

JOURNAL OF THE HOUSE

First Regular Session, 102nd GENERAL ASSEMBLY

SIXTY-SECOND DAY, THURSDAY, APRIL 27, 2023

The House met pursuant to adjournment.

Speaker Plocher in the Chair.

Prayer by Reverend Monsignor Robert A. Kurwicky, Chaplain.

“Let not mercy and truth forsake thee; bind them about thy neck; write them upon the table of thine heart.”
(Proverbs 3:3)

O God, almighty and eternal, supreme ruler, without Whom no nation can be great, no people can be good, make us mindful of Your presence, eager to do Your will, and willing to walk in Your way this morning.

May the light of Your spirit enlighten our spirits that we may see the truth clearly, follow it courageously, and live with it confidently knowing that it is the truth which makes and keeps us free without barriers or divisions.

Guide our Governor, our Lt. Governor, our Speaker, the Members of this House and all who labor with them to be ministers of hope, healing and harmony in our wide Missouri, put gladness into our hearts!

And the House says, “Amen!”

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Saylor Beller and Barrett Beller.

The Journal of the sixty-first day was approved as printed.

SECOND READING OF SENATE BILLS

The following Senate Bill was read the second time:

SS SB 265, relating to funds established within the state treasury.

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Houx reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS#2 SCS SB 96**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (5): Houx, Hudson, Kelly (141), Owen and Pollitt

Noes (2): Baringer and Fogle

Absent (0)

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SCS SB 133**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (5): Houx, Hudson, Kelly (141), Owen and Pollitt

Noes (2): Baringer and Fogle

Absent (0)

THIRD READING OF SENATE BILLS

HCS SS SB 222, relating to political subdivisions, was taken up by Representative Brown (16).

On motion of Representative Brown (16), the title of **HCS SS SB 222** was agreed to.

Representative Brown (16) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 222, Page 7, Section 67.2677, Line 84, by inserting after all of said section and line the following:

"84.480. The board of police commissioners shall appoint a chief of police who shall be the chief police administrative and law enforcement officer of such cities. The chief of police shall be chosen by the board solely on the basis of his or her executive and administrative qualifications and his or her demonstrated knowledge of police science and administration with special reference to his or her actual experience in law enforcement leadership and the provisions of section 84.420. At the time of the appointment, the chief shall ~~[not be more than sixty years of age, shall]~~ have had at least five years' executive experience in a governmental police agency and shall be certified by a surgeon or physician to be in a good physical condition, and shall be a citizen of the United States and shall either be or become a citizen of the state of Missouri and resident of the city in which he or she is appointed as chief of police. In order to secure and retain the highest type of police leadership within the departments of such cities, the chief shall receive a salary of not less than eighty thousand two hundred eleven dollars, nor more than ~~[one hundred eighty nine thousand seven hundred twenty six dollars per annum]~~ **a maximum salary amount established by the board by resolution.**

84.510. 1. For the purpose of operation of the police department herein created, the chief of police, with the approval of the board, shall appoint such number of police department employees, including police officers and civilian employees as the chief of police from time to time deems necessary.

2. The base annual compensation of police officers shall be as follows for the several ranks:

(1) Lieutenant colonels, not to exceed five in number, at not less than seventy-one thousand nine hundred sixty-nine dollars~~], nor more than one hundred forty six thousand one hundred twenty four dollars per annum each];~~

(2) Majors at not less than sixty-four thousand six hundred seventy-one dollars~~], nor more than one hundred thirty three thousand three hundred twenty dollars per annum each];~~

(3) Captains at not less than fifty-nine thousand five hundred thirty-nine dollars~~], nor more than one hundred twenty one thousand six hundred eight dollars per annum each];~~

(4) Sergeants at not less than forty-eight thousand six hundred fifty-nine dollars~~], nor more than one hundred six thousand five hundred sixty dollars per annum each];~~

(5) Master patrol officers at not less than fifty-six thousand three hundred four dollars~~], nor more than ninety-four thousand three hundred thirty-two dollars per annum each];~~

(6) Master detectives at not less than fifty-six thousand three hundred four dollars~~], nor more than ninety-four thousand three hundred thirty-two dollars per annum each];~~

(7) Detectives, investigators, and police officers at not less than twenty-six thousand six hundred forty-three dollars~~], nor more than eighty-seven thousand six hundred thirty-six dollars per annum each].~~

3. The board of police commissioners has the authority by resolution to effect a comprehensive pay schedule program to provide for step increases with separate pay rates within each rank, ~~in~~ **using** the above-specified salary **minimums as a base for such** ranges from police officers through chief of police.

4. Officers assigned to wear civilian clothes in the performance of their regular duties may receive an additional one hundred fifty dollars per month clothing allowance. Uniformed officers may receive seventy-five dollars per month uniform maintenance allowance.

5. The chief of police, subject to the approval of the board, shall establish the total regular working hours for all police department employees, and the board has the power, upon recommendation of the chief, to pay additional compensation for all hours of service rendered in excess of the established regular working period, but the rate of overtime compensation shall not exceed one and one-half times the regular hourly rate of pay to which each member shall normally be entitled. No credit shall be given nor deductions made from payments for overtime for the purpose of retirement benefits.

6. The board of police commissioners, by majority affirmative vote, including the mayor, has the authority by resolution to authorize incentive pay in addition to the base compensation as provided for in subsection 2 of this section, to be paid police officers of any rank who they determine are assigned duties which require an extraordinary degree of skill, technical knowledge and ability, or which are highly demanding or unusual. No credit shall be given nor deductions made from these payments for the purpose of retirement benefits.

7. The board of police commissioners may effect programs to provide additional compensation for successful completion of academic work at an accredited college or university. No credit shall be given nor deductions made from these payments for the purpose of retirement benefits.

8. The additional pay increments provided in subsections 6 and 7 of this section shall not be considered a part of the base compensation of police officers of any rank and shall not exceed ten percent of what the officer would otherwise be entitled to pursuant to subsections 2 and 3 of this section.

~~9. Not more than twenty-five percent of the officers in any rank who are receiving the maximum rate of pay authorized by subsections 2 and 3 of this section may receive the additional pay increments authorized by subsections 6 and 7 of this section at any given time. However, any officer receiving a pay increment provided pursuant to the provisions of subsections 6 and 7 of this section shall not be deprived of such pay increment as a result of the limitations of this subsection.];~~ and

Further amend said bill, Page 9, Section 436.337, Line 3, by deleting the word "**regarding**" and inserting in lieu thereof the words "**prior to**"; and

Further amend said bill and page, Section 534.157, Line 3, by inserting after all of said section and line the following:

"Section B. Because immediate action is necessary to maintain a competitive pay scale to aid in recruitment and retention of Kansas City police officers, the repeal and reenactment of sections 84.480 and 84.510 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of sections 84.480 and 84.510 of section A of this act shall be in full force and effect upon its passage and approval."; and

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

On motion of Representative Brown (16), **House Amendment No. 1** was adopted.

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

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 222, Page 9, Section 182.819, Line 10, by inserting after all of said section and line the following:

"230.205. 1. The alternative county highway commission provided by sections 230.200 to 230.260 shall not become operative in any county unless adopted by a vote of the majority of the voters of the county voting upon the question at an election. All counties of this state which have adopted the alternative county highway commission may abolish it [~~and return to the county highway commission provided for by sections 230.010 to 230.110~~] by submitting the question to a vote of the voters of the county in the manner provided by law **or by a vote of the governing body.**

2. Any county which does not adopt the alternative county highway commission provided by sections 230.200 to 230.260, or any county in which [~~a majority of the voters of the county voting upon the question reject~~] the alternative county highway commission provided by sections 230.200 to 230.260 **is abolished**, shall [~~retain~~] **adopt either** the county highway commission provided by sections 230.010 to 230.110 **or the provisions of sections 231.010 to 231.130.**"; and

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

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

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

House Amendment No. 3

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 222, Page 9, Section 534.157, Line 3, by inserting after all of said section and line the following:

"Section 1. 1. The department of natural resources is hereby authorized and empowered to sell, transfer, grant, convey, remise, release, and forever quitclaim all interest of the department of natural resources in real property located in the County of Iron to the state highways and transportation commission. The property to be conveyed is more particularly described as follows:

The property being a part of Tract 7 of the Murdock-Crumb Company Subdivision of Section 3, Township 33 North, Range 4 East of the Fifth Principal Meridian, Iron County, Missouri and also being a part of Lot 2 of the Northeast Quarter of said Section 3, lying on the Northerly or left side of the hereinafter-described Rte. 72 surveyed centerline, to wit: All the land of said grantor lying within the following described tract: Beginning at PC Station 129+35.00; thence northwesterly to a point 60.00 feet northerly of and at a right angle to the Rte. 72 surveyed centerline PC Station 129+35.00; thence northeasterly to a point 55.00 feet northerly of and at a right angle to the Rte. 72 surveyed centerline Station 130+53.13; thence northeasterly to a point 85.00 northwesterly of and at a right angle to the Rte. 72 PT Station 131+50.10; thence northeasterly to a point 80.00 feet northwesterly of and at a right angle to the Rte. 72 surveyed centerline PC Station 132+63.50; thence northeasterly to a point 60.00 feet northwesterly of and at a right angle to the Rte. 72 surveyed centerline Station 134+59.76; thence southeasterly to a point 27.06 feet northerly of and at a right angle to the Rte. 72 surveyed centerline Station 135+60.45; thence southeasterly to a point on the hereafter described Rte. 72 surveyed centerline at Station 135+60.45; thence southwesterly along the Rte. 72 surveyed centerline set forth herein, to the Point of Beginning.

The above described land contains 0.74 acres of grantor's land, more or less.

The property being a Part of Tract 7 of the Murdock-Crumb Company Subdivision of Section 3, Township 33 North, Range 4 East of the Fifth Principal Meridian, Iron County, Missouri and also being a part of Lot 2 of the Northeast Quarter of said Section 3, lying on the Southerly or right side of the hereinafter-described Rte. 72 surveyed centerline, to wit: All the land of said grantor lying within the following described tract: Beginning at Station 129+34.70; thence southerly to a point on the existing southerly boundary of Rte. 72, said point being 49.14 feet southerly of and at a right

angle to the Rte. 72 surveyed centerline Station 129+34.70; thence easterly to a point 60.75 feet southerly of and at a right angle to the Rte. 72 surveyed centerline Station 130+01.25; thence along the arc of a 8°27'35.3" curve to the left a distance of 267.89 feet to a point 101.36 feet southeasterly of the Rte. 72 surveyed centerline Station 132+49.68, said curve having a back tangent of S 78°55'49" W with a radius of 677.27 feet and a deflection angle of 22°39'46.5"; thence northeasterly to a point 101.10 feet southeasterly of and at a right angle to the Rte. 72 surveyed centerline Station 133+10.27; thence southeasterly to a point 110.38 feet southeasterly of and at a right angle to the Rte. 72 surveyed centerline Station 133+10.78; thence northeasterly to a point 76.72 feet southerly of the Rte. 72 surveyed centerline Station 135+15.77; thence northerly to a point on the hereafter-described Rte. 72 surveyed centerline Station 135+15.77; thence southwesterly along the Rte. 72 surveyed centerline set forth herein, to the Point of Beginning.

The above described land contains 0.07 acres of grantor's land, more or less.

This conveyance includes all the realty rights described in the preceding paragraphs that lie within the limits of land described and recorded with the Iron County Recorder of Deeds in Book 332, Page 002.

The Route 72 surveyed centerline from Station 126+35.00 to Station 140+30.00 is described as follows:

Commencing from a found 3 ½" DNR Aluminum Monument at the Common Corner of Sections 2, 3, 10 and 11, Township 33 North, Range 4 East, said point described by MO PLS No. 2012000096 in MLS Document 600-092366; thence N 12°9'49" W a distance of 5,032.90 feet to the Route 72 surveyed centerline Station 126+35.00 and the Point of Beginning; thence N 72°21'49" E a distance of 300.00 feet to PC Station 129+35.00; thence along the arc of a 8°00'00.0" curve to the left a distance of 215.10 feet to PT Station 131+50.10, said curve having a radius of 716.20 feet and a deflection angle of 17°12'29.4"; thence N 55°09'20" E a distance of 113.4 feet to PC Station 132+63.50; thence along the arc of a 8°00'00.0" curve to the right a distance of 599.52 feet to PT Station 138+63.02, said curve having a radius of 716.20 feet and a deflection angle of 47°57'41.0"; thence S 76°52'59" E a distance of 166.98 feet to Station 140+30.00 and there terminating.

2. The director of the department of natural resources and the state highways and transportation commission shall set the terms and conditions for the conveyance, including the consideration, except that such consideration shall not exceed one dollar. Such terms and conditions may include, but not be limited to, the number of appraisals required and the time, place, and terms of the conveyance.

3. The general counsel for the department of natural resources shall approve the form of the instrument of conveyance.

Section 2. 1. The governor is hereby authorized and empowered to sell, transfer, grant, convey, remise, release, and forever quitclaim all interest of the state of Missouri in property located in Christian County, Missouri. The property to be conveyed is more particularly described as follows:

The Southwest Quarter of the Southwest Quarter (SW ¼ SW¼) of Section 26, Township 25, Range 20, and The Southeast Quarter of the Southeast Quarter (SE¼ SE¼) and all of that part of the Southwest Quarter of the Southeast Quarter (SW¼ SE¼) lying East of Highway "H", all in Section 27, Township 25, Range 20.

2. The commissioner of administration shall set the terms and conditions for the conveyance as the commissioner deems reasonable. Such terms and conditions may include, but not be limited to, the number of appraisals required and the time, place, and terms of the conveyance.

3. The attorney general shall approve the form of the instrument of conveyance.

Section 3. 1. The governor is hereby authorized and empowered to sell, transfer, grant, convey, remise, release, and forever quitclaim all interest of the state of Missouri in property located in the County of Pike, Missouri, to the state highways and transportation commission. The real property to be conveyed is an irregular tract of land located in a part of Lots 13 and 14 of Jas. Mosley's Estate Subdivision of the SE¼ Sec. 23, Twp. 53 N. R. 3 W., Pike County, Missouri, and is more particularly described as follows:

Beginning at a point in the center of a public road and which point is the NW. corner of the SW¼ SE¼, said Section 23, and which point is on the southerly right of way line of a state road known as U.S. Route #54, Pike County, Missouri; thence run south on the west line of the SE¼ said Section 23 a distance of 338 feet; thence run east on a line parallel to the north line of the SW¼ SE¼ said Section 23 a distance of 256 feet to intersect the westerly right of way fence line of the St. Louis and Hannibal Railroad Company; thence meander in a northerly direction along said right of way fence

line a distance of 455 feet to intersect the south right of way line of U.S. Highway #54; thence run on a bearing south 46 deg. 52 min. west 118 feet to intersect the west line SE $\frac{1}{4}$ said Section 23 at the point of beginning. Hereinabove described tract of land contains 1 $\frac{8}{10}$ acres more or less.

2. The office of administration and the state highways and transportation commission shall set the terms and conditions for the conveyance, including the consideration, except that such consideration shall not exceed one dollar. Such terms and conditions may include, but are not limited to, the number of appraisals required, and the time, place, and terms of the conveyance.

3. The attorney general shall approve the form of the instrument of conveyance.

Section 4. 1. The governor is hereby authorized and empowered to sell, transfer, grant, convey, remise, release, and forever quitclaim all interest of the state of Missouri in property located in the City of Rolla, Phelps County, Missouri. The property to be conveyed is more particularly described as follows: A fractional part of Lot 119 of the Railroad Addition in Rolla, Missouri, and more particularly described as follows: Commencing at the Northwest Corner of said Lot 119; thence South 0°43' West, 30.00 feet to the South line of Gale Drive; thence North 88°53' East, 311.92 feet along said South street line; thence South 0° 52' West, 325.00 feet; thence North 88°53' East, 109.10 feet to the true point of beginning of the tract hereinafter described: Thence North 88°53' East, 10.00 feet to the northwest corner of a parcel described in Phelps County Deed Records at Document No. 2017-4361; thence South 0°52' West, 241.19 feet along the West line of said Document No. 2017-4361 parcel to its southwest corner; thence South 89°07' West, 10.00 feet; thence North 0°52' East, 241.19 feet to the true point of beginning. Description derived from survey recorded in Phelps County Surveyor's records in Book "I" at Page S-6038, dated August 30th, A.D. 1982, made by Elgin & Associates, Engineers & Surveyors, Rolla, Missouri.

2. The commissioner of administration shall set the terms and conditions for the conveyance as the commissioner deems reasonable. Such terms and conditions may include, but not be limited to, the number of appraisals required and the time, place, and terms of the conveyance.

3. The attorney general shall approve the form of the instrument of conveyance.

Section 5. 1. The governor is hereby authorized and empowered to sell, transfer, grant, convey, remise, release, and forever quitclaim all interest of the state of Missouri in property located in the City of Kirksville, Adair County, Missouri. The property to be conveyed is more particularly described as follows: All of Block 39 of the Original Town (Now City) of Kirksville, Missouri.

2. The commissioner of administration shall set the terms and conditions for the conveyance as the commissioner deems reasonable. Such terms and conditions may include, but not be limited to, the number of appraisals required and the time, place, and terms of the conveyance.

3. The attorney general shall approve the form of the instrument of conveyance.

Section 6. 1. The governor is hereby authorized and empowered to sell, transfer, grant, convey, remise, release, and forever quitclaim all interest of the state of Missouri in property located in the City of Kirksville, Adair County, Missouri. The property to be conveyed is more particularly described as follows: Part of the Northwest Fourth (NW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) Section 16 Township 62 Range 15 Adair County, Missouri, beginning at a point Six Hundred Twenty-nine and One-half (629 $\frac{1}{2}$) feet South and Twenty (20) feet East of the Northwest (NW) Corner of said Forty acre tract, and running thence East Two Hundred Twenty-five (225) feet, thence South One Hundred (100) feet, thence West Two Hundred Twenty-five (225) feet, thence North One Hundred (100) feet to place of beginning; Also, part of the Northwest Fourth (NW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) Section 16 Township 62 Range 15 Adair County, Missouri, beginning at a point Six Hundred Twenty-nine and One-half (629 $\frac{1}{2}$) feet South and Two Hundred Forty-five (245) feet East of the Northwest (NW) Corner of said Forty acre tract, and running thence East Four Hundred Forty-eight (448) feet, more or less, to the West line of Florence Street, thence South Fifty-one (51) feet Four (4) inches, thence West Four Hundred Forty-eight (448) feet, thence North Fifty-one (51) feet Four (4) inches to beginning; subject to Right-of-Way for highway across Southwest Corner thereof.

2. The commissioner of administration shall set the terms and conditions for the conveyance as the commissioner deems reasonable. Such terms and conditions may include, but not be limited to, the number of appraisals required and the time, place, and terms of the conveyance.

3. The attorney general shall approve the form of the instrument of conveyance.

Section 7. 1. The governor is hereby authorized and empowered to sell, transfer, grant, convey, remise, release, and forever quitclaim all interest of the state of Missouri in property located in the City of St. Louis, Missouri. The property to be conveyed is more particularly described as follows:

A tract being part of Lot 1 of Chouteau-Compton subdivision no. 2, in City Block 2235, City of St. Louis, Missouri, recorded in book 07032006, page 109 of the City of St. Louis Recorder's Office, being more particularly described as follows:

Beginning at a point Thirty (30) feet right of and at right angle to Compton Avenue Centerline Station 2+71.07, said point being on the East line of Compton Avenue, thence on said East line of Compton Avenue, North Fourteen (14) degrees Thirty-seven (37) minutes Forty-six (46) seconds East, basis of bearing grid North, Three Hundred Fifty-four and Thirteen-hundredths (354.13) feet to a point Thirty (30) feet right of and at right angle to Compton Avenue Centerline Station 6+25.20; thence leaving said East line of Compton Avenue, South Sixty-five (65) degrees Forty-five (45) minutes Forty-three (43) seconds East Twenty and Twenty-eight-hundredths (20.28) feet to a point Fifty (50) feet right of and at a right angle to Compton Avenue Centerline Station 6+21.81; thence South Fourteen (14) degrees Thirty-seven (37) minutes Forty-six (46) seconds West Three Hundred Fifty and Seventy-five-hundredths (350.75) feet to a point Fifty (50) feet right of and at right angle to Compton Avenue Centerline Station 2+71.07; thence North Seventy-five (75) degrees Twenty-two (22) minutes Twenty-two (22) seconds West Twenty (20) feet to the point of beginning, and contains Seven Thousand Forty-nine (7,049) square feet, more or less.

2. The commissioner of administration shall set the terms and conditions for the conveyance as the commissioner deems reasonable. Such terms and conditions may include, but not be limited to, the number of appraisals required and the time, place, and terms of the conveyance.

3. The attorney general shall approve the form of the instrument of conveyance.

Section 8. 1. The governor is hereby authorized and empowered to sell, transfer, grant, convey, remise, release, and forever quitclaim all interest of the state of Missouri in property located in the City of Joplin, Jasper County, Missouri, to the Joplin School District. The property to be conveyed is more particularly described as follows:

Commencing at the Southeast corner of the Northwest One Quarter (NW ¼) of the Southwest One Quarter (1/4) of Section 10, Township 27 North, Range 33 West, Jasper County, Missouri, thence North along the East line of said forty acres 328.2 ft., thence West 10.0 ft. to the point of beginning, then West 208.72 ft., thence North 208.71 ft., then East 208.71 ft., thence South 208.71 ft. to the point of beginning, containing one acre.

2. The commissioner of administration shall set the terms and conditions for the conveyance as the commissioner deems reasonable. Such terms and conditions may include, but not be limited to, the number of appraisals required and the time, place, and terms of the conveyance.

3. The attorney general shall approve the form of the instrument of conveyance.

Section 9. 1. The governor is hereby authorized and empowered to sell, transfer, grant, convey, remise, release, and forever quitclaim all interest of the state of Missouri in property located in the City of St. Louis, Missouri. The property to be conveyed is more particularly described as follows:

Legal Description from Quit Claim Deed between the Land Reutilization Authority, City of St. Louis and the State of Missouri. Dated 10-3-1996

PARCEL NO. 1:

The Southern part of Lot 1 of HUTCHINSON'S THIRD ADDITION and in Block 3558 of the City of St. Louis, fronting 53 feet 5-1/2 inches on the East line of Newstead Avenue, by a depth Eastwardly of 202 feet 11-1/4 inches along the North line of Carrie Avenue to the West line of Lot 2 and having a width along the West line of said Lot 2 of 50 feet. Together with all improvements thereon, if any, known as and numbered 4443 N. Newstead Avenue and also known as parcel 3558-00-01100.

PARCEL NO. 2:

Lot 11 in Block 1 of HUTCHINSON'S ADDITION and in Block 3559 of the City of St. Louis, fronting 50 feet on the Northwest line of Pope Avenue, by a depth Northwest of 155 feet to the Southeast line of Lot 16 of said block and addition. Together with all improvements thereon, if any, known as and numbered 4521 Pope Avenue and also known as parcel 3559-00-02600.

PARCEL NO. 3:

The Northern 1/2 of Lot 12 in Block 1 of HUTCHINSON'S ADDITION and in Block 3559 of the City of St. Louis, fronting 25 feet on the West line of Pope Avenue, by a depth Westwardly of 155 feet to the dividing line of said Block. (Pope Avenue is now treated as running North and South).

The Southern half of Lot No. 12, partly in Block No. 1 of HUTCHINSON'S SUBDIVISION of the

SHREVE TRACT, and partly in HUTCHINSON'S THIRD SUBDIVISION and in Block No. 3559 of the City of St. Louis, fronting 25 feet on the West line of Pope Avenue, by a depth Westwardly of 155 feet to the West line of said Lot. (Pope Avenue is now treated as running North and South). Together with all improvements thereon, if any, known as and numbered 4515-17 Pope Avenue and also known as parcel 3559-00-02710.

PARCEL NO. 4:

The Northern 1/2 of Lot No. 13, partly in Block No. 1 of HUTCHINSON'S ADDITION and partly in HUTCHINSON'S THIRD SUBDIVISION and in Block No. 3559 of the City of St. Louis, fronting 25 feet on the West line of Pope Avenue, by a depth Westwardly between parallel lines of 155 feet to the dividing line of said Block. (Pope Avenue is now treated as running North and South). Together with all improvements thereon, if any, known as and numbered 4511 Pope Avenue and also known as parcel 3559-00-02900.

PARCEL NO. 5:

The Southern 1/2 of Lot No. 13 in Block No. 1 of HUTCHINSON'S SUBDIVISION and in Block No. 3559 of the City of St. Louis, having a front of 25 feet on the West line of Pope Avenue, by a depth Westwardly of 155 feet to the dividing line of said Block. Together with all improvements thereon, if any, known as and numbered 4509 Pope Avenue and also known as parcel 3559-00-03000.

PARCEL NO. 6:

Lot No. 14 in Block No. 3559 of the City of St. Louis, lying partly in HUTCHINSON'S THIRD SUBDIVISION and partly in Block No. 1 of HUTCHINSON'S ADDITION, fronting 93 feet 1-3/4 inches on the North line of Pope Avenue, by a depth Northwardly of 165 feet 8 1/2 inches on the West line and 155 feet on the East line to the North line of said lot, on which there is a width of 30 feet 2-1.2 inches; bounded West by Newstead Avenue. Together with all improvements thereon, if any, known as and numbered 4501-03 Pope Avenue and also known as parcel 3559-00-03100.

PARCEL NO. 7:

Lots No. 15 and 16 in HUTCHINSON'S ADDITION and in Block 3559 of the City of St. Louis, beginning in the East line of Newstead Avenue at the Southwest corner of said Lot 15, thence North along the East line of Newstead Avenue 165 feet 8-1/2 inches to Carrie Avenue, thence Northeast along Carrie Avenue 117 feet 3-1/2 inches to the Northeast corner of said Lot 16, thence Southeast 155 feet to the Southeast corner of said Lot 16, thence Southwest 180 feet 2-12 inches to the point of beginning. Together with all improvements thereon, if any, known as and numbered 4431 No. Newstead Avenue and also known as parcel 3559-00-03200.

Legal Description from Quit Claim Deed between the Health and Educational Facilities Authority and the State of Missouri. Dated 9-16-1993.

PARCEL 1:

Lots numbered 1, 2, 3, 4, 5 and 9 of HUTCHINSON'S 3RD SUBDIVISION in the Shreve Tract and in BLOCK 4417 of the City of St. Louis, being more particularly described as follows: Beginning at the intersection of the North line of Carter Avenue and the West line of Newstead Avenue; thence Northwardly along the West line of Newstead Avenue 190 feet to an angle in said street; thence Northwardly still following said West line of Newstead Avenue 209 feet 10-3/4 inches to the corner of Lot 8; thence Southwestwardly along the line between Lots 8 and 9, a distance of 180 feet 0-1/2 inch to the North line of Lot 3; thence Westwardly along the north line of Lots 3, 4 and 5, a distance of 500 feet to a point in the East line of Taylor Avenue; thence Southwardly along the East line of Taylor Avenue 369 feet 4-1/2 inches to the North line of Carter Avenue; thence Eastwardly along the North line of Carter Avenue 801 feet 2-1/2 inches to the West line of Newstead Avenue and the place of beginning.

PARCEL 2:

Lots 7 and 8 of HUTCHINSON'S 3RD SUBDIVISION in the Shreve Tract and in BLOCK 4417 of the City of St. Louis, together fronting 225 feet 1-1/2 inches on the West line of Newstead Avenue, by a depth Westwardly on the North line of Lot 7 of 283 feet 4-1/2 inches and on the South line of Lot 8 a distance of 180 feet 1/2 inch; bounded North by Lot 6 and South by Lot 9 and on the West by Lots 3 and 4 of said subdivision.

PARCEL 3:

Part of Lot 6 of HUTCHINSON'S 3RD SUBDIVISION in the Shreve Tract and in BLOCK 4417 of the City of St. Louis, beginning at a point in the East line of an alley, 181 feet South of the South line of Newstead Avenue; thence Southwardly along the East line of said alley, 183 feet 9 inches to the

south line of Lot 6; thence Eastwardly along the South line of said Lot, 157 feet 6 inches to the West line of Lot 7; thence Northwardly along the West line of Lot 7 183 feet 9 inches to a point 99 feet 7-1/2 inches South of the South line of Newstead Avenue; thence Westwardly 157 feet 6 inches to the East line of said alley and the point of beginning.

2. The commissioner of administration shall set the terms and conditions for the conveyance as the commissioner deems reasonable. Such terms and conditions may include, but not be limited to, the number of appraisals required and the time, place, and terms of the conveyance.

3. The attorney general shall approve the form of the instrument of conveyance.

Section 10. 1. The governor is hereby authorized and empowered to sell, transfer, grant, convey, remise, release, and forever quitclaim all interest of the state of Missouri in property located in St. Louis County, Missouri. The property to be conveyed is more particularly described as follows:

A tract of land located in U.S. Survey 3341, Township 44 North, Ranges 6 and 7 East of the 5th P.M., more particularly described as follows: Commencing at the Northeast Corner of St. Bernadette Subdivision, St. Louis County, Missouri; thence North 70°52'40" West, 213.38 feet along the centerline of Sherman Avenue to its intersection with the centerline of Worth Road (aka Gregg Road), also being the southernmost corner of Parcel A as described in St. Louis County Deed Records at Book 8412, Page 545; thence North 19°06'20" East, 110.00 feet along said centerline of Worth Road (aka Gregg Road) and along the easterly line of said Parcel A to its easternmost corner, the true point of beginning of the hereinafter described tract: Thence North 70°53'10" West, 250.12 feet along the northerly line of said Parcel A to its northernmost corner, also being a point on the centerline of Randolph Street; thence North 19°02'30" East, 182.89 feet along said centerline of Randolph Street to its projected intersection with the centerline of Randolph Place; thence North 10°48'20" East, 85.08 feet to the southwest corner of Parcel B as described in St. Louis County Deed Records at the aforesaid Book 8412, Page 545; thence South 70°52'40" East, 262.25 feet along the southerly line of said Parcel B to its southeast corner, also being a point on the aforesaid centerline of Worth Road (aka Gregg Road); thence South 19°01'40" West, 267.03 feet along said centerline to the true point of beginning. Above described tract contains 1.54 acre, more or less, per plat of survey J-576, revised June 20, 2018, by Archer-Elgin Surveying and Engineering, LLC.

2. The commissioner of administration shall set the terms and conditions for the conveyance as the commissioner deems reasonable. Such terms and conditions may include, but not be limited to, the number of appraisals required and the time, place, and terms of the conveyance.

3. The attorney general shall approve the form of the instrument of conveyance.

Section 11. 1. The governor is hereby authorized and empowered to sell, transfer, grant, convey, remise, release, and forever quitclaim all interest of the state of Missouri in property located in the City of St. Louis, Missouri. The property to be conveyed is more particularly described as follows:

Parcel 1: Parcel 1: A Lot in Block No. 183 of the City of St. Louis, fronting 108 feet on the East line of Eighth Street, by a depth Eastwardly of 127 feet 6 inches to an alley; bounded North by Pine Street and South by another alley.

Parcel 1: Parcel 2: A Lot in Block No. 183 of the City of St. Louis, fronting 42 feet 6 inches on the North line of Chestnut Street, by a depth Northwardly of 114 feet to an alley; bounded West by Eighth Street and on the East by property now or formerly of Liggett Realty Company.

Parcel 2: A Lot in Block No. 183 of the City of St. Louis, having a front of 42 feet 6 inches on the North line of Chestnut Street, by a depth Northwardly between parallel lines of 114 feet to an alley; bounded West by a line parallel with and distant 42 feet 6 inches East of the East line of Eighth Street.

Parcel 3: A Lot in Block No. 183 of the City of St. Louis, fronting 30 feet on the South line of Pine Street, by a depth Southwardly of 107 feet 10 inches to an alley; bounded on the East by Seventh Street and the West by property now or formerly of Dubinsky Realty Company.

Parcel 4: Parcel 1: A Lot in Block 183 of the City of St. Louis, fronting 21 feet 3 inches on the North line of Chestnut Street by a depth Northwardly of 114 feet to an alley, bounded East by an alley, West by a line 106 feet 3 inches East of the East line of Eighth Street.

Parcel 4: Parcel 2: A Lot in Block No. 183 of the City of St. Louis, fronting 21 feet 3 inches on the North line of Chestnut Street, by a depth Northwardly of 114 feet between parallel lines to an alley; bounded West by a line 85 feet East of the East line of Eighth Street.

Parcel 5: A Lot in City Block 183 of the City of St. Louis, fronting 127 feet 6 inches on the North line of Chestnut Street by a depth Northwardly of 114 feet to an alley; bounded East by Seventh Street and West by an alley.

Parcel 6: Lot in Block 183 of the City of St. Louis fronting 48 feet 9 inches on the South line of Pine Street by a depth Southwardly of 107 feet 10 inches, more or less, to an alley, bounded East by a line 78 feet 9 inches West of the West line of 7th Street or property now or formerly of Henry C. Haarstick and West by an alley.

Parcel 7: A Lot in Block 183 of the City of St. Louis fronting 48 feet 9 inches on the South line of Pine Street by a depth Southwardly of 107 feet 10 inches to an alley 12 feet wide; bounded East by a line distant 30 feet West of the West line of Seventh Street.

