted of, or pled guilty to, a felony offense other than those offenses listed in subsection 2 of this section prior to August 28, 2019, shall no longer be subject to the minimum prison term provisions under subsection 2 of this section, and shall be eligible for parole, conditional release, or other early release by the department of corrections according to the rules and regulations of the department.]~~

7-] (1) A sentencing advisory commission is hereby created to consist of eleven members. One member shall be appointed by the speaker of the house. One member shall be appointed by the president pro tem of the senate. One member shall be the director of the department of corrections. Six members shall be appointed by and serve at the pleasure of the governor from among the following: the public defender commission; private citizens; a private member of the Missouri Bar; the board of probation and parole; and a prosecutor. Two members shall be appointed by the supreme court, one from a metropolitan area and one from a rural area. All members shall be appointed to a four-year term. All members of the sentencing commission appointed prior to August 28, 1994, shall continue to serve on the sentencing advisory commission at the pleasure of the governor.

(2) The commission shall study sentencing practices in the circuit courts throughout the state for the purpose of determining whether and to what extent disparities exist among the various circuit courts with respect to the length of sentences imposed and the use of probation for offenders convicted of the same or similar offenses and with similar criminal histories. The commission shall also study and examine whether and to what extent sentencing disparity among economic and social classes exists in relation to the sentence of death and if so, the reasons therefor, if sentences are comparable to other states, if the length of the sentence is appropriate, and the rate of rehabilitation based on sentence. It shall compile statistics, examine cases, draw conclusions, and perform other duties relevant to the research and investigation of disparities in death penalty sentencing among economic and social classes.

(3) The commission shall study alternative sentences, prison work programs, work release, home-based incarceration, probation and parole options, and any other programs and report the feasibility of these options in Missouri.

(4) The governor shall select a chairperson who shall call meetings of the commission as required or permitted pursuant to the purpose of the sentencing commission.

(5) The members of the commission shall not receive compensation for their duties on the commission, but shall be reimbursed for actual and necessary expenses incurred in the performance of these duties and for which they are not reimbursed by reason of their other paid positions.

(6) The circuit and associate circuit courts of this state, the office of the state courts administrator, the department of public safety, and the department of corrections shall cooperate with the commission by providing information or access to information needed by the commission. The office of the state courts administrator will provide needed staffing resources.

~~[8-]~~ 7. Courts shall retain discretion to lower or exceed the sentence recommended by the commission as otherwise allowable by law, and to order restorative justice methods, when applicable.

~~[9-]~~ 8. If the imposition or execution of a sentence is suspended, the court may order any or all of the following restorative justice methods, or any other method that the court finds just or appropriate:

- (1) Restitution to any victim or a statutorily created fund for costs incurred as a result of the offender's actions;
- (2) Offender treatment programs;
- (3) Mandatory community service;
- (4) Work release programs in local facilities; and
- (5) Community-based residential and nonresidential programs.

~~[10-]~~ 9. Pursuant to subdivision (1) of subsection ~~[9]~~ 8 of this section, the court may order the assessment and payment of a designated amount of restitution to a county law enforcement restitution fund established by the county commission pursuant to section 50.565. Such contribution shall not exceed three hundred dollars for any charged offense. Any restitution moneys deposited into the county law enforcement restitution fund pursuant to this section shall only be expended pursuant to the provisions of section 50.565.

~~[11-]~~ 10. A judge may order payment to a restitution fund only if such fund had been created by ordinance or resolution of a county of the state of Missouri prior to sentencing. A judge shall not have any direct supervisory authority or administrative control over any fund to which the judge is ordering a person to make payment.

~~[12-]~~ 11. A person who fails to make a payment to a county law enforcement restitution fund may not have his or her probation revoked solely for failing to make such payment unless the judge, after evidentiary hearing, makes a finding supported by a preponderance of the evidence that the person either willfully refused to make the payment or that the person willfully, intentionally, and purposefully failed to make sufficient bona fide efforts to acquire the resources to pay.

~~[13-]~~ 12. Nothing in this section shall be construed to allow the sentencing advisory commission to issue recommended sentences in specific cases pending in the courts of this state.

558.043. Notwithstanding any other provision of law, in sentencing a person convicted of an offense for which there is a statutory minimum sentence or a minimum prison term required by section 558.019 but that did not:

- (1) Include the use, attempted use, or threatened use of serious physical force by the defendant against another person or result in the serious physical injury of another person by the defendant;**
- (2) Involve any sexual offense by the defendant against a minor other than an offense involving sexual contact if the victim was fourteen years of age or older and the defendant was not more than four years older than the victim and the sexual contact was consensual; or**
- (3) Include the brandishing or discharge of a firearm by the defendant,**

the court may depart from the applicable statutory minimum sentence or minimum prison term required by section 558.019 if the court finds substantial and compelling reasons on the record that, giving due regard to the nature of the offense, the history and character of the defendant, and his or her chances of successful rehabilitation, imposition of the statutory minimum sentence or minimum prison term required by section 558.019 would result in substantial injustice to the defendant or is not necessary for the protection of the public."; and

Further amend said bill, Pages 21-22, Section 590.060, Lines 14-18, by deleting said lines and inserting in lieu thereof the following:

"4. Instructors at Missouri police academies shall be approved by the POST commission."; and

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

Representative Copeland offered **House Amendment No. 1 to House Amendment No. 1.**

House Amendment No. 1
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for House Bill No. 301, Page 2, Line 7, by inserting after said line the following:

"Further amend said bill, Page 11, Section 544.453, Line 8, by deleting the phrase "**violent misdemeanor offense**" and inserting in lieu thereof the phrase "**misdemeanor offense involving a crime of violence**"; and

Further amend said bill, page, and section, Line 11, by deleting the phrase "**violent misdemeanor**" and inserting in lieu thereof the phrase "**misdemeanor involving a crime of violence**"; and"; and

Further amend said amendment, Page 4, Line 48, by inserting after said line the following:

"Further amend said bill, Page 21, Section 571.070, Lines 3-14, by deleting said lines and inserting in lieu thereof the following:

"(1) Such person has been convicted of a **dangerous** felony under the laws of this state[,] or of a crime under the laws of any state or of the United States [~~which~~] **that**, if committed within this state, would be a **dangerous** felony, as defined in section 556.061; or

