

# JOURNAL OF THE HOUSE

Second Regular Session, 102nd General Assembly

FIFTIETH DAY, WEDNESDAY, APRIL 3, 2024

The House met pursuant to adjournment.

Speaker Plocher in the Chair.

Prayer by Representative Mitch Boggs.

Let us pray.

As we gather to do the people's business today, may we recall the awe that we felt the first time we entered this beautiful building. Help us to not be driven by personal pride, but to work hard to pass legislation that makes a better state for all of us. Be with our families back home and help us to realize that our work here is based on relationships, not personalities. Thank You for the opportunity to serve the citizens of the great state of Missouri.

And the House says, "Amen."

The Pledge of Allegiance to the flag was recited.

The Journal of the forty-ninth day was approved as corrected by the following vote:

AYES: 127

Adams	Allen	Anderson	Appelbaum	Atchison
Baker	Banderman	Bangert	Baringer	Billington
Black	Boggs	Bromley	Brown 149	Brown 16
Brown 27	Brown 87	Buchheit-Courtway	Burger	Burnett
Busick	Byrnes	Chappell	Christ	Christofanelli
Clemens	Coleman	Cook	Copeland	Crossley
Davidson	Davis	Deaton	Diehl	Dinkins
Doll	Ealy	Evans	Falkner	Farnan
Fogle	Fountain Henderson	Francis	Gallick	Gragg
Gray	Gregory	Griffith	Haden	Haffner
Haley	Hausman	Hein	Henderson	Hicks
Hinman	Houx	Hovis	Hudson	Hurlbert
Ingle	Johnson 12	Johnson 23	Justus	Kalberloh
Kelley 127	Knight	Lavender	Lewis 25	Lewis 6
Lovasco	Mackey	Mann	Marquart	Matthiesen
Mayhew	McGaugh	McGirl	McMullen	Morse
Mosley	Murphy	Myers	Nickson-Clark	Nurrenbern
O'Donnell	Oehlerking	Owen	Parker	Patterson
Perkins	Peters	Plank	Pollitt	Pouche
Quade	Reedy	Riley	Roberts	Sander
Schulte	Schwadron	Sharpe 4	Shields	Smith 155
Smith 46	Stacy	Steinhoff	Stephens	Stinnett

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Strickler	Taylor 48	Taylor 84	Terry	Thomas
Toalson Reisch	Van Schoiack	Veit	Voss	Waller
Weber	West	Wilson	Woods	Wright
Young	Mr. Speaker			

NOES: 001

Collins

PRESENT: 002

Merideth	Sassmann
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ABSENT WITH LEAVE: 032

Amato	Aune	Barnes	Bland Manlove	Bonacker
Bosley	Burton	Butz	Casteel	Christensen
Cupps	Hardwick	Jones	Keathley	Kelly 141
Lonsdale	Phifer	Proudie	Reuter	Richey
Riggs	Sauls	Schnelting	Seitz	Sharp 37
Smith 163	Sparks	Thompson	Titus	Unsicker
Walsh Moore	Windham			

VACANCIES: 001

## HOUSE RESOLUTIONS

Representative Mackey offered House Resolution No. 5143.

### MOTION

Representative Patterson moved that Rule 123 be suspended.

Which motion was adopted by the following vote:

AYES: 114

Adams	Allen	Atchison	Aune	Baker
Bangert	Baringer	Billington	Black	Boggs
Bromley	Brown 149	Brown 16	Brown 27	Brown 87
Buchheit-Courtway	Burger	Busick	Byrnes	Chappell
Christ	Christofanelli	Clemens	Coleman	Cook
Copeland	Crossley	Davis	Deaton	Diehl
Dinkins	Doll	Ealy	Evans	Falkner
Farnan	Fogle	Fountain Henderson	Francis	Gallick
Gragg	Gray	Gregory	Griffith	Haden
Haffner	Haley	Hardwick	Hein	Henderson
Hicks	Hinman	Houx	Hovis	Hudson
Hurlbert	Ingle	Jones	Kalberloh	Keathley
Kelley 127	Knight	Lewis 25	Lewis 6	Lovasco
Mackey	Mann	Marquart	Mayhew	McGill
McMullen	Merideth	Mosley	Murphy	Myers
Nurrenbern	O'Donnell	Oehlerking	Owen	Parker
Patterson	Perkins	Peters	Plank	Pouche

Quade	Reedy	Riley	Roberts	Sander
Sauls	Schulte	Seitz	Sharp 37	Sharpe 4
Shields	Smith 155	Stacy	Stephens	Stinnett
Taylor 48	Taylor 84	Terry	Thomas	Titus
Toalson Reisch	Van Schoiack	Veit	Voss	West
Wilson	Woods	Wright	Mr. Speaker	

NOES: 001

Burnett

PRESENT: 000

ABSENT WITH LEAVE: 047

Amato	Anderson	Appelbaum	Banderman	Barnes
Bland Manlove	Bonacker	Bosley	Burton	Butz
Casteel	Christensen	Collins	Cupps	Davidson
Hausman	Johnson 12	Johnson 23	Justus	Kelly 141
Lavender	Lonsdale	Matthiesen	McGaugh	Morse
Nickson-Clark	Phifer	Pollitt	Proudie	Reuter
Richey	Riggs	Sassmann	Schnelting	Schwadron
Smith 163	Smith 46	Sparks	Steinhoff	Strickler
Thompson	Unsicker	Waller	Walsh Moore	Weber
Windham	Young			

VACANCIES: 001

### **ESCORT COMMITTEE**

The Speaker appointed the following escort committee to escort Bill S.C. Huang, the Director General of the Taipei Economic and Cultural Office in Denver, Colorado, to the House Chamber: Representatives Davidson, Wilson, McGaugh, Justus, Strickler, Anderson, Banderman, Steinhoff, Schwadron, Waller, Hausman and Weber.

The Sergeant-at-Arms announced the approach of Bill S.C. Huang, the Director General of the Taipei Economic and Cultural Office in Denver, Colorado. The Director General was duly escorted to the House Chamber and the Speaker's dais, where he delivered the following message to the House.

### **ADDRESS BY BILL S.C. HUANG DIRECTOR GENERAL OF THE TAIPEI ECONOMIC AND CULTURAL OFFICE**

Hon. Speaker of the House of Representatives, Hon. Members of the House, ladies and gentlemen, good morning! Thank you for inviting me and my team here today. It is a great honor for me to address the esteemed Legislature of the "Show Me State," and share with you what Taiwan has to show for, namely the mutually beneficial relations between Taiwan and the United States, in particular the great state of Missouri.

The United States and Taiwan both cherish universal values of democracy, liberty, respect for human rights and the rule of law. Taiwan is a young democracy, but a mature one at that. In January 2024, Taiwan successfully completed its eighth direct Presidential election, as well as the 11th Legislative election, once again reaching a milestone in its democracy.

Over the past decades, Taiwan has become a dependable and indispensable part of key global supply chains. Taiwan is 1/5 the size of Missouri but it accounts for more than 90 percent of the most advanced manufacturing, and 60 percent of the global production of microchips. Taiwan is also a leading player in the world's information and communications technology industry, as well as a major supplier of goods across a whole industrial spectrum. With a population of only 23.5 million, it was the world's 21st largest economy in 2023. In the International Institute for Management Development's (IMD's) World Competitiveness Ranking, Taiwan has risen for five straight years, ranking sixth overall in 2023. And in the Heritage Foundation's recent Index of Economic Freedom, Taiwan has ranked fourth in the world for the second year in a row. It is fair to say that across various metrics, Taiwan has been proved to be a resilient and reliable stakeholder of global economy in the post-COVID era.

My Office has long enjoyed strong bonds and connections with Missouri. Founded in Kansas City, Missouri in 1985, it was originally Taiwan's Consulate General equivalent in the Great Plains and Rocky Mountains' eastern foothills. The office relocated to Denver, Colorado in 2015, and was rechristened "Taipei Economic and Cultural Office in Denver." The service area of my office includes Missouri, Colorado, Kansas, Nebraska, South and North Dakotas. In addition to consular and expatriate services, we are charged mainly with the mission to promote bilateral cooperation in trade, investment, culture, education and tourism between Taiwan and the 6 states in the region. Modern history between Taiwan and Missouri goes way back. On June 7, 1950, two days after the out-break of the Korean War, then U.S. President Harry Truman, a native son of Lamar Missouri, ordered the 7th fleet to cruise the Taiwan Strait. For the next 30 years, U.S. security commitment and military presence helped secured peace and stability across the Taiwan Strait. Over the years, missionary visits, student exchanges and international business have brought us closer together. Taiwan has enjoyed a sister-state relationship with Missouri since 1980. Since 1978, Kansas City, Missouri has been a sister city of Tainan City, now a tech-hub for the semiconductor and other high-tech sectors in southern Taiwan. I am also privileged to have witnessed your esteemed Legislature pass the Joint Resolution supporting Taiwan earlier today. Thank you for the staunch support of the people and the government of Taiwan!

Missouri and Taiwan have long enjoyed mutually beneficial trade relations with great potential for further growth. In 2023, Missouri has imported products valued at USD 580 million from Taiwan, mostly intermediary goods such as precision machinery, fabricated metal products, transportation equipment, computer and electronic products to facilitate local manufacturing operations, while Taiwan imported from Missouri chemicals, processed foods, computer and electronic products, etc. By the way, Missouri also sold Taiwan lots of rice, a staple food of the Taiwanese. I also would like to mention that the joint venture between Global Foundries and Taiwan's Global Wafers in O'Fallon, Missouri, marks not only a milestone in the development of Missouri's semiconductor sector, but also showcases what Taiwan and Missouri can do together to stabilize global supply chains and create high-quality jobs for the people.

Year 2024 marks the 45th anniversary of the "Taiwan Relations Act" (TRA). Since 1979, TRA has provided a framework for the economic, cultural, educational and even security relations between our two peoples to thrive in lieu of formal diplomatic relations. Over the past 45 years, the United States has remained Taiwan's second largest trading partner and third largest source of investment, and Taiwan has become the United States' eighth largest trading partner. Bilateral trade has grown from USD 9 billion in year 1979 to USD 160 billion in year 2022.

In the past few years, our trade relations have continued to grow significantly, on average by 20% even during the pandemic. Through the Taiwan-US Economic Prosperity Partnership Dialogue (EPPD) and the Taiwan-US Technology, Trade and Investment Cooperation Framework (TTIC), we have strengthened cooperation in supply chains and green transformation. Last month the "Memorandum of Understanding on International Development Cooperation" was also signed by both sides, enabling us to better coordinate aid and development loan operation and promote good governance and benign development models around the world, and to counteract authoritarian regime's global expansion via malicious development models such as China's "debt-trap" diplomacy.

An eye-catching development is the signing of the first batch of trade agreements under the "Taiwan-US 21st Century Trade Initiative" in June 2023. These agreements cover technical trade issues such as customs administration and trade facilitation, good regulatory practices, service trade, and domestic regulations. The goal of these agreements was to create more transparent regulatory procedures that can facilitate investments and economic opportunities in both markets. The second phase of negotiations is underway. Future agreements will build a more solid foundation for bilateral economic partnership on more sensitive regards, including labor, agriculture, and the environment.

We also look forward to achieving tangible results soon on the talk regarding “Avoidance of Double Taxation Agreement” (ADTA) between Taiwan and the United States. The signing of ADTA will help the U.S attract more investments from Taiwanese companies, and vice versa. Of 10 largest trading partners of the United States, Taiwan is the only county that has yet to conclude an ADTA with you. Your steadfast and continued support of these ongoing dialogues will surely help enhance growth of mutual trade and investment and create a win-win scenario for our next generation.

Taiwan has faced external threats for over 70 years. We wish to conduct healthy and orderly exchanges with China but under no preconditions. We also hope, in the spirit of peace, parity, democracy, and dialogue, to jointly seek a long-term, stable way forward for peaceful coexistence with China.

As conflicts between liberal democracy and authoritarianism re-emerged in many parts of the world, people of Taiwan will continue to defend democracy and protect peace.

Many friends in the U.S. questioned whether a peace-loving and comparatively smaller country like Taiwan can fend off unrelenting aggressions from China. Here I’ll give you a simple answer by quoting a world famous Missourian, Samuel Clemens, better known as Mark Twain: “It’s not the size of the dog in the fight, it’s the size of the fight in the dog (that counts).” Taiwan will never cower nor falter in the face of military intimidation, economic coercion, gray-zone tactics, international isolation and any other forms of bullying.

Like the Saint Louis born poet and civil rights activist Maya Angelou once said:

“You may write me down in history  
With your bitter, twisted lies,  
You may trod me in the very dirt  
But still, like dust, I’ll rise.”

Not only will Taiwan rise, but it will also contribute to global public goods by actively seeking to participate in international organizations such as the World Health Organization, the International Civil Aviation Organization, INTERPOL and other UN-affiliated organizations. To achieve that goal, we need the continued support of the United States and other like-minded countries.

To maintain peace, goodwill is necessary, but strength is crucial. Taiwan has for years assiduously prepared itself for all-out civilian and defense mobilization, enhanced our counter-offensive and asymmetric warfare capabilities such as missile defense, as well as procured indigenous and foreign built defense platforms and systems such as building the first batch of indigenous defense submarines and unmanned aviation systems. It is nicknamed a “porcupine island” for good reasons. Last year, major international companies such as Google, Microsoft, Micron Technology and ASML announced major investment projects in Taiwan, demonstrating their confidence in Taiwan’s future.

Meanwhile, we also have to thank the United States for its security commitment and assistance, and major liberal democracies for their concern and unequivocal support for continued peace, stability and prosperity across the Taiwan Strait. At this “Munich moment,” free and democratic countries have been alerted to the expansion of autocracies, with Taiwan at the forefront defending the rules-based world order. The choice is obvious: either we hang together, or we hang separately.

As I mentioned earlier, on January 13th of this year, voters in Taiwan elected incumbent Vice President Lai Ching-te to be the next President, and former Representative to the United States, Ambassador Bi-Kim Hsiao to be the next Vice President. I am confident that Taiwan will continue to stay on the right course under the new administration. I expect much closer relations between Taiwan and the United States in the future. And I am sure that Taiwan and Missouri will continue to explore new areas of cooperation such as in the semiconductor, ag-tech, green energy, electronic vehicles and global logistics sectors. Let’s work together and thrive together! Thank you!

**THIRD READING OF HOUSE CONCURRENT RESOLUTIONS**

**HCS HCR 36**, relating to veterans week of service, was placed on the Informal Calendar.

**HCR 42**, relating to Taiwan, was taken up by Representative Morse.

On motion of Representative Morse, **HCR 42** was read the third time and passed by the following vote:

AYES: 136

Adams	Allen	Anderson	Atchison	Aune
Baker	Banderman	Bangert	Baringer	Billington
Black	Boggs	Bromley	Brown 149	Brown 16
Brown 27	Brown 87	Buchheit-Courtway	Burger	Burton
Busick	Byrnes	Casteel	Chappell	Christ
Christensen	Christofanelli	Clemens	Coleman	Cook
Crossley	Cupps	Davidson	Davis	Deaton
Diehl	Dinkins	Doll	Ealy	Evans
Falkner	Farnan	Fogle	Fountain Henderson	Francis
Gallick	Gragg	Gray	Gregory	Griffith
Haden	Haffner	Haley	Hardwick	Hausman
Hein	Hicks	Hinman	Hudson	Hurlbert
Ingle	Johnson 12	Jones	Justus	Keathley
Kelley 127	Kelly 141	Knight	Lewis 25	Lewis 6
Lonsdale	Lovasco	Mackey	Mann	Marquart
Mayhew	McGaugh	McGill	McMullen	Merideth
Morse	Mosley	Murphy	Myers	Nickson-Clark
Nurrenbern	O'Donnell	Oehlerking	Owen	Parker
Patterson	Perkins	Peters	Phifer	Pollitt
Pouche	Proudie	Quade	Reedy	Richey
Riggs	Riley	Sander	Sassmann	Sauls
Schnelting	Schulte	Schwadron	Seitz	Sharp 37
Sharpe 4	Shields	Smith 163	Smith 46	Stacy
Steinhoff	Stephens	Stinnett	Strickler	Taylor 48
Taylor 84	Terry	Thomas	Titus	Toalson Reisch
Van Schoiack	Veit	Voss	Walsh Moore	Weber
West	Wilson	Woods	Wright	Young
Mr. Speaker				

NOES: 000

PRESENT: 002

Bland Manlove      Bosley

ABSENT WITH LEAVE: 024

Amato	Appelbaum	Barnes	Bonacker	Burnett
Butz	Collins	Copeland	Henderson	Houx
Hovis	Johnson 23	Kalberloh	Lavender	Matthiesen
Plank	Reuter	Roberts	Smith 155	Sparks
Thompson	Unsicker	Waller	Windham	

VACANCIES: 001

Speaker Plocher declared the bill passed.

**THIRD READING OF HOUSE BILLS - INFORMAL**

**HCS HB 2058**, relating to local taxation, was taken up by Representative Keathley.

On motion of Representative Keathley, **HCS HB 2058** was read the third time and passed by the following vote:

AYES: 086

Allen	Atchison	Baker	Banderman	Billington
Black	Boggs	Bromley	Brown 16	Buchheit-Courtway
Burger	Byrnes	Casteel	Chappell	Christ
Christensen	Christofanelli	Coleman	Cook	Copeland
Cupps	Davidson	Davis	Deaton	Diehl
Dinkins	Evans	Farnan	Gragg	Gregory
Griffith	Haden	Haffner	Haley	Hardwick
Hausman	Hicks	Hinman	Houx	Hovis
Hudson	Hurlbert	Jones	Justus	Kalberloh
Keathley	Kelley 127	Kelly 141	Lewis 6	Lonsdale
Lovasco	Mayhew	McGaugh	McGill	McMullen
Murphy	Myers	O'Donnell	Oehlerking	Owen
Patterson	Perkins	Peters	Pollitt	Richey
Riggs	Riley	Roberts	Sander	Sassmann
Schnelting	Schulte	Schwadron	Seitz	Smith 155
Smith 163	Stacy	Stephens	Stinnett	Taylor 48
Thomas	Titus	Toalson Reisch	Voss	Waller
Mr. Speaker				

NOES: 055

Adams	Anderson	Aune	Bangert	Baringer
Bland Manlove	Bosley	Brown 149	Brown 27	Brown 87
Burton	Busick	Clemens	Collins	Crossley
Doll	Ealy	Falkner	Fogle	Fountain Henderson
Francis	Gallick	Gray	Hein	Ingle
Johnson 23	Knight	Lewis 25	Mackey	Mann
Marquart	Merideth	Mosley	Nickson-Clark	Nurrenbern
Parker	Phifer	Pouche	Quade	Reedy
Sauls	Sharp 37	Shields	Smith 46	Steinhoff
Strickler	Taylor 84	Terry	Van Schoiack	Veit
Walsh Moore	Weber	Wilson	Woods	Young

PRESENT: 000

ABSENT WITH LEAVE: 021

Amato	Appelbaum	Barnes	Bonacker	Burnett
Butz	Henderson	Johnson 12	Lavender	Matthiesen
Morse	Plank	Proudie	Reuter	Sharpe 4
Sparks	Thompson	Unsicker	West	Windham
Wright				

VACANCIES: 001

Speaker Plocher declared the bill passed.

**THIRD READING OF HOUSE JOINT RESOLUTIONS - INFORMAL**

**HCS HJRs 86, 72 & 119**, relating to ballot measures submitted to voters, was taken up by Representative Black.

Representative Parker assumed the Chair.

Representative Patterson moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

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

NOES: 042

Adams	Anderson	Appelbaum	Aune	Bangert
Baringer	Bosley	Brown 27	Brown 87	Burnett
Burton	Clemens	Collins	Crossley	Doll
Ealy	Fogle	Hein	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: 019

Allen	Barnes	Bland Manlove	Butz	Byrnes
Copeland	Deaton	Fountain Henderson	Gray	Griffith
Hicks	Keathley	Merideth	Mosley	Schnelting
Sharp 37	Smith 163	Thompson	Unsicker	

VACANCIES: 001



On motion of Representative Black, **HCS HJR 86, 72 & 119** was read the third time and passed by the following vote:

AYES: 106

Amato	Atchison	Baker	Banderman	Billington
Black	Boggs	Bonacker	Bromley	Brown 149
Brown 16	Buchheit-Courtway	Burger	Busick	Byrnes
Casteel	Chappell	Christ	Christensen	Christofanelli
Coleman	Cook	Copeland	Cupps	Davidson
Davis	Deaton	Diehl	Dinkins	Evans
Falkner	Farnan	Francis	Gallick	Gragg
Gregory	Haden	Haffner	Haley	Hardwick
Hausman	Henderson	Hicks	Hinman	Houx
Hovis	Hudson	Hurlbert	Jones	Justus
Kalberloh	Keathley	Kelley 127	Kelly 141	Knight
Lewis 6	Lonsdale	Lovasco	Marquart	Matthiesen
Mayhew	McGaugh	McGill	McMullen	Morse
Murphy	Myers	O'Donnell	Oehlerking	Owen
Parker	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	Titus	Toalson Reisch	Van Schoiack	Veit
Voss	Waller	West	Wilson	Wright
Mr. Speaker				

NOES: 049

Adams	Anderson	Appelbaum	Aune	Bangert
Baringer	Bland Manlove	Bosley	Brown 27	Brown 87
Burnett	Burton	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	Patterson	Phifer	Plank
Proudie	Quade	Sauls	Sharp 37	Smith 46
Steinhoff	Strickler	Taylor 84	Terry	Walsh Moore
Weber	Windham	Woods	Young	

PRESENT: 000

ABSENT WITH LEAVE: 007

Allen	Barnes	Butz	Griffith	Shields
Thompson	Unsicker			

VACANCIES: 001

Representative Parker declared the bill passed.

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

**AFTERNOON SESSION**

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

Representative Patterson suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 034

Anderson	Aune	Billington	Boggs	Brown 149
Brown 16	Busick	Byrnes	Christ	Cook
Davis	Diehl	Gragg	Haden	Kelley 127
Lonsdale	Lovasco	Mayhew	McGill	McMullen
Morse	Murphy	Owen	Perkins	Peters
Reuter	Roberts	Sander	Seitz	Shields
Sparks	Titus	Veit	Wright	

NOES: 001

Collins

PRESENT: 069

Allen	Amato	Appelbaum	Baker	Baringer
Black	Bromley	Buchheit-Courtway	Burger	Burnett
Chappell	Christensen	Crossley	Deaton	Dinkins
Doll	Ealy	Falkner	Fogle	Griffith
Haley	Hausman	Hein	Henderson	Hicks
Hinman	Houx	Hovis	Hudson	Hurlbert
Johnson 23	Jones	Kalberloh	Keathley	Knight
Lewis 25	Lewis 6	Mann	Matthiesen	McGaugh
Merideth	Myers	O'Donnell	Parker	Patterson
Plank	Pouche	Proudie	Reedy	Riley
Sassmann	Schnelting	Stulte	Schwadron	Sharp 37
Smith 46	Stacy	Steinhoff	Stinnett	Strickler
Taylor 48	Terry	Toalson Reisch	Voss	Waller
Weber	Wilson	Young	Mr. Speaker	

ABSENT WITH LEAVE: 058

Adams	Atchison	Banderman	Bangert	Barnes
Bland Manlove	Bonacker	Bosley	Brown 27	Brown 87
Burton	Butz	Casteel	Christofanelli	Clemens
Coleman	Copeland	Cupps	Davidson	Evans
Farnan	Fountain Henderson	Francis	Gallick	Gray
Gregory	Haffner	Hardwick	Ingle	Johnson 12
Justus	Kelly 141	Lavender	Mackey	Marquart
Mosley	Nickson-Clark	Nurrenbern	Oehlerking	Phifer
Pollitt	Quade	Richey	Riggs	Sauls
Sharpe 4	Smith 155	Smith 163	Stephens	Taylor 84
Thomas	Thompson	Unsicker	Van Schoiack	Walsh Moore
West	Windham	Woods		

VACANCIES: 001

Representative Hudson assumed the Chair.

**THIRD READING OF HOUSE BILLS - CONSENT - INFORMAL**

**HB 2280**, relating to the practice of dentistry, was taken up by Representative Veit.

On motion of Representative Veit, **HB 2280** was read the third time and passed by the following vote:

AYES: 129

Adams	Allen	Amato	Anderson	Appelbaum
Atchison	Aune	Baker	Baringer	Black
Boggs	Bonacker	Bromley	Brown 149	Brown 16
Buchheit-Courtway	Burger	Burnett	Busick	Byrnes
Casteel	Chappell	Christ	Christensen	Christofanelli
Coleman	Collins	Cook	Crossley	Davidson
Davis	Deaton	Diehl	Dinkins	Doll
Ealy	Falkner	Farnan	Fogle	Fountain Henderson
Francis	Gallick	Gragg	Gray	Gregory
Griffith	Haden	Haley	Hardwick	Hausman
Hein	Henderson	Hicks	Hinman	Houx
Hovis	Hudson	Hurlbert	Ingle	Johnson 12
Johnson 23	Jones	Keathley	Kelley 127	Knight
Lavender	Lewis 25	Lewis 6	Lonsdale	Lovasco
Mackey	Mann	Matthiesen	Mayhew	McGaugh
McGill	McMullen	Merideth	Murphy	Myers
Nurrenbern	O'Donnell	Oehlerking	Owen	Perkins
Peters	Phifer	Plank	Pollitt	Pouche
Proudie	Reedy	Reuter	Richey	Riley
Roberts	Sander	Sassmann	Schnelting	Schulte
Schwadron	Seitz	Sharp 37	Sharpe 4	Shields
Smith 155	Smith 46	Sparks	Stacy	Steinhoff
Stephens	Stinnett	Strickler	Taylor 48	Taylor 84
Terry	Thomas	Titus	Toalson Reisch	Van Schoiack
Veit	Voss	Waller	Weber	West
Wilson	Wright	Young	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 033

Banderman	Bangert	Barnes	Billington	Bland Manlove
Bosley	Brown 27	Brown 87	Burton	Butz
Clemens	Copeland	Cupps	Evans	Haffner
Justus	Kalberloh	Kelly 141	Marquart	Morse
Mosley	Nickson-Clark	Parker	Patterson	Quade
Riggs	Sauls	Smith 163	Thompson	Unsicker
Walsh Moore	Windham	Woods		

VACANCIES: 001

Representative Hudson declared the bill passed.