And that adjoining portion of alley vacated by Ordinance No. 56979 in the City of St. Louis Records. (applies to all parcels)

2. The commissioner of administration shall set the terms and conditions for the conveyance as the commissioner deems reasonable. Such terms and conditions may include, but not be limited to, the number of appraisals required and the time, place, and terms of the conveyance.

3. The attorney general shall approve the form of the instrument of conveyance."; and

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

Representative Hudson assumed the Chair.

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

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

House Amendment No. 4

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 222, Page 7, Section 67.2677, Line 84, by inserting after all of said section and line the following:

"72.418. 1. Notwithstanding any other provision of law to the contrary, no new city created pursuant to sections 72.400 to 72.423 shall establish a municipal fire department to provide fire protection services, including emergency medical services, if such city formerly consisted of unincorporated areas in the county or municipalities in the county, or both, which are provided fire protection services and emergency medical services by one or more fire protection districts. Such fire protection districts shall continue to provide services to the area comprising the new city and may levy and collect taxes the same as such districts had prior to the creation of such new city.

2. Fire protection districts serving the area included within any annexation by a city having a fire department, including simplified boundary changes, shall continue to provide fire protection services, including emergency medical services to such area. The annexing city shall pay annually to the fire protection district an amount equal to that which the fire protection district would have levied on all taxable property within the annexed area. Such annexed area shall not be subject to taxation for any purpose thereafter by the fire protection district except for bonded indebtedness by the fire protection district which existed prior to the annexation. The amount to be paid annually by the municipality to the fire protection district pursuant hereto shall be a sum equal to the annual assessed value multiplied by the annual tax rate as certified by the fire protection district to the municipality, including any portion of the tax created for emergency medical service provided by the district, per one hundred dollars of assessed value in such area. The tax rate so computed shall include any tax on bonded indebtedness incurred subsequent to such annexation, but shall not include any portion of the tax rate for bonded indebtedness incurred prior to such annexation. Notwithstanding any other provision of law to the contrary, the residents of an area annexed on or after May 26, 1994, may vote in all fire protection district elections and may be elected to the fire protection district board of directors.

3. The fire protection district may approve or reject any proposal for the provision of fire protection and emergency medical services by a city.

4. Notwithstanding any other provision of law, in any city with more than eleven thousand but fewer than twelve thousand five hundred inhabitants and located in a county with more than one million

inhabitants that became a constitutional charter city after 1990 and that pays a fire protection district under this section, all residents of the city shall receive fire protection services from the city fire department beginning January 1, 2024, so long as the city fire department is in existence, and not a fire protection district, and the city shall not make any payments to a fire protection district under this section on or after January 1, 2024. Nothing in this subsection shall prevent such city from contracting with any fire protection district for services if the city and fire protection district mutually agree. Upon the city providing fire protection services as described in this subsection, the residents of an area annexed on or after May 26, 1994, shall no longer be able to vote in any fire protection district election and shall not be elected to the fire protection district's board of directors."; and

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

On motion of Representative Christ, **House Amendment No. 4** was adopted.

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

House Amendment No. 5

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 222, Page 8, Section 89.380, Line 25, by inserting after all of said section and line the following:

"90.520. When any incorporated city or town shall have decided to establish and maintain public parks under sections 90.500 to 90.570, the mayor of such city ~~shall~~ **may**, with the approval of the legislative branch of the municipal government, proceed to appoint a board of nine directors for the same, chosen from the citizens at large with reference to their fitness for such office, and no member of the municipal government shall be a member of the board."; and

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

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

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

House Amendment No. 6

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 222, Page 9, Section 436.337, Line 4, by inserting after all of said section and line the following:

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

(1) "Homeowners' association", a nonprofit corporation or unincorporated association of homeowners created under a declaration to own and operate portions of a planned community or other residential subdivision that has the power under the declaration to assess association members to pay the costs and expenses incurred in the performance of the association's obligations under the declaration or tenants-in-common with respect to the ownership of common ground or amenities of a planned community or other residential subdivision. This term shall not include a condominium unit owners' association as defined and provided for in subdivision (3) of section 448.1-103 or a residential cooperative;

(2) "Political signs", any fixed, ground-mounted display in support of or in opposition to a person seeking elected office or a ballot measure excluding any materials that may be attached;

(3) "Solar panel or solar collector", a device used to collect and convert solar energy into electricity or thermal energy, including but not limited to photovoltaic cells or panels, or solar thermal systems.

2. (1) No deed restrictions, covenants, or similar binding agreements running with the land shall prohibit or have the effect of prohibiting the display of political signs.

(2) A homeowners' association has the authority to adopt reasonable rules, subject to any applicable statutes or ordinances, regarding the time, size, place, number, and manner of display of political signs.

(3) A homeowners' association may remove a political sign without liability if such sign is placed within the common ground, threatens the public health or safety, violates an applicable statute or ordinance, is accompanied by sound or music, or if any other materials are attached to the political sign. Subject to the foregoing, a homeowners' association shall not remove a political sign from the property of a homeowner or impose any fine or penalty upon the homeowner unless it has given such homeowner three days after providing written notice to the homeowner, which notice shall specifically identify the rule and the nature of the violation.

3. (1) No deed restrictions, covenants, or similar binding agreements running with the land shall limit or prohibit, or have the effect of limiting or prohibiting, the installation of solar panels or solar collectors on the rooftop of any property or structure.

(2) A homeowners' association may adopt reasonable rules, subject to any applicable statutes or ordinances, regarding the placement of solar panels or solar collectors to the extent that those rules do not prevent the installation of the device, impair the functioning of the device, restrict the use of the device, or adversely affect the cost or efficiency of the device.

(3) The provisions of this subsection shall apply only with regard to rooftops that are owned, controlled, and maintained by the owner of the individual property or structure.

4. (1) No deed restrictions, covenants, or similar binding agreements running with the land shall prohibit or have the effect of prohibiting the display of sale signs on the property of a homeowner or property owner including, but not limited to, any yard on the property, or nearby street corners.

(2) A homeowners' association has the authority to adopt reasonable rules, subject to any applicable statutes or ordinances, regarding the time, size, place, number, and manner of display of sale signs.

(3) A homeowners' association may remove a sale sign without liability if such sign is placed within the common ground, threatens the public health or safety, violates an applicable statute or ordinance, is accompanied by sound or music, or if any other materials are attached to the sale sign. Subject to the foregoing, a homeowners' association shall not remove a sale sign from the property of a homeowner or property owner or impose any fine or penalty upon the homeowner or property owner unless it has given such homeowner or property owner three business days after the homeowner or property owner receives written notice from the homeowners' association, which notice shall specifically identify the rule and the nature of the alleged violation.

5. (1) No deed restrictions, covenants, or similar binding agreements running with the land shall prohibit or have the effect of prohibiting ownership or pasturing of up to four chickens per two tenths of an acre.

(2) A homeowners' association may adopt reasonable rules, subject to applicable statutes or ordinances, regarding ownership or pasturing of chickens, including a prohibition or restriction on ownership or pasturing of roosters."; and

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

Representative Patterson moved the previous question.

Which motion was adopted by the following vote:

AYES: 106

Allen	Amato	Atchison	Baker	Banderman
Billington	Black	Boggs	Bonacker	Boyd
Bromley	Brown 149	Brown 16	Buchheit-Courtway	Burger
Byrnes	Chappell	Christ	Christofanelli	Collins
Cook	Copeland	Cupps	Davidson	Davis
Deaton	Diehl	Dinkins	Evans	Falkner
Farnan	Francis	Gallick	Gragg	Gregory
Griffith	Haden	Haffner	Haley	Hardwick
Hein	Henderson	Hicks	Hinman	Hovis
Hudson	Hurlbert	Jones	Justus	Kalberloh
Keathley	Kelley 127	Kelly 141	Knight	Lewis 6

Lonsdale	Lovasco	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	Smith 155	Smith 163	Sparks	Stacy
Stephens	Stinnett	Taylor 48	Thomas	Thompson
Titus	Toalson Reisch	Unsicker	Van Schoiack	Veit
Voss	Waller	West	Wilson	Wright
Mr. Speaker				

NOES: 043

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

PRESENT: 000

ABSENT WITH LEAVE: 013

Bland Manlove	Bosley	Busick	Casteel	Coleman
Hausman	Houx	Marquart	Matthiesen	Merideth
Mosley	Sharp 37	Shields		

VACANCIES: 001

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

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

House Amendment No. 7

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 222, Page 1, Section A, Line 5, by inserting after all of said section and line the following:

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

(1) "Accounting system", the total structure of records and procedures which discover, record, classify, and report information on the financial position and operating results of a governmental unit or any of its funds, balanced account groups, and organizational components;

(2) "Audit", an independent, objective assessment of the stewardship, performance, or cost of government policies, programs, or operations, depending upon the type and scope of the audit. All audits shall conform to the standards established by the comptroller general of the United States for audits of government entities, organizations, programs, activities, and functions as presented in the publication Government Auditing Standards;

(3) "Federal agency", any department, agency, or instrumentality of the federal government and any federally owned or controlled corporation;

(4) "Financial audits", audits providing an independent assessment of whether an entity's reported financial information is presented fairly in accordance with recognized criteria. Financial audits shall consist of the following:

(a) Financial statement audits that shall:

a. Provide or disclaim an opinion about whether an entity's financial statements are presented fairly in all material respects in conformity with accounting principles generally accepted in the United States or with another applicable financial reporting framework; or

b. Report on internal control deficiencies and on compliance with provisions of laws, regulations, contracts, and grant agreements, as those controls and provisions relate to financial transactions, systems, and processes; or

(b) Other financial audits of various scopes which may include, but not be limited to:

a. Reporting on specified elements, accounts, or items of a financial statement; and

b. Auditing compliance with requirements related to federal award expenditures and other governmental financial assistance in conjunction with a financial statement audit;

(5) **"Improper governmental activity", includes official misconduct, fraud, misappropriation, mismanagement, waste of resources, or a violation of state or federal law, rule, or regulation;**

(6) "Internal control", the plans, policies, methods, and procedures used to meet an entity's or organization's mission, goals, and objectives. Internal control shall include the processes and procedures for planning, organizing, directing, and controlling operations, as well as management's system for measuring, reporting, and monitoring performance;

~~[(6)]~~ (7) "Performance audits", audits that provide findings or conclusions based on an evaluation of sufficient, appropriate evidence against identified criteria. Performance audit objectives shall include, but not be limited to, the following:

(a) Effectiveness and results. This objective may measure the extent to which an entity, organization, activity, program, or function is achieving its goals and objectives;

(b) Economy and efficiency. This objective shall assess the costs and resources used to achieve results of an entity, organization, activity, program, or function;

(c) Internal control. This objective shall assess one or more components of an entity's internal control system, which is designed to provide reasonable assurance of achieving effective and efficient operations, reliable financial and performance reporting, or compliance with applicable legal requirements; and

(d) Compliance. This objective shall assess compliance with criteria established by provisions of laws, regulations, contracts, and grant agreements or by other requirements that could affect the acquisition, protection, use, and disposition of an entity's resources and the quantity, quality, timeliness, and cost of services the entity produces and delivers;

~~[(7)]~~ (8) "State agency", any department, institution, board, commission, committee, division, bureau, officer, or official which shall include any institution of higher education, mental or specialty hospital, community college, or circuit court and divisions of the circuit court.

29.225. 1. The auditor or his or her authorized representatives may audit all or part of any political subdivision or other governmental entity:

(1) If, after an investigation of the political subdivision or governmental entity under section 29.221, or its officers or employees, the auditor has made a finding that the report under 29.221 is a credible report of allegations of improper government activity; or

(2) When requested by a prosecuting attorney, circuit attorney, or law enforcement agency as part of an investigation of an improper governmental activity.

2. All audits initiated under this section will be paid for out of the auditor's budget.

29.235. 1. The auditor and the auditor's authorized agents are authorized to:

(1) Examine all books, accounts, records, reports, or vouchers of any state agency or entity subject to audit, insofar as they are necessary to conduct an audit under this chapter, provided that the auditor complies with state and federal financial privacy requirements prior to accessing financial records including provisions presented in chapter 408 and provided that the auditor or other public entity reimburses the reasonable documentation and production costs relating to compliance with examination by the auditor or auditor's authorized agents that pertain to:

(a) Amounts received under a grant or contract from the federal government or the state or its political subdivisions;

(b) Amounts received, disbursed, or otherwise handled on behalf of the federal government or the state;

(2) Examine and inspect all property, equipment, and facilities in the possession of any state agency, political subdivision, or quasi-governmental entity that were furnished or otherwise provided through grant, contract, or any other type of funding by the state of Missouri or the federal government; and

(3) Review state tax returns, except such review shall be limited to matters of official business, and the auditor's report shall not violate the confidentiality provisions of tax laws. Notwithstanding confidentiality provisions of tax laws to the contrary, the auditor may use or disclose information related to overdue tax debts in support of the auditor's statutory mission.

2. All contracts or agreements entered into as a result of the award of a grant by state agencies or political subdivisions shall include, as a necessary part, a clause describing the auditor's access as provided under this section.

3. The auditor may obtain the services of certified public accountants, qualified management consultants, or other professional persons and experts as the auditor deems necessary or desirable to carry out the duties and functions assigned under this chapter. Unless otherwise authorized by law, no state agency shall enter into any contract for auditing services without consultation with, and the prior written approval of, the auditor.

4. (1) Insofar as necessary to conduct an audit under this chapter **or an investigation under section 29.221**, the auditor or the auditor's authorized representatives shall have the power to subpoena witnesses, to take testimony under oath, to cause the deposition of witnesses residing within or without the state to be taken in a manner prescribed by law, and to assemble records and documents, by subpoena or otherwise. The subpoena power granted by this section shall be exercised only at the specific written direction of the auditor or the auditor's chief deputy.

(2) If any person refuses to comply with a subpoena, the auditor shall seek to enforce the subpoena before a court of competent jurisdiction to require the attendance and testimony of witnesses and the production of books, papers, correspondence, memoranda, contracts, agreements, and other records. Such court may issue an order requiring such person to appear before the auditor or officers designated by the auditor to produce records or to give testimony relating to the matter under investigation or in question. Any failure to comply with such order of the court may be punished by such court as contempt.

5. Testimony and records obtained through the authority to subpoena under this section shall be subject to the same confidentiality and disclosure provisions provided under section 29.200 for audit workpapers and related supportive material."; and

Further amend said bill, Page 3, Section 44.251, Line 80, by inserting after all of said section and line the following:

"52.150. 1. The person appointed to fill a vacancy in the office of collector shall execute a bond and collect and pay over the taxes in the manner required of the collector subject to the provisions of subsections 2, 3, 4 and 6 of this section, and his acts shall be as binding and effectual as acts of the regularly elected collector. He may obtain judgment and sell delinquent lands and lots in the manner in which the collector is authorized to act.

2. ~~[The person appointed to fill a vacancy in the office of collector shall within five days after assuming the duties of the office notify the state auditor of the need for an audit of the office.]~~ The state auditor shall ~~[within twenty days of receipt of the notice commence]~~ **conduct an audit of the collector's office if the county governing body passes an order or resolution requesting the audit within thirty days of the appointment of the new collector.**

3. **If an audit is requested under subsection 2 of this section**, the state auditor shall:

(1) Determine the financial condition of the accounts of the office of the collector;

(2) Determine the proper compensation that should have been paid to the replaced collector in the past three years and the compensation actually paid during such period; and

(3) File a report of his finding with the county governing body and the person appointed to fill the vacancy in the office of the collector.

4. The county governing body shall notwithstanding any other provision of law to the contrary:

(1) Accept the report of the state auditor; and

(2) If necessary order the newly appointed collector to withhold and pay any funds owing to the county and the past collector or his estate from current tax revenue; or

(3) Direct the prosecuting attorney to file suit against the past collector or his estate or against his bond to recover any overpayment.

5. The prosecuting attorney shall represent the county, the county governing body and the newly appointed collector without additional compensation in any civil action arising as a result of this section.

6. Any moneys recovered pursuant to this section due the county or any political subdivision within the county shall be paid in the year of recovery as if the funds were collected in the current year.

7. The county governing body shall pay to the state auditor from county general revenue the costs of the audit conducted pursuant to subsections 2 and 3 of this section."; and

Further amend said bill, Page 9, Section 182.819, Line 10, by inserting after all of said section and line the following:

"374.250. 1. The director shall take proper vouchers for all payments made by the department and shall take receipts from the director of revenue for all moneys the department pays to the director of revenue.

2. At the close of each state fiscal year, the state auditor shall audit, adjust and settle all receipts and disbursements in the insurance dedicated fund and the insurance examiners' fund, ~~and taxes certified or collected under sections 148.310 to 148.461 or sections 384.011 to 384.071~~ **and the results shall be reported as part of the annual audit of the state's financial statements.**"; and

Further amend said bill and page, Section 534.157, Line 3, by inserting after all of said section and line the following:

"610.021. Except to the extent disclosure is otherwise required by law, a public governmental body is authorized to close meetings, records and votes, to the extent they relate to the following:

(1) Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys.

However, any minutes, vote or settlement agreement relating to legal actions, causes of action or litigation involving a public governmental body or any agent or entity representing its interests or acting on its behalf or with its authority, including any insurance company acting on behalf of a public government body as its insured, shall be made public upon final disposition of the matter voted upon or upon the signing by the parties of the settlement agreement, unless, prior to final disposition, the settlement agreement is ordered closed by a court after a written finding that the adverse impact to a plaintiff or plaintiffs to the action clearly outweighs the public policy considerations of section 610.011, however, the amount of any moneys paid by, or on behalf of, the public governmental body shall be disclosed; provided, however, in matters involving the exercise of the power of eminent domain, the vote shall be announced or become public immediately following the action on the motion to authorize institution of such a legal action. Legal work product shall be considered a closed record;

(2) Leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefor. However, any minutes, vote or public record approving a contract relating to the leasing, purchase or sale of real estate by a public governmental body shall be made public upon execution of the lease, purchase or sale of the real estate;

(3) Hiring, firing, disciplining or promoting of particular employees by a public governmental body when personal information about the employee is discussed or recorded. However, any vote on a final decision, when taken by a public governmental body, to hire, fire, promote or discipline an employee of a public governmental body shall be made available with a record of how each member voted to the public within seventy-two hours of the close of the meeting where such action occurs; provided, however, that any employee so affected shall be entitled to prompt notice of such decision during the seventy-two-hour period before such decision is made available to the public. As used in this subdivision, the term "personal information" means information relating to the performance or merit of individual employees;

(4) The state militia or national guard or any part thereof;

(5) Nonjudicial mental or physical health proceedings involving identifiable persons, including medical, psychiatric, psychological, or alcoholism or drug dependency diagnosis or treatment;

(6) Scholastic probation, expulsion, or graduation of identifiable individuals, including records of individual test or examination scores; however, personally identifiable student records maintained by public educational institutions shall be open for inspection by the parents, guardian or other custodian of students under the age of eighteen years and by the parents, guardian or other custodian and the student if the student is over the age of eighteen years;

(7) Testing and examination materials, before the test or examination is given or, if it is to be given again, before so given again;

(8) Welfare cases of identifiable individuals;

(9) Preparation, including any discussions or work product, on behalf of a public governmental body or its representatives for negotiations with employee groups;

(10) Software codes for electronic data processing and documentation thereof;

(11) Specifications for competitive bidding, until either the specifications are officially approved by the public governmental body or the specifications are published for bid;

(12) Sealed bids and related documents, until the bids are opened; and sealed proposals and related documents or any documents related to a negotiated contract until a contract is executed, or all proposals are rejected;

(13) Individually identifiable personnel records, performance ratings or records pertaining to employees or applicants for employment, except that this exemption shall not apply to the names, positions, salaries and lengths of service of officers and employees of public agencies once they are employed as such, and the names of private sources donating or contributing money to the salary of a chancellor or president at all public colleges and universities in the state of Missouri and the amount of money contributed by the source;

(14) Records which are protected from disclosure by law;

(15) Meetings and public records relating to scientific and technological innovations in which the owner has a proprietary interest;

(16) Records relating to municipal hotlines established for the reporting of abuse and wrongdoing **and records relating to reports of allegations of improper governmental activities under section 29.221;**

(17) Confidential or privileged communications between a public governmental body and its auditor, including all auditor work product; however, all final audit reports issued by the auditor are to be considered open records pursuant to this chapter;

(18) Operational guidelines, policies and specific response plans developed, adopted, or maintained by any public agency responsible for law enforcement, public safety, first response, or public health for use in responding to or preventing any critical incident which is or appears to be terrorist in nature and which has the potential to endanger individual or public safety or health. Financial records related to the procurement of or expenditures relating to operational guidelines, policies or plans purchased with public funds shall be open. When seeking to close information pursuant to this exception, the public governmental body shall affirmatively state in writing that disclosure would impair the public governmental body's ability to protect the security or safety of persons or real property, and shall in the same writing state that the public interest in nondisclosure outweighs the public interest in disclosure of the records;

(19) Existing or proposed security systems and structural plans of real property owned or leased by a public governmental body, and information that is voluntarily submitted by a nonpublic entity owning or operating an infrastructure to any public governmental body for use by that body to devise plans for protection of that infrastructure, the public disclosure of which would threaten public safety:

(a) Records related to the procurement of or expenditures relating to security systems purchased with public funds shall be open;

(b) When seeking to close information pursuant to this exception, the public governmental body shall affirmatively state in writing that disclosure would impair the public governmental body's ability to protect the security or safety of persons or real property, and shall in the same writing state that the public interest in nondisclosure outweighs the public interest in disclosure of the records;

(c) Records that are voluntarily submitted by a nonpublic entity shall be reviewed by the receiving agency within ninety days of submission to determine if retention of the document is necessary in furtherance of a state security interest. If retention is not necessary, the documents shall be returned to the nonpublic governmental body or destroyed;

(20) The portion of a record that identifies security systems or access codes or authorization codes for security systems of real property;

(21) Records that identify the configuration of components or the operation of a computer, computer system, computer network, or telecommunications network, and would allow unauthorized access to or unlawful disruption of a computer, computer system, computer network, or telecommunications network of a public governmental body. This exception shall not be used to limit or deny access to otherwise public records in a file, document, data file or database containing public records. Records related to the procurement of or expenditures relating to such computer, computer system, computer network, or telecommunications network, including the amount of moneys paid by, or on behalf of, a public governmental body for such computer, computer system, computer network, or telecommunications network shall be open;

(22) Credit card numbers, personal identification numbers, digital certificates, physical and virtual keys, access codes or authorization codes that are used to protect the security of electronic transactions between a public governmental body and a person or entity doing business with a public governmental body. Nothing in this section

shall be deemed to close the record of a person or entity using a credit card held in the name of a public governmental body or any record of a transaction made by a person using a credit card or other method of payment for which reimbursement is made by a public governmental body;

(23) Records submitted by an individual, corporation, or other business entity to a public institution of higher education in connection with a proposal to license intellectual property or perform sponsored research and which contains sales projections or other business plan information the disclosure of which may endanger the competitiveness of a business;

(24) Records relating to foster home or kinship placements of children in foster care under section 210.498; and

(25) Individually identifiable customer usage and billing records for customers of a municipally owned utility, unless the records are requested by the customer or authorized for release by the customer, except that a municipally owned utility shall make available to the public the customer's name, billing address, location of service, and dates of service provided for any commercial service account."; and

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

Representative Christ offered **House Amendment No. 1 to House Amendment No. 7.**

*House Amendment No. 1
to
House Amendment No. 7*

AMEND House Amendment No. 7 to House Committee Substitute for Senate Substitute for Senate Bill No. 222, Page 5, Line 4, by deleting said line and inserting in lieu thereof the following:

"the results shall be reported as part of the annual audit of the state's financial statements.

407.932. **1.** Nothing in sections 407.925 to 407.932 shall prohibit local political subdivisions from enacting more stringent ordinances or rules.

2. Notwithstanding the provisions of subsection 1 of this section, no political subdivision shall deny a license to a qualified applicant for a tobacco products license, an alternative nicotine products license, or a vapor products license if the new license being sought is for the same location that had a license within the previous twenty-four months. Any new licensee shall remain eligible for a tobacco products license, an alternative nicotine products license, or a vapor products license, or the renewal thereof, provided that such licensee is in compliance with applicable rules and laws. The provisions of this subsection shall not be construed to require the political subdivision to increase the total number of tobacco products licenses, alternative nicotine products licenses, or vapor products licenses issued by the political subdivision."; and"; and

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

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

Representative Hudson requested a parliamentary ruling.

Speaker Plocher resumed the Chair.

The Chair advised members to confine their remarks to the question under debate.

Representative Hudson resumed the Chair.

On motion of Representative Christ, **House Amendment No. 1 to House Amendment No. 7** was adopted.

On motion of Representative Christofanelli, **House Amendment No. 7, as amended**, was adopted.

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

House Amendment No. 8

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 222, Page 9, Section 182.819, Line 10, by inserting after all of said line the following:

"260.205. 1. It shall be unlawful for any person to operate a solid waste processing facility or solid waste disposal area of a solid waste management system without first obtaining an operating permit from the department. It shall be unlawful for any person to construct a solid waste processing facility or solid waste disposal area without first obtaining a construction permit from the department pursuant to this section. A current authorization to operate issued by the department pursuant to sections 260.200 to 260.345 shall be considered to be a permit to operate for purposes of this section for all solid waste disposal areas and processing facilities existing on August 28, 1995. A permit shall not be issued for a sanitary landfill to be located in a flood area, as determined by the department, where flood waters are likely to significantly erode final cover. A permit shall not be required to operate a waste stabilization lagoon, settling pond or other water treatment facility which has a valid permit from the Missouri clean water commission even though the facility may receive solid or semisolid waste materials.

2. No person or operator may apply for or obtain a permit to construct a solid waste disposal area unless the person has requested the department to conduct a preliminary site investigation and obtained preliminary approval from the department. The department shall, within sixty days of such request, conduct a preliminary investigation and approve or disapprove the site.

3. All proposed solid waste disposal areas for which a preliminary site investigation request pursuant to subsection 2 of this section is received by the department on or after August 28, 1999, shall be subject to a public involvement activity as part of the permit application process. The activity shall consist of the following:

(1) The applicant shall notify the public of the preliminary site investigation approval within thirty days after the receipt of such approval. Such public notification shall be by certified mail to the governing body of the county or city in which the proposed disposal area is to be located and by certified mail to the solid waste management district in which the proposed disposal area is to be located;

(2) Within ninety days after the preliminary site investigation approval, the department shall conduct a public awareness session in the county in which the proposed disposal area is to be located. The department shall provide public notice of such session by both printed and broadcast media at least thirty days prior to such session. Printed notification shall include publication in at least one newspaper having general circulation within the county in which the proposed disposal area is to be located. Broadcast notification shall include public service announcements on radio stations that have broadcast coverage within the county in which the proposed disposal area is to be located. The intent of such public awareness session shall be to provide general information to interested citizens on the design and operation of solid waste disposal areas;

(3) At least sixty days prior to the submission to the department of a report on the results of a detailed site investigation pursuant to subsection 4 of this section, the applicant shall conduct a community involvement session in the county in which the proposed disposal area is to be located. Department staff shall attend any such session. The applicant shall provide public notice of such session by both printed and broadcast media at least thirty days prior to such session. Printed notification shall include publication in at least one newspaper having general circulation within the county in which the proposed disposal area is to be located. Broadcast notification shall include public service announcements on radio stations that have broadcast coverage within the county in which the proposed disposal area is to be located. Such public notices shall include the addresses of the applicant and the department and information on a public comment period. Such public comment period shall begin on the day of the community involvement session and continue for at least thirty days after such session. The applicant shall respond to all persons submitting comments during the public comment period no more than thirty days after the receipt of such comments;

(4) If a proposed solid waste disposal area is to be located in a county or city that has local planning and zoning requirements, the applicant shall not be required to conduct a community involvement session if the following conditions are met:

- (a) The local planning and zoning requirements include a public meeting;
- (b) The applicant notifies the department of intent to utilize such meeting in lieu of the community involvement session at least thirty days prior to such meeting;
- (c) The requirements of such meeting include providing public notice by printed or broadcast media at least thirty days prior to such meeting;
- (d) Such meeting is held at least thirty days prior to the submission to the department of a report on the results of a detailed site investigation pursuant to subsection 4 of this section;
- (e) The applicant submits to the department a record of such meeting;
- (f) A public comment period begins on the day of such meeting and continues for at least fourteen days after such meeting, and the applicant responds to all persons submitting comments during such public comment period no more than fourteen days after the receipt of such comments.

4. No person may apply for or obtain a permit to construct a solid waste disposal area unless the person has submitted to the department a plan for conducting a detailed surface and subsurface geologic and hydrologic investigation and has obtained geologic and hydrologic site approval from the department. The department shall approve or disapprove the plan within thirty days of receipt. The applicant shall conduct the investigation pursuant to the plan and submit the results to the department. The department shall provide approval or disapproval within sixty days of receipt of the investigation results.

5. (1) Every person desiring to construct a solid waste processing facility or solid waste disposal area shall make application for a permit on forms provided for this purpose by the department. Every applicant shall submit evidence of financial responsibility with the application. Any applicant who relies in part upon a parent corporation for this demonstration shall also submit evidence of financial responsibility for that corporation and any other subsidiary thereof.

(2) Every applicant shall provide a financial assurance instrument or instruments to the department prior to the granting of a construction permit for a solid waste disposal area. The financial assurance instrument or instruments shall be irrevocable, meet all requirements established by the department and shall not be cancelled, revoked, disbursed, released or allowed to terminate without the approval of the department. After the cessation of active operation of a sanitary landfill, or other solid waste disposal area as designed by the department, neither the guarantor nor the operator shall cancel, revoke or disburse the financial assurance instrument or allow the instrument to terminate until the operator is released from postclosure monitoring and care responsibilities pursuant to section 260.227.

(3) The applicant for a permit to construct a solid waste disposal area shall provide the department with plans, specifications, and such other data as may be necessary to comply with the purpose of sections 260.200 to 260.345. The application shall demonstrate compliance with all applicable local planning and zoning requirements. The department shall make an investigation of the solid waste disposal area and determine whether it complies with the provisions of sections 260.200 to 260.345 and the rules and regulations adopted pursuant to sections 260.200 to 260.345. Within twelve consecutive months of the receipt of an application for a construction permit the department shall approve or deny the application. The department shall issue rules and regulations establishing time limits for permit modifications and renewal of a permit for a solid waste disposal area. The time limit shall be consistent with this chapter.

(4) The applicant for a permit to construct a solid waste processing facility shall provide the department with plans, specifications and such other data as may be necessary to comply with the purpose of sections 260.200 to 260.345. Within one hundred eighty days of receipt of the application, the department shall determine whether it complies with the provisions of sections 260.200 to 260.345. Within twelve consecutive months of the receipt of an application for a permit to construct an incinerator as described in the definition of solid waste processing facility in section 260.200 or a material recovery facility as described in the definition of solid waste processing facility in section 260.200, and within six months for permit modifications, the department shall approve or deny the application. Permits issued for solid waste facilities shall be for the anticipated life of the facility.

(5) If the department fails to approve or deny an application for a permit or a permit modification within the time limits specified in subdivisions (3) and (4) of this subsection, the applicant may maintain an action in the circuit court of Cole County or that of the county in which the facility is located or is to be sited. The court shall order the department to show cause why it has not acted on the permit and the court may, upon the presentation of evidence satisfactory to the court, order the department to issue or deny such permit or permit modification. Permits for solid waste disposal areas, whether issued by the department or ordered to be issued by a court, shall be for the anticipated life of the facility.

(6) The applicant for a permit to construct a solid waste processing facility shall pay an application fee of one thousand dollars. Upon completion of the department's evaluation of the application, but before receiving a permit, the applicant shall reimburse the department for all reasonable costs incurred by the department up to a

maximum of four thousand dollars. The applicant for a permit to construct a solid waste disposal area shall pay an application fee of two thousand dollars. Upon completion of the department's evaluations of the application, but before receiving a permit, the applicant shall reimburse the department for all reasonable costs incurred by the department up to a maximum of eight thousand dollars. Applicants who withdraw their application before the department completes its evaluation shall be required to reimburse the department for costs incurred in the evaluation. The department shall not collect the fees authorized in this subdivision unless it complies with the time limits established in this section.

(7) When the review reveals that the facility or area does conform with the provisions of sections 260.200 to 260.345 and the rules and regulations adopted pursuant to sections 260.200 to 260.345, the department shall approve the application and shall issue a permit for the construction of each solid waste processing facility or solid waste disposal area as set forth in the application and with any permit terms and conditions which the department deems appropriate. In the event that the facility or area fails to meet the rules and regulations adopted pursuant to sections 260.200 to 260.345, the department shall issue a report to the applicant stating the reason for denial of a permit.

6. Plans, designs, and relevant data for the construction of solid waste processing facilities and solid waste disposal areas shall be submitted to the department by a registered professional engineer licensed by the state of Missouri for approval prior to the construction, alteration or operation of such a facility or area.

7. Any person or operator as defined in section 260.200 who intends to obtain a construction permit in a solid waste management district with an approved solid waste management plan shall request a recommendation in support of the application from the executive board created in section 260.315. The executive board shall consider the impact of the proposal on, and the extent to which the proposal conforms to, the approved district solid waste management plan prepared pursuant to section 260.325. The executive board shall act upon the request for a recommendation within sixty days of receipt and shall submit a resolution to the department specifying its position and its recommendation regarding conformity of the application to the solid waste plan. The board's failure to submit a resolution constitutes recommendation of the application. The department may consider the application, regardless of the board's action thereon and may deny the construction permit if the application fails to meet the requirements of sections 260.200 to 260.345, or if the application is inconsistent with the district's solid waste management plan.

