

# JOURNAL OF THE HOUSE

First Regular Session, 102nd GENERAL ASSEMBLY

THIRTY-NINTH DAY, TUESDAY, MARCH 21, 2023

The House met pursuant to adjournment.

Speaker Plocher in the Chair.

Prayer by Reverend Monsignor Robert A. Kurwicky, Chaplain.

*“Beloved, follow. Not that which is evil, but that which is good. He that doeth good is of God.” (III John 1:11)*

O God who hears every prayer and answers them according to Your wisdom, to You we come in this silent moment of quiet devotion. We humble ourselves in Your presence confessing that we have done that we should not to have done and left undone that which we should have done. Have mercy upon us, forgive us and send us out into this day with creative minds to think clearly, with hearts warm with compassion, and with hands ready to serve You more fully and our state more efficiently.

Help us to bridge the problems which separate us, to heal the wounds which infect our life, to foster unity among our citizens, and to promote cooperation between the divisions in our chamber.

Breathe upon us Your spirit, reveal to us Your ways, and then give us courage to walk in the glory of Your Holy Name.

And the House says, “Amen!”

The Pledge of Allegiance to the flag was recited.

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

AYES: 140

Adams	Allen	Amato	Anderson	Appelbaum
Atchison	Aune	Baker	Banderman	Baringer
Barnes	Billington	Black	Boggs	Bonacker
Bosley	Boyd	Bromley	Brown 149	Brown 16
Brown 27	Buchheit-Courtway	Burger	Burton	Busick
Butz	Byrnes	Casteel	Chappell	Christ
Coleman	Cook	Copeland	Crossley	Davidson
Davis	Deaton	Diehl	Dinkins	Doll
Ealy	Evans	Falkner	Farnan	Fogle
Fountain Henderson	Francis	Gallick	Gragg	Gray
Griffith	Haden	Haffner	Haley	Hardwick
Hausman	Hein	Henderson	Hicks	Hinman
Houx	Hovis	Hudson	Hurlbert	Ingle
Johnson 12	Johnson 23	Jones	Justus	Kalberloh
Keathley	Kelley 127	Lavender	Lewis 25	Lewis 6
Lonsdale	Lovasco	Mackey	Mann	Marquart

Matthiesen	McGaugh	McGill	McMullen	Morse
Murphy	Myers	Nickson-Clark	Nurrenbern	O'Donnell
Oehlerking	Owen	Parker	Patterson	Perkins
Peters	Plank	Pollitt	Pouche	Proudie
Quade	Reedy	Reuter	Richey	Riggs
Riley	Roberts	Sander	Sassmann	Schnelting
Schulte	Schwadron	Seitz	Sharpe 4	Shields
Smith 155	Smith 163	Smith 46	Sparks	Stacy
Steinhoff	Stinnett	Strickler	Taylor 48	Taylor 84
Terry	Thomas	Thompson	Titus	Toalson Reisch
Van Schoiack	Veit	Voss	Waller	Walsh Moore
Weber	West	Wilson	Young	Mr. Speaker

NOES: 000

PRESENT: 003

Mayhew	Merideth	Unsicker
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ABSENT WITH LEAVE: 020

Aldridge	Bangert	Bland Manlove	Brown 87	Burnett
Christofanelli	Clemens	Collins	Cupps	Gregory
Kelly 141	Knight	Mosley	Phifer	Sauls
Sharp 37	Stephens	Windham	Woods	Wright

VACANCIES: 000

## HOUSE RESOLUTIONS

Representative Sassmann offered **HR 1232**, which was read.

### HOUSE RESOLUTION NO. 1232

WHEREAS, it is with heavy hearts that the members of the Missouri House of Representatives pause to acknowledge the significant achievements of a life gone by, that of Detective Sergeant Mason Evans Griffith of the Hermann Police Department, who was killed in the line of duty on March 12, 2023; and

WHEREAS, on March 12, 2023, Detective Sergeant Griffith and Officer Adam Sullentrup of the Hermann Police Department responded to the Casey's General Store in Hermann where a suspect with multiple warrants for his arrest had been identified by the officers; and

WHEREAS, during the investigation, the suspect became agitated and lied to the officers about his identity; and

WHEREAS, once his identity was confirmed, the suspect backed away from the officers, drew a handgun, and began firing at the officers, neither of whom had drawn their weapons; and

WHEREAS, although injured, Detective Sergeant Griffith was able to return fire before the suspect fled the store and hid in a home on Market Street; and

WHEREAS, the suspect was arrested after an hours-long standoff with law enforcement, who used Detective Sergeant Griffith's handcuffs to take the suspect into custody; and

WHEREAS, Detective Sergeant Griffith was a proud Detective Sergeant with the Hermann Police Department, Part-Time Chief of Police of the Rosebud Police Department, Field Training Officer, and member of the Crisis Intervention Team; and

WHEREAS, Detective Sergeant Griffith leaves to cherish his memory his devoted wife, Jennifer Griffith; his two sons, Trevor Griffith and Karson Griffith; and his parents, David and Fern Griffith:

NOW THEREFORE BE IT RESOLVED that we, the members of the Missouri House of Representatives, One Hundred Second General Assembly, join in paying final tribute to Detective Sergeant Mason Evans Griffith, a remarkable individual and dedicated public servant who will be sadly missed by all those who had the distinct pleasure of knowing and loving him; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the family of the late Detective Sergeant Mason Evans Griffith, as an expression of our deep sympathy.