**HCS HBs 1818 & 2345**, relating to negotiation of state contract provisions, was taken up by Representative Voss.

On motion of Representative Voss, **HCS HBs 1818 & 2345** was read the third time and passed by the following vote:

AYES: 137

Adams	Allen	Amato	Anderson	Appelbaum
Atchison	Aune	Baker	Banderman	Bangert
Baringer	Billington	Black	Bland Manlove	Boggs
Bonacker	Bosley	Bromley	Brown 149	Brown 16
Burger	Burnett	Burton	Busick	Bymes
Casteel	Chappell	Christ	Christensen	Christofanelli
Coleman	Collins	Cook	Copeland	Crossley
Cupps	Davidson	Davis	Deaton	Diehl
Dinkins	Doll	Ealy	Fogle	Fountain Henderson
Francis	Gallick	Gragg	Gray	Gregory
Griffith	Haden	Haley	Hardwick	Hausman
Hein	Henderson	Hicks	Hinman	Houx
Hudson	Hurlbert	Ingle	Johnson 12	Johnson 23
Jones	Justus	Kalberloh	Keathley	Kelley 127
Kelly 141	Knight	Lavender	Lewis 25	Lewis 6
Lonsdale	Lovasco	Mackey	Mann	Matthiesen
Mayhew	McGaugh	McGill	McMullen	Merideth
Morse	Murphy	Myers	Nurrenbern	O'Donnell
Oehlerking	Owen	Parker	Patterson	Perkins
Peters	Phifer	Plank	Pollitt	Proudie
Reedy	Reuter	Richey	Roberts	Sander
Sassmann	Sauls	Schnelting	Schulte	Schwadron
Seitz	Sharp 37	Sharpe 4	Shields	Smith 155
Smith 46	Sparks	Stacy	Steinhoff	Stinnett
Strickler	Taylor 48	Taylor 84	Terry	Thomas
Titus	Toalson Reisch	Van Schoiack	Veit	Voss
Waller	Weber	West	Wilson	Wright
Young	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 025

Barnes	Brown 27	Brown 87	Buchheit-Courtway	Butz
Clemens	Evans	Falkner	Farnan	Haffner
Hovis	Marquart	Mosley	Nickson-Clark	Pouche
Quade	Riggs	Riley	Smith 163	Stephens
Thompson	Unsicker	Walsh Moore	Windham	Woods

VACANCIES: 001

Representative Hudson declared the bill passed.

## PERFECTION OF HOUSE BILLS

**HCS HB 1837, HCS HB 1957, with House Amendment No. 1, pending, HB 1976, HB 2440, HCS HBs 2619, 2365, 2448 & 2569, HB 2063, HCS HB 1630, with House Amendment No. 1, pending, HCS HB 2310, HB 2291, HB 2075, HCS HBs 1477 & 1437, HCS HB 1480, HCS HB 1725, HCS HB 2153, HCS HBs 2183 & 2529, HB 2240, HCS HB 2541, HCS HB 2612, HB 2083, HB 2331, HB 2381, HCS HB 1708, HB 2380, HCS HB 1563, HCS HB 1775, HCS HB 2079, HCS HB 2412, HCS HBs 2523, 2367 & 2470, HCS HB 1427, HCS HBs 1804 & 1435, HCS HB 2413, HCS HB 1447, HB 1451, HCS HB 1946, HCS HB 2064, HCS HB 2453, HCS HB 2688, HB 2780, HB 2657, HCS HB 2756, HCS HBs 2464 & 2460, HCS HB 1534, HCS HBs 1520, 1519, 2355 & 2357, HCS HB 2319, HCS HB 1564, HCS HB 2267 and HCS#2 HB 1886** were placed on the Informal Calendar.

## PERFECTION OF HOUSE BILLS - INFORMAL

**HCS HB 2153**, relating to water exportation across state boundaries, was taken up by Representative Burger.

On motion of Representative Burger, the title of **HCS HB 2153** was agreed to.

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

### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 2153, Page 2, Section 640.406, Line 21, by inserting after the word "**Survey**" the following:

**"and within twenty miles of the border of the state of Missouri";** and

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

**HCS HB 2153, with House Amendment No. 1, pending**, was laid over.

**HCS HB 2310**, relating to higher education core curricula, was taken up by Representative Parker.

On motion of Representative Parker, the title of **HCS HB 2310** was agreed to.

On motion of Representative Parker, **HCS HB 2310** was adopted.

On motion of Representative Parker, **HCS HB 2310** was ordered perfected and printed.

**HCS HB 2688**, relating to human trafficking, was taken up by Representative Myers.

On motion of Representative Myers, the title of **HCS HB 2688** was agreed to.

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

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 2688, Page 1, Section A, Line 4, by inserting after all of said section and line the following:

**"376.1593. 1. The provisions of this section shall be known and may be cited as the "End Organ Harvesting Act of 2024".**

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

**(1) "Health benefit plan", the same meaning given to the term in section 376.1350. The term "health benefit plan" shall also include MO HealthNet and the state children's health insurance program authorized under chapter 208;**

**(2) "Health carrier", the same meaning given to the term in section 376.1350. The term "health carrier" shall also include the MO HealthNet division and any Medicaid managed care organization as defined in section 208.431.**

**3. A health carrier or health benefit plan shall not cover a human organ transplant or post-transplant care if:**

**(1) The transplant operation is performed in the People's Republic of China; or**

**(2) The human organ to be transplanted was procured by sale or donation originating in the People's Republic of China."; and**

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

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

*House Amendment No. 1*

*to*

*House Amendment No. 1*

AMEND House Amendment No. 1 to House Committee Substitute for House Bill No. 2688, Page 1, Lines 13-14, by deleting the words "**or post-transplant care**"; and

Further amend said amendment and page, Line 16, by deleting the words "**or donation**"; and

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

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

Representative Patterson moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Allen	Amato	Atchison	Baker	Banderman
Billington	Black	Boggs	Bonacker	Bromley
Brown 149	Brown 16	Buchheit-Courtway	Burger	Byrnes
Casteel	Chappell	Christ	Christensen	Christofanelli
Cook	Copeland	Cupps	Davidson	Davis
Deaton	Diehl	Dinkins	Farnan	Francis
Gallick	Gragg	Griffith	Haley	Hardwick
Hausman	Henderson	Hicks	Hinman	Houx

Hovis	Hudson	Hurlbert	Jones	Justus
Kalberloh	Keathley	Kelley 127	Knight	Lewis 6
Lonsdale	Lovasco	Marquart	Matthiesen	Mayhew
McGaugh	McGill	McMullen	Morse	Murphy
Myers	O'Donnell	Oehlerking	Owen	Parker
Patterson	Perkins	Peters	Pollitt	Pouche
Proudie	Reedy	Reuter	Riggs	Riley
Roberts	Sander	Sassmann	Schnelting	Schulte
Schwadron	Seitz	Sharpe 4	Shields	Smith 155
Smith 163	Stacy	Stephens	Stinnett	Taylor 48
Thomas	Titus	Toalson Reisch	Van Schoiack	Veit
Voss	Waller	Wright		

NOES: 044

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

PRESENT: 000

ABSENT WITH LEAVE: 020

Barnes	Bland Manlove	Busick	Butz	Clemens
Coleman	Evans	Falkner	Gregory	Haden
Haffner	Kelly 141	Nickson-Clark	Richey	Sparks
Thompson	Unsicker	West	Wilson	Mr. Speaker

VACANCIES: 001

On motion of Representative Jones, **House Amendment No. 1, as amended**, was adopted by the following vote, the ayes and noes having been demanded pursuant to Article III, Section 26 of the Constitution:

AYES: 104

Allen	Amato	Anderson	Atchison	Baker
Billington	Black	Boggs	Bonacker	Bromley
Brown 149	Brown 16	Buchheit-Courtway	Burger	Busick
Byrnes	Casteel	Chappell	Christ	Christensen
Christofanelli	Collins	Cook	Cupps	Davidson
Davis	Deaton	Diehl	Dinkins	Ealy
Farnan	Francis	Gallick	Gragg	Griffith
Haden	Haley	Hardwick	Hausman	Henderson
Hicks	Hinman	Houx	Hovis	Hudson
Hurlbert	Jones	Justus	Kalberloh	Keathley
Kelley 127	Lewis 6	Lonsdale	Lovasco	Marquart
Matthiesen	Mayhew	McGaugh	McGill	McMullen
Morse	Murphy	Myers	O'Donnell	Oehlerking
Owen	Parker	Patterson	Perkins	Peters

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Pollitt	Pouche	Reedy	Reuter	Richey
Riggs	Riley	Roberts	Sander	Sassmann
Sauls	Schnelting	Schulte	Schwadron	Seitz
Sharpe 4	Shields	Smith 155	Smith 163	Smith 46
Stacy	Steinhoff	Stephens	Stinnett	Taylor 48
Taylor 84	Thomas	Titus	Toalson Reisch	Van Schoiack
Veit	Voss	Waller	Wright	

NOES: 019

Appelbaum	Aune	Bosley	Brown 27	Clemens
Fogle	Ingle	Johnson 12	Lavender	Lewis 25
Mackey	Nickson-Clark	Nurrenbern	Phifer	Terry
Weber	Windham	Woods	Young	

PRESENT: 024

Adams	Banderman	Bangert	Baringer	Bland Manlove
Brown 87	Burnett	Burton	Copeland	Crossley
Doll	Fountain Henderson	Gray	Hein	Johnson 23
Mann	Merideth	Mosley	Plank	Proudie
Quade	Sharp 37	Strickler	Walsh Moore	

ABSENT WITH LEAVE: 015

Barnes	Butz	Coleman	Evans	Falkner
Gregory	Haffner	Kelly 141	Knight	Sparks
Thompson	Unsicker	West	Wilson	Mr. Speaker

VACANCIES: 001

Representative Patterson moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

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



NOES: 046

Adams	Anderson	Appelbaum	Aune	Bangert
Baringer	Bosley	Brown 27	Brown 87	Burnett
Burton	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	Quade	Sauls
Sharp 37	Smith 46	Steinhoff	Strickler	Taylor 84
Terry	Walsh Moore	Weber	Windham	Woods
Young				

PRESENT: 001

Bland Manlove

ABSENT WITH LEAVE: 015

Barnes	Butz	Coleman	Davidson	Deaton
Evans	Falkner	Kelly 141	Sharpe 4	Sparks
Thompson	Unsicker	West	Wilson	Mr. Speaker

VACANCIES: 001

On motion of Representative Myers, **HCS HB 2688, as amended**, was adopted.

On motion of Representative Myers, **HCS HB 2688, as amended**, was ordered perfected and printed.

**HB 2440**, relating to the disposition of certain reinsurance contracts, was taken up by Representative Christofanelli.

Representative Christofanelli moved that the title of **HB 2440** be agreed to.

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

*House Amendment No. 1*

AMEND House Bill No. 2440, Page 1, In the Title, Lines 2-3, by deleting the phrase "disposition of certain reinsurance contracts" and inserting in lieu thereof the phrase "regulation of insurance"; and

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

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

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

*House Amendment No. 2*

AMEND House Bill No. 2440, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

"374.190. 1. The director shall examine and inquire into all violations of the insurance laws of the state, and inquire into and investigate the business of insurance transacted in this state by any insurance agent, broker, agency or insurance company.

2. He or any of his duly appointed agents may compel the attendance before him, and may examine, under oath, the directors, officers, agents, employees, solicitors, attorneys or any other person, in reference to the condition, affairs, management of the business, or any matters relating thereto. He may administer oaths or affirmations, and shall have power to summon and compel the attendance of witnesses, and to require and compel the production of records, books, papers, contracts or other documents, if necessary.

3. The director may make and conduct the investigation in person, or he may appoint one or more persons to make and conduct the same for him. If made by another than the director in person, the person duly appointed by the director shall have the same powers as above granted to the director. A certificate of appointment, under the official seal of the director, shall be sufficient authority and evidence thereof for the person or persons to act. For the purpose of making the investigations, or having the same made, the director may employ the necessary clerical, actuarial and other assistance.

**4. Notwithstanding any provision of law to the contrary, the confidentiality provisions of section 374.205, including subdivision (5) of subsection 3 of section 374.205, and subsection 4 of section 374.205, shall apply to all reports, working papers, recorded information, documents, and copies thereof, produced by, obtained by, or disclosed to the director or any other person in the course of any market conduct investigation or market conduct action.**

**374.192. 1. Notwithstanding any provision of law to the contrary, a regulated entity shall have not less than thirty calendar days to submit any record or material requested by the department. This subsection shall not apply to requests for records or materials by the division of consumer affairs.**

**2. Notwithstanding any provision of law to the contrary, any record or document, regardless of physical form or characteristic, maintained beyond the record retention period specified in section 374.205 shall not be subject to request or review by the director unless the director has substantial and competent evidence that the regulated entity has willfully engaged in an act or omission constituting a level four or five violation of the laws of this state relating to insurance, including this chapter, chapter 354, and chapters 375 to 385, or has been convicted of any felony related to the business of insurance, in which case the director may request or review records or documents maintained beyond the record retention period specified in section 374.205 that directly relate to the violation or conviction."; and**

Further amend said bill, Page 6, Section 375.1183, Line 184, by inserting after all of said section and line the following:

"379.1640. 1. As used in this section, the following terms shall mean:

- (1) "Department", the department of commerce and insurance;
- (2) "Director", the director of the department of commerce and insurance;
- (3) "Limited lines self-service storage insurance producer", an owner, operator, lessor, or sublessor of a self-service storage facility, or an agent or other person authorized to manage the facility, duly licensed by the department of commerce and insurance;
- (4) "Offer and disseminate", provide general information, including a description of the coverage and price, as well as process the application, collect premiums, and perform other nonlicensable activities permitted by the state;
- (5) "Self-service storage insurance", insurance coverage for the loss of, or damage to, tangible personal property in a self-service storage facility as defined in section 415.405 or in transit during the rental period.

2. Notwithstanding any other provision of law:

(1) Individuals may offer and disseminate self-service storage insurance on behalf of and under the control of a limited lines self-service storage insurance producer only if the following conditions are met:

- (a) The limited lines self-service storage insurance producer provides to purchasers of self-service storage insurance:
  - a. A description of the material terms or the actual material terms of the insurance coverage;
  - b. A description of the process for filing a claim;
  - c. A description of the review or cancellation process for the self-service storage insurance coverage; and
  - d. The identity and contact information of the insurer and any third-party administrator or supervising entity authorized to act on behalf of the insurer;

(b) At the time of licensure, the limited lines self-service storage insurance producer shall establish and maintain a register on a form prescribed by the director of each individual that offers self-service storage insurance on the limited lines self-service storage insurance producer's behalf. The register shall be maintained and updated annually by the limited lines self-service storage insurance producer and shall include the name, address, and contact information of the limited lines self-service storage insurance producer and an officer or person who directs or controls the limited lines self-service storage insurance producer's operations, and the self-service storage facility's federal tax identification number. The limited lines self-service storage insurance producer shall submit such register within thirty days upon request by the department. The limited lines self-service storage insurance producer shall also certify that each individual listed on the self-service storage register complies with 18 U.S.C. Section 1033;

(c) The limited lines self-service storage insurance producer serves as or has designated one of its employees who is a licensed individual producer as a person responsible for the business entity's compliance with the self-service storage insurance laws, rules, and regulations of this state;

(d) An individual applying for a limited lines self-service storage insurance producer license shall make application to the director on the specified application and declare under penalty of refusal, suspension or revocation of the license that the statements made on the application are true, correct and complete to the best of the knowledge and belief of the applicant. Before approving the application, the director shall find that the individual:

- a. Is at least eighteen years of age;
- b. Has not committed any act that is a ground for denial, suspension, or revocation set forth in section 375.141;
- c. Has paid a license fee in the sum of one hundred dollars; and
- d. Has completed a qualified training program regarding self-service storage insurance policies, which has been filed with and approved by the director;

(e) Individuals applying for limited lines self-service storage insurance producer licenses shall be exempt from examination. The director may require any documents reasonably necessary to verify the information contained in an application. Within thirty working days after the change of any information submitted on the application, the self-service storage insurance producer shall notify the director of the change. No fee shall be charged for any such change. If the director has taken no action within twenty-five working days of receipt of an application, the application shall be deemed approved and the applicant may act as a licensed self-service storage insurance producer, unless the applicant has indicated a conviction for a felony or a crime involving moral turpitude;

(f) The limited lines self-service storage insurance producer requires each employee and authorized representative of the self-service storage insurance producer whose duties include offering and disseminating self-service storage insurance to receive a program of instruction or training provided or authorized by the insurer or supervising entity that has been reviewed and approved by the director. The training material shall, at a minimum, contain instructions on the types of insurance offered, ethical sales practices, and required disclosures to prospective customers;

(2) Any individual offering or disseminating self-service storage insurance shall provide to prospective purchasers brochures or other written materials that:

- (a) Provide the identity and contact information of the insurer and any third-party administrator or supervising entity authorized to act on behalf of the insurer;
- (b) Explain that the purchase of self-service storage insurance is not required in order to lease self-storage units;

(c) Explain that an unlicensed self-service storage operator is permitted to provide general information about the insurance offered by the self-service storage operator, including a description of the coverage and price, but is not qualified or authorized to answer technical questions about the terms and conditions of the insurance offered by the self-service storage operator or to evaluate the adequacy of the customer's existing insurance coverage; and

(d) Disclose that self-service storage insurance may provide duplication of coverage already provided by an occupant's, homeowner's, renter's, or other source of coverage;

(3) A limited lines self-service storage producer's employee or authorized representative, who is not licensed as an insurance producer, may not:

- (a) Evaluate or interpret the technical terms, benefits, and conditions of the offered self-service storage insurance coverage;
- (b) Evaluate or provide advice concerning a prospective purchaser's existing insurance coverage; or
- (c) Hold themselves or itself out as a licensed insurer, licensed producer, or insurance expert;

(4) If self-service storage insurance is offered to the customer, premium or other charges specifically applicable to self-service storage insurance shall be listed as a separate amount and apart from other charges relating to the lease and/or procurement of a self-service storage unit on all documentation pertinent to the transaction.

3. Notwithstanding any other provision of law, a limited lines self-service storage insurance provider whose insurance-related activities, and those of its employees and authorized representatives, are limited to offering and disseminating self-service storage insurance on behalf of and under the direction of a limited lines self-service storage insurance producer meeting the conditions stated in this section is authorized to do so and receive related compensation, upon registration by the limited lines self-service storage insurance producer as described in paragraph (b) of subdivision (1) of subsection 2 of this section.

4. Self-service storage insurance may be provided under an individual policy or under a group or master policy.

5. Limited lines self-service storage insurance producers, operators, employees and authorized representatives offering and disseminating self-service storage insurance under the limited lines self-service storage insurance producer license shall be subject to the provisions of chapters 374 and 375, except as provided for in this section.

6. Limited lines self-service storage insurance producers, operators, employees and authorized representatives may offer and disseminate self-service storage insurance policies in an amount not to exceed ~~five~~ **fifteen** thousand dollars of coverage per customer per storage unit.

7. The director may promulgate rules to effectuate 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, 2016, shall be invalid and void.

**380.621. 1. This section shall be known and may be cited as the "Protecting Missouri's Mutual Insurance Companies Act".**

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

**(1) "Adequate reinsurance", commercially available reinsurance, as deemed appropriate by the board of directors of the company;**

**(2) "Unlimited aggregate reinsurance", aggregate reinsurance coverage where the losses covered by the reinsurer are not limited including, but not limited to, the annual aggregate reinsurance amount set forth in subdivision (1) of section 20 CSR 200-12.030.**

**3. Notwithstanding any law to the contrary, the authority expressly granted in this section shall be the sole authority granted to the department over any Missouri mutual insurance company operating under the provisions of this chapter, provided however that any provisions regarding premium taxation set forth in chapter 148 that are applicable to Missouri mutual insurance companies shall remain applicable to Missouri mutual insurance companies and further provided however that chapter 382, as amended, shall remain applicable to any Missouri mutual insurance company which is a member of, or is seeking to become a member of, an "insurance holding company system," as that term is defined in section 382.010, as amended, provided however that any examination authorized by chapter 382 shall comply with subsection 6 below where a Missouri mutual insurance company owns, in whole or part, an affiliate subject to examination. The department shall not require any company operating under the provisions of this chapter to waive any rights, benefits, or requirements in this chapter, nor shall it confer favorable treatment in exchange for, nor condition the granting of any exception upon, any company conceding additional regulatory oversight by the department. If the department and any company operating under the provisions of this chapter have entered into any agreement in which the department has received concessions including, but not limited to, additional regulatory oversight beyond the authority expressly granted in this chapter, such agreement as it relates to the department's authority is void upon the enactment of this section, but such agreement shall remain in full force and effect for the stated duration of the agreement as it relates to the grant of any benefits, allowances, or exemptions granted to the company by the agreement.**

**4. Notwithstanding any law to the contrary, nothing in this chapter nor any regulation promulgated by the department including, but not limited to, any regulation promulgated under sections 374.045, 380.021, 380.271, and 380.561, shall require or be construed to require any company operating under the provisions of this chapter to acquire or carry reinsurance greater than adequate reinsurance including, but not limited to, unlimited aggregate reinsurance. Nothing in this section shall be construed to limit the option of an offer of unlimited aggregate reinsurance.**

5. Notwithstanding any law to the contrary including, but not limited to, the provisions of section 380.321, the director shall not have the authority to hold a hearing regarding a proposed merger of companies operating under the provisions of this chapter unless the director has substantial and competent evidence to believe the proposed merger will prejudice the interests of the policyholders of the companies. The director shall have fifteen business days to review the petition for merger and, upon substantial and competent evidence to believe the proposed merger will prejudice the interests of the policyholders of the companies, send a written notice of a hearing regarding the proposed merger. The written notice of hearing shall itemize the reasons why the director believes the proposed merger will prejudice the policyholders of the companies and it shall include a hearing date regarding the proposed merger no earlier than thirty days and no later than sixty days after the notice of hearing is received by the companies involved in the proposed merger.

6. (1) Notwithstanding the provisions of section 380.491, the department shall not charge a rate exceeding a reasonable fee. A reasonable fee is determined by the average market rate typically charged by third-party vendors for such services. All working papers, recorded information, documents, and copies thereof produced by, obtained by, or disclosed to the department or any other person in the course of an examination made under this chapter shall be given confidential treatment and are not subject to subpoena and shall not be made public by the department or to any other person, except as follows:

(a) Upon adoption, the director may open the final examination report for public inspection;

(b) The director may disclose the content of an examination report, preliminary examination report or results, or any matter relating thereto, to the insurance department of this or any other state or country, or to law enforcement officials of this or any other state or agency of the federal government at any time, so long as such agency or office receiving the report or matters relating thereto agrees in writing to hold it confidential and in a manner consistent with this section; and

(c) In the event the director determines that legal or regulatory action is appropriate as a result of any examination, he or she may initiate any proceedings or actions as provided by law.

(2) At any time after notification of the commencement of an examination and through its completion, a company may request a scheduling conference with the department to discuss the following:

(a) The purpose and scope of the examination;

(b) The estimated costs of the examination;

(c) The types of information that the company will be asked to produce;

(d) The most efficient means of conducting the examination; and

(e) Any alternative approaches in conducting the examination that would be more convenient, less burdensome, or less expensive for the company while still providing for an effective examination by the department.

(3) (a) No more than thirty days after the scheduling conference, the department shall provide the company with a detailed written budget estimate for the examination that, for each forthcoming phase of the examination, accomplishes the following:

a. Identifies the individuals or firms performing the examination and their daily or hourly rates;

b. Estimates of travel, lodging, meal, and other administrative or supply costs;

c. Estimates the length of time to conduct on-site and off-site examination activities.

(b) Within fifteen days of receipt of a budget estimate under paragraph (a) of this subdivision, the company and the department shall have an additional discussion regarding the most efficient means of conducting the examination and producing information. If necessary, revisions of the budget estimate shall be made.

(c) The time periods under paragraphs (a) and (b) of this subdivision may be extended if the company and the department mutually agree to the extension.

(d) At any time during the examination, the department shall hold another scheduling conference with the company in accordance with the provisions of this subsection and provide a revised budget estimate as set forth in paragraph (a) of this subdivision if:

a. The department determines that the cost of the examination will exceed the stated estimated budget by more than ten percent; or

b. There is a material change in staffing.

380.631. 1. This section applies to any company operating under the provisions of this chapter.

2. A company operating under the provisions of chapter 380 is "insolvent" if it is unable to pay its obligations when they are due, or if its admitted assets do not exceed its liabilities plus the reserve fund or adequate guaranty fund required by section 380.021 or 380.271, as applicable.

**3. Notwithstanding any provision of law to the contrary, including but not limited to the specific exception in subdivision (1) of subsection 2 of section 375.1150, as amended, the proceedings authorized by sections 375.1150 to 375.1246 may be applied to all companies operating under the provisions of chapter 380, except that such companies shall not be subject to sections 375.1160 to 375.1164. Sections 375.570 to 375.750, as amended, shall apply to such proceedings.";** and

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

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

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

*House Amendment No. 3*

AMEND House Bill No. 2440, Page 1, Section A, Line 2, by inserting after said section and line the following:

"303.425. 1. (1) There is hereby created within the department of revenue the motor vehicle financial responsibility enforcement and compliance incentive program. The department of revenue may enter into contractual agreements with third-party vendors to facilitate the necessary technology and equipment, maintenance thereof, and associated program management services.

(2) The department of revenue or a third-party vendor shall utilize technology to compare vehicle registration information with the financial responsibility information accessible through the system. The department of revenue shall utilize this information to identify motorists who are in violation of the motor vehicle financial responsibility law. The department of revenue may offer offenders under this program the option of pretrial diversion as an alternative to statutory fines or reinstatement fees prescribed under the motor vehicle financial responsibility law as a method of encouraging compliance and discouraging recidivism.

