

# JOURNAL OF THE HOUSE

First Regular Session, 102nd GENERAL ASSEMBLY

FIFTY-FIFTH DAY, MONDAY, APRIL 17, 2023

The House met pursuant to adjournment.

Speaker Plocher in the Chair.

Prayer by Representative Darin Chappell.

Our God, and Father in Heaven,

We thank You for this day in which we are blessed to gather in the People's House to consider the People's business. We thank You for our individual abilities, which, when brought together in honest effort for good, become of far greater efficacy than any of us could be alone.

We ask, Father, that we would have the courage of our convictions, the intellectual integrity to have open minds, and the humility to sincerely ask ourselves, "What if I'm wrong?"

We ask that we would seek liberty, freedom, and the right, within the role of government, for our good, and Your glory.

We ask all this in Jesus's holy name, Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the fifty-third day was approved as printed.

The Journal of the fifty-fourth day was approved as printed.

## COMMITTEE REPORTS

**Committee on Fiscal Review**, Chairman Houx reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HJR 20**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (4): Houx, Hudson, Owen and Pollitt

Noes (2): Baringer and Fogle

Absent (1): Kelly (141)

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 155**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (6): Baringer, Fogle, Houx, Hudson, Owen and Pollitt

Noes (0)

Absent (1): Kelly (141)

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 183**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (4): Houx, Hudson, Owen and Pollitt

Noes (2): Baringer and Fogle

Absent (1): Kelly (141)

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 471**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (4): Houx, Hudson, Owen and Pollitt

Noes (2): Baringer and Fogle

Absent (1): Kelly (141)

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 894**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (4): Houx, Hudson, Owen and Pollitt

Noes (2): Baringer and Fogle

Absent (1): Kelly (141)

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 934**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (6): Baringer, Fogle, Houx, Hudson, Owen and Pollitt

Noes (0)

Absent (1): Kelly (141)

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HS HCS HBs 1108 & 1181**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (4): Houx, Hudson, Owen and Pollitt

Noes (2): Baringer and Fogle

Absent (1): Kelly (141)

### PERFECTION OF HOUSE BILLS - INFORMAL

**HB 437**, relating to consolidated public library districts, was taken up by Representative Banderman.

On motion of Representative Banderman, the title of **HB 437** was agreed to.

On motion of Representative Banderman, **HB 437** was ordered perfected and printed.

### PERFECTION OF HOUSE BILLS

**HCS HB 1023**, relating to sales of farmland to beginning farmers, was taken up by Representative Diehl.

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

#### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1023, Page 1, In the Title, Line 3, by deleting said line and inserting in lieu thereof the following:

"agriculture-related tax deductions."; and

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

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

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

#### *House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 1023, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

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

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

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

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

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

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

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

- (1) The shareholders of an S corporation as described in section 143.471;
- (2) The partners in a partnership.

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

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

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

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

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

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

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 1023, Page 6, Section 143.121, Line 191, by deleting the word "**third**" and inserting in lieu thereof the word "**fourth**"; and

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

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

On motion of Representative Diehl, **HCS HB 1023, as amended**, was adopted.

On motion of Representative Diehl, **HCS HB 1023, as amended**, was ordered perfected and printed.

**HB 1028**, relating to a tax credit for certain benevolent organizations, was placed on the Informal Calendar.

**HB 1034**, relating to the placement of a child, was taken up by Representative McMullen.

On motion of Representative McMullen, the title of **HB 1034** was agreed to.

Representative Buchheit-Courtway offered **House Amendment No. 1.**

*House Amendment No. 1*

AMEND House Bill No. 1034, Page 1, Section A, Line 2, by inserting after said section and line the following:

"43.400. As used in sections 43.400 to 43.410, the following terms mean:

- (1) "Missing child" or "missing juvenile", any person who is under the age of ~~seventeen~~ **eighteen** years **or who is in foster care regardless of the person's age or who is an emancipated minor as defined in section 302.178, a homeless youth as defined in section 167.020, or an unaccompanied minor as defined in section 210.121**, whose temporary or permanent residence is in the state of Missouri or who is believed to be within the state of Missouri, whose location has not been determined, and who has been reported as missing to a law enforcement agency;
- (2) "Missing child report", a report prepared on a standard form supplied by the Missouri state highway patrol for the use by private citizens and law enforcement agencies to report missing children or missing juvenile information to the Missouri state highway patrol;
- (3) "Missing person", a person who is missing and meets one of the following characteristics:
  - (a) Is physically or mentally disabled to the degree that the person is dependent upon an agency or another individual;
  - (b) Is missing under circumstances indicating that the missing person's safety may be in danger;
  - (c) Is missing under involuntary or unknown circumstances; subject to the provisions of (a), (b), (d), (e), and (f) of this subsection;
  - (d) Is a child or juvenile runaway from the residence of a parent, legal guardian, or custodian;
  - (e) Is a child and is missing under circumstances indicating that the person was or is in the presence of or under the control of a party whose presence or control was or is in violation of a permanent or temporary court order and fourteen or more days have elapsed, during which time the party has failed to file any pleading with the court seeking modification of the permanent or temporary court order;
  - (f) Is missing under circumstances indicating that the person was or is in the presence of or under the control of a party whose presence or control was or is in violation of a permanent or temporary court order and there are reasonable grounds to believe that the person may be taken outside of the United States;
- (4) "Patrol", the Missouri state highway patrol;
- (5) "Registrar", the state registrar of vital statistics.

43.401. 1. The reporting of missing persons by law enforcement agencies, private citizens, and the responsibilities of the patrol in maintaining accurate records of missing persons are as follows:

- (1) A person may file a complaint of a missing person with a law enforcement agency having jurisdiction. The complaint shall include, but need not be limited to, the following information:
    - (a) The name of the complainant;
    - (b) The name, address, and phone number of the guardian, if any, of the missing person;
    - (c) The relationship of the complainant to the missing person;
    - (d) The name, age, address, and all identifying characteristics of the missing person;
    - (e) The length of time the person has been missing; and
    - (f) All other information deemed relevant by either the complainant or the law enforcement agency;
  - (2) A report of the complaint of a missing person shall be immediately entered into the Missouri uniform law enforcement system (MULES) and the National Crime Information Center (NCIC) system by the law enforcement agency receiving the complaint, and disseminated to other law enforcement agencies who may come in contact with or be involved in the investigation or location of a missing person;
  - (3) A law enforcement agency with which a complaint of a missing child has been filed shall prepare, as soon as practicable, a standard missing child report. The missing child report shall be maintained as a record by the reporting law enforcement agency during the course of an active investigation;
  - (4) Upon the location of a missing person, or the determination by the law enforcement agency of jurisdiction that the person is no longer missing, the law enforcement agency which reported the missing person shall immediately remove the record of the missing person from the MULES and NCIC files.
2. No law enforcement agency shall prevent an immediate active investigation on the basis of an agency rule which specifies an automatic time limitation for a missing person investigation.

**3. Any agency or placement provider with the care and custody of a child who is missing shall file a missing child complaint with the appropriate law enforcement agency within two hours of determining the child to be missing. The law enforcement agency shall immediately submit information as to the missing child to the National Center for Missing and Exploited Children (NCMEC) including, but not limited to, the name, date of birth, sex, race, height, weight, and eye and hair color of the child; a recent photograph of the child; and the date and location of the last known contact with the child. The law enforcement agency shall institute a proper investigation and search for the missing child and maintain contact with the agency or placement provider making the missing child complaint. The missing child's entry shall not be removed from any database or system until the child is found or the case is closed.**

210.305. 1. When an initial emergency placement of a child is deemed necessary, the children's division shall immediately begin a diligent search to locate, contact, and place the child with a grandparent or grandparents or a relative or relatives of the child, subject to subsection 3 of section 210.565 regarding preference of placement, except when the children's division determines that placement with a grandparent or grandparents or a relative or relatives is not in the best interest of the child and subject to the provisions of section 210.482 regarding background checks for emergency placements. If emergency placement of a child with grandparents or relatives is deemed not to be in the best interest of the child, the children's division shall document in writing the reason for denial and shall have just cause to deny the emergency placement. The children's division shall continue the search for other relatives until the division locates the relatives of the child for placement or the court excuses further search. Prior to placement of the child in any emergency placement, the division shall assure that the child's physical needs are met.

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

(1) "Diligent search", an exhaustive effort to identify and locate the grandparents or relatives whose identity or location is unknown. **"Diligent search" shall include, but is not limited to:**

**(a) Interviews with the child's parent during the course of an investigation, while child protective services are provided, and while such child is in care;**

**(b) Interviews with the child;**

**(c) Interviews with identified grandparents or relatives throughout the case;**

**(d) Interviews with any other person who is likely to have information about the identity or location of the person being sought;**

**(e) Comprehensive searches of databases available to the children's division and likely to result in identifying and locating the person being sought;**

**(f) Appropriate inquiry during the course of hearings in the case; and**

**(g) Any other reasonable means that are likely to identify grandparents, relatives, or other persons who have demonstrated an ongoing commitment to the child;**

(2) "Emergency placement", those limited instances when the children's division is placing for an initial placement a child in the home of private individuals, including neighbors, friends, or relatives, as a result of a sudden unavailability of the child's primary caretaker.

3. A diligent search shall be made to locate, contact, and notify the grandparent or grandparents of the child within three hours from the time the emergency placement is deemed necessary for the child. During such three-hour time period, the child may be placed in an emergency placement. If a grandparent or grandparents of the child cannot be located within the three-hour period, the child may be temporarily placed in emergency placement; except that, after the emergency placement is deemed necessary, the children's division shall continue a diligent search to contact, locate, and place the child with a grandparent or grandparents, or other relatives, with first consideration given to a grandparent for placement, subject to subsection 3 of section 210.565 regarding preference of placement.

4. A diligent search shall be made to locate, contact, and notify the relative or relatives of the child within thirty days from the time the emergency placement is deemed necessary for the child. The children's division shall continue the search for the relative or relatives until the division locates the relative or relatives of the child for placement, **for six months following the child's out-of-home placement, or the court excuses further search, whichever occurs first. The department shall resume search efforts if ordered by the court, a change in the child's placement occurs, or a party shows that continuing the search is in the best interests of the child.** The children's division, or an entity under contract with the division, shall use all sources of information, including any known parent or relative, to attempt to locate an appropriate relative as placement.

5. ~~[Search progress under subsection 3 or 4 of this section shall be reported at each court hearing until the grandparents or relatives are either located or the court excuses further search.]~~ **The children's division shall file with the court information regarding attempts made under this section within thirty days from the date the child was removed from his or her home, or as otherwise required by the court, and at each periodic review hearing. Such information shall include:**

- (1) A detailed narrative explaining the division's efforts to find and consider each potential placement and the specific outcome;
- (2) The names of and relevant information about grandparents and relatives of the child;
- (3) Steps taken by the division to locate and contact grandparents and relatives of the child;
- (4) Responses received from grandparents and relatives of the child;
- (5) Dates of each attempted or completed contact with a grandparent or relative of the child;
- (6) Reasons why a grandparent or relative of the child was not considered for emergency or permanent placement of the child; and
- (7) All efforts for placement of the child through an interstate compact agreement under section 210.620, including:
  - (a) The names of grandparents or relatives of the child who were considered for an interstate placement;
  - (b) Any pending placement of the child through an interstate compact agreement; and
  - (c) All potential out-of-state placements outside of an interstate compact agreement and the reasons such placements have not been initiated.

If an out-of-state placement option exists and the division has failed to file a request with the receiving state under the requirements of an interstate compact agreement under section 210.620, the court shall enter a finding that the division has not made a due diligence search and shall order the division to file a request with the receiving state under the terms of the interstate compact.

6. All grandparents or relatives to the child identified in a diligent search required by this section, subject to exceptions due to family or domestic violence or other safety concerns, shall be provided with notice, via certified mail as appropriate, that includes, but is not limited to:

- (1) A specification that an alleged dependent child has been or is being removed from his or her parental custody;
- (2) An explanation of the options a grandparent or relative has to participate in the care and placement of the alleged dependent child and any options that may be lost by failing to respond to the notice;
- (3) A description of the process for becoming a licensed foster family home and the additional services and supports available for children placed in approved foster homes;
- (4) A description of any financial assistance for which a grandparent or relative may be eligible; and
- (5) An explanation that any response received after thirty days or willful failure to respond upon receiving a notice may result in the grandparent or relative of the child not being considered for placement.

7. If a grandparent or relative entitled to notice under this section fails to respond to the division, responds and declines to be considered as placement for the child, or is otherwise presently prevented from being considered as placement for the child and later petitions the court for a change in placement, such person shall provide evidence that such change is in the child's best interests.

8. Nothing in this section shall be construed or interpreted to interfere with or supersede laws related to parental rights or judicial authority.

210.565. 1. Whenever a child is placed in a foster home and the court has determined pursuant to subsection 4 of this section that foster home placement with relatives is not contrary to the best interest of the child, the children's division shall give foster home placement to relatives of the child. Notwithstanding any rule of the division to the contrary **and under section 210.305**, the children's division shall complete a diligent search to locate and notify the grandparents, adult siblings, parents of siblings of the child, and all other relatives and determine whether they wish to be considered for placement of the child. Grandparents who request consideration shall be given preference and first consideration for foster home placement of the child. If more than one grandparent requests consideration, the family support team shall make recommendations to the juvenile or family court about which grandparent should be considered for placement.

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

- (1) "Adult sibling", any brother or sister of whole or half-blood who is at least eighteen years of age;
- (2) "Relative", a grandparent or any other person related to another by blood or affinity or a person who is not so related to the child but has a close relationship with the child or the child's family. **A foster parent or kinship caregiver with whom a child has resided for nine months or more is a person who has a close relationship with the child.** The status of a grandparent shall not be affected by the death or the dissolution of the marriage of a son or daughter;

(3) "Sibling", one of two or more individuals who have one or both parents in common through blood, marriage, or adoption, including siblings as defined by the child's tribal code or custom.

3. The following shall be the order or preference for placement of a child under this section:

- (1) Grandparents;
- (2) Adult siblings or parents of siblings;
- (3) Relatives [~~related by blood or affinity within the third degree~~]; **and**
- (4) [~~Other relatives; and~~
- (5)] Any foster parent who is currently licensed and capable of accepting placement of the child.

4. The preference for placement and first consideration for grandparents or preference for placement with other relatives created by this section shall only apply where the court finds that placement with such grandparents or other relatives is not contrary to the best interest of the child considering all circumstances. If the court finds that it is contrary to the best interest of a child to be placed with grandparents or other relatives, the court shall make specific findings on the record detailing the reasons why the best interests of the child necessitate placement of the child with persons other than grandparents or other relatives. **Absent evidence to the contrary, the court may presume that continuation of the child's placement with his or her current caregivers is in the child's best interests.**

5. Recognizing the critical nature of sibling bonds for children, the children's division shall make reasonable efforts to place siblings in the same foster care, kinship, guardianship, or adoptive placement, unless doing so would be contrary to the safety or well-being of any of the siblings. If siblings are not placed together, the children's division shall make reasonable efforts to provide frequent visitation or other ongoing interaction between the siblings, unless this interaction would be contrary to a sibling's safety or well-being.

6. The age of the child's grandparent or other relative shall not be the only factor that the children's division takes into consideration when it makes placement decisions and recommendations to the court about placing the child with such grandparent or other relative.

7. For any Native American child placed in protective custody, the children's division shall comply with the placement requirements set forth in 25 U.S.C. Section 1915.

8. A grandparent or other relative may, on a case-by-case basis, have standards for licensure not related to safety waived for specific children in care that would otherwise impede licensing of the grandparent's or relative's home. In addition, any person receiving a preference may be licensed in an expedited manner if a child is placed under such person's care.

9. The guardian ad litem shall ascertain the child's wishes and feelings about his or her placement by conducting an interview or interviews with the child, if appropriate based on the child's age and maturity level, which shall be considered as a factor in placement decisions and recommendations, but shall not supersede the preference for relative placement created by this section or be contrary to the child's best interests.

**210.795. 1. (1) A child in the care and custody of the children's division whose physical whereabouts are unknown to the division, the child's physical custodian, or contracted service providers shall be considered missing and the case manager or placement provider shall immediately inform a law enforcement agency having jurisdiction and the National Center for Missing and Exploited Children within two hours of discovery that the child is missing.**

**(2) The case manager shall document the report number and any relevant information in the child's record.**

**(3) Within twenty-four hours of a report being made under this subsection, the department shall inform and obtain information about the child's disappearance from the child's parents, known relatives, out-of-home caregivers, attorney, guardian or guardian ad litem, court appointed special advocate, juvenile officer, or Indian tribe, as applicable, or from any other person known to the department who may have relevant information regarding the child's disappearance.**

**(4) The case manager shall:**

**(a) Within one week and monthly thereafter, maintain contact with the child's family members, friends, school faculty, and service providers and with any other person or agency involved in the child's case;**

**(b) Document ongoing efforts to locate the child; and**

**(c) Continue contacting law enforcement about the missing child and shall make quarterly reports to the court about the status of the child and efforts to locate the child.**

**The department shall contact law enforcement every seven days and document the information provided and any information received.**

**(5) The division shall not petition the court for a release of jurisdiction for the child or stop searching for the child while the child is missing until the child reaches the age of twenty-one.**



2. The division shall maintain protocols, including appropriate trainings, for conducting ongoing searches for children missing from care. Such protocols shall include preventative measures to identify and mitigate risk to children who are at increased risk for running away or disappearing or of being victims of trafficking as defined under section 566.200.

3. The division shall ensure that each child in the care and custody of the division has an updated photograph in the child's record.

4. When a child is located, the department shall:

(1) Inform all law enforcement agencies and organizations involved in the child's case; and  
(2) Have in-person contact with the child within twenty-four hours after the child is located to assess the child's health, experiences while absent, the appropriateness of the child returning to the child's current placement, and the factors that contributed to the child's absence.

5. Any employee or contractor with the children's division, child welfare agencies, other state agencies, or schools shall, upon becoming aware that an emancipated minor as defined in section 302.178, a homeless youth as defined in section 167.020, or an unaccompanied minor as defined in section 210.121 is missing, inform the appropriate law enforcement agency and the National Center for Missing and Exploited Children within twenty-four hours.

6. Within twenty-four hours of a missing child being found, the division shall assess whether the child was a victim of trafficking and determine any factors that caused the child to go missing.

7. The legislature may require an annual independent audit of the department's compliance with this section."; and

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

On motion of Representative Buchheit-Courtway, **House Amendment No. 1** was adopted.

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

*House Amendment No. 2*

AMEND House Bill No. 1034, Page 1, Section 211.221, Line 7, by inserting after all of said section and line the following:

"211.436. 1. Instruments of restraint, including handcuffs, chains, irons, or straitjackets, shall not be used on a child during a proceeding in a juvenile court and shall be removed prior to the child's appearance before the court unless the court finds both that:

(1) The use of restraints is necessary due to one of the following factors:

(a) Instruments of restraint are necessary to prevent physical harm to the child or another person;  
(b) The child has a history of disruptive courtroom behavior that has placed others in potentially harmful situations or presents a substantial risk of inflicting physical harm on himself or herself or others as evidenced by recent behavior; or

(c) There is evidence that the child presents a substantial risk of flight from the courtroom; and

(2) There are no less restrictive alternatives to restraints that will prevent flight or physical harm to the child or another person including, but not limited to, the presence of court personnel, law enforcement officers, or bailiffs.

2. If the juvenile office believes that there is an immediate safety or flight risk, as provided under subsection 1 of this section, the juvenile officer shall advise the attorney for the child and make a request in writing prior to the commencement of the proceeding for the child to remain restrained during the court proceeding while in the presence of the parties to the proceeding.

3. The court shall provide the child's attorney an opportunity to be heard before the court orders the use of restraints. If restraints are ordered, the court shall make findings of fact in support of the order.

4. If restraints are used, the restraints shall allow the child limited movement of the hands to read and handle documents and writings necessary to the proceeding. Under no circumstances shall a child be restrained using fixed restraints to a wall, floor, furniture, or other stationary object."; and

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

Representative Van Schoiack raised a point of order that **House Amendment No. 2** is not germane.

The Chair ruled the point of order not well taken.

Representative Burnett moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

On motion of Representative McMullen, **HB 1034, as amended**, was ordered perfected and printed.

**HB 770**, relating to restriction on actions by state agencies, was placed on the Informal Calendar.

**HCS HB 1214**, relating to the deadline for filing declarations of candidacy, was taken up by Representative Hinman.

On motion of Representative Hinman, the title of **HCS HB 1214** was agreed to.

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

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1214, Page 2, Section 115.127, Line 48, by inserting before both instances of the word "**holiday**" the words "**state or federal**"; and

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

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

On motion of Representative Hinman, **HCS HB 1214, as amended**, was adopted.

On motion of Representative Hinman, **HCS HB 1214, as amended**, was ordered perfected and printed.

**PERFECTION OF HOUSE BILLS - INFORMAL**

**HCS HB 1038**, relating to tax credits, was taken up by Representative Christ.

On motion of Representative Christ, the title of **HCS HB 1038** was agreed to.

On motion of Representative Christ, **HCS HB 1038** was adopted.

On motion of Representative Christ, **HCS HB 1038** was ordered perfected and printed.

**HCS HB 536**, relating to certain special taxing districts, was taken up by Representative Keathley.

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

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 536, Page 1, In the Title, Line 3, by deleting the words "certain special taxing districts" and inserting in lieu thereof the words "local taxation"; and

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

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

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

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 536, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

**"67.007. 1. Notwithstanding any other provision of law, beginning August 28, 2023, if any proposal by any political subdivision to impose a new tax authorized by a specific statute or to increase the rate of an existing tax authorized by a specific statute, is submitted to and rejected by the voters of the political subdivision, such proposal shall not be resubmitted to the voters at any time during the election cycle, as described in section 115.205.**

**2. Notwithstanding the provisions of subsection 1 of this section to the contrary, a political subdivision may resubmit to the voters a previously rejected tax proposal sooner than the election cycle immediately following its rejection if the new proposal states a substantial change. For the purposes of this section, a "substantial change" shall mean:**

- (1) A reduction equal to or greater than twenty-five percent of the rate of tax imposed by the previously rejected proposal; or**
- (2) A dedicated fund other than the dedicated fund stated in the previously rejected proposal.";** and

Further amend said bill and page, Section 67.1421, Lines 4-5, by deleting the words "**such petition seeks to establish a sales tax, it must be adopted by a two-thirds vote**" and inserting in lieu thereof the words "**the proposed funding mechanism for the proposed district includes a sales tax, such ordinance shall be adopted by at least a two-thirds majority vote**"; and

Further amend said bill and section, Page 4, Lines 101-102, by deleting all of said lines and inserting in lieu thereof the following:

**"approved pursuant to this subsection that establishes a district for which the proposed funding mechanism for the proposed district includes a sales tax shall be by at least a two-thirds majority vote.";** and

Further amend said bill, Pages 5-6, Section 67.1422, Lines 1-27, by deleting all of said section and lines and inserting in lieu thereof the following:

**"67.1521. 1. A district may levy by resolution one or more special assessments against real property within its boundaries, upon receipt of and in accordance with a petition signed by:**

- (1) Owners of real property collectively owning more than fifty percent by assessed value of real property within the boundaries of the district; and**

(2) More than fifty percent per capita of the owners of all real property within the boundaries of the district.

2. The special assessment petition shall be in substantially the following form:

The \_\_\_\_\_ (insert name of district) Community Improvement District ("District" ) shall be authorized to levy special assessments against real property benefited within the district for the purpose of providing revenue for \_\_\_\_\_ (insert general description of specific service and/or projects) in the district, such special assessments to be levied against each tract, lot or parcel of real property listed below within the district which receives special benefit as a result of such service and/or projects, the cost of which shall be allocated among this property by \_\_\_\_\_ (insert method of allocation, e.g., per square foot of property, per square foot on each square foot of improvement, or by abutting foot of property abutting streets, roads, highways, parks or other improvements, or any other reasonable method) in an amount not to exceed \_\_\_\_\_ dollars per (insert unit of measure). Such authorization to levy the special assessment shall expire on \_\_\_\_\_ (insert date). The tracts of land located in the district which will receive special benefit from this service and/or projects are: \_\_\_\_\_ (list of properties by common addresses and legal descriptions).

3. The method for allocating such special assessments set forth in the petition may be any reasonable method which results in imposing assessments upon real property benefited in relation to the benefit conferred upon each respective tract, lot or parcel of real property and the cost to provide such benefit.

4. By resolution of the board, the district may levy a special assessment rate lower than the rate ceiling set forth in the petition authorizing the special assessment and may increase such lowered special assessment rate to a level not exceeding the special assessment rate ceiling set forth in the petition without further approval of the real property owners; provided that a district imposing a special assessment pursuant to this section may not repeal or amend such special assessment or lower the rate of such special assessment if such repeal, amendment or lower rate will impair the district's ability to pay any liabilities that it has incurred, money that it has borrowed or obligations that it has issued.

5. Each special assessment which is due and owing shall constitute a perpetual lien against each tract, lot or parcel of property from which it is derived. Such lien may be foreclosed in the same manner as any other special assessment lien as provided in section 88.861. Notwithstanding the provisions of this subsection and section 67.1541 to the contrary, the county collector may, upon certification by the district for collection, add each special assessment to the annual real estate tax bill for the property and collect the assessment in the same manner the collector uses for real estate taxes. Any special assessment remaining unpaid on the first day of January annually is delinquent and enforcement of collection of the delinquent bill by the county collector shall be governed by the laws concerning delinquent and back taxes. The lien may be foreclosed in the same manner as a tax upon real property by land tax sale under chapter 140 or, if applicable to that county, chapter 141.

6. A separate fund or account shall be created by the district for each special assessment levied and each fund or account shall be identifiable by a suitable title. The proceeds of such assessments shall be credited to such fund or account. Such fund or account shall be used solely to pay the costs incurred in undertaking the specified service or project.

7. Upon completion of the specified service or project or both, the balance remaining in the fund or account established for such specified service or project or both shall be returned or credited against the amount of the original assessment of each parcel of property pro rata based on the method of assessment of such special assessment.

8. Any funds in a fund or account created pursuant to this section which are not needed for current expenditures may be invested by the board in accordance with applicable laws relating to the investment of funds of the city in which the district is located.

9. The authority of the district to levy special assessments shall be independent of the limitations and authorities of the municipality in which it is located; specifically, the provisions of section 88.812 shall not apply to any district.

**10. Notwithstanding any provision of this section to the contrary, all property owned by an entity that is exempt from taxation pursuant to 26 U.S.C. Section 501(c) shall be exempt from any property tax or special assessment levied by a district.";** and

Further amend said bill, Page 6, Section 238.225, Line 2, by deleting the word "**two-thirds**"; and

Further amend said bill, page, and section, Lines 2-3, by deleting the words "**if the proposed project is to be funded by a sales tax**" and inserting in lieu thereof "**which shall be by at least a two-thirds majority vote if the funding mechanism of the project includes a sales tax**"; and

Further amend said bill, page, and section, Line 16, by deleting the word "**two-thirds**"; and

Further amend said bill, page, and section, Lines 16-17, by deleting the words "if the proposed project is to be funded by a sales tax" and inserting in lieu thereof "which shall be by at least a two-thirds majority vote if the funding mechanism of the project includes a sales tax"; and

Further amend said bill, page, and section, Line 29, by inserting after all of said section and line the following:

"238.230. 1. If approved by:

(1) A majority of the qualified voters voting on the question in the district; or

(2) The owners of record of all of the real property located within the district who shall indicate their approval by signing a special assessment petition;

the district may make one or more special assessments for those project improvements which specially benefit the properties within the district. Improvements which may confer special benefits within a district include but are not limited to improvements which are intended primarily to serve traffic originating or ending within the district, to reduce local traffic congestion or circuitry of travel, or to improve the safety of motorists or pedestrians within the district.

2. The ballot question shall be substantially in the following form:

Shall the \_\_\_\_\_ Transportation Development District be authorized to levy special assessments against property benefited within the district for the purpose of providing revenue for the development of a project (or projects) in the district (insert general description of the project or projects, if necessary), said special assessments to be levied ratably against each tract, lot or parcel of property within the district which is benefited by such project in proportion to the (insert method of allocating special assessments), in an amount not to exceed \$ \_\_\_\_\_ per annum per (insert unit of measurement)?

3. The special assessment petition shall be substantially in the following form:

The \_\_\_\_\_ Transportation Development District shall be authorized to levy special assessments against property benefited within the district for the purpose of providing revenue for the development of a project (or projects) in the district (insert general description of the project or projects, if necessary), said special assessments to be levied pro rata against each tract, lot or parcel or property within the district which is benefited by such project in proportion to the (insert method of allocating special assessments), in an amount not to exceed \$ \_\_\_\_\_ per annum per (insert unit of measurement).

4. If a proposal for making a special assessment fails, the district board of directors may, with the prior approval of the commission or the local transportation authority which will assume ownership of the completed project, delete from the project any portion which was to be funded by special assessment and which is not otherwise required for project integrity.

5. A district may establish different classes or subclasses of real property within the district for purposes of levying differing rates of special assessments. The levy rate for special assessments may vary for each class or subclass of real property based on the level of benefit derived by each class or subclass from projects funded by the district.

**6. Notwithstanding any provision of this section to the contrary, all property owned by an entity that is exempt from taxation pursuant to 26 U.S.C. Section 501(c) shall be exempt from any special assessment levied by a district pursuant to this section.**

238.232. 1. If approved by at least four-sevenths of the qualified voters voting on the question in the district, the district may impose a property tax in an amount not to exceed the annual rate of ten cents on the hundred dollars assessed valuation. The district board may levy a property tax rate lower than its approved tax rate ceiling and may increase that lowered tax rate to a level not exceeding the tax rate ceiling without voter approval. The property tax shall be uniform throughout the district.

2. The ballot of submission shall be substantially in the following form:

Shall the \_\_\_\_\_ Transportation Development District impose a property tax upon all real and tangible personal property within the district at a rate of not more than \_\_\_\_\_ (insert amount) cents per hundred dollars assessed valuation for the purpose of providing revenue for the development of a project (or projects) in the district (insert general description of the project or projects, if necessary)?

YES

NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

3. The county collector of each county in which the district is partially or entirely located shall collect the property taxes and special benefit assessments made upon all real property and tangible personal property within that county and the district, in the same manner as other property taxes are collected.

4. Every county collector having collected or received district property taxes shall, on or before the fifteenth day of each month and after deducting his commissions, remit to the treasurer of that district the amount collected or received by him prior to the first day of the month. Upon receipt of such money, the district treasurer shall execute a receipt therefor, which he shall forward or deliver to the collector. The district treasurer shall deposit such sums into the district treasury, credited to the appropriate project or purpose. The collector and district treasurer shall make final settlement of the district account and commissions owing, not less than once each year, if necessary.

**5. Notwithstanding any provision of this section to the contrary, all property owned by an entity that is exempt from taxation pursuant to 26 U.S.C. Section 501(c) shall be exempt from any property tax levied by a district pursuant to this section."**; and

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

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

*House Amendment No. 1*

*to*

*House Amendment No. 2*

AMEND House Amendment No. 2 to House Committee Substitute for House Bill No. 536, Page 3, Line 22, by deleting all of said line and inserting in lieu thereof the following:

**"property tax or special assessment levied by a district.**

67.2677. 1. For purposes of sections 67.2675 to 67.2714, the following terms mean:

(1) "Cable operator", as defined in 47 U.S.C. Section 522(5);

(2) "Cable system", as defined in 47 U.S.C. Section 522(7);

(3) "Franchise", an initial authorization, or renewal of an authorization, issued by a franchising entity, regardless of whether the authorization is designated as a franchise, permit, license, resolution, contract, certificate, agreement, or otherwise, that authorizes the provision of video service and any affiliated or subsidiary agreements related to such authorization;

(4) "Franchise area", the total geographic area authorized to be served by an incumbent cable operator in a political subdivision as of August 28, 2007, or, in the case of an incumbent local exchange carrier, as such term is defined in 47 U.S.C. Section 251(h), or affiliate thereof, the area within such political subdivision in which such carrier provides telephone exchange service;

(5) "Franchise entity", a political subdivision that was entitled to require franchises and impose fees on cable operators on the day before the effective date of sections 67.2675 to 67.2714, provided that only one political subdivision may be a franchise entity with regard to a geographic area;

(6) (a) "Gross revenues", limited to amounts billed to video service subscribers for the following:

a. Recurring charges for video service; and

b. Event-based charges for video service, including but not limited to pay-per-view and video-on-demand charges;

(b) "Gross revenues" do not include:

a. Discounts, refunds, and other price adjustments that reduce the amount of compensation received by an entity holding a video service authorization;

b. Uncollectibles;

c. Late payment fees;

d. Amounts billed to video service subscribers to recover taxes, fees, or surcharges imposed on video service subscribers or video service providers in connection with the provision of video services, including the video service provider fee authorized by this section;

e. Fees or other contributions for PEG or I-Net support;

f. Charges for services other than video service that are aggregated or bundled with amounts billed to video service subscribers, if the entity holding a video service authorization reasonably can identify such charges on books and records kept in the regular course of business or by other reasonable means;

- g. Rental of set top boxes, modems, or other equipment used to provide or facilitate the provision of video service;
  - h. Service charges related to the provision of video service including, but not limited to, activation, installation, repair, and maintenance charges;
  - i. Administrative charges related to the provision of video service including, but not limited to, service order and service termination charges; or
  - j. A pro rata portion of all revenue derived from advertising, less refunds, rebates, or discounts;
- (c) Except with respect to the exclusion of the video service provider fee, gross revenues shall be computed in accordance with generally accepted accounting principles;
- (7) "Household", an apartment, a house, a mobile home, or any other structure or part of a structure intended for residential occupancy as separate living quarters;
  - (8) "Incumbent cable operator", the cable service provider serving cable subscribers in a particular franchise area on September 1, 2007;
  - (9) "Low-income household", a household with an average annual household income of less than thirty-five thousand dollars;
  - (10) "Person", an individual, partnership, association, organization, corporation, trust, or government entity;
  - (11) "Political subdivision", a city, town, village, county;
  - (12) "Public right-of-way", the area of real property in which a political subdivision has a dedicated or acquired right-of-way interest in the real property, including the area on, below, or above the present and future streets, alleys, avenues, roads, highways, parkways, or boulevards dedicated or acquired as right-of-way and utility easements dedicated for compatible uses. The term does not include the airwaves above a right-of-way with regard to wireless telecommunications or other nonwire telecommunications or broadcast service;
  - (13) "Video programming", programming provided by, or generally considered comparable to programming provided by, a television broadcast station, as set forth in 47 U.S.C. Section 522(20);
  - (14) "Video service", the provision, **by a video service provider**, of video programming provided through wireline facilities located at least in part in the public right-of-way without regard to delivery technology, including internet protocol technology whether provided as part of a tier, on demand, or **on** a per-channel basis. This definition includes cable service as defined by 47 U.S.C. Section 522(6), but does not include any video programming provided by a commercial mobile service provider defined in 47 U.S.C. Section 332(d), or any video programming ~~provided solely as part of and~~ **accessed** via a service that enables users to access content, information, electronic mail, or other services offered over the ~~public~~ internet, **including streaming content**;
  - (15) "Video service authorization", the right of a video service provider or an incumbent cable operator that secures permission from the public service commission pursuant to sections 67.2675 to 67.2714, to offer video service to subscribers in a political subdivision;
  - (16) "Video service network", wireline facilities, or any component thereof, located at least in part in the public right-of-way that deliver video service, without regard to delivery technology, including internet protocol technology or any successor technology. The term video service network shall include cable systems;
  - (17) "Video service provider", any person that distributes video service through a video service network pursuant to a video service authorization;
  - (18) "Video service provider fee", the fee imposed under section 67.2689.