### PERFECTION OF HOUSE BILLS - INFORMAL

**HCS HBs 816 & 660, as amended**, relating to income tax, was taken up by Representative Deaton.

Representative Lavender requested a division of the question on **HCS HBs 816 & 660, as amended**.

The Chair ruled against the division of the question.

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

#### *House Amendment No. 3*

AMEND House Committee Substitute for House Bill Nos. 816 & 660, Page 6, Section 143.125, Lines 36-37, by deleting the words "**For all tax years ending on or before December 31, 2023,**"; and

Further amend said bill, page, and section, Line 40, by deleting the words "one hundred thousand dollars" and inserting in lieu thereof the following:

"~~one~~ **two** hundred thousand dollars **with annual adjustments based on the percentage change in the Consumer Price Index for All Urban Consumers or its successor index, as published by the federal Bureau of Labor Statistics or its successor agency**"; and

Further amend said bill, page, and section, Line 43, by deleting the words "eighty-five thousand dollars" and inserting in lieu thereof the following:

"~~eighty-five~~ **one** hundred thousand dollars **with annual adjustments based on the percentage change in the Consumer Price Index for All Urban Consumers or its successor index, as published by the federal Bureau of Labor Statistics or its successor agency**"; and

Further amend said bill, page, and section, Lines 45-48, by deleting said lines and inserting in lieu thereof the following:

"3. If a taxpayer's"; and

Further amend said bill and section, Pages 6-7, Lines 51-53, by deleting said lines and inserting in lieu thereof the following:

"shall be entitled to ~~[an exemption equal to the greater of zero or the maximum exemption provided in subsection 2 of this section reduced by one dollar for every dollar such taxpayer's income exceeds the ceiling for his or her filing status]~~ **subtract from the taxpayer's Missouri adjusted gross income to determine Missouri taxable income an amount equal to one hundred percent of the amount of any benefits received by the taxpayer and that are included in federal adjusted gross income under Section 86 of the Internal Revenue Code of 1986, as amended.**"; and

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

Representative Lavender moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

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

The Speaker advised members to confine comments to the matter at hand.

Representative O'Donnell assumed the Chair.

Speaker Plocher resumed the Chair.

On motion of Representative Deaton, **HCS HBs 816 & 660, as amended**, was adopted.

On motion of Representative Deaton, **HCS HBs 816 & 660, as amended**, was ordered perfected and printed by the following vote, the ayes and noes having been demanded pursuant to Rule 16:

AYES: 109

Allen	Amato	Atchison	Baker	Banderman
Billington	Black	Boggs	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
Evans	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
Knight	Lewis 6	Lonsdale	Lovasco	Marquart
Matthiesen	Mayhew	McGaugh	McGill	McMullen
Morse	Murphy	Myers	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	Mr. Speaker	

NOES: 045

Adams	Anderson	Appelbaum	Aune	Baringer
Bland Manlove	Bosley	Brown 27	Brown 87	Burton
Butz	Collins	Crossley	Doll	Ealy
Fogle	Fountain Henderson	Gray	Hein	Ingle
Johnson 12	Johnson 23	Lavender	Lewis 25	Mackey
Mann	Merideth	Mosley	Nickson-Clark	Nurrenbern
Phifer	Plank	Proudie	Quade	Sauls
Smith 46	Steinhoff	Strickler	Taylor 84	Terry
Unsicker	Walsh Moore	Weber	Windham	Young

PRESENT: 001

Barnes

ABSENT WITH LEAVE: 008

Aldridge	Bangert	Burnett	Clemens	Kelly 141
Sharp 37	Woods	Wright		

VACANCIES: 000

## PERFECTION OF HOUSE BILLS

**HS HCS HB 356, HCS HB 442, HCS HBs 971 & 970, HCS HB 1162, HCS HB 766, HCS HBs 882 & 518, HCS HB 1019 and HB 1010** were placed on the Informal Calendar.