8. If the site proposed for a solid waste disposal area is not owned by the applicant, the owner or owners of the site shall acknowledge that an application pursuant to sections 260.200 to 260.345 is to be submitted by signature or signatures thereon. The department shall provide the owner with copies of all communication with the operator, including inspection reports and orders issued pursuant to section 260.230.

9. The department shall not issue a permit for the operation of a solid waste disposal area designed to serve a city with a population of greater than four hundred thousand located in more than one county, if the site is located within ~~one-half~~ one mile of an adjoining municipality, without the approval of the governing body of such municipality. The governing body shall conduct a public hearing within fifteen days of notice, shall publicize the hearing in at least one newspaper having general circulation in the municipality, and shall vote to approve or disapprove the land disposal facility within thirty days after the close of the hearing.

10. (1) Upon receipt of an application for a permit to construct a solid waste processing facility or disposal area, the department shall notify the public of such receipt:

(a) By legal notice published in a newspaper of general circulation in the area of the proposed disposal area or processing facility;

(b) By certified mail to the governing body of the county or city in which the proposed disposal area or processing facility is to be located; and

(c) By mail to the last known address of all record owners of contiguous real property or real property located within one thousand feet of the proposed disposal area and, for a proposed processing facility, notice as provided in section 64.875 or section 89.060, whichever is applicable.

(2) If an application for a construction permit meets all statutory and regulatory requirements for issuance, a public hearing on the draft permit shall be held by the department in the county in which the proposed solid waste disposal area is to be located prior to the issuance of the permit. The department shall provide public notice of such hearing by both printed and broadcast media at least thirty days prior to such hearing. Printed notification shall include publication in at least one newspaper having general circulation within the county in which the proposed disposal area is to be located. Broadcast notification shall include public service announcements on radio stations that have broadcast coverage within the county in which the proposed disposal area is to be located.

11. After the issuance of a construction permit for a solid waste disposal area, but prior to the beginning of disposal operations, the owner and the department shall execute an easement to allow the department, its agents or its contractors to enter the premises to complete work specified in the closure plan, or to monitor or maintain the site or to take remedial action during the postclosure period. After issuance of a construction permit for a solid waste disposal area, but prior to the beginning of disposal operations, the owner shall submit evidence that such owner has recorded, in the office of the recorder of deeds in the county where the disposal area is located, a notice and covenant running with the land that the property has been permitted as a solid waste disposal area and prohibits use of the land in any manner which interferes with the closure and, where appropriate, postclosure plans filed with the department.

12. Every person desiring to obtain a permit to operate a solid waste disposal area or processing facility shall submit applicable information and apply for an operating permit from the department. The department shall review the information and determine, within sixty days of receipt, whether it complies with the provisions of sections 260.200 to 260.345 and the rules and regulations adopted pursuant to sections 260.200 to 260.345. When the review reveals that the facility or area does conform with the provisions of sections 260.200 to 260.345 and the rules and regulations adopted pursuant to sections 260.200 to 260.345, the department shall issue a permit for the operation of each solid waste processing facility or solid waste disposal area and with any permit terms and conditions which the department deems appropriate. In the event that the facility or area fails to meet the rules and regulations adopted pursuant to sections 260.200 to 260.345, the department shall issue a report to the applicant stating the reason for denial of a permit.

13. Each solid waste disposal area, except utility waste landfills unless otherwise and to the extent required by the department, and those solid waste processing facilities designated by rule, shall be operated under the direction of a certified solid waste technician in accordance with sections 260.200 to 260.345 and the rules and regulations promulgated pursuant to sections 260.200 to 260.345.

14. Base data for the quality and quantity of groundwater in the solid waste disposal area shall be collected and submitted to the department prior to the operation of a new or expansion of an existing solid waste disposal area. Base data shall include a chemical analysis of groundwater drawn from the proposed solid waste disposal area.

15. Leachate collection and removal systems shall be incorporated into new or expanded sanitary landfills which are permitted after August 13, 1986. The department shall assess the need for a leachate collection system for all types of solid waste disposal areas, other than sanitary landfills, and the need for monitoring wells when it evaluates the application for all new or expanded solid waste disposal areas. The department may require an operator of a solid waste disposal area to install a leachate collection system before the beginning of disposal operations, at any time during disposal operations for unfilled portions of the area, or for any portion of the disposal area as a part of a remedial plan. The department may require the operator to install monitoring wells before the beginning of disposal operations or at any time during the operational life or postclosure care period if it concludes that conditions at the area warrant such monitoring. The operator of a demolition landfill or utility waste landfill shall not be required to install a leachate collection and removal system or monitoring wells unless otherwise and to the extent the department so requires based on hazardous waste characteristic criteria or site specific geohydrological characteristics or conditions.

16. Permits granted by the department, as provided in sections 260.200 to 260.345, shall be subject to suspension for a designated period of time, civil penalty or revocation whenever the department determines that the solid waste processing facility or solid waste disposal area is, or has been, operated in violation of sections 260.200 to 260.345 or the rules or regulations adopted pursuant to sections 260.200 to 260.345, or has been operated in violation of any permit terms and conditions, or is creating a public nuisance, health hazard, or environmental pollution. In the event a permit is suspended or revoked, the person named in the permit shall be fully informed as to the reasons for such action.

17. Each permit for operation of a facility or area shall be issued only to the person named in the application. Permits are transferable as a modification to the permit. An application to transfer ownership shall identify the proposed permittee. A disclosure statement for the proposed permittee listing violations contained in the definition of disclosure statement found in section 260.200 shall be submitted to the department. The operation and design plans for the facility or area shall be updated to provide compliance with the currently applicable law and rules. A financial assurance instrument in such an amount and form as prescribed by the department shall be provided for solid waste disposal areas by the proposed permittee prior to transfer of the permit. The financial assurance instrument of the original permittee shall not be released until the new permittee's financial assurance instrument has been approved by the department and the transfer of ownership is complete.

18. Those solid waste disposal areas permitted on January 1, 1996, shall, upon submission of a request for permit modification, be granted a solid waste management area operating permit if the request meets reasonable requirements set out by the department.

19. In case a permit required pursuant to this section is denied or revoked, the person may request a hearing in accordance with section 260.235.

20. Every applicant for a permit shall file a disclosure statement with the information required by and on a form developed by the department of natural resources at the same time the application for a permit is filed with the department.

21. Upon request of the director of the department of natural resources, the applicant for a permit, any person that could reasonably be expected to be involved in management activities of the solid waste disposal area or solid waste processing facility, or any person who has a controlling interest in any permittee shall be required to submit to a criminal background check under section 43.543.

22. All persons required to file a disclosure statement shall provide any assistance or information requested by the director or by the Missouri state highway patrol and shall cooperate in any inquiry or investigation conducted by the department and any inquiry, investigation or hearing conducted by the director. If, upon issuance of a formal request to answer any inquiry or produce information, evidence or testimony, any person required to file a disclosure statement refuses to comply, the application of an applicant or the permit of a permittee may be denied or revoked by the director.

23. If any of the information required to be included in the disclosure statement changes, or if any additional information should be added after the filing of the statement, the person required to file it shall provide that information to the director in writing, within thirty days after the change or addition. The failure to provide such information within thirty days may constitute the basis for the revocation of or denial of an application for any permit issued or applied for in accordance with this section, but only if, prior to any such denial or revocation, the director notifies the applicant or permittee of the director's intention to do so and gives the applicant or permittee fourteen days from the date of the notice to explain why the information was not provided within the required thirty-day period. The director shall consider this information when determining whether to revoke, deny or conditionally grant the permit.

24. No person shall be required to submit the disclosure statement required by this section if the person is a corporation or an officer, director or shareholder of that corporation or any subsidiary thereof, and that corporation:

(1) Has on file and in effect with the federal Securities and Exchange Commission a registration statement required under Section 5, Chapter 38, Title 1 of the Securities Act of 1933, as amended, 15 U.S.C. Section 77e(c);

(2) Submits to the director with the application for a permit evidence of the registration described in subdivision (1) of this subsection and a copy of the corporation's most recent annual form 10-K or an equivalent report; and

(3) Submits to the director on the anniversary date of the issuance of any permit it holds under the Missouri solid waste management law evidence of registration described in subdivision (1) of this subsection and a copy of the corporation's most recent annual form 10-K or an equivalent report.

25. After permit issuance, each facility shall annually file an update to the disclosure statement with the department of natural resources on or before March thirty-first of each year. Failure to provide such update may result in penalties as provided for under section 260.240.

26. Any county, district, municipality, authority, or other political subdivision of this state which owns and operates a sanitary landfill shall be exempt from the requirement for the filing of the disclosure statement and annual update to the disclosure statement.

27. Any person seeking a permit to operate a solid waste disposal area, a solid waste processing facility, or a resource recovery facility shall, concurrently with the filing of the application for a permit, disclose any convictions in this state, county or county-equivalent public health or land use ordinances related to the management of solid waste. If the department finds that there has been a continuing pattern of adjudicated violations by the applicant, the department may deny the application.

28. No permit to construct or permit to operate shall be required pursuant to this section for any utility waste landfill located in a county of the third classification with a township form of government which has a population of at least eleven thousand inhabitants and no more than twelve thousand five hundred inhabitants according to the most recent decennial census, if such utility waste landfill complies with all design and operating standards and closure requirements applicable to utility waste landfills pursuant to sections 260.200 to 260.345 and provided that no waste disposed of at such utility waste landfill is considered hazardous waste pursuant to the Missouri hazardous waste law.

29. Advanced recycling facilities are not subject to the requirements of this section as long as the feedstocks received by such facility are source-separated or diverted or recovered from municipal or other waste streams prior to acceptance at the advanced recycling facility."; and

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

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

House Amendment No. 1
to
House Amendment No. 8

AMEND House Amendment No. 8 to House Committee Substitute for Senate Substitute for Senate Bill No. 222, Page 7, Line 25, by deleting said line and inserting in lieu thereof the following:

"municipal or other waste streams prior to acceptance at the advanced recycling facility.

260.243. **1.** The department of natural resources shall not issue a permit to an applicant for a commercial solid waste processing facility designed to incinerate solid waste in any county unless such facility meets the conditions established in this section. For the purposes of this section, a commercial solid waste processing facility is a facility designed to incinerate waste which accepts solid waste for a fee regardless of where such waste is generated. Any commercial solid waste processing facility which incinerates solid waste shall be located so as to provide a health and safety buffer zone to protect citizens living or working nearby. The size of the buffer zone shall be determined by the department but shall extend at least fifty feet from a facility located in a nonresidential area in a city not within a county or at least three hundred feet from a facility located elsewhere. The department shall consider the proximity of schools, businesses and houses, the prevailing winds and other factors which it deems relevant when establishing the buffer zone. Any facility located within a city not within a county shall be required to strictly adhere to the terms, conditions and provisions of its permit.

2. (1) For any facility permitted on or after August 28, 2023, the department of natural resources shall not issue a permit to an applicant for a transfer station in any county with a charter form of government unless such transfer station meets the conditions established in this subsection. Any transfer station shall provide a buffer zone determined by the department that shall extend at least one thousand feet from a transfer station located in a residential area. The department shall consider the proximity of schools, businesses, and houses when establishing the buffer zone.

(2) This subsection shall not apply to any permit renewal, modifications, or amendments to any transfer station originally permitted as provided in subsection 1 of this section."; and"; and

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

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

Representative Sharpe (4) offered **House Amendment No. 2 to House Amendment No. 8**.

House Amendment No. 2
to
House Amendment No. 8

AMEND House Amendment No. 8 to House Committee Substitute for Senate Substitute for Senate Bill No. 222, Page 7, Line 25, by deleting said line and inserting in lieu thereof the following:

"municipal or other waste streams prior to acceptance of the advanced recycling facility.

349.045. **1.** Except as provided in subsection 2 of this section, the corporation shall have a board of directors in which all the powers of the corporation shall be vested and which shall consist of any number of directors, not less than five, all of whom shall be duly qualified electors of and taxpayers in the county or municipality; except that, for any industrial development corporation formed by any municipality located wholly within any county of the second,

third, or fourth classification or any county of the first classification with more than sixty-five thousand but fewer than seventy-five thousand inhabitants, directors may be qualified taxpayers in and registered voters of such county. The directors shall serve as such without compensation except that they shall be reimbursed for their actual expenses incurred in and about the performance of their duties hereunder. The directors shall be resident taxpayers for at least one year immediately prior to their appointment. No director shall be an officer or employee of the county or municipality. All directors shall be appointed by the chief executive officer of the county or municipality with the advice and consent of a majority of the governing body of the county or municipality, and in all counties, other than a city not within a county and counties with a charter form of government, the appointments shall be made by the county commission and they shall be so appointed that they shall hold office for staggered terms. At the time of the appointment of the first board of directors the governing body of the municipality or county shall divide the directors into three groups containing as nearly equal whole numbers as may be possible. The first term of the directors included in the first group shall be two years, the first term of the directors included in the second group shall be four years, the first term of the directors in the third group shall be six years; provided, that if at the expiration of any term of office of any director a successor thereto shall not have been appointed, then the director whose term of office shall have expired shall continue to hold office until a successor shall be appointed by the chief executive officer of the county or municipality with the advice and consent of a majority of the governing body of the county or municipality. The successors shall be resident taxpayers for at least one year immediately prior to their appointment.

2. (1) A corporation in a county of the third classification without a township form of government and with more than ten thousand four hundred but fewer than ten thousand five hundred inhabitants shall have a board of directors in which all the powers of the corporation shall be vested and which shall consist of a number of directors not less than the number of townships in such county. All directors shall be duly qualified electors of and taxpayers in the county. Each township within the county shall elect one director to the board. Additional directors may be elected to the board to succeed directors appointed to the board as of the effective date of this section if the number of directors on the effective date of this section exceeds the number of townships in the county. The directors shall serve as such without compensation except that they shall be reimbursed for their actual expenses incurred in the performance of their duties. The directors shall be resident taxpayers for at least one year immediately prior to their election. No director shall be an officer or employee of the county. Upon the expiration of the term of office of any director appointed to the board prior to the effective date of this section, a director shall be elected to succeed him or her; provided that if at the expiration of any term of office of any director a successor thereto shall not have been elected, then the director whose term of office shall have expired shall continue to hold office until a successor shall be elected. The successors shall be resident taxpayers for at least one year immediately prior to their election.

(2) **For any election after August 28, 2023, the provisions of subsection 1 of this section regarding director qualifications shall supersede subdivision (1) of this subsection. Upon the expiration of the term of the last director elected before August 28, 2023, all provisions of subdivision (1) of this subsection shall terminate, and the provisions of subsection 1 of this section shall apply to any corporation in such a county.**"; and"; and

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

On motion of Representative Sharpe (4), **House Amendment No. 2 to House Amendment No. 8** was adopted.

Representative Merideth offered **House Amendment No. 3 to House Amendment No. 8**.

*House Amendment No. 3
to
House Amendment No. 8*

AMEND House Amendment No. 8 to House Committee Substitute for Senate Substitute for Senate Bill No. 222, Page 7, Line 25, by inserting after all of said line the following:

"Further amend said bill, Page 9, Section 534.157, Line 3, by inserting after all of said section and line the following:

"Section 1. Notwithstanding any other provision of law to the contrary, any county or municipality in the state may by rule, regulation, order, or ordinance prohibit all children under eighteen years of age from carrying a firearm on public property."; and"; and

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

Representative Patterson moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

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

NOES: 048

Adams	Anderson	Appelbaum	Aune	Bangert
Baringer	Barnes	Bosley	Brown 27	Brown 87
Burnett	Burton	Butz	Clemens	Collins
Crossley	Doll	Ealy	Fogle	Fountain Henderson
Gray	Hein	Ingle	Johnson 12	Johnson 23
Lavender	Lewis 25	Mann	Merideth	Nickson-Clark
Nurrenbern	Phifer	Plank	Proudie	Quade
Sauls	Sharp 37	Smith 46	Steinhoff	Strickler
Taylor 84	Terry	Unsicker	Walsh Moore	Weber
Windham	Woods	Young		

PRESENT: 000

ABSENT WITH LEAVE: 013

Amato	Banderman	Bland Manlove	Busick	Cupps
Hausman	Houx	Kelly 141	Mackey	Mosley
Myers	Schnelting	Wright		

VACANCIES: 001

Representative Merideth moved that **House Amendment No. 3 to House Amendment No. 8** be adopted.

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

AYES: 051

Adams	Anderson	Appelbaum	Aune	Bangert
Baringer	Barnes	Bland Manlove	Bosley	Brown 27
Brown 87	Burnett	Burton	Butz	Clemens
Collins	Crossley	Doll	Ealy	Fogle
Fountain Henderson	Gray	Hein	Ingle	Johnson 12
Johnson 23	Lavender	Lewis 25	Mackey	Mann
Merideth	Mosley	Nickson-Clark	Nurrenbern	Phifer
Plank	Proudie	Quade	Sauls	Sharp 37
Smith 46	Steinhoff	Strickler	Taylor 84	Terry
Unsicker	Walsh Moore	Weber	Windham	Woods
Young				

NOES: 096

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

PRESENT: 000

ABSENT WITH LEAVE: 015

Allen	Amato	Busick	Cupps	Hausman
Houx	Keathley	Kelly 141	Myers	Schnelting
Schwadron	Stinnett	Titus	Toalson Reisch	Wright

VACANCIES: 001

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

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

House Amendment No. 9

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 222, Page 8, Section 89.380, Line 25, by inserting after all of said section and line 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.**"; and

Further amend said bill, Page 9, Section 534.157, Line 3, by inserting after all of said section and line the following:

"578.712. 1. A person commits the offense of tampering with an elected county official if, with the purpose to harass, intimidate, or influence such official in the performance of such official's official duties, the person disseminates through any means, including by posting on the internet, the elected county official's or the elected county official's family's personal information.

2. The offense of tampering with an elected county official is a class D felony. If a violation of this section results in death or bodily injury to an elected county official or a member of the elected county official's family, the offense is a class B felony.

3. For purposes of this section, "personal information" includes a home address, Social Security number, federal tax identification number, checking or savings account number, marital status, and identity of child under eighteen years of age."; and

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

Representative Schwadron offered **House Amendment No. 1 to House Amendment No. 9.**

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

AMEND House Amendment No. 9 to House Committee Substitute for Senate Substitute for Senate Bill No. 222, Page 1, Line 4, by deleting all of said line and inserting in lieu thereof the following:

""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 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.

162.471. 1. The government and control of an urban school district is vested in a board of"; and

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

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

Representative Bangert offered **House Amendment No. 2 to House Amendment No. 9**.

House Amendment No. 2
to
House Amendment No. 9

AMEND House Amendment No. 9 to House Committee Substitute for Senate Substitute for Senate Bill No. 222, Page 1, Line 1, by inserting after the number "222," the following:

"Page 7, Line 84, by inserting after all of the said line the following:

"72.418. 1. Notwithstanding any other provision of law to the contrary, no new city created pursuant to sections 72.400 to 72.423 shall establish a municipal fire department to provide fire protection services, including emergency medical services, if such city formerly consisted of unincorporated areas in the county or municipalities in the county, or both, which are provided fire protection services and emergency medical services by one or more fire protection districts. Such fire protection districts shall continue to provide services to the area comprising the new city and may levy and collect taxes the same as such districts had prior to the creation of such new city.

2. Fire protection districts serving the area included within any annexation by a city having a fire department, including simplified boundary changes, shall continue to provide fire protection services, including emergency medical services to such area. The annexing city shall pay annually to the fire protection district an amount equal to that which the fire protection district would have levied on all taxable property within the annexed area. Such annexed area shall not be subject to taxation for any purpose thereafter by the fire protection district except for bonded indebtedness by the fire protection district which existed prior to the annexation. The amount to be paid annually by the municipality to the fire protection district pursuant hereto shall be a sum equal to the annual assessed value multiplied by the annual tax rate as certified by the fire protection district to the municipality, including any portion of the tax created for emergency medical service provided by the district, per one hundred dollars of assessed value in such area. The tax rate so computed shall include any tax on bonded indebtedness incurred subsequent to such annexation, but shall not include any portion of the tax rate for bonded indebtedness incurred prior to such annexation. Notwithstanding any other provision of law to the contrary, the residents of an area annexed on or after May 26, 1994, may vote in all fire protection district elections and may be elected to the fire protection district board of directors.

3. The fire protection district may approve or reject any proposal for the provision of fire protection and emergency medical services by a city.

4. Notwithstanding any other provision of law to the contrary, no city shall have any obligation to make any payments for the provision of fire protection services for any territory or tract of land included in a fire protection district pursuant to subsection 3 of section 321.300."; and

Further amend said bill,"; and

Further amend said amendment, Page 3, Line 4, by inserting after all of the said line the following:

"Further amend said bill, Page 9, Section 182.819, Line 10, by inserting after all of said section and line the following:

"321.300. 1. The boundaries of any district organized pursuant to the provisions of this chapter may be changed in the manner prescribed in this section; but any change of boundaries of the district shall not impair or affect its organization or its rights in or to property, or any of its rights or privileges whatsoever; nor shall it affect or impair or discharge any contract, obligation, lien or charge for or upon which it might be liable or chargeable had any change of boundaries not been made.

2. The boundaries may be changed as follows:

(1) Twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the area to be annexed may file with the board a petition in writing praying that such real property be included within the district; provided that in the case of a municipality having less than twenty percent of its total population in one fire protection district, the entire remaining portion may be included in another district so that none of the city is outside of a fire protection district at the time. The petition shall describe the property to be included in the district and shall describe the property owned by the petitioners and shall be deemed to give assent of the petitioners to the inclusion in the district of the property described in the petition; and such petition shall be in substantially the form set forth in section 321.495 dealing with referendums and verified in like manner; provided, however, that in the

event that there are more than twenty-five property owners or taxpaying electors signing the petition, it shall be deemed sufficient description of their property in the petition as required in this section to list the addresses of such property; or

(2) All of the owners of any territory or tract of land near or adjacent to a fire protection district who own all of the real estate in such territory or tract of land may file a petition with the board praying that such real property be included in the district. The petition shall describe the property owned by the petitioners and shall be deemed to give assent of the petitioners to the inclusion in the district of the property described in the petition;

(3) Notwithstanding any provision of law to the contrary, in any fire protection district which is partly or wholly located in a noncharter county of the first classification with a population of less than one hundred thousand which adjoins any county of the first classification with a charter form of government with a population of nine hundred thousand or more inhabitants, if such fire protection district serves any portion of a city which is located in both such counties, the boundaries of the district may be expanded so as to include the entire city within the fire protection district, but the boundaries of the district shall not be expanded beyond the city limits of such city, as the boundaries of such city existed on January 1, 1993. Such change in the boundaries of the district shall be accomplished only if twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the area to be annexed file with the board a petition in writing praying that such real property be included within the district. The petition shall describe the property to be included in the district and shall describe the property owned by the petitioners and shall be deemed to give assent of the petitioners to the inclusion in the district of the property described in the petition; and such petition shall be in substantially the form set forth in section 321.495 dealing with referendums and verified in like manner.

3. Notwithstanding any other provision of chapter 321 to the contrary, in any county with a charter form of government where fifty or more cities, towns and villages have been established any territory or tract of land in a city with a population greater than twenty-four thousand but less than twenty-eight thousand, which territory or tract of land was previously excluded from a fire protection district following a municipal annexation and which receives fire protection and emergency medical services from that fire protection district, may be also included in that fire protection district as follows:

(1) Any owner of property within a territory or tract of land proposed to be included in the fire protection district serving that territory or tract of land may file a petition with the board of directors of the fire protection district. If the county election authority determines there were no registered voters residing within the territory or tract of land as of the date of the earliest signature on the petition, no election as provided in section 321.301 shall be held with regard to inclusion of such a territory or tract of land.

(2) If the petition does not include the signatures of all property owners within the territory or tract of land, the board of directors of the fire protection district shall schedule a public hearing and provide notice of the filing of the petition as provided in subsection 4 of this section, at which the board shall determine whether to grant the petition or part thereof, as provided in subsection 5 of this section.

(3) If the board grants the petition, in whole or in part, any person aggrieved by the decision of the board may appeal the decision as provided for in subsection 6 of this section.

4. The secretary of the board shall cause notice of the filing of any petition filed pursuant to this section to be given and published in the county in which the property is located, which notice shall recite the filing of such petition, the number of petitioners, a general description of the boundaries of the area proposed to be included and the prayer of the petitioners; giving notice to all persons interested to appear at the office of the board at the time named in the notice and show cause in writing, if any they have, why the petition should not be granted. The board shall at the time and place mentioned, or at such time or times to which the hearing may be adjourned, proceed to hear the petition and all objections thereto presented in writing by any person showing cause why the petition should not be granted. The failure of any person interested to show cause in writing why such petition shall not be granted shall be deemed as an assent on his part to the inclusion of such lands in the district as prayed for in the petition.

[4-] 5. If the board deems it for the best interest of the district, it shall grant the petition, but if the board determines that some portion of the property mentioned in the petition cannot as a practical matter be served by the district, or if it deems it for the best interest of the district that some portion of the property in the petition not be included in the district, then the board shall grant the petition in part only. If the petition is granted, the board shall make an order to that effect and file the same with the circuit clerk; and upon the order of the court having jurisdiction over the district, the property shall be included in the district. If the petition contains the signatures of all the owners of the property pursuant to the provisions of subdivision (2) of subsection 2 of this section, the property shall be included in the district upon the order of the court. If the petition contains the signatures of

twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the area to be annexed pursuant to subdivision (1) or subdivision (3) of subsection 2 of this section, the property shall be included in the district subject to the election provided in section 321.301. The circuit court having jurisdiction over the district shall proceed to make any such order including such additional property within the district as is provided in the order of the board, unless the court shall find that such order of the board was not authorized by law or that such order of the board was not supported by competent and substantial evidence.

~~[5-]~~ 6. Any person aggrieved by any decision of the board made pursuant to the provisions of this section may appeal that decision to the circuit court of the county in which the property is located within thirty days of the decision by the board.

~~[6-]~~ 7. No fire protection district, or employee thereof, in which territory is annexed pursuant to this section shall be required to comply with any prescribed firefighter training program or regimen which would not otherwise apply to the district or its employees, but for the requirements applicable to the annexed territory."; and"; and

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

Representative Patterson moved the previous question.

Which motion was adopted by the following vote:

AYES: 091

Allen	Atchison	Baker	Banderman	Billington
Bonacker	Boyd	Bromley	Brown 149	Brown 16
Buchheit-Courtway	Burger	Byrnes	Casteel	Christ
Christofanelli	Cook	Copeland	Cupps	Davidson
Davis	Diehl	Dinkins	Evans	Falkner
Farnan	Francis	Gallick	Gragg	Griffith
Haden	Haffner	Haley	Hardwick	Hinman
Hovis	Hudson	Hurlbert	Jones	Justus
Kalberloh	Kelley 127	Kelly 141	Knight	Lonsdale
Lovasco	Marquart	Matthiesen	Mayhew	McGaugh
McGill	McMullen	Morse	Murphy	O'Donnell
Oehlerking	Owen	Patterson	Perkins	Peters
Pollitt	Pouche	Proudie	Reedy	Reuter
Richey	Riggs	Riley	Roberts	Sander
Sassmann	Schulte	Schwadron	Seitz	Sharpe 4
Shields	Smith 155	Sparks	Stacy	Stinnett
Taylor 48	Thomas	Thompson	Titus	Toalson Reisch
Van Schoiack	Veit	Voss	Waller	West
Wilson				

NOES: 037

Adams	Anderson	Appelbaum	Bangert	Baringer
Barnes	Bosley	Brown 27	Brown 87	Burnett
Burton	Butz	Clemens	Collins	Doll
Ealy	Fogle	Fountain Henderson	Gray	Hein
Johnson 23	Lavender	Mann	Phifer	Plank
Quade	Sauls	Sharp 37	Smith 46	Steinhoff
Strickler	Taylor 84	Terry	Unsicker	Walsh Moore
Windham	Young			

PRESENT: 000

ABSENT WITH LEAVE: 034

Amato	Aune	Black	Bland Manlove	Boggs
Busick	Chappell	Coleman	Crossley	Deaton
Gregory	Hausman	Henderson	Hicks	Houx
Ingle	Johnson 12	Keathley	Lewis 25	Lewis 6
Mackey	Merideth	Mosley	Myers	Nickson-Clark
Nurrenbern	Parker	Schnelting	Smith 163	Stephens
Weber	Woods	Wright	Mr. Speaker	

VACANCIES: 001

On motion of Representative Bangert, **House Amendment No. 2 to House Amendment No. 9** was adopted by the following vote, the ayes and noes having been demanded by Representative Proudie:

AYES: 058

Adams	Appelbaum	Bangert	Baringer	Black
Bonacker	Bromley	Brown 16	Brown 87	Buchheit-Courtway
Burnett	Butz	Byrnes	Casteel	Christ
Clemens	Cupps	Diehl	Doll	Falkner
Francis	Gallick	Gregory	Griffith	Haden
Haley	Hardwick	Hovis	Hurlbert	Justus
Kalberloh	Kelley 127	Knight	Lavender	Marquart
Matthiesen	McGaugh	Oehlerking	Owen	Plank
Pouche	Reedy	Reuter	Richey	Riley
Roberts	Sander	Sassmann	Sharpe 4	Shields
Smith 155	Stacy	Taylor 48	Taylor 84	Thompson
Waller	Walsh Moore	Wilson		

NOES: 052

Allen	Anderson	Baker	Billington	Boggs
Bosley	Boyd	Brown 149	Brown 27	Burger
Burton	Chappell	Christofanelli	Collins	Cook
Davidson	Davis	Deaton	Farnan	Gragg
Haffner	Hicks	Hinman	Hudson	Jones
Keathley	Kelly 141	Lonsdale	Lovasco	Mayhew
McGill	McMullen	Merideth	Patterson	Perkins
Phifer	Pollitt	Proudie	Riggs	Schnelting
Schulte	Schwadron	Seitz	Smith 163	Sparks
Stinnett	Terry	Thomas	Titus	Van Schoiack
West	Windham			

PRESENT: 030

Atchison	Banderman	Bland Manlove	Copeland	Dinkins
Ealy	Evans	Fogle	Fountain Henderson	Gray
Hein	Johnson 23	Mann	Morse	Murphy
Nickson-Clark	O'Donnell	Parker	Peters	Quade
Sauls	Sharp 37	Smith 46	Steinhoff	Strickler
Toalson Reisch	Unsicker	Veit	Voss	Young

ABSENT WITH LEAVE: 022

Amato	Aune	Barnes	Busick	Coleman
Crossley	Hausman	Henderson	Houx	Ingle
Johnson 12	Lewis 25	Lewis 6	Mackey	Mosley
Myers	Nurrenbern	Stephens	Weber	Woods
Wright	Mr. Speaker			

VACANCIES: 001

Representative Hinman offered **House Amendment No. 3 to House Amendment No. 9.**

House Amendment No. 3
to
House Amendment No. 9

AMEND House Amendment No. 9 to House Committee Substitute for Senate Substitute for Senate Bill No. 222, Page 1, Line 4, by deleting said line and inserting in lieu thereof 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.

162.471. 1. The government and control of an urban school district is vested in a board of"; and

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

On motion of Representative Hinman, **House Amendment No. 3 to House Amendment No. 9** was adopted.

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

Representative Baker offered **House Amendment No. 10.**

House Amendment No. 10

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 222, Page 9, Section 182.819, Line 10, by inserting after all of said section and line the following:

"273.358. 1. A political subdivision shall not adopt or enforce an ordinance or other regulation that prohibits or effectively prohibits the operation of a pet shop licensed under sections 273.325 to 273.357 from operating within its state license.

2. Nothing in this section shall be construed to prohibit the enforcement of any applicable building codes, general zoning requirements, or relevant inspections as otherwise required by ordinance or law."; and

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

Representative Taylor (48) offered **House Amendment No. 1 to House Amendment No. 10.**

House Amendment No. 1

to

House Amendment No. 10

AMEND House Amendment No. 10 to House Committee Substitute for Senate Substitute for Senate Bill No. 222, Page 1, Line 1, by inserting after "222," the following:

"Page 8, Section 89.380, Line 25, by inserting after all of said section and line the following:

"115.615. In years when a primary election is held pursuant to subsection 2 of section 115.121, each county committee shall meet [~~at the county seat~~] on the third Tuesday of August. In each city not situated in a county, the city committee shall meet on the same day [~~at such place within the city as the chair of the current city committee may designate~~]. In all counties of the first, second, and third classification the county courthouse shall be made available for such meetings and any other county political party meeting at no charge to the party committees. At the meeting, each committee shall organize by electing one of its members as chair and one of its members as vice chair, a man and a woman, and a secretary and a treasurer, a man and a woman, who may or may not be members of the committee. The county chair and vice chair so elected shall by virtue thereof become members of the party congressional, senatorial, and judicial committees of the district of which their county is a part."; and

Further amend said bill,"; and

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

On motion of Representative Taylor (48), **House Amendment No. 1 to House Amendment No. 10** was adopted.

Representative Wilson offered **House Amendment No. 2 to House Amendment No. 10**.

