

JOURNAL OF THE HOUSE

Second Regular Session, 102nd General Assembly

TWENTY-FOURTH DAY, TUESDAY, FEBRUARY 13, 2024

The House met pursuant to adjournment.

Speaker Plocher in the Chair.

Prayer by Reverend Monsignor Robert A. Kurwicki, Chaplain.

He leadeth me in the paths of righteousness for His name's sake. (Psalm 23:3)

Our heavenly Creator, mindful of our responsibilities as the leaders of our people, we bow before You praying that we may be led in right paths for the sake of our beloved State. May Your spirit guide us, that we be saved from poor choices and be lifted to new levels of creative endeavor and courageous action. Together as leaders and people may we be physically strong, mentally awake, morally and religiously alive.

We pray for our colleagues and their devotion to their districts they represent and ask You to hold us steady throughout the day and give us strength when making our decisions and votes on this Mardi Gras.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was led by Christopher Liese.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Christopher Liese.

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

INTRODUCTION OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 52, introduced by Representative Sharp (37), relating to John Donaldson day.

INTRODUCTION OF HOUSE BILLS

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

HB 2678, introduced by Representative Toalson Reisch, relating to student behavior in schools.

HB 2679, introduced by Representative Windham, relating to elections.

HB 2680, introduced by Representative Woods, relating to firearms, with penalty provisions.

HB 2681, introduced by Representative Ealy, relating to a sales and use tax exemption.

HB 2682, introduced by Representative Lovasco, relating to declaring a weapon a nuisance.

HB 2683, introduced by Representative Merideth, relating to incarceration costs.

HB 2684, introduced by Representative Sharp (37), relating to John Donaldson day.

HB 2685, introduced by Representative Fogle, relating to small loans, with penalty provisions and a referendum clause.

HB 2686, introduced by Representative Aune, relating to animal care facilities, with penalty provisions.

HB 2687, introduced by Representative West, relating to transient guest taxes for tourism.

HB 2688, introduced by Representative Myers, relating to human trafficking, with penalty provisions.

HB 2689, introduced by Representative Lovasco, relating to the oversight of department of corrections facilities.

HB 2690, introduced by Representative Gragg, relating to child abuse or neglect.

HB 2691, introduced by Representative Jones, relating to child abuse or neglect.

HB 2692, introduced by Representative Wilson, relating to career and technical education programs.

HB 2693, introduced by Representative Lovasco, relating to the disposal of firearms.

HB 2694, introduced by Representative Sparks, relating to abortion.

SECOND READING OF HOUSE BILLS

The following House Bills were read the second time:

HB 2671, relating to maternal health care services.

HB 2672, relating to cemeteries.

HB 2673, relating to the authority to confer degrees at public institutions of higher education.

HB 2674, relating to protecting the learning environment in classrooms.

HB 2675, relating to blind pensions.

HB 2676, relating to location restrictions for certain offenders, with penalty provisions.

HB 2677, relating to licensed residential care facilities.

PERFECTION OF HOUSE BILLS

HB 1803, relating to the state treasurer's authority to invest in linked deposits, was taken up by Representative Thompson.

On motion of Representative Thompson, the title of **HB 1803** was agreed to.

On motion of Representative Thompson, **HB 1803** was ordered perfected and printed.

PERFECTION OF HOUSE BILLS - INFORMAL

HCS HB 1886, relating to judicial proceedings, was taken up by Representative Veit.

On motion of Representative Veit, the title of **HCS HB 1886** was agreed to.

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

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1886, Pages 20-23, Section 475.010, Lines 1-115, by deleting said section and lines from the bill; and

Further amend said bill, Pages 23-24, Section 475.045, Lines 1-20, by deleting said section and lines from the bill; and

Further amend said bill, Pages 24-26, Section 475.050, Lines 1-59, by deleting said lines and inserting in lieu thereof the following:

"475.050. 1. Before appointing any other eligible person as guardian of an incapacitated person, or conservator of a disabled person, the court shall consider the suitability of appointing any of the following persons, listed in the order of priority, who appear to be willing to serve:

(1) If the incapacitated or disabled person is, at the time of the hearing, able to make and communicate a reasonable choice, any eligible person nominated by the person;

(2) Any eligible person nominated in a durable power of attorney executed by the incapacitated or disabled person, or in an instrument in writing signed by the incapacitated or disabled person and by two witnesses who signed at the incapacitated or disabled person's request, before the inception of the person's incapacity or disability;

(3) The spouse, parents, adult children, adult brothers and sisters and other close adult relatives of the incapacitated or disabled person;

(4) Any other eligible person or, with respect to the estate only, any eligible organization or corporation, nominated in a duly probated will of such a spouse or relative.