**HB 447**, relating to adult high schools, was taken up by Representative Davidson.

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

### *House Amendment No. 1*

AMEND House Bill No. 447, Page 1, In The Title, Line 3, by deleting the words "adult high schools" and inserting in lieu thereof the words "educational expenses"; and

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

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

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

### *House Amendment No. 2*

AMEND House Bill No. 447, Page 4, Section 160.2725, Line 9, by inserting after all of said section and line the following:

**"163.063. 1. As used in this section, the following words mean:**

**(1) "Nonresident pupil", a child who:**

**(a) At the time such child is admitted to a residential care facility, is domiciled in one school district in Missouri but resides in a residential care facility located in another school district in Missouri as a result of placement arranged by or approved by the department of mental health or the department of social services or placement arranged by or ordered by a court of competent jurisdiction;**

**(b) Receives care or treatment in such residential care facility that is not within the school district in which the child's domicile is located;**

**(c) Is unable to attend school in either the school district in which such domicile is located or the school district in which such residential care facility is located because such child:**

**a. May be a safety risk; or**

**b. Has behavioral conditions that support the need to educate such child on such residential care facility's site or campus; and**

**(d) Is being provided all required educational services within such residential care facility;**

**(2) "Resident district", a school district in this state in which a resident pupil resides;**

**(3) "Resident pupil", a child who:**

**(a) Resides in such child's resident district;**

**(b) Receives care or treatment at a residential care facility located within such child's resident district;**

**(c) Is unable to attend school in such child's resident district because such child:**

**a. May be a safety risk; or**

**b. Has behavioral conditions that support the need to educate such child on such residential care facility's site or campus; and**

**(d) Is being provided required educational services within such residential care facility located within such resident district;**

**(4) "Residential care facility", any residential care facility required to be licensed under sections 210.481 to 210.536, or a similar facility.**

**2. This section shall apply only to a child who is admitted to programs or facilities of the department of mental health or whose domicile is in one school district in Missouri but whose residence is in another school district in Missouri as a result of placement arranged by or approved by the department of mental health or the department of social services or placement arranged by or ordered by a court of competent jurisdiction.**

**3. For purposes of calculating state aid payments under sections 163.011 and 163.031 and receiving federal aid, a nonresident pupil shall continue to be included in the enrollment of the school district in which such nonresident pupil was domiciled prior to being placed in a residential care facility.**

**4. Any educational costs incurred by a residential care facility that are not remitted under this section may be reimbursed as provided in section 167.126.**

**5. Educational costs incurred by a residential care facility for a child who was not enrolled in a school district in Missouri at the time the child was admitted to such residential care facility shall be reimbursed as provided in section 167.126.**

167.019. 1. A child-placing agency, as defined under section 210.481, shall promote educational stability for foster care children by considering the child's school attendance area when making placement decisions. The foster care pupil shall have the right to remain enrolled in and attend his or her school of origin pending resolution of school placement disputes or to return to a previously attended school in an adjacent district.

2. Each school district shall accept for credit full or partial course work satisfactorily completed by a pupil while attending a public school, nonpublic school, or nonsectarian school in accordance with district policies or regulations.

3. If a pupil completes the graduation requirements of his or her school district of residence while under the jurisdiction of the juvenile court as described in chapter 211, the school district of residence shall issue a diploma to the pupil.

4. School districts shall ensure that if a pupil in foster care is absent from school due to a decision to change the placement of a pupil made by a court or child placing agency, or due to a verified court appearance or related court-ordered activity, the grades and credits of the pupil shall be calculated as of the date the pupil left school, and no lowering of his or her grades shall occur as a result of the absence of the pupil under these circumstances.

5. School districts, subject to federal law, shall be authorized to permit access of pupil school records to any child placing agency for the purpose of fulfilling educational case management responsibilities required by the juvenile officer or by law and to assist with the school transfer or placement of a pupil.

6. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.

**7. In the event a best interest determination is not completed within five business days of a child being placed in a foster care placement that is located in a school district different than the child's school district prior to the placement, it shall be deemed that enrollment in the school district where the child resides as a result of the foster care placement shall be in the best interests of the child.**

167.126. 1. Children who are admitted to programs or facilities of the department of mental health or whose domicile is one school district in Missouri but who reside in another school district in Missouri as a result of placement arranged by or approved by the department of mental health, the department of social services or placement arranged by or ordered by a court of competent jurisdiction shall have a right to be provided the educational services as provided by law and shall not be denied admission to any appropriate regular public school or special school district program or program operated by the state board of education, as the case may be, where the child actually resides because of such admission or placement; provided, however, that nothing in this section shall prevent the department of mental health, the department of social services or a court of competent jurisdiction from otherwise providing or procuring educational services for such child.

2. Each school district or special school district constituting the domicile of any child for whom educational services are provided or procured under this section shall pay toward the per-pupil costs for educational services for such child. A school district which is not a special school district shall pay an amount equal to the average sum produced per child by the local tax effort of the district of domicile. A special school district shall pay an amount not to exceed the average sum produced per child by the local tax efforts of the domiciliary districts.

3. When educational services have been provided by the school district or special school district in which a child actually resides, including a child who temporarily resides in a children's hospital licensed under chapter 197 **or a psychiatric residential treatment facility**, for rendering health care services to children under the age of eighteen for more than three days, other than the district of domicile, the amounts as provided in subsection 2 of this section for which the domiciliary school district or special school district is responsible shall be paid by such district directly to the serving district. The school district, or special school district, as the case may be, shall send a written voucher for payment to the regular or special district constituting the domicile of the child served and the domiciliary school district or special school district receiving such voucher shall pay the district providing or procuring the services an amount not to exceed the average sum produced per child by the local tax efforts of the domiciliary districts. In the event the responsible district fails to pay the appropriate amount to the district within ninety days after a voucher is submitted, the state department of elementary and secondary education shall deduct the appropriate amount due from the next payments of any state financial aid due that district and shall pay the same to the appropriate district.