(2) **Such person is on probation or parole for a felony other than a dangerous felony, as defined in section 556.061, under the laws of this state or for a crime under the laws of any state or the United States that, if committed within this state, would be a felony other than a dangerous felony, as defined in section 556.061; or**

(3) Such person is a fugitive from justice, is habitually in an intoxicated or drugged condition, or is currently adjudged mentally incompetent."; and"; and

Further amend said amendment, Page 5, Line 5, by inserting after said line the following:

"Further amend said bill, Page 24, Section B, Lines 1-7, by deleting said lines and inserting in lieu thereof the following:

"Section B. Because immediate action is necessary to reduce crime, the enactment of section 56.601 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 56.601 of section A of this act shall be in full force and effect upon its passage and approval."; and"; and

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

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

Representative Veit offered **House Amendment No. 2 to House Amendment No. 1.**

House Amendment No. 2
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for House Bill No. 301, Page 4, Line 48, by inserting after all of said line the following:

"Further amend said bill, Page 21, Section 571.070, Line 19, by inserting after all of said section and line the following:

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

- (1) Threatens or causes harm to such judicial officer or members of such judicial officer's family;
- (2) Uses force, threats, or deception against or toward such judicial officer or members of such judicial officer's family;
- (3) Offers, conveys or agrees to convey any benefit direct or indirect upon such judicial officer or such judicial officer's family;
- (4) Engages in conduct reasonably calculated to harass or alarm such judicial officer or such judicial officer's family, including stalking pursuant to section 565.225 or 565.227;

(5) Disseminates through any means, including by posting on the internet, the judicial officer's or the judicial officer's family's personal information. For purposes of this section, "personal information" includes a home address, home or mobile telephone number, personal email address, Social Security number, federal tax identification number, checking or savings account number, marital status, and identity of a child under eighteen years of age.

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

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

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

4. The offense of tampering with a judicial officer is a class D felony.

5. If a violation of this section results in death or bodily injury to a judicial officer or a member of the judicial officer's family, the offense is a class B felony.

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

- (1) "Elected official", any elected member of state government or any political subdivision thereof;
- (2) "Personal information", the same meaning as defined in section 407.1500.

2. A person commits the offense of unlawful disclosure of personally identifiable information if he or she knowingly releases, publicizes, or otherwise publicly discloses the name, home address, Social Security number, telephone number, or other personal information of an elected official or a family member of the elected official with the purpose to harass, intimidate, or cause death or bodily injury to the elected official or a family member of the elected official.

3. The offense of unlawful disclosure of personally identifiable information is a class A misdemeanor. However, if a violation of this section is done with the purpose to influence an elected official in the performance of such official's official duties, the offense is a class D felony."; and"; and

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

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

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

*House Amendment No. 3
to
House Amendment No. 1*

AMEND House Amendment No. 1 to House Committee Substitute for House Bill No. 301, Page 4, Lines 38-40, by deleting said lines and inserting in lieu thereof the following:

"(2) Involve any sexual offense by the defendant against a minor; or"; and

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

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

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

House Amendment No. 4
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for House Bill No. 301, Page 2, Line 7, by inserting after said line the following:

"Further amend said bill, Page 11, Section 301.3175, Line 32, by inserting after said section and line the following:

"478.002. 1. Notwithstanding any provision of law, all circuit and associate circuit courts shall offer and utilize a drug treatment court program to address a substance use disorder prior to a defendant entering a plea in court. The judge shall have discretion to determine on a case-by-case basis whether a defendant qualifies for the treatment court program.

2. After completion of the treatment court program under subsection 1 of this section, any pending charges against the defendant for the criminal case requiring treatment by the treatment court program shall be dismissed; however, the defendant shall be required to pay any associated costs prior to the dismissal of the charges.

3. This section shall apply if there is a nexus to a drug offense and only to misdemeanants or first-time felony offenders; except that, this section shall not apply to sexual offenses or to dangerous felonies as defined in section 556.061.

478.004. 1. The treatment court team shall, when practicable, conduct a meeting prior to each treatment court session to discuss and provide updated information regarding the treatment court participant. After determining his or her progress or lack thereof, the treatment court team shall consider the appropriate incentive or sanction to be applied, and the court shall make the final decision based on information presented in the meeting.

2. In any criminal case in the circuit, if it is determined that the defendant meets the criteria for eligibility in the treatment court, the judge presiding over the criminal case may order the defendant to the treatment court division for treatment:

(1) Prior to the entry of the sentence, excluding suspended imposition of sentence (SIS), if the prosecuting attorney consents;

(2) As a condition of probation; or

(3) Upon consideration of a motion to revoke probation.

If the provisions of section 478.002 are not utilized, the provisions of this subsection may be utilized.

3. A circuit that has established a treatment court division under this chapter may accept participants from any other jurisdiction in this state based upon either the residence of the participant in the receiving jurisdiction or the unavailability of a treatment court in the transferring jurisdiction. The transfer may occur at any time during the proceedings including, but not limited to, prior to adjudication and during periods when the participant is on probation. The receiving court shall have jurisdiction to impose a sentence including, but not limited to, sanctions, incentives, incarceration, and phase changes. A transfer under this subsection is not valid unless it is agreed to by the following:

(1) The parties to the action;

(2) The judge or commissioner of the transferring court; and

(3) The judge or commissioner of the receiving treatment court.

If the defendant assigned to treatment court is terminated from the treatment court, the case shall be returned to the transferring court for disposition.

4. If a treatment court participant requires treatment for opioid or other substance misuse or dependence, a treatment court shall not prohibit such participant from participating in and receiving medication-assisted treatment under the care of a physician licensed in this state to practice medicine. A treatment court participant shall not be required to refrain from using medication-assisted treatment as a term or condition of successful completion of the treatment court program.

5. A treatment court participant assigned to a treatment program for opioid or other substance misuse or dependence shall not be in violation of the terms or conditions of the treatment court on the basis of his or her participation in medication-assisted treatment under the care of a physician licensed in this state to practice medicine."; and"; and

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

Speaker Pro Tem Henderson assumed the Chair.

Speaker Plocher resumed the Chair.

Representative Sauls moved that **House Amendment No. 4 to House Amendment No. 1** be adopted.