2. The repeal and reenactment of this section shall become effective August 28, 2023."; and"; and

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

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

Representative Hudson assumed the Chair.

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

On motion of Representative Keathley, **HCS HB 536, as amended**, was adopted.

On motion of Representative Keathley, **HCS HB 536, as amended**, was ordered perfected and printed.

### **PERFECTION OF HOUSE BILLS**

**HB 571**, relating to the unlawful use of weapons, was placed on the Informal Calendar.

**HCS HB 157**, relating to daylight saving time, was placed on the Informal Calendar.

**HCS HBs 267 & 347**, relating to the presidential preference primary, was taken up by Representative Buchheit-Courtway.

Representative Buchheit-Courtway moved that the title of **HCS HBs 267 & 347** be agreed to.

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

#### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill Nos. 267 & 347, Page 1, In the Title, Line 3, by deleting the words "the presidential preference primary" and inserting in lieu thereof the word "elections"; and

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

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

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

#### *House Amendment No. 2*

AMEND House Committee Substitute for House Bill Nos. 267 & 347, Page 3, Section 115.123, Line 22, by inserting after all of said section and line the following:

"115.127. 1. Except as provided in subsection 4 of this section, upon receipt of notice of a special election to fill a vacancy submitted pursuant to subsection 2 of section 115.125, the election authority shall cause legal notice of the special election to be published in a newspaper of general circulation in its jurisdiction. The notice shall include the name of the officer or agency calling the election, the date and time of the election, the name of the office to be filled and the date by which candidates must be selected or filed for the office. Within one week prior to each special election to fill a vacancy held in its jurisdiction, the election authority shall cause legal notice of the election to be published in two newspapers of different political faith and general circulation in the jurisdiction. The legal notice shall include the date and time of the election, the name of the officer or agency calling the election and a sample ballot. If there is only one newspaper of general circulation in the jurisdiction, the notice shall be published in the newspaper within one week prior to the election. If there are two or more newspapers of general circulation in the jurisdiction, but no two of opposite political faith, the notice shall be published in any two of the newspapers within one week prior to the election.

2. Except as provided in subsections 1 and 4 of this section and in sections 115.521, 115.549 and 115.593, the election authority shall cause legal notice of each election held in its jurisdiction to be published. The notice shall be published in two newspapers of different political faith and qualified pursuant to chapter 493 which are published within the bounds of the area holding the election. If there is only one so-qualified newspaper, then notice shall be published in only one newspaper. If there is no newspaper published within the bounds of the election area,



then the notice shall be published in two qualified newspapers of different political faith serving the area. Notice shall be published twice, the first publication occurring in the second week prior to the election, and the second publication occurring within one week prior to the election. Each such legal notice shall include the date and time of the election, the name of the officer or agency calling the election and a sample ballot; and, unless notice has been given as provided by section 115.129, the second publication of notice of the election shall include the location of polling places. The election authority may provide any additional notice of the election it deems desirable.

3. The election authority shall print the official ballot as the same appears on the sample ballot, and no candidate's name or ballot issue which appears on the sample ballot or official printed ballot shall be stricken or removed from the ballot except on death of a candidate or by court order, but in no event shall a candidate or issue be stricken or removed from the ballot less than eight weeks before the date of the election.

4. In lieu of causing legal notice to be published in accordance with any of the provisions of this chapter, the election authority in jurisdictions which have less than seven hundred fifty registered voters and in which no newspaper qualified pursuant to chapter 493 is published, may cause legal notice to be mailed during the second week prior to the election, by first class mail, to each registered voter at the voter's voting address. All such legal notices shall include the date and time of the election, the location of the polling place, the name of the officer or agency calling the election and a sample ballot.

5. If the opening date for filing a declaration of candidacy for any office in a political subdivision or special district is not required by law or charter, the opening filing date shall be 8:00 a.m., the ~~seventeenth~~ **sixteenth** Tuesday prior to the election. If the closing date for filing a declaration of candidacy for any office in a political subdivision or special district is not required by law or charter, the closing filing date shall be 5:00 p.m., the ~~fourteenth~~ **thirteenth** Tuesday prior to the election **or, if the thirteenth Tuesday prior to the election is a state or federal holiday, the closing filing date shall be 5:00 p.m. on the next day that is not a state or federal holiday.** The political subdivision or special district calling an election shall, before the ~~seventeenth~~ **sixteenth** Tuesday, prior to any election at which offices are to be filled, notify the general public of the opening filing date, the office or offices to be filled, the proper place for filing and the closing filing date of the election. Such notification may be accomplished by legal notice published in at least one newspaper of general circulation in the political subdivision or special district.

6. Except as provided for in sections 115.247 and 115.359, if there is no additional cost for the printing or reprinting of ballots or if the candidate agrees to pay any printing or reprinting costs, a candidate who has filed for an office or who has been duly nominated for an office may, at any time after the certification of the notice of election required in subsection 1 of section 115.125 but no later than 5:00 p.m. on the eighth Tuesday before the election, withdraw as a candidate pursuant to a court order, which, except for good cause shown by the election authority in opposition thereto, shall be freely given upon application by the candidate to the circuit court of the area of such candidate's residence.

115.205. 1. No person shall be paid or otherwise compensated for soliciting voter registration applications, other than a governmental entity or a person who is paid or compensated by a governmental entity for such solicitation. A voter registration solicitor, **other than a governmental entity or a person who is paid or compensated by a governmental entity for such solicitation**, who solicits more than ten voter registration applications shall register for every election cycle that begins on the day after the general election and ends on the day of the general election two years later. A voter registration solicitor shall be at least eighteen years of age and shall be a registered voter in the state of Missouri.

2. Each voter registration solicitor shall provide the following information in writing to the secretary of state's office:

- (1) The name of the voter registration solicitor;
- (2) The residential address, including street number, city, state, and zip code;
- (3) The mailing address, if different from the residential address; and
- (4) The signature of the voter registration solicitor.

3. The solicitor information required in subsection 2 of this section shall be submitted to the secretary of state's office with the following oath and affirmation:

"I HEREBY SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT ALL STATEMENTS MADE BY ME ARE TRUE AND CORRECT."

4. Any voter registration solicitor who knowingly fails to register with the secretary of state is guilty of a class three election offense. Voter registration applications shall be accepted by the election authority if such applications are otherwise valid, even if the voter registration solicitor who procured the applications fails to register with or submits false information to the secretary of state.

115.284. 1. There is hereby established an absentee voting process to assist persons with permanent disabilities in the exercise of their voting rights.

2. The local election authority shall send an application to participate in the absentee voting process set out in this section to any registered voter residing within the election authority's jurisdiction upon request.

3. Upon receipt of a properly completed application, the election authority shall enter the voter's name on a list of voters qualified to participate as absentee voters pursuant to this section.

4. The application to participate in the absentee voting process shall be in substantially the following form:

State of \_\_\_\_\_

County (City) of \_\_\_\_\_

I, \_\_\_\_\_ (print applicant's name), declare that I am a resident and registered voter of \_\_\_\_\_ County, Missouri, and am permanently disabled. I hereby request that my name be placed on the election authority's list of voters qualified to participate as absentee voters pursuant to section 115.284, and that I be delivered an absentee ballot application for each election in which I am eligible to vote.

\_\_\_\_\_  
Signature of Voter

\_\_\_\_\_

\_\_\_\_\_  
Voter's Address

5. Not earlier than ten weeks before an election but prior to the fourth Tuesday prior to an election, the election authority shall deliver to each voter qualified to participate as absentee voters pursuant to this section an absentee ballot application if the voter is eligible to vote in that election. If the voter returns the absentee request application to the election authority not later than 5:00 p.m. on the second Wednesday before an election and has retained the necessary qualifications to vote, the election authority shall provide the voter with an absentee ballot pursuant to this chapter.

6. The election authority shall remove from the list of voters qualified to participate as absentee voters pursuant to this section any voter who:

- (1) Asks to be removed from the list;
- (2) Dies;
- (3) Becomes disqualified from voting pursuant to this chapter; or
- (4) No longer resides at the address of his or her voter registration.

7. **No lists of applications under this section shall be posted or displayed in any area open to the general public, nor shall such lists of applications be considered a public record under the provisions of chapter 610.**; and

Further amend said bill and page, Section 115.351, Line 15, by inserting after all of said section and line the following:

"115.427. 1. Persons seeking to vote in a public election shall establish their identity and eligibility to vote at the polling place or, if voting absentee in person under section 115.277, at the office of the election authority or other authorized location designated by the election authority by presenting a form of personal photo identification to election officials. No form of personal photo identification other than the forms listed in this section shall be accepted to establish a voter's qualifications to vote. Forms of personal photo identification that satisfy the requirements of this section are any one of the following:

- (1) Nonexpired Missouri driver's license **as described under section 302.181**;
- (2) Nonexpired or nonexpiring Missouri nondriver's license **as described in section 302.181**;
- (3) A document that satisfies all of the following requirements:
  - (a) The document contains the name of the individual to whom the document was issued, and the name substantially conforms to the most recent signature in the individual's voter registration record;
  - (b) The document shows a photograph of the individual;
  - (c) The document includes an expiration date, and the document is not expired, or, if expired, the document expired after the date of the most recent general election; and
  - (d) The document was issued by the United States or the state of Missouri, **including documents issued in a secure, digital format**; or

(4) Any identification containing a photograph of the individual which is issued by the Missouri National Guard, the United States Armed Forces, including the Space Force, or the United States Department of Veteran Affairs to a member or former member of the Missouri National Guard or the United States Armed Forces, including the Space Force, and that is not expired or does not have an expiration date.

2. (1) An individual who appears at a polling place without a form of personal identification described in subsection 1 of this section and who is otherwise qualified to vote at that polling place shall be allowed to cast a provisional ballot. The election judges shall make a notation on the provisional ballot envelope to indicate that the voter's identity was not verified.

(2) No person shall be entitled to receive a provisional ballot until such person has completed a provisional ballot affidavit on the provisional ballot envelope. All provisional ballots shall be marked with a conspicuous stamp or mark that makes them distinguishable from other ballots.

(3) The provisional ballot envelope shall be completed by the voter for use in determining the voter's eligibility to cast a ballot.

3. The provisional ballot envelope shall provide a place for the voter's name, address, date of birth, and last four digits of his or her Social Security number, followed by a certificate in substantially the following form:

I do solemnly swear that I am the person identified above and the information provided is correct. I understand that my vote will not be counted unless:

(1) (a) I return to this polling place today between 6:00 a.m. and 7:00 p.m. and provide one of the following forms of identification:

a. Nonexpired Missouri driver's license;

b. Nonexpired or nonexpiring Missouri nondriver's license;

c. A document that satisfies all of the following requirements:

(i) The document contains my name, in substantially the same form as the most recent signature on my voter registration record;

(ii) The document contains my photograph;

(iii) The document contains an expiration date and is not expired, or if expired, the document expired after the date of the most recent general election; and

(iv) The document was issued by the United States or the state of Missouri; or  
d. Identification containing my photograph issued to me by the Missouri National Guard, the United States Armed Forces, including Space Force, or the United States Department of Veteran Affairs as a member or former member of the Missouri National Guard or the United States Armed Forces that is not expired or does not have an expiration date; or

(b) The election authority verifies my identity by comparing my signature on this envelope to the signature on file with the election authority and determines that I was eligible to cast a ballot at this polling place; and

(2) This provisional ballot otherwise qualifies to be counted under the laws of the State of Missouri.

\_\_\_\_\_  
Signature of Voter

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Election Officials

Once voted, the provisional ballot shall be sealed in the provisional ballot envelope and placed in a separate secured container by the election judge.

4. The provisional ballot cast by such voter shall not be counted unless:

(1) (a) The voter returns to the polling place during the uniform polling hours established by section 115.407 and provides a form of personal identification that allows the election judges to verify the voter's identity as provided in subsection 1 of this section; or

(b) The election authority verifies the identity of the individual by comparing that individual's signature to the signature on file with the election authority and determines that the individual was eligible to cast a ballot at the polling place where the ballot was cast; and

(2) The provisional ballot otherwise qualifies to be counted under section 115.430.

5. The secretary of state shall provide notice of the personal photo identification requirements described in subsection 1 of this section on the official state internet website of the secretary of state.

6. (1) Notwithstanding the provisions of section 136.055 and section 302.181 to the contrary, the state and all fee offices shall provide one nondriver's license at no cost to any otherwise qualified voter who does not already possess such identification and who desires the identification for voting.

(2) This state and its agencies shall provide one copy of each of the following, free of charge, if needed by an individual seeking to obtain a form of personal photo identification described in subsection 1 of this section in order to vote:

- (a) A birth certificate;
- (b) A marriage license or certificate;
- (c) A divorce decree;
- (d) A certificate of decree of adoption;
- (e) A court order changing the person's name;
- (f) A Social Security card reflecting an updated name; and
- (g) Naturalization papers or other documents from the United States Department of State proving citizenship.

Any individual seeking one of the above documents in order to obtain a form of personal photo identification described in subsection 1 of this section for voting may request the secretary of state to facilitate the acquisition of such documents. The secretary of state shall pay any fee or fees charged by another state or its agencies, or any court of competent jurisdiction in this state or any other state, or the federal government or its agencies, in order to obtain any of the above documents from such state or the federal government.

(3) Any applicant who requests a nondriver's license for voting shall not be required to pay a fee. The state of Missouri shall pay the legally required fees for any such applicant. The department of revenue and a local election authority may enter into a contract that allows the local election authority to assist the department in issuing nondriver's license photo identifications.

7. The director of the department of revenue shall, by January first of each year, prepare and deliver to each member of the general assembly a report documenting the number of individuals who have requested and received a nondriver's license photo identification for the purposes of voting under this section. The report shall also include the number of persons requesting a nondriver's license for purposes of voting under this section, but not receiving such license, and the reason for the denial of the nondriver's license.

8. The precinct register shall serve as the voter identification certificate. The following form shall be printed at the top of each page of the precinct register:

VOTER'S IDENTIFICATION CERTIFICATE

Warning: It is against the law for anyone to vote, or attempt to vote, without having a lawful right to vote.

PRECINCT

WARD OR TOWNSHIP \_\_\_\_\_

GENERAL (SPECIAL, PRIMARY) ELECTION

Held \_\_\_\_\_, 20\_\_\_\_\_

Date

I hereby certify that I am qualified to vote at this election by signing my name and verifying my address by signing my initials next to my address.

9. The secretary of state shall promulgate rules to effectuate the provisions of this section.

10. 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, 2002, shall be invalid and void.

11. If any voter is unable to sign his name at the appropriate place on the certificate or computer printout, an election judge shall print the name and address of the voter in the appropriate place on the precinct register, the voter shall make his mark in lieu of signature, and the voter's mark shall be witnessed by the signature of an election judge.

115.430. 1. This section shall apply to ~~[primary and general elections where candidates for federal or statewide offices are nominated or elected and any election where statewide issue or issues are submitted to the voters]~~ **any public election.**

2. (1) A voter claiming to be properly registered in the jurisdiction of the election authority and eligible to vote in an election, but whose eligibility at that precinct cannot be immediately established upon examination of the precinct register, shall be entitled to vote a provisional ballot after providing a form of personal identification required pursuant to section 115.427 or upon executing an affidavit under section 115.427, or may vote at a central polling place as established in section 115.115 where the voter may vote his or her appropriate ballot for his or her precinct of residence upon verification of eligibility or vote a provisional ballot if eligibility cannot be determined. The provisional ballot provided to a voter under this section shall be the ballot provided to a resident of the voter's precinct determined by reference to the affidavit provided for in this section. If the voter declares that the voter is eligible to vote and the election authority determines that the voter is eligible to vote at another polling place, the voter shall be directed to the correct polling place or a central polling place as established by the election authority pursuant to subsection 5 of section 115.115. If the voter refuses to go to the correct polling place or a central polling place, the voter shall be permitted to vote a provisional ballot at the incorrect polling place, but such ballot shall not be counted if the voter was not eligible to vote at that polling place.

(2) The following steps shall be taken to establish a voter's eligibility to vote at a polling place:

(a) The election judge shall examine the precinct register as provided in section 115.425. If the voter is registered and eligible to vote at the polling place, the voter shall receive a regular ballot;

(b) If the voter's eligibility cannot be immediately established by examining the precinct register, the election judge shall contact the election authority. If the election authority cannot immediately establish that the voter is registered and eligible to vote at the polling place upon examination of the Missouri voter registration system, or if the election judge is unable to make contact with the election authority immediately, the voter shall be notified that the voter is entitled to a provisional ballot.

(3) The voter shall have the duty to appear and vote at the correct polling place. If an election judge determines that the voter is not eligible to vote at the polling place at which a voter presents himself or herself, and if the voter appears to be eligible to vote at another polling place, the voter shall be informed that he or she may cast a provisional ballot at the current polling place or may travel to the correct polling place or a central polling place, as established by the election authority under subsection 5 of section 115.115, where the voter may cast a regular ballot or provisional ballot if the voter's eligibility still cannot be determined. Provisional ballots cast at a polling place shall be counted only if the voter was eligible to vote at such polling place as provided in subsection 5 of this section.

(4) For a voter requesting an absentee ballot in person, such voter shall be entitled to cast a provisional ballot when the voter's eligibility cannot be immediately established upon examination of the precinct registers or the Missouri voter registration system.

(5) Prior to accepting any provisional ballot at the polling place, the election judges shall determine that the information provided on the provisional ballot envelope by the provisional voter is consistent with the identification provided by such person under section 115.427.

3. (1) No person shall be entitled to receive a provisional ballot until such person has completed a provisional ballot affidavit on the provisional ballot envelope.

(2) The secretary of state shall produce appropriate sizes of provisional ballot envelopes and distribute them to each election authority according to their tabulating system. All provisional ballot envelopes shall be printed on a distinguishable color of paper that is different from the color of the regular ballot. The provisional ballot envelope shall be in the form required by subsection 4 of this section. All provisional ballots shall be marked with a conspicuous stamp or other distinguishing mark that makes them readily distinguishable from the regular ballots.

(3) Once voted, the provisional ballot shall be placed and sealed in a provisional ballot envelope.

4. The provisional ballot in its envelope shall be deposited in the ballot box. The provisional ballot envelope shall be completed by the voter for use in determining eligibility. The provisional ballot envelope specified in this section shall contain a voter's certificate which shall be in substantially the following form:

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

I do solemnly swear (or affirm) that my name is \_\_\_\_\_; that my date of birth is \_\_\_\_\_; that the last four digits of my Social Security Number are \_\_\_\_\_; that I am registered to vote in \_\_\_\_\_ County or City (if a City not within a County), Missouri; that I am a qualified voter of said County (or City not within a County); that I am eligible to vote at this polling place; and that I have not voted in this election.

I understand that if the above-provided information is not correct and the election authority determines that I am not registered and eligible to vote, my vote will not be counted. I further understand that knowingly providing false information is a violation of law and subjects me to possible criminal prosecution.

\_\_\_\_\_  
(Signature of Voter)

\_\_\_\_\_  
(Current Address)

Subscribed and affirmed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

\_\_\_\_\_  
(Signature of Election Official)

The voter may provide additional information to further assist the election authority in determining eligibility, including the place and date the voter registered to vote, if known.

5. (1) Prior to counting any provisional ballot, the election authority shall determine if the voter is registered and eligible to vote and if the vote was properly cast. The eligibility of provisional votes shall be determined according to the requirements for a voter to cast a ballot in the election as set forth in sections 115.133 and 115.135. A provisional [~~voter~~] ballot shall not be eligible to be counted until the election authority has determined that:

- (a) The voter cast such provisional ballot at a polling place established for the voter or the central polling place established by the election authority under subsection 5 of section 115.115;
- (b) The individual who cast the provisional ballot is an individual registered to vote in the respective election at the polling place where the ballot was cast;
- (c) The voter did not otherwise vote in the same election by regular ballot, absentee ballot, or otherwise; and
- (d) The information on the provisional ballot envelope is found to be correct, complete, and accurate.

(2) When the ballot boxes are delivered to the election authority from the polling places, the receiving teams shall separate the provisional ballots from the rest of the ballots and place the sealed provisional ballot envelopes in a separate container. Teams of election authority employees or teams of election judges with each team consisting of one member of each major political party shall photocopy each provisional ballot envelope, such photocopy to be used by the election authority to determine provisional voter eligibility. The sealed provisional ballot envelopes shall be placed by the team in a sealed container and shall remain therein until tabulation.

(3) To determine whether a provisional ballot is valid and entitled to be counted, the election authority shall examine its records and verify that the provisional voter is properly registered and eligible to vote in the election. If the provisional voter has provided information regarding the registration agency where the provisional voter registered to vote, the election authority shall make an inquiry of the registration agency to determine whether the provisional voter is properly registered and eligible to vote in the election.

(4) If the election authority determines that the provisional voter is registered and eligible to vote in the election, the election authority shall provide documentation verifying the voter's eligibility. Such documentation shall be noted on the copy of the provisional ballot envelope and shall contain substantially the following information:

- (a) The name of the provisional voter;
  - (b) The name of the reviewer;
  - (c) The date and time; and
  - (d) A description of evidence found that supports the voter's eligibility.
- (5) The local election authority shall record on a provisional ballot acceptance/rejection list the provisional ballot identification number and a notation marking it as accepted.

(6) If the election authority determines that the provisional voter is not registered or eligible to vote in the election, the election authority shall provide documentation verifying the voter's ineligibility. Such documentation shall be noted on the copy of the provisional ballot envelope and shall contain substantially the following information:

- (a) The name of the provisional voter;
  - (b) The name of the reviewer;
  - (c) The date and time;
  - (d) A description of why the voter is ineligible.
- (7) The local election authority shall record on a provisional ballot acceptance/rejection list the provisional ballot identification number and notation marking it as rejected.

(8) If rejected, a photocopy of the envelope shall be made and used by the election authority as a mail-in voter registration. The actual provisional ballot envelope shall be kept as ballot material, and the copy of the envelope shall be used by the election authority for registration record keeping.

6. All provisional ballots cast by voters whose eligibility has been verified as provided in this section shall be counted in accordance with the rules governing ballot tabulation. Provisional ballots shall not be counted until all provisional ballots are determined either eligible or ineligible and all provisional ballots must be processed before the election is certified. The provisional ballot shall be counted only if the election authority determines that the voter is registered and eligible to vote. Provisional ballots voted in the wrong polling place shall not be counted. If the voter is not registered but is qualified to register for future elections, the affidavit shall be considered a mail-in application to register to vote pursuant to this chapter.

7. (1) After the election authority completes its review of the provisional voter's eligibility under subsection 5 of this section, the election authority shall deliver the provisional ballots and copies of the provisional ballot envelopes that include eligibility information to bipartisan counting teams, which may be the board of verification, for review and tabulation. The election authority shall maintain a record of such delivery. The record shall include the number of ballots delivered to each team and shall include a signed receipt from two judges, one from each major political party. The election authority shall provide each team with a ballot box and material necessary for tabulation.

(2) If the person named on the provisional ballot affidavit is found to have been properly qualified and registered to cast a ballot in the election and the provisional ballot otherwise qualifies to be counted under the provisions of this section, the envelope shall be opened, and the ballot shall be placed in a ballot box to be counted.

(3) If the person named on the provisional ballot affidavit is found not to have been properly qualified and registered to cast a ballot in the election or if the election authority is unable to determine such person's right to vote, the envelope containing the provisional ballot shall not be opened, and the person's vote shall not be counted. The members of the team shall follow the procedures set forth in subsection 5 of this section for rejected provisional ballots.

(4) The votes shall be tallied and the returns made as provided in sections 115.447 to 115.525 for paper ballots. After the vote on all ballots assigned to a team have been counted, the ballots, ballot envelopes, and copies of ballot envelopes with the eligibility information provided by the election authority shall be enclosed in sealed containers marked "Voted provisional ballots and ballot envelopes from the election held \_\_\_\_\_, 20\_\_\_\_\_". All rejected provisional ballots, ballot envelopes, and copies of ballot envelopes with the eligibility information provided by the election authority shall be enclosed in sealed containers marked "Rejected provisional ballots and ballot envelopes from the election held \_\_\_\_\_, 20\_\_\_\_\_". On the outside of each voted ballot and rejected ballot container, each member of the team shall write their name and all such containers shall be returned to the election authority. Upon receipt of the returns and ballots, the election authority shall tabulate the provisional votes.

8. Challengers and watchers, as provided by sections 115.105 and 115.107, may be present during all times that the bipartisan counting teams are reviewing or counting the provisional ballots, the provisional ballot envelopes, or copies of the provisional ballot envelopes that include eligibility information provided by the election authority. Challengers and watchers shall be permitted to observe the determination of the eligibility of all provisional ballots. The election authority shall notify the county chair of each major political party of the time and location when bipartisan counting teams will be reviewing or counting the provisional ballots, the provisional ballot envelopes, or the copies of the provisional ballot envelopes that include the eligibility information provided by the election authority.

9. The certificate of ballot cards shall:

(1) Reflect the number of provisional envelopes delivered; and

(2) Reflect the number of sealed provisional envelopes with voted ballots deposited in the ballot box.

10. In counties where the voting system does not utilize a paper ballot, the election authority shall provide the appropriate provisional ballots to each polling place.

11. The secretary of state may promulgate rules for purposes of ensuring the uniform application of this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to chapter 536.

12. The secretary of state shall design and provide to the election authorities the envelopes and forms necessary to carry out the provisions of this section.

13. Pursuant to the Help America Vote Act of 2002, the secretary of state shall ensure a free access system is established, such as a toll-free number or an internet website, that any individual who casts a provisional ballot may access to discover whether the vote of that individual was counted, and, if the vote was not counted, the reason that the vote was not counted. At the time an individual casts a provisional ballot, the election authority shall give

the voter written information that states that any individual who casts a provisional ballot will be able to ascertain under such free access system whether the vote was counted, and if the vote was not counted, the reason that the vote was not counted.

14. In accordance with the Help America Vote Act of 2002, any individual who votes in an election as a result of a court order or any other order extending the time established for closing the polls in section 115.407 may vote only by using a provisional ballot, and such provisional ballot shall be separated and held apart from other provisional ballots cast by those not affected by the order. Such ballots shall not be counted until such time as the ballots are determined to be valid. No state court shall have jurisdiction to extend the polling hours established by law, including section 115.407.

115.635. The following offenses, and any others specifically so described by law, shall be class three election offenses and are deemed misdemeanors connected with the exercise of the right of suffrage. Conviction for any of these offenses shall be punished by imprisonment of not more than one year or by fine of not more than two thousand five hundred dollars, or by both such imprisonment and fine:

(1) Giving, lending, agreeing to give or lend, offering, promising, or endeavoring to procure, any money or valuable consideration, office, or place of employment, to or for any voter, to or for any person on behalf of any voter, or to or for any person, in order to induce any voter to vote or refrain from voting or corruptly doing any such act on account of such voter having already voted or refrained from voting at any election;

(2) Making use of, or threatening to make use of, any force, violence, or restraint, or inflicting or threatening to inflict any injury, damage, harm or loss upon or against any person, in order to induce or compel such person to vote or refrain from voting at any election;

(3) Impeding or preventing, or attempting to impede or prevent, by abduction, duress or any fraudulent device or contrivance, the free exercise of the franchise of any voter or, by abduction, duress, or any fraudulent device, compelling, inducing, or prevailing upon any voter to vote or refrain from voting at any election;

(4) Giving, or making an agreement to give, any money, property, right in action, or other gratuity or reward, in consideration of any grant or deputation of office;

(5) Bringing into this state any nonresident person with intent that such person shall vote at an election without possessing the requisite qualifications;

(6) Asking for, receiving, or taking any money or other reward by way of gift, loan, or other device or agreeing or contracting for any money, gift, office, employment, or other reward, for giving, or refraining from giving, his or her vote in any election;

(7) Removing, destroying or altering any supplies or information placed in or near a voting booth for the purpose of enabling a voter to prepare his or her ballot;

(8) Entering a voting booth or compartment except as specifically authorized by law;

(9) On the part of any election official, challenger, watcher or person assisting a person to vote, revealing or disclosing any information as to how any voter may have voted, indicated that the person had voted except as authorized by this chapter, indicated an intent to vote or offered to vote, except to a grand jury or pursuant to a lawful subpoena in a court proceeding relating to an election offense;

(10) On the part of any registration or election official, refusing to permit any person to register to vote or to vote when such official knows the person is legally entitled to register or legally entitled to vote;

(11) Attempting to commit or participating in an attempt to commit any class one or class two election offense[-];

**(12) Threatening to harm or engaging in conduct reasonably calculated to harass or alarm, including stalking pursuant to section 565.227, an election judge, challenger, watcher, or employee or volunteer of an election authority, or a member of such person's family;**

**(13) Attempting to induce, influence, deceive, or pressure an election official or member of an election official's family to violate any provision of this chapter;**

**(14) Disseminating, through any means, including by posting on the internet, the home address, home telephone number, mobile telephone number, personal email address, social security number, federal tax identification number, checking account number, savings account number, credit card number, marital status, or identity of a child under eighteen years of age, of an election judge, challenger, watcher, or employee or volunteer of an election authority, or a member of such person's family, for the purposes listed in subdivisions (12) and (13) of this section.**

115.637. The following offenses, and any others specifically so described by law, shall be class four election offenses and are deemed misdemeanors not connected with the exercise of the right of suffrage. Conviction for any of these offenses shall be punished by imprisonment of not more than one year or by a fine of not more than two thousand five hundred dollars or by both such imprisonment and fine:



(1) Stealing or willfully concealing, defacing, mutilating, or destroying any sample ballots that may be furnished by an organization or individual at or near any voting place on election day, except that this subdivision shall not be construed so as to interfere with the right of an individual voter to erase or cause to be erased on a sample ballot the name of any candidate and substituting the name of the person for whom he or she intends to vote; or to dispose of the received sample ballot;

(2) Printing, circulating, or causing to be printed or circulated, any false and fraudulent sample ballots which appear on their face to be designed as a fraud upon voters;

(3) Purposefully giving a printed or written sample ballot to any qualified voter which is intended to mislead the voter;

(4) On the part of any candidate for election to any office of honor, trust, or profit, offering or promising to discharge the duties of such office for a less sum than the salary, fees, or emoluments as fixed by law or promising to pay back or donate to any public or private interest any portion of such salary, fees, or emolument as an inducement to voters;

(5) On the part of any canvasser appointed to canvass any registration list, willfully failing to appear, refusing to continue, or abandoning such canvass or willfully neglecting to perform his duties in making such canvass or willfully neglecting any duties lawfully assigned to him or her;

(6) On the part of any employer, making, enforcing, or attempting to enforce any order, rule, or regulation or adopting any other device or method to prevent an employee from engaging in political activities, accepting candidacy for nomination to, election to, or the holding of, political office, holding a position as a member of a political committee, soliciting or receiving funds for political purpose, acting as chairman or participating in a political convention, assuming the conduct of any political campaign, signing, or subscribing his or her name to any initiative, referendum, or recall petition, or any other petition circulated pursuant to law;

(7) On the part of any person authorized or employed to print official ballots, or any person employed in printing ballots, giving, delivering, or knowingly permitting to be taken any ballot to or by any person other than the official under whose direction the ballots are being printed, any ballot in any form other than that prescribed by law, or with unauthorized names, with names misspelled, or with the names of candidates arranged in any way other than that authorized by law;

(8) On the part of any election authority or official charged by law with the duty of distributing the printed ballots, or any person acting on his or her behalf, knowingly distributing or causing to be distributed any ballot in any manner other than that prescribed by law;

(9) Any person having in his or her possession any official ballot, except in the performance of his or her duty as an election authority or official, or in the act of exercising his or her individual voting privilege;

(10) Willfully mutilating, defacing, or altering any ballot before it is delivered to a voter;

(11) On the part of any election judge, being willfully absent from the polls on election day without good cause or willfully detaining any election material or equipment and not causing it to be produced at the voting place at the opening of the polls or within fifteen minutes thereafter;

(12) On the part of any election authority or official, willfully neglecting, refusing, or omitting to perform any duty required of him or her by law with respect to holding and conducting an election, receiving and counting out the ballots, or making proper returns;

(13) On the part of any election judge, or party watcher or challenger, furnishing any information tending in any way to show the state of the count to any other person prior to the closing of the polls;

(14) On the part of any voter, except as otherwise provided by law, allowing his or her ballot to be seen by any person with the intent of letting it be known how he or she is about to vote or has voted, or knowingly making a false statement as to his or her inability to mark a ballot;

(15) On the part of any election judge, disclosing to any person the name of any candidate for whom a voter has voted;

(16) Interfering, or attempting to interfere, with any voter inside a polling place;

(17) On the part of any person at any registration site, polling place, counting location or verification location, causing any breach of the peace or engaging in disorderly conduct, violence, or threats of violence whereby such registration, election, count or verification is impeded or interfered with;

(18) Exit polling, surveying, sampling, **circulating initiative or referendum petitions**, electioneering, distributing election literature, posting signs or placing vehicles bearing signs with respect to any candidate or question to be voted on at an election [~~on election day~~] inside the building in which a polling place is located **on election day or during the absentee voting period** or within [~~twenty-five~~] **fifty** feet of the building's outer door

closest to the polling place **on election day or during the absentee voting period**, or, on the part of any person, refusing to remove or permit removal from property owned or controlled by such person, any such election sign or literature located within such distance on such day after request for removal by any person;

(19) Stealing or willfully defacing, mutilating, or destroying any campaign yard sign on private property, except that this subdivision shall not be construed to interfere with the right of any private property owner to take any action with regard to campaign yard signs on the owner's property and this subdivision shall not be construed to interfere with the right of any candidate, or the candidate's designee, to remove the candidate's campaign yard sign from the owner's private property after the election day."; and

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

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

*House Amendment No. 1  
to  
House Amendment No. 2*

AMEND House Amendment No. 2 to House Committee Substitute for House Bill Nos. 267 & 347, Page 16, Line 18, by deleting the words "~~twenty-five~~ fifty" and inserting in lieu thereof the word "twenty-five"; and

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

On motion of Representative Baker, **House Amendment No. 1 to House Amendment No. 2** was adopted by the following vote, the ayes and noes having been demanded by Representative Lovasco:

AYES: 106

Allen	Atchison	Baker	Barnes	Billington
Black	Boggs	Bonacker	Boyd	Brown 16
Brown 27	Buchheit-Courtway	Burton	Busick	Bymes
Casteel	Chappell	Christ	Christofanelli	Coleman
Cook	Cupps	Davidson	Davis	Deaton
Ealy	Evans	Farnan	Fountain Henderson	Francis
Gallick	Gragg	Gray	Gregory	Griffith
Haden	Haffner	Haley	Hardwick	Hausman
Henderson	Hicks	Hinman	Houx	Hudson
Hurlbert	Johnson 23	Jones	Justus	Kalberloh
Keathley	Kelley 127	Kelly 141	Knight	Lewis 6
Lonsdale	Lovasco	Matthiesen	Mayhew	McGirl
McMullen	Mosley	Murphy	Myers	Nickson-Clark
Nurrenbern	O'Donnell	Oehlerking	Patterson	Perkins
Peters	Plank	Pouche	Proudie	Reuter
Richey	Riggs	Riley	Roberts	Sander
Schnelting	Schulte	Schwadron	Seitz	Sharp 37
Shields	Smith 155	Smith 163	Sparks	Stacy
Steinhoff	Stinnett	Strickler	Taylor 48	Taylor 84
Terry	Thomas	Titus	Van Schoiack	Veit
West	Wilson	Woods	Wright	Young
Mr. Speaker				

NOES: 024

Adams	Amato	Anderson	Banderman	Baringer
Bland Manlove	Bromley	Brown 149	Burger	Butz

Diehl	Falkner	Hovis	Mackey	Marquart
McGaugh	Morse	Parker	Pollitt	Reedy
Sassmann	Sharpe 4	Thompson	Voss	

PRESENT: 025

Appelbaum	Aune	Bosley	Brown 87	Burnett
Clemens	Collins	Crossley	Dinkins	Fogle
Hein	Ingle	Johnson 12	Lavender	Lewis 25
Mann	Merideth	Phifer	Quade	Sauls
Smith 46	Unsicker	Walsh Moore	Weber	Windham

ABSENT WITH LEAVE: 008

Aldridge	Bangert	Copeland	Doll	Owen
Stephens	Toalson Reisch	Waller		

VACANCIES: 000

Representative Burger moved the previous question.