(3) The department of revenue or third-party vendors shall not use any data collected from or technology associated with any automated motor vehicle financial responsibility enforcement system. For purposes of this subdivision, "motor vehicle financial responsibility enforcement system" means a device consisting of a camera or cameras and vehicle sensor or sensors installed to record motor vehicle financial responsibility violations.

(4) All fees paid to or collected by third-party vendors under sections 303.420 to 303.440 may come from violator diversion fees generated by the pretrial diversion option established under this section.

2. The department of revenue may authorize law enforcement agencies or third-party vendors to use technology to collect data for the investigation, detection, analysis, and enforcement of the motor vehicle financial responsibility law.

3. The department of revenue may authorize traffic enforcement officers or third-party vendors to administer the processing and issuance of notices of violation, the collection of fees for a violation of the motor vehicle financial responsibility law, or the referral of cases for prosecution, under the program.

4. Access to the system shall be restricted to qualified agencies and the third-party vendors with which the department of revenue contracts for purposes of the program, provided that any third-party vendor with which a contract is executed to provide necessary technology, equipment, or maintenance for the program shall be authorized as necessary to collaborate for required updates and maintenance of system software.

5. For purposes of the program, any data collected and matched to a corresponding vehicle insurance record as verified through the system, and any Missouri vehicle registration database, may be used to identify violations of the motor vehicle financial responsibility law. Such corresponding data shall constitute evidence of the violations.

6. Except as otherwise provided in this section, the department of revenue shall suspend, in accordance with section 303.041, the registration of any motor vehicle that is determined under the program to be in violation of the motor vehicle financial responsibility law.

7. The department of revenue shall send to an owner whose vehicle is identified under the program as being in violation of the motor vehicle financial responsibility law a notice that the vehicle's registration may be suspended unless the owner, within thirty days, provides proof of financial responsibility for the vehicle or proof, in a form specified by the department of revenue, that the owner has a pending criminal charge for a violation of the motor vehicle financial responsibility law. The notice shall include information on steps an individual may take to obtain proof of financial responsibility and a web address to a page on the department of revenue's website where information

on obtaining proof of financial responsibility shall be provided. If proof of financial responsibility or a pending criminal charge is not provided within the time allotted, the department of revenue shall provide a notice of suspension and suspend the vehicle's registration in accordance with section 303.041, or shall send a notice of vehicle registration suspension, clearly specifying the reason and statutory grounds for the suspension and the effective date of the suspension, the right of the vehicle owner to request a hearing, the procedure for requesting a hearing, and the date by which that request for a hearing must be made, as well as informing the owner that the matter will be referred for prosecution if a satisfactory response is not received in the time allotted, informing the owner that the minimum penalty for the violation is three hundred dollars [~~and four license points~~], and offering the owner participation in a pretrial diversion option to preclude referral for prosecution and registration suspension under sections 303.420 to 303.440. The notice of vehicle registration suspension shall give a period of thirty-three days from mailing for the vehicle owner to respond, and shall be deemed received three days after mailing. If no request for a hearing or agreement to participate in the diversion option is received by the department of revenue prior to the date provided on the notice of vehicle registration suspension, the director shall suspend the vehicle's registration, effective immediately, and refer the case to the appropriate prosecuting attorney. If an agreement by the vehicle owner to participate in the diversion option is received by the department of revenue prior to the effective date provided on the notice of vehicle registration suspension, then upon payment of a diversion participation fee not to exceed two hundred dollars, agreement to secure proof of financial responsibility within the time provided on the notice of suspension, and agreement that such financial responsibility shall be maintained for a minimum of two years, no points shall be assessed to the vehicle owner's driver's license under section 302.302 and the department of revenue shall not take further action against the vehicle owner under sections 303.420 to 303.440, subject to compliance with the terms of the pretrial diversion option. The department of revenue shall suspend the vehicle registration of, and shall refer the case to the appropriate prosecuting attorney for prosecution of, participating vehicle owners who violate the terms of the pretrial diversion option. If a request for hearing is received by the department of revenue prior to the effective date provided on the notice of vehicle registration suspension, then for all purposes other than eligibility for participation in the diversion option, the effective date of the suspension shall be stayed until a final order is issued following the hearing. The department of revenue shall suspend the registration of vehicles determined under the final order to have violated the motor vehicle financial responsibility law, and shall refer the case to the appropriate prosecuting attorney for prosecution. Notices under this subsection shall be mailed to the vehicle owner at the last known address shown on the department of revenue's records. The department of revenue or its third-party vendor shall issue receipts for the collection of diversion participation fees. Except as otherwise provided in subsection 1 of this section, all such fees shall be deposited into the motor vehicle financial responsibility verification and enforcement fund established in section 303.422. A vehicle owner whose registration has been suspended under sections 303.420 to 303.440 may obtain reinstatement of the registration upon providing proof of financial responsibility and payment to the department of revenue of a nonrefundable reinstatement fee equal to the fee that would be applicable under subsection 2 of section 303.042 if the registration had been suspended under section 303.041.

8. Data collected or retained under the program shall not be used by any entity for purposes other than enforcement of the motor vehicle financial responsibility law. Data collected and stored by law enforcement under the program shall be considered evidence if noncompliance with the motor vehicle financial responsibility law is confirmed. The evidence, and an affidavit stating that the evidence and system have identified a particular vehicle as being in violation of the motor vehicle financial responsibility law, shall constitute probable cause for prosecution and shall be forwarded in accordance with subsection 7 of this section to the appropriate prosecuting attorney.

9. Owners of vehicles identified under the program as being in violation of the motor vehicle financial responsibility law shall be provided with options for disputing such claims which do not require appearance at any state or local court of law, or administrative facility. Any person who presents timely proof that he or she was in compliance with the motor vehicle financial responsibility law at the time of the alleged violation shall be entitled to dismissal of the charge with no assessment of fees or fines. Proof provided by a vehicle owner to the department of revenue that the vehicle was in compliance at the time of the suspected violation of the motor vehicle financial responsibility law shall be recorded in the system established by the department of revenue under section 303.430.

10. The collection of data pursuant to this section shall be done in a manner that prohibits any bias towards a specific community, race, gender, or socioeconomic status of vehicle owner.

11. Law enforcement agencies, third-party vendors, or other entities authorized to operate under the program shall not sell data collected or retained under the program for any purpose or share it for any purpose not expressly authorized in this section. All data shall be secured and any third-party vendor or other entity authorized to operate under the program may be liable for any data security breach.

12. The department of revenue shall not take action under sections 303.420 to 303.440 against vehicles registered as fleet vehicles under section 301.032, or against vehicles known to the department of revenue to be insured under a policy of commercial auto coverage, as such term is defined in subdivision (10) of subsection 2 of section 303.430.

13. Following one year after the implementation of the program, and every year thereafter **for a period of five years**, the department of revenue shall provide a report to the president pro tempore of the senate, the speaker of the house of representatives, the chairs of the house and senate committees with jurisdictions over insurance or transportation matters, and the chairs of the house budget and senate appropriations committees. The report shall include an evaluation of program operations, information as to the costs of the program incurred by the department of revenue, insurers, and the public, information as to the effectiveness of the program in reducing the number of uninsured motor vehicles, and anonymized demographic information including the race and zip code of vehicle owners identified under the program as being in violation of the motor vehicle financial responsibility law, and may include any additional information and recommendations for improvement of the program deemed appropriate by the department of revenue. The department of revenue may, by rule, require the state, counties, and municipalities to provide information in order to complete the report.

14. The department of revenue may promulgate rules as necessary for the implementation of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2023, shall be invalid and void.

303.430. 1. The department of revenue shall establish and maintain a web-based system for the verification of motor vehicle financial responsibility, shall provide access to insurance reporting data and vehicle registration and financial responsibility data, and shall require motor vehicle insurers to establish functionality for the verification system, as provided in sections 303.420 to 303.440. The verification system, including any exceptions as provided for in sections 303.420 to 303.440 or in the implementation guide developed to support the program, shall supersede any existing verification system, and shall be the sole system used for the purpose of verifying financial responsibility required under this chapter.

2. The system established pursuant to subsection 1 of this section shall be subject to the following:

(1) The verification system shall transmit requests to insurers for verification of motor vehicle insurance coverage via web services established by the insurers through the internet in compliance with the specifications and standards of the Insurance Industry Committee on Motor Vehicle Administration, or "IICMVA". Insurance company systems shall respond to each request with a prescribed response upon evaluation of the data provided in the request. The system shall include appropriate protections to secure its data against unauthorized access, and the department of revenue shall maintain a historical record of the system data for a period of no more than twelve months from the date of all requests and responses. The system shall be used for verification of the financial responsibility required under this chapter. The system shall be accessible to authorized personnel of the department of revenue, the courts, law enforcement personnel, and other entities authorized by the state as permitted by state or federal privacy laws, and it shall be interfaced, wherever appropriate, with existing state systems. The system shall include information enabling the department of revenue to submit inquiries to insurers regarding motor vehicle insurance which are consistent with insurance industry and IICMVA recommendations, specifications, and standards by using the following data elements for greater matching accuracy: insurer National Association of Insurance Commissioners, or "NAIC", company code; vehicle identification number; policy number; verification date; or as otherwise described in the specifications and standards of the IICMVA. The department of revenue shall promulgate rules to offer insurers who insure one thousand or fewer vehicles within this state an alternative method for verifying motor vehicle insurance coverage in lieu of web services, and to provide for the verification of financial responsibility when financial responsibility is proven to the department to be maintained by means other than a policy of motor vehicle insurance. Insurers shall not be required to verify insurance coverage for vehicles registered in other jurisdictions;

(2) The verification system shall respond to each request within a time period established by the department of revenue. An insurer's system shall respond within the time period prescribed by the IICMVA's specifications and standards. Insurer systems shall be permitted reasonable system downtime for maintenance and other work with advance notice to the department of revenue. Insurers shall not be subject to enforcement fees or other sanctions under such circumstances, or when systems are not available because of emergency, outside attack, or other unexpected outages not planned by the insurer and reasonably outside its control;



(3) The system shall assist in identifying violations of the motor vehicle financial responsibility law in the most effective way possible. Responses to individual insurance verification requests shall have no bearing on whether insurance coverage is determined to be in force at the time of a claim. Claims shall be individually investigated to determine the existence of coverage. Nothing in sections 303.420 to 303.440 shall prohibit the department of revenue from contracting with a third-party vendor or vendors who have successfully implemented similar systems in other states to assist in establishing and maintaining this verification system;

(4) The department of revenue shall consult with representatives of the insurance industry and may consult with third-party vendors to determine the objectives, details, and deadlines related to the system by establishment of an advisory council. **Members of the advisory council shall serve in an advisory capacity in matters pertaining to the administration of sections 303.420 to 303.440, as the department of revenue may request. The advisory council shall expire one year after implementation of the program.** The advisory council shall consist of voting members comprised of:

(a) The director of the department of commerce and insurance, or his or her designee, who shall serve as chair;

(b) Two representatives of the department of revenue, to be appointed by the director of the department of revenue;

(c) One representative of the department of commerce and insurance, to be appointed by the director of the department of commerce and insurance;

(d) Three representatives of insurance companies, to be appointed by the director of the department of commerce and insurance;

(e) One representative from the Missouri Insurance Coalition;

(f) One representative chosen by the National Association of Mutual Insurance Companies;

(g) One representative chosen by the American Property and Casualty Insurance Association;

(h) One representative chosen by the Missouri Independent Agents Association; and

(i) Such other representatives as may be appointed by the director of the department of commerce and insurance;

(5) The department of revenue shall publish for comment, and then issue, a detailed implementation guide for its online verification system;

(6) The department of revenue and its third-party vendors, if any, shall each maintain a contact person for insurers during the establishment, implementation, and operation of the system;

(7) If the department of revenue has reason to believe a vehicle owner does not maintain financial responsibility as required under this chapter, it may also request an insurer to verify the existence of such financial responsibility in a form approved by the department of revenue. In addition, insurers shall cooperate with the department of revenue in establishing and maintaining the verification system established under this section, and shall provide motor vehicle insurance policy status information as provided in the rules promulgated by the department of revenue;

(8) Every property and casualty insurance company licensed to issue motor vehicle insurance or authorized to do business in this state shall comply with sections 303.420 to 303.440, and corresponding rules promulgated by the department of revenue, for the verification of such insurance for every vehicle insured by that company in this state;

(9) Insurers shall maintain a historical record of insurance data for a minimum period of six months from the date of policy inception or policy change for the purpose of historical verification inquiries;

(10) For the purposes of this section, "commercial auto coverage" shall mean any coverage provided to an insured, regardless of number of vehicles or entities covered, under a commercial coverage form and rated from a commercial manual approved by the department of commerce and insurance. Sections 303.420 to 303.440 shall not apply to vehicles insured under commercial auto coverage; however, insurers of such vehicles may participate on a voluntary basis, and vehicle owners may provide proof at or subsequent to the time of vehicle registration that a vehicle is insured under commercial auto coverage, which the department of revenue shall record in the system;

(11) Insurers shall provide commercial or fleet automobile customers with evidence reflecting that the vehicle is insured under a commercial or fleet automobile liability policy. Sufficient evidence shall include an insurance identification card clearly marked with a suitable identifier such as "commercial auto insurance identification card", "fleet auto insurance identification card", or other clear identification that the vehicle is insured under a fleet or commercial policy;

(12) Notwithstanding any provision of sections 303.420 to 303.440, insurers shall be immune from civil and administrative liability for good faith efforts to comply with the terms of sections 303.420 to 303.440;

(13) Nothing in this section shall prohibit an insurer from using the services of a third-party vendor for facilitating the verification system required under sections 303.420 to 303.440.

3. The department of revenue shall promulgate rules as necessary for the implementation of sections 303.420 to 303.440. 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, 2023, shall be invalid and void.

303.440. The verification system established under section 303.430 shall be installed and fully operational ~~[on January 1, 2025]~~ **no later than December 31, 2027, or as soon as technologically possible following the development and maintenance of a modernized, integrated system for the titling of vehicles, issuance and renewal of vehicle registrations, issuance and renewal of driver's licenses and identification cards, and perfection and release of liens and encumbrances on vehicles, to be funded by the motor vehicle administration technology fund as created in section 301.558**, following an appropriate testing or pilot period of not less than nine months. Until the successful completion of the testing or pilot period in the judgment of the director of the department of revenue, no enforcement action shall be taken based on the system, including but not limited to action taken under the program established under section 303.425."; and

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

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

On motion of Representative Christofanelli, **HB 2440, as amended**, was ordered perfected and printed.

**HB 2780**, relating to commercial transactions, was taken up by Representative Hicks.

On motion of Representative Hicks, the title of **HB 2780** was agreed to.

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

*House Amendment No. 1*

AMEND House Bill No. 2780, Page 2, Section 34.700, Line 10, by inserting after all of said section and line the following:

**"361.900. Sections 361.900 to 361.1035 shall be known and may be cited as the "Money Transmission Modernization Act of 2024".**

**361.903. Sections 361.900 to 361.1035 are designed to replace existing state money transmission laws currently codified in law and to:**

- (1) Ensure states may coordinate in all areas of regulation, licensing, and supervision to eliminate unnecessary regulatory burden and more effectively utilize regulator resources;**
- (2) Protect the public from financial crime;**
- (3) Standardize the types of activities that are subject to licensing or otherwise exempt from licensing; and**
- (4) Modernize safety and soundness requirements to ensure customer funds are protected in an environment that supports innovative and competitive business practices.**

**361.906. For purposes of sections 361.900 to 361.1035, the following terms shall mean:**

- (1) "Acting in concert", persons knowingly acting together with a common goal of jointly acquiring control of a licensee, regardless of whether under an express agreement;**

(2) "Authorized delegate", a person that a licensee designates to engage in money transmission on behalf of the licensee;

(3) "Average daily money transmission liability", the amount of the licensee's outstanding money transmission obligations in this state at the end of each day in a given period of time, added together, and divided by the total number of days in the given period of time. For purposes of calculating average daily money transmission liability under sections 361.900 to 361.1035 for any licensee required to do so, the given period of time shall be the quarters ending March thirty-first, June thirtieth, September thirtieth, and December thirty-first;

(4) "Bank Secrecy Act", the Bank Secrecy Act, 31 U.S.C. Section 5311 et seq., and its implementing regulations, as amended and recodified from time to time;

(5) "Closed loop stored value", stored value that is redeemable by the issuer only for goods or services provided by the issuer or its affiliate or franchisees of the issuer or its affiliate, except to the extent required by applicable law to be redeemable in cash for its cash value;

(6) "Control":

(a) The power to vote, directly or indirectly, at least twenty-five percent of the outstanding voting shares or voting interests of a licensee or person in control of a licensee;

(b) The power to elect or appoint a majority of key individuals or executive officers, managers, directors, trustees, or other persons exercising managerial authority of a person in control of a licensee; or

(c) The power to exercise, directly or indirectly, a controlling influence over the management or policies of a licensee or person in control of a licensee.

A person is presumed to exercise a controlling influence if the person holds the power to vote, directly or indirectly, at least ten percent of the outstanding voting shares or voting interests of a licensee or person in control of a licensee. A person presumed to exercise a controlling influence as defined under this subdivision can rebut the presumption of control if the person is a passive investor. For purposes of determining the percentage of a person controlled by any other person, the person's interest shall be aggregated with the interest of any other immediate family member, including the person's spouse, parents, children, siblings, mothers- and fathers-in law, sons- and daughters-in-law, brothers- and sisters-in-law, and any other person who shares such person's home;

(7) "Director", the director of the Missouri division of finance;

(8) "Eligible rating", a credit rating of any of the three highest rating categories provided by an eligible rating service. Each category may include rating category modifiers such as "plus" or "minus" for Standard and Poor's or the equivalent for any other eligible rating service;

(9) "Eligible rating service", any nationally recognized statistical rating organization (NRSRO) as defined by the United States Securities and Exchange Commission and any other organization designated by rule or order;

(10) "Federally insured depository financial institution", a bank, credit union, savings and loan association, trust company, savings association, savings bank, industrial bank, or industrial loan company organized under the laws of the United States or any state of the United States if such bank, credit union, savings and loan association, trust company, savings association, savings bank, industrial bank, or industrial loan company has federally insured deposits;

(11) "In this state", at a physical location within this state for a transaction requested in person. For a transaction requested electronically or by phone, the provider of money transmission may determine if the person requesting the transaction is in this state by relying on other information provided by the person regarding the location of the individual's residential address or a business entity's principal place of business or other physical address location, and any records associated with the person that the provider of money transmission may have that indicate such location including, but not limited to, an address associated with an account;

(12) "Individual", a natural person;

(13) "Key individual", any individual ultimately responsible for establishing or directing policies and procedures of the licensee, such as an executive officer, manager, director, or trustee;

(14) "Licensee", a person licensed under sections 361.900 to 361.1035;

(15) "Material litigation", litigation that, according to United States generally accepted accounting principles, is significant to a person's financial health and would be required to be disclosed in the person's annual audited financial statements, report to shareholders, or similar records;

(16) "Monetary value", a medium of exchange, regardless of whether redeemable in money;

(17) "Money", a medium of exchange that is authorized or adopted by the United States or a foreign government. The term includes a monetary unit of account established by an intergovernmental organization or by agreement between two or more governments;

(18) "Money transmission", any of the following:

(a) Selling or issuing payment instruments to a person located in this state;

(b) Selling or issuing stored value to a person located in this state; or

(c) Receiving money for transmission from a person located in this state.

The term includes payroll processing services. The term does not include the provision solely of online or telecommunications services or network access;

(19) "Multistate licensing process", any agreement entered into by and among state regulators relating to coordinated processing of applications for money transmission licenses, applications for the acquisition of control of a licensee, control determinations, or notice and information requirements for a change of key individuals;

(20) "NMLS", the Nationwide Multistate Licensing System and Registry developed by the Conference of State Bank Supervisors and the American Association of Residential Mortgage Regulators and owned and operated by the State Regulatory Registry LLC or any successor or affiliated entity for the licensing and registration of persons in financial services industries;

(21) "Outstanding money transmission obligations":

(a) Any payment instrument or stored value issued or sold by the licensee to a person located in the United States or reported as sold by an authorized delegate of the licensee to a person that is located in the United States that has not yet been paid or refunded by or for the licensee or escheated in accordance with applicable abandoned property laws; or

(b) Any money received for transmission by the licensee or an authorized delegate in the United States from a person located in the United States that has not been received by the payee or refunded to the sender, or escheated in accordance with applicable abandoned property laws.

For purposes of this subdivision, "in the United States" shall include, to the extent applicable, a person in any state, territory, or possession of the United States; the District of Columbia; the Commonwealth of Puerto Rico; or a U.S. military installation that is located in a foreign country;

(22) "Passive investor", a person that:

(a) Does not have the power to elect a majority of key individuals or executive officers, managers, directors, trustees, or other persons exercising managerial authority of a person in control of a licensee;

(b) Is not employed by and does not have any managerial duties of the licensee or person in control of a licensee;

(c) Does not have the power to exercise, directly or indirectly, a controlling influence over the management or policies of a licensee or person in control of a licensee; and

(d) Either:

a. Attests to paragraphs (a), (b), and (c) of this subdivision, in a form and in a medium prescribed by the director; or

b. Commits to the passivity characteristics of paragraphs (a), (b), and (c) of this subdivision in a written document;

(23) "Payment instrument", a written or electronic check, draft, money order, traveler's check, or other written or electronic instrument for the transmission or payment of money or monetary value, regardless of whether negotiable. The term does not include stored value or any instrument that:

(a) Is redeemable by the issuer only for goods or services provided by the issuer or its affiliate or franchisees of the issuer or its affiliate, except to the extent required by applicable law to be redeemable in cash for its cash value; or

(b) Is not sold to the public but issued and distributed as part of a loyalty, rewards, or promotional program;

(24) "Payroll processing services", receiving money for transmission under a contract with a person to deliver wages or salaries, make payment of payroll taxes to state and federal agencies, make payments relating to employee benefit plans, or make distributions of other authorized deductions from wages or salaries. The term does not include an employer performing payroll processing services on its own behalf or on behalf of its affiliate or a professional employer organization subject to regulation under sections 285.700 to 285.750;

(25) "Person", any individual, general partnership, limited partnership, limited liability company, corporation, trust, association, joint stock corporation, or other corporate entity identified by the director;

(26) "Receiving money for transmission" or "money received for transmission", receiving money or monetary value in the United States for transmission within or outside the United States by electronic or other means;

(27) "Stored value", monetary value representing a claim against the issuer evidenced by an electronic or digital record and that is intended and accepted for use as a means of redemption for money, or monetary value, or payment for goods or services. The term includes, but is not limited to, "prepaid access" as defined under 31 CFR Section 1010.100, as amended or recodified from time to time. Notwithstanding the provisions of this subdivision, the term does not include a payment instrument or closed loop stored value, or stored value not sold to the public but issued and distributed as part of a loyalty, rewards, or promotional program;

(28) "Tangible net worth", the aggregate assets of a licensee excluding all intangible assets, less liabilities, as determined in accordance with United States generally accepted accounting principles.

361.909. Sections 361.900 to 361.1035 shall not apply to:

(1) An operator of a payment system to the extent that it provides processing, clearing, or settlement services between or among persons exempted under this section or licensees in connection with wire transfers, credit card transactions, debit card transactions, stored value transactions, automated clearinghouse transfers, or similar funds transfers;

(2) A person appointed as an agent of a payee to collect and process a payment from a payer to the payee for goods or services, other than money transmission itself, provided to the payer by the payee, provided that:

(a) There exists a written agreement between the payee and the agent directing the agent to collect and process payments from a payer on the payee's behalf;

(b) The payee holds the agent out to the public as accepting payments for goods or services on the payee's behalf; and

(c) Payment for the goods and services is treated as received by the payee upon receipt by the agent so that the payer's obligation is extinguished and there is no risk of loss to the payer if the agent fails to remit the funds to the payee;

(3) A person that acts as an intermediary by processing payments between an entity that has directly incurred an outstanding money transmission obligation to a sender and the sender's designated recipient, provided that the entity:

(a) Is properly licensed or exempt from licensing requirements under sections 361.900 to 361.1035;

(b) Provides a receipt, electronic record, or other written confirmation to the sender identifying the entity as the provider of money transmission in the transaction; and

(c) Bears sole responsibility to satisfy the outstanding money transmission obligation to the sender, including the obligation to make the sender whole in connection with any failure to transmit the funds to the sender's designated recipient;

(4) The United States or a department, agency, or instrumentality thereof, or its agent;

(5) Money transmission by the United States Postal Service or by an agent of the United States Postal Service;

(6) A state, county, city, or any other governmental agency or governmental subdivision or instrumentality of a state, or its agent;

(7) A federally insured depository financial institution; bank holding company; office of an international banking corporation; foreign bank that establishes a federal branch under the International Bank Act, 12 U.S.C. Section 3102, as amended or recodified from time to time; corporation organized under the Bank Service Corporation Act, 12 U.S.C. Sections 1861-1867, as amended or recodified from time to time; or corporation organized under the Edge Act, 12 U.S.C. Sections 611-633, as amended or recodified from time to time, under the laws of a state or the United States;

(8) Electronic funds transfer of governmental benefits for a federal, state, county, or governmental agency by a contractor on behalf of the United States or a department, agency, or instrumentality thereof, or on behalf of a state or governmental subdivision, agency, or instrumentality thereof;

(9) A board of trade designated as a contract market under the federal Commodity Exchange Act, 7 U.S.C. Sections 1-25, as amended or recodified from time to time, or a person that, in the ordinary course of

business, provides clearance and settlement services for a board of trade to the extent of its operation as or for such a board;

(10) A registered futures commission merchant under the federal commodities laws to the extent of its operation as such a merchant;

(11) A person registered as a securities broker-dealer under federal or state securities laws to the extent of its operation as such a broker-dealer;

(12) An individual employed by a licensee, authorized delegate, or any person exempted from the licensing requirements under sections 361.900 to 361.1035 if acting within the scope of employment and under the supervision of the licensee, authorized delegate, or exempted person as an employee and not as an independent contractor;

(13) A person expressly appointed as a third-party service provider to or agent of an entity exempt under subdivision (7) of this subsection solely to the extent that:

(a) Such service provider or agent is engaging in money transmission on behalf of and under a written agreement with the exempt entity that sets forth the specific functions that the service provider or agent is to perform; and

(b) The exempt entity assumes all risk of loss and all legal responsibility for satisfying the outstanding money transmission obligations owed to purchasers and holders of the outstanding money transmission obligations upon receipt of the purchaser's or holder's money or monetary value by the service provider or agent.