2. The court shall not appoint an unrelated third party as a guardian or conservator unless there is no relative suitable and willing to serve or if the appointment of a relative or nominee is otherwise contrary to the best interests of the incapacitated or disabled person. If the incapacitated or disabled person is a minor under the care of the children's division and is entering adult guardianship or conservatorship, it shall be a rebuttable presumption that he or she has no relative suitable and willing to serve as guardian or conservator.

3. Except for good cause shown, the court shall make its appointment in accordance with the incapacitated or disabled person's most recent valid nomination of an eligible person qualified to serve as guardian of the person or conservator of the estate.

4. Except for those individuals specified in subdivisions (1) and (2) of this subsection, the court shall require all guardians and conservators who are seeking appointment and who have a fiduciary responsibility to a ward, an incapacitated person, or a disabled person to submit at their own expense to a background screening that shall include the disqualification lists of the departments of mental health, social services, and health and senior services; the abuse and neglect registries for adults and children; a Missouri criminal record review; and the sexual offender registry. Individuals seeking appointment as a conservator shall also submit, at their own expense, to a credit history investigation. The nominated guardian or conservator shall file the results of the reports with the court at least ten days prior to the appointment hearing date unless waived or modified by the court for good cause shown by an affidavit filed simultaneously with the petition for appointment or in the event the protected person requests an expedited hearing. The provisions of this subsection shall not apply to:

(1) Public administrators; ~~or~~

(2) The ~~ward's, incapacitated person's, or disabled person's~~ spouse, ~~parents,~~ children who have reached eighteen years of age, ~~or~~ siblings who have reached eighteen years of age, **or parents of the ward, incapacitated person, or disabled person; or**

(3) Grandparents of a minor child who are seeking guardianship or conservatorship of the minor grandchild, unless such background reports are requested by any other party to the proceeding or the guardian ad litem for the minor child or are otherwise ordered by the court on its own motion.

5. Any grandparent seeking guardianship or conservatorship of a minor grandchild shall not be subject to a home assessment unless the home assessment is requested by any other party to the proceeding or the guardian ad litem for the minor child or is otherwise ordered by the court on its own motion.

6. Guardians certified by a national accrediting organization may file proof of certification in lieu of the requirements of subsections 4 and ~~6~~ 7 of this section.

~~6-~~ 7. An order appointing a guardian or conservator shall not be signed by the judge until such reports have been filed with the court and reviewed by the judge, who shall consider the reports in determining whether to appoint a guardian or conservator. Such reports, or lack thereof, shall be certified either by an affidavit or by obtaining a certified copy of the reports. No reports or national criminal history record check shall be required by the court upon the application of a petitioner for an emergency temporary guardianship or emergency temporary conservatorship. The court may waive the requirements of this subsection for good cause shown. If appointed, a guardian or conservator may petition the court for reimbursement of the reasonable expenses of the credit history investigation and background screenings."; and

Further amend said bill, Page 26, Section 475.063, Lines 1-4, by deleting said lines and inserting in lieu thereof the following:

"475.063. 1. The parent, physical custodian, or guardian of a minor that has a diagnosed developmental disability or intellectual disability as defined in section 630.005 may file an affidavit for emergency, temporary, or full orders regarding a petition for the appointment of the parent, physical custodian, guardian, or some other qualified person as guardian of the minor upon the minor attaining the age of eighteen. Such affidavit shall state that:

(1) The affiant is the parent, physical custodian, or guardian of the minor;

(2) A treating doctor has certified by letter, report, or affidavit that the minor has a diagnosed developmental disability or intellectual disability as defined in section 630.005, and the letter, report, or affidavit is attached to the affidavit. This shall not include a mental disorder or mental illness as defined in section 630.005;

(3) The minor has not yet attained the age of eighteen;

(4) No petition for adult guardianship or conservatorship, filed pursuant to section 475.060, has been filed in the court in which the affidavit is filed or in any other court having jurisdiction over the minor; and

(5) The affiant is not aware of an objection by an interested person to the appointment of the parent, physical custodian, guardian, or some other qualified person as guardian of the minor upon the minor attaining the age of eighteen.