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

AYES: 047

Adams	Aldridge	Allen	Anderson	Appelbaum
Aune	Bangert	Baringer	Barnes	Bosley
Brown 27	Burnett	Burton	Butz	Christofanelli
Collins	Copeland	Crossley	Davis	Fogle
Fountain Henderson	Gray	Ingle	Johnson 12	Johnson 23
Lewis 25	Lovasco	Merideth	Mosley	Nurrenbern
Plank	Pollitt	Quade	Sander	Sauls
Schwadron	Sharp 37	Shields	Smith 46	Steinhoff
Taylor 84	Terry	Unsicker	Walsh Moore	Weber
Windham	Woods			

NOES: 093

Amato	Atchison	Baker	Banderman	Billington
Bonacker	Boyd	Bromley	Brown 149	Brown 16
Buchheit-Courtway	Burger	Busick	Byrnes	Casteel
Chappell	Christ	Coleman	Cook	Davidson
Deaton	Diehl	Dinkins	Falkner	Farnan
Francis	Gallick	Gragg	Gregory	Griffith
Haden	Haffner	Haley	Hardwick	Hausman
Henderson	Hicks	Hinman	Hovis	Hudson
Hurlbert	Jones	Justus	Kalberloh	Keathley
Kelley 127	Kelly 141	Lewis 6	Lonsdale	Marquart
Matthiesen	Mayhew	McGaugh	McGill	McMullen
O'Donnell	Oehlerking	Owen	Parker	Patterson
Perkins	Peters	Pouche	Reedy	Reuter
Richey	Riggs	Riley	Roberts	Sassmann
Schnelting	Schulte	Seitz	Sharpe 4	Smith 155
Smith 163	Sparks	Stacy	Stephens	Stinnett
Taylor 48	Thomas	Thompson	Titus	Toalson Reisch
Van Schoiack	Veit	Voss	Waller	West
Wilson	Wright	Mr. Speaker		

PRESENT: 001

Black

ABSENT WITH LEAVE: 022

Bland Manlove	Boggs	Brown 87	Clemens	Cupps
Doll	Ealy	Evans	Hein	Houx
Knight	Lavender	Mackey	Mann	Morse
Murphy	Myers	Nickson-Clark	Phifer	Proudie
Strickler	Young			

VACANCIES: 000

Representative Baker offered **House Amendment No. 5 to House Amendment No. 1.**

House Amendment No. 5
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for House Bill No. 301, Page 4, Line 48, by deleting said line and inserting in lieu thereof the following:

"not necessary for the protection of the public.

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

(1) "Antique, curio or relic firearm", any firearm so defined by the National Gun Control Act, 18 U.S.C. Title 26, Section 5845, and the United States Treasury/Bureau of Alcohol Tobacco and Firearms, 27 CFR Section 178.11:

(a) "Antique firearm" is any firearm not designed or redesigned for using rim fire or conventional center fire ignition with fixed ammunition and manufactured in or before 1898, said ammunition not being manufactured any longer; this includes any matchlock, wheel lock, flintlock, percussion cap or similar type ignition system, or replica thereof;

(b) "Curio or relic firearm" is any firearm deriving value as a collectible weapon due to its unique design, ignition system, operation or at least fifty years old, associated with a historical event, renown personage or major war;

(2) "Blackjack", any instrument that is designed or adapted for the purpose of stunning or inflicting physical injury by striking a person, and which is readily capable of lethal use;

(3) "Blasting agent", any material or mixture, consisting of fuel and oxidizer that is intended for blasting, but not otherwise defined as an explosive under this section, provided that the finished product, as mixed for use of shipment, cannot be detonated by means of a numbered 8 test blasting cap when unconfined;

(4) "Concealable firearm", any firearm with a barrel less than sixteen inches in length, measured from the face of the bolt or standing breech;

(5) "Deface", to alter or destroy the manufacturer's or importer's serial number or any other distinguishing number or identification mark;

(6) "Detonator", any device containing a detonating charge that is used for initiating detonation in an explosive, including but not limited to, electric blasting caps of instantaneous and delay types, nonelectric blasting caps for use with safety fuse or shock tube and detonating cord delay connectors;

(7) "Explosive weapon", any explosive, incendiary, or poison gas bomb or similar device designed or adapted for the purpose of inflicting death, serious physical injury, or substantial property damage; or any device designed or adapted for delivering or shooting such a weapon. For the purposes of this subdivision, the term "explosive" shall mean any chemical compound mixture or device, the primary or common purpose of which is to function by explosion, including but not limited to, dynamite and other high explosives, pellet powder, initiating explosives, detonators, safety fuses, squibs, detonating cords, igniter cords, and igniters or blasting agents;

(8) "Firearm", any weapon that is designed or adapted to expel a projectile by the action of an explosive;

(9) "Firearm silencer", any instrument, attachment, or appliance that is designed or adapted to muffle the noise made by the firing of any firearm;

(10) "Gas gun", any gas ejection device, weapon, cartridge, container or contrivance other than a gas bomb that is designed or adapted for the purpose of ejecting any poison gas that will cause death or serious physical injury, but not any device that ejects a repellant or temporary incapacitating substance;

(11) "Intoxicated", substantially impaired mental or physical capacity resulting from introduction of any substance into the body;

(12) "Knife", any dagger, dirk, stiletto, or bladed hand instrument that is readily capable of inflicting serious physical injury or death by cutting or stabbing a person. For purposes of this chapter, "knife" does not include any ordinary pocketknife with no blade more than four inches in length;

(13) "Knuckles", any instrument that consists of finger rings or guards made of a hard substance that is designed or adapted for the purpose of inflicting serious physical injury or death by striking a person with a fist enclosed in the knuckles;

(14) "Machine gun", any firearm that is capable of firing more than one shot automatically, without manual reloading, by a single function of the trigger;

(15) "Projectile weapon", any bow, crossbow, pellet gun, slingshot or other weapon that is not a firearm, which is capable of expelling a projectile that could inflict serious physical injury or death by striking or piercing a person;

(16) "Rifle", any firearm designed ~~for adapted~~ to be fired from the shoulder and to use the energy of the explosive in a fixed metallic cartridge to fire a projectile through a rifled bore by a single function of the trigger;

(17) "Short barrel", a barrel length of less than sixteen inches for a rifle and eighteen inches for a shotgun, both measured from the face of the bolt or standing breech, or an overall rifle or shotgun length of less than twenty-six inches;

(18) "Shotgun", any firearm designed or adapted to be fired from the shoulder and to use the energy of the explosive in a fixed shotgun shell to fire a number of shot or a single projectile through a smooth bore barrel by a single function of the trigger;

(19) "Spring gun", any fused, timed or nonmanually controlled trap or device designed or adapted to set off an explosion for the purpose of inflicting serious physical injury or death;

(20) "Switchblade knife", any knife which has a blade that folds or closes into the handle or sheath, and:

(a) That opens automatically by pressure applied to a button or other device located on the handle; or

(b) That opens or releases from the handle or sheath by the force of gravity or by the application of centrifugal force.