361.912. The director may require that any person claiming to be exempt from licensing under section 361.909 provide information and documentation to the director demonstrating that the person qualifies for any claimed exemption.

361.915. 1. In order to carry out the purposes of sections 361.900 to 361.1035, the director may, subject to the provisions of subsections 1 and 2 of section 361.918:

(1) Enter into agreements or relationships with other government officials or federal and state regulatory agencies and regulatory associations in order to improve efficiencies and reduce regulatory burden by standardizing methods or procedures, and sharing resources, records, or related information obtained under sections 361.900 to 361.1035;

(2) Use, hire, contract, or employ analytical systems, methods, or software to examine or investigate any person subject to sections 361.900 to 361.1035;

(3) Accept, from other state or federal government agencies or officials, licensing, examination, or investigation reports made by such other state or federal government agencies or officials; and

(4) Accept audit reports made by an independent certified public accountant or other qualified third-party auditor for an applicant or licensee and incorporate the audit report in any report of examination or investigation.

2. The director shall have the broad administrative authority to:

(1) Administer, interpret, and enforce sections 361.900 to 361.1035 and promulgate rules or regulations implementing sections 361.900 to 361.1035; and

(2) Recover the cost of administering and enforcing sections 361.900 to 361.1035 by imposing and collecting proportionate and equitable fees and costs associated with applications, examinations, investigations, and other actions required to achieve the purpose of sections 361.900 to 361.1035.

3. The director shall promulgate all necessary rules and regulations for the administration of sections 361.900 to 361.1035. 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, 2024, shall be invalid and void.

361.918. 1. Except as otherwise provided in subsection 2 of this section, all information or reports obtained by the director from an applicant, licensee, or authorized delegate and all information contained in or related to an examination, investigation, operating report, or condition report prepared by, on behalf of, or for the use of the director, or financial statements, balance sheets, or authorized delegate information, are confidential and are not subject to disclosure under chapter 610.

2. The director may disclose information not otherwise subject to disclosure under subsection 1 of this section to representatives of state or federal agencies, who shall confirm in writing that they will maintain the confidentiality of the information.

3. This section does not prohibit the director from disclosing to the public a list of all licensees or the aggregated financial or transactional data concerning those licensees.

361.921. 1. The director may conduct an examination or investigation of a licensee or authorized delegate or otherwise take independent action authorized by sections 361.900 to 361.1035 or by a rule adopted or order issued under sections 361.900 to 361.1035 as reasonably necessary or appropriate to administer and enforce sections 361.900 to 361.1035, regulations implementing sections 361.900 to 361.1035, and other applicable law, including the Bank Secrecy Act and the USA PATRIOT Act. The director may:

- (1) Conduct an examination either onsite or offsite as the director may reasonably require;
- (2) Conduct an examination in conjunction with an examination conducted by representatives of other state agencies or agencies of another state or of the federal government;
- (3) Accept the examination report of another state agency or an agency of another state or of the federal government, or a report prepared by an independent accounting firm, which on being accepted is considered for all purposes as an official report of the director; and
- (4) Summon and examine under oath a key individual or employee of a licensee or authorized delegate and require the person to produce records regarding any matter related to the condition and business of the licensee or authorized delegate.

2. A licensee or authorized delegate shall provide, and the director shall have full and complete access to, all records the director may reasonably require to conduct a complete examination. The records shall be provided at the location and in the format specified by the director. The director may utilize multistate record production standards and examination procedures if such standards and procedures will reasonably achieve the requirements of this subsection.

3. Unless otherwise directed by the director, a licensee shall pay all costs reasonably incurred in connection with an examination of the licensee or the licensee's authorized delegates.

361.924. 1. To efficiently and effectively administer and enforce sections 361.900 to 361.1035 and to minimize regulatory burden, the director is authorized to participate in multistate supervisory processes established between states or coordinated through the Conference of State Bank Supervisors, Money Transmitter Regulators Association, and affiliates and successors thereof for all licensees that hold licenses in this state and other states. As a participant in multistate supervision, the director shall:

- (1) Cooperate, coordinate, and share information with other state and federal regulators in accordance with section 361.918;
- (2) Enter into written cooperation, coordination, or information-sharing contracts or agreements with organizations the membership of which is made up of state or federal governmental agencies; and
- (3) Cooperate, coordinate, and share information with organizations the membership of which is made up of state or federal governmental agencies, provided that the organizations agree in writing to maintain the confidentiality and security of the shared information in accordance with this section.

2. The director shall not waive and nothing in this section constitutes a waiver of the directors's authority to conduct an examination or investigation or otherwise take independent action authorized by sections 361.900 to 361.1035 or a rule adopted or order issued under sections 361.900 to 361.1035 to enforce compliance with applicable state or federal law.

3. A joint examination or investigation, or acceptance of an examination or investigation report, does not waive an examination assessment provided for in sections 361.900 to 361.1035.

361.927. 1. In the event state money transmission jurisdiction is conditioned on a federal law, any inconsistencies between a provision of sections 361.900 to 361.1035 and the federal law governing money transmission shall be governed by the applicable federal law to the extent of the inconsistency.

2. In the event of any inconsistencies between sections 361.900 to 361.1035 and a federal law that governs under subsection 1 of this section, the director may provide interpretive guidance that:

- (1) Identifies the inconsistency; and
- (2) Identifies the appropriate means of compliance with federal law.

361.930. 1. A person shall not engage in the business of money transmission or advertise, solicit, or hold itself out as providing money transmission unless the person is licensed under sections 361.900 to 361.1035.

2. Subsection 1 of this section shall not apply to:

- (1) A person that is an authorized delegate of a person licensed under sections 361.900 to 361.1035 acting within the scope of authority conferred by a written contract with the licensee; or

(2) A person that is exempt under section 361.909 and does not engage in money transmission outside the scope of such exemption.

3. A license issued under section 361.942 shall not be transferable or assignable.

361.933. 1. To establish consistent licensing between this state and other states, the director is authorized to:

(1) Implement the licensing provisions of sections 361.900 to 361.1035 in a manner that is consistent with other states that have adopted the money transmission modernizations act or multistate licensing processes; and

(2) Participate in nationwide protocols for licensing cooperation and coordination among state regulators, provided that such protocols are consistent with sections 361.900 to 361.1035.

2. In order to fulfill the purposes of sections 361.900 to 361.1035, the director is authorized to establish relationships or contracts with NMLS, or other entities designated by NMLS or other third parties to enable the director to:

(1) Collect and maintain records;

(2) Coordinate multistate licensing processes and supervision processes;

(3) Process fees; and

(4) Facilitate communication between this state and licensees or other persons subject to sections 361.900 to 361.1035.

3. The director is authorized to utilize NMLS for all aspects of licensing in accordance with sections 361.900 to 361.1035 including, but not limited to, license applications, applications for acquisitions of control, surety bonds, reporting, criminal history background checks, credit checks, fee processing, and examinations.

4. The director is authorized to utilize NMLS forms, processes, and functionalities in accordance with sections 361.900 to 361.1035.

5. (1) The director is authorized to establish and adopt, by rule or regulation, requirements for participation by applicants and licensees in NMLS upon the division of finance's determination that each requirement is consistent with law, public interest, and the purposes of this section.

(2) 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, 2024, shall be invalid and void.

361.936. 1. Applicants for a license shall apply in a form and in a medium as prescribed by the director. Each such form shall contain content as set forth by rule, regulation, instruction, or procedure of the director and may be changed or updated by the director in accordance with applicable law in order to carry out the purposes of sections 361.900 to 361.1035 and maintain consistency with licensing standards and practices. The application shall state or contain, as applicable:

(1) The legal name and residential and business addresses of the applicant and any fictitious or trade name used by the applicant in conducting its business;

(2) Whether the applicant has been convicted of, or pled guilty or nolo contendere to, a felony involving an act of fraud, dishonesty, a breach of trust, or money laundering;

(3) A description of any money transmission previously provided by the applicant and the money transmission that the applicant seeks to provide in this state;

(4) A list of the applicant's proposed authorized delegates and the locations in this state where the applicant and its authorized delegates propose to engage in money transmission;

(5) A list of other states in which the applicant is licensed to engage in money transmission and any license revocations, suspensions, or other disciplinary action taken against the applicant in another state;

(6) Information concerning any bankruptcy or receivership proceedings affecting the licensee or a person in control of a licensee;

(7) A sample form of contract for authorized delegates, if applicable;

(8) A sample form of payment instrument or stored value, as applicable;

(9) The name and address of any federally insured depository financial institution through which the applicant plans to conduct money transmission;

(10) A list of any material litigation in which the applicant has been involved in the ten-year period next preceding the submission of the application; and

(11) Any other information the director reasonably requires with respect to the applicant.



2. If an applicant is a corporation, limited liability company, partnership, or other legal entity, the applicant shall also provide:

- (1) The date of the applicant's incorporation or formation and state or country of incorporation or formation;
  - (2) If applicable, a certificate of good standing from the state or country in which the applicant is incorporated or formed;
  - (3) A brief description of the structure or organization of the applicant, including any parents or subsidiaries of the applicant, and whether any parents or subsidiaries are publicly traded;
  - (4) The legal name, any fictitious or trade name, all business and residential addresses, and the employment, as applicable, in the ten-year period next preceding the submission of the application of each key individual and person in control of the applicant;
  - (5) Whether they have been convicted of, or pled guilty or nolo contendere to, a felony involving an act of fraud, dishonesty, a breach of trust, or money laundering;
  - (6) A copy of audited financial statements of the applicant for the most recent fiscal year and for the two-year period next preceding the submission of the application or, if determined to be acceptable to the director, certified unaudited financial statements for the most recent fiscal year or other period acceptable to the director;
  - (7) A certified copy of unaudited financial statements of the applicant for the most recent fiscal quarter;
  - (8) If the applicant is a publicly traded corporation, a copy of the most recent report filed with the United States Securities and Exchange Commission under Section 13 of the federal Securities Exchange Act of 1934, 15 U.S.C. Section 78m, as amended or recodified from time to time;
  - (9) If the applicant is a wholly owned subsidiary of:
    - (a) A corporation publicly traded in the United States, a copy of audited financial statements for the parent corporation for the most recent fiscal year or a copy of the parent corporation's most recent report filed under Section 13 of the U.S. Securities Exchange Act of 1934, 15 U.S.C. Section 78m, as amended or recodified from time to time; or
    - (b) A corporation publicly traded outside the United States, a copy of similar documentation filed with the regulator of the parent corporation's domicile outside the United States;
  - (10) The name and address of the applicant's registered agent in this state;
  - (11) A list of any material litigation in which the applicant has been involved in the ten-year period next preceding the submission of the application; and
  - (12) Any other information the director reasonably requires with respect to the applicant.
3. A nonrefundable application fee and license fee, as determined by the director, shall accompany an application for a license under this section.

4. The director may waive one or more requirements of subsections 1 and 2 of this section or permit an applicant to submit other information in lieu of the required information.

361.939. 1. Any individual in control of a licensee or applicant, any individual that seeks to acquire control of a licensee, and each key individual shall furnish to the director through NMLS the following:

- (1) The individual's fingerprints for submission to the Federal Bureau of Investigation and the director for purposes of a national criminal history background check unless the person currently resides outside of the United States and has resided outside of the United States for the last ten years; and
- (2) Personal history and experience in a form and in a medium prescribed by the director, to obtain the following:
  - (a) An independent credit report from a consumer reporting agency unless the individual does not have a Social Security number, in which case this requirement shall be waived;
  - (b) Whether they have been convicted of, or pled guilty or nolo contendere to, a felony involving an act of fraud, dishonesty, a breach of trust, or money laundering; and
  - (c) Information related to any regulatory or administrative action and any civil litigation involving claims of fraud, misrepresentation, conversion, mismanagement of funds, breach of fiduciary duty, or breach of contract.

2. If the individual has resided outside of the United States at any time in the last ten years, the individual shall also provide an investigative background report prepared by an independent search firm that meets the following requirements:

- (1) At a minimum, the search firm shall:
  - (a) Demonstrate that it has sufficient knowledge and resources and employs accepted and reasonable methodologies to conduct the research for the background report; and
  - (b) Not be affiliated with or have an interest with the individual it is researching; and
- (2) At a minimum, the investigative background report shall be written in the English language and shall contain the following:
  - (a) If available in the individual's current jurisdiction of residency, a comprehensive credit report, or any equivalent information obtained or generated by the independent search firm to accomplish such report, including a search of the court data in the countries, provinces, states, cities, towns, and contiguous areas where the individual resided and worked;
  - (b) Criminal records information for the past ten years including, but not limited to, felonies, misdemeanors, or similar convictions for violations of law in the countries, provinces, states, cities, towns, and contiguous areas where the individual resided and worked;
  - (c) Employment history;
  - (d) Media history, including an electronic search of national and local publications, wire services, and business applications; and
  - (e) Financial services-related regulatory history including but not limited to, money transmission, securities, banking, insurance, and mortgage-related industries.

361.942. 1. If an application for an original license under sections 361.900 to 361.1035 appears to include all the items and addresses and all of the matters that are required, the application is complete and the director shall promptly notify the applicant in a record of the date on which the application is determined to be complete, and:

- (1) The director shall approve or deny the application within one hundred twenty days after the completion date; or
- (2) If the application is not approved or denied within one hundred twenty days after the completion date:
  - (a) The application is approved; and
  - (b) The license takes effect as of the first business day after expiration of the one-hundred-twenty-day period.

The director may for good cause extend the application period.

2. A determination by the director that an application is complete and is accepted for processing means only that the application, on its face, appears to include all of the items, including the criminal background check response from the Federal Bureau of Investigation, and address all of the matters that are required, and is not an assessment of the substance of the application or of the sufficiency of the information provided.

3. If an application is filed and considered complete under this section, the director shall investigate the applicant's financial condition and responsibility, financial and business experience, character, and general fitness. The director may conduct an onsite investigation of the applicant, the reasonable cost of which the applicant shall pay. The director shall issue a license to an applicant under this section if the director finds that all of the following conditions have been fulfilled:

- (1) The applicant has complied with the provisions of sections 361.929 and 361.936; and
- (2) The financial condition and responsibility, financial and business experience, competence, character, and general fitness of the applicant; and the competence, experience, character, and general fitness of the key individuals and persons in control of the applicant indicate that it is in the interest of the public to permit the applicant to engage in money transmission.

4. If an applicant avails itself or is otherwise subject to a multistate licensing process:

- (1) The director shall be authorized to accept the investigation results of a lead investigative state for the purpose of subsection 3 of this section if the lead investigative state has sufficient staffing, expertise, and minimum standards; or
- (2) If this state is a lead investigative state, the director shall be authorized to investigate the applicant under subsection 3 of this section and the time frames established by agreement through the multistate licensing process, provided; however, that in no case shall such time frame be noncompliant with the application period in subdivision (1) of subsection 1 of this section.

5. The director shall issue a formal written notice of the denial of a license application within thirty days of the decision to deny the application. The director shall set forth in the notice of denial the specific

reasons for the denial of the application. An applicant whose application is denied by the director under this subsection may appeal within thirty days after receipt of the written notice of the denial under chapter 536.

6. The initial license term shall begin on the day the application is approved. The license shall expire on December thirty-first of the year in which the license term began unless the initial license date is between November first and December thirty-first, in which instance the initial license term shall run through December thirty-first of the following year.

361.945. 1. A license under sections 361.900 to 361.1035 shall be renewed annually. An annual renewal fee, to be determined by the director, shall be paid no more than sixty days before the license expiration. The renewal term shall be for a period of one year and shall begin on January first of each year after the initial license term and shall expire on December thirty-first of the year the renewal term begins.

2. A licensee shall submit a renewal report with the renewal fee, in a form and in a medium prescribed by the director. The renewal report shall state or contain a description of each material change in information submitted by the licensee in its original license application that has not been reported to the director.

3. The director for good cause may grant an extension of the renewal date.

4. The director shall be authorized and encouraged to utilize NMLS to process license renewals, provided that such functionality is consistent with this section.

361.948. 1. If a licensee does not continue to meet the qualifications or satisfy the requirements that apply to an applicant for a new money transmission license, the director may suspend or revoke the licensee's license in accordance with the procedures established under sections 361.900 to 361.1035 or other applicable state law for such suspension or revocation.

2. An applicant for a money transmission license shall demonstrate that it meets or will meet, and a money transmission licensee shall at all times meet, the requirements in sections 361.999, 361.1002, and 361.1005.

361.951. 1. Any person, or group of persons acting in concert, seeking to acquire control of a licensee shall obtain the written approval of the director prior to acquiring control. An individual is not deemed to acquire control of a licensee and is not subject to the acquisition of control provisions if that individual becomes a key individual in the ordinary course of business.

2. A person, or group of persons acting in concert, seeking to acquire control of a licensee shall, in cooperation with the licensee:

(1) Submit an application in a form and in a medium prescribed by the director; and

(2) Submit a nonrefundable fee, to be determined by the director, with the request for approval.

3. Upon request, the director may permit a licensee or a person, or group of persons acting in concert, to submit some or all information required by the director under subdivision (1) of subsection 2 of this section without using NMLS.

4. The application required under subdivision (1) of subsection 2 of this section shall include information required under section 361.939 for any new key individuals that have not previously completed the requirements of section 361.939 for a licensee.

5. When an application for acquisition of control under this section appears to include all the items and address all of the matters that are required, the application shall be considered complete. The director shall promptly notify the applicant in a record of the date on which the application was determined to be complete, and:

(1) The director shall approve or deny the application within sixty days after the completion date; or

(2) If the application is not approved or denied within sixty days after the completion date:

(a) The application is approved; and

(b) The person, or group of persons acting in concert, are not prohibited from acquiring control; and

(3) The director may for good cause extend the application period.

6. A determination by the director that an application is complete and is accepted for processing means only that the application, on its face, appears to include all of the items and address all of the matters that are required, and is not an assessment of the substance of the application or of the sufficiency of the information provided.

7. If an application is filed and considered complete under subsection 5 of this section, the director shall investigate the financial condition and responsibility, financial and business experience, character, and general fitness of the person, or group of persons acting in concert, seeking to acquire control. The director shall approve an acquisition of control under this section if the director finds that all of the following conditions have been fulfilled:

(1) The requirements of subsections 2 and 4 of this section have been met, as applicable; and  
(2) The financial condition and responsibility, financial and business experience, competence, character, and general fitness of the person, or group of persons acting in concert, seeking to acquire control and the competence, experience, character, and general fitness of the key individuals and persons that would be in control of the licensee after the acquisition of control indicate that it is in the interest of the public to permit the person, or group of persons acting in concert, to control the licensee.

8. If an applicant avails itself or is otherwise subject to a multistate licensing process:

(1) The director is authorized to accept the investigation results of a lead investigative state for the purpose of subsection 7 of this section if the lead investigative state has sufficient staffing, expertise, and minimum standards; or

(2) If this state is a lead investigative state, the director is authorized to investigate the applicant under subsection 7 of this section and the time frames established by agreement through the multistate licensing process.

9. The director shall issue a formal written notice of the denial of an application to acquire control within thirty days of the decision to deny the application. The director shall set forth in the notice of denial the specific reasons for the denial of the application. An applicant whose application is denied by the director under this subsection may appeal within thirty days after receipt of the written notice of the denial under chapter 536.

10. The requirements of subsections 1 and 2 of this section shall not apply to any of the following:

(1) A person that acts as a proxy for the sole purpose of voting at a designated meeting of the shareholders or holders of voting shares or voting interests of a licensee or a person in control of a licensee;

(2) A person that acquires control of a licensee by devise or descent;

(3) A person that acquires control of a licensee as a personal representative, custodian, guardian, conservator, or trustee, or as an officer appointed by a court of competent jurisdiction or by operation of law;

(4) A person that is exempt under subsection 7 of section 361.909;

(5) A person that the director determines is not subject to subsection 1 of this section based on the public interest;

(6) A public offering of securities of a licensee or a person in control of a licensee; or

(7) An internal reorganization of a person in control of the licensee where the ultimate person in control of the licensee remains the same.

11. Persons in subdivisions (2), (3), (4), (6), and (7) of subsection 10 of this section in cooperation with the licensee shall notify the director within fifteen days after the acquisition of control.

12. (1) The requirements of subsections 1 and 2 of this section shall not apply to a person that has complied with and received approval to engage in money transmission under sections 361.900 to 361.1035 or was identified as a person in control in a prior application filed with and approved by the director or by another state under a multistate licensing process, provided that:

(a) The person has not had a license revoked or suspended or controlled a licensee that has had a license revoked or suspended while the person was in control of the licensee in the previous five years;

(b) If the person is a licensee, the person is well managed and has received at least a satisfactory rating for compliance at its most recent examination by another state if such rating was given;

(c) The licensee to be acquired is projected to meet the requirements of sections 361.999, 361.1002, and 361.1005 after the acquisition of control is completed, and if the person acquiring control is a licensee, that licensee is also projected to meet the requirements of sections 361.999, 361.1002, and 361.1005 after the acquisition of control is completed;

(d) The licensee to be acquired will not implement any material changes to its business plan as a result of the acquisition of control, and if the person acquiring control is a licensee, that licensee also will not implement any material changes to its business plan as a result of the acquisition of control; and

(e) The person provides notice of the acquisition in cooperation with the licensee and attests to paragraphs (a) to (d) of this subdivision in a form and in a medium prescribed by the director.

(2) If the notice is not disapproved within thirty days after the date on which the notice was determined to be complete, the notice is deemed approved.

13. Before filing an application for approval to acquire control of a licensee, a person may request in writing a determination from the director as to whether the person would be considered a person in control of a licensee upon consummation of a proposed transaction. If the director determines that the person would not be a person in control of a licensee, the proposed person and transaction is not subject to the requirements of subsections 1 and 2 of this section.

14. If a multistate licensing process includes a determination under subsection 13 of this section and an applicant avails itself or is otherwise subject to the multistate licensing process:

(1) The director is authorized to accept the control determination of a lead investigative state with sufficient staffing, expertise, and minimum standards for the purpose of subsection 13 of this section; or

(2) If this state is a lead investigative state, the director is authorized to investigate the applicant under subsection 13 of this section and the time frames established by agreement through the multistate licensing process.

361.954. 1. A licensee adding or replacing any key individual shall:

(1) Provide notice in a manner prescribed by the director within fifteen days after the effective date of the key individual's appointment; and

(2) Provide information as required by section 361.939 within forty-five days of the effective date.

2. Within ninety days of the date on which the notice provided under subsection 1 of this section was determined to be complete, the director may issue a notice of disapproval of a key individual if the competence, experience, character, or integrity of the individual would not be in the best interests of the public or the customers of the licensee to permit the individual to be a key individual of such licensee.

3. A notice of disapproval shall contain a statement of the basis for disapproval and shall be sent to the licensee and the disapproved individual. A licensee may appeal a notice of disapproval under chapter 536 within thirty days after receipt of such notice of disapproval.

4. If the notice provided under subsection 1 of this section is not disapproved within ninety days after the date on which the notice was determined to be complete, the key individual is deemed approved.

5. If a multistate licensing process includes a key individual notice review and disapproval process under this section and the licensee avails itself or is otherwise subject to the multistate licensing process:

(1) The director is authorized to accept the determination of another state if the investigating state has sufficient staffing, expertise, and minimum standards for the purpose of this section; or

(2) If this state is a lead investigative state, the director is authorized to investigate the applicant under subsection 2 of this section and the time frames established by agreement through the multistate licensing process.

361.957. 1. Each licensee shall submit a report of condition within forty days of the end of the calendar quarter or within any extended time as the director may prescribe.

2. The report of condition shall include:

(1) Financial information at the licensee level;

(2) Nationwide and state-specific money transmission transaction information in every jurisdiction in the United States where the licensee is licensed to engage in money transmission;

(3) Permissible investments report;

(4) Transaction destination country reporting for money received for transmission, if applicable;

and

(5) Any other information the director reasonably requires with respect to the licensee. The director is authorized to utilize NMLS for the submission of the report required by subsection 1 of this section and is authorized to update as necessary the requirements of this section to carry out the purposes of sections 361.900 to 361.1035 and maintain consistency with NMLS reporting.

3. The information required under subdivision (4) of subsection 2 of this section shall be included only in a report of condition submitted within forty-five days of the end of the fourth calendar quarter.

361.960. 1. Each licensee shall, within ninety days after the end of each fiscal year or within any extended time as the director may prescribe, file with the director:

(1) An audited financial statement of the licensee for the fiscal year prepared in accordance with United States generally accepted accounting principles; and

(2) Any other information as the director may reasonably require.

2. The audited financial statement shall be prepared by an independent certified public accountant or independent public accountant who is satisfactory to the director.

3. The audited financial statements shall include or be accompanied by a certificate of opinion of the independent certified public accountant or independent public accountant that is satisfactory in form and content to the director. If the certificate or opinion is qualified, the director may order the licensee to take any action as the director may find necessary to enable the independent certified public accountant or independent public accountant to remove the qualification.

**361.963. 1.** Each licensee shall submit a report of authorized delegates within forty-five days of the end of the calendar quarter. The director is authorized to utilize NMLS for the submission of the report required under this section, provided that such functionality is consistent with the requirements of this section.