2. If the court finds the affidavit fails to meet one or more of the criteria set forth in subsection 1 of this section, or if good cause is shown by the attorney for the minor or ward, the court may enter an order appointing an attorney to represent the affiant.

3. (1) A clerk of a court shall make available to the petitioner the affidavit and other uniform forms"; and

Further amend said bill, page, and section, Lines 7-11, by deleting said lines and inserting in lieu thereof the following:

"circuit clerk shall explain to a petitioner who is not represented by counsel the procedures for filing all forms and pleadings necessary for the presentation of the petitioner's petition under this section."; and

Further amend said bill, page, and section, Line 15, by deleting the phrase "Missouri supreme court" and inserting in lieu thereof the phrase "supreme court of Missouri"; and

Further amend said bill, page, and section, Lines 19-22, by deleting said lines and inserting in lieu thereof the following:

"4. The court shall accept and act upon a petition filed under this section without requiring a filing fee. Any expenses incurred under this section for attorney's fees for the attorney of the minor or ward may be reimbursed for attorney's fees for the attorney of the minor or ward may be reimbursed from moneys deposited into a family services and justice fund under section 488.2300.

5. For purposes of this section, "physical custodian" means an adult having continuous physical custody of a minor entering adult guardianship or conservatorship for the six months prior to the filing of an affidavit under subsection 1 of this section."; and

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

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

Representative Patterson moved the previous question.

Which motion was adopted by the following vote:

AYES: 103

Allen	Amato	Atchison	Baker	Banderman
Billington	Black	Boggs	Bonacker	Bromley
Brown 149	Brown 16	Buchheit-Courtway	Burger	Busick
Bymes	Casteel	Chappell	Christ	Christensen
Christofanelli	Coleman	Cook	Copeland	Davidson
Davis	Deaton	Diehl	Dinkins	Evans
Falkner	Farnan	Gallick	Gragg	Gregory
Griffith	Haden	Haffner	Haley	Hardwick
Hausman	Henderson	Hicks	Houx	Hovis
Hudson	Hurlbert	Jones	Justus	Kalberloh
Keathley	Kelley 127	Kelly 141	Lewis 6	Lonsdale
Lovasco	Marquart	Matthiesen	Mayhew	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	Sharpe 4
Shields	Smith 155	Smith 163	Sparks	Stephens
Stinnett	Taylor 48	Thomas	Thompson	Titus
Toalson Reisch	Van Schoiack	Veit	Voss	Waller
West	Wilson	Mr. Speaker		

NOES: 047

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	Nurrenbern	Phifer	Plank
Proudie	Quade	Sauls	Smith 46	Strickler
Taylor 84	Terry	Unsicker	Walsh Moore	Weber
Woods	Young			

PRESENT: 000

ABSENT WITH LEAVE: 012

Cupps	Francis	Hinman	Knight	McGaugh
Nickson-Clark	Seitz	Sharp 37	Stacy	Steinhoff
Windham	Wright			

VACANCIES: 001

On motion of Representative Veit, **HCS HB 1886, as amended**, was adopted.

On motion of Representative Veit, **HCS HB 1886, as amended**, was ordered perfected and printed.

REFERRAL OF HOUSE BILLS

The following House Bill was referred to the Committee indicated:

HCS HB 1659 - Fiscal Review

COMMITTEE REPORTS

Committee on Conservation and Natural Resources, Chairman Sassmann reporting:

Mr. Speaker: Your Committee on Conservation and Natural Resources, to which was referred **HB 1870**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**, and pursuant to Rule 24(5) be referred to the Committee on Consent and House Procedure by the following vote:

Ayes (14): Bonacker, Brown (87), Burton, Diehl, Farnan, Haley, Justus, Knight, Mayhew, Sassmann, Stephens, Taylor (48), Walsh Moore and Woods

Noes (0)

Absent (0)

Mr. Speaker: Your Committee on Conservation and Natural Resources, to which was referred **HB 2491**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**, and pursuant to Rule 24(5) be referred to the Committee on Consent and House Procedure by the following vote:

Ayes (13): Bonacker, Brown (87), Burton, Diehl, Haley, Justus, Knight, Mayhew, Sassmann, Stephens, Taylor (48), Walsh Moore and Woods

Noes (0)