4. In cases where a child whose domicile is in one district is placed in programs or facilities operated by the department of mental health or resides in another district pursuant to assignment by that department or is placed by the department of social services or a court of competent jurisdiction into any type of publicly contracted residential site in Missouri, the department of elementary and secondary education shall, as soon as funds are appropriated, pay the serving district from funds appropriated for that purpose the amount by which the per-pupil costs of the educational services exceeds the amounts received from the domiciliary district except that any other state money received by the serving district by virtue of rendering such service shall reduce the balance due.

5. Institutions providing a place of residence for children whose parents or guardians do not reside in the district in which the institution is located shall have authority to enroll such children in a program in the district or special district in which the institution is located and such enrollment shall be subject to the provisions of subsections 2 and 3 of this section. The provisions of this subsection shall not apply to placement authorized pursuant to subsection 1 of this section or if the placement occurred for the sole purpose of enrollment in the district or special district. "Institution" as used in this subsection means a facility organized under the laws of Missouri for the purpose of providing care and treatment of juveniles.

6. Children residing in institutions providing a place of residence for three or more such children whose domicile is not in the state of Missouri may be admitted to schools or programs provided on a contractual basis between the school district, special district or state department or agency and the proper department or agency, or persons in the state where domicile is maintained. Such contracts shall not be permitted to place any financial burden whatsoever upon the state of Missouri, its political subdivisions, school districts or taxpayers.

7. For purposes of this section the domicile of the child shall be the school district where the child would have been educated if the child had not been placed in a different school district. No provision of this section shall be construed to deny any child domiciled in Missouri appropriate and necessary, gratuitous public services.

8. For the purpose of distributing state aid under section 163.031, a child receiving educational services provided by the district in which the child actually resides, other than the district of domicile, shall be included in average daily attendance, as defined under section 163.011, of the district providing the educational services for the child.

9. Each school district or special school district where the child actually resides, other than the district of domicile, may receive payment from the department of elementary and secondary education, in lieu of receiving the local tax effort from the domiciliary school district. Such payments from the department shall be subject to appropriation and shall only be made for children that have been placed in a school other than the domiciliary school district by a state agency or a court of competent jurisdiction and from whom excess educational costs are billed to the department of elementary and secondary education."; and

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

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

Representative Collins raised a point of order that a member was in violation of Rule 84.

The Chair advised members to direct their comments to the dais.

On motion of Representative Davidson, **HB 447, as amended**, was ordered perfected and printed.

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: 053

Allen	Amato	Banderman	Baringer	Billington
Bonacker	Brown 16	Brown 27	Byrnes	Casteel
Chappell	Christ	Cook	Copeland	Cupps
Davis	Diehl	Doll	Evans	Fountain Henderson
Francis	Haffner	Haley	Hardwick	Hein
Hinman	Keathley	Kelley 127	Kelly 141	Lonsdale
Lovasco	Marquart	McGill	Morse	Murphy
Nickson-Clark	Owen	Peters	Richey	Roberts
Sander	Sassmann	Schulte	Sparks	Steinhoff
Stinnett	Thompson	Titus	Van Schoiack	Veit
Waller	Wright	Young		

NOES: 000

PRESENT: 063

Appelbaum	Aune	Barnes	Bland Manlove	Boggs
Bosley	Bromley	Buchheit-Courtway	Burger	Butz
Crossley	Davidson	Deaton	Dinkins	Ealy



Falkner	Fogle	Gragg	Gregory	Griffith
Hausman	Henderson	Hicks	Houx	Hovis
Hudson	Hurlbert	Johnson 12	Jones	Justus
Kalberloh	Knight	Lewis 25	Mann	Mayhew
McGaugh	McMullen	Merideth	Myers	O'Donnell
Oehlerking	Patterson	Phifer	Plank	Pouche
Proudie	Riley	Schwadron	Seitz	Sharpe 4
Smith 163	Smith 46	Strickler	Taylor 48	Taylor 84
Terry	Thomas	Toalson Reisch	Voss	Weber
West	Wilson	Mr. Speaker		

ABSENT WITH LEAVE: 047

Adams	Aldridge	Anderson	Atchison	Baker
Bangert	Black	Boyd	Brown 149	Brown 87
Burnett	Burton	Busick	Christofanelli	Clemens
Coleman	Collins	Farnan	Gallick	Gray
Haden	Ingle	Johnson 23	Lavender	Lewis 6
Mackey	Matthiesen	Mosley	Nurrenbern	Parker
Perkins	Pollitt	Quade	Reedy	Reuter
Riggs	Sauls	Schnelting	Sharp 37	Shields
Smith 155	Stacy	Stephens	Unsicker	Walsh Moore
Windham	Woods			

VACANCIES: 000

### PERFECTION OF HOUSE BILLS - INFORMAL

**HCS HBs 700 & 445**, relating to refusal of medical procedures or treatment, was taken up by Representative Hardwick.

On motion of Representative Hardwick, the title of **HCS HBs 700 & 445** was agreed to.