**2.** The authorized delegate report shall include, at a minimum, each authorized delegate's:

- (1) Company legal name;
- (2) Taxpayer employer identification number;
- (3) Principal provider identifier;
- (4) Physical address, if any;
- (5) Mailing address;
- (6) Any business conducted in other states;
- (7) Any fictitious or trade name;
- (8) Contact person name, phone number, and email;
- (9) Start date as licensee's authorized delegate;
- (10) End date acting as licensee's authorized delegate, if applicable; and
- (11) Any other information the director reasonably requires with respect to the authorized delegate.

**361.966. 1.** A licensee shall file a report with the director within one business day after the licensee has reason to know of the occurrence of any of the following events:

- (1) The filing of a petition by or against the licensee under the United States Bankruptcy Code, 11 U.S.C. Section 101-110, as amended or recodified from time to time, for bankruptcy or reorganization;
- (2) The filing of a petition by or against the licensee for receivership, the commencement of any other judicial or administrative proceeding for its dissolution or reorganization, or the making of a general assignment for the benefit of its creditors; or
- (3) The commencement of a proceeding to revoke or suspend its license in a state or country in which the licensee engages in business or is licensed.

**2.** A licensee shall notify the director within three business days after the licensee has reason to know that:

- (1) The licensee or a key individual or person in control of the licensee, has been convicted of, or pled guilty or nolo contendere to, a felony involving an act of fraud, dishonesty, a breach of trust, or money laundering; or
- (2) An authorized delegate has been convicted of, or pled guilty or nolo contendere to, a felony involving an act of fraud, dishonesty, a breach of trust, or money laundering.

**361.969.** A licensee and an authorized delegate shall file all reports required by federal currency reporting, record keeping, and suspicious activity reporting requirements as set forth in the Bank Secrecy Act and other federal and state laws pertaining to money laundering. The timely filing of a complete and accurate report required under this section with the appropriate federal agency is deemed compliant with the requirements of this section.

**361.972. 1.** A licensee shall maintain the following records for determining its compliance with sections 361.900 to 361.1035 for at least three years:

- (1) A record of each outstanding money transmission obligation sold;
- (2) A general ledger posted at least monthly containing all asset, liability, capital, income, and expense accounts;
- (3) Bank statements and bank reconciliation records;
- (4) Records of outstanding money transmission obligations;
- (5) Records of each outstanding money transmission obligation paid within the three-year period;
- (6) A list of the last known names and addresses of all of the licensee's authorized delegates; and
- (7) Any other records the director reasonably requires by rule.

**2.** The items specified in subsection 1 of this section may be maintained in any form of record.

**3.** Records specified in subsection 1 of this section may be maintained outside this state if the records are made accessible to the director on seven business days' notice that is sent in a record.

**4.** All records maintained by the licensee as required in subsections 1 to 3 of this section are open to inspection by the director under subsection 1 of section 361.921.

**361.975. 1.** As used in this section, "remit" means to make direct payments of money to a licensee or its representative authorized to receive money or to deposit money in a bank in an account specified by the licensee.

**2.** Before a licensee is authorized to conduct business through an authorized delegate, or allows a person to act as the licensee's authorized delegate, the licensee shall:

(1) Adopt, and update as necessary, written policies and procedures reasonably designed to ensure that the licensee's authorized delegates comply with applicable state and federal law;

(2) Enter into a written contract that complies with subsection 4 of this section; and

(3) Conduct a reasonable risk-based background investigation sufficient for the licensee to determine whether the authorized delegate has complied and will likely comply with applicable state and federal law.

3. An authorized delegate shall operate in full compliance with sections 361.900 to 361.1035.

4. The written contract required under subsection 2 of this section shall be signed by the licensee and the authorized delegate and, at a minimum, shall:

(1) Appoint the person signing the contract as the licensee's authorized delegate with the authority to conduct money transmission on behalf of the licensee;

(2) Set forth the nature and scope of the relationship between the licensee and the authorized delegate and the respective rights and responsibilities of the parties;

(3) Require the authorized delegate to agree to fully comply with all applicable state and federal laws, rules, and regulations pertaining to money transmission, including sections 361.900 to 361.1035 and regulations implementing sections 361.900 to 361.1035, relevant provisions of the Bank Secrecy Act, and the USA PATRIOT Act;

(4) Require the authorized delegate to remit and handle money and monetary value in accordance with the terms of the contract between the licensee and the authorized delegate;

(5) Impose a trust on money and monetary value net of fees received for money transmission for the benefit of the licensee;

(6) Require the authorized delegate to prepare and maintain records as required by sections 361.900 to 361.1035 or regulations implementing sections 361.900 to 361.1035, or as reasonably requested by the director;

(7) Acknowledge that the authorized delegate consents to examination or investigation by the director;

(8) State that the licensee is subject to regulation by the director and that, as part of that regulation, the director may suspend or revoke an authorized delegate designation or require the licensee to terminate an authorized delegate designation; and

(9) Acknowledge receipt of the written policies and procedures required under subdivision (1) of subsection 1 of this section.

5. If the licensee's license is suspended, revoked, surrendered, or expired, the licensee shall, within five business days, provide documentation to the director that the licensee has notified all applicable authorized delegates of the licensee whose names are in a record filed with the directors of the suspension, revocation, surrender, or expiration of a license. Upon suspension, revocation, surrender, or expiration of a license, applicable authorized delegates shall immediately cease to provide money transmission as an authorized delegate of the licensee.

6. An authorized delegate of a licensee holds in trust for the benefit of the licensee all money net of fees received from money transmission. If any authorized delegate commingles any funds received from money transmission with any other funds or property owned or controlled by the authorized delegate, all commingled funds and other property shall be considered held in trust in favor of the licensee in an amount equal to the amount of money net of fees received from money transmission.

7. An authorized delegate shall not use a subdelegate to conduct money transmission on behalf of a licensee.

361.978. A person shall not engage in the business of money transmission on behalf of a person not licensed under sections 361.900 to 361.1035 or not exempt under sections 361.909 and 361.912. A person that engages in such activity provides money transmission to the same extent as if the person were a licensee and shall be jointly and severally liable with the unlicensed or nonexempt person.

361.981. 1. The circuit court in an action brought by a licensee shall have jurisdiction to grant appropriate equitable or legal relief, including without limitation prohibiting the authorized delegate from directly or indirectly acting as an authorized delegate for any licensee in this state and the payment of restitution, damages, or other monetary relief, if the circuit court finds that an authorized delegate failed to remit money in accordance with the written contract required by subsection 2 of section 361.1275 or as otherwise directed by the licensee or required by law.

2. If the circuit court issues an order prohibiting a person from acting as an authorized delegate for any licensee under subsection 1 of this section, the licensee that brought the action shall report the order to the director within thirty days and shall report the order through NMLS within ninety days.

3. An authorized delegate who holds money in trust for the benefit of a licensee and knowingly fails to remit more than one thousand dollars of such money is guilty of a class E felony.

4. An authorized delegate who holds money in trust for the benefit of a licensee and knowingly fails to remit no more than one thousand dollars of such money is guilty of a class A misdemeanor.

361.984. 1. Every licensee shall forward all money received for transmission in accordance with the terms of the agreement between the licensee and the sender unless the licensee has a reasonable belief or a reasonable basis to believe that the sender may be a victim of fraud or that a crime or violation of law, rule, or regulation has occurred, is occurring, or may occur.

2. If a licensee fails to forward money received for transmission in accordance with this section, the licensee shall respond to inquiries by the sender with the reason for the failure unless providing a response would violate a state or federal law, rule, or regulation.

361.987. 1. This section shall not apply to:

(1) Money received for transmission subject to the federal Remittance Rule, 12 CFR Part 1005, Subpart B, as amended or recodified from time to time; or

(2) Money received for transmission under a written agreement between the licensee and payee to process payments for goods or services provided by the payee.

2. Every licensee shall refund to the sender, within ten days of receipt of the sender's written request for a refund, any and all money received for transmission unless any of the following occurs:

(1) The money has been forwarded within ten days of the date on which the money was received for transmission;

(2) Instructions have been given committing an equivalent amount of money to the person designated by the sender within ten days of the date on which the money was received for transmission;

(3) The agreement between the licensee and the sender instructs the licensee to forward the money at a time that is beyond ten days of the date on which the money was received for transmission. If funds have not yet been forwarded in accordance with the terms of the agreement between the licensee and the sender, the licensee shall issue a refund in accordance with the other provisions of this section;

(4) The refund is requested for a transaction that the licensee has not completed based on a reasonable belief or a reasonable basis to believe that a crime or violation of law, rule, or regulation has occurred, is occurring, or may occur; or

(5) The refund request does not enable the licensee to:

(a) Identify the sender's name and address or telephone number; or

(b) Identify the particular transaction to be refunded in the event the sender has multiple transactions outstanding.

361.990. 1. This section shall not apply to:

(1) Money received for transmission subject to the federal Remittance Rule, 12 CFR Part 1005, Subpart B, as amended or recodified from time to time;

(2) Money received for transmission that is not primarily for personal, family, or household purposes;

(3) Money received for transmission under a written agreement between the licensee and payee to process payments for goods or services provided by the payee; or

(4) Payroll processing services.

2. For purposes of this section, "receipt" means a paper receipt, electronic record, or other written confirmation. For a transaction conducted in person, the receipt may be provided electronically if the sender requests or agrees to receive an electronic receipt. For a transaction conducted electronically or by phone, a receipt may be provided electronically. All electronic receipts shall be provided in a retainable form.

3. (1) Every licensee or its authorized delegate shall provide the sender a receipt for money received for transmission. The receipt shall contain the following information, as applicable:

(a) The name of the sender;

(b) The name of the designated recipient;

(c) The date of the transaction;

(d) The unique transaction or identification number;

(e) The name of the licensee, NMLS unique identifier, the licensee's business address, and the licensee's customer service telephone number;

(f) The amount of the transaction in United States dollars;



- (g) Any fee charged by the licensee to the sender for the transaction; and
- (h) Any taxes collected by the licensee from the sender for the transaction.

(2) The receipt required by this section shall be in English and in the language principally used by the licensee or authorized delegate to advertise, solicit, or negotiate, either orally or in writing, for a transaction conducted in person, electronically, or by phone, if other than English.

361.996. 1. A licensee that provides payroll processing services shall:

(1) Issue reports to clients detailing client payroll obligations in advance of the payroll funds being deducted from an account; and

(2) Make available worker paystubs or an equivalent statement to workers.

2. Subsection 1 of this section shall not apply to a licensee providing payroll processing services if the licensee's client designates the intended recipients to the licensee and is responsible for providing the disclosures required by subdivision (2) of subsection 1 of this section.

361.999. 1. A licensee under sections 361.900 to 361.1035 shall maintain at all times a tangible net worth of the greater of one hundred thousand dollars or three percent of total assets for the first one hundred million dollars, two percent of additional assets for one hundred million dollars to one billion dollars, and one-half of one percent of additional assets for over one billion dollars.

2. Tangible net worth shall be demonstrated at initial application by the applicant's most recent audited or unaudited financial statements under subdivision (6) of subsection 2 of section 361.936.

3. Notwithstanding the provisions of this section, the director shall have the authority, for good cause shown, to exempt, in part or in whole, from the requirements of this section any applicant or licensee.

361.1002. 1. An applicant for a money transmission license shall provide, and a licensee at all times shall maintain, security consisting of a surety bond in a form satisfactory to the director.

2. The amount of the required security shall be:

(1) The greater of one hundred thousand dollars or an amount equal to one hundred percent of the licensee's average daily money transmission liability in this state calculated for the most recently completed three-month period, up to a maximum of five hundred thousand dollars; or

(2) In the event that the licensee's tangible net worth exceeds ten percent of the total assets, a surety bond of one hundred thousand dollars.

3. A licensee that maintains a bond in the maximum amount provided for in subsection 2 of this section shall not be required to calculate its average daily money transmission liability in this state for purposes of this section.

361.1005. 1. A licensee shall maintain at all times permissible investments that have a market value computed in accordance with United States generally accepted accounting principles of not less than the aggregate amount of all of its outstanding money transmission obligations.

2. Except for permissible investments enumerated in subsection 1 of section 361.1008, the director, with respect to any licensee, may by rule limit the extent to which a specific investment maintained by a licensee within a class of permissible investments may be considered a permissible investment if the specific investment represents undue risk to customers not reflected in the market value of investments.

3. Permissible investments, even if commingled with other assets of the licensee, are held in trust for the benefit of the purchasers and holders of the licensee's outstanding money transmission obligations in the event of insolvency, the filing of a petition by or against the licensee under the United States Bankruptcy Code, 11 U.S.C. Section 101-110, as amended or recodified from time to time, for bankruptcy or reorganization, the filing of a petition by or against the licensee for receivership, the commencement of any other judicial or administrative proceeding for its dissolution or reorganization, or in the event of an action by a creditor against the licensee who is not a beneficiary of the statutory trust. No permissible investments impressed with a trust under this subsection shall be subject to attachment, levy of execution, or sequestration by order of any court, except for a beneficiary of the statutory trust.

4. Upon the establishment of a statutory trust in accordance with subsection 3 of this section or when any funds are drawn on a letter of credit under subdivision (4) of subsection 1 of section 361.1008, the director shall notify the applicable regulator of each state in which the licensee is licensed to engage in money transmission, if any, of the establishment of the trust or the funds drawn on the letter of credit, as applicable. Notice shall be deemed satisfied if performed under a multistate agreement or through NMLS. Funds drawn on a letter of credit, and any other permissible investments held in trust for the benefit of the purchasers and holders of the licensee's outstanding money transmission obligations, are deemed held in trust for the benefit

of such purchasers and holders on a pro rata and equitable basis in accordance with statutes under which permissible investments are required to be held in this state, and other states, as applicable. Any statutory trust established under this subsection shall be terminated upon extinguishment of all of the licensee's outstanding money transmission obligations.

5. The director by rule or by order may allow other types of investments that the director determines are of sufficient liquidity and quality to be a permissible investment. The director is authorized to participate in efforts with other state regulators to determine that other types of investments are of sufficient liquidity and quality to be a permissible investment.

361.1008. 1. The following investments are permissible under section 361.1005:

(1) Cash, including demand deposits, savings deposits, and funds in such accounts held for the benefit of the licensee's customers in a federally insured depository financial institution, and cash equivalents, including automated clearinghouse items in transit to the licensee and automated clearinghouse items or international wires in transit to a payee, cash in transit via armored car, cash in smart safes, cash in licensee-owned locations, debit card or credit card funded transmission receivables owed by any bank, or money market mutual funds rated AAA by Standard & Poor's, or the equivalent from any eligible rating service;

(2) Certificates of deposit or senior debt obligations of an insured depository institution, as defined under the Federal Deposit Insurance Act, 12 U.S.C. Section 1813, as amended or recodified from time to time, or as defined under the federal Credit Union Act, 12 U.S.C. Section 1781, as amended or recodified from time to time;

(3) An obligation of the United States or a commission, agency, or instrumentality thereof; an obligation that is guaranteed fully as to principal and interest by the United States; or an obligation of a state or a governmental subdivision, agency, or instrumentality thereof;

(4) One hundred percent of the surety bond provided for under section 361.1002 that exceeds the average daily money transmission liability in this state; and

(5) The full drawable amount of an irrevocable standby letter of credit for which the stated beneficiary is the director that stipulates that the beneficiary need draw only a sight draft under the letter of credit and present it to obtain funds up to the letter of credit amount within seven days of presentation of the items required by paragraph (d) of this subdivision. The letter of credit shall:

(a) Be issued by a federally insured depository financial institution, a foreign bank that is authorized under federal law to maintain a federal agency or federal branch office in a state or states, or a foreign bank that is authorized under state law to maintain a branch in a state that:

a. Bears an eligible rating or whose parent company bears an eligible rating; and

b. Is regulated, supervised, and examined by United States federal or state authorities having regulatory authority over banks, credit unions, and trust companies;

(b) Be irrevocable, unconditional, and indicate that it is not subject to any condition or qualifications outside of the letter of credit;

(c) Not contain references to any other agreements, documents or entities, or otherwise provide for any security interest in the licensee; and

(d) Contain an issue date and expiration date, and expressly provide for automatic extension, without a written amendment, for an additional period of one year from the present or each future expiration date unless the issuer of the letter of credit notifies the director in writing by certified or registered mail or courier mail or other receipted means, at least sixty days prior to any expiration date, that the irrevocable letter of credit will not be extended.

2. In the event of any notice of expiration or nonextension of a letter of credit issued under paragraph (d) of subdivision (4) of subsection 1 of this section, the licensee shall be required to demonstrate to the satisfaction of the director, fifteen days prior to expiration, that the licensee maintains and will maintain permissible investments in accordance with subsection 1 of section 361.1005 upon the expiration of the letter of credit. If the licensee is not able to do so, the director may draw on the letter of credit in an amount up to the amount necessary to meet the licensee's requirements to maintain permissible investments in accordance with subsection 1 of section 361.1005. Any such draw shall be offset against the licensee's outstanding money transmission obligations. The drawn funds shall be held in trust by the director or the director's designated agent, to the extent authorized by law, as agent for the benefit of the purchasers and holders of the licensee's outstanding money transmission obligations.

3. The letter of credit shall provide that the issuer of the letter of credit will honor, at sight, a presentation made by the beneficiary to the issuer of the following documents on or prior to the expiration date of the letter of credit:

- (1) The original letter of credit, including any amendments; and
- (2) A written statement from the beneficiary stating that any of the following events have occurred:
  - (a) The filing of a petition by or against the licensee under the United States Bankruptcy Code, 11 U.S.C. Sections 101-110, as amended or recodified from time to time, for bankruptcy or reorganization;
  - (b) The filing of a petition by or against the licensee for receivership, or the commencement of any other judicial or administrative proceeding for its dissolution or reorganization;
  - (c) The seizure of assets of a licensee by the director under an emergency order issued in accordance with applicable law, on the basis of an action, violation, or condition that has caused or is likely to cause the insolvency of the licensee; or
  - (d) The beneficiary has received notice of expiration or nonextension of a letter of credit and the licensee failed to demonstrate to the satisfaction of the beneficiary that the licensee will maintain permissible investments in accordance with subsection 1 of section 361.1005 upon the expiration or nonextension of the letter of credit.

4. The director may designate an agent to serve on the director's behalf as beneficiary to a letter of credit so long as the agent and letter of credit meet requirements established by the director. The director's agent may serve as agent for multiple licensing authorities for a single irrevocable letter of credit if the proceeds of the drawable amount for the purposes of this subsection are assigned to the director.

5. The director is authorized to participate in multistate processes designed to facilitate the issuance and administration of letters of credit including, but not limited to, services provided by the NMLS, State Regulatory Registry LLC or other third parties.

6. Unless permitted by the director by rule or by order to exceed the limit as set forth herein, the following investments are permissible under section 361.1005 to the extent specified:

(1) Receivables that are payable to a licensee from its authorized delegates in the ordinary course of business that are less than seven days old, up to fifty percent of the aggregate value of the licensee's total permissible investments. Of the receivables permissible under this subdivision, receivables that are payable to a licensee from a single authorized delegate in the ordinary course of business shall not exceed ten percent of the aggregate value of the licensee's total permissible investments;

(2) The following investments, up to twenty percent per category and combined up to fifty percent of the aggregate value of the licensee's total permissible investments:

(a) A short-term investment bearing an eligible rating. For purposes of this paragraph, "short-term" means up to six months;

(b) Commercial paper bearing an eligible rating;

(c) A bill, note, bond, or debenture bearing an eligible rating;

(d) United States triparty repurchase agreements collateralized at one hundred percent or more with United States government or agency securities, municipal bonds, or other securities bearing an eligible rating;

(e) Money market mutual funds rated less than "AAA" and equal to or higher than "A-" by Standard & Poor's, or the equivalent from any other eligible rating service; and

(f) A mutual fund or other investment fund composed solely and exclusively of one or more permissible investments listed in subdivisions (1) to (3) of subsection 1 of this section; and

(3) Cash, including demand deposits, savings deposits, and funds in such accounts held for the benefit of the licensee's customers, at foreign depository institutions to ten percent of the aggregate value of the licensee's total permissible investments if the licensee has received a satisfactory rating in its most recent examination and the foreign depository institution:

(a) Has an eligible rating;

(b) Is registered under the Foreign Account Tax Compliance Act;

(c) Is not located in any country subject to sanctions from the Office of Foreign Asset Control; and

(d) Is not located in a high risk or noncooperative jurisdiction as designated by the Financial Action

Task Force.

361.1011. 1. The director may suspend or revoke a license or order a licensee to revoke the designation of an authorized delegate if:

(1) The licensee violates sections 361.900 to 361.1035 or a rule adopted or an order issued under sections 361.900 to 361.1035;

(2) The licensee does not cooperate with an examination or investigation by the director;

(3) The licensee engages in fraud, intentional misrepresentation, or gross negligence;  
(4) An authorized delegate is convicted of, or enters a plea of guilty or nolo contendere to, a felony involving an act of fraud, dishonesty, a breach of trust, or money laundering, or violates a rule adopted or an order issued under sections 361.900 to 361.1035 as a result of the licensee's willful misconduct or willful blindness;

(5) The competence, experience, character, or general fitness of the licensee, authorized delegate, person in control of a licensee, key individual, or responsible person of the authorized delegate indicates that it is not in the public interest to permit the person to provide money transmission;

(6) The licensee engages in an unsafe or unsound practice;

(7) The licensee is insolvent, suspends payment of its obligations, or makes a general assignment for the benefit of its creditors; or

(8) The licensee does not remove an authorized delegate after the director issues and serves upon the licensee a final order including a finding that the authorized delegate has violated sections 361.900 to 361.1035.

2. In determining whether a licensee is engaging in an unsafe or unsound practice, the director may consider the size and condition of the licensee's money transmission, the magnitude of the loss, the gravity of the violation of sections 361.900 to 361.1035, and the previous conduct of the person involved.

361.1014. 1. The director may issue an order suspending or revoking the designation of an authorized delegate, if the director finds that:

(1) The authorized delegate violated sections 361.900 to 361.1035 or a rule adopted or an order issued under sections 361.900 to 361.1035;

(2) The authorized delegate did not cooperate with an examination or investigation by the director;

(3) The authorized delegate engaged in fraud, intentional misrepresentation, or gross negligence;

(4) The authorized delegate has been convicted of, or pled guilty or nolo contendere to, a felony involving an act of fraud, dishonesty, a breach of trust, or money laundering;

(5) The competence, experience, character, or general fitness of the authorized delegate or a person in control of the authorized delegate indicates that it is not in the public interest to permit the authorized delegate to provide money transmission; or

(6) The authorized delegate is engaging in an unsafe or unsound practice.

2. In determining whether an authorized delegate is engaging in an unsafe or unsound practice, the director may consider the size and condition of the authorized delegate's provision of money transmission, the magnitude of the loss, the gravity of the violation of sections 361.900 to 361.1035 or a rule adopted or order issued under sections 361.900 to 361.1035, and the previous conduct of the authorized delegate.

3. An authorized delegate may apply for relief from a suspension or revocation of designation as an authorized delegate according to procedures prescribed by the director.

361.1017. 1. If the director determines that a violation of sections 361.900 to 361.1035 or of a rule adopted or an order issued under sections 361.900 to 361.1035 by a licensee or authorized delegate is likely to cause immediate and irreparable harm to the licensee, its customers, or the public as a result of the violation, or cause insolvency or significant dissipation of assets of the licensee, the director may issue an order requiring the licensee or authorized delegate to cease and desist from the violation. The order becomes effective upon service to the licensee or authorized delegate.

2. The director may issue an order against a licensee to cease and desist from providing money transmission through an authorized delegate that is the subject of a separate order by the director.

3. An order to cease and desist remains effective and enforceable pending the completion of an administrative proceeding under chapter 536.

4. A licensee or an authorized delegate that is served with an order to cease and desist may petition the circuit court with jurisdiction for a judicial order setting aside, limiting, or suspending the enforcement, operation, or effectiveness of the order pending the completion of an administrative proceeding under chapter 536.

5. An order to cease and desist expires unless the director commences an administrative proceeding under chapter 536 within ten days after it is issued.

361.1020. The director may enter into a consent order at any time with a person to resolve a matter arising under sections 361.900 to 361.1035 or a rule adopted or order issued under sections 361.900 to 361.1035. A consent order shall be signed by the person to whom it is issued or by the person's authorized representative and shall indicate agreement with the terms contained in the order. A consent order may provide that it does not constitute an admission by a person that sections 361.900 to 361.1035 or a rule adopted or an order issued under sections 361.900 to 361.1035 has been violated.

**361.1023. 1.** A person that intentionally makes a false statement, misrepresentation, or false certification in a record filed or required to be maintained under sections 361.900 to 361.1035 or that intentionally makes a false entry or omits a material entry in such a record is guilty of a class E felony.

**2.** A person that knowingly engages in an activity for which a license is required under sections 361.900 to 361.1035 without being licensed under sections 361.900 to 361.1035 and that receives more than five hundred dollars in compensation within a thirty-day period for this activity is guilty of a class E felony.

**3.** A person that knowingly engages in an activity for which a license is required under sections 361.900 to 361.1035 without being licensed under sections 361.900 to 361.1035 and that receives no more than five hundred dollars in compensation within a thirty-day period for this activity is guilty of a class A misdemeanor.

**361.1026.** The director may assess a civil penalty against a person that violates sections 361.900 to 361.1035 or a rule adopted or an order issued under sections 361.900 to 361.1035 in an amount not to exceed one thousand dollars per day for each day the violation is outstanding, plus this state's costs and expenses for the investigation and prosecution of the matter, including reasonable attorney's fees.

**361.1029. 1.** If the director has reason to believe that a person has violated or is violating section 361.930, the director may issue an order to show cause why an order to cease and desist shall not be issued requiring that the person cease and desist from the violation of section 361.930.

**2.** In an emergency, the director may petition the circuit court with jurisdiction for the issuance of a temporary restraining order under the rules of civil procedure.

**3.** An order to cease and desist becomes effective upon service to the person.

**4.** An order to cease and desist remains effective and enforceable pending the completion of an administrative proceeding under chapter 536.