Which motion was adopted by the following vote:

AYES: 103

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	Cupps	Davidson
Davis	Deaton	Diehl	Dinkins	Evans
Falkner	Farnan	Francis	Gragg	Gregory
Griffith	Haden	Haffner	Haley	Hardwick
Henderson	Hinman	Houx	Hovis	Hudson
Hurlbert	Jones	Justus	Kalberloh	Keathley
Kelley 127	Kelly 141	Knight	Lewis 6	Lonsdale
Lovasco	Marquart	Matthiesen	Mayhew	McGaugh
McGill	McMullen	Morse	Murphy	Myers
O'Donnell	Oehlerking	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	Van Schoiack	Veit	Voss	West
Wilson	Wright	Mr. Speaker		

NOES: 047

Adams	Anderson	Appelbaum	Aune	Baringer
Barnes	Bosley	Brown 27	Brown 87	Burnett
Burton	Butz	Clemens	Collins	Crossley
Ealy	Fogle	Fountain Henderson	Hein	Ingle
Johnson 12	Johnson 23	Lavender	Lewis 25	Mackey
Mann	Merideth	Mosley	Nickson-Clark	Nurrenbern
Phifer	Plank	Proudie	Quade	Sauls

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Sharp 37	Smith 46	Steinhoff	Strickler	Taylor 84
Terry	Unsicker	Walsh Moore	Weber	Windham
Woods	Young			

PRESENT: 000

ABSENT WITH LEAVE: 013

Aldridge	Bangert	Bland Manlove	Copeland	Doll
Gallick	Gray	Hausman	Hicks	Owen
Stephens	Toalson Reisch	Waller		

VACANCIES: 000

On motion of Representative McGaugh, **House Amendment No. 2, as amended**, was adopted by the following vote, the ayes and noes having been demanded pursuant to Article III, Section 26 of the Constitution:

AYES: 128

Adams	Allen	Amato	Appelbaum	Atchison
Aune	Banderman	Baringer	Barnes	Black
Bonacker	Boyd	Bromley	Brown 149	Brown 16
Brown 27	Brown 87	Buchheit-Courtway	Burger	Burnett
Burton	Busick	Butz	Byrnes	Casteel
Chappell	Christ	Clemens	Cook	Crossley
Diehl	Dinkins	Ealy	Evans	Falkner
Farnan	Fogle	Fountain Henderson	Francis	Gragg
Gray	Gregory	Griffith	Haden	Haffner
Haley	Hardwick	Hein	Henderson	Hicks
Hinman	Houx	Hovis	Ingle	Johnson 12
Johnson 23	Jones	Justus	Kalberloh	Kelley 127
Kelly 141	Knight	Lavender	Lewis 25	Lewis 6
Lonsdale	Lovasco	Mackey	Mann	Marquart
Matthiesen	Mayhew	McGaugh	McGill	Merideth
Morse	Mosley	Myers	Nickson-Clark	Nurrenbern
O'Donnell	Oehlerking	Parker	Patterson	Perkins
Peters	Phifer	Plank	Pollitt	Pouche
Proudie	Quade	Reedy	Reuter	Riggs
Riley	Roberts	Sander	Sassmann	Sauls
Schnelting	Schulte	Schwadron	Seitz	Sharp 37
Sharpe 4	Shields	Smith 155	Smith 46	Steinhoff
Stinnett	Strickler	Taylor 48	Taylor 84	Terry
Thompson	Unsicker	Van Schoiack	Veit	Voss
Walsh Moore	Weber	West	Windham	Woods
Wright	Young	Mr. Speaker		

NOES: 023

Anderson	Baker	Billington	Boggs	Bosley
Coleman	Collins	Cupps	Davidson	Davis
Deaton	Hausman	Hudson	Hurlbert	Keathley
McMullen	Murphy	Richey	Sparks	Stacy
Thomas	Titus	Wilson		

PRESENT: 000

ABSENT WITH LEAVE: 012

Aldridge	Bangert	Bland Manlove	Christofanelli	Copeland
Doll	Gallick	Owen	Smith 163	Stephens
Toalson Reisch	Waller			

VACANCIES: 000

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

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill Nos. 267 & 347, Page 5, Section 115.785, Line 1, by deleting the words "**costs of**" and inserting in lieu thereof the following:

"**costs, as specified under 115.065, incurred from**"; and

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

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

Representative O'Donnell offered **House Amendment No. 4.**

*House Amendment No. 4*

AMEND House Committee Substitute for House Bill Nos. 267 & 347, Page 2, Section 115.123, Lines 9-10, by deleting the words "**second Tuesday after the first Monday in March**" and inserting in lieu thereof the words "**first Tuesday after the first Monday in April**"; and

Further amend said bill, Page 3, Section 115.755, Lines 1-2, by deleting the words "**second Tuesday after the first Monday in March**" and inserting in lieu thereof the words "**first Tuesday after the first Monday in April**"; and

Further amend said bill, Page 4, Section 115.761, Line 18, by deleting the word "**March**" and inserting in lieu thereof the word "**April**"; and

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

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

*House Amendment No. 1*

*to*

*House Amendment No. 4*

AMEND House Amendment No. 4 to House Committee Substitute for House Bill Nos. 267 & 347, Page 1, Line 5, by deleting said line and inserting in lieu thereof the following:

"Further amend said bill, Page 3, Section 115.351, Line 15, by inserting after all of said section and line the following:

"115.427. 1. Persons seeking to vote in a public election shall establish their identity and eligibility to vote at the polling place or, if voting absentee in person under section 115.277, at the office of the election authority or other authorized location designated by the election authority by presenting a form of personal photo identification

to election officials. No form of personal photo identification other than the forms listed in this section shall be accepted to establish a voter's qualifications to vote. Forms of personal photo identification that satisfy the requirements of this section are any one of the following:

- (1) Nonexpired Missouri driver's license;
- (2) Nonexpired or nonexpiring Missouri nondriver's license;
- (3) **A nonexpired student identification card issued by a Missouri high school, as defined in section 160.011, or an accredited institution of higher education within the state of Missouri;**
- (4) A document that satisfies all of the following requirements:
  - (a) The document contains the name of the individual to whom the document was issued, and the name substantially conforms to the most recent signature in the individual's voter registration record;
  - (b) The document shows a photograph of the individual;
  - (c) The document includes an expiration date, and the document is not expired, or, if expired, the document expired after the date of the most recent general election; and
  - (d) The document was issued by the United States or the state of Missouri; or
- ~~(4)~~ (5) Any identification containing a photograph of the individual which is issued by the Missouri National Guard, the United States Armed Forces, including the Space Force, or the United States Department of Veteran Affairs to a member or former member of the Missouri National Guard or the United States Armed Forces, including the Space Force, and that is not expired or does not have an expiration date.

2. (1) An individual who appears at a polling place without a form of personal identification described in subsection 1 of this section and who is otherwise qualified to vote at that polling place shall be allowed to cast a provisional ballot. The election judges shall make a notation on the provisional ballot envelope to indicate that the voter's identity was not verified.

(2) No person shall be entitled to receive a provisional ballot until such person has completed a provisional ballot affidavit on the provisional ballot envelope. All provisional ballots shall be marked with a conspicuous stamp or mark that makes them distinguishable from other ballots.

(3) The provisional ballot envelope shall be completed by the voter for use in determining the voter's eligibility to cast a ballot.

3. The provisional ballot envelope shall provide a place for the voter's name, address, date of birth, and last four digits of his or her Social Security number, followed by a certificate in substantially the following form:

I do solemnly swear that I am the person identified above and the information provided is correct. I understand that my vote will not be counted unless:

- (1) (a) I return to this polling place today between 6:00 a.m. and 7:00 p.m. and provide one of the following forms of identification:
  - a. Nonexpired Missouri driver's license;
  - b. Nonexpired or nonexpiring Missouri nondriver's license;
  - c. A document that satisfies all of the following requirements:
    - (i) The document contains my name, in substantially the same form as the most recent signature on my voter registration record;
    - (ii) The document contains my photograph;
    - (iii) The document contains an expiration date and is not expired, or if expired, the document expired after the date of the most recent general election; and
    - (iv) The document was issued by the United States or the state of Missouri; or
  - d. Identification containing my photograph issued to me by the Missouri National Guard, the United States Armed Forces, including Space Force, or the United States Department of Veteran Affairs as a member or former member of the Missouri National Guard or the United States Armed Forces that is not expired or does not have an expiration date; or
- (b) The election authority verifies my identity by comparing my signature on this envelope to the signature on file with the election authority and determines that I was eligible to cast a ballot at this polling place; and
- (2) This provisional ballot otherwise qualifies to be counted under the laws of the State of Missouri.

\_\_\_\_\_  
Signature of Voter

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Election Officials

Once voted, the provisional ballot shall be sealed in the provisional ballot envelope and placed in a separate secured container by the election judge.

4. The provisional ballot cast by such voter shall not be counted unless:

(1) (a) The voter returns to the polling place during the uniform polling hours established by section 115.407 and provides a form of personal identification that allows the election judges to verify the voter's identity as provided in subsection 1 of this section; or

(b) The election authority verifies the identity of the individual by comparing that individual's signature to the signature on file with the election authority and determines that the individual was eligible to cast a ballot at the polling place where the ballot was cast; and

(2) The provisional ballot otherwise qualifies to be counted under section 115.430.

5. The secretary of state shall provide notice of the personal photo identification requirements described in subsection 1 of this section on the official state internet website of the secretary of state.

6. (1) Notwithstanding the provisions of section 136.055 and section 302.181 to the contrary, the state and all fee offices shall provide one nondriver's license at no cost to any otherwise qualified voter who does not already possess such identification and who desires the identification for voting.

(2) This state and its agencies shall provide one copy of each of the following, free of charge, if needed by an individual seeking to obtain a form of personal photo identification described in subsection 1 of this section in order to vote:

(a) A birth certificate;

(b) A marriage license or certificate;

(c) A divorce decree;

(d) A certificate of decree of adoption;

(e) A court order changing the person's name;

(f) A Social Security card reflecting an updated name; and

(g) Naturalization papers or other documents from the United States Department of State proving citizenship.

Any individual seeking one of the above documents in order to obtain a form of personal photo identification described in subsection 1 of this section for voting may request the secretary of state to facilitate the acquisition of such documents. The secretary of state shall pay any fee or fees charged by another state or its agencies, or any court of competent jurisdiction in this state or any other state, or the federal government or its agencies, in order to obtain any of the above documents from such state or the federal government.

(3) Any applicant who requests a nondriver's license for voting shall not be required to pay a fee. The state of Missouri shall pay the legally required fees for any such applicant. The department of revenue and a local election authority may enter into a contract that allows the local election authority to assist the department in issuing nondriver's license photo identifications.

7. The director of the department of revenue shall, by January first of each year, prepare and deliver to each member of the general assembly a report documenting the number of individuals who have requested and received a nondriver's license photo identification for the purposes of voting under this section. The report shall also include the number of persons requesting a nondriver's license for purposes of voting under this section, but not receiving such license, and the reason for the denial of the nondriver's license.

8. The precinct register shall serve as the voter identification certificate. The following form shall be printed at the top of each page of the precinct register:

VOTER'S IDENTIFICATION CERTIFICATE

Warning: It is against the law for anyone to vote, or attempt to vote, without having a lawful right to vote.

PRECINCT

WARD OR TOWNSHIP \_\_\_\_\_

GENERAL (SPECIAL, PRIMARY) ELECTION

Held \_\_\_\_\_, 20\_\_\_\_\_

Date

I hereby certify that I am qualified to vote at this election by signing my name and verifying my address by signing my initials next to my address.

9. The secretary of state shall promulgate rules to effectuate the provisions of this section.

10. 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, 2002, shall be invalid and void.

11. If any voter is unable to sign his name at the appropriate place on the certificate or computer printout, an election judge shall print the name and address of the voter in the appropriate place on the precinct register, the voter shall make his mark in lieu of signature, and the voter's mark shall be witnessed by the signature of an election judge."; and

Further amend said bill and page, Section 115.755, Lines 1-2, by deleting the words "**second Tuesday**"; and

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

Representative Windham raised a point of order that a member was in violation of Rule 99.

Representative Hudson requested a parliamentary ruling.

The point of order was withdrawn.

Representative Burger moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Allen	Atchison	Baker	Banderman	Billington
Black	Boggs	Bonacker	Boyd	Bromley
Brown 149	Brown 16	Buchheit-Courtway	Burger	Busick
Bymes	Casteel	Chappell	Christ	Christofanelli
Coleman	Cook	Cupps	Davidson	Davis
Deaton	Diehl	Dinkins	Evans	Farnan
Francis	Gallick	Gragg	Gregory	Griffith
Haden	Haley	Hardwick	Hausman	Henderson
Hicks	Hinman	Houx	Hovis	Hudson
Hurlbert	Jones	Justus	Kalberloh	Keathley
Kelley 127	Kelly 141	Knight	Lewis 6	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 163	Sparks	Stacy
Stinnett	Taylor 48	Thomas	Thompson	Titus
Van Schoiack	Veit	Voss	West	Wright
Mr. Speaker				

NOES: 039

Adams	Anderson	Bangert	Bosley	Brown 27
Brown 87	Burnett	Burton	Butz	Collins
Crossley	Ealy	Fogle	Gray	Hein



Johnson 12	Johnson 23	Lavender	Lewis 25	Mann
Merideth	Nickson-Clark	Nurrenbern	Phifer	Plank
Proudie	Quade	Sauls	Smith 46	Steinhoff
Strickler	Taylor 84	Terry	Unsicker	Walsh Moore
Weber	Windham	Woods	Young	

PRESENT: 000

ABSENT WITH LEAVE: 023

Aldridge	Amato	Appelbaum	Aune	Baringer
Barnes	Bland Manlove	Clemens	Copeland	Doll
Falkner	Fountain Henderson	Haffner	Ingle	Lonsdale
Mackey	Mosley	Sharp 37	Smith 155	Stephens
Toalson Reisch	Waller	Wilson		

VACANCIES: 000

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

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

AYES: 046

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

NOES: 101

Allen	Atchison	Baker	Banderman	Billington
Black	Boggs	Bonacker	Boyd	Bromley
Brown 149	Brown 16	Buchheit-Courtway	Burger	Busick
Bymes	Casteel	Chappell	Christ	Christofanelli
Coleman	Cook	Cupps	Davidson	Davis
Deaton	Diehl	Dinkins	Evans	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
Lovasco	Marquart	Matthiesen	Mayhew	McGaugh
McGill	McMullen	Murphy	Myers	O'Donnell
Oehlerking	Owen	Parker	Patterson	Perkins
Peters	Pollitt	Pouche	Proudie	Reedy
Reuter	Richey	Riggs	Riley	Roberts

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Sander	Sassmann	Schnelting	Schulte	Schwadron
Seitz	Sharpe 4	Shields	Sparks	Stacy
Stinnett	Taylor 48	Thomas	Thompson	Titus
Van Schoiack	Veit	Voss	West	Wright
Mr. Speaker				

PRESENT: 001

Collins

ABSENT WITH LEAVE: 015

Aldridge	Amato	Appelbaum	Copeland	Doll
Falkner	Fountain Henderson	Lonsdale	Sharp 37	Smith 155
Smith 163	Stephens	Toalson Reisch	Waller	Wilson

VACANCIES: 000

Representative Burger moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Allen	Atchison	Baker	Banderman	Billington
Black	Boggs	Bonacker	Boyd	Bromley
Brown 149	Brown 16	Buchheit-Courtway	Burger	Busick
Byrnes	Casteel	Chappell	Christ	Cook
Cupps	Davidson	Davis	Deaton	Diehl
Dinkins	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	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	Stinnett
Taylor 48	Thomas	Thompson	Titus	Van Schoiack
Veit	Voss	West	Wilson	Wright
Mr. Speaker				

NOES: 042

Adams	Anderson	Appelbaum	Bangert	Baringer
Barnes	Bosley	Brown 27	Brown 87	Burnett
Burton	Clemens	Collins	Crossley	Ealy
Fogle	Gray	Hein	Johnson 12	Johnson 23
Lavender	Lewis 25	Mackey	Mann	Merideth
Nickson-Clark	Phifer	Plank	Proudie	Quade
Sauls	Smith 46	Steinhoff	Strickler	Taylor 84
Terry	Unsicker	Walsh Moore	Weber	Windham
Woods	Young			

PRESENT: 000

ABSENT WITH LEAVE: 020

Aldridge	Amato	Aune	Bland Manlove	Butz
Christofanelli	Coleman	Copeland	Doll	Evans
Falkner	Fountain Henderson	Ingle	Lonsdale	Mosley
Nurrenbern	Sharp 37	Stephens	Toalson Reisch	Waller

VACANCIES: 000

On motion of Representative O'Donnell, **House Amendment No. 4** was adopted by the following vote, the ayes and noes having been demanded pursuant to Article III, Section 26 of the Constitution:

AYES: 084

Allen	Amato	Baker	Billington	Black
Boggs	Bonacker	Boyd	Bromley	Brown 16
Byrnes	Casteel	Chappell	Christ	Christofanelli
Cook	Cupps	Davidson	Davis	Dinkins
Farnan	Francis	Gallick	Gragg	Gregory
Griffith	Haden	Haffner	Haley	Hausman
Henderson	Hinman	Houx	Hovis	Hudson
Hurlbert	Jones	Justus	Kalberloh	Keathley
Kelley 127	Kelly 141	Knight	Lewis 6	Lovasco
Marquart	Matthiesen	McGirl	McMullen	Morse
Murphy	Myers	O'Donnell	Oehlerking	Owen
Parker	Patterson	Perkins	Peters	Pollitt
Pouche	Reedy	Reuter	Richey	Riggs
Roberts	Sander	Sassmann	Schnelting	Schulte
Seitz	Smith 155	Smith 163	Sparks	Stacy
Taylor 48	Taylor 84	Thomas	Titus	Van Schoiack
West	Wilson	Wright	Mr. Speaker	

NOES: 057

Anderson	Atchison	Aune	Banderman	Bangert
Baringer	Barnes	Bland Manlove	Bosley	Brown 149
Brown 27	Brown 87	Burger	Burnett	Burton
Busick	Butz	Collins	Ealy	Fogle
Gray	Hardwick	Hein	Hicks	Ingle
Johnson 12	Johnson 23	Lavender	Lewis 25	Mackey
Mann	Mayhew	McGaugh	Merideth	Mosley
Nickson-Clark	Phifer	Plank	Quade	Riley
Sauls	Schwadron	Sharpe 4	Shields	Smith 46
Steinhoff	Stinnett	Strickler	Terry	Thompson
Unsicker	Voss	Walsh Moore	Weber	Windham
Woods	Young			

PRESENT: 007

Appelbaum	Buchheit-Courtway	Clemens	Crossley	Nurrenbern
Proudie	Veit			

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ABSENT WITH LEAVE: 015

Adams	Aldridge	Coleman	Copeland	Deaton
Diehl	Doll	Evans	Falkner	Fountain Henderson
Lonsdale	Sharp 37	Stephens	Toalson Reisch	Waller

VACANCIES: 000

Representative Burger moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

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

NOES: 042

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

PRESENT: 000

ABSENT WITH LEAVE: 023

Aldridge	Aune	Barnes	Christofanelli	Coleman
Copeland	Deaton	Doll	Ealy	Falkner
Haffner	Ingle	Lonsdale	Morse	Mosley
Phifer	Proudie	Sassmann	Sharp 37	Smith 163
Stephens	Toalson Reisch	Waller		

VACANCIES: 000

On motion of Representative Buchheit-Courtway, **HCS HBs 267 & 347, as amended**, was adopted.

On motion of Representative Buchheit-Courtway, **HCS HBs 267 & 347, as amended**, was ordered perfected and printed.

**HCS HB 342, HCS HB 589, HCS HB 303, HCS HB 425 and HB 513** were placed on the Informal Calendar.

**HB 836**, relating to military medal programs for veterans, was taken up by Representative Griffith.

On motion of Representative Griffith, the title of **HB 836** was agreed to.

On motion of Representative Griffith, **HB 836** was ordered perfected and printed.

#### **PERFECTION OF HOUSE BILLS - INFORMAL**

**HS HB 1117**, relating to requirements for designating a state holiday, was taken up by Representative Seitz.

On motion of Representative Seitz, the title of **HS HB 1117** was agreed to.

On motion of Representative Seitz, **HS HB 1117** was adopted.

On motion of Representative Seitz, **HS HB 1117** was ordered re-perfected and printed.

**HCS HB 303**, relating to surviving spouse benefits in certain retirement systems, was taken up by Representative Roberts.

On motion of Representative Roberts, the title of **HCS HB 303** was agreed to.

On motion of Representative Roberts, **HCS HB 303** was adopted.

On motion of Representative Roberts, **HCS HB 303** was ordered perfected and printed.

#### **PERFECTION OF HOUSE BILLS**

**HCS HB 134, HCS HBs 604 & 180 and HB 696** were placed on the Informal Calendar.

**HCS HBs 876, 771, 676 & 551**, relating to a public safety sales tax, was taken up by Representative Hurlbert.

Representative Hurlbert moved that the title of **HCS HBs 876, 771, 676 & 551** be agreed to.

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

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill Nos. 876, 771, 676 & 551, Page 1, In the Title, Line 3, by deleting the words "public safety"; and

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

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

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

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill Nos. 876, 771, 676 & 551, Page 8, Section 94.902, Line 131, by inserting after all of said section and line the following:

"190.327. 1. Immediately upon the decision by the commission to utilize a portion of the emergency telephone tax for central dispatching and an affirmative vote of the telephone tax, the commission shall appoint the initial members of a board which shall administer the funds and oversee the provision of central dispatching for emergency services in the county and in municipalities and other political subdivisions which have contracted for such service. Beginning with the general election in 1992, all board members shall be elected according to this section and other applicable laws of this state. At the time of the appointment of the initial members of the board, the commission shall relinquish to the board and no longer exercise the duties prescribed in this chapter with regard to the provision of emergency telephone service and in chapter 321, with regard to the provision of central dispatching service, and such duties shall be exercised by the board.

2. Elections for board members may be held on general municipal election day, as defined in subsection 3 of section 115.121, after approval by a simple majority of the county commission.

3. For the purpose of providing the services described in this section, the board shall have the following powers, authority and privileges:

- (1) To have and use a corporate seal;
- (2) To sue and be sued, and be a party to suits, actions and proceedings;
- (3) To enter into contracts, franchises and agreements with any person, partnership, association or corporation, public or private, affecting the affairs of the board;
- (4) To acquire, construct, purchase, maintain, dispose of and encumber real and personal property, including leases and easements;
- (5) To have the management, control and supervision of all the business affairs of the board and the construction, installation, operation and maintenance of any improvements;
- (6) To hire and retain agents and employees and to provide for their compensation including health and pension benefits;
- (7) To adopt and amend bylaws and any other rules and regulations;
- (8) To fix, charge and collect the taxes and fees authorized by law for the purpose of implementing and operating the services described in this section;
- (9) To pay all expenses connected with the first election and all subsequent elections; and
- (10) To have and exercise all rights and powers necessary or incidental to or implied from the specific powers granted in this subsection. Such specific powers shall not be considered as a limitation upon any power necessary or appropriate to carry out the purposes and intent of sections 190.300 to 190.329.

4. (1) Notwithstanding the provisions of subsections 1 and 2 of this section to the contrary, the county commission may elect to appoint the members of the board to administer the funds and oversee the provision of central dispatching for emergency services in the counties, municipalities, and other political subdivisions which have contracted for such service upon the request of the municipalities and other political subdivisions. Upon appointment of the initial members of the board, the commission shall relinquish all powers and duties to the board and no longer exercise the duties prescribed in this chapter with regard to the provision of central dispatching service and such duties shall be exercised by the board.

(2) The board shall consist of seven members appointed without regard to political affiliation. The members shall include:

(a) Five members who shall serve for so long as they remain in their respective county or municipal positions as follows:

a. The county sheriff, or his or her designee;  
b. The heads of the municipal police department who have contracted for central dispatching service in the two largest municipalities wholly contained within the county, or their designees; or

c. The heads of the municipal fire departments or fire divisions who have contracted for central dispatching service in the two largest municipalities wholly contained within the county, or their designees;

(b) Two members who shall serve two-year terms appointed from among the following:

a. The head of any of the county's fire protection districts who have contracted for central dispatching service, or his or her designee;

b. The head of any of the county's ambulance districts who have contracted for central dispatching service, or his or her designee;

c. The head of any of the municipal police departments located in the county who have contracted for central dispatching service, or his or her designee, excluding those mentioned in subparagraph b. of paragraph (a) of this subdivision; and

d. The head of any of the municipal fire departments in the county who have contracted for central dispatching service, or his or her designee, excluding those mentioned in subparagraph c. of paragraph (a) of this subdivision.

(3) Upon the appointment of the board under this subsection, the board shall have the powers provided in subsection 3 of this section and the commission shall relinquish all powers and duties relating to the provision of central dispatching service under this chapter to the board.

~~[5. An emergency services board originally organized under section 190.325 operating within a county with a charter form of government and with more than two hundred thousand but fewer than three hundred fifty thousand inhabitants shall not have a sales tax for emergency services or for providing central dispatching for emergency services greater than one-quarter of one percent. If on July 9, 2019, such tax is greater than one-quarter of one percent, the board shall lower the tax rate.]~~

321.246. 1. The governing body of any fire protection district which operates within both a county ~~[of the first classification]~~ with a charter form of government and with a population greater than six hundred thousand but less than nine hundred thousand and a county of the fourth classification with a population greater than thirty thousand but less than thirty-five thousand and that adjoins a county ~~[of the first classification]~~ with a charter form of government, the governing body of any fire protection district which contains a city of the fourth classification having a population greater than two thousand four hundred when the city is located in a county ~~[of the first classification without]~~ with a charter form of government having a population greater than one hundred fifty thousand and the county contains a portion of a city with a population greater than three hundred fifty thousand, or the governing body of any fire protection district that operates in a county of the third classification with a population greater than fourteen thousand but less than fifteen thousand may impose a sales tax in an amount of up to one-half of one percent on all retail sales made in such fire protection district which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no sales tax imposed pursuant to the provisions of this section shall be effective unless the governing body of the fire protection district submits to the voters of the fire protection district, at a county or state general, primary or special election, a proposal to authorize the governing body of the fire protection district to impose a tax.

2. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the fire protection district of \_\_\_\_\_ (district's name) impose a district-wide sales tax of \_\_\_\_\_ for the purpose of providing revenues for the operation of the fire protection district?

YES

NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the sales tax authorized in this section shall be in effect. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the fire protection district shall not impose the sales tax authorized in this section unless and until the governing body of the fire protection district resubmits a proposal to

authorize the governing body of the fire protection district to impose the sales tax authorized by this section and such proposal is approved by a majority of the qualified voters voting thereon.

3. All revenue received by a fire protection district from the tax authorized pursuant to the provisions of this section shall be deposited in a special trust fund and shall be used solely for the operation of the fire protection district.

4. All sales taxes collected by the director of revenue pursuant to this section on behalf of any fire protection district, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in the fire protection ~~[district]~~ sales tax trust fund established pursuant to section 321.242. The moneys in the fire protection ~~[district]~~ sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust and which was collected in each fire protection district imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of the fire protection district and the public. Not later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the fire protection district which levied the tax. Such funds shall be deposited with the treasurer of each such fire protection district, and all expenditures of funds arising from the fire protection ~~[district]~~ sales tax trust fund shall be for the operation of the fire protection district and for no other purpose.

5. The director of revenue may make refunds from the amounts in the trust fund and credited to any fire protection district for erroneous payments and overpayments made and may redeem dishonored checks and drafts deposited to the credit of such fire protection districts. If any fire protection district abolishes the tax, the fire protection district shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such fire protection district, the director of revenue shall remit the balance in the account to the fire protection district and close the account of that fire protection district. The director of revenue shall notify each fire protection district of each instance of any amount refunded or any check redeemed from receipts due the fire protection district. In the event a tax within a fire protection district is approved under this section, and such fire protection district is dissolved, the tax shall lapse on the date that the fire protection district is dissolved and the proceeds from the last collection of such tax shall be distributed to the governing bodies of the counties formerly containing the fire protection district and the proceeds of the tax shall be used for fire protection services within such counties.

6. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed pursuant to this section."; and

Further amend said bill and page, Section B, Lines 1-5, by deleting all of said section and lines; and

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

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

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

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill Nos. 876, 771, 676 & 551, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

"67.1009. 1. The governing body of the following cities may impose a tax as provided in this section:

(1) Any city of the fourth classification with more than eight hundred thirty but fewer than nine hundred inhabitants and located in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants;

(2) Any city of the fourth classification with more than four thousand fifty but fewer than four thousand two hundred inhabitants and located in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants; **or**



**(3) Any city with more than two thousand seven hundred but fewer than three thousand inhabitants and located in a county with more than fifty thousand but fewer than sixty thousand inhabitants and with a county seat with more than seventeen thousand but fewer than twenty-one thousand inhabitants.**

2. The governing body of any city listed in subsection 1 of this section may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city, which shall be not more than six-tenths of one percent per occupied room per night ~~[except that]~~ **for cities described under subdivision (1) or (2) of subsection 1 of this section and not more than six percent per occupied room per night for cities described under subdivision (3) of subsection 1 of this section.** Such tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at a state general or primary election a proposal to authorize the governing body of the city to impose a tax pursuant to this section. The tax authorized by this section shall be in addition to the charge for the sleeping room and shall be in addition to any and all taxes imposed by law. Such tax shall be stated separately from all other charges and taxes. **For cities described under subdivision (3) of subsection 1 of this section, the revenue of the tax shall be used only for the purposes of promoting tourism, promoting economic development, and promoting the retention and growth of any military base near the city.**

3. The ballot of submission for any tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the city) impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in (name of city) at a rate of (insert **proposed** rate ~~[of percent up to six tenths of one percent]~~) **(for the purpose of promoting tourism, promoting economic development, and promoting retention and growth of (insert name of military base))?**

YES

NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

4. As used in this section, "transient guests" means a person or persons who occupy a room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter.