571.020. 1. A person commits an offense if such person knowingly possesses, manufactures, transports, repairs, or sells:

(1) An explosive weapon;

(2) An explosive, incendiary or poison substance or material with the purpose to possess, manufacture or sell an explosive weapon;

(3) A gas gun;

(4) A bullet or projectile which explodes or detonates upon impact because of an independent explosive charge after having been shot from a firearm; ~~or~~

(5) Knuckles; ~~or~~

(6) ~~Any of the following in violation of federal law:~~

——— ~~(a)~~ A machine gun;

~~(b)~~ (7) A short-barreled rifle or shotgun;

~~(c)~~ (8) A firearm silencer; or

~~(d)~~ (9) A switchblade knife.

2. A person does not commit an offense pursuant to this section if his or her conduct involved any of the items in subdivisions (1) to ~~(5)~~ (9) of subsection 1, the item was possessed in conformity with any applicable federal law, and the conduct:

(1) Was incident to the performance of official duty by the Armed Forces, National Guard, a governmental law enforcement agency, or a penal institution; or

(2) Was incident to engaging in a lawful commercial or business transaction with an organization enumerated in subdivision (1) of this section; or

(3) Was incident to using an explosive weapon in a manner reasonably related to a lawful industrial or commercial enterprise; or

(4) Was incident to displaying the weapon in a public museum or exhibition; or

(5) Was incident to using the weapon in a manner reasonably related to a lawful dramatic performance; **or (6) Was lawful according to any state law.**

3. An offense pursuant to subdivision (1), (2), (3)~~[-or]~~, (6), (7), (8), **or (9)** of subsection 1 of this section is a class D felony; a crime pursuant to subdivision (4) or (5) of subsection 1 of this section is a class A misdemeanor."; and"; and

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

On motion of Representative Baker, **House Amendment No. 5 to House Amendment No. 1** was adopted.

Representative Baringer offered **House Amendment No. 6 to House Amendment No. 1.**

House Amendment No. 6
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for House Bill No. 301, Page 4, Line 48, by inserting after all of said line the following:

"Further amend said bill, Page 21, Section 571.070, Line 8, by deleting the word "**or**"; and

Further amend said bill, page, and section, Line 9, by inserting after the number "**(3)**" the following:

"Such person is under eighteen years of age, is on public property, is not accompanied by an adult twenty-one years of age or older, and is not possessing the firearm as otherwise allowed by law; or (4)"; and"; and

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

Representative Cook raised a point of order that members were in violation of Rule 84.

The Chair advised members to confine comments to the question under debate.

Representative Patterson moved the previous question.

Which motion was adopted by the following vote:

AYES: 105

Allen	Amato	Atchison	Baker	Banderman
Billington	Black	Bonacker	Boyd	Bromley
Brown 149	Brown 16	Buchheit-Courtway	Burger	Busick
Byrnes	Casteel	Chappell	Christ	Christofanelli
Coleman	Cook	Copeland	Davidson	Davis
Deaton	Diehl	Dinkins	Falkner	Farnan
Francis	Gallick	Gragg	Gregory	Griffith
Haden	Haffner	Haley	Hardwick	Hausman
Henderson	Hicks	Hinman	Houx	Hovis
Hudson	Hurlbert	Jones	Justus	Kalberloh
Keathley	Kelley 127	Kelly 141	Knight	Lewis 6
Lonsdale	Lovasco	Marquart	Matthiesen	Mayhew

McGaugh	McGill	McMullen	Murphy	O'Donnell
Oehlerking	Owen	Parker	Patterson	Perkins
Peters	Pollitt	Pouche	Reedy	Reuter
Richey	Riggs	Riley	Roberts	Sander
Sassmann	Schnelting	Schulte	Schwadron	Seitz
Sharpe 4	Shields	Smith 155	Smith 163	Sparks
Stacy	Stinnett	Taylor 48	Thomas	Thompson
Titus	Toalson Reisch	Van Schoiack	Veit	Voss
Waller	West	Wilson	Wright	Mr. Speaker

NOES: 038

Adams	Aldridge	Anderson	Appelbaum	Aune
Bangert	Baringer	Barnes	Bosley	Brown 27
Burnett	Burton	Butz	Collins	Crossley
Fogle	Fountain Henderson	Gray	Ingle	Johnson 12
Johnson 23	Lewis 25	Merideth	Mosley	Nurrenbern
Plank	Quade	Sauls	Sharp 37	Smith 46
Steinhoff	Taylor 84	Terry	Unsicker	Walsh Moore
Weber	Windham	Woods		

PRESENT: 000

ABSENT WITH LEAVE: 020

Bland Manlove	Boggs	Brown 87	Clemens	Cupps
Doll	Ealy	Evans	Hein	Lavender
Mackey	Mann	Morse	Myers	Nickson-Clark
Phifer	Proudie	Stephens	Strickler	Young

VACANCIES: 000

Representative Baringer moved that **House Amendment No. 6 to House Amendment No. 1** be adopted.