House Amendment No. 2
to
House Amendment No. 10

AMEND House Amendment No. 10 to House Committee Substitute for Senate Substitute for Senate Bill No. 222, Page 1, Line 1, by inserting after the number "222," the following:

"Page 7, Section 67.2677, Line 84, by inserting after all of said section and line the following:

"84.344. 1. Notwithstanding any provisions of this chapter to the contrary, any city not within a county may establish a municipal police force on or after July 1, 2013, according to the procedures and requirements of this section. The purpose of these procedures and requirements is to provide for an orderly and appropriate transition in the governance of the police force and provide for an equitable employment transition for commissioned and civilian personnel.

2. Upon the establishment of a municipal police force by a city under sections 84.343 to 84.346, the board of police commissioners shall convey, assign, and otherwise transfer to the city title and ownership of all indebtedness and assets, including, but not limited to, all funds and real and personal property held in the name of or controlled by the board of police commissioners created under sections 84.010 to 84.340. The board of police commissioners shall execute all documents reasonably required to accomplish such transfer of ownership and obligations.

3. If the city establishes a municipal police force and completes the transfer described in subsection 2 of this section, the city shall provide the necessary funds for the maintenance of the municipal police force.

4. Before a city not within a county may establish a municipal police force under this section, the city shall adopt an ordinance accepting responsibility, ownership, and liability as successor-in-interest for contractual obligations, indebtedness, and other lawful obligations of the board of police commissioners subject to the provisions of subsection 2 of section 84.345.

5. A city not within a county that establishes a municipal police force shall initially employ, without a reduction in rank, salary, or benefits, all commissioned and civilian personnel of the board of police commissioners created under sections 84.010 to 84.340 that were employed by the board immediately prior to the date the municipal police force was established. Such commissioned personnel who previously were employed by the board may only be involuntarily terminated by the city not within a county for cause. The city shall also recognize all accrued years of service that such commissioned and civilian personnel had with the board of police commissioners. Such personnel shall be entitled to the same holidays, vacation, and sick leave they were entitled to as employees of the board of police commissioners.

6. ~~[(4)]~~ Commissioned and civilian personnel of a municipal police force established under this section ~~[who are hired prior to September 1, 2023,]~~ shall not be subject to a residency requirement of retaining a primary residence in a city not within a county but may be required to maintain a primary residence located within a one-hour response time.

~~[(2) Commissioned and civilian personnel of a municipal police force established under this section who are hired after August 31, 2023, may be subject to a residency rule no more restrictive than a requirement of retaining a primary residence in a city not within a county for a total of seven years and of then allowing the personnel to maintain a primary residence outside the city not within a county so long as the primary residence is located within a one-hour response time.]~~

7. The commissioned and civilian personnel who retire from service with the board of police commissioners before the establishment of a municipal police force under subsection 1 of this section shall continue to be entitled to the same pension benefits provided under chapter 86 and the same benefits set forth in subsection 5 of this section.

8. If the city not within a county elects to establish a municipal police force under this section, the city shall establish a separate division for the operation of its municipal police force. The civil service commission of the city may adopt rules and regulations appropriate for the unique operation of a police department. Such rules and regulations shall reserve exclusive authority over the disciplinary process and procedures affecting commissioned officers to the civil service commission; however, until such time as the city adopts such rules and regulations, the commissioned personnel shall continue to be governed by the board of police commissioner's rules and regulations in effect immediately prior to the establishment of the municipal police force, with the police chief acting in place of the board of police commissioners for purposes of applying the rules and regulations. Unless otherwise provided for, existing civil service commission rules and regulations governing the appeal of disciplinary decisions to the civil service commission shall apply to all commissioned and civilian personnel. The civil service commission's rules and regulations shall provide that records prepared for disciplinary purposes shall be confidential, closed records available solely to the civil service commission and those who possess authority to conduct investigations regarding disciplinary matters pursuant to the civil service commission's rules and regulations. A hearing officer shall be appointed by the civil service commission to hear any such appeals that involve discipline resulting in a suspension of greater than fifteen days, demotion, or termination, but the civil service commission shall make the final findings of fact, conclusions of law, and decision which shall be subject to any right of appeal under chapter 536.

9. A city not within a county that establishes and maintains a municipal police force under this section:

(1) Shall provide or contract for life insurance coverage and for insurance benefits providing health, medical, and disability coverage for commissioned and civilian personnel of the municipal police force to the same extent as was provided by the board of police commissioners under section 84.160;

(2) Shall provide or contract for medical and life insurance coverage for any commissioned or civilian personnel who retired from service with the board of police commissioners or who were employed by the board of police commissioners and retire from the municipal police force of a city not within a county to the same extent such medical and life insurance coverage was provided by the board of police commissioners under section 84.160;

(3) Shall make available medical and life insurance coverage for purchase to the spouses or dependents of commissioned and civilian personnel who retire from service with the board of police commissioners or the municipal police force and deceased commissioned and civilian personnel who receive pension benefits under sections 86.200 to 86.366 at the rate that such dependent's or spouse's coverage would cost under the appropriate plan if the deceased were living; and

(4) May pay an additional shift differential compensation to commissioned and civilian personnel for evening and night tours of duty in an amount not to exceed ten percent of the officer's base hourly rate.

10. A city not within a county that establishes a municipal police force under sections 84.343 to 84.346 shall establish a transition committee of five members for the purpose of: coordinating and implementing the transition of authority, operations, assets, and obligations from the board of police commissioners to the city; winding down the affairs of the board; making nonbinding recommendations for the transition of the police force from the board to the city; and other related duties, if any, established by executive order of the city's mayor. Once the ordinance referenced in this section is enacted, the city shall provide written notice to the board of police commissioners and the governor of the state of Missouri. Within thirty days of such notice, the mayor shall appoint three members to the committee, two of whom shall be members of a statewide law enforcement association that represents at least five thousand law enforcement officers. The remaining members of the committee shall include the police chief of the municipal police force and a person who currently or previously served as a commissioner on the board of police commissioners, who shall be appointed to the committee by the mayor of such city."; and

Further amend said bill,"; and

Further amend said amendment and page, Line 9, by deleting all of said line and inserting in lieu thereof the following:

"ordinance or law.

285.040. 1. As used in this section, "public safety employee" shall mean a person trained or authorized by law or rule to render emergency medical assistance or treatment, including, but not limited to, firefighters, ambulance attendants and attendant drivers, emergency medical technicians, emergency medical technician paramedics, dispatchers, registered nurses, physicians, and sheriffs and deputy sheriffs.

2. No public safety employee **or any other employee** of a city not within a county ~~[who is hired prior to September 1, 2023,]~~ shall be subject to a residency requirement of retaining a primary residence in a city not within a county but may be required to maintain a primary residence located within a one-hour response time.

~~[3. Public safety employees of a city not within a county who are hired after August 31, 2023, may be subject to a residency rule no more restrictive than a requirement of retaining a primary residence in a city not within a county for a total of seven years and of then allowing the public safety employee to maintain a primary residence outside the city not within a county so long as the primary residence is located within a one hour response time.];~~ and"; and

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

On motion of Representative Wilson, **House Amendment No. 2 to House Amendment No. 10** was adopted.

Representative Windham offered **House Amendment No. 3 to House Amendment No. 10**.

*House Amendment No. 3
to
House Amendment No. 10*

AMEND House Amendment No. 10 to House Committee Substitute for Senate Substitute for Senate Bill No. 222, Page 1, Line 9, by deleting and inserting in lieu thereof the following:

"ordinance or law.

290.503. Every peace officer, as defined in section 590.010, who is certified by the peace officer standards and training commission and employed in a county with a charter form of government and with more than nine hundred fifty thousand inhabitants shall be paid wages for work as a peace officer in such county at the rate of twenty dollars per hour, or wages at the same rate or rates set under the provisions of federal law as the prevailing federal minimum wage applicable to those covered jobs in interstate commerce, whichever rate per hour is higher."; and"; and

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

Representative Windham moved that **House Amendment No. 3 to House Amendment No. 10** be adopted.

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

AYES: 051

Adams	Anderson	Appelbaum	Aune	Bangert
Baringer	Barnes	Bland Manlove	Bosley	Brown 27
Brown 87	Burnett	Burton	Butz	Collins
Crossley	Doll	Ealy	Fogle	Fountain Henderson
Gray	Hein	Ingle	Johnson 12	Johnson 23
Lavender	Lewis 25	Mackey	Mann	Merideth
Mosley	Nickson-Clark	Nurrenbern	Phifer	Plank
Proudie	Quade	Sander	Sauls	Sharp 37
Smith 46	Steinhoff	Strickler	Taylor 84	Terry
Unsicker	Walsh Moore	Weber	Windham	Woods
Young				

NOES: 052

Atchison	Baker	Billington	Boggs	Bonacker
Boyd	Bromley	Chappell	Coleman	Davidson
Davis	Deaton	Farnan	Gragg	Haden
Haffner	Haley	Hardwick	Hicks	Hinman
Hovis	Hudson	Hurlbert	Jones	Justus
Kalberloh	Kelly 141	Lovasco	Marquart	Mayhew
McMullen	Owen	Patterson	Pollitt	Pouche
Reedy	Riley	Sassmann	Schulte	Seitz
Smith 155	Sparks	Stacy	Stephens	Stinnett
Thomas	Titus	Toalson Reisch	Van Schoiack	Voss
West	Wilson			

PRESENT: 051

Allen	Amato	Banderman	Black	Brown 149
Brown 16	Buchheit-Courtway	Burger	Byrnes	Casteel
Christ	Christofanelli	Cook	Copeland	Cupps
Diehl	Dinkins	Evans	Falkner	Francis
Gallick	Gregory	Griffith	Henderson	Keathley
Kelley 127	Knight	Lewis 6	McGaugh	McGill
Morse	Murphy	O'Donnell	Oehlerking	Parker
Perkins	Peters	Reuter	Richey	Riggs
Roberts	Schnelting	Schwadron	Sharpe 4	Shields
Smith 163	Taylor 48	Thompson	Veit	Waller
Mr. Speaker				

ABSENT WITH LEAVE: 008

Busick	Clemens	Hausman	Houx	Lonsdale
Matthiesen	Myers	Wright		

VACANCIES: 001

Representative Patterson moved the previous question.

Which motion was adopted by the following vote:

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AYES: 102

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

NOES: 045

Adams	Anderson	Appelbaum	Aune	Bangert
Baringer	Bosley	Brown 27	Brown 87	Burnett
Burton	Butz	Clemens	Crossley	Doll
Fogle	Fountain Henderson	Gray	Hein	Ingle
Johnson 12	Johnson 23	Lavender	Lewis 25	Mann
Merideth	Mosley	Nickson-Clark	Nurrenbern	Phifer
Plank	Quade	Sauls	Sharp 37	Smith 46
Steinhoff	Strickler	Taylor 84	Terry	Unsicker
Walsh Moore	Weber	Windham	Woods	Young

PRESENT: 000

ABSENT WITH LEAVE: 015

Barnes	Bland Manlove	Busick	Coleman	Collins
Ealy	Hardwick	Hausman	Houx	Keathley
Lewis 6	Mackey	Myers	Seitz	Wright

VACANCIES: 001

On motion of Representative Baker, **House Amendment No. 10, as amended**, was adopted.

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

House Amendment No. 11

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 222, Page 5, Section 67.137, Line 3, by inserting after all of said section and line the following:

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

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

Further amend said bill, Page 7, Section 67.2677, Line 84, by inserting after all of said section and line the following:

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

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

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

Further amend said bill, Page 8, Section 89.380, Line 25, by inserting after all of said section and line the following:

"105.500. For purposes of sections 105.500 to 105.598, unless the context otherwise requires, the following words and phrases mean:

- (1) "Bargaining unit", a unit of public employees at any plant or installation or in a craft or in a function of a public body that establishes a clear and identifiable community of interest among the public employees concerned;
- (2) "Board", the state board of mediation established under section 295.030;
- (3) "Department", the department of labor and industrial relations established under section 286.010;
- (4) "Exclusive bargaining representative", an organization that has been designated or selected, as provided in section 105.575, by a majority of the public employees in a bargaining unit as the representative of such public employees in such unit for purposes of collective bargaining;
- (5) "Labor organization", any organization, agency, or public employee representation committee or plan, in which public employees participate and that exists for the purpose, in whole or in part, of dealing with a public body or public bodies concerning collective bargaining, grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work;
- (6) "Public body", the state of Missouri, or any officer, agency, department, bureau, division, board or commission of the state, or any other political subdivision or special district of or within the state. Public body shall not include the department of corrections;
- (7) "Public employee", any person employed by a public body;

(8) "Public safety labor organization", a labor organization wholly or primarily representing persons trained or authorized by law or rule to render emergency medical assistance or treatment, including, but not limited to, firefighters, ~~[ambulance attendants, attendant drivers,]~~ emergency medical technicians, ~~[emergency medical technician paramedics,]~~ dispatchers, registered nurses and physicians, and persons who are vested with the power of arrest for criminal code violations including, but not limited to, police officers, sheriffs, and deputy sheriffs."; and

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

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

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

4. The department of elementary and secondary education may promulgate rules to implement this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void."; and

Further amend said bill, Page 9, Section 182.819, Line 10, by inserting after all of said section and line the following:

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

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

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

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

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

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

(6) **"Missouri state highway patrol telecommunicator", any authorized Missouri state highway patrol communications division personnel whose primary responsibility includes directly responding to emergency communications and who meet the training requirements pursuant to section 650.340.**

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

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

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

5. The department shall notify first responders **and Missouri state highway patrol telecommunicators** concerning the availability of the vaccination program described in subsection 2 of this section and shall provide education to such first responders, ~~and~~ their employers, **and Missouri state highway patrol telecommunicators** concerning the vaccinations offered and the associated diseases.

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

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

190.100. As used in sections 190.001 to 190.245 and section 190.257, the following words and terms mean:

(1) "Advanced emergency medical technician" or "AEMT", a person who has successfully completed a course of instruction in certain aspects of advanced life support care as prescribed by the department and is licensed by the department in accordance with sections 190.001 to 190.245 and rules and regulations adopted by the department pursuant to sections 190.001 to 190.245;

(2) "Advanced life support (ALS)", an advanced level of care as provided to the adult and pediatric patient such as defined by national curricula, and any modifications to that curricula specified in rules adopted by the department pursuant to sections 190.001 to 190.245;

(3) "Ambulance", any privately or publicly owned vehicle or craft that is specially designed, constructed or modified, staffed or equipped for, and is intended or used, maintained or operated for the transportation of persons who are sick, injured, wounded or otherwise incapacitated or helpless, or who require the presence of medical equipment being used on such individuals, but the term does not include any motor vehicle specially designed, constructed or converted for the regular transportation of persons who are disabled, handicapped, normally using a wheelchair, or otherwise not acutely ill, or emergency vehicles used within airports;

(4) "Ambulance service", a person or entity that provides emergency or nonemergency ambulance transportation and services, or both, in compliance with sections 190.001 to 190.245, and the rules promulgated by the department pursuant to sections 190.001 to 190.245;

(5) "Ambulance service area", a specific geographic area in which an ambulance service has been authorized to operate;

(6) "Basic life support (BLS)", a basic level of care, as provided to the adult and pediatric patient as defined by national curricula, and any modifications to that curricula specified in rules adopted by the department pursuant to sections 190.001 to 190.245;

(7) "Council", the state advisory council on emergency medical services;

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

(9) "Director", the director of the department of health and senior services or the director's duly authorized representative;

(10) "Dispatch agency", any person or organization that receives requests for emergency medical services from the public, by telephone or other means, and is responsible for dispatching emergency medical services;

(11) "Emergency", the sudden and, at the time, unexpected onset of a health condition that manifests itself by symptoms of sufficient severity that would lead a prudent layperson, possessing an average knowledge of health and medicine, to believe that the absence of immediate medical care could result in:

(a) Placing the person's health, or with respect to a pregnant woman, the health of the woman or her unborn child, in significant jeopardy;

(b) Serious impairment to a bodily function;

(c) Serious dysfunction of any bodily organ or part;

(d) Inadequately controlled pain;

(12) "Emergency medical dispatcher", a person who receives emergency calls from the public and has successfully completed an emergency medical dispatcher course~~[-meeting or exceeding the national curriculum of the United States Department of Transportation and any modifications to such curricula specified by the department through rules adopted pursuant to sections 190.001 to 190.245]~~ **and any ongoing training requirements under section 650.340;**

(13) "Emergency medical responder", a person who has successfully completed an emergency first response course meeting or exceeding the national curriculum of the U.S. Department of Transportation and any modifications to such curricula specified by the department through rules adopted under sections 190.001 to 190.245 and who provides emergency medical care through employment by or in association with an emergency medical response agency;

(14) "Emergency medical response agency", any person that regularly provides a level of care that includes first response, basic life support or advanced life support, exclusive of patient transportation;

(15) "Emergency medical services for children (EMS-C) system", the arrangement of personnel, facilities and equipment for effective and coordinated delivery of pediatric emergency medical services required in prevention and management of incidents which occur as a result of a medical emergency or of an injury event, natural disaster or similar situation;

(16) "Emergency medical services (EMS) system", the arrangement of personnel, facilities and equipment for the effective and coordinated delivery of emergency medical services required in prevention and management of incidents occurring as a result of an illness, injury, natural disaster or similar situation;

(17) "Emergency medical technician", a person licensed in emergency medical care in accordance with standards prescribed by sections 190.001 to 190.245, and by rules adopted by the department pursuant to sections 190.001 to 190.245;

~~(18) ["Emergency medical technician basic" or "EMT-B", a person who has successfully completed a course of instruction in basic life support as prescribed by the department and is licensed by the department in accordance with standards prescribed by sections 190.001 to 190.245 and rules adopted by the department pursuant to sections 190.001 to 190.245;~~

~~(19)~~ (19) "Emergency medical technician-community paramedic", "community paramedic", or "EMT-CP", a person who is certified as an emergency medical technician-paramedic and is certified by the department in accordance with standards prescribed in section 190.098;

~~[(20) "Emergency medical technician paramedic" or "EMT-P", a person who has successfully completed a course of instruction in advanced life support care as prescribed by the department and is licensed by the department in accordance with sections 190.001 to 190.245 and rules adopted by the department pursuant to sections 190.001 to 190.245;~~

~~(21)~~ (19) "Emergency services", health care items and services furnished or required to screen and stabilize an emergency which may include, but shall not be limited to, health care services that are provided in a licensed hospital's emergency facility by an appropriate provider or by an ambulance service or emergency medical response agency;

~~[(22)]~~ (20) "Health care facility", a hospital, nursing home, physician's office or other fixed location at which medical and health care services are performed;

~~[(23)]~~ (21) "Hospital", an establishment as defined in the hospital licensing law, subsection 2 of section 197.020, or a hospital operated by the state;

~~[(24)]~~ (22) "Medical control", supervision provided by or under the direction of physicians, or their designated registered nurse, including both online medical control, instructions by radio, telephone, or other means of direct communications, and offline medical control through supervision by treatment protocols, case review, training, and standing orders for treatment;

~~[(25)]~~ (23) "Medical direction", medical guidance and supervision provided by a physician to an emergency services provider or emergency medical services system;

~~[(26)]~~ **(24)** "Medical director", a physician licensed pursuant to chapter 334 designated by the ambulance service, **dispatch agency**, or emergency medical response agency and who meets criteria specified by the department by rules pursuant to sections 190.001 to 190.245;

~~[(27)]~~ **(25)** "Memorandum of understanding", an agreement between an emergency medical response agency or dispatch agency and an ambulance service or services within whose territory the agency operates, in order to coordinate emergency medical services;

(26) "**Paramedic**", a person who has successfully completed a course of instruction in advanced life support care as prescribed by the department and is licensed by the department in accordance with sections 190.001 to 190.245 and rules adopted by the department pursuant to sections 190.001 to 190.245;

~~[(28)]~~ **(27)** "Patient", an individual who is sick, injured, wounded, diseased, or otherwise incapacitated or helpless, or dead, excluding deceased individuals being transported from or between private or public institutions, homes or cemeteries, and individuals declared dead prior to the time an ambulance is called for assistance;

~~[(29)]~~ **(28)** "Person", as used in these definitions and elsewhere in sections 190.001 to 190.245, any individual, firm, partnership, copartnership, joint venture, association, cooperative organization, corporation, municipal or private, and whether organized for profit or not, state, county, political subdivision, state department, commission, board, bureau or fraternal organization, estate, public trust, business or common law trust, receiver, assignee for the benefit of creditors, trustee or trustee in bankruptcy, or any other service user or provider;

~~[(30)]~~ **(29)** "Physician", a person licensed as a physician pursuant to chapter 334;

~~[(31)]~~ **(30)** "Political subdivision", any municipality, city, county, city not within a county, ambulance district or fire protection district located in this state which provides or has authority to provide ambulance service;

~~[(32)]~~ **(31)** "Professional organization", any organized group or association with an ongoing interest regarding emergency medical services. Such groups and associations could include those representing volunteers, labor, management, firefighters, ~~[EMT-B's]~~ **EMTs**, nurses, ~~[EMT-P's]~~ **paramedics**, physicians, communications specialists and instructors. Organizations could also represent the interests of ground ambulance services, air ambulance services, fire service organizations, law enforcement, hospitals, trauma centers, communication centers, pediatric services, labor unions and poison control services;

~~[(33)]~~ **(32)** "Proof of financial responsibility", proof of ability to respond to damages for liability, on account of accidents occurring subsequent to the effective date of such proof, arising out of the ownership, maintenance or use of a motor vehicle in the financial amount set in rules promulgated by the department, but in no event less than the statutory minimum required for motor vehicles. Proof of financial responsibility shall be used as proof of self-insurance;

~~[(34)]~~ **(33)** "Protocol", a predetermined, written medical care guideline, which may include standing orders;

~~[(35)]~~ **(34)** "Regional EMS advisory committee", a committee formed within an emergency medical services (EMS) region to advise ambulance services, the state advisory council on EMS and the department;

~~[(36)]~~ **(35)** "Specialty care transportation", the transportation of a patient requiring the services of an emergency medical technician-paramedic who has received additional training beyond the training prescribed by the department. Specialty care transportation services shall be defined in writing in the appropriate local protocols for ground and air ambulance services and approved by the local physician medical director. The protocols shall be maintained by the local ambulance service and shall define the additional training required of the emergency medical technician-paramedic;

~~[(37)]~~ **(36)** "Stabilize", with respect to an emergency, the provision of such medical treatment as may be necessary to attempt to assure within reasonable medical probability that no material deterioration of an individual's medical condition is likely to result from or occur during ambulance transportation unless the likely benefits of such transportation outweigh the risks;

~~[(38)]~~ **(37)** "State advisory council on emergency medical services", a committee formed to advise the department on policy affecting emergency medical service throughout the state;

~~[(39)]~~ **(38)** "State EMS medical directors advisory committee", a subcommittee of the state advisory council on emergency medical services formed to advise the state advisory council on emergency medical services and the department on medical issues;

~~[(40)]~~ **(39)** "STEMI" or "ST-elevation myocardial infarction", a type of heart attack in which impaired blood flow to the patient's heart muscle is evidenced by ST-segment elevation in electrocardiogram analysis, and as further defined in rules promulgated by the department under sections 190.001 to 190.250;

~~[(41)]~~ **(40)** "STEMI care", includes education and prevention, emergency transport, triage, and acute care and rehabilitative services for STEMI that requires immediate medical or surgical intervention or treatment;

~~[(42)]~~ (41) "STEMI center", a hospital that is currently designated as such by the department to care for patients with ST-segment elevation myocardial infarctions;

~~[(43)]~~ (42) "Stroke", a condition of impaired blood flow to a patient's brain as defined by the department;

~~[(44)]~~ (43) "Stroke care", includes emergency transport, triage, and acute intervention and other acute care services for stroke that potentially require immediate medical or surgical intervention or treatment, and may include education, primary prevention, acute intervention, acute and subacute management, prevention of complications, secondary stroke prevention, and rehabilitative services;

~~[(45)]~~ (44) "Stroke center", a hospital that is currently designated as such by the department;

~~[(46)]~~ (45) "Time-critical diagnosis", trauma care, stroke care, and STEMI care occurring either outside of a hospital or in a center designated under section 190.241;

~~[(47)]~~ (46) "Time-critical diagnosis advisory committee", a committee formed under section 190.257 to advise the department on policies impacting trauma, stroke, and STEMI center designations; regulations on trauma care, stroke care, and STEMI care; and the transport of trauma, stroke, and STEMI patients;

~~[(48)]~~ (47) "Trauma", an injury to human tissues and organs resulting from the transfer of energy from the environment;

~~[(49)]~~ (48) "Trauma care" includes injury prevention, triage, acute care and rehabilitative services for major single system or multisystem injuries that potentially require immediate medical or surgical intervention or treatment;

~~[(50)]~~ (49) "Trauma center", a hospital that is currently designated as such by the department.

190.103. 1. One physician with expertise in emergency medical services from each of the EMS regions shall be elected by that region's EMS medical directors to serve as a regional EMS medical director. The regional EMS medical directors shall constitute the state EMS medical director's advisory committee and shall advise the department and their region's ambulance services on matters relating to medical control and medical direction in accordance with sections 190.001 to 190.245 and rules adopted by the department pursuant to sections 190.001 to 190.245. The regional EMS medical director shall serve a term of four years. The southwest, northwest, and Kansas City regional EMS medical directors shall be elected to an initial two-year term. The central, east central, and southeast regional EMS medical directors shall be elected to an initial four-year term. All subsequent terms following the initial terms shall be four years. The state EMS medical director shall be the chair of the state EMS medical director's advisory committee, and shall be elected by the members of the regional EMS medical director's advisory committee, shall serve a term of four years, and shall seek to coordinate EMS services between the EMS regions, promote educational efforts for agency medical directors, represent Missouri EMS nationally in the role of the state EMS medical director, and seek to incorporate the EMS system into the health care system serving Missouri.

2. A medical director is required for all ambulance services and emergency medical response agencies that provide: advanced life support services; basic life support services utilizing medications or providing assistance with patients' medications; or basic life support services performing invasive procedures including invasive airway procedures. The medical director shall provide medical direction to these services and agencies in these instances.

3. The medical director, in cooperation with the ambulance service or emergency medical response agency administrator, shall have the responsibility and the authority to ensure that the personnel working under their supervision are able to provide care meeting established standards of care with consideration for state and national standards as well as local area needs and resources. The medical director, in cooperation with the ambulance service or emergency medical response agency administrator, shall establish and develop triage, treatment and transport protocols, which may include authorization for standing orders. Emergency medical technicians shall only perform those medical procedures as directed by treatment protocols approved by the local medical director or when authorized through direct communication with online medical control.

4. All ambulance services and emergency medical response agencies that are required to have a medical director shall establish an agreement between the service or agency and their medical director. The agreement will include the roles, responsibilities and authority of the medical director beyond what is granted in accordance with sections 190.001 to 190.245 and rules adopted by the department pursuant to sections 190.001 to 190.245. The agreement shall also include grievance procedures regarding the emergency medical response agency or ambulance service, personnel and the medical director.

5. Regional EMS medical directors and the state EMS medical director elected as provided under subsection 1 of this section shall be considered public officials for purposes of sovereign immunity, official immunity, and the Missouri public duty doctrine defenses.

6. The state EMS medical director's advisory committee shall be considered a peer review committee under section 537.035.

7. Regional EMS medical directors may act to provide online telecommunication medical direction to AEMTs, ~~[EMT-Bs, EMT-Ps]~~ **EMTs, paramedics**, and community paramedics and provide offline medical direction per standardized treatment, triage, and transport protocols when EMS personnel, including AEMTs, ~~[EMT-Bs, EMT-Ps]~~ **EMTs, paramedics**, and community paramedics, are providing care to special needs patients or at the request of a local EMS agency or medical director.

8. When developing treatment protocols for special needs patients, regional EMS medical directors may promulgate such protocols on a regional basis across multiple political subdivisions' jurisdictional boundaries, and such protocols may be used by multiple agencies including, but not limited to, ambulance services, emergency response agencies, and public health departments. Treatment protocols shall include steps to ensure the receiving hospital is informed of the pending arrival of the special needs patient, the condition of the patient, and the treatment instituted.

9. Multiple EMS agencies including, but not limited to, ambulance services, emergency response agencies, and public health departments shall take necessary steps to follow the regional EMS protocols established as provided under subsection 8 of this section in cases of mass casualty or state-declared disaster incidents.

10. When regional EMS medical directors develop and implement treatment protocols for patients or provide online medical direction for patients, such activity shall not be construed as having usurped local medical direction authority in any manner.

11. The state EMS medical directors advisory committee shall review and make recommendations regarding all proposed community and regional time-critical diagnosis plans.

12. Notwithstanding any other provision of law to the contrary, when regional EMS medical directors are providing either online telecommunication medical direction to AEMTs, ~~[EMT-Bs, EMT-Ps]~~ **EMTs, paramedics**, and community paramedics, or offline medical direction per standardized EMS treatment, triage, and transport protocols for patients, those medical directions or treatment protocols may include the administration of the patient's own prescription medications.

190.142. 1. (1) For applications submitted before the recognition of EMS personnel licensure interstate compact under sections 190.900 to 190.939 takes effect, the department shall, within a reasonable time after receipt of an application, cause such investigation as it deems necessary to be made of the applicant for an emergency medical technician's license.

(2) For applications submitted after the recognition of EMS personnel licensure interstate compact under sections 190.900 to 190.939 takes effect, an applicant for initial licensure as an emergency medical technician in this state shall submit to a background check by the Missouri state highway patrol and the Federal Bureau of Investigation through a process approved by the department of health and senior services. Such processes may include the use of vendors or systems administered by the Missouri state highway patrol. The department may share the results of such a criminal background check with any emergency services licensing agency in any member state, as that term is defined under section 190.900, in recognition of the EMS personnel licensure interstate compact. The department shall not issue a license until the department receives the results of an applicant's criminal background check from the Missouri state highway patrol and the Federal Bureau of Investigation, but, notwithstanding this subsection, the department may issue a temporary license as provided under section 190.143. Any fees due for a criminal background check shall be paid by the applicant.

(3) The director may authorize investigations into criminal records in other states for any applicant.

2. The department shall issue a license to all levels of emergency medical technicians, for a period of five years, if the applicant meets the requirements established pursuant to sections 190.001 to 190.245 and the rules adopted by the department pursuant to sections 190.001 to 190.245. The department may promulgate rules relating to the requirements for an emergency medical technician including but not limited to:

(1) Age requirements;

(2) Emergency medical technician and paramedic education and training requirements based on respective National Emergency Medical Services Education Standards and any modification to such curricula specified by the department through rules adopted pursuant to sections 190.001 to 190.245;

(3) Paramedic accreditation requirements. Paramedic training programs shall be accredited ~~[by the Commission on Accreditation of Allied Health Education Programs (CAAHEP) or hold a CAAHEP letter of review]~~ **as required by the National Registry of Emergency Medical Technicians;**

(4) Initial licensure testing requirements. Initial ~~[EMT-P]~~ **paramedic** licensure testing shall be through the national registry of EMTs;

(5) Continuing education and relicensure requirements; and

(6) Ability to speak, read and write the English language.

3. Application for all levels of emergency medical technician license shall be made upon such forms as prescribed by the department in rules adopted pursuant to sections 190.001 to 190.245. The application form shall contain such information as the department deems necessary to make a determination as to whether the emergency medical technician meets all the requirements of sections 190.001 to 190.245 and rules promulgated pursuant to sections 190.001 to 190.245.

4. All levels of emergency medical technicians may perform only that patient care which is:

(1) Consistent with the training, education and experience of the particular emergency medical technician; and

(2) Ordered by a physician or set forth in protocols approved by the medical director.

5. No person shall hold themselves out as an emergency medical technician or provide the services of an emergency medical technician unless such person is licensed by the department.

6. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid and void.

190.147. 1. ~~[An emergency medical technician-paramedic (EMT-P)]~~ **A paramedic** may make a good faith determination that such behavioral health patients who present a likelihood of serious harm to themselves or others, as the term "likelihood of serious harm" is defined under section 632.005, or who are significantly incapacitated by alcohol or drugs shall be placed into a temporary hold for the sole purpose of transport to the nearest appropriate facility; provided that, such determination shall be made in cooperation with at least one other ~~[EMT-P]~~ **paramedic** or other health care professional involved in the transport. Once in a temporary hold, the patient shall be treated with humane care in a manner that preserves human dignity, consistent with applicable federal regulations and nationally recognized guidelines regarding the appropriate use of temporary holds and restraints in medical transport. Prior to making such a determination:

(1) The ~~[EMT-P]~~ **paramedic** shall have completed a standard crisis intervention training course as endorsed and developed by the state EMS medical director's advisory committee;

(2) The ~~[EMT-P]~~ **paramedic** shall have been authorized by his or her ground or air ambulance service's administration and medical director under subsection 3 of section 190.103; and

(3) The ~~[EMT-P's]~~ **paramedic** ground or air ambulance service has developed and adopted standardized triage, treatment, and transport protocols under subsection 3 of section 190.103, which address the challenge of treating and transporting such patients. Provided:

(a) That such protocols shall be reviewed and approved by the state EMS medical director's advisory committee; and

(b) That such protocols shall direct the ~~[EMT-P]~~ **paramedic** regarding the proper use of patient restraint and coordination with area law enforcement; and

(c) Patient restraint protocols shall be based upon current applicable national guidelines.

2. In any instance in which a good faith determination for a temporary hold of a patient has been made, such hold shall be made in a clinically appropriate and adequately justified manner, and shall be documented and attested to in writing. The writing shall be retained by the ambulance service and included as part of the patient's medical file.