67.1360. 1. The governing body of the following cities and counties may impose a tax as provided in this section:

- (1) A city with a population of more than seven thousand and less than seven thousand five hundred;
- (2) A county with a population of over nine thousand six hundred and less than twelve thousand which has a total assessed valuation of at least sixty-three million dollars, if the county submits the issue to the voters of such county prior to January 1, 2003;
- (3) A third class city which is the county seat of a county of the third classification without a township form of government with a population of at least twenty-five thousand but not more than thirty thousand inhabitants;
- (4) Any fourth class city having, according to the last federal decennial census, a population of more than one thousand eight hundred fifty inhabitants but less than one thousand nine hundred fifty inhabitants in a county of the first classification with a charter form of government and having a population of greater than six hundred thousand but less than nine hundred thousand inhabitants;
- (5) Any city having a population of more than three thousand but less than eight thousand inhabitants in a county of the fourth classification having a population of greater than forty-eight thousand inhabitants;
- (6) Any city having a population of less than two hundred fifty inhabitants in a county of the fourth classification having a population of greater than forty-eight thousand inhabitants;
- (7) Any fourth class city having a population of more than two thousand five hundred but less than three thousand inhabitants in a county of the third classification having a population of more than twenty-five thousand but less than twenty-seven thousand inhabitants;
- (8) Any third class city with a population of more than three thousand two hundred but less than three thousand three hundred located in a county of the third classification having a population of more than thirty-five thousand but less than thirty-six thousand;

- (9) Any county of the second classification without a township form of government and a population of less than thirty thousand;
- (10) Any city of the fourth class in a county of the second classification without a township form of government and a population of less than thirty thousand;
- (11) Any county of the third classification with a township form of government and a population of at least twenty-eight thousand but not more than thirty thousand;
- (12) Any city of the fourth class with a population of more than one thousand eight hundred but less than two thousand in a county of the third classification with a township form of government and a population of at least twenty-eight thousand but not more than thirty thousand;
- (13) Any city of the third class with a population of more than seven thousand two hundred but less than seven thousand five hundred within a county of the third classification with a population of more than twenty-one thousand but less than twenty-three thousand;
- (14) Any fourth class city having a population of more than two thousand eight hundred but less than three thousand one hundred inhabitants in a county of the third classification with a township form of government having a population of more than eight thousand four hundred but less than nine thousand inhabitants;
- (15) Any fourth class city with a population of more than four hundred seventy but less than five hundred twenty inhabitants located in a county of the third classification with a population of more than fifteen thousand nine hundred but less than sixteen thousand inhabitants;
- (16) Any third class city with a population of more than three thousand eight hundred but less than four thousand inhabitants located in a county of the third classification with a population of more than fifteen thousand nine hundred but less than sixteen thousand inhabitants;
- (17) Any fourth class city with a population of more than four thousand three hundred but less than four thousand five hundred inhabitants located in a county of the third classification without a township form of government with a population greater than sixteen thousand but less than sixteen thousand two hundred inhabitants;
- (18) Any fourth class city with a population of more than two thousand four hundred but less than two thousand six hundred inhabitants located in a county of the first classification without a charter form of government with a population of more than fifty-five thousand but less than sixty thousand inhabitants;
- (19) Any fourth class city with a population of more than two thousand five hundred but less than two thousand six hundred inhabitants located in a county of the third classification with a population of more than nineteen thousand one hundred but less than nineteen thousand two hundred inhabitants;
- (20) Any county of the third classification without a township form of government with a population greater than sixteen thousand but less than sixteen thousand two hundred inhabitants;
- (21) Any county of the second classification with a population of more than forty-four thousand but less than fifty thousand inhabitants;
- (22) Any third class city with a population of more than nine thousand five hundred but less than nine thousand seven hundred inhabitants located in a county of the first classification without a charter form of government and with a population of more than one hundred ninety-eight thousand but less than one hundred ninety-eight thousand two hundred inhabitants;
- (23) Any city of the fourth classification with more than five thousand two hundred but less than five thousand three hundred inhabitants located in a county of the third classification without a township form of government and with more than twenty-four thousand five hundred but less than twenty-four thousand six hundred inhabitants;
- (24) Any third class city with a population of more than nineteen thousand nine hundred but less than twenty thousand in a county of the first classification without a charter form of government and with a population of more than one hundred ninety-eight thousand but less than one hundred ninety-eight thousand two hundred inhabitants;
- (25) Any city of the fourth classification with more than two thousand six hundred but less than two thousand seven hundred inhabitants located in any county of the third classification without a township form of government and with more than fifteen thousand three hundred but less than fifteen thousand four hundred inhabitants;
- (26) Any county of the third classification without a township form of government and with more than fourteen thousand nine hundred but less than fifteen thousand inhabitants;
- (27) Any city of the fourth classification with more than five thousand four hundred but fewer than five thousand five hundred inhabitants and located in more than one county;
- (28) Any city of the fourth classification with more than six thousand three hundred but fewer than six thousand five hundred inhabitants and located in more than one county through the creation of a tourism district which may include, in addition to the geographic area of such city, the area encompassed by the portion of the

school district, located within a county of the first classification with more than ninety-three thousand eight hundred but fewer than ninety-three thousand nine hundred inhabitants, having an average daily attendance for school year 2005-06 between one thousand eight hundred and one thousand nine hundred;

(29) Any city of the fourth classification with more than seven thousand seven hundred but less than seven thousand eight hundred inhabitants located in a county of the first classification with more than ninety-three thousand eight hundred but less than ninety-three thousand nine hundred inhabitants;

(30) Any city of the fourth classification with more than two thousand nine hundred but less than three thousand inhabitants located in a county of the first classification with more than seventy-three thousand seven hundred but less than seventy-three thousand eight hundred inhabitants;

(31) Any city of the third classification with more than nine thousand three hundred but less than nine thousand four hundred inhabitants;

(32) Any city of the fourth classification with more than three thousand eight hundred but fewer than three thousand nine hundred inhabitants and located in any county of the first classification with more than thirty-nine thousand seven hundred but fewer than thirty-nine thousand eight hundred inhabitants;

(33) Any city of the fourth classification with more than one thousand eight hundred but fewer than one thousand nine hundred inhabitants and located in any county of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants;

(34) Any county of the third classification without a township form of government and with more than twelve thousand one hundred but fewer than twelve thousand two hundred inhabitants;

(35) Any city of the fourth classification with more than three thousand eight hundred but fewer than four thousand inhabitants and located in more than one county; provided, however, that motels owned by not-for-profit organizations are exempt;

(36) Any city of the fourth classification with more than five thousand but fewer than five thousand five hundred inhabitants and located in any county with a charter form of government and with more than two hundred thousand but fewer than three hundred fifty thousand inhabitants; ~~or~~

(37) Any city with more than four thousand but fewer than five thousand five hundred inhabitants and located in any county of the fourth classification with more than thirty thousand but fewer than forty-two thousand inhabitants; **or**

**(38) Any city with more than eight thousand but fewer than nine thousand inhabitants and partially located in a county with more than nineteen thousand but fewer than twenty-two thousand inhabitants.**

2. The governing body of any city or county listed in subsection 1 of this section may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels, motels, bed and breakfast inns, and campgrounds and any docking facility that rents slips to recreational boats that are used by transients for sleeping, which shall be at least two percent but not more than five percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at a state general, primary, or special election, a proposal to authorize the governing body of the city or county to impose a tax pursuant to the provisions of this section and section 67.1362. The tax authorized by this section and section 67.1362 shall be in addition to any charge paid to the owner or operator and shall be in addition to any and all taxes imposed by law and the proceeds of such tax shall be used by the city or county solely for funding the promotion of tourism. Such tax shall be stated separately from all other charges and taxes.

67.1009. 1. The governing body of the following cities may impose a tax as provided in this section:

(1) Any city of the fourth classification with more than eight hundred thirty but fewer than nine hundred inhabitants and located in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants;

(2) Any city of the fourth classification with more than four thousand fifty but fewer than four thousand two hundred inhabitants and located in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants; **or**

**(3) Any city with more than two thousand seven hundred but fewer than three thousand inhabitants and located in a county with more than fifty thousand but fewer than sixty thousand inhabitants and with a county seat with more than seventeen thousand but fewer than twenty-one thousand inhabitants.**

2. The governing body of any city listed in subsection 1 of this section may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city, which shall be not more than six-tenths of one percent per occupied room per night ~~except that~~ **for cities described under subdivision (1) or (2) of subsection 1 of this section and not more than six percent per occupied room per night for cities**

**described under subdivision (3) of subsection 1 of this section.** Such tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at a state general or primary election a proposal to authorize the governing body of the city to impose a tax pursuant to this section. The tax authorized by this section shall be in addition to the charge for the sleeping room and shall be in addition to any and all taxes imposed by law. Such tax shall be stated separately from all other charges and taxes. **For cities described under subdivision (3) of subsection 1 of this section, the revenue of the tax shall be used only for the purposes of promoting tourism, promoting economic development, and promoting the retention and growth of any military base near the city.**

3. The ballot of submission for any tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the city) impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in (name of city) at a rate of (insert **proposed rate** [~~of percent up to six tenths of one percent~~]) **(for the purpose of promoting tourism, promoting economic development, and promoting retention and growth of (insert name of military base))?**

YES

NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

4. As used in this section, "transient guests" means a person or persons who occupy a room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter.

67.1360. 1. The governing body of the following cities and counties may impose a tax as provided in this section:

- (1) A city with a population of more than seven thousand and less than seven thousand five hundred;
- (2) A county with a population of over nine thousand six hundred and less than twelve thousand which has a total assessed valuation of at least sixty-three million dollars, if the county submits the issue to the voters of such county prior to January 1, 2003;
- (3) A third class city which is the county seat of a county of the third classification without a township form of government with a population of at least twenty-five thousand but not more than thirty thousand inhabitants;
- (4) Any fourth class city having, according to the last federal decennial census, a population of more than one thousand eight hundred fifty inhabitants but less than one thousand nine hundred fifty inhabitants in a county of the first classification with a charter form of government and having a population of greater than six hundred thousand but less than nine hundred thousand inhabitants;
- (5) Any city having a population of more than three thousand but less than eight thousand inhabitants in a county of the fourth classification having a population of greater than forty-eight thousand inhabitants;
- (6) Any city having a population of less than two hundred fifty inhabitants in a county of the fourth classification having a population of greater than forty-eight thousand inhabitants;
- (7) Any fourth class city having a population of more than two thousand five hundred but less than three thousand inhabitants in a county of the third classification having a population of more than twenty-five thousand but less than twenty-seven thousand inhabitants;
- (8) Any third class city with a population of more than three thousand two hundred but less than three thousand three hundred located in a county of the third classification having a population of more than thirty-five thousand but less than thirty-six thousand;
- (9) Any county of the second classification without a township form of government and a population of less than thirty thousand;
- (10) Any city of the fourth class in a county of the second classification without a township form of government and a population of less than thirty thousand;
- (11) Any county of the third classification with a township form of government and a population of at least twenty-eight thousand but not more than thirty thousand;
- (12) Any city of the fourth class with a population of more than one thousand eight hundred but less than two thousand in a county of the third classification with a township form of government and a population of at least twenty-eight thousand but not more than thirty thousand;

- (13) Any city of the third class with a population of more than seven thousand two hundred but less than seven thousand five hundred within a county of the third classification with a population of more than twenty-one thousand but less than twenty-three thousand;
- (14) Any fourth class city having a population of more than two thousand eight hundred but less than three thousand one hundred inhabitants in a county of the third classification with a township form of government having a population of more than eight thousand four hundred but less than nine thousand inhabitants;
- (15) Any fourth class city with a population of more than four hundred seventy but less than five hundred twenty inhabitants located in a county of the third classification with a population of more than fifteen thousand nine hundred but less than sixteen thousand inhabitants;
- (16) Any third class city with a population of more than three thousand eight hundred but less than four thousand inhabitants located in a county of the third classification with a population of more than fifteen thousand nine hundred but less than sixteen thousand inhabitants;
- (17) Any fourth class city with a population of more than four thousand three hundred but less than four thousand five hundred inhabitants located in a county of the third classification without a township form of government with a population greater than sixteen thousand but less than sixteen thousand two hundred inhabitants;
- (18) Any fourth class city with a population of more than two thousand four hundred but less than two thousand six hundred inhabitants located in a county of the first classification without a charter form of government with a population of more than fifty-five thousand but less than sixty thousand inhabitants;
- (19) Any fourth class city with a population of more than two thousand five hundred but less than two thousand six hundred inhabitants located in a county of the third classification with a population of more than nineteen thousand one hundred but less than nineteen thousand two hundred inhabitants;
- (20) Any county of the third classification without a township form of government with a population greater than sixteen thousand but less than sixteen thousand two hundred inhabitants;
- (21) Any county of the second classification with a population of more than forty-four thousand but less than fifty thousand inhabitants;
- (22) Any third class city with a population of more than nine thousand five hundred but less than nine thousand seven hundred inhabitants located in a county of the first classification without a charter form of government and with a population of more than one hundred ninety-eight thousand but less than one hundred ninety-eight thousand two hundred inhabitants;
- (23) Any city of the fourth classification with more than five thousand two hundred but less than five thousand three hundred inhabitants located in a county of the third classification without a township form of government and with more than twenty-four thousand five hundred but less than twenty-four thousand six hundred inhabitants;
- (24) Any third class city with a population of more than nineteen thousand nine hundred but less than twenty thousand in a county of the first classification without a charter form of government and with a population of more than one hundred ninety-eight thousand but less than one hundred ninety-eight thousand two hundred inhabitants;
- (25) Any city of the fourth classification with more than two thousand six hundred but less than two thousand seven hundred inhabitants located in any county of the third classification without a township form of government and with more than fifteen thousand three hundred but less than fifteen thousand four hundred inhabitants;
- (26) Any county of the third classification without a township form of government and with more than fourteen thousand nine hundred but less than fifteen thousand inhabitants;
- (27) Any city of the fourth classification with more than five thousand four hundred but fewer than five thousand five hundred inhabitants and located in more than one county;
- (28) Any city of the fourth classification with more than six thousand three hundred but fewer than six thousand five hundred inhabitants and located in more than one county through the creation of a tourism district which may include, in addition to the geographic area of such city, the area encompassed by the portion of the school district, located within a county of the first classification with more than ninety-three thousand eight hundred but fewer than ninety-three thousand nine hundred inhabitants, having an average daily attendance for school year 2005-06 between one thousand eight hundred and one thousand nine hundred;
- (29) Any city of the fourth classification with more than seven thousand seven hundred but less than seven thousand eight hundred inhabitants located in a county of the first classification with more than ninety-three thousand eight hundred but less than ninety-three thousand nine hundred inhabitants;

(30) Any city of the fourth classification with more than two thousand nine hundred but less than three thousand inhabitants located in a county of the first classification with more than seventy-three thousand seven hundred but less than seventy-three thousand eight hundred inhabitants;

(31) Any city of the third classification with more than nine thousand three hundred but less than nine thousand four hundred inhabitants;

(32) Any city of the fourth classification with more than three thousand eight hundred but fewer than three thousand nine hundred inhabitants and located in any county of the first classification with more than thirty-nine thousand seven hundred but fewer than thirty-nine thousand eight hundred inhabitants;

(33) Any city of the fourth classification with more than one thousand eight hundred but fewer than one thousand nine hundred inhabitants and located in any county of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants;

(34) Any county of the third classification without a township form of government and with more than twelve thousand one hundred but fewer than twelve thousand two hundred inhabitants;

(35) Any city of the fourth classification with more than three thousand eight hundred but fewer than four thousand inhabitants and located in more than one county; provided, however, that motels owned by not-for-profit organizations are exempt;

(36) Any city of the fourth classification with more than five thousand but fewer than five thousand five hundred inhabitants and located in any county with a charter form of government and with more than two hundred thousand but fewer than three hundred fifty thousand inhabitants; ~~or~~

(37) Any city with more than four thousand but fewer than five thousand five hundred inhabitants and located in any county of the fourth classification with more than thirty thousand but fewer than forty-two thousand inhabitants; **or**

**(38) Any city with more than eight thousand but fewer than nine thousand inhabitants and partially located in a county with more than nineteen thousand but fewer than twenty-two thousand inhabitants.**

2. The governing body of any city or county listed in subsection 1 of this section may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels, motels, bed and breakfast inns, and campgrounds and any docking facility that rents slips to recreational boats that are used by transients for sleeping, which shall be at least two percent but not more than five percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at a state general, primary, or special election, a proposal to authorize the governing body of the city or county to impose a tax pursuant to the provisions of this section and section 67.1362. The tax authorized by this section and section 67.1362 shall be in addition to any charge paid to the owner or operator and shall be in addition to any and all taxes imposed by law and the proceeds of such tax shall be used by the city or county solely for funding the promotion of tourism. Such tax shall be stated separately from all other charges and taxes."; and

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

Representative Van Schoiack offered **House Amendment No. 1 to House Amendment No. 3.**

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

AMEND House Amendment No. 3 to House Committee Substitute for House Bill Nos. 876, 771, 676 & 551, Page 10, Line 18, by inserting after all of said line the following:

"Further amend said bill, Page 8, Section 94.902, Line 131, by inserting after all of said section and line the following:

"144.030. 1. There is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and from the computation of the tax levied, assessed or payable pursuant to sections 144.010 to 144.525 such retail sales as may be made in commerce between this state and any other state of the United States, or between this state and any foreign country, and any retail sale which the state of Missouri is prohibited from taxing pursuant to the Constitution or laws of the United States of America, and such retail sales of tangible personal property which the general assembly of the state of Missouri is prohibited from taxing or further taxing by the constitution of this state.

2. There are also specifically exempted from the provisions of the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.761 and from the computation of the tax levied, assessed or payable pursuant to the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.745:

(1) Motor fuel or special fuel subject to an excise tax of this state, unless all or part of such excise tax is refunded pursuant to section 142.824; or upon the sale at retail of fuel to be consumed in manufacturing or creating gas, power, steam, electrical current or in furnishing water to be sold ultimately at retail; or feed for livestock or poultry; or grain to be converted into foodstuffs which are to be sold ultimately in processed form at retail; or seed, limestone or fertilizer which is to be used for seeding, liming or fertilizing crops which when harvested will be sold at retail or will be fed to livestock or poultry to be sold ultimately in processed form at retail; economic poisons registered pursuant to the provisions of the Missouri pesticide registration law, sections 281.220 to 281.310, which are to be used in connection with the growth or production of crops, fruit trees or orchards applied before, during, or after planting, the crop of which when harvested will be sold at retail or will be converted into foodstuffs which are to be sold ultimately in processed form at retail;

(2) Materials, manufactured goods, machinery and parts which when used in manufacturing, processing, compounding, mining, producing or fabricating become a component part or ingredient of the new personal property resulting from such manufacturing, processing, compounding, mining, producing or fabricating and which new personal property is intended to be sold ultimately for final use or consumption; and materials, including without limitation, gases and manufactured goods, including without limitation slagging materials and firebrick, which are ultimately consumed in the manufacturing process by blending, reacting or interacting with or by becoming, in whole or in part, component parts or ingredients of steel products intended to be sold ultimately for final use or consumption;

(3) Materials, replacement parts and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of, motor vehicles, watercraft, railroad rolling stock or aircraft engaged as common carriers of persons or property;

(4) Replacement machinery, equipment, and parts and the materials and supplies solely required for the installation or construction of such replacement machinery, equipment, and parts, used directly in manufacturing, mining, fabricating or producing a product which is intended to be sold ultimately for final use or consumption; and machinery and equipment, and the materials and supplies required solely for the operation, installation or construction of such machinery and equipment, purchased and used to establish new, or to replace or expand existing, material recovery processing plants in this state. For the purposes of this subdivision, a "material recovery processing plant" means a facility that has as its primary purpose the recovery of materials into a usable product or a different form which is used in producing a new product and shall include a facility or equipment which are used exclusively for the collection of recovered materials for delivery to a material recovery processing plant but shall not include motor vehicles used on highways. For purposes of this section, the terms motor vehicle and highway shall have the same meaning pursuant to section 301.010. For the purposes of this subdivision, subdivision (5) of this subsection, and section 144.054, as well as the definition in subdivision (9) of subsection 1 of section 144.010, the term "product" includes telecommunications services and the term "manufacturing" shall include the production, or production and transmission, of telecommunications services. The preceding sentence does not make a substantive change in the law and is intended to clarify that the term "manufacturing" has included and continues to include the production and transmission of "telecommunications services", as enacted in this subdivision and subdivision (5) of this subsection, as well as the definition in subdivision (9) of subsection 1 of section 144.010. The preceding two sentences reaffirm legislative intent consistent with the interpretation of this subdivision and subdivision (5) of this subsection in *Southwestern Bell Tel. Co. v. Director of Revenue*, 78 S.W.3d 763 (Mo. banc 2002) and *Southwestern Bell Tel. Co. v. Director of Revenue*, 182 S.W.3d 226 (Mo. banc 2005), and accordingly abrogates the Missouri supreme court's interpretation of those exemptions in *IBM Corporation v. Director of Revenue*, 491 S.W.3d 535 (Mo. banc 2016) to the extent inconsistent with this section and *Southwestern Bell Tel. Co. v. Director of Revenue*, 78 S.W.3d 763 (Mo. banc 2002) and *Southwestern Bell Tel. Co. v. Director of Revenue*, 182 S.W.3d 226 (Mo. banc 2005). The construction and application of this subdivision as expressed by the Missouri supreme court in *DST Systems, Inc. v. Director of Revenue*, 43 S.W.3d 799 (Mo. banc 2001); *Southwestern Bell Tel. Co. v. Director of Revenue*, 78 S.W.3d 763 (Mo. banc 2002); and *Southwestern Bell Tel. Co. v. Director of Revenue*, 182 S.W.3d 226 (Mo. banc 2005), is hereby affirmed. Material recovery is not the reuse of materials within a manufacturing process or the use of a product previously recovered. The material recovery processing plant shall qualify under the provisions of this section regardless of ownership of the material being recovered;

(5) Machinery and equipment, and parts and the materials and supplies solely required for the installation or construction of such machinery and equipment, purchased and used to establish new or to expand existing manufacturing, mining or fabricating plants in the state if such machinery and equipment is used directly in manufacturing, mining or fabricating a product which is intended to be sold ultimately for final use or consumption. The construction and application of this subdivision as expressed by the Missouri supreme court in *DST Systems, Inc. v. Director of Revenue*, 43 S.W.3d 799 (Mo. banc 2001); *Southwestern Bell Tel. Co. v. Director of Revenue*, 78 S.W.3d 763 (Mo. banc 2002); and *Southwestern Bell Tel. Co. v. Director of Revenue*, 182 S.W.3d 226 (Mo. banc 2005), is hereby affirmed;

(6) Tangible personal property which is used exclusively in the manufacturing, processing, modification or assembling of products sold to the United States government or to any agency of the United States government;

(7) Animals or poultry used for breeding or feeding purposes, or captive wildlife;

(8) Newsprint, ink, computers, photosensitive paper and film, toner, printing plates and other machinery, equipment, replacement parts and supplies used in producing newspapers published for dissemination of news to the general public;

(9) The rentals of films, records or any type of sound or picture transcriptions for public commercial display;

(10) Pumping machinery and equipment used to propel products delivered by pipelines engaged as common carriers;

(11) Railroad rolling stock for use in transporting persons or property in interstate commerce and motor vehicles licensed for a gross weight of twenty-four thousand pounds or more or trailers used by common carriers, as defined in section 390.020, in the transportation of persons or property;

(12) Electrical energy used in the actual primary manufacture, processing, compounding, mining or producing of a product, or electrical energy used in the actual secondary processing or fabricating of the product, or a material recovery processing plant as defined in subdivision (4) of this subsection, in facilities owned or leased by the taxpayer, if the total cost of electrical energy so used exceeds ten percent of the total cost of production, either primary or secondary, exclusive of the cost of electrical energy so used or if the raw materials used in such processing contain at least twenty-five percent recovered materials as defined in section 260.200. There shall be a rebuttable presumption that the raw materials used in the primary manufacture of automobiles contain at least twenty-five percent recovered materials. For purposes of this subdivision, "processing" means any mode of treatment, act or series of acts performed upon materials to transform and reduce them to a different state or thing, including treatment necessary to maintain or preserve such processing by the producer at the production facility;

(13) Anodes which are used or consumed in manufacturing, processing, compounding, mining, producing or fabricating and which have a useful life of less than one year;

(14) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring air pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(15) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring water pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(16) Tangible personal property purchased by a rural water district;

(17) All amounts paid or charged for admission or participation or other fees paid by or other charges to individuals in or for any place of amusement, entertainment or recreation, games or athletic events, including museums, fairs, zoos and planetariums, owned or operated by a municipality or other political subdivision where all the proceeds derived therefrom benefit the municipality or other political subdivision and do not inure to any private person, firm, or corporation, provided, however, that a municipality or other political subdivision may enter into revenue-sharing agreements with private persons, firms, or corporations providing goods or services, including management services, in or for the place of amusement, entertainment or recreation, games or athletic events, and provided further that nothing in this subdivision shall exempt from tax any amounts retained by any private person, firm, or corporation under such revenue-sharing agreement;

(18) All sales of insulin, and all sales, rentals, repairs, and parts of durable medical equipment, prosthetic devices, and orthopedic devices as defined on January 1, 1980, by the federal Medicare program pursuant to Title XVIII of the Social Security Act of 1965, including the items specified in Section 1862(a)(12) of that act, and also specifically including hearing aids and hearing aid supplies and all sales of drugs which may be legally dispensed by a licensed pharmacist only upon a lawful prescription of a practitioner licensed to administer those items, including samples and materials used to manufacture samples which may be dispensed by a practitioner authorized to dispense such samples and all sales or rental of medical oxygen, home respiratory equipment and accessories including parts,



and hospital beds and accessories and ambulatory aids including parts, and all sales or rental of manual and powered wheelchairs including parts, and stairway lifts, Braille writers, electronic Braille equipment and, if purchased or rented by or on behalf of a person with one or more physical or mental disabilities to enable them to function more independently, all sales or rental of scooters including parts, and reading machines, electronic print enlargers and magnifiers, electronic alternative and augmentative communication devices, and items used solely to modify motor vehicles to permit the use of such motor vehicles by individuals with disabilities or sales of over-the-counter or nonprescription drugs to individuals with disabilities, and drugs required by the Food and Drug Administration to meet the over-the-counter drug product labeling requirements in 21 CFR 201.66, or its successor, as prescribed by a health care practitioner licensed to prescribe;

(19) All sales made by or to religious and charitable organizations and institutions in their religious, charitable or educational functions and activities and all sales made by or to all elementary and secondary schools operated at public expense in their educational functions and activities;

(20) All sales of aircraft to common carriers for storage or for use in interstate commerce and all sales made by or to not-for-profit civic, social, service or fraternal organizations, including fraternal organizations which have been declared tax-exempt organizations pursuant to Section 501(c)(8) or (10) of the 1986 Internal Revenue Code, as amended, in their civic or charitable functions and activities and all sales made to eleemosynary and penal institutions and industries of the state, and all sales made to any private not-for-profit institution of higher education not otherwise excluded pursuant to subdivision (19) of this subsection or any institution of higher education supported by public funds, and all sales made to a state relief agency in the exercise of relief functions and activities;

(21) All ticket sales made by benevolent, scientific and educational associations which are formed to foster, encourage, and promote progress and improvement in the science of agriculture and in the raising and breeding of animals, and by nonprofit summer theater organizations if such organizations are exempt from federal tax pursuant to the provisions of the Internal Revenue Code and all admission charges and entry fees to the Missouri state fair or any fair conducted by a county agricultural and mechanical society organized and operated pursuant to sections 262.290 to 262.530;

(22) All sales made to any private not-for-profit elementary or secondary school, all sales of feed additives, medications or vaccines administered to livestock or poultry in the production of food or fiber, all sales of pesticides used in the production of crops, livestock or poultry for food or fiber, all sales of bedding used in the production of livestock or poultry for food or fiber, all sales of propane or natural gas, electricity or diesel fuel used exclusively for drying agricultural crops, natural gas used in the primary manufacture or processing of fuel ethanol as defined in section 142.028, natural gas, propane, and electricity used by an eligible new generation cooperative or an eligible new generation processing entity as defined in section 348.432, and all sales of farm machinery and equipment, other than airplanes, motor vehicles and trailers, and any freight charges on any exempt item. As used in this subdivision, the term "feed additives" means tangible personal property which, when mixed with feed for livestock or poultry, is to be used in the feeding of livestock or poultry. As used in this subdivision, the term "pesticides" includes adjuvants such as crop oils, surfactants, wetting agents and other assorted pesticide carriers used to improve or enhance the effect of a pesticide and the foam used to mark the application of pesticides and herbicides for the production of crops, livestock or poultry. As used in this subdivision, the term "farm machinery and equipment" shall mean:

(a) New or used farm tractors and such other new or used farm machinery and equipment, including utility vehicles used for any agricultural use, and repair or replacement parts thereon and any accessories for and upgrades to such farm machinery and equipment and rotary mowers used for any agricultural purposes. For the purposes of this subdivision, "utility vehicle" shall mean any motorized vehicle manufactured and used exclusively for off-highway use which is more than fifty inches but no more than eighty inches in width, measured from outside of tire rim to outside of tire rim, with an unladen dry weight of three thousand five hundred pounds or less, traveling on four or six wheels;

(b) Supplies and lubricants used exclusively, solely, and directly for producing crops, raising and feeding livestock, fish, poultry, pheasants, chukar, quail, or for producing milk for ultimate sale at retail, including field drain tile; and

(c) One-half of each purchaser's purchase of diesel fuel therefor which is:

- a. Used exclusively for agricultural purposes;
- b. Used on land owned or leased for the purpose of producing farm products; and
- c. Used directly in producing farm products to be sold ultimately in processed form or otherwise at retail or in producing farm products to be fed to livestock or poultry to be sold ultimately in processed form at retail;

(23) Except as otherwise provided in section 144.032, all sales of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil for domestic use and in any city not within a county, all sales of metered or unmetered water service for domestic use:

(a) "Domestic use" means that portion of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil, and in any city not within a county, metered or unmetered water service, which an individual occupant of a residential premises uses for nonbusiness, noncommercial or nonindustrial purposes. Utility service through a single or master meter for residential apartments or condominiums, including service for common areas and facilities and vacant units, shall be deemed to be for domestic use. Each seller shall establish and maintain a system whereby individual purchases are determined as exempt or nonexempt;

(b) Regulated utility sellers shall determine whether individual purchases are exempt or nonexempt based upon the seller's utility service rate classifications as contained in tariffs on file with and approved by the Missouri public service commission. Sales and purchases made pursuant to the rate classification "residential" and sales to and purchases made by or on behalf of the occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, shall be considered as sales made for domestic use and such sales shall be exempt from sales tax. Sellers shall charge sales tax upon the entire amount of purchases classified as nondomestic use. The seller's utility service rate classification and the provision of service thereunder shall be conclusive as to whether or not the utility must charge sales tax;

(c) Each person making domestic use purchases of services or property and who uses any portion of the services or property so purchased for a nondomestic use shall, by the fifteenth day of the fourth month following the year of purchase, and without assessment, notice or demand, file a return and pay sales tax on that portion of nondomestic purchases. Each person making nondomestic purchases of services or property and who uses any portion of the services or property so purchased for domestic use, and each person making domestic purchases on behalf of occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, under a nonresidential utility service rate classification may, between the first day of the first month and the fifteenth day of the fourth month following the year of purchase, apply for credit or refund to the director of revenue and the director shall give credit or make refund for taxes paid on the domestic use portion of the purchase. The person making such purchases on behalf of occupants of residential apartments or condominiums shall have standing to apply to the director of revenue for such credit or refund;

(24) All sales of handicraft items made by the seller or the seller's spouse if the seller or the seller's spouse is at least sixty-five years of age, and if the total gross proceeds from such sales do not constitute a majority of the annual gross income of the seller;

(25) Excise taxes, collected on sales at retail, imposed by Sections 4041, 4071, 4081, ~~4091,~~ 4161, 4181, 4251, 4261 and 4271 of Title 26, United States Code. The director of revenue shall promulgate rules pursuant to chapter 536 to eliminate all state and local sales taxes on such excise taxes;

(26) Sales of fuel consumed or used in the operation of ships, barges, or waterborne vessels which are used primarily in or for the transportation of property or cargo, or the conveyance of persons for hire, on navigable rivers bordering on or located in part in this state, if such fuel is delivered by the seller to the purchaser's barge, ship, or waterborne vessel while it is afloat upon such river;

(27) All sales made to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100 in the exercise of the functions and activities of such agency as provided pursuant to the compact;

(28) Computers, computer software and computer security systems purchased for use by architectural or engineering firms headquartered in this state. For the purposes of this subdivision, "headquartered in this state" means the office for the administrative management of at least four integrated facilities operated by the taxpayer is located in the state of Missouri;

(29) All livestock sales when either the seller is engaged in the growing, producing or feeding of such livestock, or the seller is engaged in the business of buying and selling, bartering or leasing of such livestock;

(30) All sales of barges which are to be used primarily in the transportation of property or cargo on interstate waterways;