**5.** A person that is served with an order to cease and desist for violating section 361.930 may petition the circuit court with jurisdiction for a judicial order setting aside, limiting, or suspending the enforcement, operation, or effectiveness of the order pending the completion of an administrative proceeding under chapter 536.

**6.** An order to cease and desist expires unless the director commences an administrative proceeding within ten days after it is issued.

**361.1032.** In applying and construing sections 361.900 to 361.1035, consideration shall be given to the need to promote uniformity of the law with respect to its subject matter among states that enact it.

**361.1035. 1.** A person licensed in this state to engage in the business of money transmission shall not be subject to the provisions of sections 361.900 to 361.1035 to the extent that they conflict with current law or establish new requirements not imposed under current law, until such time as the licensee renews the licensee's current license.

**2.** Notwithstanding subsection 1 of this section, a licensee shall be required only to amend its authorized delegate contracts for contracts entered into or amended after the effective date or the completion of any transition period contemplated under subsection 1 of this section. Nothing herein shall be construed as limiting an authorized delegate's obligations to operate in full compliance with sections 361.900 to 361.1035 as required by subsection 3 of section 361.975."; and

Further amend said bill, Page 102, Section 400.199-306, Line 10, by inserting after all of said section and line the following:

**"427.300. 1.** This section shall be known, and may be cited as, the "Commercial Financing Disclosure Law".

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

(1) "Account";

(a) Includes:

a. A right to payment of a monetary obligation, regardless of whether earned by performance, for one of the following:

(i) Property that has been or is to be sold, leased, licensed, assigned, or otherwise disposed of;

(ii) Services rendered or to be rendered;

(iii) A policy of insurance issued or to be issued;

(iv) A secondary obligation incurred or to be incurred;

- (v) Energy provided or to be provided;
  - (vi) The use or hire of a vessel under a charter or other contract;
  - (vii) Arising out of the use of a credit or charge card or information contained on or for use with the card; or
  - (viii) As winnings in a lottery or other game of chance operated or sponsored by a state, governmental unit of a state, or person licensed or authorized to operate the game by a state or governmental unit of a state; and
- b. Health-care-insurance receivables; and
  - (b) does not include:
    - a. Rights to payment evidenced by chattel paper or an instrument;
    - b. Commercial tort claims;
    - c. Deposit accounts;
    - d. Investment property;
    - e. Letter-of-credit rights or letters of credit; or
    - f. Rights to payment for moneys or funds advanced or sold, other than rights arising out of the use of a credit or charge card or information contained on or for use with the card;
- (2) "Accounts receivable purchase transaction", any transaction in which the business forwards or otherwise sells to the provider all or a portion of the business's accounts or payment intangibles at a discount to their expected value. The provider's characterization of an accounts receivable purchase transaction as a purchase is conclusive that the accounts receivable purchase transaction is not a loan or a transaction for the use, forbearance, or detention of money;
- (3) "Broker", any person who, for compensation or the expectation of compensation, obtains a commercial financing transaction or an offer for a commercial financing transaction from a third party that would, if executed, be binding upon that third party and communicates that offer to a business located in this state. The term "broker" excludes a provider, or any individual or entity whose compensation is not based or dependent on the terms of the specific commercial financing transaction obtained or offered;
- (4) "Business", an individual or group of individuals, sole proprietorship, corporation, limited liability company, trust, estate, cooperative, association, or limited or general partnership engaged in a business activity;
- (5) "Business purpose transaction", any transaction where the proceeds are provided to a business or are intended to be used to carry on a business and not for personal, family, or household purposes. For purposes of determining whether a transaction is a business purpose transaction, the provider may rely on any written statement of intended purpose signed by the business. The statement may be a separate statement or may be contained in an application, agreement, or other document signed by the business or the business owner or owners;
- (6) "Commercial financing facility", a provider's plan for purchasing multiple accounts receivable from the recipient over a period of time pursuant to an agreement that sets forth the terms and conditions governing the use of the facility;
- (7) "Commercial financing transaction", any commercial loan, accounts receivable purchase transaction, commercial open-end credit plan or each to the extent the transaction is a business purpose transaction;
- (8) "Commercial loan", a loan to a business, whether secured or unsecured;
- (9) "Commercial open-end credit plan", commercial financing extended by any provider under a plan in which:
  - (a) The provider reasonably contemplates repeat transactions; and
  - (b) The amount of financing that may be extended to the business during the term of the plan, up to any limit set by the provider, is generally made available to the extent that any outstanding balance is repaid;
- (10) "Depository institution", any of the following:
  - (a) A bank, trust company, or industrial loan company doing business under the authority of, or in accordance with, a license, certificate, or charter issued by the United States, this state, or any other state, district, territory, or commonwealth of the United States that is authorized to transact business in this state;
  - (b) A federally chartered savings and loan association, federal savings bank, or federal credit union that is authorized to transact business in this state; or
  - (c) A savings and loan association, savings bank, or credit union organized under the laws of this or any other state that is authorized to transact business in this state;

(11) "General intangible", any personal property, including things in action, other than accounts, chattel paper, commercial tort claims, deposit accounts, documents, goods, instruments, investment property, letter-of-credit rights, letters of credit, money, and oil, gas, or other minerals before extraction. "General intangible" also includes payment intangibles and software;

(12) "Payment intangible", a general intangible under which the account debtor's principal obligation is a monetary obligation;

(13) "Provider", a person who consummates more than five commercial financing transactions to a business located in this state in any calendar year. "Provider" also includes a person that enters into a written agreement with a depository institution to arrange for the extension of a commercial financing transaction by the depository institution to a business via an online lending platform administered by the person. The fact that a provider extends a specific offer for a commercial financing transaction on behalf of a depository institution shall not be construed to mean that the provider engaged in lending or financing or originated that loan or financing.

3. (1) A provider that consummates a commercial financing transaction shall disclose the terms of the commercial financing transaction as required by this section. The disclosures shall be provided at or before consummation of the transaction. Only one disclosure is required for each commercial financing transaction, and a disclosure is not required as a result of the modification, forbearance, or change to a consummated commercial financing transaction.

(2) A provider shall disclose the following in connection with each commercial financing transaction:

(a) The total amount of funds provided to the business under the terms of the commercial financing transaction agreement. This disclosure shall be labeled "Total Amount of Funds Provided";

(b) The total amount of funds disbursed to the business under the terms of the commercial financing transaction, if less than the total amount of funds provided, as a result of any fees deducted or withheld at disbursement and any amount paid to a third party on behalf of the business. This disclosure shall be labeled "Total Amount of Funds Disbursed";

(c) The total amount to be paid to the provider pursuant to the commercial financing transaction agreement. This disclosure shall be labeled "Total of Payments";

(d) The total dollar cost of the commercial financing transaction under the terms of the agreement, derived by subtracting the total amount of funds provided from the total of payments. This calculation shall include any fees or charges deducted by the provider from the "Total Amount of Funds Provided". This disclosure shall be labeled "Total Dollar Cost of Financing";

(e) The manner, frequency, and amount of each payment. This disclosure shall be labeled "Payments". If the payments may vary, the provider shall instead disclose the manner, frequency, and the estimated amount of the initial payment labeled "Estimated Payments" and the commercial financing transaction agreement shall include a description of the methodology for calculating any variable payment and the circumstances when payments may vary;

(f) A statement of whether there are any costs or discounts associated with prepayment of the commercial financing product including a reference to the paragraph in the agreement that creates the contractual rights of the parties related to prepayment. This disclosure shall be labeled "Prepayment"; and

(3) A provider that consummates a commercial financing facility may provide disclosures of this subsection which are based on an example of a transaction that could occur under the agreement. The example shall be based on an accounts receivable total face amount owed of ten thousand dollars. Only one disclosure is required for each commercial financing facility, and a disclosure is not required as result of a modification, forbearance, or change to the facility. A new disclosure is not required each time accounts receivable are purchased under the facility.

4. The provisions of this section shall not apply to the following:

(1) A provider that is a depository institution or a subsidiary or service corporation that is:

(a) Owned and controlled by a depository institution; and

(b) Regulated by a federal banking agency;

(2) A provider that is a lender regulated under the federal Farm Credit Act, 12 U.S.C. Section 2001 et seq.;

(3) A commercial financing transaction that is:

(a) Secured by real property;

(b) A lease; or

(c) A purchase money obligation that is incurred as all or part of the price of the collateral or for value given to enable the business to acquire rights in or the use of the collateral if the value is in fact so used;

(4) A commercial financing transaction in which the recipient is a motor vehicle dealer or an affiliate of such a dealer, or a vehicle rental company, or an affiliate of such a company, pursuant to a commercial loan or commercial open-end credit plan of at least fifty thousand dollars or a commercial financing transaction offered by a person in connection with the sale or lease of products or services that such person manufactures, licenses, or distributes, or whose parent company or any of its directly or indirectly owned and controlled subsidiaries manufactures, licenses, or distributes;

(5) A commercial financing transaction that is a factoring transaction, purchase, sale, advance, or similar of accounts receivable owed to a health care provider because of a patient's personal injury treated by the health care provider;

(6) A provider that is licensed as a money transmitter in accordance with a license, certificate, or charter issued by this state or any other state, district, territory, or commonwealth of the United States;

(7) A provider that consummates no more than five commercial financing transactions in this state in a twelve-month period; or

(8) A commercial financing transaction of more than five hundred thousand dollars.

5. (1) No person shall engage in business as a broker within this state for compensation, unless prior to conducting such business, the person has filed a registration with the division of finance within the department of commerce and insurance and has on file a good and sufficient bond as specified in this subsection. The registration shall be effective upon receipt by the division of finance of a completed registration form and the required registration fee, and shall remain effective until the time of renewal.

(2) After filing an initial registration form, a broker shall file, on or before January thirty-first of each year, a renewal registration form along with the required renewal registration fee.

(3) The broker shall pay a one-hundred-dollar registration fee upon the filing of an initial registration and a fifty-dollar renewal registration fee upon the filing of a renewal registration.

(4) The registration form required by this subsection shall include the following:

(a) The name of the broker;

(b) The name in which the broker is transacted if different from that stated in paragraph (a) of this subdivision;

(c) The address of the broker's principal office, which may be outside this state;

(d) Whether any officer, director, manager, operator, or principal of the broker has been convicted of a felony involving an act of fraud, dishonesty, breach of trust, or money laundering; and

(e) The name and address in this state of a designated agent upon whom service of process may be made.

(5) If information in a registration form changes or otherwise becomes inaccurate after filing, the broker shall not be required to file a further registration form prior to the time of renewal.

(6) Every broker shall obtain a surety bond issued by a surety company authorized to do business in this state. The amount of the bond shall be ten thousand dollars. The bond shall be in favor of the state of Missouri. Any person damaged by the broker's breach of contract or of any obligation arising therefrom, or by any violation of this section, may bring an action against the bond to recover damages suffered. The aggregate liability of the surety shall be only for actual damages and in no event shall exceed the amount of the bond.

(7) Employees regularly employed by a broker who has complied with this subsection shall not be required to file a registration or obtain a surety bond when acting within the scope of their employment for the broker.

6. (1) Any person who violates any provision of this section shall be punished by a fine of five hundred dollars per incident, not to exceed twenty thousand dollars for all aggregated violations arising from the use of the transaction documentation or materials found to be in violation of this section. Any person who violates any provision of this section after receiving written notice of a prior violation from the attorney general shall be punished by a fine of one thousand dollars per incident, not to exceed fifty thousand dollars for all aggregated violations arising from the use of the transaction documentation or materials found to be in violation of this section.

(2) Violation of any provision of this section shall not affect the enforceability or validity of the underlying agreement.

(3) This section shall not create a private right of action against any person or other entity based upon compliance or noncompliance with its provisions.



(4) Authority to enforce compliance with this section is vested exclusively in the attorney general of this state.

7. The requirements of subsections 3 and 5 of this section shall take effect upon either:

(1) Six months after the division of finance finalizes promulgating rules, if the division intends to promulgate rules; or

(2) February 28, 2025, if the division does not intend to promulgate rules.

8. The division of finance may promulgate rules implementing this section. If the division of finance intends to promulgate rules, it shall declare its intent to do so no later than February 28, 2025. 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, 2024, shall be invalid and void.

~~[361.700. 1. Sections 361.700 to 361.727 shall be known and may be cited as the "Sale of Checks Law".~~

~~2. For the purposes of sections 361.700 to 361.727, the following terms mean:~~

~~(1) "Check", any instrument for the transmission or payment of money and shall also include any electronic means of transmitting or paying money;~~

~~(2) "Director", the director of the division of finance;~~

~~(3) "Licensee", any person duly licensed by the director pursuant to sections 361.700 to 361.727;~~

~~(4) "Person", any individual, partnership, association, trust or corporation.]~~

~~[361.705. 1. No person shall issue checks in this state for a consideration without first obtaining a license from the director; provided, however, that sections 361.700 to 361.727 shall not apply to the receipt of money by an incorporated telegraph company at any office or agency of such company for immediate transmission by telegraph nor to any bank, trust company, savings and loan association, credit union, or agency of the United States government.~~

~~2. Any person who violates any of the provisions of sections 361.700 to 361.727 or attempts to sell or issue checks without having first obtained a license from the director shall be deemed guilty of a class A misdemeanor.]~~

~~[361.707. 1. Each application for a license pursuant to sections 361.700 to 361.727 shall be in writing and under oath to the director in such form as he may prescribe. The application shall state the full name and business address of:~~

~~(1) The proprietor, if the applicant is an individual;~~

~~(2) Every member, if the applicant is a partnership or association;~~

~~(3) The corporation and each officer and director thereof, if the applicant is a corporation.~~

~~2. Each application for a license shall be accompanied by an investigation fee of three hundred dollars. If the license is granted the investigation fee shall be applied to the license fee for the first year. No investigation fee shall be refunded.]~~

~~[361.711. Each application for a license shall be accompanied by a corporate surety bond in the principal sum of one hundred thousand dollars. The bond shall be in form satisfactory to the director and shall be issued by a bonding company or insurance company authorized to do business in this state, to secure the faithful performance of the obligations of the applicant and the agents and subagents of the applicant with respect to the receipt, transmission, and payment of money in connection with the sale or issuance of checks and also to pay the costs incurred by the division to remedy any breach of the obligations of the applicant subject to the bond or to pay examination costs of the division owed and not paid by the applicant. Upon license renewal, the required amount of bond shall be as follows:~~

(1) For all licensees selling payment instruments or stored value cards, five times the high outstanding balance from the previous year with a minimum of one hundred thousand dollars and a maximum of one million dollars;

(2) For all licensees receiving money for transmission, five times the greatest amount transmitted in a single day during the previous year with a minimum of one hundred thousand dollars and a maximum of one million dollars.—

If in the opinion of the director the bond shall at any time appear to be inadequate, insecure, exhausted, or otherwise doubtful, additional bond in form and with surety satisfactory to the director shall be filed within fifteen days after notice of the requirement is given to the licensee by the director. An applicant or licensee may, in lieu of filing any bond required under this section, provide the director with an irrevocable letter of credit, as defined in section 400.5-103, issued by any state or federal financial institution. Whenever in the director's judgment it is necessary or expedient, the director may perform a special examination of any person licensed under sections 361.700 to 361.727 with all authority under section 361.160 as though the licensee were a bank. The cost of such examination shall be paid by the licensee.]

[361.715. 1. Upon the filing of the application, the filing of a certified audit, the payment of the investigation fee and the approval by the director of the necessary bond, the director shall cause, investigate, and determine whether the character, responsibility, and general fitness of the principals of the applicant or any affiliates are such as to command confidence and warrant belief that the business of the applicant will be conducted honestly and efficiently and that the applicant is in compliance with all other applicable state and federal laws. If satisfied, the director shall issue to the applicant a license pursuant to the provisions of sections 361.700 to 361.727. In processing a renewal license, the director shall require the same information and follow the same procedures described in this subsection.

2. Each licensee shall pay to the director before the issuance of the license, and annually thereafter on or before April fifteenth of each year, a license fee of four hundred dollars.

3. The director may assess a reasonable charge, not to exceed four hundred dollars, for any application to amend and reissue an existing license.]

[361.718. Every licensee shall at all times have on demand deposit in a federally insured depository institution or in the form of cash on hand or in the hands of his agents or in readily marketable securities an amount equal to all outstanding unpaid checks sold by him or his agents in Missouri, in addition to the amount of his bond. Upon demand by the director, licensees must immediately provide proof of such funds or securities. The director may make such demand as often as reasonably necessary and shall make such demand to each licensee, without prior notice, at least twice each license year.]

[361.720. Each licensee may conduct business at one or more locations within this state and by means of employees, agents, subagents or representatives as such licensee may designate. No license under sections 361.700 to 361.727 shall be required of any such employee, agent, subagent or representative who sells checks in behalf of a licensee. Each such agent, subagent or representative shall upon demand transfer and deliver to the licensee the proceeds of the sale of licensee's checks less the fees, if any, due such agent, subagent or representative.]

[361.723. Each licensee shall file with the director annually on or before April fifteenth of each year a statement listing the locations of the offices of the licensee and the names and locations of the agents or subagents authorized by the licensee to engage in the sale of checks of which the licensee is the issuer.]

[361.725. The director may at any time suspend or revoke a license, for any reason he might refuse to grant a license, for failure to pay an annual fee or for a violation of any provision of sections 361.700 to 361.727. No license shall be denied, revoked or suspended.

~~except on ten days' notice to the applicant or licensee. Upon receipt of such notice the applicant or licensee may, within five days of such receipt, make written demand for a hearing. The director shall thereafter hear and determine the matter in accordance with the provisions of chapter 536.]~~

~~[361.727. The director shall issue regulations necessary to carry out the intent and purposes of sections 361.700 to 361.727, pursuant to the provisions of section 361.105 and chapter 536.]; and~~

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

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

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

*House Amendment No. 2*

AMEND House Bill No. 2780, Page 102, Section 400.199-306, Line 10, by inserting after all of said section and line the following:

"415.415. 1. The operator of a self-service storage facility has a lien on all personal property stored within each leased space for rent, labor, or other charges, and for expenses reasonably incurred in sale of such personal property, as provided in sections 415.400 to 415.425. The lien established by this subsection shall have priority over all other liens except those liens that have been perfected and recorded on personal property. The rental agreement shall contain a statement, in bold type, advising the occupant of the existence of such lien and that property stored in the leased space may be sold to satisfy such lien if the occupant is in default, and that any proceeds from the sale of the property which remain after satisfaction of the lien will be paid to the state treasurer if unclaimed by the occupant within one year after the sale of the property.

2. If the occupant is in default for a period of more than forty-five days, the operator may enforce the lien granted in subsection 1 of this section and sell the property stored in the leased space for cash. Sale of the property stored on the premises may be done at a public or private sale, may be done as a unit or in parcels, or may be by way of one or more contracts, and may be at any time or place and on any terms as long as the sale is done in a commercially reasonable manner in accordance with the provisions of section 400.9-627. The operator may otherwise dispose of any property which has no commercial value.

3. The proceeds of any sale made under this subsection shall be applied to satisfy the lien, with any surplus being held for delivery on demand to the occupant or any other lienholders which the operator knows of or which are contained in the statement filed by the occupant pursuant to subsection 3 of section 415.410 for a period of one year after receipt of proceeds of the sale and satisfaction of the lien. No proceeds shall be paid to an occupant until such occupant files a sworn affidavit with the operator stating that there are no other valid liens outstanding against the property sold and that he or she, the occupant, shall indemnify the operator for any damages incurred or moneys paid by the operator due to claims arising from other lienholders of the property sold. After the one-year period set in this subsection, any proceeds remaining after satisfaction of the lien shall be considered abandoned property to be reported and paid to the state treasurer in accordance with laws pertaining to the disposition of unclaimed property.

4. Before conducting a sale under subsection 2 of this section, the operator shall:

(1) At least forty-five days before any disposition of property under this section, which shall run concurrently with subsection 2 of this section, notify the occupant and each lienholder which is contained in any statement filed by the occupant pursuant to subsection 3 of section 415.410 of the default by first-class mail or electronic mail at the occupant's or lienholder's last known address, and shall notify any third-party owner identified by the occupant pursuant to subsection 3 of section 415.410;

(2) No sooner than ten days after mailing the notice required in subdivision (1) of this subsection, mail a second notice of default, by verified mail or electronic mail, to the occupant at the occupant's or lienholder's last known address, which notice shall include:

(a) A statement that the contents of the occupant's leased space are subject to the operator's lien;

(b) A statement of the operator's claim, indicating the charges due on the date of the notice, the amount of any additional charges which shall become due before the date of release for sale and the date those additional charges shall become due;

(c) A demand for payment of the charges due within a specified time, not less than ten days after the date on which the second notice was mailed;

(d) A statement that unless the claim is paid within the time stated, the contents of the occupant's space will be sold after a specified time; and

(e) The name, street address and telephone number of the operator, or a designated agent whom the occupant may contact, to respond to the notice;

(3) At least seven days before the sale, advertise the time, place, and terms of the sale in **the classified section of a newspaper of general circulation in the jurisdiction where the sale is to be held or in any other commercially reasonable manner.** ~~[Such]~~ **The manner of advertisement shall be [in the classified section of the newspaper and shall state that the items will be released for sale] deemed commercially reasonable if at least three independent bidders attend or view the sale at the time and place advertised.**

5. If the property is a vehicle, watercraft, or trailer and rent and other charges remain unpaid for sixty days, the owner may treat the vehicle, watercraft, or trailer as an abandoned vehicle and have the vehicle, watercraft, or trailer towed from the self-service storage facility. When the vehicle, watercraft, or trailer is towed from the self-service storage facility, the owner shall not be liable for the vehicle, watercraft, or trailer for any damages to the motor vehicle, watercraft, or trailer once the tower takes possession of the property.

6. At any time before a sale under this section, the occupant may pay the amount necessary to satisfy the lien and redeem the occupant's personal property."; and

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

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

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

*House Amendment No. 3*

AMEND House Bill No. 2780, Page 2, Section 34.700, Line 10, by inserting after all of said line the following:

"379.1640. 1. As used in this section, the following terms shall mean:

(1) "Department", the department of commerce and insurance;

(2) "Director", the director of the department of commerce and insurance;

(3) "Limited lines self-service storage insurance producer", an owner, operator, lessor, or sublessor of a self-service storage facility, or an agent or other person authorized to manage the facility, duly licensed by the department of commerce and insurance;

(4) "Offer and disseminate", provide general information, including a description of the coverage and price, as well as process the application, collect premiums, and perform other nonlicensable activities permitted by the state;

(5) "Self-service storage insurance", insurance coverage for the loss of, or damage to, tangible personal property in a self-service storage facility as defined in section 415.405 or in transit during the rental period.

2. Notwithstanding any other provision of law:

(1) Individuals may offer and disseminate self-service storage insurance on behalf of and under the control of a limited lines self-service storage insurance producer only if the following conditions are met:

(a) The limited lines self-service storage insurance producer provides to purchasers of self-service storage insurance:

a. A description of the material terms or the actual material terms of the insurance coverage;

b. A description of the process for filing a claim;

c. A description of the review or cancellation process for the self-service storage insurance coverage; and

d. The identity and contact information of the insurer and any third-party administrator or supervising entity authorized to act on behalf of the insurer;

(b) At the time of licensure, the limited lines self-service storage insurance producer shall establish and maintain a register on a form prescribed by the director of each individual that offers self-service storage insurance on the limited lines self-service storage insurance producer's behalf. The register shall be maintained and updated annually by the limited lines self-service storage insurance producer and shall include the name, address, and contact information of the limited lines self-service storage insurance producer and an officer or person who directs or controls the limited lines self-service storage insurance producer's operations, and the self-service storage facility's federal tax identification number. The limited lines self-service storage insurance producer shall submit such register within thirty days upon request by the department. The limited lines self-service storage insurance producer shall also certify that each individual listed on the self-service storage register complies with 18 U.S.C. Section 1033;

(c) The limited lines self-service storage insurance producer serves as or has designated one of its employees who is a licensed individual producer as a person responsible for the business entity's compliance with the self-service storage insurance laws, rules, and regulations of this state;

(d) An individual applying for a limited lines self-service storage insurance producer license shall make application to the director on the specified application and declare under penalty of refusal, suspension or revocation of the license that the statements made on the application are true, correct and complete to the best of the knowledge and belief of the applicant. Before approving the application, the director shall find that the individual:

a. Is at least eighteen years of age;

b. Has not committed any act that is a ground for denial, suspension, or revocation set forth in section 375.141;

c. Has paid a license fee in the sum of one hundred dollars; and

d. Has completed a qualified training program regarding self-service storage insurance policies, which has been filed with and approved by the director;

(e) Individuals applying for limited lines self-service storage insurance producer licenses shall be exempt from examination. The director may require any documents reasonably necessary to verify the information contained in an application. Within thirty working days after the change of any information submitted on the application, the self-service storage insurance producer shall notify the director of the change. No fee shall be charged for any such change. If the director has taken no action within twenty-five working days of receipt of an application, the application shall be deemed approved and the applicant may act as a licensed self-service storage insurance producer, unless the applicant has indicated a conviction for a felony or a crime involving moral turpitude;

(f) The limited lines self-service storage insurance producer requires each employee and authorized representative of the self-service storage insurance producer whose duties include offering and disseminating self-service storage insurance to receive a program of instruction or training provided or authorized by the insurer or supervising entity that has been reviewed and approved by the director. The training material shall, at a minimum, contain instructions on the types of insurance offered, ethical sales practices, and required disclosures to prospective customers;

(2) Any individual offering or disseminating self-service storage insurance shall provide to prospective purchasers brochures or other written materials that:

(a) Provide the identity and contact information of the insurer and any third-party administrator or supervising entity authorized to act on behalf of the insurer;

(b) Explain that the purchase of self-service storage insurance is not required in order to lease self-storage units;

(c) Explain that an unlicensed self-service storage operator is permitted to provide general information about the insurance offered by the self-service storage operator, including a description of the coverage and price, but is not qualified or authorized to answer technical questions about the terms and conditions of the insurance offered by the self-service storage operator or to evaluate the adequacy of the customer's existing insurance coverage; and

(d) Disclose that self-service storage insurance may provide duplication of coverage already provided by an occupant's, homeowner's, renter's, or other source of coverage;

(3) A limited lines self-service storage producer's employee or authorized representative, who is not licensed as an insurance producer, may not:

(a) Evaluate or interpret the technical terms, benefits, and conditions of the offered self-service storage insurance coverage;

(b) Evaluate or provide advice concerning a prospective purchaser's existing insurance coverage; or

(c) Hold themselves or itself out as a licensed insurer, licensed producer, or insurance expert;

(4) If self-service storage insurance is offered to the customer, premium or other charges specifically applicable to self-service storage insurance shall be listed as a separate amount and apart from other charges relating to the lease and/or procurement of a self-service storage unit on all documentation pertinent to the transaction.