3. ~~[EMT-Ps]~~ **Paramedics** who have made a good faith decision for a temporary hold of a patient as authorized by this section shall no longer have to rely on the common law doctrine of implied consent and therefore shall not be civilly liable for a good faith determination made in accordance with this section and shall not have waived any sovereign immunity defense, official immunity defense, or Missouri public duty doctrine defense if employed at the time of the good faith determination by a government employer.

4. Any ground or air ambulance service that adopts the authority and protocols provided for by this section shall have a memorandum of understanding with applicable local law enforcement agencies in order to achieve a collaborative and coordinated response to patients displaying symptoms of either a likelihood of serious harm to themselves or others or significant incapacitation by alcohol or drugs, which require a crisis intervention response. The memorandum of understanding shall include, but not be limited to, the following:

(1) Administrative oversight, including coordination between ambulance services and law enforcement agencies;

(2) Patient restraint techniques and coordination of agency responses to situations in which patient restraint may be required;

(3) Field interaction between paramedics and law enforcement, including patient destination and transportation; and

(4) Coordination of program quality assurance.

5. The physical restraint of a patient by an emergency medical technician under the authority of this section shall be permitted only in order to provide for the safety of bystanders, the patient, or emergency personnel due to an imminent or immediate danger, or upon approval by local medical control through direct communications. Restraint shall also be permitted through cooperation with on-scene law enforcement officers. All incidents involving patient restraint used under the authority of this section shall be reviewed by the ambulance service physician medical director.

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.]~~

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

(1) "Board", the Missouri 911 service board established under section 650.325;

(2) "Consumer", a person who purchases prepaid wireless telecommunications service in a retail transaction;

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

(4) "Prepaid wireless service provider", a provider that provides prepaid wireless service to an end user;

(5) "Prepaid wireless telecommunications service", a wireless telecommunications service that allows a caller to dial 911 to access the 911 system and which service shall be paid for in advance and is sold in predetermined units or dollars of which the number declines with use in a known amount;

(6) "Retail transaction", the purchase of prepaid wireless telecommunications service from a seller for any purpose other than resale. The purchase of more than one item that provides prepaid wireless telecommunication service, when such items are sold separately, constitutes more than one retail transaction;

(7) "Seller", a person who sells prepaid wireless telecommunications service to another person;

(8) "Wireless telecommunications service", commercial mobile radio service as defined by 47 CFR 20.3, as amended.

2. (1) Beginning January 1, 2019, there is hereby imposed a prepaid wireless emergency telephone service charge on each retail transaction. The amount of such charge shall be equal to three percent of the amount of each retail transaction. The first fifteen dollars of each retail transaction shall not be subject to the service charge.

(2) When prepaid wireless telecommunications service is sold with one or more products or services for a single, nonitemized price, the prepaid wireless emergency telephone service charge set forth in subdivision (1) of this subsection shall apply to the entire nonitemized price unless the seller elects to apply such service charge in the following way:

(a) If the amount of the prepaid wireless telecommunications service is disclosed to the consumer as a dollar amount, three percent of such dollar amount; or

(b) If the seller can identify the portion of the price that is attributable to the prepaid wireless telecommunications service by reasonable and verifiable standards from the seller's books and records that are kept in the regular course of business for other purposes including, but not limited to, nontax purposes, three percent of such portion;

The first fifteen dollars of each transaction under this subdivision shall not be subject to the service charge.

(3) The prepaid wireless emergency telephone service charge shall be collected by the seller from the consumer with respect to each retail transaction occurring in this state. The amount of the prepaid wireless emergency telephone service charge shall be either separately stated on an invoice, receipt, or other similar document that is provided to the consumer by the seller or otherwise disclosed to the consumer.

(4) For purposes of this subsection, a retail transaction that is effected in person by a consumer at a business location of the seller shall be treated as occurring in this state if that business location is in this state, and any other retail transaction shall be treated as occurring in this state if the retail transaction is treated as occurring under chapter 144.

(5) The prepaid wireless emergency telephone service charge is the liability of the consumer and not of the seller or of any provider; except that, the seller shall be liable to remit all charges that the seller collects or is deemed to collect.

(6) The amount of the prepaid wireless emergency telephone service charge that is collected by a seller from a consumer, if such amount is separately stated on an invoice, receipt, or other similar document provided to the consumer by the seller, shall not be included in the base for measuring any tax, fee, surcharge, or other charge that is imposed by this state, any political subdivision of this state, or any intergovernmental agency.

3. (1) Prepaid wireless emergency telephone service charges collected by sellers shall be remitted to the department at the times and in the manner provided by state law with respect to sales and use taxes. The department shall establish registration and payment procedures that substantially coincide with the registration and payment procedures that apply under state law. On or after the effective date of the service charge imposed under the provisions of this section, the director of the department of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the service charge, and the director shall collect, in addition to the sales tax for the state of Missouri, all additional service charges imposed in this section. All service charges imposed under this section together with all taxes imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director. All applicable provisions contained in sections 144.010 to 144.525 governing the state sales tax and section 32.057 shall apply to the collection of any service charges imposed under this section except as modified.

(2) Beginning on January 1, 2019, and ending on January 31, 2019, when a consumer purchases prepaid wireless telecommunications service in a retail transaction from a seller under this section, the seller shall be allowed to retain one hundred percent of the prepaid wireless emergency telephone service charges that are collected by the seller from the consumer. Beginning on February 1, 2019, a seller shall be permitted to deduct and retain three percent of prepaid wireless emergency telephone service charges that are collected by the seller from consumers.

(3) The department shall establish procedures by which a seller of prepaid wireless telecommunications service may document that a sale is not a retail transaction, which procedures shall substantially coincide with the procedures for documenting sale for resale transactions for sales and use purposes under state law.

(4) The department shall deposit all remitted prepaid wireless emergency telephone service charges into the general revenue fund for the department's use until eight hundred thousand one hundred fifty dollars is collected to reimburse its direct costs of administering the collection and remittance of prepaid wireless emergency telephone service charges. From then onward, the department shall deposit all remitted prepaid wireless emergency telephone service charges into the Missouri 911 service trust fund created under section 190.420 within thirty days of receipt for use by the board. After the initial eight hundred thousand one hundred fifty dollars is collected, the department may deduct an amount not to exceed one percent of collected charges to be retained by the department to reimburse its direct costs of administering the collection and remittance of prepaid wireless emergency telephone service charges.

(5) The board shall set a rate between twenty-five and one hundred percent of the prepaid wireless emergency telephone service charges deposited in the Missouri 911 service trust fund collected in counties without a charter form of government, less the deductions authorized in subdivision (4) of this subsection, that shall be remitted to such counties in direct proportion to the amount of charges collected in each county. The board shall set a rate between sixty-five and one hundred percent of the prepaid wireless emergency telephone service charges deposited in the Missouri 911 service trust fund collected in counties with a charter form of government and any city not within a county, less the deductions authorized in subdivision (4) of this subsection, that shall be remitted to each such county or city not within a county in direct proportion to the amount of charges collected in each such county or city not within a county. If a county has an elected emergency services board, the Missouri 911 service board shall remit the funds to the elected emergency services board, except for 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, in which case the funds shall be remitted to the county's general fund for the purpose of public safety infrastructure. The initial percentage rate set by the board for counties with and without a charter form of government and any city not within a county

shall be set by June thirtieth of each applicable year and may be adjusted annually for the first three years, and thereafter the rate may be adjusted every three years; however, at no point shall the board set rates that fall below twenty-five percent for counties without a charter form of government and sixty-five percent for counties with a charter form of government and any city not within a county.

(6) Any amounts received by a county or city under subdivision (5) of this subsection shall be used only for purposes authorized in sections 190.305, 190.325, and 190.335. Any amounts received by any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants under this section may be used for emergency service notification systems.

4. (1) A seller that is not a provider shall be entitled to the immunity and liability protections under section 190.455, notwithstanding any requirement in state law regarding compliance with Federal Communications Commission Order 05-116.

(2) A provider shall be entitled to the immunity and liability protections under section 190.455.

(3) In addition to the protection from liability provided in subdivisions (1) and (2) of this subsection, each provider and seller and its officers, employees, assigns, agents, vendors, or anyone acting on behalf of such persons shall be entitled to the further protection from liability, if any, that is provided to providers and sellers of wireless telecommunications service that is not prepaid wireless telecommunications service under section 190.455.

5. The prepaid wireless emergency telephone service charge imposed by this section shall be in addition to any other tax, fee, surcharge, or other charge imposed by this state, any political subdivision of this state, or any intergovernmental agency for 911 funding purposes.

6. The provisions of this section shall become effective unless the governing body of a county or city adopts an ordinance, order, rule, resolution, or regulation by at least a two-thirds vote prohibiting the charge established under this section from becoming effective in the county or city at least forty-five days prior to the effective date of this section. If the governing body does adopt such ordinance, order, rule, resolution, or regulation by at least a two-thirds vote, the charge shall not be collected and the county or city shall not be allowed to obtain funds from the Missouri 911 service trust fund that are remitted to the fund under the charge established under this section. The Missouri 911 service board shall, by September 1, 2018, notify all counties and cities of the implementation of the charge established under this section, and the procedures set forth under this subsection for prohibiting the charge from becoming effective.

7. Any county or city which prohibited the prepaid wireless emergency telephone service charge pursuant to the provisions of subsection 6 of this section may take a vote of the governing body, and notify the department of revenue of the result of such vote ~~by November 15, 2019,~~ to impose such charge ~~effective January 1, 2020~~. A vote of at least two-thirds of the governing body is required in order to impose such charge. The department shall notify the board of notices received by ~~December 1, 2019~~ **within sixty days of receiving such notice.**

192.2405. 1. The following persons shall be required to immediately report or cause a report to be made to the department under sections 192.2400 to 192.2470:

(1) Any person having reasonable cause to suspect that an eligible adult presents a likelihood of suffering serious physical harm, or bullying as defined in subdivision (2) of section 192.2400, and is in need of protective services; and

(2) Any adult day care worker, chiropractor, Christian Science practitioner, coroner, dentist, embalmer, employee of the departments of social services, mental health, or health and senior services, employee of a local area agency on aging or an organized area agency on aging program, emergency medical technician, firefighter, first responder, funeral director, home health agency, home health agency employee, hospital and clinic personnel engaged in the care or treatment of others, in-home services owner or provider, in-home services operator or employee, law enforcement officer, long-term care facility administrator or employee, medical examiner, medical resident or intern, mental health professional, minister, nurse, nurse practitioner, optometrist, other health practitioner, peace officer, pharmacist, physical therapist, physician, physician's assistant, podiatrist, probation or parole officer, psychologist, social worker, or other person with the responsibility for the care of an eligible adult who has reasonable cause to suspect that the eligible adult has been subjected to abuse or neglect or observes the eligible adult being subjected to conditions or circumstances which would reasonably result in abuse or neglect. Notwithstanding any other provision of this section, a duly ordained minister, clergy, religious worker, or Christian Science practitioner while functioning in his or her ministerial capacity shall not be required to report concerning a privileged communication made to him or her in his or her professional capacity.

2. Any other person who becomes aware of circumstances that may reasonably be expected to be the result of, or result in, abuse or neglect of an eligible adult may report to the department.

3. The penalty for failing to report as required under subdivision (2) of subsection 1 of this section is provided under section 565.188.

4. As used in this section, "first responder" means any person trained and authorized by law or rule to render emergency medical assistance or treatment. Such persons may include, but shall not be limited to, emergency first responders, police officers, sheriffs, deputy sheriffs, firefighters, ~~or emergency medical technicians], or emergency medical technician paramedics].~~

208.1032. 1. The department of social services shall be authorized to design and implement in consultation and coordination with eligible providers as described in subsection 2 of this section an intergovernmental transfer program relating to ground emergency medical transport services, including those services provided at the emergency medical responder, emergency medical technician (EMT), advanced EMT, ~~[EMT intermediate,]~~ or paramedic levels in the prestabilization and preparation for transport, in order to increase capitation payments for the purpose of increasing reimbursement to eligible providers.

2. A provider shall be eligible for increased reimbursement under this section only if the provider meets the following conditions in an applicable state fiscal year:

- (1) Provides ground emergency medical transportation services to MO HealthNet participants;
- (2) Is enrolled as a MO HealthNet provider for the period being claimed; and
- (3) Is owned, operated, or contracted by the state or a political subdivision.

3. (1) To the extent intergovernmental transfers are voluntarily made by and accepted from an eligible provider described in subsection 2 of this section or a governmental entity affiliated with an eligible provider, the department of social services shall make increased capitation payments to applicable MO HealthNet eligible providers for covered ground emergency medical transportation services.

(2) The increased capitation payments made under this section shall be in amounts at least actuarially equivalent to the supplemental fee-for-service payments and up to equivalent of commercial reimbursement rates available for eligible providers to the extent permissible under federal law.

(3) Except as provided in subsection 6 of this section, all funds associated with intergovernmental transfers made and accepted under this section shall be used to fund additional payments to eligible providers.

(4) MO HealthNet managed care plans and coordinated care organizations shall pay one hundred percent of any amount of increased capitation payments made under this section to eligible providers for providing and making available ground emergency medical transportation and prestabilization services pursuant to a contract or other arrangement with a MO HealthNet managed care plan or coordinated care organization.

4. The intergovernmental transfer program developed under this section shall be implemented on the date federal approval is obtained, and only to the extent intergovernmental transfers from the eligible provider, or the governmental entity with which it is affiliated, are provided for this purpose. The department of social services shall implement the intergovernmental transfer program and increased capitation payments under this section on a retroactive basis as permitted by federal law.

5. Participation in the intergovernmental transfers under this section is voluntary on the part of the transferring entities for purposes of all applicable federal laws.

6. As a condition of participation under this section, each eligible provider as described in subsection 2 of this section or the governmental entity affiliated with an eligible provider shall agree to reimburse the department of social services for any costs associated with implementing this section. Intergovernmental transfers described in this section are subject to an administration fee of up to twenty percent of the nonfederal share paid to the department of social services and shall be allowed to count as a cost of providing the services not to exceed one hundred twenty percent of the total amount.

7. As a condition of participation under this section, MO HealthNet managed care plans, coordinated care organizations, eligible providers as described in subsection 2 of this section, and governmental entities affiliated with eligible providers shall agree to comply with any requests for information or similar data requirements imposed by the department of social services for purposes of obtaining supporting documentation necessary to claim federal funds or to obtain federal approvals.

8. This section shall be implemented only if and to the extent federal financial participation is available and is not otherwise jeopardized, and any necessary federal approvals have been obtained.

9. To the extent that the director of the department of social services determines that the payments made under this section do not comply with federal Medicaid requirements, the director retains the discretion to return or not accept an intergovernmental transfer, and may adjust payments under this section as necessary to comply with federal Medicaid requirements.

285.040. 1. As used in this section, "public safety employee" shall mean a person trained or authorized by law or rule to render emergency medical assistance or treatment, including, but not limited to, firefighters,

~~[ambulance attendants and attendant drivers,] emergency medical technicians, [emergency medical technician-paramedics,] dispatchers, registered nurses, physicians, and sheriffs and deputy sheriffs.~~

2. No public safety employee of a city not within a county who is hired prior to September 1, 2023, shall be subject to a residency requirement of retaining a primary residence in a city not within a county but may be required to maintain a primary residence located within a one-hour response time.

3. Public safety employees of a city not within a county who are hired after August 31, 2023, may be subject to a residency rule no more restrictive than a requirement of retaining a primary residence in a city not within a county for a total of seven years and of then allowing the public safety employee to maintain a primary residence outside the city not within a county so long as the primary residence is located within a one-hour response time.

321.225. 1. A fire protection district may, in addition to its other powers and duties, provide emergency ambulance service within its district if a majority of the voters voting thereon approve a proposition to furnish such service and to levy a tax not to exceed thirty cents on the one hundred dollars assessed valuation to be used exclusively to supply funds for the operation of an emergency ambulance service. The district shall exercise the same powers and duties in operating an emergency ambulance service as it does in operating its fire protection service.

2. The proposition to furnish emergency ambulance service may be submitted by the board of directors at any municipal general, primary or general election or at any election of the members of the board.

3. The question shall be submitted in substantially the following form:

Shall the board of directors of _____ Fire Protection District be authorized to provide emergency ambulance service within the district and be authorized to levy a tax not to exceed thirty cents on the one hundred dollars assessed valuation to provide funds for such service?

4. If a majority of the voters casting votes thereon be in favor of emergency ambulance service and the levy, the district shall forthwith commence such service.

5. As used in this section "emergency" means a situation resulting from a sudden or unforeseen situation or occurrence that requires immediate action to save life or prevent suffering or disability.

6. In addition to all other taxes authorized on or before September 1, 1990, the board of directors of any fire protection district may, if a majority of the voters of the district voting thereon approve, levy an additional tax of not more than forty cents per one hundred dollars of assessed valuation to be used for the support of the ambulance service or partial or complete support of ~~[an emergency medical technician defibrillator program or partial or complete support of an emergency medical technician]~~ a paramedic first responder program. The proposition to levy the tax authorized by this subsection may be submitted by the board of directors at the next annual election of the members of the board or at any regular municipal or school election conducted by the county clerk or board of election commissioners in such district or at a special election called for the purpose, or upon petition of five hundred registered voters of the district. A separate ballot containing the question shall read as follows:

Shall the board of directors of the _____ Fire Protection District be authorized to levy an additional tax of not more than forty cents per one hundred dollars assessed valuation to provide funds for the support of an ambulance service or partial or complete support of an emergency medical technician defibrillator program or partial or complete support of an emergency medical technician paramedic first responder program?

FOR THE PROPOSITION

AGAINST THE PROPOSITION

(Place an X in the square opposite the one for which you wish to vote.)

If a majority of the qualified voters casting votes thereon be in favor of the question, the board of directors shall accordingly levy a tax in accordance with the provisions of this subsection, but if a majority of voters casting votes thereon do not vote in favor of the levy authorized by this subsection, any levy previously authorized shall remain in effect.

321.620. 1. Fire protection districts in first class counties may, in addition to their other powers and duties, provide ambulance service within their district if a majority of the voters voting thereon approve a proposition to furnish such service and to levy a tax not to exceed thirty cents on the one hundred dollars assessed valuation to be used exclusively to supply funds for the operation of an emergency ambulance service. The district shall exercise the same powers and duties in operating an ambulance service as it does in operating its fire protection service. As used in this section "emergency" means a situation resulting from a sudden or unforeseen situation or occurrence that requires immediate action to save life or prevent suffering or disability.

2. The proposition to furnish ambulance service may be submitted by the board of directors at any municipal general, primary or general election or at any election of the members of the board or upon petition by five hundred voters of such district.

3. The question shall be submitted in substantially the following form:

Shall the board of directors of _____ Fire Protection District be authorized to provide ambulance service within the district and be authorized to levy a tax not to exceed thirty cents on the one hundred dollars assessed valuation to provide funds for such service?

4. If a majority of the voters casting votes thereon be in favor of ambulance service and the levy, the district shall forthwith commence such service.

5. In addition to all other taxes authorized on or before September 1, 1990, the board of directors of any fire protection district may, if a majority of the voters of the district voting thereon approve, levy an additional tax of not more than forty cents per one hundred dollars of assessed valuation to be used for the support of the ambulance service, or partial or complete support of ~~[an emergency medical technician defibrillator program or partial or complete support of an emergency medical technician]~~ a paramedic first responder program. The proposition to levy the tax authorized by this subsection may be submitted by the board of directors at the next annual election of the members of the board or at any regular municipal or school election conducted by the county clerk or board of election commissioners in such district or at a special election called for the purpose, or upon petition of five hundred registered voters of the district. A separate ballot containing the question shall read as follows:

Shall the board of directors of the _____ Fire Protection District be authorized to levy an additional tax of not more than forty cents per one hundred dollars assessed valuation to provide funds for the support of an ambulance service or partial or complete support of an emergency medical technician defibrillator program or partial or complete support of an emergency medical technician paramedic first responder program?

FOR THE PROPOSITION

AGAINST THE PROPOSITION

(Place an X in the square opposite the one for which you wish to vote).

If a majority of the qualified voters casting votes thereon be in favor of the question, the board of directors shall accordingly levy a tax in accordance with the provisions of this subsection, but if a majority of voters casting votes thereon do not vote in favor of the levy authorized by this subsection, any levy previously authorized shall remain in effect."; and

Further amend said bill and page, Section 534.157, Line 3, by inserting after all of said section and line the following:

"537.037. 1. Any physician or surgeon, registered professional nurse or licensed practical nurse licensed to practice in this state under the provisions of chapter 334 or 335, or licensed to practice under the equivalent laws of any other state and any person licensed as ~~[a mobile]~~ an emergency medical technician under the provisions of chapter 190, may:

(1) In good faith render emergency care or assistance, without compensation, at the scene of an emergency or accident, and shall not be liable for any civil damages for acts or omissions other than damages occasioned by gross negligence or by willful or wanton acts or omissions by such person in rendering such emergency care;

(2) In good faith render emergency care or assistance, without compensation, to any minor involved in an accident, or in competitive sports, or other emergency at the scene of an accident, without first obtaining the consent of the parent or guardian of the minor, and shall not be liable for any civil damages other than damages occasioned by gross negligence or by willful or wanton acts or omissions by such person in rendering the emergency care.

2. Any other person who has been trained to provide first aid in a standard recognized training program may, without compensation, render emergency care or assistance to the level for which he or she has been trained, at the scene of an emergency or accident, and shall not be liable for civil damages for acts or omissions other than damages occasioned by gross negligence or by willful or wanton acts or omissions by such person in rendering such emergency care.

3. Any mental health professional, as defined in section 632.005, or qualified counselor, as defined in section 631.005, or any practicing medical, osteopathic, or chiropractic physician, or certified nurse practitioner, or physicians' assistant may in good faith render suicide prevention interventions at the scene of a threatened suicide and

shall not be liable for any civil damages for acts or omissions other than damages occasioned by gross negligence or by willful or wanton acts or omissions by such person in rendering such suicide prevention interventions.

4. Any other person may, without compensation, render suicide prevention interventions at the scene of a threatened suicide and shall not be liable for civil damages for acts or omissions other than damages occasioned by gross negligence or by willful or wanton acts or omissions by such person in rendering such suicide prevention interventions.

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

- (1) **"Ambulance service", the same meaning given to the term in section 190.100;**
- (2) **"Board", the Missouri 911 service board established in section 650.325;**
- (3) **"Dispatch agency", the same meaning given to the term in section 190.100;**
- (4) **"Medical director", the same meaning given to the term in section 190.100;**
- (5) **"Memorandum of understanding", the same meaning given to the term in section 190.100;**

~~(2)~~ (6) "Public safety answering point", the location at which 911 calls are answered;

~~(3)~~ (7) "Telecommunicator **first responder**", any person employed as an emergency ~~[telephone worker,]~~ call taker or public safety dispatcher whose duties include receiving, processing or transmitting public safety information received through a 911 public safety answering point.

650.330. 1. The board shall consist of fifteen members, one of which shall be chosen from the department of public safety, and the other members shall be selected as follows:

(1) One member chosen to represent an association domiciled in this state whose primary interest relates to municipalities;

(2) One member chosen to represent the Missouri 911 Directors Association;

(3) One member chosen to represent emergency medical services and physicians;

(4) One member chosen to represent an association with a chapter domiciled in this state whose primary interest relates to a national emergency number;

(5) One member chosen to represent an association whose primary interest relates to issues pertaining to fire chiefs;

(6) One member chosen to represent an association with a chapter domiciled in this state whose primary interest relates to issues pertaining to public safety communications officers;

(7) One member chosen to represent an association whose primary interest relates to issues pertaining to police chiefs;

(8) One member chosen to represent an association domiciled in this state whose primary interest relates to issues pertaining to sheriffs;

(9) One member chosen to represent counties of the second, third, and fourth classification;

(10) One member chosen to represent counties of the first classification, counties with a charter form of government, and cities not within a county;

(11) One member chosen to represent telecommunications service providers;

(12) One member chosen to represent wireless telecommunications service providers;

(13) One member chosen to represent voice over internet protocol service providers; and

(14) One member chosen to represent the governor's council on disability established under section 37.735.

2. Each of the members of the board shall be appointed by the governor with the advice and consent of the senate for a term of four years. Members of the committee may serve multiple terms. No corporation or its affiliate shall have more than one officer, employee, assign, agent, or other representative serving as a member of the board. Notwithstanding subsection 1 of this section to the contrary, all members appointed as of August 28, 2017, shall continue to serve the remainder of their terms.

3. The board shall meet at least quarterly at a place and time specified by the chairperson of the board and it shall keep and maintain records of such meetings, as well as the other activities of the board. Members shall not be compensated but shall receive actual and necessary expenses for attending meetings of the board.

4. The board shall:

(1) Organize and adopt standards governing the board's formal and informal procedures;

(2) Provide recommendations for primary answering points and secondary answering points on technical and operational standards for 911 services;

(3) Provide recommendations to public agencies concerning model systems to be considered in preparing a 911 service plan;

(4) Provide requested mediation services to political subdivisions involved in jurisdictional disputes regarding the provision of 911 services, except that the board shall not supersede decision-making authority of local political subdivisions in regard to 911 services;

- (5) Provide assistance to the governor and the general assembly regarding 911 services;
- (6) Review existing and proposed legislation and make recommendations as to changes that would improve such legislation;
- (7) Aid and assist in the timely collection and dissemination of information relating to the use of a universal emergency telephone number;
- (8) Perform other duties as necessary to promote successful development, implementation and operation of 911 systems across the state, including monitoring federal and industry standards being developed for next-generation 911 systems;
- (9) Designate a state 911 coordinator who shall be responsible for overseeing statewide 911 operations and ensuring compliance with federal grants for 911 funding;
- (10) Elect the chair from its membership;
- (11) Apply for and receive grants from federal, private, and other sources;
- (12) Report to the governor and the general assembly at least every three years on the status of 911 services statewide, as well as specific efforts to improve efficiency, cost-effectiveness, and levels of service;
- (13) Conduct and review an annual survey of public safety answering points in Missouri to evaluate potential for improved services, coordination, and feasibility of consolidation;
- (14) Make and execute contracts or any other instruments and agreements necessary or convenient for the exercise of its powers and functions, including for the development and implementation of an emergency services internet protocol network that can be shared by all public safety agencies;
- (15) Develop a plan and timeline of target dates for the testing, implementation, and operation of a next-generation 911 system throughout Missouri. The next-generation 911 system shall allow for the processing of electronic messages including, but not limited to, electronic messages containing text, images, video, or data;
- (16) Administer and authorize grants and loans under section 650.335 to those counties and any home rule city with more than fifteen thousand but fewer than seventeen thousand inhabitants and partially located in any county of the third classification without a township form of government and with more than thirty-seven thousand but fewer than forty-one thousand inhabitants that can demonstrate a financial commitment to improving 911 services by providing at least a fifty percent match and demonstrate the ability to operate and maintain ongoing 911 services. The purpose of grants and loans from the 911 service trust fund shall include:
 - (a) Implementation of 911 services in counties of the state where services do not exist or to improve existing 911 systems;
 - (b) Promotion of consolidation where appropriate;
 - (c) Mapping and addressing all county locations;
 - (d) Ensuring primary access and texting abilities to 911 services for disabled residents;
 - (e) Implementation of initial emergency medical dispatch services, including prearrival medical instructions in counties where those services are not offered as of July 1, 2019; and
 - (f) Development and implementation of an emergency services internet protocol network that can be shared by all public safety agencies;
- (17) Develop an application process including reporting and accountability requirements, withholding a portion of the grant until completion of a project, and other measures to ensure funds are used in accordance with the law and purpose of the grant, and conduct audits as deemed necessary;
- (18) Set the percentage rate of the prepaid wireless emergency telephone service charges to be remitted to a county or city as provided under subdivision (5) of subsection 3 of section 190.460;
- (19) Retain in its records proposed county plans developed under subsection 11 of section 190.455 and notify the department of revenue that the county has filed a plan that is ready for implementation;
- (20) Notify any communications service provider, as defined in section 190.400, that has voluntarily submitted its contact information when any update is made to the centralized database established under section 190.475 as a result of a county or city establishing or modifying a tax or monthly fee no less than ninety days prior to the effective date of the establishment or modification of the tax or monthly fee;
- (21) Establish criteria for consolidation prioritization of public safety answering points;
- (22) In coordination with existing public safety answering points, by December 31, 2018, designate no more than eleven regional 911 coordination centers which shall coordinate statewide interoperability among public safety answering points within their region through the use of a statewide 911 emergency services network; **[and]**

(23) Establish an annual budget, retain records of all revenue and expenditures made, retain minutes of all meetings and subcommittees, post records, minutes, and reports on the board's webpage on the department of public safety website; **and**

(24) Promote and educate the public about the critical role of telecommunicator first responders in protecting the public and ensuring public safety.

5. The department of public safety shall provide staff assistance to the board as necessary in order for the board to perform its duties pursuant to sections 650.320 to 650.340. The board shall have the authority to hire consultants to administer the provisions of sections 650.320 to 650.340.

6. The board shall promulgate rules and regulations that are reasonable and necessary to implement and administer the provisions of sections 190.455, 190.460, 190.465, 190.470, 190.475, and sections 650.320 to 650.340. Any rule or portion of a rule, as that term is defined in section 536.010, shall become effective only if it has been promulgated pursuant to the provisions of chapter 536. 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, 2017, shall be invalid and void.

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

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

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

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

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

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

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

7. ~~[This section shall not apply to an emergency medical dispatcher or agency as defined in section 190.100, or a person trained by an entity accredited or certified under section 190.131, or a person who provides prearrival medical instructions who works for an agency which meets the requirements set forth in section 190.134.]~~ **The board shall be responsible for the approval of training courses for emergency medical dispatchers. The board shall develop necessary rules and regulations in collaboration with the state EMS medical director's advisory committee, as described in section 190.103, which may provide recommendations relating to the medical aspects of prearrival medical instructions.**

8. A dispatch agency is required to have a memorandum of understanding with all ambulance services that it dispatches. If a dispatch agency provides prearrival medical instructions, it is required to have a medical director whose duties include the maintenance of standards and approval of protocols or guidelines.

~~[190.134. A dispatch agency is required to have a memorandum of understanding with all ambulance services that it dispatches. If a dispatch agency provides prearrival medical instructions, it is required to have a medical director, whose duties include the maintenance of standards and protocol approval.]; and~~

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

On motion of Representative Perkins, **House Amendment No. 11** was adopted.

Representative Lovasco offered **House Amendment No. 12**.

House Amendment No. 12

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 222, Page 5, Section 67.137, Line 3, by inserting after all of said section and line the following:

- "67.488. 1. This section shall be known and may be cited as the "Building Permit Reform Act".
2. For purposes of this section, the term "exempt homeowner" means a resident, noncorporate owner of a detached, single-family residence.
3. (1) No political subdivision shall require an exempt homeowner to obtain any license, certification, or professional registration or submit to any examination or testing as a condition of applying for or utilizing a building or construction permit, provided all work is performed by the owner or other current resident.
- (2) If an exempt homeowner transfers ownership of the property within one year of completing any work performed under the provisions of this subsection, the relevant political subdivision is permitted to assess a one-time administration fee in an amount not to exceed five thousand dollars. The homeowner shall be informed of this potential administration fee at the time of permit application.
- (3) Nothing in this subsection shall be construed to prohibit the enforcement of any applicable building codes or relevant inspections as otherwise required by ordinance or law.
- (4) Nothing in this subsection shall be construed to prohibit an owner from hiring a contractor otherwise authorized by law to perform work on behalf of the owner.
- (5) The provisions of this subsection shall not apply to:
- (a) Any structure being rented, leased, subleased, or otherwise occupied outside of the owner's principal residence;
- (b) Any gas appliance installation or repair or any work that requires the installation or modification of any device or delivery system that utilizes a combustible fuel source; or
- (c) The act of making a direct connection to publicly provided water or sewer service, or the modification to such existing connections at the point of service.
4. No political subdivision shall require any permit, license, variance, or other type of prior approval for an exempt homeowner to perform any of the following activities, provided all work is performed by the owner or other current resident:
- (1) Replacing an existing electric appliance with a substantially similar one, provided no major additions or modifications to existing building wiring are performed;
- (2) Replacing an existing sink, faucet, or dishwasher, provided no major modifications to existing building plumbing are performed;
- (3) Repairing, replacing, or installing gypsum board, plaster, or other nonstructural interior wall covering or cladding; and
- (4) Repairing, replacing, or installing carpet, tile, vinyl, or other floor coverings.
5. Any political subdivision that fails to perform an inspection pursuant to a permit within ten business days of a request made by an exempt homeowner shall refund fifty percent of any charges assessed for the permit. If the inspection is not performed within twenty business days from the initial request, the political subdivision shall waive the inspection requirements and allow the exempt homeowner to proceed as if the exempt homeowner had passed the inspection.
6. No exempt homeowner shall be charged a fee to extend or renew an expiring building or construction permit, provided the permit is not allowed to expire prior to renewal. No limit shall be placed on the number of extensions or renewals of permits issued to exempt homeowners unless the work being performed is visible from neighboring properties or adjacent streets. Nothing in this subsection shall be construed to prohibit a political subdivision from requiring job sites with uncompleted work to be maintained in a state that does not pose an imminent threat to public health or safety.
7. No exempt homeowner shall be assessed a fine or fee for work done without a permit in an amount greater than double the charge that would have been assessed if the permit had been issued at the time the unpermitted work was discovered.