(31) Electrical energy or gas, whether natural, artificial or propane, water, or other utilities which are ultimately consumed in connection with the manufacturing of cellular glass products or in any material recovery processing plant as defined in subdivision (4) of this subsection;

(32) Notwithstanding other provisions of law to the contrary, all sales of pesticides or herbicides used in the production of crops, aquaculture, livestock or poultry;

(33) Tangible personal property and utilities purchased for use or consumption directly or exclusively in the research and development of agricultural/biotechnology and plant genomics products and prescription pharmaceuticals consumed by humans or animals;

(34) All sales of grain bins for storage of grain for resale;

(35) All sales of feed which are developed for and used in the feeding of pets owned by a commercial breeder when such sales are made to a commercial breeder, as defined in section 273.325, and licensed pursuant to sections 273.325 to 273.357;

(36) All purchases by a contractor on behalf of an entity located in another state, provided that the entity is authorized to issue a certificate of exemption for purchases to a contractor under the provisions of that state's laws. For purposes of this subdivision, the term "certificate of exemption" shall mean any document evidencing that the entity is exempt from sales and use taxes on purchases pursuant to the laws of the state in which the entity is located. Any contractor making purchases on behalf of such entity shall maintain a copy of the entity's exemption certificate as evidence of the exemption. If the exemption certificate issued by the exempt entity to the contractor is later determined by the director of revenue to be invalid for any reason and the contractor has accepted the certificate in good faith, neither the contractor or the exempt entity shall be liable for the payment of any taxes, interest and penalty due as the result of use of the invalid exemption certificate. Materials shall be exempt from all state and local sales and use taxes when purchased by a contractor for the purpose of fabricating tangible personal property which is used in fulfilling a contract for the purpose of constructing, repairing or remodeling facilities for the following:

(a) An exempt entity located in this state, if the entity is one of those entities able to issue project exemption certificates in accordance with the provisions of section 144.062; or

(b) An exempt entity located outside the state if the exempt entity is authorized to issue an exemption certificate to contractors in accordance with the provisions of that state's law and the applicable provisions of this section;

(37) All sales or other transfers of tangible personal property to a lessor who leases the property under a lease of one year or longer executed or in effect at the time of the sale or other transfer to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100;

(38) Sales of tickets to any collegiate athletic championship event that is held in a facility owned or operated by a governmental authority or commission, a quasi-governmental agency, a state university or college or by the state or any political subdivision thereof, including a municipality, and that is played on a neutral site and may reasonably be played at a site located outside the state of Missouri. For purposes of this subdivision, "neutral site" means any site that is not located on the campus of a conference member institution participating in the event;

(39) All purchases by a sports complex authority created under section 64.920, and all sales of utilities by such authority at the authority's cost that are consumed in connection with the operation of a sports complex leased to a professional sports team;

(40) All materials, replacement parts, and equipment purchased for use directly upon, and for the modification, replacement, repair, and maintenance of aircraft, aircraft power plants, and aircraft accessories;

(41) Sales of sporting clays, wobble, skeet, and trap targets to any shooting range or similar places of business for use in the normal course of business and money received by a shooting range or similar places of business from patrons and held by a shooting range or similar place of business for redistribution to patrons at the conclusion of a shooting event;

(42) All sales of motor fuel, as defined in section 142.800, used in any watercraft, as defined in section 306.010;

(43) Any new or used aircraft sold or delivered in this state to a person who is not a resident of this state or a corporation that is not incorporated in this state, and such aircraft is not to be based in this state and shall not remain in this state more than ten business days subsequent to the last to occur of:

(a) The transfer of title to the aircraft to a person who is not a resident of this state or a corporation that is not incorporated in this state; or

(b) The date of the return to service of the aircraft in accordance with 14 CFR 91.407 for any maintenance, preventive maintenance, rebuilding, alterations, repairs, or installations that are completed contemporaneously with the transfer of title to the aircraft to a person who is not a resident of this state or a corporation that is not incorporated in this state;

(44) Motor vehicles registered in excess of fifty-four thousand pounds, and the trailers pulled by such motor vehicles, that are actually used in the normal course of business to haul property on the public highways of the state, and that are capable of hauling loads commensurate with the motor vehicle's registered weight; and the

materials, replacement parts, and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of such vehicles. For purposes of this subdivision, "motor vehicle" and "public highway" shall have the meaning as ascribed in section 390.020;

(45) All internet access or the use of internet access regardless of whether the tax is imposed on a provider of internet access or a buyer of internet access. For purposes of this subdivision, the following terms shall mean:

(a) "Direct costs", costs incurred by a governmental authority solely because of an internet service provider's use of the public right-of-way. The term shall not include costs that the governmental authority would have incurred if the internet service provider did not make such use of the public right-of-way. Direct costs shall be determined in a manner consistent with generally accepted accounting principles;

(b) "Internet", computer and telecommunications facilities, including equipment and operating software, that comprises the interconnected worldwide network that employ the transmission control protocol or internet protocol, or any predecessor or successor protocols to that protocol, to communicate information of all kinds by wire or radio;

(c) "Internet access", a service that enables users to connect to the internet to access content, information, or other services without regard to whether the service is referred to as telecommunications, communications, transmission, or similar services, and without regard to whether a provider of the service is subject to regulation by the Federal Communications Commission as a common carrier under 47 U.S.C. Section 201, et seq. For purposes of this subdivision, internet access also includes: the purchase, use, or sale of communications services, including telecommunications services as defined in section 144.010, to the extent the communications services are purchased, used, or sold to provide the service described in this subdivision or to otherwise enable users to access content, information, or other services offered over the internet; services that are incidental to the provision of a service described in this subdivision, when furnished to users as part of such service, including a home page, electronic mail, and instant messaging, including voice-capable and video-capable electronic mail and instant messaging, video clips, and personal electronic storage capacity; a home page electronic mail and instant messaging, including voice-capable and video-capable electronic mail and instant messaging, video clips, and personal electronic storage capacity that are provided independently or that are not packed with internet access. As used in this subdivision, internet access does not include voice, audio, and video programming or other products and services, except services described in this paragraph or this subdivision, that use internet protocol or any successor protocol and for which there is a charge, regardless of whether the charge is separately stated or aggregated with the charge for services described in this paragraph or this subdivision;

(d) "Tax", any charge imposed by the state or a political subdivision of the state for the purpose of generating revenues for governmental purposes and that is not a fee imposed for a specific privilege, service, or benefit conferred, except as described as otherwise under this subdivision, or any obligation imposed on a seller to collect and to remit to the state or a political subdivision of the state any gross retail tax, sales tax, or use tax imposed on a buyer by such a governmental entity. The term tax shall not include any franchise fee or similar fee imposed or authorized under sections 67.1830 to 67.1846 or section 67.2689; Section 622 or 653 of the Communications Act of 1934, 47 U.S.C. Section 542 and 47 U.S.C. Section 573; or any other fee related to obligations of telecommunications carriers under the Communications Act of 1934, 47 U.S.C. Section 151, et seq., except to the extent that:

a. The fee is not imposed for the purpose of recovering direct costs incurred by the franchising or other governmental authority from providing the specific privilege, service, or benefit conferred to the payer of the fee; or

b. The fee is imposed for the use of a public right-of-way based on a percentage of the service revenue, and the fee exceeds the incremental direct costs incurred by the governmental authority associated with the provision of that right-of-way to the provider of internet access service.

Nothing in this subdivision shall be interpreted as an exemption from taxes due on goods or services that were subject to tax on January 1, 2016;

(46) All purchases by a company of solar photovoltaic energy systems, components used to construct a solar photovoltaic energy system, and all purchases of materials and supplies used directly to construct or make improvements to such systems, provided that such systems:

(a) Are sold or leased to an end user; or

(b) Are used to produce, collect and transmit electricity for resale or retail;

**(47) All sales of used tangible personal property purchased by a consumer for use or consumption, and not for resale, for valuable consideration directly from a seller at an auction of used tangible property. The term "used tangible personal property" shall not include motor vehicles, trailers, boats, or outboard motors purchased or acquired for use on the highways or waters of this state which are required to be titled under the laws of the state of Missouri.**

3. Any ruling, agreement, or contract, whether written or oral, express or implied, between a person and this state's executive branch, or any other state agency or department, stating, agreeing, or ruling that such person is not required to collect sales and use tax in this state despite the presence of a warehouse, distribution center, or fulfillment center in this state that is owned or operated by the person or an affiliated person shall be null and void unless it is specifically approved by a majority vote of each of the houses of the general assembly. For purposes of this subsection, an "affiliated person" means any person that is a member of the same controlled group of corporations as defined in Section 1563(a) of the Internal Revenue Code of 1986, as amended, as the vendor or any other entity that, notwithstanding its form of organization, bears the same ownership relationship to the vendor as a corporation that is a member of the same controlled group of corporations as defined in Section 1563(a) of the Internal Revenue Code, as amended.

144.615. There are specifically exempted from the taxes levied in sections 144.600 to 144.745:

- (1) Property, the storage, use or consumption of which this state is prohibited from taxing pursuant to the constitution or laws of the United States or of this state;
- (2) Property, the gross receipts from the sale of which are required to be included in the measure of the tax imposed pursuant to the Missouri sales tax law;
- (3) Tangible personal property, the sale or other transfer of which, if made in this state, would be exempt from or not subject to the Missouri sales tax pursuant to the provisions of subsection 2 of section 144.030;
- (4) Motor vehicles, trailers, boats, and outboard motors subject to the tax imposed by section 144.020;
- (5) Tangible personal property which has been subjected to a tax by any other state in this respect to its sales or use; provided, if such tax is less than the tax imposed by sections 144.600 to 144.745, such property, if otherwise taxable, shall be subject to a tax equal to the difference between such tax and the tax imposed by sections 144.600 to 144.745;
- (6) Tangible personal property held by processors, retailers, importers, manufacturers, wholesalers, or jobbers solely for resale in the regular course of business;
- (7) Personal and household effects and farm machinery used while an individual was a bona fide resident of another state and who thereafter became a resident of this state, or tangible personal property brought into the state by a nonresident for his own storage, use or consumption while temporarily within the state;
- (8) Tangible personal property purchased by a consumer for use or consumption, and not for resale, for valuable consideration directly from a seller at an auction of used tangible property. The term "used tangible personal property" shall not include motor vehicles, trailers, boats, or outboard motors purchased or acquired for use on the highways or waters of this state which are required to be titled under the laws of the state of Missouri."; and"; and**

Representative Burger moved the previous question.

Which motion was adopted by the following vote:

AYES: 094

Amato	Atchison	Baker	Banderman	Billington
Black	Boggs	Bonacker	Boyd	Bromley
Brown 149	Buchheit-Courtway	Burger	Busick	Bynes
Casteel	Chappell	Christ	Christofanelli	Cook
Davidson	Davis	Diehl	Dinkins	Falkner
Farnan	Gallick	Gragg	Gregory	Griffith
Haden	Haffner	Haley	Hardwick	Hausman
Henderson	Hicks	Hinman	Hovis	Hudson
Hurlbert	Jones	Justus	Kalberloh	Keathley
Kelley 127	Kelly 141	Knight	Lewis 6	Lovasco
Marquart	Matthiesen	Mayhew	McGill	Murphy
Myers	O'Donnell	Oehlerking	Owen	Parker
Patterson	Perkins	Peters	Pollitt	Pouche
Reedy	Reuter	Richey	Riggs	Riley
Roberts	Sander	Sassmann	Schnelting	Schulte

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Schwadron	Seitz	Sharpe 4	Shields	Smith 155
Sparks	Stacy	Stinnett	Taylor 48	Thomas
Thompson	Titus	Van Schoiack	Veit	Voss
Waller	West	Wilson	Mr. Speaker	

NOES: 040

Adams	Anderson	Appelbaum	Baringer	Barnes
Bosley	Brown 27	Brown 87	Burnett	Burton
Butz	Clemens	Collins	Fogle	Fountain Henderson
Gray	Hein	Johnson 12	Johnson 23	Lewis 25
Mann	Merideth	Nickson-Clark	Nurrenbern	Phifer
Plank	Proudie	Quade	Sauls	Smith 46
Steinhoff	Strickler	Taylor 84	Terry	Unsicker
Walsh Moore	Weber	Windham	Woods	Young

PRESENT: 000

ABSENT WITH LEAVE: 029

Aldridge	Allen	Aune	Bangert	Bland Manlove
Brown 16	Coleman	Copeland	Crossley	Cupps
Deaton	Doll	Ealy	Evans	Francis
Houx	Ingle	Lavender	Lonsdale	Mackey
McGaugh	McMullen	Morse	Mosley	Sharp 37
Smith 163	Stephens	Toalson Reisch	Wright	

VACANCIES: 000

Representative O'Donnell assumed the Chair.

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

Representative Byrnes offered **House Amendment No. 2 to House Amendment No. 3**.

*House Amendment No. 2*  
*to*  
*House Amendment No. 3*

AMEND House Amendment No. 3 to House Committee Substitute for House Bill Nos. 876, 771, 676 & 551, Page 1, Line 11, by deleting the word "**or**"; and

Further amend said amendment and page, Line 15, by inserting after the word "**inhabitants**" the following:

"**; or**

**(4) Any city with more than forty thousand but fewer than forty-six thousand inhabitants and located in a county with more than four hundred thousand but fewer than five hundred thousand inhabitants"; and**

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

On motion of Representative Byrnes, **House Amendment No. 2 to House Amendment No. 3** was adopted.

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

Representative Kelley (127) offered **House Amendment No. 4.**

*House Amendment No. 4*

AMEND House Committee Substitute for House Bill Nos. 876, 771, 676 & 551, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

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

(1) "Food", all articles commonly used for food or drink, including alcoholic beverages, the provisions of chapter 311 notwithstanding;

(2) "Food establishment", any cafe, cafeteria, lunchroom, or restaurant which sells food at retail;

(3) "Municipality", any ~~village or fourth class city with more than two hundred but less than three hundred inhabitants and located in any county of the third classification with a township form of government and with more than twelve thousand five hundred but less than twelve thousand six hundred inhabitants~~ **city with more than one hundred sixty-five but fewer than one hundred eighty-five inhabitants and located in a county with more than eleven thousand but fewer than twelve thousand five hundred inhabitants and with a county seat with more than four thousand but fewer than five thousand inhabitants;**

(4) "Transient guest", a person or persons who occupy a room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter.

2. The governing body of any municipality may impose, by order or ordinance:

(1) A tax, not to exceed six percent per room per night, on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the municipality or a portion thereof; and

(2) A tax, not to exceed ~~two~~ **six** percent, on the gross receipts derived from the retail sales of food by every person operating a food establishment in the municipality.

The taxes shall be imposed ~~[solely]~~ for ~~[the purpose of funding the construction, maintenance, and operation of capital improvements]~~ **general revenue purposes**. The order or ordinance shall not become effective unless the governing body of the municipality submits to the voters of the municipality at a state general or primary election a proposal to authorize the governing body of the municipality to impose taxes under this section. The taxes authorized in this section shall be in addition to the charge for the sleeping room, the retail sales of food at a food establishment, and all other taxes imposed by law, and shall be stated separately from all other charges and taxes.

3. The ballot of submission for the taxes authorized in this section shall be in substantially the following form:

Shall \_\_\_\_\_ (insert the name of the municipality) impose a tax on the charges for all retail sales of food at a food establishment situated in \_\_\_\_\_ (name of municipality) at a rate of \_\_\_\_\_ (insert rate of percent) percent, and for all sleeping rooms paid by the transient guests of hotels and motels situated in \_\_\_\_\_ (name of municipality) at a rate of \_\_\_\_\_ (insert rate of percent) percent, solely for the purpose of ~~[funding the construction, maintenance, and operation of capital improvements]~~ **increasing general revenue funds?**

YES

NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the taxes shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of the adoption of the taxes. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the taxes shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

4. Any tax on the retail sales of food imposed under this section shall be administered, collected, enforced, and operated as required in section 32.087, and any transient guest tax imposed under this section shall be administered, collected, enforced, and operated by the municipality imposing the tax. All revenue generated by the

tax shall be deposited in a special trust fund and shall be used solely for the designated purposes. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund which are not needed for current expenditures may be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

5. Once the initial bonds, if any, have been satisfied, then the governing body of any municipality that has adopted the taxes authorized in this section may submit the question of repeal of the taxes to the voters on any date available for elections for the municipality. The ballot of submission shall be in substantially the following form:

Shall \_\_\_\_\_ (insert the name of the municipality) repeal the taxes imposed at the rates of \_\_\_\_\_ (insert rate of percent) and \_\_\_\_\_ (insert rate of percent) percent for the purpose of ~~funding the construction, maintenance, and operation of capital-improvements]~~ **increasing general revenue funds?**

YES

NO

If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters, and the repeal is approved by a majority of the qualified voters voting on the question.

6. Once the initial bonds, if any, have been satisfied, then, whenever the governing body of any municipality that has adopted the taxes authorized in this section receives a petition, signed by ten percent of the registered voters of the municipality voting in the last gubernatorial election, calling for an election to repeal the taxes imposed under this section, the governing body shall submit to the voters of the municipality a proposal to repeal the taxes. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.";

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

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

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

AMEND House Amendment No. 4 to House Committee Substitute for House Bill Nos. 876, 771, 676 & 551, Page 1, Line 4, by deleting said line and inserting in lieu thereof the following:

"67.782. 1. **Pursuant to this section:**

(1) Any county ~~[of the third class having a population of]~~ **with more than [ten thousand and less than fifteen thousand and] nine thousand nine hundred but fewer than eleven thousand inhabitants and with a county seat with more than one thousand but fewer than one thousand five hundred inhabitants; or**

(2) Any county ~~[of the second class having a population of]~~ **with more than [fifty eight thousand and less than seventy thousand adjacent to such third class county, both counties making up the same judicial circuit,] eighty thousand but fewer than one hundred thousand inhabitants and with a county seat with more than thirteen thousand but fewer than seventeen thousand inhabitants**

may ~~[jointly]~~ impose a sales tax ~~[throughout each of their respective counties]~~ for public recreational purposes including the financing, acquisition, construction, operation, and maintenance of recreational projects and programs, but the sales taxes authorized by this section shall not become effective unless the governing body of ~~[each]~~ such county submits to the voters ~~[of their respective counties]~~ a proposal to authorize ~~[the counties to impose]~~ the sales tax.



2. The ballot of submission shall be in substantially the following form:

Shall the County of \_\_\_\_\_ impose a sales tax of \_\_\_\_\_ percent ~~[in conjunction with the county of \_\_\_\_\_]~~ for the purpose of funding the financing, acquisition, construction, operation, and maintenance of recreational projects and programs, including the acquisition of land for such purposes?

YES

NO

If a ~~[separate]~~ majority of the votes cast on the proposal by the qualified voters voting thereon ~~[in each county]~~ are in favor of the proposal, ~~[then]~~ the tax shall be in effect ~~[in both counties]~~. If a majority of the votes cast by the qualified voters voting thereon ~~[in either county]~~ are opposed to the proposal, ~~[then]~~ the governing body of ~~[neither]~~ **the** county shall **not** have power to impose the sales tax ~~[authorized by this section]~~ unless or until the ~~[governing body of the county that has not approved the tax shall]~~ **proposal is** again ~~[have]~~ submitted ~~[another proposal to authorize the governing body to impose the tax,]~~ and the proposal is approved by a majority of the qualified voters voting thereon in that county.

3. The sales tax may be imposed at a rate of one percent on the receipts from the sale at retail of all tangible personal property or taxable service at retail within the county adopting such tax, if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525.

4. All sales taxes collected by the director of revenue under this section on behalf of any county, less one percent for the cost of collection, which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited with the state treasurer in a special trust fund, which is hereby created, to be known as the "County Recreation Sales Tax Trust Fund". The moneys in the county recreation sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county imposing a sales tax under this section, and the records shall be open to the inspection of officers of each county and the general public. Not later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month by distributing to the county treasurer, or such other officer as may be designated by the county ordinance or order, of each county imposing the tax authorized by this section, the sum, as certified by the director of revenue, due the county.

5. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. Each county shall notify the director of revenue at least ninety days prior to the effective date of the expiration of the sales tax authorized by this section and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of such tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the date of expiration of the tax authorized by this section in such county, the director of revenue shall remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

6. The tax authorized by this section may be imposed, in accordance with this section, by a county in addition to or in lieu of the tax authorized by sections 67.750 to 67.780.

7. Any county imposing a sales tax pursuant to the provisions of this section may contract with the authority of any other county or with any city or political subdivision for the financing, acquisition, operation, construction, maintenance, or utilization of any recreation facility or project or program funded in whole or in part from revenues derived from the tax levied pursuant to the provisions of this section.

8. The sales tax imposed pursuant to the provisions of this section shall expire twenty-five years from the effective date thereof unless an extension of the tax is submitted to and approved by the voters in each county in the manner provided in this section. Each extension of the sales tax shall be for a period of ten years.

9. The governing body of each of the counties imposing a sales tax under the provisions of this section may cooperate with the governing body of any county or other political subdivision of this state in carrying out the provisions of this section, and may establish and conduct jointly a system of public recreation. The respective governing bodies administering programs jointly may provide by agreement among themselves for all matters connected with the programs and determine what items of cost and expense shall be paid by each.

10. The provisions of this section shall not in any way repeal, affect or limit the powers granted to any county to establish, maintain and conduct parks and other recreational grounds for public recreation.

11. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed under this section.

67.783. 1. There is hereby created within ~~[any county of the third class having a population of more than ten thousand and less than fifteen thousand and any county of the second class having a population of more than fifty eight thousand and less than seventy thousand adjacent to such third class county, both counties making up the same judicial circuit,]~~ **the counties described under subsection 1 of section 67.782** a joint county recreational lake authority, which shall be a body corporate and politic and a political subdivision of this state.

2. Subject to the limitations in section 67.788, the authority may exercise its powers over the reservoir area encompassing any recreational lake and within five thousand feet of the conservation storage level of any recreational lake constructed or to be constructed by the authority pursuant to sections 67.781 to 67.790.

3. It shall be the purpose of each authority to promote the general welfare, to promote recreation and to encourage private capital investment through the construction, operation, and maintenance of a recreational lake and related improvements to be located ~~[jointly in the second class county and the third class county]~~ **in the counties described under subsection 1 of section 67.782.**

4. The income of the authority and all property at any time owned by the authority shall be exempt from all taxation or any assessments whatsoever to the state or of any political subdivision, municipality or other governmental agency thereof.

5. No county in which an authority is organized shall be held liable in connection with the construction, operation or maintenance of any project or program undertaken pursuant to sections 67.781 to 67.790, including any actions taken by the authority in connection with any project or program undertaken pursuant to sections 67.781 to 67.790.

67.785. 1. The authority shall consist of nine members, appointed or elected as follows:

(1) Within thirty days after approval by the voters of the sales tax authorized in section 67.782, the county commission of ~~[the second class]~~ **a county described under subdivision (2) of subsection 1 of section 67.782** shall initially appoint six members to the authority, with the terms of **members staggered such that the terms of two members [each expiring on December 31, 1992, December 31, 1994, and December 31, 1996] expire on December thirty-first of each even-numbered year.** The county commission of ~~[the third class]~~ **a county described under subdivision (1) of subsection 1 of section 67.782** shall initially appoint three members to the authority, with the terms of **members staggered such that the term of one member [each expiring on December 31, 1992, December 31, 1994, and December 31, 1996] expires on December thirty-first of each even-numbered year;**

(2) As the term of each initial member expires, new members shall be elected from each county. Each elected member shall serve a six-year term and until his **or her** successor is duly elected and qualified.

2. A person, to be qualified to serve as a member, shall be a voter of the state for more than five years prior to his **or her** election or appointment, shall be a resident in the county which he **or she** will represent for more than five years and shall be over the age of twenty-five years. If any member moves outside the county from which he **or she** was appointed or elected, his **or her** seat shall be deemed vacant and a new member shall be appointed by the county commission of such county to complete his **or her** unexpired term.

3. A person desiring to become a candidate for the authority shall pay the sum of five dollars as a filing fee to the treasurer of the county in which he **or she** resides, and shall file with the election authority a statement under oath that he **or she** possesses all of the qualifications set out in sections 67.781 to 67.790 for a member of the authority. Thereafter, he **or she** shall have his **or her** name placed on the ballot as a candidate.

4. If six or more persons from ~~[the second class]~~ **a county described under subdivision (2) of subsection 1 of section 67.782** file as candidates, a primary election shall be held in August, and the four candidates who receive the most votes shall be candidates at the general election. If two or more candidates receive an equal number of votes, and if that number of votes would otherwise qualify each tied candidate for a position on the general election ballot, all such tied candidates shall be included on the general election ballot. The two candidates from the ~~[second class]~~ county receiving the most votes in the general election shall be declared the winners.

5. If four or more persons from ~~[the third class]~~ **a county described under subdivision (1) of subsection 1 of section 67.782** file as candidates, a primary election shall be held in August, and the two candidates who receive the most votes shall be candidates at the general election. If two or more candidates receive an equal number of votes, and if that number of votes would otherwise qualify each tied candidate for a position on the general election ballot, all such tied candidates shall be included on the general election ballot. The candidate from the ~~[second class]~~ county receiving the most votes in the general election shall be declared the winner.

94.838. 1. As used in this section, the following terms mean:"; and

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

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

Representative Windham offered **House Amendment No. 2 to House Amendment No. 4**.

*House Amendment No. 2  
to  
House Amendment No. 4*

AMEND House Amendment No. 4 to House Committee Substitute for House Bill Nos. 876, 771, 676 & 551, Page 3, Line 17, by inserting after all of said line the following:

"Further amend said bill, Page 8, Section 94.902, Line 131, by inserting after all of said section and line the following:

"144.014. 1. Notwithstanding other provisions of law to the contrary, beginning October 1, 1997, **and ending on December 31, 2023**, the tax levied and imposed under this chapter on all retail sales of food shall be at the rate of one percent. The revenue derived from the one percent rate pursuant to this section shall be deposited by the state treasurer in the school district trust fund and shall be distributed as provided in section 144.701.

2. **Notwithstanding any provision of law to the contrary, beginning January 1, 2024, no state sales or use tax, local sales tax as defined under section 32.085, or local use tax shall be levied or imposed on any retail sale of food in this state.**

3. For the purposes of this section, the term "food" shall include only those products and types of food for which ~~[food stamps]~~ **benefits** may be redeemed pursuant to the provisions of the ~~[Federal Food Stamp]~~ **Supplemental Nutrition Assistance** Program as ~~[contained]~~ **described** in 7 U.S.C. Section 2012, as that section now reads or as it may be amended hereafter, and shall include food dispensed by or through vending machines. For the purpose of this section, except for vending machine sales, the term "food" shall not include food or drink sold by any establishment where the gross receipts derived from the sale of food prepared by such establishment for immediate consumption on or off the premises of the establishment constitutes more than eighty percent of the total gross receipts of that establishment, regardless of whether such prepared food is consumed on the premises of that establishment, including, but not limited to, sales of food by any restaurant, fast food restaurant, delicatessen, eating house, or café.

144.030. 1. There is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and from the computation of the tax levied, assessed or payable pursuant to sections 144.010 to 144.525 such retail sales as may be made in commerce between this state and any other state of the United States, or between this state and any foreign country, and any retail sale which the state of Missouri is prohibited from taxing pursuant to the Constitution or laws of the United States of America, and such retail sales of tangible personal property which the general assembly of the state of Missouri is prohibited from taxing or further taxing by the constitution of this state.

2. There are also specifically exempted from the provisions of the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.761 and from the computation of the tax levied, assessed or payable pursuant to the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.745:

(1) Motor fuel or special fuel subject to an excise tax of this state, unless all or part of such excise tax is refunded pursuant to section 142.824; or upon the sale at retail of fuel to be consumed in manufacturing or creating gas, power, steam, electrical current or in furnishing water to be sold ultimately at retail; or feed for livestock or poultry; or grain to be converted into foodstuffs which are to be sold ultimately in processed form at retail; or seed, limestone or fertilizer which is to be used for seeding, liming or fertilizing crops which when harvested will be sold at retail or will be fed to livestock or poultry to be sold ultimately in processed form at retail; economic poisons registered pursuant to the provisions of the Missouri pesticide registration law, sections 281.220 to 281.310, which are to be used in connection with the growth or production of crops, fruit trees or orchards applied before, during, or after planting, the crop of which when harvested will be sold at retail or will be converted into foodstuffs which are to be sold ultimately in processed form at retail;

(2) Materials, manufactured goods, machinery and parts which when used in manufacturing, processing, compounding, mining, producing or fabricating become a component part or ingredient of the new personal property resulting from such manufacturing, processing, compounding, mining, producing or fabricating and which new personal property is intended to be sold ultimately for final use or consumption; and materials, including without limitation, gases and manufactured goods, including without limitation slagging materials and firebrick, which are ultimately consumed in the manufacturing process by blending, reacting or interacting with or by becoming, in whole or in part, component parts or ingredients of steel products intended to be sold ultimately for final use or consumption;

(3) Materials, replacement parts and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of, motor vehicles, watercraft, railroad rolling stock or aircraft engaged as common carriers of persons or property;

(4) Replacement machinery, equipment, and parts and the materials and supplies solely required for the installation or construction of such replacement machinery, equipment, and parts, used directly in manufacturing, mining, fabricating or producing a product which is intended to be sold ultimately for final use or consumption; and machinery and equipment, and the materials and supplies required solely for the operation, installation or construction of such machinery and equipment, purchased and used to establish new, or to replace or expand existing, material recovery processing plants in this state. For the purposes of this subdivision, a "material recovery processing plant" means a facility that has as its primary purpose the recovery of materials into a usable product or a different form which is used in producing a new product and shall include a facility or equipment which are used exclusively for the collection of recovered materials for delivery to a material recovery processing plant but shall not include motor vehicles used on highways. For purposes of this section, the terms motor vehicle and highway shall have the same meaning pursuant to section 301.010. For the purposes of this subdivision, subdivision (5) of this subsection, and section 144.054, as well as the definition in subdivision (9) of subsection 1 of section 144.010, the term "product" includes telecommunications services and the term "manufacturing" shall include the production, or production and transmission, of telecommunications services. The preceding sentence does not make a substantive change in the law and is intended to clarify that the term "manufacturing" has included and continues to include the production and transmission of "telecommunications services", as enacted in this subdivision and subdivision (5) of this subsection, as well as the definition in subdivision (9) of subsection 1 of section 144.010. The preceding two sentences reaffirm legislative intent consistent with the interpretation of this subdivision and subdivision (5) of this subsection in *Southwestern Bell Tel. Co. v. Director of Revenue*, 78 S.W.3d 763 (Mo. banc 2002) and *Southwestern Bell Tel. Co. v. Director of Revenue*, 182 S.W.3d 226 (Mo. banc 2005), and accordingly abrogates the Missouri supreme court's interpretation of those exemptions in *IBM Corporation v. Director of Revenue*, 491 S.W.3d 535 (Mo. banc 2016) to the extent inconsistent with this section and *Southwestern Bell Tel. Co. v. Director of Revenue*, 78 S.W.3d 763 (Mo. banc 2002) and *Southwestern Bell Tel. Co. v. Director of Revenue*, 182 S.W.3d 226 (Mo. banc 2005). The construction and application of this subdivision as expressed by the Missouri supreme court in *DST Systems, Inc. v. Director of Revenue*, 43 S.W.3d 799 (Mo. banc 2001); *Southwestern Bell Tel. Co. v. Director of Revenue*, 78 S.W.3d 763 (Mo. banc 2002); and *Southwestern Bell Tel. Co. v. Director of Revenue*, 182 S.W.3d 226 (Mo. banc 2005), is hereby affirmed. Material recovery is not the reuse of materials within a manufacturing process or the use of a product previously recovered. The material recovery processing plant shall qualify under the provisions of this section regardless of ownership of the material being recovered;

(5) Machinery and equipment, and parts and the materials and supplies solely required for the installation or construction of such machinery and equipment, purchased and used to establish new or to expand existing manufacturing, mining or fabricating plants in the state if such machinery and equipment is used directly in manufacturing, mining or fabricating a product which is intended to be sold ultimately for final use or consumption. The construction and application of this subdivision as expressed by the Missouri supreme court in *DST Systems, Inc. v. Director of Revenue*, 43 S.W.3d 799 (Mo. banc 2001); *Southwestern Bell Tel. Co. v. Director of Revenue*, 78 S.W.3d 763 (Mo. banc 2002); and *Southwestern Bell Tel. Co. v. Director of Revenue*, 182 S.W.3d 226 (Mo. banc 2005), is hereby affirmed;

(6) Tangible personal property which is used exclusively in the manufacturing, processing, modification or assembling of products sold to the United States government or to any agency of the United States government;

(7) Animals or poultry used for breeding or feeding purposes, or captive wildlife;

(8) Newsprint, ink, computers, photosensitive paper and film, toner, printing plates and other machinery, equipment, replacement parts and supplies used in producing newspapers published for dissemination of news to the general public;

(9) The rentals of films, records or any type of sound or picture transcriptions for public commercial display;

(10) Pumping machinery and equipment used to propel products delivered by pipelines engaged as common carriers;

(11) Railroad rolling stock for use in transporting persons or property in interstate commerce and motor vehicles licensed for a gross weight of twenty-four thousand pounds or more or trailers used by common carriers, as defined in section 390.020, in the transportation of persons or property;

(12) Electrical energy used in the actual primary manufacture, processing, compounding, mining or producing of a product, or electrical energy used in the actual secondary processing or fabricating of the product, or a material recovery processing plant as defined in subdivision (4) of this subsection, in facilities owned or leased by the taxpayer, if the total cost of electrical energy so used exceeds ten percent of the total cost of production, either primary or secondary, exclusive of the cost of electrical energy so used or if the raw materials used in such processing contain at least twenty-five percent recovered materials as defined in section 260.200. There shall be a rebuttable presumption that the raw materials used in the primary manufacture of automobiles contain at least twenty-five percent recovered materials. For purposes of this subdivision, "processing" means any mode of treatment, act or series of acts performed upon materials to transform and reduce them to a different state or thing, including treatment necessary to maintain or preserve such processing by the producer at the production facility;