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

AYES: 039

Adams	Aldridge	Allen	Anderson	Appelbaum
Aune	Bangert	Baringer	Barnes	Bosley
Brown 27	Burnett	Burton	Butz	Collins
Crossley	Fogle	Fountain Henderson	Gray	Ingle
Johnson 12	Johnson 23	Lewis 25	Merideth	Mosley
Nurrenbern	Plank	Quade	Sauls	Sharp 37
Smith 46	Steinhoff	Taylor 84	Terry	Unsicker
Walsh Moore	Weber	Windham	Woods	

NOES: 104

Amato	Atchison	Baker	Banderman	Billington
Black	Bonacker	Boyd	Bromley	Brown 149
Brown 16	Buchheit-Courtway	Burger	Busick	Byrnes
Casteel	Chappell	Christ	Christofanelli	Coleman
Cook	Davidson	Davis	Deaton	Diehl

Dinkins	Falkner	Farnan	Francis	Gallick
Gragg	Gregory	Griffith	Haden	Haffner
Haley	Hardwick	Hausman	Henderson	Hicks
Hinman	Houx	Hovis	Hudson	Hurlbert
Jones	Justus	Kalberloh	Keathley	Kelley 127
Kelly 141	Knight	Lewis 6	Lonsdale	Lovasco
Marquart	Matthiesen	Mayhew	McGaugh	McGill
McMullen	Murphy	O'Donnell	Oehlerking	Owen
Parker	Patterson	Perkins	Peters	Pollitt
Pouche	Reedy	Reuter	Richey	Riggs
Riley	Roberts	Sander	Sassmann	Schnelting
Schulte	Schwadron	Seitz	Sharpe 4	Shields
Smith 155	Smith 163	Sparks	Stacy	Stephens
Stinnett	Taylor 48	Thomas	Thompson	Titus
Toalson Reisch	Van Schoiack	Veit	Voss	Waller
West	Wilson	Wright	Mr. Speaker	

PRESENT: 001

Copeland

ABSENT WITH LEAVE: 019

Bland Manlove	Boggs	Brown 87	Clemens	Cupps
Doll	Ealy	Evans	Hein	Lavender
Mackey	Mann	Morse	Myers	Nickson-Clark
Phifer	Proudie	Strickler	Young	

VACANCIES: 000

Representative Sharp (37) offered **House Amendment No. 7 to House Amendment No. 1.**

House Amendment No. 7
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for House Bill No. 301, Page 4, Line 48, by inserting after said line the following:

"Further amend said bill, Page 21, Section 571.030, Line 184, by inserting after said section and line the following:

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

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

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

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

(2) On a properly supervised shooting range;

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

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

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

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

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

- (7) Using blanks;
 - (8) More than one mile from any occupied structure;
 - (9) In self-defense or defense of another person against an animal attack if a reasonable person would believe that deadly physical force against the animal is immediately necessary and reasonable under the circumstances to protect oneself or the other person; or
 - (10) By law enforcement personnel, as defined in section 590.1040, or a member of the United States Armed Forces if acting in an official capacity.
4. A person who commits the offense of discharge of a firearm shall be guilty of:
- (1) For a first offense, a class A misdemeanor;
 - (2) For a second offense, a class E felony; and
 - (3) For a third or subsequent offense, a class D felony."; and"; and

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

House Amendment No. 7 to House Amendment No. 1 was withdrawn.

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

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

AMEND House Amendment No. 1 to House Committee Substitute for House Bill No. 301, Page 1, Line 14, by deleting the word "**five**" and inserting in lieu thereof the word "**three**"; and

Further amend said amendment and page, Line 24, by deleting all of said line and inserting in lieu thereof the following:

"Further amend said bill and section, Page 3, Lines 49 and 53, by deleting both instances of the phrase "**five-year**" and inserting in lieu thereof the phrase "**three-year**"; and

Further amend said bill, page, and section, Lines 50-51, by deleting the phrase "**the backlog of**"; and

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

Representative Patterson moved the previous question.

Which motion was adopted by the following vote:

AYES: 105

Allen	Amato	Atchison	Baker	Banderman
Billington	Black	Bonacker	Boyd	Bromley
Brown 149	Brown 16	Buchheit-Courtway	Burger	Busick
Byrnes	Casteel	Chappell	Christ	Christofanelli
Coleman	Cook	Copeland	Davidson	Davis
Deaton	Diehl	Dinkins	Falkner	Farnan
Francis	Gallick	Gragg	Gregory	Griffith
Haden	Haffner	Haley	Hardwick	Hausman
Henderson	Hicks	Hinman	Houx	Hovis
Hudson	Hurlbert	Jones	Justus	Kalberloh
Keathley	Kelley 127	Kelly 141	Knight	Lewis 6
Lonsdale	Lovasco	Marquart	Matthiesen	Mayhew
McGaugh	McGill	McMullen	Murphy	O'Donnell

Oehlerking	Owen	Parker	Patterson	Perkins
Peters	Pollitt	Pouche	Reedy	Reuter
Richey	Riggs	Riley	Roberts	Sander
Sassmann	Schnelting	Schulte	Schwadron	Seitz
Sharpe 4	Shields	Smith 155	Smith 163	Sparks
Stacy	Stinnett	Taylor 48	Thomas	Thompson
Titus	Toalson Reisch	Van Schoiack	Veit	Voss
Waller	West	Wilson	Wright	Mr. Speaker

NOES: 039

Adams	Aldridge	Anderson	Appelbaum	Aune
Bangert	Baringer	Barnes	Bosley	Brown 27
Burnett	Burton	Butz	Collins	Crossley
Fogle	Fountain Henderson	Gray	Ingle	Johnson 12
Johnson 23	Lewis 25	Merideth	Mosley	Nurrenbern
Plank	Proudie	Quade	Sauls	Sharp 37
Smith 46	Steinhoff	Taylor 84	Terry	Unsicker
Walsh Moore	Weber	Windham	Woods	

PRESENT: 000

ABSENT WITH LEAVE: 019

Bland Manlove	Boggs	Brown 87	Clemens	Cupps
Doll	Ealy	Evans	Hein	Lavender
Mackey	Mann	Morse	Myers	Nickson-Clark
Phifer	Stephens	Strickler	Young	

VACANCIES: 000

Representative Aldridge moved that **House Amendment No. 8 to House Amendment No. 1** be adopted.