8. No exempt homeowner shall be required to destroy, remove, or substantially alter any structure or part of a structure upon which work was previously done without permits unless the political subdivision having jurisdiction can demonstrate through photographic or similar objective evidence that the work performed did not meet applicable building codes or safety standards in place at the time the work was performed.

9. (1) No political subdivision shall issue a stop-work order, citation, penalty, or requirement for remediation for any ordinance or building code violation discovered during an inspection if the violation found is outside the scope of work that was requested to be inspected.

(2) Nothing in this subsection shall be interpreted to prohibit the production of a report detailing such violations found, provided the report is provided directly to the homeowner for informational purposes only and is not retained or otherwise utilized or distributed by the political subdivision or its agents.

10. Any exempt homeowner who applies for any building or construction permit and subsequently fails an inspection performed pursuant to such permit shall be informed in writing as to the reasons the inspection was deemed a failure and the actions required to be taken to pass a follow-up inspection.

11. No exempt homeowner shall be assessed a charge to reinspect previously inspected work for an amount that exceeds the cost of the initial permit or inspection unless a period of over ninety days has elapsed since the original inspection.

12. If the state or any of its political subdivisions enacts a statute, ordinance, or administrative rule that incorporates by reference any third-party standard or code otherwise subject to copyright protection, the state or political subdivision responsible for the statute, ordinance, or administrative rule shall provide, upon request and free of charge in a digital or physical format, the third-party standard or code incorporated by reference. Access to a physical format in a temporary or time-limited manner is sufficient to meet the requirements of this subsection provided that a physical copy may remain in the possession of the requester until the completion of any currently permitted work. The state or political subdivision shall pay all costs associated with providing the third-party standard or code, except that the state or political subdivision may alternatively declare by executive or administrative act that the provisions of the standard or code incorporated by reference shall be repealed and not enforced until such repeal is achieved.

13. Notwithstanding any other provision of law, no agent of a political subdivision shall have the authority to enter into a private residence for the purpose of performing a safety inspection or investigation into municipal or code violations without first securing permission from the property owner or the owner's designee or a warrant from a court of competent jurisdiction.

14. Nothing in this section shall be construed to require any political subdivision to enact any building codes or standards where none currently exist."; and

Further amend said bill, Page 8, Section 89.380, Line 25, by inserting after all of said section and line the following:

"90.520. When any incorporated city or town shall have decided to establish and maintain public parks under sections 90.500 to 90.570, the mayor of such city ~~shall~~ may, with the approval of the legislative branch of the municipal government, proceed to appoint a board of nine directors for the same, chosen from the citizens at large with reference to their fitness for such office, and no member of the municipal government shall be a member of the board."; and

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

On motion of Representative Lovasco, **House Amendment No. 12** was adopted.

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

House Amendment No. 13

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 222, Page 9, Section 436.337, Line 4, by inserting after said section and line the following:

"475.040. If it appears to the court, acting on the petition of the guardian, the conservator, the respondent or of a ward over the age of fourteen, or on its own motion, at any time before the termination of the guardianship or conservatorship, that the proceeding was commenced in the wrong county, or that the domicile ~~[or residence]~~ of the ward or protectee has ~~[been]~~ changed to another county, or in case of conservatorship of the estate that it would be for the best interest of the ward or disabled person and his estate, the court may order the proceeding with all papers, files and a transcript of the proceedings transferred to the probate division of the circuit court of another county. The court to which the transfer is made shall take jurisdiction of the case, place the transcript of record and proceed to the final settlement of the case as if the appointment originally had been made by it.

475.275. 1. The conservator, at the time of filing any settlement with the court, shall exhibit all securities or investments held by him to an officer of the bank or other depository wherein the securities or investments are held for safekeeping or to an authorized representative of the corporation which is surety on his bond, or to the judge or clerk of a court of record in this state, or upon request of the conservator or other interested party, to any other reputable person designated by the court, who shall certify in writing that he has examined the securities or investments and identified them with those described in the account and shall note any omission or discrepancies. If the depository is the conservator, the certifying officer shall not be the officer verifying the account. The conservator may exhibit the securities or investments to the judge of the court, who shall endorse on the account and copy thereof, a certificate that the securities or investments shown therein as held by the conservator were each in fact exhibited to him and that those exhibited to him were the same as those in the account and noting any omission or discrepancy. The certificate, and the certificate of an official of the bank in which are deposited any funds for which the conservator is accountable, showing the amount on deposit, shall be prepared and signed in duplicate and one of each shall be filed by the conservator with his account.

2. (1) As used in and pursuant to this section, a "pooled account" is an account within the meaning of this section and means any account maintained by a fiduciary for more than one principal and is established for the purpose of managing and investing and to manage and invest the funds of such principals. No fiduciary shall or may place funds into a pooled account unless the account meets the following criteria:

- (a) The pooled account is maintained at a bank or savings and loan institution;
- (b) The pooled account is titled in such a way as to reflect that the account is being held by a fiduciary in a custodial capacity;
- (c) The fiduciary maintains, or causes to be maintained, records containing information as to the name and ownership interest of each principal in the pooled account;
- (d) The fiduciary's records contain a statement of all accretions and disbursements; and
- (e) The fiduciary's records are maintained in the ordinary course of business and in good faith.

(2) The public administrator of any county ~~[with a charter form of government and with more than six hundred thousand but less than seven hundred thousand inhabitants]~~ serving as a conservator **or personal representative** and using and utilizing pooled accounts for the investing~~[-investment,]~~ and management of ~~[conservatorship] estate~~ funds shall have any such accounts ~~[audited]~~ **examined** on at least an annual basis ~~[and no less than one time per year]~~ by an independent certified public accountant. ~~[The audit provided shall review the records of the receipts and disbursements of each estate account. Upon completion of the investigation, the certified public accountant shall render a report to the judge of record in this state showing the receipts, disbursements, and account balances as to each estate and as well as the total assets on deposit in the pooled account on the last calendar day of each year.]~~ **The examination shall:**

- (a) **Compare the pooled account's year-end bank statement and obtain the reconciliation of the pooled account from the bank statement to the fiduciary's general ledger balance on the same day;**
 - (b) **Reconcile the total of individual accounts in the fiduciary's records to the reconciled pooled account's balance and note any difference;**
 - (c) **Confirm if collateral is pledged to secure amounts on deposit in the pooled account in excess of Federal Deposit Insurance Corporation coverage; and**
 - (d) **Confirm the account balance with the financial institution.**
- (3) **A public administrator using and utilizing pooled accounts as provided by this section shall certify by affidavit that he or she has met the conditions for establishing a pooled account as set forth in subdivision (2) of this subsection.**

(4) The county shall provide for the expense of ~~[such audit]~~ **the report**. If and where the public administrator has provided the judge with ~~[the audit]~~ **the report** pursuant to and required by this subsection and section, the public administrator shall not be required to obtain the written ~~[certification]~~ **verification** of an officer

of a bank or other depository on any estate asset maintained within the pooled account as otherwise required in and under subsection 1 of this section."; and

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

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

House Amendment No. 1
to
House Amendment No. 13

AMEND House Amendment No. 13 to House Committee Substitute for Senate Substitute for Senate Bill No. 222, Page 2, Line 37, by inserting the following after all of said line:

"Further amend said bill, Page 9, Section 534.157, Line 3, by inserting after all of said section and line the following:

"610.021. Except to the extent disclosure is otherwise required by law, a public governmental body is authorized to close meetings, records and votes, to the extent they relate to the following:

(1) Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys.

However, any minutes, vote or settlement agreement relating to legal actions, causes of action or litigation involving a public governmental body or any agent or entity representing its interests or acting on its behalf or with its authority, including any insurance company acting on behalf of a public government body as its insured, shall be made public upon final disposition of the matter voted upon or upon the signing by the parties of the settlement agreement, unless, prior to final disposition, the settlement agreement is ordered closed by a court after a written finding that the adverse impact to a plaintiff or plaintiffs to the action clearly outweighs the public policy considerations of section 610.011, however, the amount of any moneys paid by, or on behalf of, the public governmental body shall be disclosed; provided, however, in matters involving the exercise of the power of eminent domain, the vote shall be announced or become public immediately following the action on the motion to authorize institution of such a legal action. Legal work product shall be considered a closed record;

(2) Leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefor. However, any minutes, vote or public record approving a contract relating to the leasing, purchase or sale of real estate by a public governmental body shall be made public upon execution of the lease, purchase or sale of the real estate;

(3) Hiring, firing, disciplining or promoting of particular employees by a public governmental body when personal information about the employee is discussed or recorded. However, any vote on a final decision, when taken by a public governmental body, to hire, fire, promote or discipline an employee of a public governmental body shall be made available with a record of how each member voted to the public within seventy-two hours of the close of the meeting where such action occurs; provided, however, that any employee so affected shall be entitled to prompt notice of such decision during the seventy-two-hour period before such decision is made available to the public. As used in this subdivision, the term "personal information" means information relating to the performance or merit of individual employees;

(4) The state militia or national guard or any part thereof;

(5) Nonjudicial mental or physical health proceedings involving identifiable persons, including medical, psychiatric, psychological, or alcoholism or drug dependency diagnosis or treatment;

(6) Scholastic probation, expulsion, or graduation of identifiable individuals, including records of individual test or examination scores; however, personally identifiable student records maintained by public educational institutions shall be open for inspection by the parents, guardian or other custodian of students under the age of eighteen years and by the parents, guardian or other custodian and the student if the student is over the age of eighteen years;

(7) Testing and examination materials, before the test or examination is given or, if it is to be given again, before so given again;

(8) Welfare cases of identifiable individuals;

- (9) Preparation, including any discussions or work product, on behalf of a public governmental body or its representatives for negotiations with employee groups;
- (10) Software codes for electronic data processing and documentation thereof;
- (11) Specifications for competitive bidding, until either the specifications are officially approved by the public governmental body or the specifications are published for bid;
- (12) Sealed bids and related documents, until the bids are opened; and sealed proposals and related documents or any documents related to a negotiated contract until a contract is executed, or all proposals are rejected;
- (13) Individually identifiable personnel records, performance ratings or records pertaining to employees or applicants for employment, except that this exemption shall not apply to the names, positions, salaries and lengths of service of officers and employees of public agencies once they are employed as such, and the names of private sources donating or contributing money to the salary of a chancellor or president at all public colleges and universities in the state of Missouri and the amount of money contributed by the source;
- (14) Records which are protected from disclosure by law;
- (15) Meetings and public records relating to scientific and technological innovations in which the owner has a proprietary interest;
- (16) Records relating to municipal hotlines established for the reporting of abuse and wrongdoing;
- (17) Confidential or privileged communications between a public governmental body and its auditor, including all auditor work product; however, all final audit reports issued by the auditor are to be considered open records pursuant to this chapter;
- (18) Operational guidelines, policies and specific response plans developed, adopted, or maintained by any public agency responsible for law enforcement, public safety, first response, or public health for use in responding to or preventing any critical incident which is or appears to be terrorist in nature and which has the potential to endanger individual or public safety or health. Financial records related to the procurement of or expenditures relating to operational guidelines, policies or plans purchased with public funds shall be open. When seeking to close information pursuant to this exception, the public governmental body shall affirmatively state in writing that disclosure would impair the public governmental body's ability to protect the security or safety of persons or real property, and shall in the same writing state that the public interest in nondisclosure outweighs the public interest in disclosure of the records;
- (19) Existing or proposed security systems and structural plans of real property owned or leased by a public governmental body, and information that is voluntarily submitted by a nonpublic entity owning or operating an infrastructure to any public governmental body for use by that body to devise plans for protection of that infrastructure, the public disclosure of which would threaten public safety:
 - (a) Records related to the procurement of or expenditures relating to security systems purchased with public funds shall be open;
 - (b) When seeking to close information pursuant to this exception, the public governmental body shall affirmatively state in writing that disclosure would impair the public governmental body's ability to protect the security or safety of persons or real property, and shall in the same writing state that the public interest in nondisclosure outweighs the public interest in disclosure of the records;
 - (c) Records that are voluntarily submitted by a nonpublic entity shall be reviewed by the receiving agency within ninety days of submission to determine if retention of the document is necessary in furtherance of a state security interest. If retention is not necessary, the documents shall be returned to the nonpublic governmental body or destroyed;
- (20) The portion of a record that identifies security systems or access codes or authorization codes for security systems of real property;
- (21) Records that identify the configuration of components or the operation of a computer, computer system, computer network, or telecommunications network, and would allow unauthorized access to or unlawful disruption of a computer, computer system, computer network, or telecommunications network of a public governmental body. This exception shall not be used to limit or deny access to otherwise public records in a file, document, data file or database containing public records. Records related to the procurement of or expenditures relating to such computer, computer system, computer network, or telecommunications network, including the amount of moneys paid by, or on behalf of, a public governmental body for such computer, computer system, computer network, or telecommunications network shall be open;

(22) Credit card numbers, personal identification numbers, digital certificates, physical and virtual keys, access codes or authorization codes that are used to protect the security of electronic transactions between a public governmental body and a person or entity doing business with a public governmental body. Nothing in this section shall be deemed to close the record of a person or entity using a credit card held in the name of a public governmental body or any record of a transaction made by a person using a credit card or other method of payment for which reimbursement is made by a public governmental body;

(23) Records submitted by an individual, corporation, or other business entity to a public institution of higher education in connection with a proposal to license intellectual property or perform sponsored research and which contains sales projections or other business plan information the disclosure of which may endanger the competitiveness of a business;

(24) Records relating to foster home or kinship placements of children in foster care under section 210.498; ~~and~~

(25) Individually identifiable customer usage and billing records for customers of a municipally owned utility, unless the records are requested by the customer or authorized for release by the customer, except that a municipally owned utility shall make available to the public the customer's name, billing address, location of service, and dates of service provided for any commercial service account; **and**

(26) Any portion of a record that contains individually identifiable information of any person who registers for a recreational or social activity or event sponsored by a public governmental body, if such public governmental body is a city, town, or village."; and"; and

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

On motion of Representative Falkner, **House Amendment No. 1 to House Amendment No. 13** was adopted.

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

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

House Amendment No. 14

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 222, Page 7, Section 67.2677, Line 84, by inserting after all of said section and line the following:

"67.5122. Sections 67.5110 to 67.5122 shall expire on January 1, ~~[2025]~~ **2029**, except that for small wireless facilities already permitted or collocated on authority poles prior to such date, the rate set forth in section 67.5116 for collocation of small wireless facilities on authority poles shall remain effective for the duration of the permit authorizing the collocation."; and

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

On motion of Representative Farnan, **House Amendment No. 14** was adopted.

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

House Amendment No. 15

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 222, Page 8, Section 89.380, Line 25, by inserting after all of said section and line the following:

"105.145. 1. The following definitions shall be applied to the terms used in this section:

(1) "Governing body", the board, body, or persons in which the powers of a political subdivision as a body corporate, or otherwise, are vested;

(2) "Political subdivision", any agency or unit of this state, except counties and school districts, which now is, or hereafter shall be, authorized to levy taxes or empowered to cause taxes to be levied.

2. The governing body of each political subdivision in the state shall cause to be prepared an annual report of the financial transactions of the political subdivision in such summary form as the state auditor shall prescribe by rule, except that the annual report of political subdivisions whose cash receipts for the reporting period are ten thousand dollars or less shall only be required to contain the cash balance at the beginning of the reporting period, a summary of cash receipts, a summary of cash disbursements and the cash balance at the end of the reporting period.

3. Within such time following the end of the fiscal year as the state auditor shall prescribe by rule, the governing body of each political subdivision shall cause a copy of the annual financial report to be remitted to the state auditor.

4. The state auditor shall immediately on receipt of each financial report acknowledge the receipt of the report.

5. In any fiscal year no member of the governing body of any political subdivision of the state shall receive any compensation or payment of expenses after the end of the time within which the financial statement of the political subdivision is required to be filed with the state auditor and until such time as the notice from the state auditor of the filing of the annual financial report for the fiscal year has been received.

6. The state auditor shall prepare sample forms for financial reports and shall mail the same to the political subdivisions of the state. Failure of the auditor to supply such forms shall not in any way excuse any person from the performance of any duty imposed by this section.

7. All reports or financial statements hereinabove mentioned shall be considered to be public records.

8. The provisions of this section apply to the board of directors of every transportation development district organized under sections 238.200 to 238.275.

9. Any political subdivision that fails to timely submit a copy of the annual financial statement to the state auditor shall be subject to a fine of five hundred dollars per day.

10. The state auditor shall report any violation of subsection 9 of this section to the department of revenue. Upon notification from the state auditor's office that a political subdivision failed to timely submit a copy of the annual financial statement, the department of revenue shall notify such political subdivision by certified mail that the statement has not been received. Such notice shall clearly set forth the following:

(1) The name of the political subdivision;

(2) That the political subdivision shall be subject to a fine of five hundred dollars per day if the political subdivision does not submit a copy of the annual financial statement to the state auditor's office within thirty days from the postmarked date stamped on the certified mail envelope;

(3) That the fine will be enforced and collected as provided under subsection 11 of this section; and

(4) That the fine will begin accruing on the thirty-first day from the postmarked date stamped on the certified mail envelope and will continue to accrue until the state auditor's office receives a copy of the financial statement.

In the event a copy of the annual financial statement is received within such thirty-day period, no fine shall accrue or be imposed. The state auditor shall report receipt of the financial statement to the department of revenue within ten business days. Failure of the political subdivision to submit the required annual financial statement within such thirty-day period shall cause the fine to be collected as provided under subsection 11 of this section.

11. The department of revenue may collect the fine authorized under the provisions of subsection 9 of this section by offsetting any sales or use tax distributions due to the political subdivision. The director of revenue shall retain two percent for the cost of such collection. The remaining revenues collected from such violations shall be distributed annually to the schools of the county in the same manner that proceeds for all penalties, forfeitures, and fines collected for any breach of the penal laws of the state are distributed.

12. (1) Any political subdivision that has gross revenues of less than five thousand dollars or that has not levied or collected taxes in the fiscal year for which the annual financial statement was not timely filed shall not be subject to the fine authorized in this section.

(2) **Notwithstanding this section or any other law to the contrary, no political subdivision with less than five hundred inhabitants shall be subject to the fine authorized in this section, and any fine or fines previously assessed but not paid in full shall be deemed void.**

13. If a failure to timely submit the annual financial statement is the result of fraud or other illegal conduct by an employee or officer of the political subdivision, the political subdivision shall not be subject to a fine

authorized under this section if the statement is filed within thirty days of the discovery of the fraud or illegal conduct. If a fine is assessed and paid prior to the filing of the statement, the department of revenue shall refund the fine upon notification from the political subdivision.

14. If a political subdivision has an outstanding balance for fines or penalties at the time it files its first annual financial statement after January 1, 2023, the director of revenue shall make a one-time downward adjustment to such outstanding balance in an amount that reduces the outstanding balance by no less than ninety percent.

15. The director of revenue shall have the authority to make a one-time downward adjustment to any outstanding penalty imposed under this section on a political subdivision if the director determines the fine is uncollectable. The director of revenue may prescribe rules and regulations necessary to carry out the provisions of this subsection. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2022, shall be invalid and void."; and

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

Representative Sander offered **House Amendment No. 1 to House Amendment No. 15.**

House Amendment No. 1
to
House Amendment No. 15

AMEND House Amendment No. 15 to House Committee Substitute for Senate Substitute for Senate Bill No. 222, Page 2, Line 40, by inserting after all of said section and line the following:

"Further amend said bill, Page 9, Section 182.819, Line 10, by inserting after all of said section and line the following:

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

(1) "COVID-19 health order", any order, ordinance, rule, or regulation made by a state, county, city, or local government entity, department, or agency with or without the powers granted under the Constitution of Missouri or any state law, including, but not limited to, chapter 44 or section 192.020 or 192.300, that is intended to prevent or limit the spread of COVID-19;

(2) "Local public health agency", a county health center board established under chapter 205, a county health department, a city health department or agency, a combined city and county health department or agency, a multicounty health department or agency, or any other county or city health authority.

2. Notwithstanding the provisions of chapter 44 or any other provision of law, a local public health agency that imposed a fine or other monetary penalty against an individual, a business, or a church after March 12, 2020, and before the effective date of this section, for a failure to comply with a COVID-19 health order shall return all moneys collected from the individual, business, or church as a result of the fine or monetary penalty. The local public health agency shall return such moneys before November 1, 2023.

3. Notwithstanding the provisions of chapter 44 or any other provision of law, a local public health agency that imposes a fine or other monetary penalty against an individual, a business, or a church on or after the effective date of this section for a failure to comply with a COVID-19 health order shall return all moneys collected from the individual, business, or church as a result of the fine or monetary penalty, including any court costs and any legal fees. The local public health agency shall return such moneys within sixty days of the collection of the moneys.

4. The provisions of this section shall not apply to any fine or monetary penalty that is not directly related to a failure to comply with a COVID-19 health order, except that the provisions of this section shall apply to such fine or monetary penalty if the local public health agency amended the original basis for the fine or monetary penalty from a failure to comply with a COVID-19 health order to a failure to comply with any other law that imposes a municipal fine or monetary penalty for its violation."; and"; and

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

Representative Patterson moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

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

NOES: 044

Adams	Anderson	Appelbaum	Aune	Bangert
Baringer	Bosley	Brown 27	Brown 87	Burnett
Burton	Butz	Clemens	Collins	Doll
Fountain Henderson	Hein	Ingle	Johnson 12	Johnson 23
Lavender	Lewis 25	Mackey	Mann	Merideth
Mosley	Nickson-Clark	Nurrenbern	Plank	Proudie
Quade	Sauls	Sharp 37	Smith 46	Steinhoff
Strickler	Taylor 84	Terry	Unsicker	Walsh Moore
Weber	Windham	Woods	Young	

PRESENT: 000

ABSENT WITH LEAVE: 023

Barnes	Black	Bland Manlove	Brown 149	Busick
Crossley	Deaton	Ealy	Evans	Fogle
Francis	Gray	Gregory	Hardwick	Hausman
Houx	Morse	Myers	Phifer	Seitz
Smith 163	Stacy	Wright		

VACANCIES: 001

On motion of Representative Sander, **House Amendment No. 1 to House Amendment No. 15** was adopted.

Representative Patterson moved the previous question.

Which motion was adopted by the following vote:

AYES: 099

Allen	Amato	Atchison	Baker	Banderman
Billington	Boggs	Bonacker	Boyd	Bromley
Brown 16	Burger	Byrnes	Casteel	Chappell
Christ	Christofanelli	Coleman	Cook	Copeland
Cupps	Davidson	Davis	Diehl	Dinkins
Evans	Falkner	Farnan	Gallick	Gragg
Griffith	Haden	Haffner	Haley	Hardwick
Henderson	Hicks	Hinman	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	Sparks	Stacy
Stephens	Stinnett	Taylor 48	Thomas	Thompson
Titus	Toalson Reisch	Van Schoiack	Veit	Voss
Waller	West	Wilson	Mr. Speaker	

NOES: 046

Adams	Anderson	Appelbaum	Aune	Bangert
Baringer	Bosley	Brown 27	Brown 87	Burnett
Burton	Butz	Clemens	Collins	Crossley
Doll	Ealy	Fogle	Fountain Henderson	Hein
Ingle	Johnson 12	Johnson 23	Lavender	Lewis 25
Mackey	Mann	Merideth	Mosley	Nickson-Clark
Nurrenbern	Plank	Proudie	Quade	Sauls
Sharp 37	Smith 46	Strickler	Taylor 84	Terry
Unsicker	Walsh Moore	Weber	Windham	Woods
Young				

PRESENT: 000

ABSENT WITH LEAVE: 017

Barnes	Black	Bland Manlove	Brown 149	Buchheit-Courtway
Busick	Deaton	Francis	Gray	Gregory
Hausman	Houx	Morse	Phifer	Smith 163
Steinhoff	Wright			

VACANCIES: 001

On motion of Representative Boyd, **House Amendment No. 15, as amended**, was adopted.

Speaker Plocher resumed the chair.

Representative Cook offered **House Amendment No. 16.**

House Amendment No. 16

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 222, Page 9, Section 182.819, Line 10, by inserting after all of said section and line the following:

"407.302. 1. No scrap yard shall purchase any metal that can be identified as belonging to a public or private cemetery, political subdivision, telecommunications provider, cable provider, wireless service or other communications-related provider, electrical cooperative, water utility, municipal utility, or utility regulated under chapter 386 or 393, including **twisted pair copper telecommunications wiring of pair or greater existing in a gauge of 19, 22, 24 or 26, burnt wire**, bleachers, guardrails, signs, street and traffic lights or signals, and manhole cover or covers, whether broken or unbroken, from anyone other than the cemetery or monument owner, political subdivision, telecommunications provider, cable provider, wireless service or other communications-related provider, electrical cooperative, water utility, municipal utility, utility regulated under chapter 386 or 393, or manufacturer of the metal or item described in this section unless such person is authorized in writing by the cemetery or monument owner, political subdivision, telecommunications provider, cable provider, wireless service or other communications-related provider, electrical cooperative, water utility, municipal utility, utility regulated under chapter 386 or 393, or manufacturer to sell the metal.

2. Anyone convicted of violating this section shall be guilty of a class B misdemeanor."; and

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

Representative Windham offered **House Amendment No. 1 to House Amendment No. 16.**

*House Amendment No. 1
to
House Amendment No. 16*

AMEND House Amendment No. 16 to House Committee Substitute for Senate Substitute for Senate Bill No. 222, Page 1, Line 4, by deleting said line and inserting in lieu thereof the following:

""290.503. Every peace officer, as defined in section 590.010, who is certified by the peace officer standards and training commission and employed in a county with a charter form of government and with more than nine hundred fifty thousand inhabitants shall be paid wages for work as a peace officer in such county at the rate of at least twenty dollars per hour, or wages at the same rate or rates set under the provisions of federal law as the prevailing federal minimum wage applicable to those covered jobs in interstate commerce, whichever rate per hour is higher.

407.302. 1. No scrap yard shall purchase any metal that can be identified as belonging to a"; and

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

Representative Parker raised a point of order that **House Amendment No. 1 to House Amendment No. 16** is dilatory.

The Chair ruled the point of order not timely.

House Amendment No. 16 was withdrawn.

Representative Murphy offered **House Amendment No. 17.**

House Amendment No. 17

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 222, Page 5, Section 67.137, Line 3, by inserting after all of said section and line the following:

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

(1) "Electric vehicle", any vehicle that operates, either partially or exclusively, on electrical energy from the grid or an off-board source that is stored onboard for a motive purpose;

(2) "Electric vehicle charging station", a public or private parking space that is served by battery charging station equipment that has as its primary purpose the transfer of electric energy by conductive or inductive means to a battery or other energy storage device in an electric vehicle.

2. Notwithstanding any other provision of law, any political subdivision that adopts an ordinance, resolution, regulation, code, or policy that requires installation of electric vehicle charging stations shall pay all costs associated with the installation, maintenance, and operation of the electric vehicle charging stations. No political subdivision shall adopt any ordinance, resolution, regulation, code, or policy that requires more than five electric vehicle charging stations per parking lot, or infrastructure for future installation of more than five electric vehicle charging stations per parking lot. Such ordinances, resolutions, regulations, codes, or policies shall apply only to parking lots with more than thirty parking spaces designated for parking.

3. Notwithstanding any other provision of law to the contrary, no political subdivision shall adopt any ordinance, resolution, regulation, code, or policy that requires any school or any religious organization, as described in section 210.201, to install an electric vehicle charging station.

4. Nothing in this section shall prohibit a business owner or property owner from paying for the installation, maintenance, or operation of an electric vehicle charging station."; and

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

Representative West offered **House Amendment No. 1 to House Amendment No. 17.**

House Amendment No. 1

to

House Amendment No. 17

AMEND House Amendment No. 17 to House Committee Substitute for Senate Substitute for Senate Bill No. 222, Page 1, Line 22, by deleting said line and inserting in lieu thereof the following:

"the installation, maintenance, or operation of an electric vehicle charging station.

67.2727. 1. For purposes of this section, the following terms mean:

(1) "Governing body", the governing body of a political subdivision;

(2) "Meeting", any meeting of a governing body;

(3) "Political subdivision", any county, city, town, or village.

2. Before July 1, 2024, each governing body shall adopt a meeting speaker policy to ensure that the requirements listed in this subsection are followed at each meeting of the governing body:

(1) Each governing body shall designate a time for public comment at the beginning of each regular public meeting. Such public comment period shall be available to residents, businesses, and taxpayers of the political subdivision and shall be subject to reasonable rules requiring decorum and civility in the meeting space;

(2) No governing body shall restrict the category or content of remarks during such public comment period;

(3) A governing body may set a time limit on any individual who desires to speak at a meeting. Each such time limit shall designate not less than three minutes per speaker. The governing body may limit the public comment period to one hour of actual testimony or twenty speakers, whichever is less based on the number of minutes designated per speaker. If the time designated for the public comment period expires and additional speakers were not afforded the time to speak, such additional speakers shall have the opportunity to speak at the public comment period of the next regular public meeting and the governing body shall provide an alternate method of communicating such additional speakers' concerns to the governing body;

(4) Each governing body may request identifying information of each individual desiring to speak, but shall not require any information other than the name and address of the individual as a condition of speaking;

(5) No governing body shall ban an individual from attending or remove an individual from participating in a meeting unless such individual is banned or removed because such individual commits the offense of peace disturbance as provided in section 574.010, has previously been removed from a meeting and issued a summons for the offense of peace disturbance under section 574.010, or is prohibited from being on property of the political subdivision under state law; and

(6) Each governing body shall provide a method for an individual who is unable to attend the public comment period of a meeting to submit a written statement. Any such written statement submitted before the beginning of the meeting shall be provided to the governing body and made available to all individuals attending such meeting and to the public upon request unless such written statement violates the policies or rules established for the public comment period.

3. If it is necessary to hold a meeting on less than twenty-four hours' notice, or if the meeting will be conducted exclusively electronically, or at a time that is not reasonably convenient to the public, the nature of the good cause justifying that departure from the normal requirements shall be stated in the minutes. Meetings held in person and not otherwise subject to being closed under section 610.021 shall be conducted in a manner that allows physical in-person public attendance."; and"; and

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

Representative Unsicker raised a point of order that there was a violation of Rule 86.

The Chair ruled the point of order not well taken.

On motion of Representative West, **House Amendment No. 1 to House Amendment No. 17** was adopted.

On motion of Representative Murphy, **House Amendment No. 17, as amended**, was adopted.

Representative Mayhew offered **House Amendment No. 18**.

House Amendment No. 18

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 222, Page 7, Section 67.2677, Line 84, by inserting after all of said section and line the following:

"79.235. 1. Notwithstanding any law to the contrary and for any city of the fourth classification with no more than two thousand inhabitants, if a statute or ordinance authorizes the mayor of a city of the fourth classification to appoint a member of a board or commission, any requirement that the appointed person be a resident of the city shall be deemed satisfied if the person owns real property or a business in the city, regardless of whether the position to which the appointment is made is considered an officer of the city under section 79.250.

2. Notwithstanding any law to the contrary and for any city of the fourth classification with no more than two thousand inhabitants, if a statute or ordinance authorizes a mayor to appoint a member of a board that manages a municipal utility of the city, any requirement that the appointed person be a resident of the city shall be deemed satisfied if all of the following conditions are met:

- (1) The board has no authority to set utility rates or to issue bonds;
- (2) The person resides within five miles of the city limits;
- (3) The person owns real property or a business in the city;
- (4) The person or the person's business is a customer of a public utility, as described under section 91.450, managed by the board; and

(5) The person has no pecuniary interest in, and is not a board member of, any utility company that offers the same type of service as a utility managed by the board."; and

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

Representative Patterson moved the previous question.

Which motion was adopted by the following vote:

AYES: 099

Allen	Amato	Atchison	Baker	Banderman
Billington	Black	Boggs	Bonacker	Boyd
Bromley	Brown 16	Burger	Byrnes	Casteel
Chappell	Christ	Christofanelli	Coleman	Cook
Copeland	Cupps	Davidson	Davis	Diehl
Dinkins	Evans	Falkner	Farnan	Gallick
Gragg	Gregory	Griffith	Haden	Haffner
Haley	Hardwick	Henderson	Hicks	Hinman
Hovis	Hudson	Hurlbert	Jones	Justus
Kalberloh	Keathley	Kelley 127	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	Schulte	Schwadron
Seitz	Sharpe 4	Shields	Smith 155	Sparks
Stacy	Stephens	Stinnett	Taylor 48	Thomas
Thompson	Titus	Van Schoiack	Veit	Voss
Waller	West	Wilson	Mr. Speaker	

NOES: 042

Adams	Appelbaum	Aune	Bangert	Baringer
Bosley	Brown 27	Brown 87	Burnett	Burton
Butz	Clemens	Collins	Crossley	Doll
Ealy	Fogle	Fountain Henderson	Hein	Ingle
Johnson 12	Johnson 23	Lavender	Lewis 25	Mackey
Mann	Merideth	Nickson-Clark	Nurrenbern	Phifer
Plank	Quade	Sauls	Sharp 37	Smith 46
Steinhoff	Strickler	Taylor 84	Terry	Walsh Moore
Weber	Windham			

PRESENT: 000

ABSENT WITH LEAVE: 021

Anderson	Barnes	Bland Manlove	Brown 149	Buchheit-Courtway
Busick	Deaton	Francis	Gray	Hausman
Houx	Kelly 141	Morse	Mosley	Schnelting
Smith 163	Toalson Reisch	Unsicker	Woods	Wright
Young				

VACANCIES: 001

On motion of Representative Mayhew, **House Amendment No. 18** was adopted.