(13) Anodes which are used or consumed in manufacturing, processing, compounding, mining, producing or fabricating and which have a useful life of less than one year;

(14) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring air pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(15) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring water pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(16) Tangible personal property purchased by a rural water district;

(17) All amounts paid or charged for admission or participation or other fees paid by or other charges to individuals in or for any place of amusement, entertainment or recreation, games or athletic events, including museums, fairs, zoos and planetariums, owned or operated by a municipality or other political subdivision where all the proceeds derived therefrom benefit the municipality or other political subdivision and do not inure to any private person, firm, or corporation, provided, however, that a municipality or other political subdivision may enter into revenue-sharing agreements with private persons, firms, or corporations providing goods or services, including management services, in or for the place of amusement, entertainment or recreation, games or athletic events, and provided further that nothing in this subdivision shall exempt from tax any amounts retained by any private person, firm, or corporation under such revenue-sharing agreement;

(18) All sales of insulin, and all sales, rentals, repairs, and parts of durable medical equipment, prosthetic devices, and orthopedic devices as defined on January 1, 1980, by the federal Medicare program pursuant to Title XVIII of the Social Security Act of 1965, including the items specified in Section 1862(a)(12) of that act, and also specifically including hearing aids and hearing aid supplies and all sales of drugs which may be legally dispensed by a licensed pharmacist only upon a lawful prescription of a practitioner licensed to administer those items, including samples and materials used to manufacture samples which may be dispensed by a practitioner authorized to dispense such samples and all sales or rental of medical oxygen, home respiratory equipment and accessories including parts, and hospital beds and accessories and ambulatory aids including parts, and all sales or rental of manual and powered wheelchairs including parts, and stairway lifts, Braille writers, electronic Braille equipment and, if purchased or rented by or on behalf of a person with one or more physical or mental disabilities to enable them to function more independently, all sales or rental of scooters including parts, and reading machines, electronic print enlargers and magnifiers, electronic alternative and augmentative communication devices, and items used solely to modify motor vehicles to permit the use of such motor vehicles by individuals with disabilities or sales of over-the-counter or nonprescription drugs to individuals with disabilities, and drugs required by the Food and Drug Administration to meet the over-the-counter drug product labeling requirements in 21 CFR 201.66, or its successor, as prescribed by a health care practitioner licensed to prescribe;

(19) All sales made by or to religious and charitable organizations and institutions in their religious, charitable or educational functions and activities and all sales made by or to all elementary and secondary schools operated at public expense in their educational functions and activities;

(20) All sales of aircraft to common carriers for storage or for use in interstate commerce and all sales made by or to not-for-profit civic, social, service or fraternal organizations, including fraternal organizations which have been declared tax-exempt organizations pursuant to Section 501(c)(8) or (10) of the 1986 Internal Revenue Code, as amended, in their civic or charitable functions and activities and all sales made to eleemosynary and penal

institutions and industries of the state, and all sales made to any private not-for-profit institution of higher education not otherwise excluded pursuant to subdivision (19) of this subsection or any institution of higher education supported by public funds, and all sales made to a state relief agency in the exercise of relief functions and activities;

(21) All ticket sales made by benevolent, scientific and educational associations which are formed to foster, encourage, and promote progress and improvement in the science of agriculture and in the raising and breeding of animals, and by nonprofit summer theater organizations if such organizations are exempt from federal tax pursuant to the provisions of the Internal Revenue Code and all admission charges and entry fees to the Missouri state fair or any fair conducted by a county agricultural and mechanical society organized and operated pursuant to sections 262.290 to 262.530;

(22) All sales made to any private not-for-profit elementary or secondary school, all sales of feed additives, medications or vaccines administered to livestock or poultry in the production of food or fiber, all sales of pesticides used in the production of crops, livestock or poultry for food or fiber, all sales of bedding used in the production of livestock or poultry for food or fiber, all sales of propane or natural gas, electricity or diesel fuel used exclusively for drying agricultural crops, natural gas used in the primary manufacture or processing of fuel ethanol as defined in section 142.028, natural gas, propane, and electricity used by an eligible new generation cooperative or an eligible new generation processing entity as defined in section 348.432, and all sales of farm machinery and equipment, other than airplanes, motor vehicles and trailers, and any freight charges on any exempt item. As used in this subdivision, the term "feed additives" means tangible personal property which, when mixed with feed for livestock or poultry, is to be used in the feeding of livestock or poultry. As used in this subdivision, the term "pesticides" includes adjuvants such as crop oils, surfactants, wetting agents and other assorted pesticide carriers used to improve or enhance the effect of a pesticide and the foam used to mark the application of pesticides and herbicides for the production of crops, livestock or poultry. As used in this subdivision, the term "farm machinery and equipment" shall mean:

(a) New or used farm tractors and such other new or used farm machinery and equipment, including utility vehicles used for any agricultural use, and repair or replacement parts thereon and any accessories for and upgrades to such farm machinery and equipment and rotary mowers used for any agricultural purposes. For the purposes of this subdivision, "utility vehicle" shall mean any motorized vehicle manufactured and used exclusively for off-highway use which is more than fifty inches but no more than eighty inches in width, measured from outside of tire rim to outside of tire rim, with an unladen dry weight of three thousand five hundred pounds or less, traveling on four or six wheels;

(b) Supplies and lubricants used exclusively, solely, and directly for producing crops, raising and feeding livestock, fish, poultry, pheasants, chukar, quail, or for producing milk for ultimate sale at retail, including field drain tile; and

(c) One-half of each purchaser's purchase of diesel fuel therefor which is:

a. Used exclusively for agricultural purposes;

b. Used on land owned or leased for the purpose of producing farm products; and

c. Used directly in producing farm products to be sold ultimately in processed form or otherwise at retail or in producing farm products to be fed to livestock or poultry to be sold ultimately in processed form at retail;

(23) Except as otherwise provided in section 144.032, all sales of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil for domestic use and in any city not within a county, all sales of metered or unmetered water service for domestic use:

(a) "Domestic use" means that portion of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil, and in any city not within a county, metered or unmetered water service, which an individual occupant of a residential premises uses for nonbusiness, noncommercial or nonindustrial purposes. Utility service through a single or master meter for residential apartments or condominiums, including service for common areas and facilities and vacant units, shall be deemed to be for domestic use. Each seller shall establish and maintain a system whereby individual purchases are determined as exempt or nonexempt;

(b) Regulated utility sellers shall determine whether individual purchases are exempt or nonexempt based upon the seller's utility service rate classifications as contained in tariffs on file with and approved by the Missouri public service commission. Sales and purchases made pursuant to the rate classification "residential" and sales to and purchases made by or on behalf of the occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, shall be considered as sales made for domestic use and such sales shall be exempt from sales tax. Sellers shall charge sales tax upon the entire amount of purchases classified as nondomestic use. The seller's utility service rate classification and the provision of service thereunder shall be conclusive as to whether or not the utility must charge sales tax;

(c) Each person making domestic use purchases of services or property and who uses any portion of the services or property so purchased for a nondomestic use shall, by the fifteenth day of the fourth month following the year of purchase, and without assessment, notice or demand, file a return and pay sales tax on that portion of nondomestic purchases. Each person making nondomestic purchases of services or property and who uses any portion of the services or property so purchased for domestic use, and each person making domestic purchases on behalf of occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, under a nonresidential utility service rate classification may, between the first day of the first month and the fifteenth day of the fourth month following the year of purchase, apply for credit or refund to the director of revenue and the director shall give credit or make refund for taxes paid on the domestic use portion of the purchase. The person making such purchases on behalf of occupants of residential apartments or condominiums shall have standing to apply to the director of revenue for such credit or refund;

(24) All sales of handicraft items made by the seller or the seller's spouse if the seller or the seller's spouse is at least sixty-five years of age, and if the total gross proceeds from such sales do not constitute a majority of the annual gross income of the seller;

(25) Excise taxes, collected on sales at retail, imposed by Sections 4041, 4071, 4081, 4091, 4161, 4181, 4251, 4261 and 4271 of Title 26, United States Code. The director of revenue shall promulgate rules pursuant to chapter 536 to eliminate all state and local sales taxes on such excise taxes;

(26) Sales of fuel consumed or used in the operation of ships, barges, or waterborne vessels which are used primarily in or for the transportation of property or cargo, or the conveyance of persons for hire, on navigable rivers bordering on or located in part in this state, if such fuel is delivered by the seller to the purchaser's barge, ship, or waterborne vessel while it is afloat upon such river;

(27) All sales made to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100 in the exercise of the functions and activities of such agency as provided pursuant to the compact;

(28) Computers, computer software and computer security systems purchased for use by architectural or engineering firms headquartered in this state. For the purposes of this subdivision, "headquartered in this state" means the office for the administrative management of at least four integrated facilities operated by the taxpayer is located in the state of Missouri;

(29) All livestock sales when either the seller is engaged in the growing, producing or feeding of such livestock, or the seller is engaged in the business of buying and selling, bartering or leasing of such livestock;

(30) All sales of barges which are to be used primarily in the transportation of property or cargo on interstate waterways;

(31) Electrical energy or gas, whether natural, artificial or propane, water, or other utilities which are ultimately consumed in connection with the manufacturing of cellular glass products or in any material recovery processing plant as defined in subdivision (4) of this subsection;

(32) Notwithstanding other provisions of law to the contrary, all sales of pesticides or herbicides used in the production of crops, aquaculture, livestock or poultry;

(33) Tangible personal property and utilities purchased for use or consumption directly or exclusively in the research and development of agricultural/biotechnology and plant genomics products and prescription pharmaceuticals consumed by humans or animals;

(34) All sales of grain bins for storage of grain for resale;

(35) All sales of feed which are developed for and used in the feeding of pets owned by a commercial breeder when such sales are made to a commercial breeder, as defined in section 273.325, and licensed pursuant to sections 273.325 to 273.357;

(36) All purchases by a contractor on behalf of an entity located in another state, provided that the entity is authorized to issue a certificate of exemption for purchases to a contractor under the provisions of that state's laws. For purposes of this subdivision, the term "certificate of exemption" shall mean any document evidencing that the entity is exempt from sales and use taxes on purchases pursuant to the laws of the state in which the entity is located. Any contractor making purchases on behalf of such entity shall maintain a copy of the entity's exemption certificate as evidence of the exemption. If the exemption certificate issued by the exempt entity to the contractor is later determined by the director of revenue to be invalid for any reason and the contractor has accepted the certificate in good faith, neither the contractor or the exempt entity shall be liable for the payment of any taxes, interest and penalty due as the result of use of the invalid exemption certificate. Materials shall be exempt from all state and local sales and use taxes when purchased by a contractor for the purpose of fabricating tangible personal property which is used in fulfilling a contract for the purpose of constructing, repairing or remodeling facilities for the following:

(a) An exempt entity located in this state, if the entity is one of those entities able to issue project exemption certificates in accordance with the provisions of section 144.062; or

(b) An exempt entity located outside the state if the exempt entity is authorized to issue an exemption certificate to contractors in accordance with the provisions of that state's law and the applicable provisions of this section;

(37) All sales or other transfers of tangible personal property to a lessor who leases the property under a lease of one year or longer executed or in effect at the time of the sale or other transfer to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100;

(38) Sales of tickets to any collegiate athletic championship event that is held in a facility owned or operated by a governmental authority or commission, a quasi-governmental agency, a state university or college or by the state or any political subdivision thereof, including a municipality, and that is played on a neutral site and may reasonably be played at a site located outside the state of Missouri. For purposes of this subdivision, "neutral site" means any site that is not located on the campus of a conference member institution participating in the event;

(39) All purchases by a sports complex authority created under section 64.920, and all sales of utilities by such authority at the authority's cost that are consumed in connection with the operation of a sports complex leased to a professional sports team;

(40) All materials, replacement parts, and equipment purchased for use directly upon, and for the modification, replacement, repair, and maintenance of aircraft, aircraft power plants, and aircraft accessories;

(41) Sales of sporting clays, wobble, skeet, and trap targets to any shooting range or similar places of business for use in the normal course of business and money received by a shooting range or similar places of business from patrons and held by a shooting range or similar place of business for redistribution to patrons at the conclusion of a shooting event;

(42) All sales of motor fuel, as defined in section 142.800, used in any watercraft, as defined in section 306.010;

(43) Any new or used aircraft sold or delivered in this state to a person who is not a resident of this state or a corporation that is not incorporated in this state, and such aircraft is not to be based in this state and shall not remain in this state more than ten business days subsequent to the last to occur of:

(a) The transfer of title to the aircraft to a person who is not a resident of this state or a corporation that is not incorporated in this state; or

(b) The date of the return to service of the aircraft in accordance with 14 CFR 91.407 for any maintenance, preventive maintenance, rebuilding, alterations, repairs, or installations that are completed contemporaneously with the transfer of title to the aircraft to a person who is not a resident of this state or a corporation that is not incorporated in this state;

(44) Motor vehicles registered in excess of fifty-four thousand pounds, and the trailers pulled by such motor vehicles, that are actually used in the normal course of business to haul property on the public highways of the state, and that are capable of hauling loads commensurate with the motor vehicle's registered weight; and the materials, replacement parts, and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of such vehicles. For purposes of this subdivision, "motor vehicle" and "public highway" shall have the meaning as ascribed in section 390.020;

(45) All internet access or the use of internet access regardless of whether the tax is imposed on a provider of internet access or a buyer of internet access. For purposes of this subdivision, the following terms shall mean:

(a) "Direct costs", costs incurred by a governmental authority solely because of an internet service provider's use of the public right-of-way. The term shall not include costs that the governmental authority would have incurred if the internet service provider did not make such use of the public right-of-way. Direct costs shall be determined in a manner consistent with generally accepted accounting principles;

(b) "Internet", computer and telecommunications facilities, including equipment and operating software, that comprises the interconnected worldwide network that employ the transmission control protocol or internet protocol, or any predecessor or successor protocols to that protocol, to communicate information of all kinds by wire or radio;

(c) "Internet access", a service that enables users to connect to the internet to access content, information, or other services without regard to whether the service is referred to as telecommunications, communications, transmission, or similar services, and without regard to whether a provider of the service is subject to regulation by the Federal Communications Commission as a common carrier under 47 U.S.C. Section 201, et seq. For purposes of this subdivision, internet access also includes: the purchase, use, or sale of communications services, including telecommunications services as defined in section 144.010, to the extent the communications services are purchased, used, or sold to provide the service described in this subdivision or to otherwise enable users to access content,



information, or other services offered over the internet; services that are incidental to the provision of a service described in this subdivision, when furnished to users as part of such service, including a home page, electronic mail, and instant messaging, including voice-capable and video-capable electronic mail and instant messaging, video clips, and personal electronic storage capacity; a home page electronic mail and instant messaging, including voice-capable and video-capable electronic mail and instant messaging, video clips, and personal electronic storage capacity that are provided independently or that are not packed with internet access. As used in this subdivision, internet access does not include voice, audio, and video programming or other products and services, except services described in this paragraph or this subdivision, that use internet protocol or any successor protocol and for which there is a charge, regardless of whether the charge is separately stated or aggregated with the charge for services described in this paragraph or this subdivision;

(d) "Tax", any charge imposed by the state or a political subdivision of the state for the purpose of generating revenues for governmental purposes and that is not a fee imposed for a specific privilege, service, or benefit conferred, except as described as otherwise under this subdivision, or any obligation imposed on a seller to collect and to remit to the state or a political subdivision of the state any gross retail tax, sales tax, or use tax imposed on a buyer by such a governmental entity. The term tax shall not include any franchise fee or similar fee imposed or authorized under sections 67.1830 to 67.1846 or section 67.2689; Section 622 or 653 of the Communications Act of 1934, 47 U.S.C. Section 542 and 47 U.S.C. Section 573; or any other fee related to obligations of telecommunications carriers under the Communications Act of 1934, 47 U.S.C. Section 151, et seq., except to the extent that:

- a. The fee is not imposed for the purpose of recovering direct costs incurred by the franchising or other governmental authority from providing the specific privilege, service, or benefit conferred to the payer of the fee; or
- b. The fee is imposed for the use of a public right-of-way based on a percentage of the service revenue, and the fee exceeds the incremental direct costs incurred by the governmental authority associated with the provision of that right-of-way to the provider of internet access service.

Nothing in this subdivision shall be interpreted as an exemption from taxes due on goods or services that were subject to tax on January 1, 2016;

(46) All purchases by a company of solar photovoltaic energy systems, components used to construct a solar photovoltaic energy system, and all purchases of materials and supplies used directly to construct or make improvements to such systems, provided that such systems:

- (a) Are sold or leased to an end user; or
- (b) Are used to produce, collect and transmit electricity for resale or retail;

**(47) All sales of necessary personal hygiene products and toiletries. For the purposes of this subdivision, "necessary personal hygiene products and toiletries" shall mean goods, merchandise, or products necessary for personal hygiene, health, safety, or cleanliness of an individual including, but not limited to, feminine hygiene products, diapers, incontinence products, toilet paper, toothbrushes, toothpaste, soap, shampoo, deodorant, antiperspirant, and other similar products necessary for reasonable hygiene; but such term shall not include luxury or cosmetic personal care items.**

3. Any ruling, agreement, or contract, whether written or oral, express or implied, between a person and this state's executive branch, or any other state agency or department, stating, agreeing, or ruling that such person is not required to collect sales and use tax in this state despite the presence of a warehouse, distribution center, or fulfillment center in this state that is owned or operated by the person or an affiliated person shall be null and void unless it is specifically approved by a majority vote of each of the houses of the general assembly. For purposes of this subsection, an "affiliated person" means any person that is a member of the same controlled group of corporations as defined in Section 1563(a) of the Internal Revenue Code of 1986, as amended, as the vendor or any other entity that, notwithstanding its form of organization, bears the same ownership relationship to the vendor as a corporation that is a member of the same controlled group of corporations as defined in Section 1563(a) of the Internal Revenue Code, as amended."; and"; and

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

Representative Burger moved the previous question.

Which motion was adopted by the following vote:

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AYES: 096

Amato	Atchison	Baker	Banderman	Billington
Black	Boggs	Bonacker	Boyd	Bromley
Brown 149	Buchheit-Courtway	Burger	Busick	Byrnes
Casteel	Chappell	Christ	Christofanelli	Coleman
Cook	Davidson	Davis	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
Kelly 141	Knight	Lewis 6	Lovasco	Marquart
Matthiesen	Mayhew	McGill	Myers	O'Donnell
Oehlerking	Owen	Parker	Patterson	Perkins
Peters	Pollitt	Pouche	Reedy	Reuter
Riggs	Riley	Roberts	Sander	Sassmann
Schnelting	Schulte	Schwadron	Seitz	Sharpe 4
Shields	Smith 155	Sparks	Stacy	Stinnett
Taylor 48	Thomas	Thompson	Titus	Van Schoiack
Veit	Voss	Waller	West	Wilson
Mr. Speaker				

NOES: 044

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

PRESENT: 000

ABSENT WITH LEAVE: 023

Aldridge	Allen	Bland Manlove	Brown 16	Copeland
Cupps	Deaton	Doll	Gray	Ingle
Lonsdale	Mackey	McGaugh	McMullen	Morse
Mosley	Murphy	Richey	Sharp 37	Smith 163
Stephens	Toalson Reisch	Wright		

VACANCIES: 000

On motion of Representative Windham, **House Amendment No. 2 to House Amendment No. 4** was adopted by the following vote, the ayes and noes having been demanded by Representative Windham:

AYES: 137

Adams	Allen	Amato	Anderson	Appelbaum
Aune	Baker	Banderman	Bangert	Baringer
Barnes	Billington	Black	Bland Manlove	Boggs
Bosley	Boyd	Bromley	Brown 16	Brown 27

Brown 87	Buchheit-Courtway	Burnett	Burton	Butz
Byrnes	Casteel	Christ	Christofanelli	Clemens
Coleman	Collins	Cook	Crossley	Cupps
Davis	Deaton	Diehl	Dinkins	Ealy
Evans	Falkner	Farnan	Fogle	Fountain Henderson
Gallick	Gragg	Gregory	Griffith	Haffner
Haley	Hardwick	Hausman	Hein	Henderson
Hicks	Hinman	Hovis	Hudson	Hurlbert
Ingle	Johnson 12	Johnson 23	Jones	Kalberloh
Keathley	Kelley 127	Kelly 141	Knight	Lavender
Lewis 25	Lewis 6	Lonsdale	Lovasco	Mackey
Mann	Marquart	Matthiesen	McGaugh	McGirl
McMullen	Merideth	Mosley	Nickson-Clark	Nurrenbern
O'Donnell	Oehlerking	Owen	Parker	Patterson
Perkins	Peters	Phifer	Plank	Pollitt
Pouche	Proudie	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
Strickler	Taylor 48	Taylor 84	Terry	Thomas
Titus	Unsicker	Veit	Waller	Walsh Moore
Weber	West	Wilson	Windham	Woods
Young	Mr. Speaker			

NOES: 016

Atchison	Bonacker	Brown 149	Burger	Busick
Chappell	Davidson	Francis	Haden	Houx
Justus	Mayhew	Myers	Thompson	Van Schoiack
Voss				

PRESENT: 000

ABSENT WITH LEAVE: 010

Aldridge	Copeland	Doll	Gray	Morse
Murphy	Sharp 37	Stephens	Toalson Reisch	Wright

VACANCIES: 000

On motion of Representative Kelley (127), **House Amendment No. 4, as amended**, was adopted.

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

*House Amendment No. 5*

AMEND House Committee Substitute for House Bill Nos. 876, 771, 676 & 551, Page 1, Section A, Line 2, by inserting the following after all of said section and line:

**"67.1013. 1. The governing body of any city with more than ten thousand but fewer than eleven thousand inhabitants and that is the county seat of a county with more than one hundred thousand but fewer than one hundred twenty thousand inhabitants may impose a tax as provided in this section.**

2. The governing body of any city described in subsection one of this section may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city or a portion thereof, which shall be not more than six percent per occupied room per night. Such tax shall not become effective unless the governing body of the city submits to the voters of the city at a state, municipal, general or primary election a proposal to authorize the governing body of the city to impose the tax pursuant to this section. The tax authorized by this section shall be in addition to the charge for the sleeping room and shall be in addition to any and all other taxes. Such tax shall be stated separately from all other charges and taxes.

3. The ballot submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert name of the city) impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in (name of city) at a rate of (insert rate of percent) percent?

\_\_\_ YES

\_\_\_ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax authorized by this section shall not become effective unless and until the question is resubmitted under this section to the qualified voters of the city and such question is approved by a majority of the qualified voters of the city voting on the question.

4. As used in this section, "transient guests" means a person or persons who occupy a room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter."; and

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

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

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

*House Amendment No. 6*

AMEND House Committee Substitute for House Bill Nos. 876, 771, 676 & 551, Page 2, Section 94.900, Line 43, by deleting said line and inserting in lieu thereof the following:

"such city, [~~including but not~~] which shall be limited to expenditures on equipment, [~~city employee~~] salaries and"; and

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

On motion of Representative Oehlerking, **House Amendment No. 6** was adopted.

On motion of Representative Hurlbert, **HCS HBs 876, 771, 676 & 551, as amended**, was adopted.

On motion of Representative Hurlbert, **HCS HBs 876, 771, 676 & 551, as amended**, was ordered perfected and printed.

**HB 1370, HCS HBs 185 & 281, HB 516 and HB 643** were placed on the Informal Calendar.

**HB 246**, relating to parking fees, was taken up by Representative Hurlbert.

On motion of Representative Hurlbert, the title of **HB 246** was agreed to.

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

*House Amendment No. 1*

AMEND House Bill No. 246, Page 3, Section 231.505, Line 4, by inserting after the word "**meters**" the words "**unless requested by a business located on such street**"; and

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

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

On motion of Representative Hurlbert, **HB 246, as amended**, was ordered perfected and printed.

**PERFECTION OF HOUSE BILLS - INFORMAL**

**HB 716**, relating to educational services costs, was taken up by Representative Kelly (141).

Representative Kelly (141) moved that the title of **HB 716** be agreed to.

Representative Kelley (127) offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Bill No. 716, Page 1, In the Title, Line 2, by deleting the word "costs"; and

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

On motion of Representative Kelley (127), **House Amendment No. 1** was adopted.

Representative Kelley (127) offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Bill No. 716, Page 1, Section A, Line 2, by inserting after all of the said section and line the following:

"167.027. 1. As used in this section, "student special education record" means the following:

(1) An individualized education program, or IEP, as such term is defined in 20 U.S.C. Section 1401, as amended;

(2) An individualized family service plan, or IFSP, as such term is defined in 20 U.S.C. Section 1401, as amended;

(3) A 504 plan created under Section 504 of the federal Rehabilitation Act of 1973, 29 U.S.C. Section 794, as amended;

(4) A record produced for a child with a disability, as such term is defined in 20 U.S.C. Section 1401, as amended; and

(5) Other records produced for a child under the federal Individuals with Disabilities Education Act (IDEA), as amended.

**2. For the 2023-24 school year and all subsequent school years, a student's most recent special education record shall be deemed a permanent record and shall be maintained as a part of a child's cumulative scholastic record.**

**3. Notwithstanding any other provision of law, rule, regulation, or policy to the contrary, no school district or public school shall destroy a child's most recent student special education record.";** and

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

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

*House Amendment No. 1*  
*to*  
*House Amendment No. 2*

AMEND House Amendment No. 2 to House Bill No. 716, Page 1, Line 4, by deleting all of said line and inserting in lieu thereof the following:

- ""162.471. 1. The government and control of an urban school district is vested in a board of seven directors.
2. Except as provided in section 162.563, each director shall be a voter of the district who has resided within this state for one year next preceding the director's election or appointment and who is at least twenty-four years of age. All directors, except as otherwise provided in sections 162.481, 162.492, and 162.563, shall hold their offices for six years and until their successors are duly elected and qualified. All vacancies occurring in the board]—~~except as provided in section 162.492,~~] shall be filled by appointment by the board as soon as practicable, and the person appointed shall hold office until the next school board election, when a successor shall be elected for the remainder of the unexpired term. The power of the board to perform any official duty during the existence of a vacancy continues unimpaired thereby.
- 162.492. 1. In all urban districts containing the greater part of the population of a city which has more than three hundred thousand inhabitants, the election authority of the city in which the greater portion of the school district lies, and of the county if the district includes territory not within the city limits, shall serve ex officio as a redistricting commission. The commission shall on or before November 1, 2018, divide the school district into five subdistricts, all subdistricts being of compact and contiguous territory and as nearly equal in the number of inhabitants as practicable and thereafter the board shall redistrict the district into subdivisions as soon as practicable after each United States decennial census. In establishing the subdistricts each member shall have one vote and a majority vote of the total membership of the commission is required to make effective any action of the commission.
2. School elections for the election of directors shall be held on municipal election days in 2014 and 2016. At the election in 2014, directors shall be elected to hold office until 2019 and until their successors are elected and qualified. At the election in 2016, directors shall be elected until 2019 and until their successors are elected and qualified. Beginning in 2019, school elections for the election of directors shall be held on the local election date as specified in the charter of a home rule city with more than four hundred thousand inhabitants and located in more than one county. Beginning at the election for school directors in 2019, the number of directors on the board shall be reduced from nine to seven. Two directors shall be at-large directors and five directors shall represent the subdistricts, with one director from each of the subdistricts. At the 2019 election, one of the at-large directors and the directors from subdistricts one, three, and five shall be elected for a two-year term, and the other at-large director and the directors from subdistricts two and four shall be elected for a four-year term. Thereafter, all seven directors shall serve a four-year term. Directors shall serve until the next election and until their successors, then elected, are duly qualified as provided in this section. In addition to other qualifications prescribed by law, each member elected from a subdistrict shall be a resident of the subdistrict from which he or she is elected. The subdistricts shall be numbered from one to five.
3. The five candidates, one from each of the subdistricts, who receive a plurality of the votes cast by the voters of that subdistrict and the at-large candidates receiving a plurality of the at-large votes shall be elected. The name of no candidate for nomination shall be printed on the ballot unless the candidate has at least sixty days prior to the election filed a declaration of candidacy with the secretary of the board of directors containing the signatures of at least two hundred fifty registered voters who are residents of the subdistrict within which the candidate for nomination to a subdistrict office resides, and in case of at-large candidates the signatures of at least five hundred registered voters. The election authority shall determine the validity of all signatures on declarations of candidacy.

4. In any election either for at-large candidates or candidates elected by the voters of subdistricts, if there are more than two candidates, a majority of the votes are not required to elect but the candidate having a plurality of the votes shall be elected.

5. The names of all candidates shall appear upon the ballot without party designation and in the order of the priority of the times of filing their petitions of nomination. No candidate may file both at large and from a subdistrict and the names of all candidates shall appear only once on the ballot, nor may any candidate file more than one declaration of candidacy. All declarations shall designate the candidate's residence and whether the candidate is filing at large or from a subdistrict and the numerical designation of the subdistrict or at-large area.

6. The provisions of all sections relating to seven-director school districts shall also apply to and govern urban districts in cities of more than three hundred thousand inhabitants, to the extent applicable and not in conflict with the provisions of those sections specifically relating to such urban districts.

7. Vacancies which occur on the school board ~~[between the dates of election shall be filled by special election if such vacancy happens more than six months prior to the time of holding an election as provided in subsection 2 of this section. The state board of education shall order a special election to fill such a vacancy. A letter from the commissioner of education, delivered by certified mail to the election authority or authorities that would normally conduct an election for school board members shall be the authority for the election authority or authorities to proceed with election procedures. If a vacancy occurs less than six months prior to the time of holding an election as provided in subsection 2 of this section, no special election shall occur and the vacancy shall be filled at the next election day on which local elections are held as specified in the charter of any home rule city with more than four hundred thousand inhabitants and located in more than one county]~~ **shall be filled in the manner provided in section 162.471.**

162.611. Any member failing to attend the meetings of the board for three consecutive regular meetings, unless excused by the board for reasons satisfactory to the board, shall be deemed to have vacated his **or her** seat; and the secretary of the board shall certify that fact to the ~~[mayor]~~ **board**. The secretary shall likewise certify to the ~~[mayor]~~ **board** any other vacancy occurring in the board. Any vacancy shall be filled by the ~~[mayor]~~ **board** by appointment for the remainder of the term.

**167.027. 1. As used in this section, "student special education record" means the"; and**

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

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

Representative Patterson moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Amato	Atchison	Baker	Banderman
Billington	Black	Boggs	Bonacker	Boyd
Bromley	Brown 16	Buchheit-Courtway	Burger	Busick
Byrnes	Casteel	Christ	Christofanelli	Coleman
Cook	Cupps	Davidson	Davis	Deaton
Diehl	Dinkins	Evans	Falkner	Farnan
Francis	Gallick	Gragg	Gregory	Griffith
Haffner	Haley	Hardwick	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	Myers	O'Donnell	Oehlerking
Owen	Parker	Patterson	Perkins	Peters
Pollitt	Pouche	Reedy	Richey	Riggs

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Riley	Roberts	Sander	Sassmann	Schnelting
Schulte	Schwadron	Seitz	Sharpe 4	Shields
Smith 155	Sparks	Stacy	Stinnett	Thomas
Thompson	Titus	Van Schoiack	Veit	Voss
Waller	West	Wilson	Wright	Mr. Speaker

NOES: 044

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

PRESENT: 000

ABSENT WITH LEAVE: 019

Aldridge	Bland Manlove	Bosley	Brown 149	Chappell
Copeland	Doll	Haden	Hausman	Johnson 23
Mackey	Morse	Reuter	Sharp 37	Smith 163
Stephens	Taylor 48	Toalson Reisch	Windham	

VACANCIES: 000

On motion of Representative Kelley (127), **House Amendment No. 2, as amended**, was adopted.

On motion of Representative Kelly (141), **HB 716, as amended**, was ordered perfected and printed.

**HB 349**, relating to property taxes, was taken up by Representative Christofanelli.

On motion of Representative Christofanelli, the title of **HB 349** was agreed to.

On motion of Representative Christofanelli, **HB 349** was ordered perfected and printed.

### THIRD READING OF HOUSE JOINT RESOLUTIONS

**HCS HJR 20**, relating to the right to hunt and fish, was taken up by Representative Black.

Speaker Plocher resumed the Chair.

Representative Patterson moved the previous question.