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

AYES: 037

Adams	Aldridge	Anderson	Appelbaum	Aune
Bangert	Baringer	Barnes	Brown 27	Burnett
Burton	Butz	Collins	Crossley	Fogle
Fountain Henderson	Gray	Ingle	Johnson 12	Johnson 23
Lewis 25	Mosley	Nurrenbern	Plank	Proudie
Quade	Sauls	Sharp 37	Smith 46	Steinhoff
Taylor 84	Terry	Unsicker	Walsh Moore	Weber
Windham	Woods			

NOES: 107

Allen	Amato	Atchison	Baker	Banderman
Billington	Black	Bonacker	Boyd	Bromley
Brown 149	Brown 16	Buchheit-Courtway	Burger	Busick
Byrnes	Casteel	Chappell	Christ	Christofanelli
Coleman	Cook	Copeland	Cupps	Davidson

Davis	Deaton	Diehl	Dinkins	Falkner
Farnan	Francis	Gallick	Gragg	Gregory
Griffith	Haden	Haffner	Haley	Hardwick
Hausman	Henderson	Hicks	Hinman	Houx
Hovis	Hudson	Hurlbert	Jones	Justus
Kalberloh	Keathley	Kelley 127	Kelly 141	Knight
Lewis 6	Lonsdale	Lovasco	Marquart	Matthiesen
Mayhew	McGaugh	McGill	McMullen	Murphy
O'Donnell	Oehlerking	Owen	Parker	Patterson
Perkins	Peters	Pollitt	Pouche	Reedy
Reuter	Richey	Riggs	Riley	Roberts
Sander	Sassmann	Schnelting	Schulte	Schwadron
Seitz	Sharpe 4	Shields	Smith 155	Smith 163
Sparks	Stacy	Stephens	Stinnett	Taylor 48
Thomas	Thompson	Titus	Toalson Reisch	Van Schoiack
Veit	Voss	Waller	West	Wilson
Wright	Mr. Speaker			

PRESENT: 002

Bosley Merideth

ABSENT WITH LEAVE: 017

Bland Manlove	Boggs	Brown 87	Clemens	Doll
Ealy	Evans	Hein	Lavender	Mackey
Mann	Morse	Myers	Nickson-Clark	Phifer
Strickler	Young			

VACANCIES: 000

Representative Johnson (23) offered **House Amendment No. 9 to House Amendment No. 1.**

*House Amendment No. 9
to
House Amendment No. 1*

AMEND House Amendment No. 1 to House Committee Substitute for House Bill No. 301, Page 4, Line 48, by inserting after said line the following:

"Further amend said bill, Page 21, Section 571.030, Line 184, by inserting after said section and line the following:

- "571.031. 1. This section shall be known and may be cited as "Blair's Law".**
- 2. A person commits the offense of unlawful discharge of a firearm if, with criminal negligence, he or she discharges a firearm within or into the limits of any municipality.**
- 3. This section shall not apply if the firearm is discharged:**
- (1) As allowed by a defense of justification under chapter 563;**
 - (2) On a properly supervised shooting range;**
 - (3) To lawfully take wildlife during an open season established by the department of conservation.**
- Nothing in this subdivision shall prevent a municipality from adopting an ordinance restricting the discharge of a firearm within one-quarter mile of an occupied structure;**
- (4) For the control of nuisance wildlife as permitted by the department of conservation or the United States Fish and Wildlife Service;**
 - (5) By special permit of the chief of police of the municipality;**

- (6) As required by an animal control officer in the performance of his or her duties;
 - (7) Using blanks;
 - (8) More than one mile from any occupied structure;
 - (9) In self-defense or defense of another person against an animal attack if a reasonable person would believe that deadly physical force against the animal is immediately necessary and reasonable under the circumstances to protect oneself or the other person; or
 - (10) By law enforcement personnel, as defined in section 590.1040, or a member of the United States Armed Forces if acting in an official capacity.
4. A person who commits the offense of unlawful discharge of a firearm shall be guilty of:
- (1) For a first offense, a class A misdemeanor;
 - (2) For a second offense, a class E felony; and
 - (3) For a third or subsequent offense, a class D felony."; and"; and

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

On motion of Representative Johnson (23), **House Amendment No. 9 to House Amendment No. 1** was adopted.

Representative Patterson moved the previous question.

Which motion was adopted by the following vote:

AYES: 106

Allen	Amato	Atchison	Baker	Banderman
Billington	Black	Bonacker	Boyd	Bromley
Brown 149	Brown 16	Buchheit-Courtway	Burger	Busick
Byrnes	Casteel	Chappell	Christ	Christofanelli
Coleman	Cook	Copeland	Cupps	Davidson
Davis	Deaton	Diehl	Dinkins	Falkner
Farnan	Gallick	Gragg	Gregory	Griffith
Haden	Haffner	Haley	Hardwick	Hausman
Henderson	Hicks	Hinman	Houx	Hovis
Hudson	Hurlbert	Jones	Justus	Kalberloh
Keathley	Kelley 127	Kelly 141	Knight	Lewis 6
Lonsdale	Lovasco	Marquart	Matthiesen	Mayhew
McGaugh	McGill	McMullen	Murphy	O'Donnell
Oehlerking	Owen	Parker	Patterson	Perkins
Peters	Pollitt	Pouche	Reedy	Reuter
Richey	Riggs	Riley	Roberts	Sander
Sassmann	Schnelting	Schulte	Schwadron	Seitz
Sharpe 4	Shields	Smith 155	Smith 163	Sparks
Stacy	Stephens	Stinnett	Taylor 48	Thomas
Thompson	Titus	Toalson Reisch	Van Schoiack	Veit
Voss	Waller	West	Wilson	Wright
Mr. Speaker				

NOES: 039

Adams	Aldridge	Anderson	Appelbaum	Aune
Bangert	Baringer	Barnes	Bosley	Brown 27
Burnett	Burton	Butz	Collins	Crossley
Fogle	Fountain Henderson	Gray	Ingle	Johnson 12
Johnson 23	Lewis 25	Merideth	Mosley	Nurrenbern

Plank	Proudie	Quade	Sauls	Sharp 37
Smith 46	Steinhoff	Taylor 84	Terry	Unsicker
Walsh Moore	Weber	Windham	Woods	

PRESENT: 000

ABSENT WITH LEAVE: 018

Bland Manlove	Boggs	Brown 87	Clemens	Doll
Ealy	Evans	Francis	Hein	Lavender
Mackey	Mann	Morse	Myers	Nickson-Clark
Phifer	Strickler	Young		

VACANCIES: 000

On motion of Representative Roberts, **House Amendment No. 1, as amended**, was adopted by the following vote, the ayes and noes having been demanded pursuant to Rule 16:

AYES: 100

Allen	Amato	Atchison	Baker	Banderman
Billington	Black	Bonacker	Bromley	Brown 149
Brown 16	Buchheit-Courtway	Burger	Busick	Byrnes
Casteel	Christ	Coleman	Cook	Copeland
Deaton	Diehl	Dinkins	Falkner	Farnan
Francis	Gallick	Gragg	Gregory	Griffith
Haden	Haffner	Haley	Hardwick	Hausman
Henderson	Hicks	Hinman	Houx	Hovis
Hudson	Hurlbert	Johnson 23	Jones	Justus
Kalberloh	Keathley	Kelley 127	Kelly 141	Knight
Lewis 6	Lonsdale	Marquart	Matthiesen	Mayhew
McGaugh	McGill	McMullen	Murphy	O'Donnell
Oehlerking	Owen	Parker	Patterson	Perkins
Peters	Pollitt	Pouche	Reedy	Reuter
Richey	Riggs	Riley	Roberts	Sassmann
Schnelting	Schulte	Seitz	Sharp 37	Sharpe 4
Shields	Smith 155	Smith 163	Sparks	Stacy
Stephens	Stinnett	Taylor 48	Thomas	Thompson
Titus	Toalson Reisch	Van Schoiack	Veit	Voss
Waller	West	Wilson	Wright	Mr. Speaker

NOES: 031

Adams	Anderson	Appelbaum	Aune	Barnes
Bosley	Brown 27	Burnett	Burton	Butz
Collins	Davis	Fogle	Fountain Henderson	Gray
Ingle	Johnson 12	Lewis 25	Merideth	Nurrenbern
Proudie	Quade	Sander	Steinhoff	Taylor 84
Terry	Unsicker	Walsh Moore	Weber	Windham
Woods				

PRESENT: 013

Aldridge	Bangert	Baringer	Boyd	Chappell
Crossley	Davidson	Lovasco	Mosley	Plank
Sauls	Schwadron	Smith 46		

ABSENT WITH LEAVE: 019

Bland Manlove	Boggs	Brown 87	Christofanelli	Clemens
Cupps	Doll	Ealy	Evans	Hein
Lavender	Mackey	Mann	Morse	Myers
Nickson-Clark	Phifer	Strickler	Young	

VACANCIES: 000

On motion of Representative Roberts, **HCS HB 301, as amended**, was adopted.

On motion of Representative Roberts, **HCS HB 301, as amended**, was ordered perfected and printed.

REFERRAL OF HOUSE RESOLUTIONS

The following House Resolution was referred to the Committee indicated:

HR 263 - Special Committee on Tourism

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 15 - Special Committee on Tourism

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 14 - Financial Institutions

HJR 35 - Special Committee on Tax Reform

REFERRAL OF HOUSE BILLS - APPROPRIATIONS

The following House Bills were referred to the Committee indicated:

HB 1 - Subcommittee on Appropriations - General Administration

HB 5 - Subcommittee on Appropriations - General Administration

HB 10 - Subcommittee on Appropriations - Health, Mental Health, and Social Services

HB 11 - Subcommittee on Appropriations - Health, Mental Health, and Social Services

HB 12 - Subcommittee on Appropriations - General Administration

HB 13 - Subcommittee on Appropriations - General Administration

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HCS HB 301 - Fiscal Review

HB 43 - Special Committee on Tourism

HB 44 - Transportation Infrastructure

HB 67 - Transportation Infrastructure

HB 94 - Transportation Infrastructure

HB 207 - Transportation Infrastructure

HB 212 - Special Committee on Tourism

HB 345 - Special Committee on Government Accountability

HB 356 - Ways and Means

HB 434 - Special Committee on Tourism

HB 436 - Special Committee on Tourism

HB 470 - General Laws

HB 487 - Transportation Infrastructure

HB 510 - General Laws

HB 512 - Ways and Means

HB 528 - Transportation Infrastructure

HB 536 - Special Committee on Tax Reform

HB 543 - General Laws

HB 547 - Transportation Infrastructure

HB 669 - Judiciary

HB 736 - Special Committee on Tourism

HB 746 - Transportation Infrastructure

HB 788 - Special Committee on Tourism

HB 817 - Special Committee on Tourism

HB 877 - Special Committee on Tourism

HB 920 - Special Committee on Tourism

HB 921 - Special Committee on Tourism

HB 936 - Special Committee on Tourism

HB 963 - Special Committee on Tourism

HB 970 - Healthcare Reform

HB 971 - Healthcare Reform

HB 976 - Special Committee on Tourism

HB 978 - Local Government

HB 992 - Utilities

HB 999 - Special Committee on Tourism

HB 1021 - Transportation Infrastructure

HB 1024 - Crime Prevention and Public Safety

HB 1029 - General Laws

HB 1035 - Transportation Infrastructure

HB 1038 - Economic Development

HB 1051 - Special Committee on Tourism

HB 1055 - Transportation Infrastructure

HB 1058 - Children and Families

COMMITTEE REPORTS

Committee on Economic Development, Chairman Hudson reporting:

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 268**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute** by the following vote:

Ayes (16): Allen, Amato, Barnes, Brown (16), Casteel, Christ, Gallick, Gray, Hausman, Hudson, Johnson (23), Smith (155), Thompson, Weber, Wilson and Young

Noes (0)

Absent (0)

Committee on Ways and Means, Chairman McGirl reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 415**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (9): Bland Manlove, Casteel, Chappell, Gray, Hudson, McGirl, Smith (155), Titus and Wright

Noes (0)

Absent (5): Hicks, Lovasco, Phifer, Taylor (84) and Thompson

Mr. Speaker: Your Committee on Ways and Means, to which was returned **HB 713**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute No. 2** by the following vote:

Ayes (12): Bland Manlove, Casteel, Chappell, Gray, Hicks, Hudson, Lovasco, McGirl, Smith (155), Thompson, Titus and Wright

Noes (0)

Absent (2): Phifer and Taylor (84)

RE-REFERRAL OF HOUSE BILLS - RULES

The following House Bills were re-referred to the Committee indicated:

HCS HB 417 - Rules - Legislative Oversight

HB 730 - Rules - Legislative Oversight

The following members' presence was noted: Ealy, Mackey, Strickler, and Young.