Representative Sparks assumed the Chair.

On motion of Representative Hardwick, **HCS HBs 700 & 445** was adopted.

On motion of Representative Hardwick, **HCS HBs 700 & 445** was ordered perfected and printed.

Speaker Pro Tem Henderson assumed the Chair.

**HB 94**, relating to the designation of a memorial highway, was taken up by Representative Schwadron.

On motion of Representative Schwadron, the title of **HB 94** was agreed to.

On motion of Representative Schwadron, **HB 94** was ordered perfected and printed.

### PERFECTION OF HOUSE JOINT RESOLUTIONS

**HCS HJR 33 & 45**, relating to property tax assessments, was taken up by Representative Coleman.

On motion of Representative Coleman, the title of **HCS HJR 33 & 45** was agreed to.

On motion of Representative Coleman, **HCS HJR 33 & 45** was adopted.

On motion of Representative Coleman, **HCS HJR 33 & 45** was ordered perfected and printed.

### PERFECTION OF HOUSE BILLS - INFORMAL

Representative Patterson moved that **HB 44** be committed to the Committee on Legislative Review.

Which motion was adopted.

Representative Patterson moved that **HB 67** be committed to the Committee on Legislative Review.

Which motion was adopted.

Representative Patterson moved that **HB 487** be committed to the Committee on Legislative Review.

Which motion was adopted.

Representative Patterson moved that **HB 528** be committed to the Committee on Legislative Review.

Which motion was adopted.

Representative Patterson moved that **HB 547** be committed to the Committee on Legislative Review.

Which motion was adopted.

Representative Patterson moved that **HB 1021** be committed to the Committee on Legislative Review.

Which motion was adopted.

Representative Patterson moved that **HB 1055** be committed to the Committee on Legislative Review.

Which motion was adopted.

**HCS HB 1019**, relating to property and casualty insurance, was taken up by Representative Christofanelli.

On motion of Representative Christofanelli, the title of **HCS HB 1019** was agreed to.

On motion of Representative Christofanelli, **HCS HB 1019** was adopted.

On motion of Representative Christofanelli, **HCS HB 1019** was ordered perfected and printed.

**HB 1010**, relating to the disclosure of information regarding certain children, was taken up by Representative Christofanelli.

On motion of Representative Christofanelli, the title of **HB 1010** was agreed to.

On motion of Representative Christofanelli, **HB 1010** was ordered perfected and printed.

**HCS HB 442**, relating to cost-sharing under health benefit plans, was taken up by Representative Wright.

On motion of Representative Wright, the title of **HCS HB 442** was agreed to.

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

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 442, Page 1, Section A, Line 2, by inserting after said section and line the following:

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

- (1) "340B drug", a drug that is:
    - (a) A covered outpatient drug as defined in Section 340B of the Public Health Service Act, 42 U.S.C. Section 256b, enacted by Section 602 of the Veterans Health Care Act of 1992, Pub. L. 102-585; and
    - (b) Purchased under an agreement entered into under 42 U.S.C. Section 256b;
  - (2) "Covered entity", the same meaning given to the term in Section 340B(a)(4) of the Public Health Service Act, 42 U.S.C. Section 256b(a)(4);
  - (3) "Health carrier", the same meaning given to the term in section 376.1350;
  - (4) "Pharmacy benefits manager", the same meaning given to the term in section 376.388;
  - (5) "Specified pharmacy", a pharmacy licensed under chapter 338 with which a covered entity has contracted to dispense 340B drugs on behalf of the covered entity regardless of whether the 340B drugs are distributed in person or through the mail.
2. A health carrier or pharmacy benefits manager shall not discriminate against a covered entity or a specified pharmacy by doing any of the following:
- (1) Reimbursing a covered entity or specified pharmacy for a quantity of a 340B drug in an amount less than such health carrier or pharmacy benefits manager would pay to any other similarly situated pharmacy that is not a covered entity or a specified pharmacy for such quantity of such drug on the basis that the entity or pharmacy is a covered entity or specified pharmacy or that the entity or pharmacy dispenses 340B drugs;

(2) Imposing any terms or conditions on covered entities or specified pharmacies that differ from such terms or conditions applied to other similarly situated pharmacies that are not covered entities or specified pharmacies on the basis that the entity or pharmacy is a covered entity or specified pharmacy or that the entity or pharmacy dispenses 340B drugs including, but not limited to, terms or conditions with respect to any of the following:

- (a) Fees, chargebacks, clawbacks, adjustments, or other assessments;
- (b) Professional dispensing fees;
- (c) Restrictions or requirements regarding participation in standard or preferred pharmacy networks;
- (d) Requirements relating to the frequency or scope of audits or to inventory management systems using generally accepted accounting principles; and
- (e) Any other restrictions, conditions, practices, or policies that, as specified by the director of the department of commerce and insurance, interfere with the ability of a covered entity to maximize the value of discounts provided under 42 U.S.C. Section 256b;

(3) Interfering with an individual's choice to receive a 340B drug from a covered entity or specified pharmacy, whether in person or via direct delivery, mail, or other form of shipment; or

(4) Refusing to contract with a covered entity or specified pharmacy for reasons other than those that apply equally to entities or pharmacies that are not covered entities or specified pharmacies, or on the basis that:

- (a) The entity or pharmacy is a covered entity or a specified pharmacy; or
- (b) The entity or pharmacy is described in any of subparagraphs (A) to (O) of 42 U.S.C. Section 256b(a)(4).

3. The director of the department of commerce and insurance shall impose a civil penalty on any pharmacy benefits manager that violates the requirements of this section. Such penalty shall not exceed five thousand dollars per violation per day.

4. The director of the department of commerce and insurance shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2022, shall be invalid and void."; and

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

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

On motion of Representative Wright, **HCS HB 442, as amended**, was adopted.

On motion of Representative Wright, **HCS HB 442, as amended**, was ordered perfected and printed.

**HCS HBs 971 & 970**, relating to employment for people with disabilities, was taken up by Representative Stinnett.

On motion of Representative Stinnett, the title of **HCS HBs 971 & 970** was agreed to.

On motion of Representative Stinnett, **HCS HBs 971 & 970** was adopted.

On motion of Representative Stinnett, **HCS HBs 971 & 970** was ordered perfected and printed.

### PERFECTION OF HOUSE BILLS

**HCS HB 467**, relating to duties of the department of agriculture, was taken up by Representative Gregory.

On motion of Representative Gregory, the title of **HCS HB 467** was agreed to.

On motion of Representative Gregory, **HCS HB 467** was adopted.

On motion of Representative Gregory, **HCS HB 467** was ordered perfected and printed.

**HCS HBs 117, 343 & 1091**, relating to controlled substances, was taken up by Representative Shields.

On motion of Representative Shields, the title of **HCS HBs 117, 343 & 1091** was agreed to.

On motion of Representative Shields, **HCS HBs 117, 343 & 1091** was adopted.

On motion of Representative Shields, **HCS HBs 117, 343 & 1091** was ordered perfected and printed.

**HB 132**, relating to the Missouri veterans commission, was taken up by Representative Griffith.

On motion of Representative Griffith, the title of **HB 132** was agreed to.

On motion of Representative Griffith, **HB 132** was ordered perfected and printed.

**HCS HB 475**, relating to the Missouri geospatial advisory council, was taken up by Representative Taylor (48).

On motion of Representative Taylor (48), the title of **HCS HB 475** was agreed to.

On motion of Representative Taylor (48), **HCS HB 475** was adopted.

On motion of Representative Taylor (48), **HCS HB 475** was ordered perfected and printed.

### COMMITTEE REPORTS

**Committee on Children and Families**, Chairman Kelly (141) reporting:

Mr. Speaker: Your Committee on Children and Families, to which was referred **HB 355**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute** by the following vote:

Ayes (9): Gragg, Hausman, Johnson (12), Jones, Kelley (127), Lewis (6), McGaugh, Terry and Unsicker

Noes (0)

Absent (1): Kelly (141)

Mr. Speaker: Your Committee on Children and Families, to which was referred **HB 714**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute** by the following vote:

Ayes (9): Gragg, Hausman, Johnson (12), Jones, Kelley (127), Lewis (6), McGaugh, Terry and Unsicker

Noes (0)

Absent (1): Kelly (141)

Mr. Speaker: Your Committee on Children and Families, to which was referred **HB 1034**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (6): Gragg, Hausman, Jones, Kelley (127), Lewis (6) and McGaugh

Noes (3): Johnson (12), Terry and Unsicker

Absent (1): Kelly (141)

**Committee on Health and Mental Health Policy**, Chairman Stephens reporting:

Mr. Speaker: Your Committee on Health and Mental Health Policy, to which was referred **HB 1082** and **HB 1094**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute** by the following vote:

Ayes (14): Amato, Appelbaum, Clemens, Cook, Davis, Doll, Griffith, Kelley (127), Lewis (25), Peters, Schwadron, Stephens, Thomas and Wright

Noes (0)

Absent (0)

Mr. Speaker: Your Committee on Health and Mental Health Policy, to which was referred **HB 1102**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (13): Amato, Appelbaum, Clemens, Cook, Davis, Doll, Griffith, Kelley (127), Peters, Schwadron, Stephens, Thomas and Wright

Noes (0)

Absent (1): Lewis (25)