Absent (1): Farnan

Special Committee on Government Accountability, Chairman Richey reporting:

Mr. Speaker: Your Special Committee on Government Accountability, to which was referred **HB 1518**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (8): Christensen, Davidson, Mayhew, Perkins, Richey, Sander, Stinnett and Wilson

Noes (6): Anderson, Hein, Johnson (12), Mann, Phifer and Unsicker

Absent (6): Bosley, Cupps, Deaton, Knight, Lonsdale and Lovasco

Special Committee on Urban Issues, Chairman Sharp (37) reporting:

Mr. Speaker: Your Special Committee on Urban Issues, to which was referred **HB 1784**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (5): Anderson, Banderman, Casteel, Riggs and Sharp (37)

Noes (0)

Absent (2): Coleman and Cupps

Committee on Rules - Administrative Oversight, Chairman Francis reporting:

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HCS HBs 1706 & 1539**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (9): Bland Manlove, Copeland, Francis, Griffith, Haden, Houx, Mackey, Myers and Smith (46)

Noes (0)

Absent (1): Baker

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HB 1976**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (10): Baker, Bland Manlove, Copeland, Francis, Griffith, Haden, Houx, Mackey, Myers and Smith (46)

Noes (0)

Absent (0)

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HB 2170**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (9): Bland Manlove, Copeland, Francis, Griffith, Haden, Houx, Mackey, Myers and Smith (46)

Noes (1): Baker

Absent (0)

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HB 2331**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (9): Bland Manlove, Copeland, Francis, Griffith, Haden, Houx, Mackey, Myers and Smith (46)

Noes (1): Baker

Absent (0)

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HB 2430**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (10): Baker, Bland Manlove, Copeland, Francis, Griffith, Haden, Houx, Mackey, Myers and Smith (46)

Noes (0)

Absent (0)

Committee on Rules - Legislative Oversight, Chairman Knight reporting:

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **HCS HB 1749**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (7): Buchheit-Courtway, Burger, Hudson, Knight, McGirl, Owen and Schnelting

Noes (3): Bosley, Lavender and Mann

Absent (0)

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **HB 2287**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (9): Bosley, Buchheit-Courtway, Hudson, Knight, Lavender, Mann, McGirl, Owen and Schnelting

Noes (1): Burger

Absent (0)

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **HCS HB 2412**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (9): Bosley, Buchheit-Courtway, Hudson, Knight, Lavender, Mann, McGirl, Owen and Schnelting

Noes (1): Burger

Absent (0)

The following members' presence was noted: Cupps, Francis, Hinman, Nickson-Clark, Sharp (37), Stacy, Steinhoff, Windham, and Wright.

ADJOURNMENT

On motion of Representative Patterson, the House adjourned until 10:00 a.m., Wednesday, February 14, 2024.

COMMITTEE HEARINGS

BUDGET

Wednesday, February 14, 2024, 8:00 AM, House Hearing Room 3.

Budget presentation from the Department of Social Services (HB 2011) - MO HealthNet.

No public testimony will be taken.

BUDGET

Thursday, February 15, 2024, 8:00 AM, House Hearing Room 3.

Budget presentations from the Department of Missouri National Guard (HB 2008), Department of Revenue (HB 2004), and the Department of Transportation (HB 2004). No public testimony will be taken.

Time amended to 8:00 AM.

CORRECTED

CORRECTIONS AND PUBLIC INSTITUTIONS

Wednesday, February 14, 2024, 4:00 PM, House Hearing Room 1.

Public hearing will be held: HB 1679, HB 2169

CANCELLED

CRIME PREVENTION AND PUBLIC SAFETY

Thursday, February 15, 2024, 8:00 AM, House Hearing Room 7.

Public hearing will be held: HB 1577, HB 1707, HB 2211

Executive session will be held: HB 1652, HB 1748, HB 1692

Removed HB 1544.

AMENDED

ECONOMIC DEVELOPMENT

Wednesday, February 14, 2024, 8:15 AM, House Hearing Room 1.

Public hearing will be held: HB 1961, HB 2197

Executive session will be held: HB 2464, HB 2460, HB 1516

CANCELLED

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, February 14, 2024, 8:00 AM, House Hearing Room 7.

Public hearing will be held: HB 2630, HB 1513

Executive session will be held: HB 1447

Removed SCR 23.