Representative Patterson moved the previous question.

Which motion was adopted by the following vote:

AYES: 099

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

NOES: 042

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

PRESENT: 000

ABSENT WITH LEAVE: 021

Anderson	Barnes	Bland Manlove	Brown 149	Buchheit-Courtway
Busick	Deaton	Francis	Gray	Hausman
Houx	Johnson 23	Kelly 141	Morse	Mosley
Schnelting	Sharp 37	Smith 163	Toalson Reich	Wright
Young				

VACANCIES: 001

On motion of Representative Brown (16), **HCS SS SB 222, as amended**, was adopted.

On motion of Representative Brown (16), **HCS SS SB 222, as amended**, was read the third time and passed by the following vote:

AYES: 094

Allen	Baker	Bangert	Billington	Black
Bonacker	Boyd	Bromley	Brown 16	Burger
Bymes	Casteel	Chappell	Christ	Christofanelli
Coleman	Cook	Copeland	Davidson	Davis
Deaton	Diehl	Dinkins	Falkner	Farnan
Gallick	Gragg	Gregory	Griffith	Haden
Haffner	Haley	Hardwick	Henderson	Hicks
Hinman	Hovis	Hudson	Hurlbert	Jones
Justus	Kalberloh	Keathley	Kelley 127	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	Schulte	Schwadron
Seitz	Sharpe 4	Shields	Smith 155	Sparks
Stacy	Stephens	Stinnett	Taylor 48	Thomas
Thompson	Titus	Van Schoiack	Veit	Voss
Waller	West	Wilson	Mr. Speaker	

NOES: 042

Adams	Appelbaum	Aune	Baringer	Bland Manlove
Boggs	Bosley	Brown 27	Burnett	Burton
Butz	Clemens	Collins	Cupps	Doll
Fogle	Fountain Henderson	Ingle	Johnson 12	Lavender
Lewis 25	Mackey	Mann	Merideth	Mosley
Nickson-Clark	Nurrenbern	Phifer	Plank	Proudie
Quade	Sauls	Smith 163	Smith 46	Steinhoff
Taylor 84	Terry	Unsicker	Walsh Moore	Weber
Windham	Woods			

PRESENT: 008

Atchison	Banderman	Brown 87	Crossley	Ealy
Evans	Hein	Strickler		

ABSENT WITH LEAVE: 018

Amato	Anderson	Barnes	Brown 149	Buchheit-Courtway
Busick	Francis	Gray	Hausman	Houx
Johnson 23	Kelly 141	Morse	Schnelting	Sharp 37
Toalson Reisch	Wright	Young		

VACANCIES: 001

Speaker Plocher declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 106

Allen	Amato	Atchison	Baker	Banderman
Billington	Black	Boggs	Bonacker	Boyd
Bromley	Brown 16	Brown 27	Burger	Byrnes
Casteel	Chappell	Christ	Christofanelli	Coleman
Cook	Copeland	Cupps	Davidson	Davis
Deaton	Diehl	Dinkins	Evans	Falkner
Farnan	Gallick	Gragg	Gregory	Griffith
Haden	Haffner	Haley	Hardwick	Henderson
Hicks	Hinman	Hovis	Hudson	Hurlbert
Jones	Justus	Kalberloh	Keathley	Kelley 127
Knight	Lewis 6	Lonsdale	Lovasco	Marquart
Matthiesen	Mayhew	McGaugh	McGill	McMullen
Murphy	Myers	Nurrenbern	O'Donnell	Oehlerking
Owen	Parker	Patterson	Perkins	Peters
Pollitt	Pouche	Proudie	Reedy	Reuter
Richey	Riggs	Riley	Roberts	Sander
Sassmann	Sauls	Schnelting	Schulte	Schwadron
Seitz	Sharpe 4	Shields	Smith 155	Smith 163
Sparks	Stacy	Stephens	Stinnett	Taylor 48
Thomas	Thompson	Titus	Toalson Reisch	Van Schoiack
Veit	Voss	Waller	West	Wilson
Mr. Speaker				

NOES: 020

Adams	Bangert	Baringer	Bland Manlove	Bosley
Burnett	Butz	Collins	Doll	Fogle
Lavender	Merideth	Plank	Quade	Steinhoff
Taylor 84	Terry	Unsicker	Walsh Moore	Windham

PRESENT: 019

Appelbaum	Aune	Brown 87	Clemens	Ealy
Fountain Henderson	Hein	Ingle	Johnson 12	Lewis 25
Mackey	Mann	Mosley	Nickson-Clark	Phifer
Smith 46	Strickler	Weber	Woods	

ABSENT WITH LEAVE: 017

Anderson	Barnes	Brown 149	Buchheit-Courtway	Burton
Busick	Crossley	Francis	Gray	Hausman
Houx	Johnson 23	Kelly 141	Morse	Sharp 37
Wright	Young			

VACANCIES: 001

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 HB 402** entitled:

An act to repeal sections 190.600, 190.603, 190.606, 190.612, 191.305, 191.500, 191.505, 191.510, 191.515, 191.520, 191.525, 191.530, 191.535, 191.540, 191.545, 191.550, 191.600, 191.828, 191.831, 192.745, 194.300, 195.070, 195.100, 196.1050, 197.005, 197.020, 205.375, 208.030, 334.036, 334.104, 334.735, 334.747, 335.016, 335.019, 335.036, 335.046, 335.051, 335.056, 335.076, 335.086, 335.175, 335.203, 335.212, 335.215, 335.218, 335.221, 335.224, 335.227, 335.230, 335.233, 335.236, 335.239, 335.242, 335.245, 335.248, 335.251, 335.254, 335.257, 632.305, 701.336, 701.340, 701.342, 701.344, and 701.348, RSMo, and to enact in lieu thereof sixty new sections relating to health care.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND Senate Substitute for House Bill No. 402, Page 2, Section 9.384, Line 16, by inserting after all of said line the following:

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

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

105.500. For purposes of sections 105.500 to 105.598, unless the context otherwise requires, the following words and phrases mean:

(1) "Bargaining unit", a unit of public employees at any plant or installation or in a craft or in a function of a public body that establishes a clear and identifiable community of interest among the public employees concerned;

(2) "Board", the state board of mediation established under section 295.030;

(3) "Department", the department of labor and industrial relations established under section 286.010;

(4) "Exclusive bargaining representative", an organization that has been designated or selected, as provided in section 105.575, by a majority of the public employees in a bargaining unit as the representative of such public employees in such unit for purposes of collective bargaining;

(5) "Labor organization", any organization, agency, or public employee representation committee or plan, in which public employees participate and that exists for the purpose, in whole or in part, of dealing with a public body or public bodies concerning collective bargaining, grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work;

(6) "Public body", the state of Missouri, or any officer, agency, department, bureau, division, board or commission of the state, or any other political subdivision or special district of or within the state. Public body shall not include the department of corrections;

(7) "Public employee", any person employed by a public body;

(8) "Public safety labor organization", a labor organization wholly or primarily representing persons trained or authorized by law or rule to render emergency medical assistance or treatment, including, but not limited to, firefighters, ~~ambulance attendants, attendant drivers,~~ emergency medical technicians, ~~emergency medical technician paramedics,~~ dispatchers, registered nurses and physicians, and persons who are vested with the power of arrest for criminal code violations including, but not limited to, police officers, sheriffs, and deputy sheriffs.

190.100. As used in sections 190.001 to 190.245 and section 190.257, the following words and terms mean:

(1) "Advanced emergency medical technician" or "AEMT", a person who has successfully completed a course of instruction in certain aspects of advanced life support care as prescribed by the department and is licensed by the department in accordance with sections 190.001 to 190.245 and rules and regulations adopted by the department pursuant to sections 190.001 to 190.245;

(2) "Advanced life support (ALS)", an advanced level of care as provided to the adult and pediatric patient such as defined by national curricula, and any modifications to that curricula specified in rules adopted by the department pursuant to sections 190.001 to 190.245;

(3) "Ambulance", any privately or publicly owned vehicle or craft that is specially designed, constructed or modified, staffed or equipped for, and is intended or used, maintained or operated for the transportation of persons who are sick, injured, wounded or otherwise incapacitated or helpless, or who require the presence of medical equipment being used on such individuals, but the term does not include any motor vehicle specially designed, constructed or converted for the regular transportation of persons who are disabled, handicapped, normally using a wheelchair, or otherwise not acutely ill, or emergency vehicles used within airports;

(4) "Ambulance service", a person or entity that provides emergency or nonemergency ambulance transportation and services, or both, in compliance with sections 190.001 to 190.245, and the rules promulgated by the department pursuant to sections 190.001 to 190.245;

(5) "Ambulance service area", a specific geographic area in which an ambulance service has been authorized to operate;

(6) "Basic life support (BLS)", a basic level of care, as provided to the adult and pediatric patient as defined by national curricula, and any modifications to that curricula specified in rules adopted by the department pursuant to sections 190.001 to 190.245;

(7) "Council", the state advisory council on emergency medical services;

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

(9) "Director", the director of the department of health and senior services or the director's duly authorized representative;

(10) "Dispatch agency", any person or organization that receives requests for emergency medical services from the public, by telephone or other means, and is responsible for dispatching emergency medical services;

(11) "Emergency", the sudden and, at the time, unexpected onset of a health condition that manifests itself by symptoms of sufficient severity that would lead a prudent layperson, possessing an average knowledge of health and medicine, to believe that the absence of immediate medical care could result in:

(a) Placing the person's health, or with respect to a pregnant woman, the health of the woman or her unborn child, in significant jeopardy;

(b) Serious impairment to a bodily function;

(c) Serious dysfunction of any bodily organ or part;

(d) Inadequately controlled pain;

(12) "Emergency medical dispatcher", a person who receives emergency calls from the public and has successfully completed an emergency medical dispatcher course~~[-meeting or exceeding the national curriculum of the United States Department of Transportation and any modifications to such curricula specified by the department through rules adopted pursuant to sections 190.001 to 190.245]~~ **and any ongoing training requirements under section 650.340;**

(13) "Emergency medical responder", a person who has successfully completed an emergency first response course meeting or exceeding the national curriculum of the U.S. Department of Transportation and any modifications to such curricula specified by the department through rules adopted under sections 190.001 to 190.245 and who provides emergency medical care through employment by or in association with an emergency medical response agency;

(14) "Emergency medical response agency", any person that regularly provides a level of care that includes first response, basic life support or advanced life support, exclusive of patient transportation;

(15) "Emergency medical services for children (EMS-C) system", the arrangement of personnel, facilities and equipment for effective and coordinated delivery of pediatric emergency medical services required in prevention and management of incidents which occur as a result of a medical emergency or of an injury event, natural disaster or similar situation;

(16) "Emergency medical services (EMS) system", the arrangement of personnel, facilities and equipment for the effective and coordinated delivery of emergency medical services required in prevention and management of incidents occurring as a result of an illness, injury, natural disaster or similar situation;

(17) "Emergency medical technician", a person licensed in emergency medical care in accordance with standards prescribed by sections 190.001 to 190.245, and by rules adopted by the department pursuant to sections 190.001 to 190.245;

(18) ~~["Emergency medical technician-basic" or "EMT-B", a person who has successfully completed a course of instruction in basic life support as prescribed by the department and is licensed by the department in accordance with standards prescribed by sections 190.001 to 190.245 and rules adopted by the department pursuant to sections 190.001 to 190.245;~~

~~—(19)~~ "Emergency medical technician-community paramedic", "community paramedic", or "EMT-CP", a person who is certified as an emergency medical technician-paramedic and is certified by the department in accordance with standards prescribed in section 190.098;

~~[(20) "Emergency medical technician-paramedic" or "EMT-P", a person who has successfully completed a course of instruction in advanced life support care as prescribed by the department and is licensed by the department in accordance with sections 190.001 to 190.245 and rules adopted by the department pursuant to sections 190.001 to 190.245;~~

~~—(21)~~ **(19)** "Emergency services", health care items and services furnished or required to screen and stabilize an emergency which may include, but shall not be limited to, health care services that are provided in a licensed hospital's emergency facility by an appropriate provider or by an ambulance service or emergency medical response agency;

~~[(22)~~ **(20)** "Health care facility", a hospital, nursing home, physician's office or other fixed location at which medical and health care services are performed;

~~[(23)~~ **(21)** "Hospital", an establishment as defined in the hospital licensing law, subsection 2 of section 197.020, or a hospital operated by the state;

~~[(24)~~ **(22)** "Medical control", supervision provided by or under the direction of physicians, or their designated registered nurse, including both online medical control, instructions by radio, telephone, or other means of direct communications, and offline medical control through supervision by treatment protocols, case review, training, and standing orders for treatment;

~~[(25)~~ **(23)** "Medical direction", medical guidance and supervision provided by a physician to an emergency services provider or emergency medical services system;

~~[(26)~~ **(24)** "Medical director", a physician licensed pursuant to chapter 334 designated by the ambulance service, **dispatch agency**, or emergency medical response agency and who meets criteria specified by the department by rules pursuant to sections 190.001 to 190.245;

~~[(27)~~ **(25)** "Memorandum of understanding", an agreement between an emergency medical response agency or dispatch agency and an ambulance service or services within whose territory the agency operates, in order to coordinate emergency medical services;

(26) "Paramedic", a person who has successfully completed a course of instruction in advanced life support care as prescribed by the department and is licensed by the department in accordance with sections 190.001 to 190.245 and rules adopted by the department pursuant to sections 190.001 to 190.245;

~~[(28)~~ **(27)** "Patient", an individual who is sick, injured, wounded, diseased, or otherwise incapacitated or helpless, or dead, excluding deceased individuals being transported from or between private or public institutions, homes or cemeteries, and individuals declared dead prior to the time an ambulance is called for assistance;

~~[(29)~~ **(28)** "Person", as used in these definitions and elsewhere in sections 190.001 to 190.245, any individual, firm, partnership, copartnership, joint venture, association, cooperative organization, corporation, municipal or private, and whether organized for profit or not, state, county, political subdivision, state department, commission, board, bureau or fraternal organization, estate, public trust, business or common law trust, receiver, assignee for the benefit of creditors, trustee or trustee in bankruptcy, or any other service user or provider;

~~[(30)~~ **(29)** "Physician", a person licensed as a physician pursuant to chapter 334;

~~[(31)~~ **(30)** "Political subdivision", any municipality, city, county, city not within a county, ambulance district or fire protection district located in this state which provides or has authority to provide ambulance service;

~~[(32)~~ **(31)** "Professional organization", any organized group or association with an ongoing interest regarding emergency medical services. Such groups and associations could include those representing volunteers, labor, management, firefighters, ~~[EMT-B's,] EMTs,~~ nurses, ~~[EMT-P's,] paramedics,~~ physicians, communications specialists and instructors. Organizations could also represent the interests of ground ambulance services, air ambulance services, fire service organizations, law enforcement, hospitals, trauma centers, communication centers, pediatric services, labor unions and poison control services;

~~[(33)~~ **(32)** "Proof of financial responsibility", proof of ability to respond to damages for liability, on account of accidents occurring subsequent to the effective date of such proof, arising out of the ownership, maintenance or use of a motor vehicle in the financial amount set in rules promulgated by the department, but in no event less than the statutory minimum required for motor vehicles. Proof of financial responsibility shall be used as proof of self-insurance;

~~[(34)~~ **(33)** "Protocol", a predetermined, written medical care guideline, which may include standing orders;

~~[(35)~~ **(34)** "Regional EMS advisory committee", a committee formed within an emergency medical services (EMS) region to advise ambulance services, the state advisory council on EMS and the department;

~~[(36)]~~ (35) "Specialty care transportation", the transportation of a patient requiring the services of an emergency medical technician-paramedic who has received additional training beyond the training prescribed by the department. Specialty care transportation services shall be defined in writing in the appropriate local protocols for ground and air ambulance services and approved by the local physician medical director. The protocols shall be maintained by the local ambulance service and shall define the additional training required of the emergency medical technician-paramedic;

~~[(37)]~~ (36) "Stabilize", with respect to an emergency, the provision of such medical treatment as may be necessary to attempt to assure within reasonable medical probability that no material deterioration of an individual's medical condition is likely to result from or occur during ambulance transportation unless the likely benefits of such transportation outweigh the risks;

~~[(38)]~~ (37) "State advisory council on emergency medical services", a committee formed to advise the department on policy affecting emergency medical service throughout the state;

~~[(39)]~~ (38) "State EMS medical directors advisory committee", a subcommittee of the state advisory council on emergency medical services formed to advise the state advisory council on emergency medical services and the department on medical issues;

~~[(40)]~~ (39) "STEMI" or "ST-elevation myocardial infarction", a type of heart attack in which impaired blood flow to the patient's heart muscle is evidenced by ST-segment elevation in electrocardiogram analysis, and as further defined in rules promulgated by the department under sections 190.001 to 190.250;

~~[(41)]~~ (40) "STEMI care", includes education and prevention, emergency transport, triage, and acute care and rehabilitative services for STEMI that requires immediate medical or surgical intervention or treatment;

~~[(42)]~~ (41) "STEMI center", a hospital that is currently designated as such by the department to care for patients with ST-segment elevation myocardial infarctions;

~~[(43)]~~ (42) "Stroke", a condition of impaired blood flow to a patient's brain as defined by the department;

~~[(44)]~~ (43) "Stroke care", includes emergency transport, triage, and acute intervention and other acute care services for stroke that potentially require immediate medical or surgical intervention or treatment, and may include education, primary prevention, acute intervention, acute and subacute management, prevention of complications, secondary stroke prevention, and rehabilitative services;

~~[(45)]~~ (44) "Stroke center", a hospital that is currently designated as such by the department;

~~[(46)]~~ (45) "Time-critical diagnosis", trauma care, stroke care, and STEMI care occurring either outside of a hospital or in a center designated under section 190.241;

~~[(47)]~~ (46) "Time-critical diagnosis advisory committee", a committee formed under section 190.257 to advise the department on policies impacting trauma, stroke, and STEMI center designations; regulations on trauma care, stroke care, and STEMI care; and the transport of trauma, stroke, and STEMI patients;

~~[(48)]~~ (47) "Trauma", an injury to human tissues and organs resulting from the transfer of energy from the environment;

~~[(49)]~~ (48) "Trauma care" includes injury prevention, triage, acute care and rehabilitative services for major single system or multisystem injuries that potentially require immediate medical or surgical intervention or treatment;

~~[(50)]~~ (49) "Trauma center", a hospital that is currently designated as such by the department.

190.103. 1. One physician with expertise in emergency medical services from each of the EMS regions shall be elected by that region's EMS medical directors to serve as a regional EMS medical director. The regional EMS medical directors shall constitute the state EMS medical director's advisory committee and shall advise the department and their region's ambulance services on matters relating to medical control and medical direction in accordance with sections 190.001 to 190.245 and rules adopted by the department pursuant to sections 190.001 to 190.245. The regional EMS medical director shall serve a term of four years. The southwest, northwest, and Kansas City regional EMS medical directors shall be elected to an initial two-year term. The central, east central, and southeast regional EMS medical directors shall be elected to an initial four-year term. All subsequent terms following the initial terms shall be four years. The state EMS medical director shall be the chair of the state EMS medical director's advisory committee, and shall be elected by the members of the regional EMS medical director's advisory committee, shall serve a term of four years, and shall seek to coordinate EMS services between the EMS regions, promote educational efforts for agency medical directors, represent Missouri EMS nationally in the role of the state EMS medical director, and seek to incorporate the EMS system into the health care system serving Missouri.

2. A medical director is required for all ambulance services and emergency medical response agencies that provide: advanced life support services; basic life support services utilizing medications or providing assistance with patients' medications; or basic life support services performing invasive procedures including invasive airway procedures. The medical director shall provide medical direction to these services and agencies in these instances.

3. The medical director, in cooperation with the ambulance service or emergency medical response agency administrator, shall have the responsibility and the authority to ensure that the personnel working under their supervision are able to provide care meeting established standards of care with consideration for state and national standards as well as local area needs and resources. The medical director, in cooperation with the ambulance service or emergency medical response agency administrator, shall establish and develop triage, treatment and transport protocols, which may include authorization for standing orders. Emergency medical technicians shall only perform those medical procedures as directed by treatment protocols approved by the local medical director or when authorized through direct communication with online medical control.

4. All ambulance services and emergency medical response agencies that are required to have a medical director shall establish an agreement between the service or agency and their medical director. The agreement will include the roles, responsibilities and authority of the medical director beyond what is granted in accordance with sections 190.001 to 190.245 and rules adopted by the department pursuant to sections 190.001 to 190.245. The agreement shall also include grievance procedures regarding the emergency medical response agency or ambulance service, personnel and the medical director.

5. Regional EMS medical directors and the state EMS medical director elected as provided under subsection 1 of this section shall be considered public officials for purposes of sovereign immunity, official immunity, and the Missouri public duty doctrine defenses.

6. The state EMS medical director's advisory committee shall be considered a peer review committee under section 537.035.

7. Regional EMS medical directors may act to provide online telecommunication medical direction to AEMTs, ~~[EMT-Bs, EMT-Ps]~~ **EMTs, paramedics**, and community paramedics and provide offline medical direction per standardized treatment, triage, and transport protocols when EMS personnel, including AEMTs, ~~[EMT-Bs, EMT-Ps]~~ **EMTs, paramedics**, and community paramedics, are providing care to special needs patients or at the request of a local EMS agency or medical director.

8. When developing treatment protocols for special needs patients, regional EMS medical directors may promulgate such protocols on a regional basis across multiple political subdivisions' jurisdictional boundaries, and such protocols may be used by multiple agencies including, but not limited to, ambulance services, emergency response agencies, and public health departments. Treatment protocols shall include steps to ensure the receiving hospital is informed of the pending arrival of the special needs patient, the condition of the patient, and the treatment instituted.

9. Multiple EMS agencies including, but not limited to, ambulance services, emergency response agencies, and public health departments shall take necessary steps to follow the regional EMS protocols established as provided under subsection 8 of this section in cases of mass casualty or state-declared disaster incidents.

10. When regional EMS medical directors develop and implement treatment protocols for patients or provide online medical direction for patients, such activity shall not be construed as having usurped local medical direction authority in any manner.

11. The state EMS medical directors advisory committee shall review and make recommendations regarding all proposed community and regional time-critical diagnosis plans.

12. Notwithstanding any other provision of law to the contrary, when regional EMS medical directors are providing either online telecommunication medical direction to AEMTs, ~~[EMT-Bs, EMT-Ps]~~ **EMTs, paramedics**, and community paramedics, or offline medical direction per standardized EMS treatment, triage, and transport protocols for patients, those medical directions or treatment protocols may include the administration of the patient's own prescription medications.

190.142. 1. (1) For applications submitted before the recognition of EMS personnel licensure interstate compact under sections 190.900 to 190.939 takes effect, the department shall, within a reasonable time after receipt of an application, cause such investigation as it deems necessary to be made of the applicant for an emergency medical technician's license.

(2) For applications submitted after the recognition of EMS personnel licensure interstate compact under sections 190.900 to 190.939 takes effect, an applicant for initial licensure as an emergency medical technician in this state shall submit to a background check by the Missouri state highway patrol and the Federal Bureau of Investigation through a process approved by the department of health and senior services. Such processes may include the use of vendors or systems administered by the Missouri state highway patrol. The department may share

the results of such a criminal background check with any emergency services licensing agency in any member state, as that term is defined under section 190.900, in recognition of the EMS personnel licensure interstate compact. The department shall not issue a license until the department receives the results of an applicant's criminal background check from the Missouri state highway patrol and the Federal Bureau of Investigation, but, notwithstanding this subsection, the department may issue a temporary license as provided under section 190.143. Any fees due for a criminal background check shall be paid by the applicant.

(3) The director may authorize investigations into criminal records in other states for any applicant.

2. The department shall issue a license to all levels of emergency medical technicians, for a period of five years, if the applicant meets the requirements established pursuant to sections 190.001 to 190.245 and the rules adopted by the department pursuant to sections 190.001 to 190.245. The department may promulgate rules relating to the requirements for an emergency medical technician including but not limited to:

(1) Age requirements;

(2) Emergency medical technician and paramedic education and training requirements based on respective National Emergency Medical Services Education Standards and any modification to such curricula specified by the department through rules adopted pursuant to sections 190.001 to 190.245;

(3) Paramedic accreditation requirements. Paramedic training programs shall be accredited ~~by the Commission on Accreditation of Allied Health Education Programs (CAAHEP) or hold a CAAHEP letter of review~~ **as required by the National Registry of Emergency Medical Technicians;**

(4) Initial licensure testing requirements. Initial ~~[EMT-P]~~ **paramedic** licensure testing shall be through the national registry of EMTs;

(5) Continuing education and relicensure requirements; and

(6) Ability to speak, read and write the English language.

3. Application for all levels of emergency medical technician license shall be made upon such forms as prescribed by the department in rules adopted pursuant to sections 190.001 to 190.245. The application form shall contain such information as the department deems necessary to make a determination as to whether the emergency medical technician meets all the requirements of sections 190.001 to 190.245 and rules promulgated pursuant to sections 190.001 to 190.245.

4. All levels of emergency medical technicians may perform only that patient care which is:

(1) Consistent with the training, education and experience of the particular emergency medical technician; and

(2) Ordered by a physician or set forth in protocols approved by the medical director.

5. No person shall hold themselves out as an emergency medical technician or provide the services of an emergency medical technician unless such person is licensed by the department.

6. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid and void.

190.147. 1. ~~[An emergency medical technician paramedic (EMT-P)]~~ **A paramedic** may make a good faith determination that such behavioral health patients who present a likelihood of serious harm to themselves or others, as the term "likelihood of serious harm" is defined under section 632.005, or who are significantly incapacitated by alcohol or drugs shall be placed into a temporary hold for the sole purpose of transport to the nearest appropriate facility; provided that, such determination shall be made in cooperation with at least one other ~~[EMT-P]~~ **paramedic** or other health care professional involved in the transport. Once in a temporary hold, the patient shall be treated with humane care in a manner that preserves human dignity, consistent with applicable federal regulations and nationally recognized guidelines regarding the appropriate use of temporary holds and restraints in medical transport. Prior to making such a determination:

(1) The ~~[EMT-P]~~ **paramedic** shall have completed a standard crisis intervention training course as endorsed and developed by the state EMS medical director's advisory committee;

(2) The ~~[EMT-P]~~ **paramedic** shall have been authorized by his or her ground or air ambulance service's administration and medical director under subsection 3 of section 190.103; and

(3) The ~~[EMT-Ps]~~ **paramedic** ground or air ambulance service has developed and adopted standardized triage, treatment, and transport protocols under subsection 3 of section 190.103, which address the challenge of treating and transporting such patients. Provided:

(a) That such protocols shall be reviewed and approved by the state EMS medical director's advisory committee; and

(b) That such protocols shall direct the ~~[EMT-P]~~ **paramedic** regarding the proper use of patient restraint and coordination with area law enforcement; and

(c) Patient restraint protocols shall be based upon current applicable national guidelines.

2. In any instance in which a good faith determination for a temporary hold of a patient has been made, such hold shall be made in a clinically appropriate and adequately justified manner, and shall be documented and attested to in writing. The writing shall be retained by the ambulance service and included as part of the patient's medical file.

3. ~~[EMT-Ps]~~ **Paramedics** who have made a good faith decision for a temporary hold of a patient as authorized by this section shall no longer have to rely on the common law doctrine of implied consent and therefore shall not be civilly liable for a good faith determination made in accordance with this section and shall not have waived any sovereign immunity defense, official immunity defense, or Missouri public duty doctrine defense if employed at the time of the good faith determination by a government employer.

4. Any ground or air ambulance service that adopts the authority and protocols provided for by this section shall have a memorandum of understanding with applicable local law enforcement agencies in order to achieve a collaborative and coordinated response to patients displaying symptoms of either a likelihood of serious harm to themselves or others or significant incapacitation by alcohol or drugs, which require a crisis intervention response. The memorandum of understanding shall include, but not be limited to, the following:

(1) Administrative oversight, including coordination between ambulance services and law enforcement agencies;

(2) Patient restraint techniques and coordination of agency responses to situations in which patient restraint may be required;

(3) Field interaction between paramedics and law enforcement, including patient destination and transportation; and

(4) Coordination of program quality assurance.

5. The physical restraint of a patient by an emergency medical technician under the authority of this section shall be permitted only in order to provide for the safety of bystanders, the patient, or emergency personnel due to an imminent or immediate danger, or upon approval by local medical control through direct communications. Restraint shall also be permitted through cooperation with on-scene law enforcement officers. All incidents involving patient restraint used under the authority of this section shall be reviewed by the ambulance service physician medical director.”; and

Further amend said bill, Page 33, Section 192.745, Line 75, by inserting after all of said line the following:

“192.2405. 1. The following persons shall be required to immediately report or cause a report to be made to the department under sections 192.2400 to 192.2470:

(1) Any person having reasonable cause to suspect that an eligible adult presents a likelihood of suffering serious physical harm, or bullying as defined in subdivision (2) of section 192.2400, and is in need of protective services; and

(2) Any adult day care worker, chiropractor, Christian Science practitioner, coroner, dentist, embalmer, employee of the departments of social services, mental health, or health and senior services, employee of a local area agency on aging or an organized area agency on aging program, emergency medical technician, firefighter, first responder, funeral director, home health agency, home health agency employee, hospital and clinic personnel engaged in the care or treatment of others, in-home services owner or provider, in-home services operator or employee, law enforcement officer, long-term care facility administrator or employee, medical examiner, medical resident or intern, mental health professional, minister, nurse, nurse practitioner, optometrist, other health practitioner, peace officer, pharmacist, physical therapist, physician, physician's assistant, podiatrist, probation or parole officer, psychologist, social worker, or other person with the responsibility for the care of an eligible adult who has reasonable cause to suspect that the eligible adult has been subjected to abuse or neglect or observes the eligible adult being subjected to conditions or circumstances which would reasonably result in abuse or neglect.

Notwithstanding any other provision of this section, a duly ordained minister, clergy, religious worker, or Christian Science practitioner while functioning in his or her ministerial capacity shall not be required to report concerning a privileged communication made to him or her in his or her professional capacity.

2. Any other person who becomes aware of circumstances that may reasonably be expected to be the result of, or result in, abuse or neglect of an eligible adult may report to the department.

3. The penalty for failing to report as required under subdivision (2) of subsection 1 of this section is provided under section 565.188.

4. As used in this section, "first responder" means any person trained and authorized by law or rule to render emergency medical assistance or treatment. Such persons may include, but shall not be limited to, emergency first responders, police officers, sheriffs, deputy sheriffs, firefighters, **or** emergency medical technicians~~], or emergency medical technician-paramedics]~~.”; and

Further amend said bill, Page 46, Section 208.030, Line 122, by inserting after all of said line the following:

“208.1032. 1. The department of social services shall be authorized to design and implement in consultation and coordination with eligible providers as described in subsection 2 of this section an intergovernmental transfer program relating to ground emergency medical transport services, including those services provided at the emergency medical responder, emergency medical technician (EMT), advanced EMT, ~~EMT intermediate,~~ or paramedic levels in the prestabilization and preparation for transport, in order to increase capitation payments for the purpose of increasing reimbursement to eligible providers.

2. A provider shall be eligible for increased reimbursement under this section only if the provider meets the following conditions in an applicable state fiscal year:

- (1) Provides ground emergency medical transportation services to MO HealthNet participants;
- (2) Is enrolled as a MO HealthNet provider for the period being claimed; and
- (3) Is owned, operated, or contracted by the state or a political subdivision.

3. (1) To the extent intergovernmental transfers are voluntarily made by and accepted from an eligible provider described in subsection 2 of this section or a governmental entity affiliated with an eligible provider, the department of social services shall make increased capitation payments to applicable MO HealthNet eligible providers for covered ground emergency medical transportation services.

(2) The increased capitation payments made under this section shall be in amounts at least actuarially equivalent to the supplemental fee-for-service payments and up to equivalent of commercial reimbursement rates available for eligible providers to the extent permissible under federal law.

(3) Except as provided in subsection 6 of this section, all funds associated with intergovernmental transfers made and accepted under this section shall be used to fund additional payments to eligible providers.

(4) MO HealthNet managed care plans and coordinated care organizations shall pay one hundred percent of any amount of increased capitation payments made under this section to eligible providers for providing and making available ground emergency medical transportation and prestabilization services pursuant to a contract or other arrangement with a MO HealthNet managed care plan or coordinated care organization.

4. The intergovernmental transfer program developed under this section shall be implemented on the date federal approval is obtained, and only to the extent intergovernmental transfers from the eligible provider, or the governmental entity with which it is affiliated, are provided for this purpose. The department of social services shall implement the intergovernmental transfer program and increased capitation payments under this section on a retroactive basis as permitted by federal law.

5. Participation in the intergovernmental transfers under this section is voluntary on the part of the transferring entities for purposes of all applicable federal laws.

6. As a condition of participation under this section, each eligible provider as described in subsection 2 of this section or the governmental entity affiliated with an eligible provider shall agree to reimburse the department of social services for any costs associated with implementing this section. Intergovernmental transfers described in this section are subject to an administration fee of up to twenty percent of the nonfederal share paid to the department of social services and shall be allowed to count as a cost of providing the services not to exceed one hundred twenty percent of the total amount.