**Committee on Professional Registration and Licensing**, Chairman Coleman reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 557**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (11): Brown (27), Casteel, Coleman, Dinkins, Doll, Lewis (25), Matthiesen, Nickson-Clark, Parker, Roberts and Stinnett

Noes (0)

Absent (3): Cook, Keathley and Kelly (141)

**Special Committee on Government Accountability**, Chairman Richey reporting:

Mr. Speaker: Your Special Committee on Government Accountability, to which was referred **HB 1064** and **HB 667**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute** by the following vote:

Ayes (14): Anderson, Boyd, Davidson, Deaton, Hein, Lonsdale, Mann, Mayhew, Nurrenbern, Perkins, Phifer, Richey, Sander and Stinnett

Noes (0)

Absent (5): Bosley, Cupps, Knight, Lovasco and Wilson

Mr. Speaker: Your Special Committee on Government Accountability, to which was referred **HB 1196**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute** by the following vote:

Ayes (8): Boyd, Davidson, Deaton, Lonsdale, Mayhew, Perkins, Richey and Stinnett

Noes (6): Anderson, Hein, Mann, Nurrenbern, Phifer and Sander

Absent (5): Bosley, Cupps, Knight, Lovasco and Wilson

**Committee on Ways and Means**, Chairman McGirl reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 512**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (12): Bland Manlove, Chappell, Gray, Hicks, Hudson, Lovasco, McGirl, Phifer, Smith (155), Taylor (84), Titus and Wright

Noes (0)

Absent (2): Casteel and Thompson

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 1078**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (7): Chappell, Hicks, Hudson, McGirl, Smith (155), Titus and Wright

Noes (4): Bland Manlove, Gray, Phifer and Taylor (84)

Absent (3): Casteel, Lovasco and Thompson

The following member's presence was noted: Sharp (37).

## **ADJOURNMENT**

On motion of Representative Patterson, the House adjourned until 10:00 a.m., Wednesday, March 22, 2023.

## **COMMITTEE HEARINGS**

### **AGRICULTURE POLICY**

Thursday, March 23, 2023, 8:00 AM, House Hearing Room 6.  
Public hearing will be held: HB 1044, HB 1052

### **CORRECTIONS AND PUBLIC INSTITUTIONS**

Wednesday, March 22, 2023, 4:30 PM or upon adjournment (whichever is later),  
House Hearing Room 1.  
Public hearing will be held: HB 513

### **CRIME PREVENTION AND PUBLIC SAFETY**

Thursday, March 23, 2023, 8:00 AM, House Hearing Room 7.  
Public hearing will be held: HB 1367, HB 549, HB 298  
Executive session will be held: HB 250, HB 571, HB 1024

### **ECONOMIC DEVELOPMENT**

Wednesday, March 22, 2023, 8:00 AM, House Hearing Room 1.  
Public hearing will be held: HB 752, HB 1106

### **ELEMENTARY AND SECONDARY EDUCATION**

Wednesday, March 22, 2023, 8:00 AM, House Hearing Room 7.  
Public hearing will be held: HB 159, HB 558, HB 529  
Executive session will be held: HB 106, HB 232

### **EMERGING ISSUES**

Wednesday, March 22, 2023, 4:30 PM or upon adjournment (whichever is later),  
House Hearing Room 6.  
Public hearing will be held: HB 1169, HB 912, HB 485, HB 712, HB 701  
Executive session will be held: HB 293, HB 282, HB 37  
Added HB 282 and HB 37.  
AMENDED

### **GOVERNMENT EFFICIENCY AND DOWNSIZING**

Wednesday, March 22, 2023, 8:00 AM, House Hearing Room 6.  
Public hearing will be held: HB 603, HB 157, HB 1208  
Executive session will be held: HB 1263, HB 782, HB 514, HB 542  
Removed HB 1145.  
AMENDED



HIGHER EDUCATION

Wednesday, March 22, 2023, 4:30 PM or upon adjournment (whichever is later),  
House Hearing Room 5.  
Public hearing will be held: HB 502, HB 887, HB 1173

INSURANCE POLICY

Wednesday, March 22, 2023, 8:30 AM, House Hearing Room 5.  
Public hearing will be held: HB 643, HB 935

JUDICIARY

Wednesday, March 22, 2023, 4:30 PM or upon adjournment (whichever is later),  
House Hearing Room 7.  
Public hearing will be held: HB 1005, HB 1170, HB 1271, HB 1176, HB 371, HB 1204

PROFESSIONAL REGISTRATION AND LICENSING

Thursday, March 23, 2023, 10:30 AM or upon adjournment (whichever is later),  
House Hearing Room 5.  
Executive session will be held: SS SB 51

RULES - ADMINISTRATIVE OVERSIGHT

Thursday, March 23, 2023, 8:30 AM, House Hearing Room 4.  
Executive session will be held: HCS HBs 119, 372, 382, 420, 550 & 693, HCS HBs 404 & 501,  
HCS HB 521, HCS HB 584, HCS HB 824, HCS HB 1109  
Executive session may be held on any matter referred to the committee.  
Removed HB 76.  
AMENDED

RULES - LEGISLATIVE OVERSIGHT

Wednesday, March 22, 2023, 9:00 AM, House Hearing Room 4.  
Executive session will be held: HCR 11, HB 136, HB 234, HB 519, HB 520, HCS HB 733,  
HCS HBs 1108 & 1181, HCS HB 1133  
Executive session may be held on any matter referred to the committee.