3. Notwithstanding any other provision of law, a limited lines self-service storage insurance provider whose insurance-related activities, and those of its employees and authorized representatives, are limited to offering and disseminating self-service storage insurance on behalf of and under the direction of a limited lines self-service storage insurance producer meeting the conditions stated in this section is authorized to do so and receive related compensation, upon registration by the limited lines self-service storage insurance producer as described in paragraph (b) of subdivision (1) of subsection 2 of this section.

4. Self-service storage insurance may be provided under an individual policy or under a group or master policy.

5. Limited lines self-service storage insurance producers, operators, employees and authorized representatives offering and disseminating self-service storage insurance under the limited lines self-service storage insurance producer license shall be subject to the provisions of chapters 374 and 375, except as provided for in this section.

6. Limited lines self-service storage insurance producers, operators, employees and authorized representatives may offer and disseminate self-service storage insurance policies in an amount not to exceed ~~five~~ **fifteen** thousand dollars of coverage per customer per storage unit.

7. The director may promulgate rules to effectuate 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, 2016, shall be invalid and void."; and

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

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

On motion of Representative Hicks, **HB 2780, as amended**, was ordered perfected and printed.

**HCS HB 1775**, relating to department of revenue fees, was taken up by Representative Perkins.

Representative Perkins moved that the title of **HCS HB 1775** be agreed to.

Representative Sharpe (4) offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1775, Page 1, In the Title, Line 3, by deleting the words "department of revenue fees" and inserting in lieu thereof the words "the department of revenue"; and

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

On motion of Representative Sharpe (4), **House Amendment No. 1** was adopted.

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

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 1775, Page 5, Section 301.469, Line 41, by inserting after all of said section and line the following:

"301.3061. 1. Any person eligible for membership in the Disabled American Veterans and who possesses a valid membership card issued by the Disabled American Veterans may apply for Missouri Disabled American Veterans license plates for any motor vehicle the person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of twenty-four thousand pounds gross weight. The Missouri Disabled American Veterans hereby authorizes the use of its official emblem to be affixed on multiyear personalized license plates as provided in this section.

2. Upon presentation of a current photo identification, the person's valid membership card issued by the Disabled American Veterans, and payment of a fifteen dollar fee in addition to the regular registration fees and presentation of other documents which may be required by law, the department of revenue shall issue a personalized license plate to the vehicle owner, which shall bear the emblem of the Disabled American Veterans **organization, [an emblem consisting exclusively of a red letter "D", followed by a white letter "A" and a blue letter "V" in modified block letters, with each letter having a black shaded edging, and shall engrave the words "WARTIME DISABLED" in red letters centered]** and shall have an authorized Disabled American Veterans' slogan near the bottom of the plate. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. A fee for the issuance of personalized license plates issued under section 301.144 shall not be required for plates issued under this section.

3. Any person who applies for a Disabled American Veterans license plate under this section to be used on a vehicle commonly known and referred to as a pickup truck may be issued a Disabled American Veterans license plate with the designation "beyond local" indicated in the upper right corner of the plate.

4. There shall be no limit on the number of license plates any person qualified under this section may obtain so long as each set of license plates issued under this section is issued for vehicles owned solely or jointly by such person. License plates issued under this section shall not be transferable to any other person except that any registered co-owner of the motor vehicle may operate the motor vehicle for the duration of the year licensed in the event of the death of the qualified person.

5. The director shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2006, shall be invalid and void."; 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** was adopted.

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

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 1775, Page 2, Section 136.055, Line 19, by deleting the words "give priority" and inserting in lieu thereof "[give priority] **provide at least five percent of evaluation credit**"; and

Further amend said section and page, Line 23, by deleting the words "special consideration" and inserting in lieu thereof "[special consideration] **at least five percent of evaluation credit**"; and

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

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

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

*House Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 1775, Page 4, Section 136.055, Line 116, by inserting after said line all of the following:

"301.142. 1. As used in sections 301.141 to 301.143, the following terms mean:

- (1) "Department", the department of revenue;
  - (2) "Director", the director of the department of revenue;
  - (3) "Other authorized health care practitioner" includes advanced practice registered nurses licensed pursuant to chapter 335, physician assistants licensed pursuant to chapter 334, chiropractors licensed pursuant to chapter 331, podiatrists licensed pursuant to chapter 330, assistant physicians, physical therapists licensed pursuant to chapter 334, and optometrists licensed pursuant to chapter 336;
  - (4) "Physically disabled", a natural person who is blind, as defined in section 8.700, or a natural person with medical disabilities which prohibits, limits, or severely impairs one's ability to ambulate or walk, as determined by a licensed physician or other authorized health care practitioner as follows:
    - (a) The person cannot ambulate or walk fifty or less feet without stopping to rest due to a severe and disabling arthritic, neurological, orthopedic condition, or other severe and disabling condition; or
    - (b) The person cannot ambulate or walk without the use of, or assistance from, a brace, cane, crutch, another person, prosthetic device, wheelchair, or other assistive device; or
    - (c) Is restricted by a respiratory or other disease to such an extent that the person's forced respiratory expiratory volume for one second, when measured by spirometry, is less than one liter, or the arterial oxygen tension is less than sixty mm/hg on room air at rest; or
    - (d) Uses portable oxygen; or
    - (e) Has a cardiac condition to the extent that the person's functional limitations are classified in severity as class III or class IV according to standards set by the American Heart Association; or
    - (f) A person's age, in and of itself, shall not be a factor in determining whether such person is physically disabled or is otherwise entitled to disabled license plates and/or disabled windshield hanging placards within the meaning of sections 301.141 to 301.143;
  - (5) "Physician", a person licensed to practice medicine pursuant to chapter 334;
  - (6) "Physician's statement", a statement personally signed by a duly authorized person which certifies that a person is disabled as defined in this section;
  - (7) "Temporarily disabled person", a disabled person as defined in this section whose disability or incapacity is expected to last no more than one hundred eighty days;
  - (8) "Temporary windshield placard", a placard to be issued to persons who are temporarily disabled persons as defined in this section, certification of which shall be indicated on the physician's statement;
  - (9) "Windshield placard", a placard to be issued to persons who are physically disabled as defined in this section, certification of which shall be indicated on the physician's statement.
2. Other authorized health care practitioners may furnish to a disabled or temporarily disabled person a physician's statement for only those physical health care conditions for which such health care practitioner is legally authorized to diagnose and treat.
3. A physician's statement shall:
- (1) Be on a form prescribed by the director of revenue;
  - (2) Set forth the specific diagnosis and medical condition which renders the person physically disabled or temporarily disabled as defined in this section;
  - (3) Include the physician's or other authorized health care practitioner's license number; and
  - (4) Be personally signed by the issuing physician or other authorized health care practitioner.
4. If it is the professional opinion of the physician or other authorized health care practitioner issuing the statement that the physical disability of the applicant, user, or member of the applicant's household is permanent, it shall be noted on the statement. Otherwise, the physician or other authorized health care practitioner shall note on the statement the anticipated length of the disability which period may not exceed one hundred eighty days. If the



physician or health care practitioner fails to record an expiration date on the physician's statement, the director shall issue a temporary windshield placard for a period of thirty days.

5. A physician or other authorized health care practitioner who issues or signs a physician's statement so that disabled plates or a disabled windshield placard may be obtained shall maintain in such disabled person's medical chart documentation that such a certificate has been issued, the date the statement was signed, the diagnosis or condition which existed that qualified the person as disabled pursuant to this section and shall contain sufficient documentation so as to objectively confirm that such condition exists.

6. The medical or other records of the physician or other authorized health care practitioner who issued a physician's statement shall be open to inspection and review by such practitioner's licensing board, in order to verify compliance with this section. Information contained within such records shall be confidential unless required for prosecution, disciplinary purposes, or otherwise required to be disclosed by law.

7. Owners of motor vehicles who are residents of the state of Missouri, and who are physically disabled, owners of motor vehicles operated at least fifty percent of the time by a physically disabled person, or owners of motor vehicles used to primarily transport physically disabled members of the owner's household may obtain disabled person license plates. Such owners, upon application, accompanied by the documents and fees provided for in this section, a current physician's statement which has been issued within ninety days preceding the date the application is made and proof of compliance with the state motor vehicle laws relating to registration and licensing of motor vehicles, shall be issued motor vehicle license plates for vehicles, other than commercial vehicles with a gross weight in excess of twenty-four thousand pounds, upon which shall be inscribed the international wheelchair accessibility symbol and the word "DISABLED" in addition to a combination of letters and numbers. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. If at any time an individual who obtained disabled license plates issued under this subsection no longer occupies a residence with a physically disabled person, or no longer owns a vehicle that is operated at least fifty percent of the time by a physically disabled person, such individual shall surrender the disabled license plates to the department within thirty days of becoming ineligible for their use.

8. The director shall further issue, upon request, to such applicant one, and for good cause shown, as the director may define by rule and regulations, not more than two, removable disabled windshield hanging placards for use when the disabled person is occupying a vehicle or when a vehicle not bearing the permanent handicap plate is being used to pick up, deliver, or collect the physically disabled person issued the disabled motor vehicle license plate or disabled windshield hanging placard.

9. No additional fee shall be paid to the director for the issuance of the special license plates provided in this section, except for special personalized license plates and other license plates described in this subsection. Priority for any specific set of special license plates shall be given to the applicant who received the number in the immediately preceding license period subject to the applicant's compliance with the provisions of this section and any applicable rules or regulations issued by the director. If determined feasible by the advisory committee established in section 301.129, any special license plate issued pursuant to this section may be adapted to also include the international wheelchair accessibility symbol and the word "DISABLED" as prescribed in this section and such plate may be issued to any applicant who meets the requirements of this section and the other appropriate provision of this chapter, subject to the requirements and fees of the appropriate provision of this chapter.

10. Any physically disabled person, or the parent or guardian of any such person, or any not-for-profit group, organization, or other entity which transports more than one physically disabled person, may apply to the director of revenue for a removable windshield placard. The placard may be used in motor vehicles which do not bear the permanent handicap symbol on the license plate. Such placards must be hung from the front, middle rearview mirror of a parked motor vehicle and may not be hung from the mirror during operation. These placards may only be used during the period of time when the vehicle is being used by a disabled person, or when the vehicle is being used to pick up, deliver, or collect a disabled person, and shall be surrendered to the department, within thirty days, if a group, organization, or entity that obtained the removable windshield placard due to the transportation of more than one physically disabled person no longer transports more than one disabled person. When there is no rearview mirror, the placard shall be displayed on the dashboard on the driver's side.

11. The removable windshield placard shall conform to the specifications, in respect to size, color, and content, as set forth in federal regulations published by the Department of Transportation. The removable windshield placard shall be renewed every ~~four~~ **eight** years. **The department shall have the authority to automatically renew current valid disabled placards for a duration of eight years, or for the duration that**

**correlates with the disabled person's current physician's statement expiration date, until all permanent disabled placards are on an eight-year renewal cycle.** The director may stagger the expiration dates to equalize workload. Only one removable placard may be issued to an applicant who has been issued disabled person license plates. Upon request, one additional windshield placard may be issued to an applicant who has not been issued disabled person license plates.

12. A temporary windshield placard shall be issued to any physically disabled person, or the parent or guardian of any such person who otherwise qualifies except that the physical disability, in the opinion of the physician, is not expected to exceed a period of one hundred eighty days. The temporary windshield placard shall conform to the specifications, in respect to size, color, and content, as set forth in federal regulations published by the Department of Transportation. The fee for the temporary windshield placard shall be two dollars. Upon request, and for good cause shown, one additional temporary windshield placard may be issued to an applicant. Temporary windshield placards shall be issued upon presentation of the physician's statement provided by this section and shall be displayed in the same manner as removable windshield placards. A person or entity shall be qualified to possess and display a temporary removable windshield placard for six months and the placard may be renewed once for an additional six months if a physician's statement pursuant to this section is supplied to the director of revenue at the time of renewal.

13. Application for license plates or windshield placards issued pursuant to this section shall be made to the director of revenue and shall be accompanied by a statement signed by a licensed physician or other authorized health care practitioner which certifies that the applicant, user, or member of the applicant's household is a physically disabled person as defined by this section.

14. The placard shall be renewable only by the person or entity to which the placard was originally issued. Any placard issued pursuant to this section shall only be used when the physically disabled occupant for whom the disabled plate or placard was issued is in the motor vehicle at the time of parking or when a physically disabled person is being delivered or collected. A disabled license plate and/or a removable windshield hanging placard are not transferable and may not be used by any other person whether disabled or not.

15. At the time the disabled plates or windshield hanging placards are issued, the director shall issue a registration certificate which shall include the applicant's name, address, and other identifying information as prescribed by the director, or if issued to an agency, such agency's name and address. This certificate shall further contain the disabled license plate number or, for windshield hanging placards, the registration or identifying number stamped on the placard. The validated registration receipt given to the applicant shall serve as the registration certificate.

16. The director shall, upon issuing any disabled registration certificate for license plates and/or windshield hanging placards, provide information which explains that such plates or windshield hanging placards are nontransferable, and the restrictions explaining who and when a person or vehicle which bears or has the disabled plates or windshield hanging placards may be used or be parked in a disabled reserved parking space, and the penalties prescribed for violations of the provisions of this act.

17. Every new applicant for a disabled license plate or placard shall be required to present a new physician's statement dated no more than ninety days prior to such application. ~~[Renewal applicants will be required to submit a physician's statement dated no more than ninety days prior to such application upon their first renewal occurring on or after August 1, 2005. Upon completing subsequent renewal applications, a physician's statement dated no more than ninety days prior to such application shall be required every eighth year.]~~ Such physician's statement shall state the expiration date for the temporary windshield placard. If the physician fails to record an expiration date on the physician's statement, the director shall issue the temporary windshield placard for a period of thirty days. ~~[The director may stagger the requirement of a physician's statement on all renewals for the initial implementation of an eight-year period.]~~

18. The director of revenue upon receiving a physician's statement pursuant to this subsection shall check with the state board of registration for the healing arts created in section 334.120, or the Missouri state board of nursing established in section 335.021, with respect to physician's statements signed by advanced practice registered nurses, or the Missouri state board of chiropractic examiners established in section 331.090, with respect to physician's statements signed by licensed chiropractors, or with the board of optometry established in section 336.130, with respect to physician's statements signed by licensed optometrists, or the state board of podiatric medicine created in section 330.100, with respect to physician's statements signed by physicians of the foot or podiatrists to determine whether the physician is duly licensed and registered pursuant to law. If such applicant obtaining a disabled license plate or placard presents proof of disability in the form of a statement from the United States Veterans' Administration verifying that the person is permanently disabled, the applicant shall be exempt from the ~~[eight-year]~~ certification requirement of this subsection for **issuance and** renewal of the plate or placard.

~~[Initial applications shall be accompanied by the physician's statement required by this section.]~~ Notwithstanding the provisions of paragraph (f) of subdivision (4) of subsection 1 of this section, any person ~~[seventy-five years of age or older]~~ who provided the physician's statement, **or statement from the United States Veterans' Administration verifying that the person is permanently disabled**, with the original application shall not be required to provide a physician's statement for the purpose of renewal of disabled persons license plates or **permanent** windshield placards.

19. The boards shall cooperate with the director and shall supply information requested pursuant to this subsection. The director shall, in cooperation with the boards which shall assist the director, establish a list of all Missouri physicians and other authorized health care practitioners and of any other information necessary to administer this section.

20. Where the owner's application is based on the fact that the vehicle is used at least fifty percent of the time by a physically disabled person, the applicant shall submit a statement stating this fact, in addition to the physician's statement. The statement shall be signed by both the owner of the vehicle and the physically disabled person. The applicant shall be required to submit this statement with each application for license plates. No person shall willingly or knowingly submit a false statement and any such false statement shall be considered perjury and may be punishable pursuant to section 301.420.

21. The director of revenue shall retain all physicians' statements and all other documents received in connection with a person's application for disabled license plates and/or disabled windshield placards.

22. The director of revenue shall enter into reciprocity agreements with other states or the federal government for the purpose of recognizing disabled person license plates or windshield placards issued to physically disabled persons.

23. When a person to whom disabled person license plates or a removable or temporary windshield placard or both have been issued dies, the personal representative of the decedent or such other person who may come into or otherwise take possession of the disabled license plates or disabled windshield placard shall return the same to the director of revenue under penalty of law. Failure to return such plates or placards shall constitute a class B misdemeanor.

24. The director of revenue may order any person issued disabled person license plates or windshield placards to submit to an examination by a chiropractor, osteopath, or physician, or to such other investigation as will determine whether such person qualifies for the special plates or placards.

25. If such person refuses to submit or is found to no longer qualify for special plates or placards provided for in this section, the director of revenue shall collect the special plates or placards, and shall furnish license plates to replace the ones collected as provided by this chapter.

26. In the event a removable or temporary windshield placard is lost, stolen, or mutilated, the lawful holder thereof shall, within five days, file with the director of revenue an application and an affidavit stating such fact, in order to purchase a new placard. The fee for the replacement windshield placard shall be four dollars.

27. Fraudulent application, renewal, issuance, procurement or use of disabled person license plates or windshield placards shall be a class A misdemeanor. It is a class B misdemeanor for a physician, chiropractor, podiatrist or optometrist to certify that an individual or family member is qualified for a license plate or windshield placard based on a disability, the diagnosis of which is outside their scope of practice or if there is no basis for the diagnosis."; and

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

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

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

*House Amendment No. 5*

AMEND House Committee Substitute for House Bill No. 1775, Page 1, Section A, Line 3, by inserting after all of the said section and line the following:

"32.056. Except for uses permitted under 18 U.S.C. Section 2721(b)(1), the department of revenue shall not release the home address of or any information that identifies any vehicle owned or leased by any person who is [a] an active or retired county, state or federal parole officer, [a] federal pretrial officer, [a] peace officer pursuant to section 590.010, [a] person vested by Article V, Section 1 of the Missouri Constitution with the judicial power of the state, [a] member of the federal judiciary, or [a] member of such person's immediate family contained in the department's motor vehicle or driver registration records, based on a specific request for such information from any person. Any such person may notify the department of his or her status and the department shall protect the confidentiality of the home address and vehicle records on such a person and his or her immediate family as required by this section. This section shall not prohibit the department from releasing information on a motor registration list pursuant to section 32.055 or from releasing information on any officer who holds a class A, B or C commercial driver's license pursuant to the Motor Carrier Safety Improvement Act of 1999, as amended, 49 U.S.C. 31309."; and

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

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

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

*House Amendment No. 6*

AMEND House Committee Substitute for House Bill No. 1775, Page 1, Section A, Line 3, by inserting after said section and line the following:

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

(1) "CASA", an entity which receives funding from the court-appointed special advocate fund established under section 476.777, including an association based in this state, affiliated with a national association, organized to provide support to entities receiving funding from the court-appointed special advocate fund;

(2) "Child advocacy centers", the regional child assessment centers listed in subsection 2 of section 210.001, including an association based in this state, affiliated with a national association, and organized to provide support to entities listed in subsection 2 of section 210.001;

(3) "Contribution", the amount of donation to a qualified agency;

(4) "Crisis care center", entities contracted with this state which provide temporary care for children whose age ranges from birth through seventeen years of age whose parents or guardian are experiencing an unexpected and unstable or serious condition that requires immediate action resulting in short-term care, usually three to five continuous, uninterrupted days, for children who may be at risk for child abuse, neglect, or in an emergency situation;

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

(6) "Director", the director of the department of revenue;

(7) "Qualified agency", CASA, child advocacy centers, or a crisis care center;

(8) "Tax liability", the tax due under chapter 143 other than taxes withheld under sections 143.191 to 143.265.

2. For all tax years beginning on or after January 1, 2013, a tax credit may be claimed in an amount equal to up to fifty percent of a verified contribution to a qualified agency and shall be named the champion for children tax credit. The minimum amount of any tax credit issued shall not be less than fifty dollars and shall be applied to taxes due under chapter 143, excluding sections 143.191 to 143.265. A contribution verification shall be issued to the taxpayer by the agency receiving the contribution. Such contribution verification shall include the taxpayer's name, Social Security number, amount of tax credit, amount of contribution, the name and address of the agency receiving the credit, and the date the contribution was made. The tax credit provided under this subsection shall be initially filed for the year in which the verified contribution is made.

3. The cumulative amount of the tax credits redeemed shall not exceed one million dollars for all fiscal years ending on or before June 30, 2019, and one million five hundred thousand dollars for all fiscal years beginning on or after July 1, 2019. The amount available shall be equally divided among the three qualified agencies: CASA, child advocacy centers, or crisis care centers, to be used towards tax credits issued. In the event tax credits claimed under one agency do not total the allocated amount for that agency, the unused portion for that agency will be made

available to the remaining agencies equally. In the event the total amount of tax credits claimed for any one agency exceeds the amount available for that agency, the amount redeemed shall and will be apportioned equally to all eligible taxpayers claiming the credit under that agency.

4. Prior to December thirty-first of each year, each qualified agency shall apply to the department of social services in order to verify their qualified agency status. Upon a determination that the agency is eligible to be a qualified agency, the department of social services shall provide a letter of eligibility to such agency. No later than February first of each year, the department of social services shall provide a list of qualified agencies to the department of revenue. All tax credit applications to claim the champion for children tax credit shall be filed between July first and April fifteenth of each fiscal year. A taxpayer shall apply for the champion for children tax credit by attaching a copy of the contribution verification provided by a qualified agency to such taxpayer's income tax return.

5. Any amount of tax credit which exceeds the tax due or which is applied for and otherwise eligible for issuance but not issued shall not be refunded but may be carried over to any subsequent tax year, not to exceed a total of five years.

6. Tax credits may not be assigned, transferred or sold.

7. ~~[(4)]~~ In the event a **full or partial** credit denial, due to ~~[lack of available funds]~~ **the cumulative maximum amount of credits being redeemed for the fiscal year**, causes ~~[a balance due notice]~~ **an income tax balance due** to be ~~[generated by the department of revenue, or any other redeeming agency]~~ **owed to the state by the taxpayer**, the taxpayer ~~[will]~~ **shall** not be held liable for any **addition to tax**, penalty, or interest **on that income tax balance due**, provided the balance is paid, or approved payment arrangements have been made, within sixty days from **issuance of the notice of credit denial**.

~~[(2) In the event the balance is not paid within sixty days from the notice of denial, the remaining balance shall be due and payable under the provisions of chapter 143.]~~

8. The department may promulgate such rules or regulations as are necessary to administer the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.

9. Pursuant to section 23.253, of the Missouri sunset act:

(1) The program authorized under this section shall be reauthorized as of December 31, 2019, and shall expire on December 31, 2025, unless reauthorized by the general assembly; and

(2) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset; and

(3) The provisions of this subsection shall not be construed to limit or in any way impair the department's ability to redeem tax credits authorized on or before the date the program authorized under this section expires or a taxpayer's ability to redeem such credits.

10. Beginning on March 29, 2013, any verified contribution to a qualified agency made on or after January 1, 2013, shall be eligible for tax credits as provided by this section.

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

(1) "Local food pantry", any food pantry that is:

(a) Exempt from taxation under section 501(c)(3) of the Internal Revenue Code of 1986, as amended; and  
(b) Distributing emergency food supplies to Missouri low-income people who would otherwise not have access to food supplies in the area in which the taxpayer claiming the tax credit under this section resides;

(2) "Local homeless shelter", any homeless shelter that is:

(a) Exempt from taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended; and  
(b) Providing temporary living arrangements, in the area in which the taxpayer claiming the tax credit under this section resides, for individuals and families who otherwise lack a fixed, regular, and adequate nighttime residence and lack the resources or support networks to obtain other permanent housing;

(3) "Local soup kitchen", any soup kitchen that is:

(a) Exempt from taxation under section 501(c)(3) of the Internal Revenue Code of 1986, as amended; and  
(b) Providing prepared meals through an established congregate feeding operation to needy, low-income persons including, but not limited to, homeless persons in the area in which the taxpayer claiming the tax credit under this section resides;

(4) "Taxpayer", an individual, a firm, a partner in a firm, corporation, or a shareholder in an S corporation doing business in this state and subject to the state income tax imposed by chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265.

2. (1) Beginning on March 29, 2013, any donation of cash or food made to a local food pantry on or after January 1, 2013, unless such food is donated after the food's expiration date, shall be eligible for tax credits as provided by this section.

(2) Beginning on August 28, 2018, any donation of cash or food made to a local soup kitchen or local homeless shelter on or after January 1, 2018, unless such food is donated after the food's expiration date, shall be eligible for a tax credit as provided under this section.

(3) Any taxpayer who makes a donation that is eligible for a tax credit under this section shall be allowed a credit against the tax otherwise due under chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, in an amount equal to fifty percent of the value of the donations made to the extent such amounts that have been subtracted from federal adjusted gross income or federal taxable income are added back in the determination of Missouri adjusted gross income or Missouri taxable income before the credit can be claimed. Each taxpayer claiming a tax credit under this section shall file an affidavit with the income tax return verifying the amount of their contributions. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the tax year that the credit is claimed and shall not exceed two thousand five hundred dollars per taxpayer claiming the credit. Any amount of credit that the taxpayer is prohibited by this section from claiming in a tax year shall not be refundable, but may be carried forward to any of the taxpayer's three subsequent tax years. No tax credit granted under this section shall be transferred, sold, or assigned. No taxpayer shall be eligible to receive a credit pursuant to this section if such taxpayer employs persons who are not authorized to work in the United States under federal law. No taxpayer shall be able to claim more than one credit under this section for a single donation.