7. As a condition of participation under this section, MO HealthNet managed care plans, coordinated care organizations, eligible providers as described in subsection 2 of this section, and governmental entities affiliated with eligible providers shall agree to comply with any requests for information or similar data requirements imposed

by the department of social services for purposes of obtaining supporting documentation necessary to claim federal funds or to obtain federal approvals.

8. This section shall be implemented only if and to the extent federal financial participation is available and is not otherwise jeopardized, and any necessary federal approvals have been obtained.

9. To the extent that the director of the department of social services determines that the payments made under this section do not comply with federal Medicaid requirements, the director retains the discretion to return or not accept an intergovernmental transfer, and may adjust payments under this section as necessary to comply with federal Medicaid requirements.

285.040. 1. As used in this section, "public safety employee" shall mean a person trained or authorized by law or rule to render emergency medical assistance or treatment, including, but not limited to, firefighters, ~~ambulance attendants and attendant drivers,~~ emergency medical technicians, ~~emergency medical technician-paramedics,~~ dispatchers, registered nurses, physicians, and sheriffs and deputy sheriffs.

2. No public safety employee of a city not within a county who is hired prior to September 1, 2023, shall be subject to a residency requirement of retaining a primary residence in a city not within a county but may be required to maintain a primary residence located within a one-hour response time.

3. Public safety employees of a city not within a county who are hired after August 31, 2023, may be subject to a residency rule no more restrictive than a requirement of retaining a primary residence in a city not within a county for a total of seven years and of then allowing the public safety employee to maintain a primary residence outside the city not within a county so long as the primary residence is located within a one-hour response time.

321.225. 1. A fire protection district may, in addition to its other powers and duties, provide emergency ambulance service within its district if a majority of the voters voting thereon approve a proposition to furnish such service and to levy a tax not to exceed thirty cents on the one hundred dollars assessed valuation to be used exclusively to supply funds for the operation of an emergency ambulance service. The district shall exercise the same powers and duties in operating an emergency ambulance service as it does in operating its fire protection service.

2. The proposition to furnish emergency ambulance service may be submitted by the board of directors at any municipal general, primary or general election or at any election of the members of the board.

3. The question shall be submitted in substantially the following form:

Shall the board of directors of _____ Fire Protection District be authorized to provide emergency ambulance service within the district and be authorized to levy a tax not to exceed thirty cents on the one hundred dollars assessed valuation to provide funds for such service?

4. If a majority of the voters casting votes thereon be in favor of emergency ambulance service and the levy, the district shall forthwith commence such service.

5. As used in this section "emergency" means a situation resulting from a sudden or unforeseen situation or occurrence that requires immediate action to save life or prevent suffering or disability.

6. In addition to all other taxes authorized on or before September 1, 1990, the board of directors of any fire protection district may, if a majority of the voters of the district voting thereon approve, levy an additional tax of not more than forty cents per one hundred dollars of assessed valuation to be used for the support of the ambulance service or partial or complete support of ~~[an emergency medical technician defibrillator program or partial or complete support of an emergency medical technician]~~ a paramedic first responder program. The proposition to levy the tax authorized by this subsection may be submitted by the board of directors at the next annual election of the members of the board or at any regular municipal or school election conducted by the county clerk or board of election commissioners in such district or at a special election called for the purpose, or upon petition of five hundred registered voters of the district. A separate ballot containing the question shall read as follows:

Shall the board of directors of the _____ Fire Protection District be authorized to levy an additional tax of not more than forty cents per one hundred dollars assessed valuation to provide funds for the support of an ambulance service or partial or complete support of an emergency medical technician defibrillator program or partial or complete support of an emergency medical technician paramedic first responder program?

FOR THE PROPOSITION

AGAINST THE PROPOSITION

(Place an X in the square opposite the one for which you wish to vote.)

If a majority of the qualified voters casting votes thereon be in favor of the question, the board of directors shall accordingly levy a tax in accordance with the provisions of this subsection, but if a majority of voters casting votes thereon do not vote in favor of the levy authorized by this subsection, any levy previously authorized shall remain in effect.

321.620. 1. Fire protection districts in first class counties may, in addition to their other powers and duties, provide ambulance service within their district if a majority of the voters voting thereon approve a proposition to furnish such service and to levy a tax not to exceed thirty cents on the one hundred dollars assessed valuation to be used exclusively to supply funds for the operation of an emergency ambulance service. The district shall exercise the same powers and duties in operating an ambulance service as it does in operating its fire protection service. As used in this section "emergency" means a situation resulting from a sudden or unforeseen situation or occurrence that requires immediate action to save life or prevent suffering or disability.

2. The proposition to furnish ambulance service may be submitted by the board of directors at any municipal general, primary or general election or at any election of the members of the board or upon petition by five hundred voters of such district.

3. The question shall be submitted in substantially the following form:
Shall the board of directors of _____ Fire Protection District be authorized to provide ambulance service within the district and be authorized to levy a tax not to exceed thirty cents on the one hundred dollars assessed valuation to provide funds for such service?

4. If a majority of the voters casting votes thereon be in favor of ambulance service and the levy, the district shall forthwith commence such service.

5. In addition to all other taxes authorized on or before September 1, 1990, the board of directors of any fire protection district may, if a majority of the voters of the district voting thereon approve, levy an additional tax of not more than forty cents per one hundred dollars of assessed valuation to be used for the support of the ambulance service, or partial or complete support of ~~[an emergency medical technician defibrillator program or partial or complete support of an emergency medical technician]~~ a paramedic first responder program. The proposition to levy the tax authorized by this subsection may be submitted by the board of directors at the next annual election of the members of the board or at any regular municipal or school election conducted by the county clerk or board of election commissioners in such district or at a special election called for the purpose, or upon petition of five hundred registered voters of the district. A separate ballot containing the question shall read as follows:

Shall the board of directors of the _____ Fire Protection District be authorized to levy an additional tax of not more than forty cents per one hundred dollars assessed valuation to provide funds for the support of an ambulance service or partial or complete support of an emergency medical technician defibrillator program or partial or complete support of an emergency medical technician paramedic first responder program?

FOR THE PROPOSITION

AGAINST THE PROPOSITION

(Place an X in the square opposite the one for which you wish to vote).

If a majority of the qualified voters casting votes thereon be in favor of the question, the board of directors shall accordingly levy a tax in accordance with the provisions of this subsection, but if a majority of voters casting votes thereon do not vote in favor of the levy authorized by this subsection, any levy previously authorized shall remain in effect.”; and

Further amend said bill, Page 90, Section 335.205, Line 9, by inserting after all of said line the following:

“537.037. 1. Any physician or surgeon, registered professional nurse or licensed practical nurse licensed to practice in this state under the provisions of chapter 334 or 335, or licensed to practice under the equivalent laws of any other state and any person licensed as ~~a mobile~~ an emergency medical technician under the provisions of chapter 190, may:

(1) In good faith render emergency care or assistance, without compensation, at the scene of an emergency or accident, and shall not be liable for any civil damages for acts or omissions other than damages occasioned by gross negligence or by willful or wanton acts or omissions by such person in rendering such emergency care;

(2) In good faith render emergency care or assistance, without compensation, to any minor involved in an accident, or in competitive sports, or other emergency at the scene of an accident, without first obtaining the consent of the parent or guardian of the minor, and shall not be liable for any civil damages other than damages occasioned by gross negligence or by willful or wanton acts or omissions by such person in rendering the emergency care.

2. Any other person who has been trained to provide first aid in a standard recognized training program may, without compensation, render emergency care or assistance to the level for which he or she has been trained, at the scene of an emergency or accident, and shall not be liable for civil damages for acts or omissions other than damages occasioned by gross negligence or by willful or wanton acts or omissions by such person in rendering such emergency care.

3. Any mental health professional, as defined in section 632.005, or qualified counselor, as defined in section 631.005, or any practicing medical, osteopathic, or chiropractic physician, or certified nurse practitioner, or physicians' assistant may in good faith render suicide prevention interventions at the scene of a threatened suicide and shall not be liable for any civil damages for acts or omissions other than damages occasioned by gross negligence or by willful or wanton acts or omissions by such person in rendering such suicide prevention interventions.

4. Any other person may, without compensation, render suicide prevention interventions at the scene of a threatened suicide and shall not be liable for civil damages for acts or omissions other than damages occasioned by gross negligence or by willful or wanton acts or omissions by such person in rendering such suicide prevention interventions.”; and

Further amend said bill, Page 94, Section 632.305, Line 79, by inserting after all of said line the following:

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

(1) **"Ambulance service", the same meaning given to the term in section 190.100;**

(2) **"Board", the Missouri 911 service board established in section 650.325;**

(3) **"Dispatch agency", the same meaning given to the term in section 190.100;**

(4) **"Medical director", the same meaning given to the term in section 190.100;**

(5) **"Memorandum of understanding", the same meaning given to the term in section 190.100;**

~~(2)~~ (6) **"Public safety answering point", the location at which 911 calls are answered;**

~~(3)~~ (7) **"Telecommunicator", any person employed as an emergency telephone worker, call taker or public safety dispatcher whose duties include receiving, processing or transmitting public safety information received through a 911 public safety answering point.**

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

2. Initial training requirements for telecommunicators who answer 911 calls that come to public safety answering points shall be as follows:

(1) Police telecommunicator, 16 hours;

(2) Fire telecommunicator, 16 hours;

(3) Emergency medical services telecommunicator, 16 hours;

(4) Joint communication center telecommunicator, 40 hours.

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

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

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

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

7. ~~[This section shall not apply to an emergency medical dispatcher or agency as defined in section 190.100, or a person trained by an entity accredited or certified under section 190.131, or a person who provides prearrival medical instructions who works for an agency which meets the requirements set forth in section 190.134.]~~ **The board shall be responsible for the approval of training courses for emergency medical dispatchers. The board shall develop necessary rules and regulations in collaboration with the state EMS medical director's advisory committee, as described in section 190.103, which may provide recommendations relating to the medical aspects of prearrival medical instructions.**

8. A dispatch agency is required to have a memorandum of understanding with all ambulance services that it dispatches. If a dispatch agency provides prearrival medical instructions, it is required to have a medical director whose duties include the maintenance of standards and approval of protocols or guidelines.”; and

Further amend said bill, Page 98, Section 701.348, Line 7, by inserting after all of said line the following:

~~“[190.134. A dispatch agency is required to have a memorandum of understanding with all ambulance services that it dispatches. If a dispatch agency provides prearrival medical instructions, it is required to have a medical director, whose duties include the maintenance of standards and protocol approval.]”;~~ and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS#2 SCS SB 88** entitled:

An act to repeal sections 337.615, 337.644, and 337.665, RSMo, and to enact in lieu thereof fourteen new sections relating to professional licensing.

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 refuses to recede from its position on **SS SCS HCS HB 2** and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 3** and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 4** and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HCS HB 5** and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 6** and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 7** and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HCS HB 8** and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 9** and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 10** and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 11** and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HCS HB 12** and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 13** and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 15** and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS#3 HCS HJR 43** entitled:

Joint resolution submitting to the qualified voters of Missouri, an amendment repealing sections 50 and 51 of article III of the Constitution of Missouri, and adopting four new sections in lieu thereof relating to procedures for ballot measures submitted to the voters.

In which the concurrence of the House is respectfully requested.

CONFERENCE COMMITTEE APPOINTMENTS

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

SS SCS HCS HB 2: Representatives Smith (163), Deaton, Lewis (6), Bangert and Proudie
SCS HCS HB 3: Representatives Smith (163), Deaton, Lewis (6), Merideth and Windham
SCS HCS HB 4: Representatives Smith (163), Deaton, Owen, Sharp (37) and Lavender
SS SCS HCS HB 5: Representatives Smith (163), Deaton, Sharpe (4), Sharp (37) and Nurrenbern
SCS HCS HB 6: Representatives Smith (163), Deaton, Sharpe (4), Merideth and Burnett
SCS HCS HB 7: Representatives Smith (163), Deaton, Sharpe (4), Merideth and Proudie
SS SCS HCS HB 8: Representatives Smith (163), Deaton, Owen, Merideth and Windham
SCS HCS HB 9: Representatives Smith (163), Deaton, Owen, Merideth and Lavender
SCS HCS HB 10: Representatives Smith (163), Deaton, Black, Sharp (37) and Ealy
SCS HCS HB 11: Representatives Smith (163), Deaton, Black, Sharp (37) and Ealy
SS SCS HCS HB 12: Representatives Smith (163), Deaton, Cupps, Merideth and Nurrenbern
SCS HCS HB 13: Representatives Smith (163), Deaton, Cupps, Merideth and Lavender
SCS HCS HB 15: Representatives Smith (163), Deaton, Kelly (141), Merideth and Lavender

THIRD READING OF SENATE BILLS

Representative Patterson moved that **HCS SS SCS SB 133** be committed to the Committee on Legislative Review.

Which motion was adopted.

HCS SB 247, relating to taxation, was placed on the Informal Calendar.

HCS SB 109, relating to mining, was placed on the Informal Calendar.

Representative Patterson moved that **HCS SS#2 SCS SB 96** be committed to the Committee on Legislative Review.

Which motion was adopted.

PERFECTION OF HOUSE BILLS - INFORMAL

HB 234, HCS HB 250, HCS HB 262, HCS HB 336, HCS HBs 404 & 501 and HCS HB 580 were placed back on the House Bills for Perfection Calendar.

COMMITTEE REPORTS

Committee on Economic Development, Chairman Hudson reporting:

Mr. Speaker: Your Committee on Economic Development, to which was referred **SS SCS SB 92**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute** by the following vote:

Ayes (11): Amato, Barnes, Brown (16), Christ, Gallick, Gray, Hudson, Johnson (23), Weber, Wilson and Young

Noes (0)

Absent (5): Allen, Casteel, Hausman, Smith (155) and Thompson

Committee on Elementary and Secondary Education, Chairman Pollitt reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 49**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute** by the following vote:

Ayes (15): Baker, Bonacker, Brown (87), Byrnes, Gragg, Haffner, Kelley (127), Lewis (6), Mackey, Mann, Nurrenbern, Pollitt, Stacy, Terry and Toalson Reisch

Noes (1): Hurlbert

Absent (1): Christofanelli

Committee on General Laws, Chairman Riley reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 278**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (10): Copeland, Crossley, Ealy, Ingle, Justus, McMullen, Myers, Parker, Reuter and Riley

Noes (2): Matthiesen and Merideth

Absent (5): Baker, Hicks, Hudson, Lovasco and Weber

Mr. Speaker: Your Committee on General Laws, to which was referred **SS SCS SBs 119 & 120**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute** by the following vote:

Ayes (8): Copeland, Justus, Matthiesen, McMullen, Myers, Parker, Reuter and Riley

Noes (1): Merideth

Present (4): Crossley, Ealy, Ingle and Weber

Absent (4): Baker, Hicks, Hudson and Lovasco

Mr. Speaker: Your Committee on General Laws, to which was referred **SB 542**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (12): Baker, Copeland, Hicks, Hudson, Justus, Lovasco, Matthiesen, McMullen, Myers, Parker, Reuter and Riley

Noes (4): Crossley, Ingle, Merideth and Weber

Present (1): Ealy

Absent (0)

Committee on Healthcare Reform, Chairman Haden reporting:

Mr. Speaker: Your Committee on Healthcare Reform, to which was referred **HB 1365**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute** by the following vote:

Ayes (11): Boggs, Fogle, Gragg, Haden, Lewis (25), Nickson-Clark, Pouche, Seitz, Stinnett, Thomas and Unsicker

Noes (0)

Absent (3): Buchheit-Courtway, Keathley and Toalson Reisch

Committee on Pensions, Chairman Hovis reporting:

Mr. Speaker: Your Committee on Pensions, to which was referred **HB 35**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (7): Bromley, Brown (27), Hovis, Marquart, Oehlerking, Steinhoff and West

Noes (1): Owen

Absent (2): Clemens and Reuter

Mr. Speaker: Your Committee on Pensions, to which was referred **HB 867**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (8): Bromley, Brown (27), Hovis, Marquart, Oehlerking, Owen, Steinhoff and West

Noes (0)

Absent (2): Clemens and Reuter

Special Committee on Public Policy, Chairman Thompson reporting:

Mr. Speaker: Your Special Committee on Public Policy, to which was referred **HB 1017**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute** by the following vote:

Ayes (4): Houx, Kelly (141), Knight and Thompson

Noes (1): Sauls

Absent (2): Hudson and Sharp (37)

Mr. Speaker: Your Special Committee on Public Policy, to which was referred **SS SCS SB 398**, 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, Kelly (141), Knight, Sauls and Thompson

Noes (0)

Absent (2): Hudson and Sharp (37)

Committee on Transportation Infrastructure, Chairman Buchheit-Courtway reporting:

Mr. Speaker: Your Committee on Transportation Infrastructure, to which was referred **HB 527**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute** by the following vote:

Ayes (8): Buchheit-Courtway, Hinman, Marquart, Mosley, Phifer, Sharpe (4), Van Schoiack and Woods

Noes (0)

Present (4): Bangert, Copeland, Murphy and Myers

Absent (2): Amato and Burger

Mr. Speaker: Your Committee on Transportation Infrastructure, to which was referred **HB 745**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute** by the following vote:

Ayes (12): Bangert, Buchheit-Courtway, Copeland, Hinman, Marquart, Mosley, Murphy, Myers, Phifer, Sharpe (4), Van Schoiack and Woods

Noes (0)

Absent (2): Amato and Burger

Mr. Speaker: Your Committee on Transportation Infrastructure, to which was referred **HB 1372**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (12): Bangert, Buchheit-Courtway, Burger, Copeland, Hinman, Marquart, Mosley, Murphy, Phifer, Sharpe (4), Van Schoiack and Woods

Noes (0)

Absent (2): Amato and Myers

Mr. Speaker: Your Committee on Transportation Infrastructure, to which was referred **HB 1377**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (11): Amato, Buchheit-Courtway, Burger, Copeland, Hinman, Mosley, Murphy, Phifer, Sharpe (4), Van Schoiack and Woods

Noes (0)

Absent (3): Bangert, Marquart and Myers

Mr. Speaker: Your Committee on Transportation Infrastructure, to which was referred **HB 1395**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (10): Amato, Buchheit-Courtway, Burger, Copeland, Hinman, Mosley, Phifer, Sharpe (4), Van Schoiack and Woods

Noes (0)

Absent (4): Bangert, Marquart, Murphy and Myers

Mr. Speaker: Your Committee on Transportation Infrastructure, to which was referred **HB 1397**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (7): Bangert, Buchheit-Courtway, Hinman, Marquart, Murphy, Myers and Sharpe (4)

Noes (6): Burger, Copeland, Mosley, Phifer, Van Schoiack and Woods

Absent (1): Amato

Committee on Utilities, Chairman Bromley reporting:

Mr. Speaker: Your Committee on Utilities, to which was referred **HB 928**, 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): Atchison, Black, Bromley, Byrnes, Falkner, Johnson (23), Keathley, Schulte, Taylor (84) and Weber

Noes (0)

Present (1): Lonsdale

Absent (3): Banderman, Ingle and McMullen

Mr. Speaker: Your Committee on Utilities, to which was referred **HB 1071**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute** by the following vote:

Ayes (12): Atchison, Banderman, Black, Bromley, Byrnes, Falkner, Johnson (23), Keathley, Lonsdale, Schulte, Taylor (84) and Weber

Noes (0)

Absent (2): Ingle and McMullen

Committee on Veterans, Chairman Griffith reporting:

Mr. Speaker: Your Committee on Veterans, to which was referred **SS SB 540**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (12): Atchison, Barnes, Billington, Bland Manlove, Bromley, Fountain Henderson, Gray, Griffith, Hardwick, Morse, Pouche and Schulte

Noes (0)

Absent (2): Peters and Seitz

Committee on Ways and Means, Chairman McGirl reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **SJR 21**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (8): Bland Manlove, Chappell, Hicks, Lovasco, McGirl, Thompson, Titus and Wright

Noes (1): Phifer

Absent (5): Casteel, Gray, Hudson, Smith (155) and Taylor (84)

Mr. Speaker: Your Committee on Ways and Means, to which was referred **SS SCS SB 131**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute** by the following vote:

Ayes (7): Chappell, Hicks, Lovasco, McGirl, Thompson, Titus and Wright

Noes (2): Bland Manlove and Phifer

Absent (5): Casteel, Gray, Hudson, Smith (155) and Taylor (84)

Committee on Rules - Regulatory Oversight, Chairman Gregory reporting:

Mr. Speaker: Your Committee on Rules - Regulatory Oversight, to which was referred **HCS HB 367**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (9): Cupps, Evans, Gregory, Haffner, Ingle, O'Donnell, Proudie, Roberts and Strickler

Noes (0)

Absent (1): Riley

Mr. Speaker: Your Committee on Rules - Regulatory Oversight, to which was referred **HCS SS#2 SCS SBs 4, 42 & 89**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (5): Cupps, Evans, Gregory, Haffner and O'Donnell

Noes (4): Ingle, Proudie, Roberts and Strickler

Absent (1): Riley

Mr. Speaker: Your Committee on Rules - Regulatory Oversight, to which was referred **HCS SCS SB 103**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (9): Cupps, Evans, Gregory, Haffner, Ingle, O'Donnell, Proudie, Roberts and Strickler

Noes (0)

Absent (1): Riley

Mr. Speaker: Your Committee on Rules - Regulatory Oversight, to which was referred **HCS SS SB 111**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (9): Cupps, Evans, Gregory, Haffner, Ingle, O'Donnell, Proudie, Roberts and Strickler

Noes (0)

Absent (1): Riley

REFERRAL OF HOUSE JOINT RESOLUTIONS

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

SS#3 HCS HJR 43 - Fiscal Review

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

SS HB 402, as amended - Fiscal Review

HB 1044 - Fiscal Review

HB 1284 - Professional Registration and Licensing

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

HCS SS#2 SCS SBs 4, 42 & 89 - Fiscal Review

HCS SS SCS SB 70 - Fiscal Review

SS SCS SBs 94, 52, 57, 58 & 67 - Fiscal Review

HCS SCS SB 103 - Fiscal Review

HCS SS SB 111 - Fiscal Review

REFERRAL OF SENATE BILLS - RULES

The following Senate Bills were referred to the Committee indicated:

HCS SS SCS SB 92 - Rules - Regulatory Oversight

SS SB 540 - Rules - Legislative Oversight

CONFERENCE COMMITTEE CHANGES

The Speaker removed Representative Sharp (37) from the Conference Committee on **SCS HCS HB 4** and appointed Representative Nurrenbern.

The Speaker removed Representatives Sharpe (4) and Sharp (37) from the Conference Committee on **SS SCS HCS HB 5** and appointed Representatives Cupps and Proudie.

The Speaker removed Representatives Ealy and Sharp (37) from the Conference Committee on **SCS HCS HB 10** and appointed Representatives Nurrenbern and Proudie.

The Speaker removed Representatives Ealy and Sharp (37) from the Conference Committee on **SCS HCS HB 11** and appointed Representatives Nurrenbern and Proudie.

The following member's presence was noted: Houx.

ADJOURNMENT

On motion of Representative Patterson, the House adjourned until 2:00 p.m., Monday, May 1, 2023.

COMMITTEE HEARINGS

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, May 3, 2023, 8:00 AM, House Hearing Room 7.

Executive session will be held: SB 122

EMERGING ISSUES

Tuesday, May 2, 2023, 12:00 PM or upon morning recess (whichever is later), House Hearing Room 6.

Executive session will be held: HB 801, HB 755

FINANCIAL INSTITUTIONS

Tuesday, May 2, 2023, 12:00 PM or upon morning recess (whichever is later), House Hearing Room 5.

Executive session will be held: HB 1216, HB 649

FISCAL REVIEW

Monday, May 1, 2023, 1:45 PM, House Lounge.

Executive session will be held: SS HB 402, HCS HB 510, HCS Hbs 948 & 915, SS#3 HCS HJR 43, HCS SS SCS SBs 45 & 90, HCS SS SCS SB 72, HCS SS SCS SB 106, HB 1044, HCS SS#2 SCS SBs 4, 42 & 89, HCS SS SCS SB 70, SS SCS SBs 94, 52, 57, 58 & 67, HCS SCS SB 103, HCS SS SB 111

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

Added HB 1044, SB 4, SB 70, SB 94, SB 103 and SB 111.

AMENDED

FISCAL REVIEW

Tuesday, May 2, 2023, 9:45 AM, House Lounge.

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

Pending bill referral.

HEALTH AND MENTAL HEALTH POLICY

Monday, May 1, 2023, 11:00 AM, House Hearing Room 6.

Public hearing will be held: SCR 9, HCR 23, HCR 24, HCR 25, HCR 26

Executive session will be held: HB 1098, SCR 6

HEALTHCARE REFORM

Tuesday, May 2, 2023, 4:30 PM or upon adjournment (whichever is later),

House Hearing Room 1.

Executive session will be held: HB 1239, HB 1148, HB 900

LEGISLATIVE REVIEW

Monday, May 1, 2023, 11:00 AM, House Hearing Room 5.

Executive session will be held: HCS SS#2 SCS SB 96, HCS SS SCS SB 133

LOCAL GOVERNMENT

Tuesday, May 2, 2023, 8:00 AM, House Hearing Room 7.

Public hearing will be held: SS SB 148

Executive session will be held: HB 1049, HB 296

Removed HB 1049.

AMENDED

PROFESSIONAL REGISTRATION AND LICENSING

Tuesday, May 2, 2023, 12:00 PM or upon morning recess (whichever is later),

House Hearing Room 1.

Public hearing will be held: HB 331, HB 1385

Executive session will be held: HB 873, HB 845

RULES - ADMINISTRATIVE OVERSIGHT

Monday, May 1, 2023, 12:00 PM, House Hearing Room 4.

Executive session will be held: HCS SS SCS SB 157, HCS SS SB 198, SS SB 199,

HCS SS SB 213, HCS SS SCS SBs 56 & 61

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

Added SB 56.

AMENDED

RULES - LEGISLATIVE OVERSIGHT

Monday, May 1, 2023, 1:30 PM, House Hearing Room 4.

Executive session will be held: HCS SS SB 82, SS SB 540, HCS HB 159, HB 224, HCS HJR 19,

HCS HBs 494 & 498

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

RULES - REGULATORY OVERSIGHT

Monday, May 1, 2023, 12:30 PM, House Hearing Room 4.

Executive session will be held: HCS HB 1134, SCR 10

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

SPECIAL COMMITTEE ON TAX REFORM

Tuesday, May 2, 2023, 12:00 PM or upon morning recess (whichever is later),
House Hearing Room 7.

Executive session will be held: SS SB 190

UTILITIES

Wednesday, May 3, 2023, 12:00 PM or upon morning recess (whichever is later),
House Hearing Room 1.

Public hearing will be held: HB 637

VETERANS

Tuesday, May 2, 2023, 8:00 AM, House Hearing Room 1.

Presentation by Chuck Gatschenberger from the Office of the Missouri Military Advocate.

HOUSE CALENDAR

SIXTY-THIRD DAY, MONDAY, MAY 1, 2023

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 66 - Baker

HOUSE BILLS FOR PERFECTION

HCS HB 355, (Legislative Review 4/4/23) - Davidson

HCS HB 736 - Riggs

HB 920 - Anderson

HCS HBs 348, 285 & 407 - Coleman

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

HB 512 - Mayhew

HCS HB 584 - Owen

HCS HB 586 - Owen

HCS HB 824 - O'Donnell

HB 1154, with HA 1, pending - Houx

HB 102 - Baringer

HB 212 - Smith

HCS HB 271 - Riley

HB 436 - Nickson-Clark

HCS HB 714 - Kelly

HB 999 - Anderson

HB 1078 - Chappell
HCS HB 464 - Gregory
HB 1052 - Haffner
HB 234 - Bangert
HCS HB 250 - Haley
HCS HB 262 - Sander
HCS HB 336 - Boggs
HCS HBs 404 & 501 - Haden
HCS HB 580 - Houx

HOUSE BILLS FOR PERFECTION - INFORMAL

HB 1028 - Smith
HB 770 - Thompson
HB 571 - Allen
HCS HB 157 - O'Donnell
HCS HB 342 - Pouche
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
HCS HB 198 - Wright
HB 822 - Smith
HB 77 - Kelley
HCS HB 106 - Barnes
HB 232 - Bangert
HB 391 - Murphy
HCS HB 393 - Black
HB 440 - Hovis
HB 449 - Butz
HCS HB 489 - Baker
HCS HBs 502 & 887 - Haley
HCS HB 515 - Mayhew
HCS HB 633 - Kelley
HB 697 - Hovis
HB 734 - Knight
HB 823 - Smith
HCS HB 881 - Christofanelli
HB 891 - Falkner
HCS HB 959 - Gregory
HCS HB 1129 - Burger

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HCS HB 992, with HA 1, pending - Lewis
HCS HB 109 - Sharp
HB 775 - Coleman
HCS HB 960 - Baringer
HCS HB 968 - Thompson
HB 152 - Thomas
HB 369 - West

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

HCR 11 - Schnelting

HOUSE BILLS FOR THIRD READING

HCS HB 48 - Haley
HB 643 - Francis
HCS HB 589 - Murphy
HCS HBs 700 & 445 - Hardwick
HCS HB 719, E.C. - Riley
HB 400 - McGirl
HCS HBs 948 & 915, (Fiscal Review 4/26/23) - Dinkins
HCS HB 510, (Fiscal Review 4/26/23) - Griffith
HB 1067 - Sharpe
HS HCS HBs 532 & 751 - Mayhew
HB 392 - Toalson Reisch
HB 1044, (Fiscal Review 4/27/23) - Haffner

HOUSE BILLS FOR THIRD READING - INFORMAL

HCS HB 536 - Keathley
HCS HBs 876, 771, 676 & 551, (Fiscal Review 4/18/23) - Hurlbert
HB 246 - Hurlbert
HB 349, (Fiscal Review 4/18/23) - Christofanelli
HCS HB 733 - Boggs
HCS HB 657 - Smith
HB 1208 - Casteel

HOUSE BILLS FOR THIRD READING - CONSENT

HB 746 - Sauls

SENATE BILLS FOR SECOND READING

SS#2 SCS SB 88 - Brown

SENATE BILLS FOR THIRD READING

HCS SS SCS SB 133, (Legislative Review 4/27/23), E.C. - Baker
HCS SS#2 SCS SB 96, (Legislative Review 4/27/23), E.C. - Keathley
HCS SB 47 - Riley
SS SCS SBs 167 & 171 - Mayhew
HCS SS SCS SB 72, (Fiscal Review 4/26/23) - Christofanelli
HCS SS SCS SBs 45 & 90, (Fiscal Review 4/26/23), E.C. - Stinnett
HCS SS SB 138, E.C. - Kelly
HCS SS SCS SB 106, (Fiscal Review 4/26/23), E.C. - Kelly
SS SCS SBs 94, 52, 57, 58 & 67, (Fiscal Review 4/27/23) - Hudson
HCS SS#2 SCS SBs 4, 42 & 89, (Fiscal Review 4/27/23) - Christofanelli
HCS SB 101 - Knight
HCS SCS SB 103, (Fiscal Review 4/27/23) - Veit
HCS SS SB 75 - Hovis
HCS SS SCS SB 70, (Fiscal Review 4/27/23) - Coleman
HCS SS SB 111, (Fiscal Review 4/27/23) - Griffith

SENATE BILLS FOR THIRD READING - INFORMAL

SS SB 139 - Griffith
SB 20 - Hovis
SB 28 - Roberts
HCS SB 247, E.C. - Baker
HCS SB 109 - Houx

SENATE CONCURRENT RESOLUTIONS FOR THIRD READING

HCS SCR 7 - 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, E.C. - Haffner
SS HB 402, as amended (Fiscal Review 4/27/23) - Henderson
SS#3 HCS HJR 43, (Fiscal Review 4/27/23) - Henderson

BILLS IN CONFERENCE

SS SCS HCS HB 2 - Smith
SCS HCS HB 3 - Smith
SCS HCS HB 4 - Smith
SS SCS HCS HB 5 - Smith
SCS HCS HB 6 - Smith

SCS HCS HB 7 - Smith
SS SCS HCS HB 8 - Smith
SCS HCS HB 9 - Smith
SCS HCS HB 10 - Smith
SCS HCS HB 11 - Smith
SS SCS HCS HB 12 - Smith
SCS HCS HB 13 - Smith
SCS HCS HB 15 - Smith

ACTIONS PURSUANT TO ARTICLE IV, SECTION 27

HCS HB 3001 - Smith
CCS SS SCS HCS HB 3002 - Smith
CCS SS SCS HCS HB 3003 - Smith
CCS SCS HCS HB 3004 - Smith
CCS SCS HCS HB 3005 - Smith
CCS SCS HCS HB 3006 - Smith
CCS SCS HCS HB 3007 - Smith
CCS SS SCS HCS HB 3008 - Smith
CCS SCS HCS HB 3009 - Smith
CCS SS SCS HCS HB 3010 - Smith
CCS SS SCS HCS HB 3011 - Smith
CCS SS SCS HCS HB 3012 - Smith
CCS SCS HCS HB 3013 - Smith
SCS HCS HB 3017 - Smith
SCS HCS HB 3018 - Smith
SCS HCS HB 3019 - Smith
SS SCS HCS HB 3020 - Smith