Which motion was adopted by the following vote:



AYES: 105

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	Cupps	Davidson
Davis	Deaton	Diehl	Dinkins	Evans
Falkner	Farnan	Francis	Gallick	Gragg
Gregory	Griffith	Haffner	Haley	Hardwick
Hausman	Henderson	Hicks	Hinman	Houx
Hovis	Hurlbert	Hudson	Jones	Justus
Kalberloh	Keathley	Kelley 127	Kelly 141	Knight
Lewis 6	Lonsdale	Lovasco	Marquart	Matthiesen
Mayhew	McGaugh	McGill	McMullen	Murphy
Myers	O'Donnell	Oehlerking	Owen	Parker
Patterson	Perkins	Peters	Pollitt	Pouche
Reedy	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	Van Schoiack	Veit	Voss
Waller	West	Wilson	Wright	Mr. Speaker

NOES: 046

Adams	Anderson	Appelbaum	Aune	Bangert
Baringer	Barnes	Bosley	Brown 27	Brown 87
Burnett	Burton	Butz	Clemens	Collins
Crossley	Ealy	Fogle	Fountain Henderson	Gray
Hein	Ingle	Johnson 12	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	Woods
Young				

PRESENT: 000

ABSENT WITH LEAVE: 012

Aldridge	Bland Manlove	Copeland	Doll	Haden
Johnson 23	Morse	Reuter	Sharp 37	Stephens
Toalson Reisch	Windham			

VACANCIES: 000

On motion of Representative Black, **HCS HJR 20** was read the third time and passed by the following vote:

AYES: 108

Allen	Amato	Atchison	Baker	Banderman
Billington	Black	Boggs	Bonacker	Boyd
Bromley	Brown 149	Brown 16	Brown 27	Buchheit-Courtway
Burger	Busick	Byrnes	Casteel	Chappell

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Christ	Christofanelli	Coleman	Cook	Crossley
Cupps	Davidson	Davis	Deaton	Diehl
Dinkins	Evans	Falkner	Farnan	Francis
Gallick	Gragg	Gregory	Griffith	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	McGauth	McGirl
McMullen	Murphy	Myers	O'Donnell	Oehlerking
Owen	Parker	Patterson	Perkins	Peters
Pollitt	Pouche	Reedy	Richey	Riggs
Riley	Roberts	Sander	Sassmann	Sauls
Schnelting	Schulte	Schwadron	Seitz	Sharpe 4
Shields	Smith 155	Smith 163	Sparks	Stacy
Stinnett	Taylor 48	Thomas	Thompson	Titus
Van Schoiack	Veit	Voss	Waller	West
Wilson	Wright	Mr. Speaker		

NOES: 028

Adams	Appelbaum	Aune	Bangert	Baringer
Bosley	Burnett	Butz	Clemens	Collins
Fogle	Fountain Henderson	Gray	Hein	Ingle
Lavender	Lewis 25	Mackey	Mann	Mosley
Phifer	Plank	Strickler	Taylor 84	Terry
Walsh Moore	Weber	Young		

PRESENT: 013

Anderson	Brown 87	Burton	Ealy	Johnson 12
Merideth	Nurrenbern	Proudie	Quade	Smith 46
Steinhoff	Unsicker	Woods		

ABSENT WITH LEAVE: 014

Aldridge	Barnes	Bland Manlove	Copeland	Doll
Haden	Johnson 23	Morse	Nickson-Clark	Reuter
Sharp 37	Stephens	Toalson Reisch	Windham	

VACANCIES: 000

Speaker Plocher declared the bill passed.

### THIRD READING OF HOUSE BILLS

**HCS HB 894**, relating to the motor vehicles, was placed on the Informal Calendar.

**HCS HB 183**, relating to participation in athletic competitions, was taken up by Representative Burger.

Representative Patterson moved the previous question.

Which motion was adopted by the following vote:

AYES: 104

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	Cupps	Davidson
Davis	Deaton	Diehl	Dinkins	Evans
Falkner	Farnan	Francis	Gallick	Gragg
Gregory	Griffith	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
Myers	O'Donnell	Oehlerking	Owen	Parker
Patterson	Perkins	Peters	Pollitt	Reedy
Reuter	Richey	Riggs	Riley	Roberts
Sander	Sassmann	Schnelting	Schulte	Schwadron
Seitz	Shields	Smith 155	Smith 163	Sparks
Stacy	Stinnett	Taylor 48	Thomas	Thompson
Titus	Van Schoiack	Veit	Voss	Waller
West	Wilson	Wright	Mr. Speaker	

NOES: 043

Adams	Anderson	Appelbaum	Aune	Bangert
Baringer	Barnes	Bosley	Brown 27	Brown 87
Burnett	Burton	Butz	Clemens	Collins
Crossley	Ealy	Fogle	Gray	Hein
Ingle	Johnson 12	Lavender	Lewis 25	Mackey
Mann	Merideth	Nickson-Clark	Nurrenbern	Phifer
Plank	Proudie	Quade	Sauls	Smith 46
Steinhoff	Strickler	Taylor 84	Terry	Unsicker
Walsh Moore	Weber	Woods		

PRESENT: 002

Fountain Henderson Young

ABSENT WITH LEAVE: 014

Aldridge	Bland Manlove	Copeland	Doll	Haden
Johnson 23	Morse	Mosley	Pouche	Sharp 37
Sharpe 4	Stephens	Toalson Reisch	Windham	

VACANCIES: 000

On motion of Representative Burger, **HCS HB 183** was read the third time and passed by the following vote:

AYES: 104

Allen	Amato	Atchison	Baker	Banderman
Billington	Black	Boggs	Bonacker	Boyd
Bromley	Brown 149	Brown 16	Buchheit-Courtway	Burger
Busick	Byrnes	Casteel	Chappell	Christ

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

NOES: 046

Adams	Anderson	Appelbaum	Aune	Bangert
Baringer	Barnes	Bosley	Brown 27	Brown 87
Burnett	Burton	Butz	Clemens	Collins
Crossley	Ealy	Fogle	Fountain Henderson	Hein
Ingle	Johnson 12	Lavender	Lewis 25	Lovasco
Mackey	Mann	Merideth	Nickson-Clark	Nurrenbern
Phifer	Plank	Proudie	Quade	Sander
Sauls	Smith 46	Steinhoff	Strickler	Taylor 84
Terry	Unsicker	Walsh Moore	Weber	Woods
Young				

PRESENT: 001

Gray

ABSENT WITH LEAVE: 012

Aldridge	Bland Manlove	Copeland	Doll	Haden
Johnson 23	Morse	Mosley	Sharp 37	Stephens
Toalson Reisch	Windham			

VACANCIES: 000

Speaker Plocher declared the bill passed.

**THIRD READING OF HOUSE BILLS - INFORMAL**

**HCS HB 894**, relating to the motor vehicles, was again taken up by Representative Knight.

On motion of Representative Knight, **HCS HB 894** was read the third time and passed by the following vote:

AYES: 106

Allen	Amato	Atchison	Banderman	Bangert
Baringer	Barnes	Black	Boggs	Bonacker
Bosley	Bromley	Brown 149	Brown 16	Brown 27
Brown 87	Buchheit-Courtway	Burger	Burton	Butz
Byrnes	Casteel	Chappell	Christ	Clemens
Coleman	Cook	Crossley	Diehl	Dinkins
Ealy	Evans	Falkner	Farnan	Fogle
Francis	Gragg	Gray	Gregory	Griffith
Haffner	Haley	Hardwick	Hein	Henderson
Hicks	Hinman	Houx	Hovis	Hurlbert
Ingle	Jones	Justus	Kalberloh	Kelley 127
Kelly 141	Knight	Lavender	Lewis 6	Lonsdale
Mann	Marquart	Mayhew	McGaugh	McGirt
McMullen	Murphy	Myers	Nurrenbern	O'Donnell
Oehlerking	Owen	Parker	Patterson	Perkins
Peters	Plank	Pollitt	Pouche	Proudie
Reedy	Reuter	Riggs	Riley	Roberts
Sassmann	Sauls	Schulte	Seitz	Sharpe 4
Shields	Smith 155	Sparks	Stinnett	Taylor 48
Taylor 84	Thomas	Thompson	Titus	Van Schoiack
Veit	Waller	Wilson	Woods	Wright
Mr. Speaker				

NOES: 022

Baker	Billington	Boyd	Busick	Christofanelli
Cupps	Davidson	Davis	Deaton	Hausman
Hudson	Keathley	Lovasco	Matthiesen	Richey
Sander	Schnelting	Schwadron	Smith 163	Stacy
Voss	West			

PRESENT: 022

Adams	Anderson	Appelbaum	Aune	Burnett
Collins	Fountain Henderson	Johnson 12	Lewis 25	Mackey
Merideth	Nickson-Clark	Phifer	Quade	Smith 46
Steinhoff	Strickler	Terry	Unsicker	Walsh Moore
Weber	Young			

ABSENT WITH LEAVE: 013

Aldridge	Bland Manlove	Copeland	Doll	Gallick
Haden	Johnson 23	Morse	Mosley	Sharp 37
Stephens	Toalson Reisch	Windham		

VACANCIES: 000

Speaker Plocher declared the bill passed.

**THIRD READING OF HOUSE BILLS**

**HCS HB 424**, relating to department of revenue fee offices, was taken up by Representative Perkins.

On motion of Representative Perkins, **HCS HB 424** was read the third time and passed by the following vote:

AYES: 085

Allen	Amato	Atchison	Banderman	Bangert
Black	Boggs	Bonacker	Brown 149	Brown 16
Buchheit-Courtway	Burger	Busick	Butz	Byrnes
Casteel	Christ	Clemens	Cook	Cupps
Davidson	Diehl	Ealy	Falkner	Farnan
Francis	Gallick	Gragg	Gregory	Griffith
Haffner	Haley	Hardwick	Henderson	Hicks
Hinman	Houx	Hovis	Hurlbert	Jones
Justus	Kalberloh	Keathley	Kelly 141	Knight
Lewis 6	Lonsdale	Marquart	Mayhew	McGaugh
McMullen	Myers	Oehlerking	Owen	Parker
Patterson	Perkins	Peters	Phifer	Pollitt
Pouche	Reedy	Reuter	Riggs	Riley
Roberts	Schulte	Seitz	Sharpe 4	Shields
Smith 155	Smith 46	Sparks	Stacy	Stinnett
Taylor 48	Thomas	Thompson	Van Schoiack	Voss
Waller	West	Wilson	Wright	Mr. Speaker

NOES: 050

Adams	Appelbaum	Aune	Baker	Barnes
Boyd	Bromley	Brown 27	Brown 87	Chappell
Christofanelli	Coleman	Collins	Davis	Deaton
Dinkins	Evans	Fountain Henderson	Gray	Hausman
Hein	Hudson	Johnson 12	Kelley 127	Lewis 25
Lovasco	Matthiesen	McGirl	Merideth	Murphy
Nickson-Clark	Nurrenbern	O'Donnell	Plank	Quade
Richey	Sander	Sauls	Schnelting	Schwadron
Steinhoff	Strickler	Taylor 84	Terry	Titus
Unsicker	Veit	Walsh Moore	Weber	Young

PRESENT: 013

Anderson	Baringer	Bosley	Burnett	Burton
Crossley	Fogle	Ingle	Lavender	Mackey
Mann	Proudie	Woods		

ABSENT WITH LEAVE: 015

Aldridge	Billington	Bland Manlove	Copeland	Doll
Haden	Johnson 23	Morse	Mosley	Sassmann
Sharp 37	Smith 163	Stephens	Toalson Reisch	Windham

VACANCIES: 000

Speaker Plocher declared the bill passed.

**HB 782**, relating to legal eligibility for newspapers, was taken up by Representative McGaugh.

On motion of Representative McGaugh, **HB 782** was read the third time and passed by the following vote:

AYES: 132

Allen	Amato	Anderson	Atchison	Baker
Banderman	Bangert	Baringer	Barnes	Billington
Black	Boggs	Bonacker	Boyd	Bromley
Brown 149	Brown 16	Brown 27	Brown 87	Buchheit-Courtway
Burger	Burton	Busick	Butz	Byrnes
Chappell	Christ	Christofanelli	Clemens	Coleman
Cook	Cupps	Davidson	Davis	Deaton
Diehl	Dinkins	Ealy	Evans	Falkner
Farnan	Francis	Gallick	Gragg	Gray
Gregory	Griffith	Haffner	Haley	Hardwick
Hausman	Henderson	Hicks	Hinman	Houx
Hovis	Hudson	Hurlbert	Johnson 12	Jones
Justus	Kalberloh	Keathley	Kelley 127	Kelly 141
Knight	Lavender	Lewis 6	Lonsdale	Lovasco
Mann	Marquart	Matthiesen	Mayhew	McGaugh
McGill	McMullen	Murphy	Myers	Nickson-Clark
Nurrenbern	O'Donnell	Oehlerking	Owen	Parker
Patterson	Perkins	Peters	Phifer	Plank
Pollitt	Pouche	Proudie	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
Strickler	Taylor 48	Taylor 84	Thomas	Thompson
Titus	Van Schoiack	Veit	Voss	Waller
Walsh Moore	West	Wilson	Woods	Wright
Young	Mr. Speaker			

NOES: 005

Aune	Casteel	Collins	Fogle	Merideth
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PRESENT: 014

Adams	Appelbaum	Bosley	Burnett	Crossley
Fountain Henderson	Hein	Ingle	Lewis 25	Mackey
Quade	Terry	Unsicker	Weber	

ABSENT WITH LEAVE: 012

Aldridge	Bland Manlove	Copeland	Doll	Haden
Johnson 23	Morse	Mosley	Sharp 37	Stephens
Toalson Reisch	Windham			

VACANCIES: 000

Speaker Plocher declared the bill passed.

**HCS HBs 1207 & 622**, relating to earthen basins, was taken up by Representative Cook.

On motion of Representative Cook, **HCS HBs 1207 & 622** was read the third time and passed by the following vote:

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AYES: 117

Allen	Amato	Atchison	Baker	Banderman
Bangert	Baringer	Billington	Black	Boggs
Bonacker	Boyd	Bromley	Brown 149	Brown 16
Brown 27	Buchheit-Courtway	Burger	Burton	Busick
Butz	Byrnes	Casteel	Chappell	Christ
Christofanelli	Clemens	Coleman	Cook	Davidson
Davis	Deaton	Diehl	Dinkins	Evans
Falkner	Farnan	Francis	Gallick	Gragg
Gregory	Griffith	Haffner	Haley	Hardwick
Hausman	Henderson	Hicks	Hinman	Houx
Hovis	Hudson	Hurlbert	Jones	Justus
Kalberloh	Keathley	Kelley 127	Kelly 141	Knight
Lewis 25	Lewis 6	Lonsdale	Lovasco	Marquart
Matthiesen	Mayhew	McGaugh	McGill	McMullen
Murphy	Myers	Nurrenbern	O'Donnell	Oehlerking
Owen	Parker	Patterson	Perkins	Peters
Phifer	Plank	Pollitt	Pouche	Reedy
Reuter	Richey	Riggs	Riley	Roberts
Sander	Sassmann	Sauls	Schnelting	Schulte
Schwadron	Seitz	Sharpe 4	Shields	Smith 155
Smith 163	Sparks	Stacy	Stinnett	Taylor 48
Taylor 84	Thomas	Thompson	Titus	Van Schoiack
Veit	Voss	Waller	West	Wilson
Wright	Mr. Speaker			

NOES: 023

Adams	Anderson	Aune	Barnes	Bosley
Brown 87	Burnett	Collins	Cupps	Fogle
Fountain Henderson	Gray	Hein	Lavender	Mann
Merideth	Quade	Steinhoff	Terry	Unsicker
Walsh Moore	Weber	Young		

PRESENT: 011

Appelbaum	Crossley	Ealy	Ingle	Johnson 12
Mackey	Nickson-Clark	Proudie	Smith 46	Strickler
Woods				

ABSENT WITH LEAVE: 012

Aldridge	Bland Manlove	Copeland	Doll	Haden
Johnson 23	Morse	Mosley	Sharp 37	Stephens
Toalson Reisch	Windham			

VACANCIES: 000

Speaker Plocher declared the bill passed.

**HCS HB 471**, relating to public employee incentives, was taken up by Representative Black.

On motion of Representative Black, **HCS HB 471** was read the third time and passed by the following vote:



AYES: 107

Allen	Amato	Atchison	Baker	Banderman
Bangert	Billington	Black	Bonacker	Boyd
Bromley	Brown 149	Brown 16	Buchheit-Courtway	Burger
Burton	Busick	Butz	Byrnes	Casteel
Chappell	Christ	Christofanelli	Coleman	Cook
Cupps	Davidson	Deaton	Diehl	Dinkins
Ealy	Evans	Falkner	Farnan	Francis
Gallick	Gragg	Gregory	Griffith	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	Myers	Nurrenbern	O'Donnell
Oehlerking	Parker	Patterson	Perkins	Peters
Pouche	Proudie	Reedy	Reuter	Richey
Riggs	Riley	Roberts	Sauls	Schnelting
Schulte	Schwadron	Seitz	Sharpe 4	Shields
Smith 155	Smith 163	Smith 46	Sparks	Stacy
Stinnett	Taylor 48	Thomas	Thompson	Titus
Veit	Voss	Waller	West	Wilson
Wright	Mr. Speaker			

NOES: 017

Anderson	Baringer	Bosley	Brown 27	Collins
Davis	Fountain Henderson	Gray	Lavender	Mosley
Plank	Pollitt	Sander	Steinhoff	Strickler
Taylor 84	Woods			

PRESENT: 023

Adams	Aune	Barnes	Brown 87	Burnett
Clemens	Crossley	Fogle	Hein	Ingle
Johnson 12	Lewis 25	Mackey	Mann	Merideth
Nickson-Clark	Phifer	Quade	Terry	Unsicker
Walsh Moore	Weber	Young		

ABSENT WITH LEAVE: 016

Aldridge	Appelbaum	Bland Manlove	Boggs	Copeland
Doll	Haden	Johnson 23	Morse	Owen
Sassmann	Sharp 37	Stephens	Toalson Reisch	Van Schoiack
Windham				

VACANCIES: 000

Speaker Plocher declared the bill passed.

**HB 37**, relating to catalytic converters, was taken up by Representative Billington.

On motion of Representative Billington, **HB 37** was read the third time and passed by the following vote:

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AYES: 147

Adams	Allen	Amato	Anderson	Appelbaum
Atchison	Aune	Baker	Banderman	Bangert
Baringer	Barnes	Billington	Boggs	Bonacker
Boyd	Bromley	Brown 149	Brown 16	Brown 27
Brown 87	Buchheit-Courtway	Burger	Burnett	Burton
Busick	Butz	Byrnes	Casteel	Chappell
Christ	Christofanelli	Clemens	Coleman	Collins
Cook	Crossley	Cupps	Davidson	Davis
Deaton	Diehl	Dinkins	Ealy	Evans
Falkner	Farnan	Fogle	Fountain Henderson	Francis
Gallick	Gragg	Gray	Gregory	Griffith
Haffner	Haley	Hardwick	Hausman	Hein
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	Mann	Marquart	Matthiesen	Mayhew
McGaugh	McGill	McMullen	Merideth	Mosley
Murphy	Myers	Nickson-Clark	Nurrenbern	O'Donnell
Oehlerking	Owen	Parker	Patterson	Perkins
Peters	Phifer	Plank	Pollitt	Pouche
Proudie	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	Strickler
Taylor 84	Terry	Thomas	Thompson	Titus
Unsicker	Veit	Voss	Waller	Walsh Moore
Weber	West	Wilson	Woods	Wright
Young	Mr. Speaker			

NOES: 000

PRESENT: 002

Bosley Mackey

ABSENT WITH LEAVE: 014

Aldridge	Black	Bland Manlove	Copeland	Doll
Haden	Johnson 23	Morse	Sharp 37	Stephens
Taylor 48	Toalson Reisch	Van Schoiack	Windham	

VACANCIES: 000

Speaker Plocher declared the bill passed.

**HS HCS HBs 1108 & 1181**, relating to public safety, was taken up by Representative Hicks.

Representative Patterson moved the previous question.

Which motion was adopted by the following vote:

AYES: 108

Allen	Amato	Atchison	Baker	Banderman
Billington	Black	Boggs	Bonacker	Boyd
Bromley	Brown 149	Brown 16	Buchheit-Courtway	Burger
Burton	Busick	Byrnes	Casteel	Chappell
Christ	Christofanelli	Coleman	Cook	Cupps
Davidson	Davis	Deaton	Diehl	Dinkins
Evans	Falkner	Farnan	Francis	Gallick
Gragg	Gregory	Griffith	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	Myers	O'Donnell	Oehlerking	Owen
Parker	Patterson	Perkins	Peters	Pollitt
Pouche	Proudie	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
Van Schoiack	Veit	Voss	Waller	West
Wilson	Wright	Mr. Speaker		

NOES: 040

Adams	Anderson	Appelbaum	Aune	Bangert
Baringer	Barnes	Bosley	Brown 27	Burnett
Butz	Clemens	Collins	Crossley	Ealy
Fogle	Fountain Henderson	Hein	Ingle	Johnson 12
Lavender	Lewis 25	Mackey	Mann	Merideth
Mosley	Nickson-Clark	Nurrenbern	Quade	Sauls
Smith 46	Steinhoff	Strickler	Taylor 84	Terry
Unsicker	Walsh Moore	Weber	Woods	Young

PRESENT: 002

Brown 87	Plank
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ABSENT WITH LEAVE: 013

Aldridge	Bland Manlove	Copeland	Doll	Gray
Haden	Johnson 23	Morse	Phifer	Sharp 37
Stephens	Toalson Reisch	Windham		

VACANCIES: 000

On motion of Representative Hicks, **HS HCS HBs 1108 & 1181** was read the third time and passed by the following vote:

AYES: 116

Allen	Amato	Anderson	Atchison	Baker
Banderman	Bangert	Baringer	Billington	Black
Boggs	Bonacker	Boyd	Bromley	Brown 149
Brown 16	Buchheit-Courtway	Burger	Burnett	Burton

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Butz	Byrnes	Casteel	Chappell	Christ
Christofanelli	Coleman	Collins	Cook	Crossley
Cupps	Davidson	Deaton	Diehl	Dinkins
Evans	Falkner	Farnan	Francis	Gallick
Gragg	Gregory	Griffith	Haffner	Haley
Hardwick	Hausman	Henderson	Hicks	Hinman
Houx	Hovis	Hudson	Hurlbert	Ingle
Jones	Justus	Kalberloh	Keathley	Kelley 127
Kelly 141	Knight	Lewis 6	Lonsdale	Lovasco
Marquart	Matthiesen	Mayhew	McGaugh	McGill
McMullen	Murphy	Myers	O'Donnell	Oehlerking
Owen	Parker	Patterson	Perkins	Peters
Pollitt	Pouche	Proudie	Quade	Reedy
Reuter	Richey	Riggs	Riley	Roberts
Sander	Sassmann	Sauls	Schnelting	Schulte
Schwadron	Seitz	Sharpe 4	Shields	Smith 155
Smith 163	Sparks	Stacy	Stinnett	Taylor 48
Thomas	Thompson	Titus	Van Schoiack	Veit
Voss	Waller	West	Wilson	Wright

NOES: 010

Adams	Aune	Brown 27	Busick	Davis
Lavender	Lewis 25	Smith 46	Taylor 84	Terry

PRESENT: 026

Appelbaum	Barnes	Bosley	Brown 87	Clemens
Ealy	Fogle	Fountain Henderson	Gray	Hein
Johnson 12	Mackey	Mann	Merideth	Mosley
Nickson-Clark	Nurrenbern	Phifer	Plank	Steinhoff
Strickler	Unsicker	Walsh Moore	Weber	Woods
Young				

ABSENT WITH LEAVE: 011

Aldridge	Bland Manlove	Copeland	Doll	Haden
Johnson 23	Morse	Sharp 37	Stephens	Toalson Reisch
Windham				

VACANCIES: 000

Speaker Plocher declared the bill passed.

**HCS HB 155**, relating to retirement systems, was taken up by Representative O'Donnell.

On motion of Representative O'Donnell, **HCS HB 155** was read the third time and passed by the following vote:

AYES: 141

Adams	Allen	Amato	Anderson	Appelbaum
Atchison	Baker	Banderman	Bangert	Barnes
Billington	Black	Boggs	Bonacker	Bosley
Boyd	Bromley	Brown 149	Brown 16	Brown 27
Brown 87	Buchheit-Courtway	Burger	Burton	Busick

Butz	Byrnes	Casteel	Chappell	Christ
Christofanelli	Clemens	Coleman	Cook	Crossley
Cupps	Davidson	Davis	Deaton	Diehl
Dinkins	Ealy	Evans	Falkner	Farnan
Fogle	Fountain Henderson	Francis	Gallick	Gragg
Gray	Gregory	Griffith	Haffner	Haley
Hardwick	Hausman	Hein	Henderson	Hicks
Hinman	Houx	Hovis	Hudson	Hurlbert
Ingle	Johnson 12	Jones	Justus	Kalberloh
Keathley	Kelley 127	Kelly 141	Knight	Lavender
Lewis 6	Lonsdale	Lovasco	Mann	Marquart
Matthiesen	Mayhew	McGaugh	McGirt	McMullen
Mosley	Murphy	Myers	Nickson-Clark	Nurrenbern
O'Donnell	Oehlerking	Owen	Parker	Patterson
Perkins	Peters	Phifer	Plank	Pollitt
Pouche	Proudie	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	Strickler
Taylor 48	Taylor 84	Terry	Thomas	Thompson
Titus	Van Schoiack	Veit	Voss	Waller
Walsh Moore	West	Wilson	Wright	Young
Mr. Speaker				

NOES: 000

PRESENT: 010

Aune	Baringer	Burnett	Lewis 25	Mackey
Merideth	Quade	Unsicker	Weber	Woods

ABSENT WITH LEAVE: 012

Aldridge	Bland Manlove	Collins	Copeland	Doll
Haden	Johnson 23	Morse	Sharp 37	Stephens
Toalson Reisch	Windham			

VACANCIES: 000

Speaker Plocher declared the bill passed.

**HCS HB 934**, relating to employment benefit plans, was taken up by Representative Hovis.

On motion of Representative Hovis, **HCS HB 934** was read the third time and passed by the following vote:

AYES: 140

Adams	Amato	Anderson	Appelbaum	Atchison
Baker	Banderman	Bangert	Baringer	Barnes
Billington	Boggs	Bonacker	Bosley	Boyd
Bromley	Brown 149	Brown 16	Brown 27	Brown 87
Buchheit-Courtway	Burger	Burnett	Burton	Busick

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Butz	Byrnes	Casteel	Chappell	Christ
Christofanelli	Clemens	Coleman	Collins	Cook
Crossley	Cupps	Davidson	Davis	Deaton
Diehl	Dinkins	Ealy	Evans	Falkner
Farnan	Fogle	Fountain Henderson	Francis	Gallick
Gragg	Gray	Gregory	Griffith	Haffner
Haley	Hardwick	Hausman	Hein	Henderson
Hicks	Hinman	Houx	Hovis	Hudson
Hurlbert	Ingle	Jones	Justus	Kalberloh
Keathley	Kelley 127	Kelly 141	Knight	Lavender
Lewis 6	Lovasco	Mann	Marquart	Matthiesen
Mayhew	McGaugh	McGirt	McMullen	Merideth
Mosley	Myers	Nickson-Clark	O'Donnell	Oehlerking
Owen	Parker	Patterson	Perkins	Peters
Phifer	Plank	Pollitt	Pouche	Proudie
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	Strickler	Taylor 48
Taylor 84	Terry	Thomas	Thompson	Titus
Van Schoiack	Veit	Voss	Waller	Walsh Moore
West	Wilson	Wright	Young	Mr. Speaker

NOES: 001

Allen

PRESENT: 010

Aune	Black	Johnson 12	Lewis 25	Lonsdale
Mackey	Nurrenbern	Unsicker	Weber	Woods

ABSENT WITH LEAVE: 012

Aldridge	Bland Manlove	Copeland	Doll	Haden
Johnson 23	Morse	Murphy	Sharp 37	Stephens
Toalson Reisch	Windham			

VACANCIES: 000

Speaker Plocher declared the bill passed.

**HCS HBs 45 & 1066**, relating to licensure of certain professions, was taken up by Representative Haley.

On motion of Representative Haley, **HCS HBs 45 & 1066** was read the third time and passed by the following vote:

AYES: 133

Allen	Amato	Anderson	Atchison	Baker
Banderman	Baringer	Barnes	Billington	Black
Boggs	Bonacker	Bosley	Bromley	Brown 149
Brown 16	Brown 27	Brown 87	Buchheit-Courtway	Burger
Burton	Busick	Butz	Byrnes	Casteel

Chappell	Christ	Christofanelli	Coleman	Collins
Cook	Crossley	Cupps	Davidson	Deaton
Diehl	Dinkins	Ealy	Evans	Falkner
Farnan	Fogle	Francis	Gallick	Gray
Gregory	Griffith	Haffner	Haley	Hardwick
Hausman	Hein	Henderson	Hicks	Hinman
Houx	Hovis	Hudson	Hurlbert	Ingle
Jones	Justus	Kalberloh	Keathley	Kelley 127
Kelly 141	Knight	Lavender	Lewis 25	Lewis 6
Lonsdale	Mann	Marquart	Matthiesen	Mayhew
McGaugh	McGill	McMullen	Mosley	Murphy
Myers	Nurrenbern	O'Donnell	Oehlerking	Owen
Parker	Patterson	Perkins	Peters	Phifer
Plank	Pollitt	Pouche	Proudie	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	Strickler	Taylor 48	Taylor 84	Terry
Thomas	Thompson	Titus	Van Schoiack	Veit
Voss	Waller	West	Wilson	Woods
Wright	Young	Mr. Speaker		

NOES: 002

Davis	Lovasco
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PRESENT: 014

Adams	Appelbaum	Aune	Burnett	Clemens
Fountain Henderson	Johnson 12	Mackey	Merideth	Nickson-Clark
Quade	Unsicker	Walsh Moore	Weber	

ABSENT WITH LEAVE: 014

Aldridge	Bangert	Bland Manlove	Boyd	Copeland
Doll	Gragg	Haden	Johnson 23	Morse
Sharp 37	Stephens	Toalson Reisch	Windham	

VACANCIES: 000

Speaker Plocher declared the bill passed.

**HB 282**, relating to concealed carry permits, was taken up by Representative Schnelting.

Representative Patterson moved the previous question.

Which motion was adopted by the following vote:

AYES: 105

Allen	Amato	Atchison	Baker	Banderman
Billington	Black	Boggs	Bonacker	Boyd
Bromley	Brown 149	Brown 16	Buchheit-Courtway	Burger
Busick	Byrnes	Casteel	Chappell	Christ

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Christofanelli	Coleman	Collins	Cook	Cupps
Davidson	Davis	Deaton	Diehl	Dinkins
Evans	Falkner	Farnan	Gallick	Gragg
Gregory	Griffith	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
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	Stinnett	Taylor 48
Thomas	Thompson	Titus	Van Schoiack	Veit
Voss	Waller	West	Wilson	Mr. Speaker

NOES: 041

Adams	Anderson	Appelbaum	Aune	Baringer
Barnes	Brown 27	Brown 87	Burnett	Burton
Butz	Clemens	Crossley	Fogle	Fountain Henderson
Hein	Ingle	Johnson 12	Lavender	Lewis 25
Mackey	Mann	Merideth	Mosley	Nickson-Clark
Phifer	Plank	Proudie	Quade	Sauls
Smith 46	Steinhoff	Strickler	Taylor 84	Terry
Unsicker	Walsh Moore	Weber	Windham	Woods
Young				

PRESENT: 003

Bosley	Ealy	Nurrenbern
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ABSENT WITH LEAVE: 014

Aldridge	Bangert	Bland Manlove	Copeland	Doll
Francis	Gray	Haden	Johnson 23	Morse
Sharp 37	Stephens	Toalson Reisch	Wright	

VACANCIES: 000

On motion of Representative Schnelting, **HB 282** was read the third time and passed by the following vote:

AYES: 102

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	Cupps	Davidson	Davis
Deaton	Diehl	Dinkins	Evans	Falkner
Farnan	Francis	Gallick	Gragg	Gregory
Griffith	Haffner	Haley	Hardwick	Hausman
Henderson	Hicks	Hinman	Houx	Hovis
Hudson	Hurlbert	Jones	Justus	Kalberloh



Kelley 127	Kelly 141	Knight	Lewis 6	Lonsdale
Lovasco	Marquart	Matthiesen	Mayhew	McGaugh
McGill	McMullen	Murphy	Myers	O'Donnell
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
Van Schoiack	Veit	Voss	Waller	West
Wilson	Mr. Speaker			

NOES: 045

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

PRESENT: 004

Anderson	Keathley	Oehlerking	Sauls
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ABSENT WITH LEAVE: 012

Aldridge	Bangert	Bland Manlove	Copeland	Doll
Haden	Johnson 23	Morse	Sharp 37	Stephens
Toalson Reisch	Wright			

VACANCIES: 000

Speaker Plocher declared the bill passed.