RULES - REGULATORY OVERSIGHT

Wednesday, March 22, 2023, 12:00 PM or upon morning recess (whichever is later),  
House Hearing Room 4.  
Executive session will be held: HCS HBs 930, 361 & 326, HCS HB 779, HB 403,  
HCS HBs 178, 179 & 401, HCS HB 155, HCS HB 1023, HCS HB 809, HCS HB 497  
Executive session may be held on any matter referred to the committee.

SPECIAL COMMITTEE ON ELECTION CONTESTS

Wednesday, March 22, 2023, 12:00 PM or upon morning recess (whichever is later),  
House Hearing Room 5.  
Executive session will be held: HEC 1

**SPECIAL COMMITTEE ON PUBLIC POLICY**

Wednesday, March 22, 2023, 12:00 PM or upon morning recess (whichever is later),  
Joint Hearing Room (117).

Public hearing will be held: HB 267, HB 347

**TRANSPORTATION ACCOUNTABILITY**

Thursday, March 23, 2023, 8:00 AM, House Hearing Room 1.

Executive session will be held: HB 1366, HB 1370

**TRANSPORTATION INFRASTRUCTURE**

Wednesday, March 22, 2023, 12:00 PM or upon morning recess (whichever is later),  
House Hearing Room 7.

Public hearing will be held: HB 1193, HB 1166

Removed HB 624.

AMENDED

**UTILITIES**

Wednesday, March 22, 2023, 12:00 PM or upon morning recess (whichever is later),  
House Hearing Room 1.

Public hearing will be held: HB 1143, HB 697, HB 891

Removed HB 709 and HB 991. Added HB 697 and HB 891.

AMENDED

**WAYS AND MEANS**

Thursday, March 23, 2023, 8:00 AM, House Hearing Room 5.

Public hearing will be held: HJR 27, HJR 36

**WORKFORCE AND INFRASTRUCTURE DEVELOPMENT**

Wednesday, March 22, 2023, 12:00 PM or upon morning recess (whichever is later),  
House Hearing Room 6.

Executive session will be held: HB 960

Presentation by Kirk Mathews, Chief Transformation Officer of MO HealthNet Division,  
regarding the workforce shortage impact on healthcare.

**HOUSE CALENDAR**

FORTIETH DAY, WEDNESDAY, MARCH 22, 2023

**HOUSE BILLS FOR PERFECTION**

HCS HB 725 - Francis

HCS HBs 913 & 428 - Farnan

HCS HB 863 - O'Donnell

HCS HB 419 - Hudson

HCS HB 183 - Burger

HCS HB 1058 - Hausman

HCS HB 986 - Murphy

HB 196 - Henderson  
HCS HB 939 - Wilson  
HCS HB 805 - Kalberloh  
HCS HB 894 - Knight  
HB 142 - Sassmann  
HCS HB 631 - Houx  
HCS HB 774 - Gragg  
HCS HB 90 - Veit  
HCS HBs 348, 285 & 407 - Coleman  
HCS HB 510 - Griffith  
HCS HBs 651, 479 & 647 - Richey

#### **HOUSE BILLS FOR PERFECTION - INFORMAL**

HB 44, (Legislative Review 3/21/23) - Haley  
HB 67, (Legislative Review 3/21/23) - Terry  
HB 487, (Legislative Review 3/21/23) - Francis  
HB 528, (Legislative Review 3/21/23) - Murphy  
HB 547, (Legislative Review 3/21/23) - Roberts  
HB 1021, (Legislative Review 3/21/23) - Baker  
HB 1055, (Legislative Review 3/21/23) - Mayhew  
HS HCS HB 356 - McGirl  
HCS HB 1162 - Haden  
HCS HB 766 - Roberts  
HCS HBs 882 & 518 - Byrnes

#### **HOUSE BILLS FOR THIRD READING**

HCS HB 909 - Haffner  
HCS HBs 556 & 581 - Houx  
HCS HBs 700 & 445 - Hardwick  
HB 94 - Schwadron  
HCS HB 1019 - Christofanelli  
HB 1010 - Christofanelli  
HCS HB 467 - Gregory  
HCS HBs 117, 343 & 1091 - Shields  
HB 132 - Griffith  
HCS HB 475 - Taylor (48)

#### **HOUSE BILLS FOR THIRD READING - CONSENT**

HB 129 - Griffith  
HCS HB 130 - Griffith  
HB 283 - Kelly (141)  
HB 644 - Francis  
HB 923 - Hovis

**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)