ADJOURNMENT

On motion of Representative Patterson, the House adjourned until 9:00 a.m., Thursday, February 9, 2023.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Nineteenth Day, Tuesday, February 7, 2023, Page 496, Line 22, by inserting after said line the following:

“The following House Bills were read the first time and copies ordered printed:”; and

Further correct said Journal, Page 498, Line 20, by inserting after said line the following:

“The following House Bills were read the second time:”.

COMMITTEE HEARINGS

AGRICULTURE POLICY

Thursday, February 9, 2023, 8:00 AM, House Hearing Room 6.
Executive session will be held: HB 202, HB 644, HB 630

CHILDREN AND FAMILIES

Tuesday, February 14, 2023, 8:00 AM, House Hearing Room 6.
Public hearing will be held: HB 715, HB 716, HB 743
Executive session will be held: HB 677, HB 454, HB 283

CONSENT AND HOUSE PROCEDURE

Tuesday, February 14, 2023, 4:30 PM or upon adjournment (whichever is later),
House Hearing Room 5.
Public hearing will be held: HR 7, HR 8, HR 10, HR 77, HR 143, HR 163
Executive session will be held: HR 7, HR 8, HR 10, HR 77, HR 143, HR 163, HB 402
Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Thursday, February 9, 2023, 8:00 AM, House Hearing Room 7.
Public hearing will be held: HB 53, HB 213, HB 216, HB 306, HB 359, HB 702

ECONOMIC DEVELOPMENT

Wednesday, February 15, 2023, 8:00 AM, House Hearing Room 1.
Public hearing will be held: HB 133, HB 583

FISCAL REVIEW

Thursday, February 9, 2023, 8:30 AM, House Hearing Room 4.
Executive session may be held on any matter referred to the committee.
Pending referral of HCS HB 301.

HEALTH AND MENTAL HEALTH POLICY

Monday, February 13, 2023, 12:00 PM, House Hearing Room 6.
Public hearing will be held: HB 442
Executive session will be held: HB 197

LOCAL GOVERNMENT

Tuesday, February 14, 2023, 8:00 AM, House Hearing Room 7.

Public hearing will be held: HB 909

RULES - LEGISLATIVE OVERSIGHT

Thursday, February 9, 2023, 10:00 AM or upon adjournment (whichever is later),
House Hearing Room 1.

Executive session will be held: HCS HB 184, HCS HB 417, HB 730

Executive session may be held on any matter referred to the committee.

Time change and added HCS HB 417 and HB 730.

CORRECTED

SPECIAL COMMITTEE ON ELECTION CONTESTS

Thursday, February 9, 2023, 10:30 AM or upon adjournment (whichever is later),
House Hearing Room 5.

Public hearing will be held: HEC 1

Informational hearing including a presentation by St. Charles County Director of Elections,
Kurt Bahr.

SPECIAL COMMITTEE ON GOVERNMENT ACCOUNTABILITY

Thursday, February 9, 2023, 10:00 AM or upon adjournment (whichever is later),
House Hearing Room 7.

Informational meeting regarding DNR and ARPA grants for water infrastructure and grants
directly appropriated to municipalities.

SUBCOMMITTEE ON APPROPRIATIONS - AGRICULTURE, CONSERVATION,
NATURAL RESOURCES, AND ECONOMIC DEVELOPMENT

Monday, February 13, 2023, 4:30 PM or upon adjournment (whichever is later), House Hearing
Room 3.

Executive session will be held: HB 6, HB 7

SUBCOMMITTEE ON APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 14, 2023, 8:00 AM, House Hearing Room 3.

Public hearing will be held: HB 1, HB 5, HB 12, HB 13

Executive session will be held: HB 1, HB 5, HB 12, HB 13

SUBCOMMITTEE ON APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL
SERVICES

Monday, February 13, 2023, 11:00 AM, House Hearing Room 3.

Public hearing will be held: HB 10, HB 11

Executive session will be held: HB 10, HB 11

SUBCOMMITTEE ON APPROPRIATIONS - PUBLIC SAFETY, CORRECTIONS,
TRANSPORTATION AND REVENUE

Thursday, February 9, 2023, 8:00 AM, House Hearing Room 3.

Public hearing will be held: HB 4, HB 8, HB 9

Executive session will be held: HB 4, HB 8, HB 9

TRANSPORTATION ACCOUNTABILITY

Thursday, February 9, 2023, 8:00 AM, House Hearing Room 1.

Public hearing will be held: HJR 37, HB 882, HB 518

Executive session will be held: HJR 37, HB 404, HB 501

Added HJR 37, HB 404, HB 501, HB 882 and HB 518.

AMENDED

WAYS AND MEANS

Thursday, February 9, 2023, 8:00 AM, House Hearing Room 5.

Public hearing will be held: HJR 15, HJR 17

HOUSE CALENDAR

TWENTY-FIRST DAY, THURSDAY, FEBRUARY 9, 2023

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 59 through HJR 61

HOUSE BILLS FOR SECOND READING

HB 1090 through HB 1109

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

HCS HB 14 - Smith (163)

HOUSE BILLS FOR THIRD READING

HCS HBs 115 & 99 - Shields

HCS HB 301, (Fiscal Review 2/8/23), E.C. - Roberts

ACTIONS PURSUANT TO ARTICLE IV, SECTION 27

HCS HB 3001 - Smith (163)

CCS SS SCS HCS HB 3002 - Smith (163)

CCS SS SCS HCS HB 3003 - Smith (163)

CCS SCS HCS HB 3004 - Smith (163)

CCS SCS HCS HB 3005 - Smith (163)

CCS SCS HCS HB 3006 - Smith (163)

CCS SCS HCS HB 3007 - Smith (163)

CCS SS SCS HCS HB 3008 - Smith (163)

CCS SCS HCS HB 3009 - Smith (163)

CCS SS SCS HCS HB 3010 - Smith (163)

CCS SS SCS HCS HB 3011 - Smith (163)

CCS SS SCS HCS HB 3012 - Smith (163)

CCS SCS HCS HB 3013 - Smith (163)
SCS HCS HB 3017 - Smith (163)
SCS HCS HB 3018 - Smith (163)
SCS HCS HB 3019 - Smith (163)
SS SCS HCS HB 3020 - Smith (163)

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