## COMMITTEE REPORTS

**Committee on Economic Development**, Chairman Hudson reporting:

Mr. Speaker: Your Committee on Economic Development, to which was referred **SS SCS SBs 3 & 69**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute** by the following vote:

Ayes (10): Allen, Amato, Brown (16), Casteel, Christ, Gallick, Hausman, Hudson, Smith (155) and Wilson

Noes (5): Gray, Johnson (23), Thompson, Weber and Young

Present (1): Barnes

Absent (0)

Mr. Speaker: Your Committee on Economic Development, to which was referred **SS SCS SBs 94, 52, 57, 58 & 67**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (15): Allen, Amato, Barnes, Brown (16), Christ, Gallick, Gray, Hausman, Hudson, Johnson (23), Smith (155), Thompson, Weber, Wilson and Young

Noes (0)

Absent (1): Casteel

**Committee on Local Government**, Chairman Falkner reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 344**, 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): Amato, Bangert, Baringer, Burger, Diehl, Falkner, Hinman, Perkins and Walsh Moore

Noes (2): Adams and Reedy

Absent (3): Byrnes, Chappell and Lonsdale

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 764**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (12): Adams, Amato, Bangert, Baringer, Burger, Byrnes, Chappell, Diehl, Falkner, Hinman, Lonsdale and Perkins

Noes (0)

Absent (2): Reedy and Walsh Moore

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

Mr. Speaker: Your Special Committee on Government Accountability, to which was referred **HB 1175**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (13): Anderson, Boyd, Davidson, Hein, Lonsdale, Lovasco, Mann, Mayhew, Perkins, Richey, Sander, Stinnett and Wilson

Noes (3): Bosley, Nurrenbern and Phifer

Absent (3): Cupps, Deaton and Knight

**Special Committee on Government Administration**, Chairman Wright reporting:

Mr. Speaker: Your Special Committee on Government Administration, to which was referred **HB 1099**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (5): Bonacker, Davis, McGaugh, Toalson Reisch and Wright

Noes (1): Burton

Absent (4): Clemens, Lavender, Matthiesen and Riggs

**Special Committee on Public Policy**, Chairman Thompson reporting:

Mr. Speaker: Your Special Committee on Public Policy, to which was referred **HJR 66**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (3): Houx, Hudson and Thompson

Noes (2): Sauls and Sharp (37)

Absent (2): Kelly (141) and Knight

Mr. Speaker: Your Special Committee on Public Policy, to which was referred **HB 654**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute** by the following vote:

Ayes (5): Houx, Hudson, Sauls, Sharp (37) and Thompson

Noes (0)

Absent (2): Kelly (141) and Knight

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

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HB 77**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (9): Baker, Bland Manlove, Francis, Griffith, Haden, Houx, Mackey, Myers and Smith (46)

Noes (0)

Absent (1): Copeland

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HB 351**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (9): Baker, Bland Manlove, Francis, Griffith, Haden, Houx, Mackey, Myers and Smith (46)

Noes (0)

Absent (1): Copeland

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HB 400**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (6): Baker, Francis, Griffith, Haden, Houx and Myers

Noes (2): Mackey and Smith (46)

Present (1): Bland Manlove

Absent (1): Copeland

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HB 440**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (9): Baker, Bland Manlove, Francis, Griffith, Haden, Houx, Mackey, Myers and Smith (46)

Noes (0)

Absent (1): Copeland

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HB 449**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (8): Baker, Francis, Griffith, Haden, Houx, Mackey, Myers and Smith (46)

Noes (1): Bland Manlove

Absent (1): Copeland

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HCS HB 489**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (6): Baker, Francis, Griffith, Haden, Houx and Myers

Noes (3): Bland Manlove, Mackey and Smith (46)

Absent (1): Copeland

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HB 511**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (8): Baker, Francis, Griffith, Haden, Houx, Mackey, Myers and Smith (46)

Noes (1): Bland Manlove

Absent (1): Copeland

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HCS HB 515**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (9): Baker, Bland Manlove, Francis, Griffith, Haden, Houx, Mackey, Myers and Smith (46)

Noes (0)

Absent (1): Copeland

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HCS HB 529**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (9): Baker, Bland Manlove, Francis, Griffith, Haden, Houx, Mackey, Myers and Smith (46)

Noes (0)

Absent (1): Copeland

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HB 603**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (8): Bland Manlove, Francis, Griffith, Haden, Houx, Mackey, Myers and Smith (46)

Noes (1): Baker

Absent (1): Copeland

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HCS HB 628**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (9): Baker, Bland Manlove, Francis, Griffith, Haden, Houx, Mackey, Myers and Smith (46)

Noes (0)

Absent (1): Copeland

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HB 734**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (9): Baker, Bland Manlove, Francis, Griffith, Haden, Houx, Mackey, Myers and Smith (46)

Noes (0)

Absent (1): Copeland

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HB 775**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

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Ayes (8): Baker, Francis, Griffith, Haden, Houx, Mackey, Myers and Smith (46)

Noes (1): Bland Manlove

Absent (1): Copeland

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HB 817**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (9): Baker, Bland Manlove, Francis, Griffith, Haden, Houx, Mackey, Myers and Smith (46)

Noes (0)

Absent (1): Copeland

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HB 902**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (6): Baker, Francis, Griffith, Haden, Houx and Myers

Noes (2): Bland Manlove and Mackey

Present (1): Smith (46)

Absent (1): Copeland

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HB 929**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (9): Baker, Bland Manlove, Francis, Griffith, Haden, Houx, Mackey, Myers and Smith (46)

Noes (0)

Absent (1): Copeland

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HB 966**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (9): Baker, Bland Manlove, Francis, Griffith, Haden, Houx, Mackey, Myers and Smith (46)

Noes (0)

Absent (1): Copeland

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HCS HB 968**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (9): Baker, Bland Manlove, Francis, Griffith, Haden, Houx, Mackey, Myers and Smith (46)

Noes (0)

Absent (1): Copeland

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HB 1011**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (7): Baker, Francis, Griffith, Haden, Houx, Myers and Smith (46)

Noes (2): Bland Manlove and Mackey

Absent (1): Copeland

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HB 1067**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (9): Baker, Bland Manlove, Francis, Griffith, Haden, Houx, Mackey, Myers and Smith (46)

Noes (0)

Absent (1): Copeland

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HB 1074**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (9): Baker, Bland Manlove, Francis, Griffith, Haden, Houx, Mackey, Myers and Smith (46)

Noes (0)

Absent (1): Copeland

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HCS HB 1166**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (8): Baker, Bland Manlove, Francis, Griffith, Haden, Mackey, Myers and Smith (46)

Noes (0)

Absent (2): Copeland and Houx

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HCS HB 1261**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (6): Baker, Francis, Griffith, Haden, Myers and Smith (46)

Noes (1): Mackey

Present (1): Bland Manlove

Absent (2): Copeland and Houx

**Committee on Rules - Legislative Oversight**, Chairman Knight reporting:

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **HCS HB 109**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (10): Bosley, Buchheit-Courtway, Burger, Hudson, Knight, Lavender, McGirl, Owen, Schnelting and Unsicker

Noes (0)

Absent (0)

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **HB 302**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (10): Bosley, Buchheit-Courtway, Burger, Hudson, Knight, Lavender, McGirl, Owen, Schnelting and Unsicker

Noes (0)

Absent (0)

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **HCS HBs 354, 965, 254 & 957**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (8): Bosley, Buchheit-Courtway, Burger, Knight, Lavender, McGirl, Owen and Unsicker

Noes (2): Hudson and Schnelting

Absent (0)

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **HCS HB 485**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (7): Buchheit-Courtway, Burger, Hudson, Knight, McGirl, Owen and Schnelting

Noes (3): Bosley, Lavender and Unsicker

Absent (0)

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **HB 602**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (10): Bosley, Buchheit-Courtway, Burger, Hudson, Knight, Lavender, McGirl, Owen, Schnelting and Unsicker

Noes (0)

Absent (0)



Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **HCS HB 885**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (10): Bosley, Buchheit-Courtway, Burger, Hudson, Knight, Lavender, McGirl, Owen, Schnelting and Unsicker

Noes (0)

Absent (0)

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **HB 1185**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (10): Bosley, Buchheit-Courtway, Burger, Hudson, Knight, Lavender, McGirl, Owen, Schnelting and Unsicker

Noes (0)

Absent (0)

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **HCS SCR 7**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (7): Buchheit-Courtway, Burger, Hudson, Knight, McGirl, Owen and Schnelting

Noes (3): Bosley, Lavender and Unsicker

Absent (0)

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **SCR 8**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (10): Bosley, Buchheit-Courtway, Burger, Hudson, Knight, Lavender, McGirl, Owen, Schnelting and Unsicker

Noes (0)

Absent (0)

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **SB 20**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (9): Buchheit-Courtway, Burger, Hudson, Knight, Lavender, McGirl, Owen, Schnelting and Unsicker

Noes (0)

Absent (1): Bosley

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **HCS SS SB 24**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

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Ayes (9): Buchheit-Courtway, Burger, Hudson, Knight, Lavender, McGirl, Owen, Schnelting and Unsicker

Noes (0)

Absent (1): Bosley

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **HCS SS SB 25**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (6): Buchheit-Courtway, Hudson, Knight, Lavender, McGirl and Unsicker

Noes (0)

Absent (4): Bosley, Burger, Owen and Schnelting

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **SB 28**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (9): Bosley, Buchheit-Courtway, Burger, Hudson, Knight, Lavender, McGirl, Owen and Schnelting

Noes (0)

Present (1): Unsicker

Absent (0)

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **HCS SB 47**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (10): Bosley, Buchheit-Courtway, Burger, Hudson, Knight, Lavender, McGirl, Owen, Schnelting and Unsicker

Noes (0)

Absent (0)

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **HCS SS SB 75**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (10): Bosley, Buchheit-Courtway, Burger, Hudson, Knight, Lavender, McGirl, Owen, Schnelting and Unsicker

Noes (0)

Absent (0)

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **HCS SB 101**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (10): Bosley, Buchheit-Courtway, Burger, Hudson, Knight, Lavender, McGirl, Owen, Schnelting and Unsicker

Noes (0)

Absent (0)

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **SS SCS SB 127**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (9): Bosley, Buchheit-Courtway, Burger, Hudson, Knight, Lavender, McGirl, Owen and Schnelting

Noes (0)

Present (1): Unsicker

Absent (0)

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **SS SB 139**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (7): Buchheit-Courtway, Burger, Hudson, Knight, McGirl, Owen and Schnelting

Noes (0)

Present (3): Bosley, Lavender and Unsicker

Absent (0)

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **HCS SS SB 181**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (7): Buchheit-Courtway, Burger, Hudson, Knight, McGirl, Owen and Schnelting

Noes (3): Bosley, Lavender and Unsicker

Absent (0)

**Committee on Rules - Regulatory Oversight**, Chairman Gregory reporting:

Mr. Speaker: Your Committee on Rules - Regulatory Oversight, to which was referred **HCS HB 106**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (8): Evans, Gregory, Haffner, Ingle, O'Donnell, Riley, Roberts and Strickler

Noes (0)

Absent (2): Cupps and Proudie

Mr. Speaker: Your Committee on Rules - Regulatory Oversight, to which was referred **HCS HB 257**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (8): Evans, Gregory, Haffner, Ingle, O'Donnell, Riley, Roberts and Strickler

Noes (0)

Absent (2): Cupps and Proudie

Mr. Speaker: Your Committee on Rules - Regulatory Oversight, to which was referred **HB 272**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (5): Gregory, Haffner, O'Donnell, Riley and Roberts

Noes (3): Evans, Ingle and Strickler

Absent (2): Cupps and Proudie

Mr. Speaker: Your Committee on Rules - Regulatory Oversight, to which was referred **HB 391**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (6): Evans, Gregory, Haffner, O'Donnell, Riley and Roberts

Noes (2): Ingle and Strickler

Absent (2): Cupps and Proudie

Mr. Speaker: Your Committee on Rules - Regulatory Oversight, to which was referred **HB 697**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (8): Evans, Gregory, Haffner, Ingle, O'Donnell, Riley, Roberts and Strickler

Noes (0)

Absent (2): Cupps and Proudie

Mr. Speaker: Your Committee on Rules - Regulatory Oversight, to which was referred **HCS HB 783**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (8): Evans, Gregory, Haffner, Ingle, O'Donnell, Riley, Roberts and Strickler

Noes (0)

Absent (2): Cupps and Proudie

Mr. Speaker: Your Committee on Rules - Regulatory Oversight, to which was referred **HCS HBs 948 & 915**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (8): Evans, Gregory, Haffner, Ingle, O'Donnell, Riley, Roberts and Strickler

Noes (0)

Absent (2): Cupps and Proudie

Mr. Speaker: Your Committee on Rules - Regulatory Oversight, to which was referred **HCS HB 959**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (7): Evans, Gregory, Ingle, O'Donnell, Riley, Roberts and Strickler

Noes (1): Haffner

Absent (2): Cupps and Proudie

Mr. Speaker: Your Committee on Rules - Regulatory Oversight, to which was referred **HB 1044**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (5): Evans, Gregory, Haffner, Riley and Roberts

Noes (3): Ingle, O'Donnell and Strickler

Absent (2): Cupps and Proudie

Mr. Speaker: Your Committee on Rules - Regulatory Oversight, to which was referred **HB 1208**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (8): Evans, Gregory, Haffner, Ingle, O'Donnell, Riley, Roberts and Strickler

Noes (0)

Absent (2): Cupps and Proudie

### **REFERRAL OF HOUSE RESOLUTIONS - RULES**

The following House Resolutions were referred to the Committee indicated:

**HCS HR 12** - Rules - Administrative Oversight

**HR 263** - Rules - Regulatory Oversight

### **REFERRAL OF HOUSE CONCURRENT RESOLUTIONS - RULES**

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

**HCR 15** - Rules - Legislative Oversight

### **REFERRAL OF HOUSE JOINT RESOLUTIONS - RULES**

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

**HCS HJR 7 & 11** - Rules - Legislative Oversight

**HCS HJR 19** - Rules - Legislative Oversight

**HJR 66** - Rules - Administrative Oversight

### **REFERRAL OF HOUSE BILLS - RULES**

The following House Bills were referred to the Committee indicated:

**HB 34** - Rules - Administrative Oversight  
**HB 36** - Rules - Administrative Oversight  
**HCS HB 93** - Rules - Regulatory Oversight  
**HB 104** - Rules - Administrative Oversight  
**HB 108** - Rules - Regulatory Oversight  
**HB 152** - Rules - Legislative Oversight  
**HCS HB 159** - Rules - Legislative Oversight  
**HCS HB 248** - Rules - Regulatory Oversight  
**HB 298** - Rules - Regulatory Oversight  
**HB 310** - Rules - Administrative Oversight  
**HCS HB 311** - Rules - Regulatory Oversight  
**HB 313** - Rules - Regulatory Oversight  
**HCS HB 344** - Rules - Administrative Oversight  
**HCS HB 367** - Rules - Regulatory Oversight  
**HB 369** - Rules - Legislative Oversight  
**HB 392** - Rules - Legislative Oversight  
**HB 434** - Rules - Administrative Oversight  
**HB 492** - Rules - Regulatory Oversight  
**HCS HBs 494 & 498** - Rules - Legislative Oversight  
**HB 520** - Rules - Legislative Oversight  
**HB 530** - Rules - Administrative Oversight  
**HB 549** - Rules - Administrative Oversight  
**HCS HB 653** - Rules - Regulatory Oversight  
**HCS HB 654** - Rules - Regulatory Oversight  
**HB 721** - Rules - Regulatory Oversight  
**HCS HB 759** - Rules - Administrative Oversight  
**HB 764** - Rules - Legislative Oversight  
**HB 884** - Rules - Administrative Oversight  
**HB 901** - Rules - Regulatory Oversight  
**HCS HB 925** - Rules - Regulatory Oversight  
**HB 926** - Rules - Legislative Oversight  
**HB 976** - Rules - Regulatory Oversight  
**HCS HB 1039** - Rules - Administrative Oversight  
**HB 1051** - Rules - Administrative Oversight  
**HCS HB 1076** - Rules - Legislative Oversight  
**HB 1099** - Rules - Administrative Oversight  
**HCS HB 1134** - Rules - Regulatory Oversight  
**HCS HB 1143** - Rules - Legislative Oversight  
**HB 1173** - Rules - Regulatory Oversight  
**HB 1175** - Rules - Administrative Oversight  
**HCS HB 1210** - Rules - Regulatory Oversight  
**HCS HB 1252** - Rules - Administrative Oversight  
**HB 1325** - Rules - Administrative Oversight  
**HB 1367** - Rules - Administrative Oversight

**REFERRAL OF SENATE CONCURRENT RESOLUTIONS - RULES**

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

**SCS SCR 4** - Rules - Legislative Oversight

**REFERRAL OF SENATE JOINT RESOLUTIONS - RULES**

The following Senate Joint Resolution was referred to the Committee indicated:

**SS SJR 3** - Rules - Legislative Oversight

**REFERRAL OF SENATE BILLS - RULES**

The following Senate Bills were referred to the Committee indicated:

**HCS SS SCS SBs 3 & 69** - Rules - Legislative Oversight  
**SS#2 SB 39** - Rules - Legislative Oversight  
**SS#2 SCS SBs 49, 236 & 164** - Rules - Legislative Oversight  
**SS SCS SBs 94, 52, 57, 58 & 67** - Rules - Regulatory Oversight  
**HCS SS SCS SB 100** - Rules - Legislative Oversight  
**HCS SB 109** - Rules - Administrative Oversight  
**HCS SS SB 111** - Rules - Regulatory Oversight  
**HCS SS SCS SB 133** - Rules - Legislative Oversight

**MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 128** entitled:

An act to repeal section 452.355, RSMo, and to enact in lieu thereof one new section relating to costs and fees in divorce proceedings.

In which the concurrence of the House is respectfully requested.

Read the first time.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 190** entitled:

An act to repeal sections 143.124 and 143.125, RSMo, and to enact in lieu thereof three new sections relating to tax relief for seniors.

In which the concurrence of the House is respectfully requested.

Read the first time.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 275** entitled:

An act to repeal section 393.1030, RSMo, and to enact in lieu thereof two new sections relating to utilities.

In which the concurrence of the House is respectfully requested.

Read the first time.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 398** entitled:

An act to repeal sections 407.812 and 407.828, RSMo, and to enact in lieu thereof two new sections relating to the motor vehicle franchise practices act.

In which the concurrence of the House is respectfully requested.

Read the first time.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 542** entitled:

An act to amend chapter 41, RSMo, by adding thereto one new section relating to vaccination of members of the Missouri National Guard.

In which the concurrence of the House is respectfully requested.

Read the first time.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HBs 903, 465, 430 & 499** entitled:

An act to repeal sections 442.566, 442.571, 442.576, and 442.591, RSMo, and to enact in lieu thereof four new sections relating to foreign ownership of real property.

With Senate Amendment No. 1 and Senate Amendment No. 2.

*Senate Amendment No. 1*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 903, 465, 430 & 499, Page 6, Section 442.591, Line 25, by striking the word "and" and inserting in lieu thereof the following:

"or".

*Senate Amendment No. 2*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 903, 465, 430 & 499, Page 3, Section 442.571, Lines 11-12, by striking "August 28, 2023" and inserting in lieu thereof the following:



**"on the effective date of this section";** and

Further amend Line 16 by striking "August 28, 2023" and inserting in lieu thereof the following:

**"the effective date of this section";** and

Further amend Line 19 by striking "August 28, 2023" and inserting in lieu thereof the following:

**"the effective date of this section";** and

Further amend Line 36 by striking "August 28, 2023" and inserting in lieu thereof the following:

**"the effective date of this section";** and

Further amend said bill, Page 4, Section 442.576, Line 5, by striking "August 28, 2023" and inserting in lieu thereof the following:

**"the effective date of this section";** and

Further amend said bill, Page 6, Section 442.591, Line 27, by inserting after all of said line the following:

"Section B. Because of the dangers of foreign ownership of agricultural land, 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 section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

### **REFERRAL OF HOUSE BILLS**

The following House Bill was referred to the Committee indicated:

**SS SCS HCS HBs 903, 465, 430 & 499** - Fiscal Review

### **RE-REFERRAL OF HOUSE BILLS**

The following House Bill was re-referred to the Committee indicated:

**HB 900** - Healthcare Reform

### **REFERRAL OF SENATE CONCURRENT RESOLUTIONS**

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

**HCS SCR 7** - Fiscal Review

## REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

**SS SB 35** - Judiciary  
**SS SCS SB 92** - Economic Development  
**SB 122** - Elementary and Secondary Education  
**SS SCS SBs 411 & 230** - General Laws  
**SS SB 540** - Veterans

## COMMITTEE CHANGES

April 17, 2023

Ms. Dana Rademan Miller  
Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 310  
Jefferson City, MO 65101

Dear Ms. Miller:

I hereby appoint Representative Willard Haley to the Career and Technical Education (CTE) Advisory Council.

If you have any questions, please feel free to contact my office.

Sincerely,

/s/ Dean Plocher  
Speaker of the House

---

April 17, 2023

Ms. Dana Rademan Miller  
Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 310  
Jefferson City, MO 65101

Dear Ms. Miller:

I hereby appoint Representative Bruce Sassmann to the Mississippi River Parkway Commission of the State of Missouri.

If you have any questions, please feel free to contact my office.

Sincerely,

/s/ Dean Plocher  
Speaker of the House

April 17, 2023

Ms. Dana Rademan Miller  
Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 310  
Jefferson City, MO 65101

Dear Ms. Miller:

I hereby appoint Representative Bill Falkner to the Missouri Alternative Fuels Commission.

If you have any questions, please feel free to contact my office.

Sincerely,

/s/ Dean Plocher  
Speaker of the House

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April 17, 2023

Ms. Dana Rademan Miller  
Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 310  
Jefferson City, MO 65101

Dear Ms. Miller:

I hereby appoint Representative Melanie Stinnett to the Missouri Commission on Autism Spectrum Disorders.

If you have any questions, please feel free to contact my office.

Sincerely,

/s/ Dean Plocher  
Speaker of the House

---

April 17, 2023

Ms. Dana Rademan Miller  
Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 310  
Jefferson City, MO 65101

Dear Ms. Miller:

I hereby appoint Representative Alex Riley to the Missouri Technology Corporation.

If you have any questions, please feel free to contact my office.

Sincerely,

/s/ Dean Plocher  
Speaker of the House

---

April 17, 2023

Ms. Dana Rademan Miller  
Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 310  
Jefferson City, MO 65101

Dear Ms. Miller:

I hereby appoint Representative Donnie Brown to the Seismic Safety Commission.

If you have any questions, please feel free to contact my office.

Sincerely,

/s/ Dean Plocher  
Speaker of the House

---

April 17, 2023

Ms. Dana Rademan Miller  
Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 310  
Jefferson City, MO 65101

Dear Ms. Miller:

I hereby appoint Representative Bob Bromley to the Southern States Energy Board.

If you have any questions, please feel free to contact my office.

Sincerely,

/s/ Dean Plocher  
Speaker of the House

## COMMUNICATIONS

April 17, 2023

Dana Rademan Miller  
Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 310  
Jefferson City, MO 65101

Re: Possible Personal Interest in Legislation

Dear Ms. Miller:

Pursuant to Section 105.461 RSMo, I am hereby filing a written report of personal interest in legislation on which the House of Representatives may vote during the legislative session.

I am a member of the Missouri State Employee's Retirement System, and have previously received a pension from MOSERS, and would be eligible to do so in the future following my service in the General Assembly, or if the statute was changed to allow payments during legislative service. I also currently receive Social Security benefits, relief from taxation of which in Missouri is being considered.

Please publish this letter in the Journal of the House.

If you have any questions, please feel free to contact my office.

Very truly yours,

/s/ Kent Haden  
State Representative  
District 43

## LETTER OF RESIGNATION

April 14, 2023

The Honorable Dean Plocher  
Speaker of the House of Representatives  
State Capitol, Room 308A  
Jefferson City, MO 65101

Dear Speaker Plocher,

It has been the pleasure of a lifetime to represent the wonderful people of the Mighty 78<sup>th</sup> District and to work alongside my colleagues in this legislature.

May my final remarks to this body, which are summarized by the words of our former President Harry Truman, inspire everyone to better our state for those most at risk:

“Millions of our citizens do not now have a full measure of opportunity to achieve and enjoy good health... The time has arrived for action to help them attain that opportunity and that protection.”

And with my final remarks having been said:

Pursuant to RSMo. 21.090, I hereby submit my resignation, effective at 11:59 p.m. on April 17, 2023, as a state representative for the 78<sup>th</sup> District.

Sincerely,

/s/ Rasheen Aldridge  
State Representative  
78<sup>th</sup> District

The following members' presence was noted: Stephens and Toalson Reisch.

### **ADJOURNMENT**

On motion of Representative Patterson, the House adjourned until 10:00 a.m., Tuesday, April 18, 2023.

### **COMMITTEE HEARINGS**

#### **BUDGET**

Wednesday, April 19, 2023, 8:00 AM, House Hearing Room 3.  
Public hearing will be held: HB 998, HB 1068, HB 1171, HB 1182

#### **CHILDREN AND FAMILIES**

Tuesday, April 18, 2023, 8:00 AM, House Hearing Room 6.  
Public hearing will be held: SS SB 199

#### **CONSERVATION AND NATURAL RESOURCES**

Wednesday, April 19, 2023, 12:00 PM or upon morning recess (whichever is later),  
Joint Hearing Room (117).  
Public hearing will be held: HB 1242, HB 1378

#### **CORRECTIONS AND PUBLIC INSTITUTIONS**

Wednesday, April 19, 2023, 4:30 PM or upon adjournment (whichever is later),  
House Hearing Room 1.  
Executive session will be held: HB 69

#### **ECONOMIC DEVELOPMENT**

Wednesday, April 19, 2023, 9:00 AM, House Hearing Room 1.  
Executive session will be held: HB 1345, HB 752

#### **ELECTIONS AND ELECTED OFFICIALS**

Tuesday, April 18, 2023, 12:00 PM or upon morning recess (whichever is later),  
House Hearing Room 6.  
Public hearing will be held: HB 1132, HB 1299  
Executive session will be held: HB 917

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, April 19, 2023, 8:00 AM, House Hearing Room 7.

Public hearing will be held: HB 1087

Executive session will be held: HB 558, HB 1163, SS#2 SCS SBs 4, 42 & 89, HB 883

EMERGING ISSUES

Wednesday, April 19, 2023, 4:30 PM or upon adjournment (whichever is later),  
House Hearing Room 6.

Public hearing will be held: HB 265

Executive session will be held: HB 1169, SS SB 23, HB 1149, HB 1187, HB 1346, HB 912,  
HB 1293

Added SB 23, HB 1149, HB 1187, HB 1346, HB 912, HB 1293, and HB 265.

AMENDED

FINANCIAL INSTITUTIONS

Tuesday, April 18, 2023, 12:00 PM or upon morning recess (whichever is later),  
House Hearing Room 5.

Public hearing will be held: HB 1340, HB 1216

Executive session will be held: HB 1229, SB 63, HJR 14

Added HJR 14.

AMENDED

FISCAL REVIEW

Tuesday, April 18, 2023, 9:45 AM, House Hearing Room 4.

Executive session will be held: HCS HB 188, HB 542, HCS HBs 1082 & 1094

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

GOVERNMENT EFFICIENCY AND DOWNSIZING

Wednesday, April 19, 2023, 8:00 AM, House Hearing Room 6.

Public hearing will be held: SCR 10

Executive session will be held: HB 338, HB 1259, HB 517

Added HB 517.

AMENDED

HEALTHCARE REFORM

Wednesday, April 19, 2023, 12:00 PM or upon morning recess (whichever is later),  
House Hearing Room 5.

Public hearing will be held: HB 1365, HB 1239

Executive session will be held: HB 773, HB 820, HB 860, HB 1399

Removed HB 1148.

AMENDED

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Wednesday, April 26, 2023, 8:30 AM, Joint Hearing Room (117).

Quarterly investment reporting and legislative update.

#### JUDICIARY

Wednesday, April 19, 2023, 4:30 PM or upon adjournment (whichever is later),  
House Hearing Room 7.

Executive session will be held: HB 251, HB 138, HB 82, HB 776, HB 444, HB 750,  
HB 1176, HB 453, HB 835, HB 405, HB 371, SS SB 227, SS SB 245, SCS SB 103,  
SS#3 SB 22, SS SCS SB 72

#### LOCAL GOVERNMENT

Tuesday, April 18, 2023, 8:00 AM, House Hearing Room 7.

Public hearing will be held: HB 1049, HB 1089, HB 1054, HB 1013, HB 814

Executive session will be held: HB 247

#### PENSIONS

Tuesday, April 18, 2023, 8:30 AM, House Hearing Room 5.

Public hearing will be held: HJR 1

Executive session will be held: HB 35, HB 867

#### PROFESSIONAL REGISTRATION AND LICENSING

Tuesday, April 18, 2023, 12:00 PM or upon morning recess (whichever is later),  
House Hearing Room 1.

Public hearing will be held: SS SCS SB 157

Executive session will be held: SS SCS SB 70, SS SCS SBs 167 & 171, SS SB 116, HB 175,  
HB 1209

#### SPECIAL COMMITTEE ON GOVERNMENT ADMINISTRATION

Wednesday, April 19, 2023, 8:00 AM, House Hearing Room 5.

Executive session will be held: HB 127

Removed HB 895.

#### AMENDED

#### SPECIAL COMMITTEE ON PUBLIC POLICY

Tuesday, April 18, 2023, 12:00 PM or upon morning recess (whichever is later),  
House Hearing Room 3.

Public hearing will be held: SS SCS SBs 56 & 61

Executive session will be held: SB 186, HB 1394

#### SPECIAL COMMITTEE ON SMALL BUSINESS

Tuesday, April 18, 2023, 12:00 PM or upon morning recess (whichever is later),  
Joint Hearing Room (117).

Executive session will be held: HB 143, SS SB 222

#### SPECIAL COMMITTEE ON TAX REFORM

Tuesday, April 18, 2023, 12:00 PM or upon morning recess (whichever is later),  
House Hearing Room 7.

Public hearing will be held: HJR 47, SS SB 143

Executive session will be held: HB 1310, SB 247, SJR 35



**TRANSPORTATION ACCOUNTABILITY**

Thursday, April 20, 2023, 8:00 AM, House Hearing Room 1.

Public hearing will be held: HB 897, HB 1302

Executive session will be held: HB 1363, HB 1398

Upon adjournment of session, there will be a presentation by MODOT on "Missouri Standard Specifications for Highway Construction." Public testimony will be allowed.

Added HB 1398.

AMENDED

**UTILITIES**

Wednesday, April 19, 2023, 12:00 PM or upon morning recess (whichever is later),

House Hearing Room 1.

Public hearing will be held: HB 1357, HB 1246, HB 1071, HB 928

**VETERANS**

Tuesday, April 18, 2023, 8:00 AM, House Hearing Room 1.

Public hearing will be held: HJR 52

**WORKFORCE AND INFRASTRUCTURE DEVELOPMENT**

Wednesday, April 19, 2023, 12:00 PM or upon morning recess (whichever is later),

House Hearing Room 6.

Executive session will be held: HB 1018

Presentations regarding the Workforce Solutions Group programs. Presenters will be Dr. Jeff L. Pittman, Chancellor, St. Louis Community College and NFIB members: Jan Haviland, Haviland Corporation; Mike King, Express Employment Professionals; Jack Schroeder, Specialized Collison Center; and Matt Green, Bar Vino/Bar Whiskey.

**HOUSE CALENDAR**

FIFTY-SIXTH DAY, TUESDAY, APRIL 18, 2023

**HOUSE BILLS FOR PERFECTION - APPROPRIATIONS**

HCS HB 17 - Smith (163)

HCS HB 18 - Smith (163)

HCS HB 19 - Smith (163)

HCS HB 20 - Smith (163)

**HOUSE BILLS FOR PERFECTION**

HCS HB 198 - Wright

HB 1044 - Haffner

HB 1208 - Casteel

HB 822 - Smith (155)

HB 77 - Kelley (127)

HCS HB 106 - Barnes

HB 232 - Bangert

1800 *Journal of the House*

HB 391 - Murphy  
HCS HB 393 - Black  
HB 400 - McGirl  
HB 440 - Hovis  
HB 449 - Butz  
HCS HB 489 - Baker  
HCS HBs 502 & 887 - Haley  
HCS HB 515 - Mayhew  
HCS HB 633 - Kelley (127)  
HCS HB 669 - Copeland  
HB 697 - Hovis  
HB 734 - Knight  
HB 817 - Morse  
HB 823 - Smith (155)  
HCS HB 881 - Christofanelli  
HB 891 - Falkner  
HB 929 - West  
HCS HB 959 - Gregory  
HCS HB 1129 - Burger

**HOUSE BILLS FOR PERFECTION - INFORMAL**

HCS HB 355, (Legislative Review 4/4/23) - Davidson  
HCS HB 736 - Riggs  
HB 920 - Anderson  
HCS HBs 348, 285 & 407 - Coleman  
HCS HB 510 - Griffith  
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  
HS HB 1021 - Baker  
HB 1055, (Legislative Review 3/21/23) - Mayhew  
HCS HB 48 - Haley  
HB 512 - Mayhew  
HCS HB 584 - Owen  
HCS HB 586 - Owen  
HCS HB 777 - Van Schoiack  
HCS HB 824 - O'Donnell  
HCS HB 1109 - Thompson  
HCS HB 1196 - Richey  
HB 1154, with HA 1, pending - Houx  
HB 102 - Baringer  
HB 212 - Smith (46)  
HCS HB 271 - Riley  
HB 436 - Nickson-Clark

HCS HB 714 - Kelly (141)  
HB 999 - Anderson  
HB 234 - Bangert  
HCS HB 250 - Haley  
HCS HB 262 - Sander  
HCS HB 336 - Boggs  
HCS HBs 404 & 501 - Haden  
HCS HBs 532 & 751 - Mayhew  
HCS HB 580 - Houx  
HB 1028 - Smith (155)  
HB 770 - Thompson  
HB 571 - Allen  
HCS HB 157 - O'Donnell  
HCS HB 342 - Pouche  
HCS HB 589 - Murphy  
HCS HB 425 - Perkins  
HB 513 - Mayhew  
HCS HB 134 - Hudson  
HCS HBs 604 & 180 - Reedy  
HB 696 - Hovis  
HB 1370 - Mayhew  
HCS HBs 185 & 281 - Murphy  
HB 516 - Mayhew  
HB 643 - Francis

**HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING - INFORMAL**

HCR 11 - Schnelting

**HOUSE BILLS FOR THIRD READING**

HCS HB 188, (Fiscal Review 4/14/23) - Murphy  
HB 542, (Fiscal Review 4/14/23) - Haden  
HCS HBs 1082 & 1094, (Fiscal Review 4/14/23) - Thompson

**HOUSE BILLS FOR THIRD READING - INFORMAL**

HCS HB 733 - Boggs  
HCS HB 657 - Smith (155)  
HCS HBs 700 & 445 - Hardwick  
HCS HB 719, E.C. - Riley

**HOUSE BILLS FOR THIRD READING - CONSENT**

HB 746 - Sauls

**SENATE BILLS FOR SECOND READING**

SS SB 128  
SS SB 190  
SB 275  
SS SCS SB 398  
SB 542

**SENATE BILLS FOR THIRD READING**

SS SB 139 - Griffith

**SENATE CONCURRENT RESOLUTIONS FOR THIRD READING**

HCS SCR 7, (Fiscal Review 4/17/23) - Van Schoiack  
SCR 8 - Parker

**HOUSE BILLS WITH SENATE AMENDMENTS**

SS HCS HBs 115 & 99 - Shields  
SS SCS HCS HBs 903, 465, 430 & 499, as amended (Fiscal Review 4/17/23), E.C. - Haffner

**HOUSE RESOLUTIONS**

HR 561 - Parker

**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)