AMENDED

ELEMENTARY AND SECONDARY EDUCATION

Tuesday, February 20, 2024, 8:00 AM, Joint Hearing Room (117).

Public hearing will be held: SCR 23

FISCAL REVIEW

Monday, February 19, 2024, 3:30 PM, House Hearing Room 4.

Executive session will be held: HCS HB 1659

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

GOVERNMENT EFFICIENCY AND DOWNSIZING

Wednesday, February 14, 2024, 8:00 AM, House Hearing Room 6.

Public hearing will be held: HB 1607, HB 1471, HB 1797

Executive session will be held: HB 2084, HB 2373, HB 2282, HB 2319, HB 2058, HRB 1

Added HB 1607, HB 1471 and HB 1797.

AMENDED

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Wednesday, February 14, 2024, 8:00 AM, Joint Hearing Room (117).

MoDOT's presentation of annual report.

Pending applications for memorial highway and bridge designations.

Pending applications for specialty license plates.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Thursday, February 15, 2024, 8:00 AM, Joint Hearing Room (117).

MoDOT's presentation of annual report.

Pending applications for memorial highway and bridge designations.

Pending applications for specialty license plates.

CANCELLED

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

Wednesday, February 14, 2024, 8:00 AM, House Hearing Room 3.

Budget presentation from the Department of Social Services (HB 2011) - MO HealthNet.

No public testimony will be taken.

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

Thursday, February 15, 2024, 8:00 AM, House Hearing Room 3.

Budget presentations from the Department of Missouri National Guard (HB 2008), Department of Revenue (HB 2004), and the Department of Transportation (HB 2004). No public testimony will be taken.

Time amended to 8:00 AM.

CORRECTED

TRANSPORTATION ACCOUNTABILITY

Thursday, February 15, 2024, 8:00 AM, House Hearing Room 1.

Public hearing will be held: HB 2568, HB 1811, HB 2289

Executive session will be held: HB 2100

Time change.

CORRECTED

UTILITIES

Wednesday, February 14, 2024, 10:00 AM, House Hearing Room 5.

Public hearing will be held: HB 2351, HB 1622

Removed HB 1435 and HB 1804.

Time correction.

AMENDED

WORKFORCE AND INFRASTRUCTURE DEVELOPMENT

Wednesday, February 14, 2024, 12:00 PM or upon adjournment (whichever is later),
House Hearing Room 6.

Public hearing will be held: HB 2034, HB 2278

CANCELLED

HOUSE CALENDAR

TWENTY-FIFTH DAY, WEDNESDAY, FEBRUARY 14, 2024

HOUSE CONCURRENT RESOLUTIONS FOR SECOND READING

HCR 52

HOUSE BILLS FOR SECOND READING

HB 2678 through HB 2694

HOUSE BILLS FOR PERFECTION

HCS HBs 2134 & 1956 - Lewis (6)

HB 2291 - Davidson

HOUSE BILLS FOR PERFECTION - INFORMAL

HB 2381 - Brown (16)
HCS HB 1708 - Schnelting
HB 2380 - Brown (16)
HCS HB 1563 - Kelley (127)

HOUSE BILLS FOR PERFECTION - CONSENT

(02/08/2024)

HB 1495 - Griffith
HB 1909 - Taylor (48)

HOUSE BILLS FOR THIRD READING

HCS HB 1659, (Fiscal Review 2/13/24), E.C. - Roberts

ACTIONS PURSUANT TO ARTICLE IV, SECTION 27

HCS HB 1 - Smith (163)
CCS SS SCS HCS HB 2 - Smith (163)
CCS SCS HCS HB 3 - Smith (163)
CCS SCS HCS HB 4 - Smith (163)
CCS SS SCS HCS HB 5 - Smith (163)
CCS SCS HCS HB 6 - Smith (163)
CCS SCS HCS HB 7 - Smith (163)
CCS SS SCS HCS HB 8 - Smith (163)
CCS SCS HCS HB 9 - Smith (163)
CCS SCS HCS HB 10 - Smith (163)
CCS SCS HCS HB 11 - Smith (163)
CCS SS SCS HCS HB 12 - Smith (163)
CCS SCS HCS HB 13 - Smith (163)
HCS HB 17 - Smith (163)
SCS HCS HB 18 - Smith (163)
SS SCS HCS HB 19 - Smith (163)
SS SCS HCS HB 20 - Smith (163)