3. (1) The cumulative amount of tax credits under this section which may be allocated to all taxpayers contributing to a local food pantry, local soup kitchen, or local homeless shelter in any one fiscal year shall not exceed one million seven hundred fifty thousand dollars. The director of revenue shall establish a procedure by which the cumulative amount of tax credits is apportioned among all taxpayers claiming the credit by April fifteenth of the fiscal year in which the tax credit is claimed. To the maximum extent possible, the director of revenue shall establish the procedure described in this subsection in such a manner as to ensure that taxpayers can claim all the tax credits possible up to the cumulative amount of tax credits available for the fiscal year.

**(2) In the event a full or partial credit denial, due to the cumulative maximum amount of credits being claimed for the fiscal year, causes a tax balance due to be owed to the state by the taxpayer, the taxpayer shall not be held liable for any addition to tax, penalty, or interest on that tax balance due, provided the balance is paid, or approved payment arrangements have been made, within sixty days from issuance of the notice of credit denial.**

4. Any local food pantry, local soup kitchen, or local homeless shelter may accept or reject any donation of food made under this section for any reason. For purposes of this section, any donations of food accepted by a local food pantry, local soup kitchen, or local homeless shelter shall be valued at fair market value, or at wholesale value if the taxpayer making the donation of food is a retail grocery store, food broker, wholesaler, or restaurant.

5. The department of revenue shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

6. Under section 23.253 of the Missouri sunset act:

(1) The program authorized under this section shall be reauthorized as of August 28, 2018, and shall expire on December 31, 2026, unless reauthorized by the general assembly; and

(2) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset; and

(3) The provisions of this subsection shall not be construed to limit or in any way impair a taxpayer's ability to redeem tax credits authorized on or before the date the program authorized under this section expires."; and

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

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

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

*House Amendment No. 7*

AMEND House Committee Substitute for House Bill No. 1775, Page 4, Section 136.055, Line 116, by inserting after said section and line the following:

"142.869. 1. **(1)** The tax imposed by this chapter shall not apply to passenger motor vehicles, buses as defined in section 301.010, or commercial motor vehicles registered in this state which are powered by alternative fuel, and for which a valid decal has been acquired as provided in this section, provided that sales made to alternative fueled vehicles powered by propane, compressed natural gas, or liquefied natural gas that do not meet the requirements of subsection 4 of this section shall be taxed exclusively pursuant to subdivisions (4) to (7) of subsection 1 of section 142.803, respectively. The owners or operators of such motor vehicles, except plug-in electric hybrids, shall, in lieu of the tax imposed by section 142.803, pay an annual alternative fuel decal fee as follows: seventy-five dollars on each passenger motor vehicle, school bus as defined in section 301.010, and commercial motor vehicle with a licensed gross vehicle weight of eighteen thousand pounds or less; one hundred dollars on each motor vehicle with a licensed gross weight in excess of eighteen thousand pounds but not more than thirty-six thousand pounds used for farm or farming transportation operations and registered with a license plate designated with the letter "F"; one hundred fifty dollars on each motor vehicle with a licensed gross vehicle weight in excess of eighteen thousand pounds but less than or equal to thirty-six thousand pounds, and each passenger-carrying motor vehicle subject to the registration fee provided in sections 301.059, 301.061 and 301.063; two hundred fifty dollars on each motor vehicle with a licensed gross weight in excess of thirty-six thousand pounds used for farm or farming transportation operations and registered with a license plate designated with the letter "F"; and one thousand dollars on each motor vehicle with a licensed gross vehicle weight in excess of thirty-six thousand pounds. Owners or operators of plug-in electric hybrids shall pay one-half of the stated annual alternative fuel decal fee. Notwithstanding provisions of this section to the contrary, motor vehicles licensed as historic under section 301.131 which are powered by alternative fuel shall be exempt from both the tax imposed by this chapter and the alternative fuel decal requirements of this section. For the purposes of this section, a plug-in electric hybrid shall be any hybrid vehicle made by a manufacturer with a model year of 2018 or newer, that has not been modified from the original manufacturer specifications, with an internal combustion engine and batteries that can be recharged by connecting a plug to an electric power source.

**(2) Notwithstanding the provisions of subdivision (1) of this subsection to the contrary, the director shall provide owners of vehicles required to purchase an alternative fuel decal under subdivision (1) of this subsection the option of purchasing a biennial alternative fuel decal for a fee of twice the annual alternative fuel decal fee stated in subdivision (1) of this subsection.**

2. Beginning January 1, 2022, the fees in subsection 1 of this section shall be increased by twenty percent of the fee in effect on August 28, 2021, per year for a period of five years, except that the fee for motor vehicles with a licensed gross vehicle weight in excess of thirty-six thousand pounds shall be increased by ten percent of the fee in effect on August 28, 2021, per year for a period of five years.

3. Except interstate fuel users and vehicles licensed under a reciprocity agreement as defined in section 142.617, the tax imposed by section 142.803 shall not apply to motor vehicles registered outside this state which are powered by alternative fuel other than propane, compressed natural gas, and liquefied natural gas, and for which a valid temporary alternative fuel decal has been acquired as provided in this section. The owners or operators of such motor vehicles shall, in lieu of the tax imposed by section 142.803, pay a temporary alternative fuel decal fee of eight dollars on each such vehicle. Such decals shall be valid for a period of fifteen days from the date of issuance and shall be attached to the lower right-hand corner of the front windshield on the motor vehicle for which it was issued. Such decal and fee shall not be transferable. All proceeds from such decal fees shall be deposited as specified in section 142.345. Alternative fuel dealers selling such decals in accordance with rules and regulations prescribed by the director shall be allowed to retain fifty cents for each decal fee timely remitted to the director.

4. Owners or operators of passenger motor vehicles, buses as defined in section 301.010, or commercial motor vehicles registered in this state which are powered by compressed natural gas or liquefied natural gas who have installed a compressed natural gas fueling station or liquefied natural gas fueling station used solely to fuel the motor vehicles they own or operate as of December 31, 2015, may continue to apply for and use the alternative fuel decal in lieu of paying the tax imposed under subdivisions (4) and (5) of subsection 1 of section 142.803. Owners or operators of compressed natural gas fueling stations or liquefied natural gas fueling stations whose vehicles bear an alternative fuel decal shall be prohibited from selling or providing compressed natural gas or liquefied natural gas to any motor vehicle they do not own or operate. Owners or operators of motor vehicles powered by compressed natural gas or liquefied natural gas bearing an alternative fuel decal after January 1, 2016, that decline to renew the alternative fuel decals for such motor vehicles shall no longer be eligible to apply for and use alternative fuel decals under this subsection. Any compressed natural gas or liquefied natural gas obtained at any fueling station not owned by the owner or operator of the motor vehicle bearing an alternative fuel decal shall be subject to the tax under subdivisions (4) and (5) of subsection 1 of section 142.803.

5. An owner or operator of a motor vehicle powered by propane may continue to apply for and use the alternative fuel decal in lieu of paying the tax imposed under subdivision (6) of subsection 1 of section 142.803. If the appropriate motor fuel tax under subdivision (6) of subsection 1 of section 142.803 is collected at the time of fueling, an operator of a propane fueling station that uses quick-connect fueling nozzles may sell propane as a motor fuel without verifying the application of a valid Missouri alternative fuel decal. If an owner or operator of a motor vehicle powered by propane that bears an alternative fuel decal refuels at an unattended propane refueling station, such owner or operator shall not be eligible for a refund of the motor fuel tax paid at such refueling.

6. The director shall annually **or biennially**, on or before January thirty-first of each year, collect or cause to be collected from owners or operators of the motor vehicles specified in subsection 1 of this section the annual **or biennial** decal fee. Applications for such decals shall be supplied by the department of revenue. In the case of a motor vehicle which is not in operation by January thirty-first of any year, **or a fractional period of such year and a whole year**, a decal may be purchased for a fractional period of such year, and the amount of the decal fee shall be reduced by one-twelfth for each complete month which shall have elapsed since the beginning of such year. This subsection shall not apply to an owner or operator of a motor vehicle powered by propane who fuels such vehicle exclusively at unattended fueling stations that collect the motor fuel tax.

7. Upon the payment of the fee required by subsection 1 of this section, the director shall issue a decal, which shall be valid for the current calendar year, **or the current calendar year and the subsequent calendar year in the case of a biennial alternative fuel decal**, and shall be attached to the lower right-hand corner of the front windshield on the motor vehicle for which it was issued.

8. The decal fee paid pursuant to subsection 1 of this section for each motor vehicle shall be transferable upon a change of ownership of the motor vehicle and, if the LP gas or natural gas equipment is removed from a motor vehicle upon a change of ownership and is reinstalled in another motor vehicle, upon such reinstallation. Such transfers shall be accomplished in accordance with rules and regulations promulgated by the director.

9. It shall be unlawful for any person to operate a motor vehicle required to have an alternative fuel decal upon the highways of this state without a valid decal unless the motor vehicle is exclusively fueled at propane, compressed natural gas, or liquefied natural gas fueling stations that collect the motor fuel tax.

10. No person shall cause to be put, or put, any alternative fuel into the fuel supply receptacle or battery of a motor vehicle required to have an alternative fuel decal unless the motor vehicle either has a valid decal attached to it or the appropriate motor fuel tax is collected at the time of such fueling.

11. Any person violating any provision of this section is guilty of an infraction and shall, upon conviction thereof, be fined five hundred dollars.

12. Motor vehicles displaying a valid alternative fuel decal are exempt from the licensing and reporting requirements of this chapter."; and

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

Representative Bromley 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 House Bill No. 1775, Page 3, Line 23, by inserting after all of the said line the following:

"Further amend said bill, Page 4, Section 136.055, Line 116, by inserting after all of the said section and line the following:

**"301.033. 1. Notwithstanding the provisions of sections 301.030 and 301.035 to the contrary, the director of revenue shall establish a system of registration of all farm vehicles, as defined in section 302.700, owned or purchased by a farm vehicle fleet owner registered under this section. The director of revenue shall prescribe the forms for such farm vehicle fleet registration and the forms and procedures for the registration updates prescribed in this section. Any owner of more than one farm vehicle which is required to be registered under this chapter may, at his or her option, register a fleet of farm vehicles on an annual or biennial basis under this section in lieu of the registration periods provided in sections 301.030, 301.035, and 301.147. The director shall issue an identification number to each registered owner of a fleet of farm vehicles registered under this section.**

**2. All farm vehicles included in the fleet of a registered farm vehicle fleet owner shall be registered during April of the corresponding year or on a prorated basis as provided in subsection 3 of this section. Fees of all vehicles in the farm vehicle fleet to be registered on an annual or biennial basis shall be payable not later than the last day of April of the corresponding year, with two years' fees due for biennially-registered vehicles. Notwithstanding the provisions of section 307.355, a certificate of inspection and approval issued no more than one hundred twenty days prior to the date of application for registration shall be valid for registration of a farm fleet vehicle in accordance with this section. The fees for vehicles added to the farm vehicle fleet which are required to be licensed at the time of registration shall be payable at the time of registration, except that when such vehicle is licensed between July first and September thirtieth the fee shall be three-fourths the annual fee, when licensed between October first and December thirty-first the fee shall be one-half the annual fee, and when licensed on or after January first the fee shall be one-fourth the annual fee. If biennial registration is sought for vehicles added to a farm vehicle fleet, an additional year's annual fee shall be added to the partial year's prorated fee.**

**3. At any time during the calendar year in which an owner of a farm vehicle fleet purchases or otherwise acquires a farm vehicle which is to be added to the farm vehicle fleet or transfers plates to a fleet vehicle, the owner shall present to the director of revenue the identification number as a fleet number and may register the vehicle for the partial year as provided in subsection 2 of this section. The farm vehicle fleet owner shall also be charged a transfer fee of two dollars for each vehicle so transferred under this subsection.**

**4. Except as specifically provided in this subsection, all farm vehicles registered under this section shall be issued a special license plate which shall have the words "Farm Fleet Vehicle" and shall meet the requirements prescribed by section 301.130. Farm fleet vehicles shall be issued multiyear license plates as provided in this section which shall not require issuance of a renewal tab. Upon payment of appropriate registration fees, the director of revenue shall issue a registration certificate or other suitable evidence of payment of the annual or biennial fee, and such evidence of payment shall be carried at all times in the vehicle for which it is issued.**

**5. The director shall make all necessary rules and regulations for the administration of this section and shall design all necessary forms required by 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 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 under 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, 2024, shall be invalid and void.**

301.055. 1. The annual registration fee for motor vehicles other than commercial motor vehicles is[=]	
[Less than 12 horsepower]	[\$18.00]
[12 horsepower and less than 24 horsepower]	[21.00]
[24 horsepower and less than 36 horsepower]	[24.00]
[36 horsepower and less than 48 horsepower]	[33.00]
[48 horsepower and less than 60 horsepower]	[39.00]
[60 horsepower and less than 72 horsepower]	[45.00]
[72 horsepower and more]	[51.00]
[Motorcycles]	[8.50]
[Motortricycles]	[10.00]
[Autocycles]	[10.00]

**twenty-five dollars, inclusive of the railroad crossing safety fee prescribed in section 389.612.**

**2. The annual registration fee for motorcycles, motortricycles, and autocycles is ten dollars, inclusive of the railroad crossing safety fee prescribed in section 389.612.**

3. Notwithstanding any other provision of law, the registration of any autocycle registered as a motorcycle or motortricycle prior to August 28, 2018, shall remain in effect until the expiration of the registration period for such vehicle at which time the owner shall be required to renew the motor vehicle's registration under the autocycle classification and pay the appropriate registration fee.

~~301.070. 1. [In determining fees based on the horsepower of vehicles propelled by internal combustion engines, the horsepower shall be computed and recorded upon the following formula established by the National Automobile Chamber of Commerce: Square the bore of the cylinder in inches multiplied by the number of cylinders, divided by two and one half.~~

~~2. The horsepower of all motor vehicles propelled by steam may be accepted as rated by the manufacturers thereof, or may be determined in accordance with regulations promulgated by the director.~~

~~3. The horsepower of all motor vehicles, except commercial motor vehicles, propelled by electric power, shall be rated as being between twelve and twenty-four horsepower.~~

4.] Fees of commercial motor vehicles, other than passenger-carrying commercial motor vehicles, shall be based on the gross weight of the vehicle or any combination of vehicles and the maximum load to be carried at any one time during the license period, except the fee for a wrecker, tow truck, rollback or car carrier used in a towing service shall be based on the empty weight of such vehicle fully equipped for the recovery or towing of vehicles.

~~5.] 2.~~ The decision of the director as to the type of motor vehicles and their classification for the purpose of registration and the computation of fees therefor shall be final and conclusive.

301.110. 1. Whenever the director shall determine from an increase or decrease in the number of registrations of all types of motor vehicles in any given month that the volume of clerical work of registration of all types of motor vehicles in such month has become so disproportionate to the volume of work in the remaining registration periods as to render the system burdensome or inefficient, he is authorized and empowered to change the registration period of any number of motor vehicles, other than commercial motor vehicles, as may be necessary to increase or reduce the volume of registration in one or more periods by advancing the renewal date and shortening the registration period of such motor vehicles.

2. The shifting of registration periods shall be accomplished by notifying the registrants of the change, and giving them credit for that portion of the registration period not yet elapsed. In such instances the director shall order the registrant to surrender the license plates and registration certificate held by him and shall assign and issue, without cost to the owner, new plates and a registration certificate designating the new registration expiration date.

**3. Notwithstanding subsection 6 of section 142.869 or any other provision of law to the contrary, the director may stagger the collection of alternative fuel decal fees and issuance of alternative fuel decals so that issuance of alternative fuel decals occurs at the time of vehicle registration and the decal or decals are valid for the duration of the vehicle's registration period. In lieu of an alternative fuel decal, the director may issue a receipt showing payment of the alternative fuel decal fee, which shall be kept with the vehicle and valid in place of an alternative fuel decal displayed in accordance with section 142.869.**

301.140. 1. Upon the transfer of ownership of any motor vehicle or trailer, the certificate of registration and the right to use the number plates shall expire and the number plates shall be removed by the owner at the time of the transfer of possession, and it shall be unlawful for any person other than the person to whom such number plates were originally issued to have the same in his or her possession whether in use or not, unless such possession is solely for charitable purposes; except that the buyer of a motor vehicle or trailer who trades in a motor vehicle or trailer may attach the license plates from the traded-in motor vehicle or trailer to the newly purchased motor vehicle

or trailer. The operation of a motor vehicle with such transferred plates shall be lawful for no more than thirty days, or no more than ninety days if the dealer is selling the motor vehicle under the provisions of section 301.213, or no more than sixty days if the dealer is selling the motor vehicle under the provisions of subsection 5 of section 301.210. As used in this subsection, the term "trade-in motor vehicle or trailer" shall include any single motor vehicle or trailer sold by the buyer of the newly purchased vehicle or trailer, as long as the license plates for the trade-in motor vehicle or trailer are still valid.

2. In the case of a transfer of ownership the original owner may register another motor vehicle under the same number, upon the payment of a fee of two dollars, if the motor vehicle is of [horsepower,] gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity[;] not in excess of that originally registered. When such motor vehicle is of greater [horsepower,] gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, the applicant shall pay a transfer fee of two dollars and a pro rata portion for the difference in fees. When such vehicle is of less [horsepower,] gross weight or (in case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, the applicant shall not be entitled to a refund.

3. License plates may be transferred from a motor vehicle which will no longer be operated to a newly purchased motor vehicle by the owner of such vehicles. The owner shall pay a transfer fee of two dollars if the newly purchased vehicle is of [horsepower,] gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity[;] not in excess of that of the vehicle which will no longer be operated. When the newly purchased motor vehicle is of greater [horsepower,] gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, the applicant shall pay a transfer fee of two dollars and a pro rata portion of the difference in fees. When the newly purchased vehicle is of less [horsepower,] gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, the applicant shall not be entitled to a refund.

4. The director of the department of revenue shall have authority to produce or allow others to produce a weather resistant, nontearing temporary permit authorizing the operation of a motor vehicle or trailer by a buyer for not more than thirty days, or no more than ninety days if issued by a dealer selling the motor vehicle under the provisions of section 301.213, or no more than sixty days if issued by a dealer selling the motor vehicle under the provisions of subsection 5 of section 301.210, from the date of purchase. The temporary permit authorized under this section may be purchased by the purchaser of a motor vehicle or trailer from the central office of the department of revenue or from an authorized agent of the department of revenue upon proof of purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer and upon proof of financial responsibility, or from a motor vehicle dealer upon purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer, or from a motor vehicle dealer upon purchase of a motor vehicle or trailer for which the buyer has registered and is awaiting receipt of registration plates. The director of the department of revenue or a producer authorized by the director of the department of revenue may make temporary permits available to registered dealers in this state, authorized agents of the department of revenue or the department of revenue. The price paid by a motor vehicle dealer, an authorized agent of the department of revenue or the department of revenue for a temporary permit shall not exceed five dollars for each permit. The director of the department of revenue shall direct motor vehicle dealers and authorized agents to obtain temporary permits from an authorized producer. Amounts received by the director of the department of revenue for temporary permits shall constitute state revenue; however, amounts received by an authorized producer other than the director of the department of revenue shall not constitute state revenue and any amounts received by motor vehicle dealers or authorized agents for temporary permits purchased from a producer other than the director of the department of revenue shall not constitute state revenue. In no event shall revenues from the general revenue fund or any other state fund be utilized to compensate motor vehicle dealers or other producers for their role in producing temporary permits as authorized under this section. Amounts that do not constitute state revenue under this section shall also not constitute fees for registration or certificates of title to be collected by the director of the department of revenue under section 301.190. No motor vehicle dealer, authorized agent or the department of revenue shall charge more than five dollars for each permit issued. The permit shall be valid for a period of thirty days, or no more than ninety days if issued by a dealer selling the motor vehicle under the provisions of section 301.213, or no more than sixty days if issued by a dealer selling the motor vehicle under the provisions of subsection 5 of section 301.210, from the date of purchase of a motor vehicle or trailer, or from the date of sale of the motor vehicle or trailer by a motor vehicle dealer for which the purchaser obtains a permit as set out above. No permit shall be issued for a vehicle under this section unless the buyer shows proof of financial responsibility. Each temporary permit issued shall be securely fastened to the back or rear of the motor vehicle in a manner and place on

the motor vehicle consistent with registration plates so that all parts and qualities of the temporary permit thereof shall be plainly and clearly visible, reasonably clean and are not impaired in any way.

5. The permit shall be issued on a form prescribed by the director of the department of revenue and issued only for the applicant's temporary operation of the motor vehicle or trailer purchased to enable the applicant to temporarily operate the motor vehicle while proper title and registration plates are being obtained, or while awaiting receipt of registration plates, and shall be displayed on no other motor vehicle. Temporary permits issued pursuant to this section shall not be transferable or renewable, shall not be valid upon issuance of proper registration plates for the motor vehicle or trailer, and shall be returned to the department or to the department's agent upon the issuance of such proper registration plates. Any temporary permit returned to the department or to the department's agent shall be immediately destroyed. The provisions of this subsection shall not apply to temporary permits issued for commercial motor vehicles licensed in excess of twenty-four thousand pounds gross weight. The director of the department of revenue shall determine the size, material, design, numbering configuration, construction, and color of the permit. The director of the department of revenue, at his or her discretion, shall have the authority to reissue, and thereby extend the use of, a temporary permit previously and legally issued for a motor vehicle or trailer while proper title and registration are being obtained.

6. Every motor vehicle dealer that issues temporary permits shall keep, for inspection by proper officers, an accurate record of each permit issued by recording the permit number, the motor vehicle dealer's number, buyer's name and address, the motor vehicle's year, make, and manufacturer's vehicle identification number, and the permit's date of issuance and expiration date. Upon the issuance of a temporary permit by either the central office of the department of revenue, a motor vehicle dealer or an authorized agent of the department of revenue, the director of the department of revenue shall make the information associated with the issued temporary permit immediately available to the law enforcement community of the state of Missouri.

7. Upon the transfer of ownership of any currently registered motor vehicle wherein the owner cannot transfer the license plates due to a change of motor vehicle category, the owner may surrender the license plates issued to the motor vehicle and receive credit for any unused portion of the original registration fee against the registration fee of another motor vehicle. Such credit shall be granted based upon the date the license plates are surrendered. No refunds shall be made on the unused portion of any license plates surrendered for such credit.

8. An additional temporary license plate produced in a manner and of materials determined by the director to be the most cost-effective means of production with a configuration that matches an existing or newly issued plate may be purchased by a motor vehicle owner to be placed in the interior of the vehicle's rear window such that the driver's view out of the rear window is not obstructed and the plate configuration is clearly visible from the outside of the vehicle to serve as the visible plate when a bicycle rack or other item obstructs the view of the actual plate. Such temporary plate is only authorized for use when the matching actual plate is affixed to the vehicle in the manner prescribed in subsection 5 of section 301.130. The fee charged for the temporary plate shall be equal to the fee charged for a temporary permit issued under subsection 4 of this section. Replacement temporary plates authorized in this subsection may be issued as needed upon the payment of a fee equal to the fee charged for a temporary permit under subsection 4 of this section. The newly produced third plate may only be used on the vehicle with the matching plate, and the additional plate shall be clearly recognizable as a third plate and only used for the purpose specified in this subsection.

9. Notwithstanding the provisions of section 301.217, the director may issue a temporary permit to an individual who possesses a salvage motor vehicle which requires an inspection under subsection 9 of section 301.190. The operation of a salvage motor vehicle for which the permit has been issued shall be limited to the most direct route from the residence, maintenance, or storage facility of the individual in possession of such motor vehicle to the nearest authorized inspection facility and return to the originating location. Notwithstanding any other requirements for the issuance of a temporary permit under this section, an individual obtaining a temporary permit for the purpose of operating a motor vehicle to and from an examination facility as prescribed in this subsection shall also purchase the required motor vehicle examination form which is required to be completed for an examination under subsection 9 of section 301.190 and provide satisfactory evidence that such vehicle has passed a motor vehicle safety inspection for such vehicle as required in section 307.350.

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

11. The repeal and reenactment of this section shall become effective on the date the department of revenue or a producer authorized by the director of the department of revenue begins producing temporary permits described in subsection 4 of such section, or on July 1, 2013, whichever occurs first. If the director of revenue or a producer authorized by the director of the department of revenue begins producing temporary permits prior to July 1, 2013, the director of the department of revenue shall notify the revisor of statutes of such fact.

301.142. 1. As used in sections 301.141 to 301.143, the following terms mean:

- (1) "Department", the department of revenue;
- (2) "Director", the director of the department of revenue;
- (3) "Other authorized health care practitioner" includes advanced practice registered nurses licensed pursuant to chapter 335, physician assistants licensed pursuant to chapter 334, chiropractors licensed pursuant to chapter 331, podiatrists licensed pursuant to chapter 330, assistant physicians, physical therapists licensed pursuant to chapter 334, and optometrists licensed pursuant to chapter 336;
- (4) "Physically disabled", a natural person who is blind, as defined in section 8.700, or a natural person with medical disabilities which prohibits, limits, or severely impairs one's ability to ambulate or walk, as determined by a licensed physician or other authorized health care practitioner as follows:
  - (a) The person cannot ambulate or walk fifty or less feet without stopping to rest due to a severe and disabling arthritic, neurological, orthopedic condition, or other severe and disabling condition; or
  - (b) The person cannot ambulate or walk without the use of, or assistance from, a brace, cane, crutch, another person, prosthetic device, wheelchair, or other assistive device; or
  - (c) Is restricted by a respiratory or other disease to such an extent that the person's forced respiratory expiratory volume for one second, when measured by spirometry, is less than one liter, or the arterial oxygen tension is less than sixty mm/hg on room air at rest; or
  - (d) Uses portable oxygen; or
  - (e) Has a cardiac condition to the extent that the person's functional limitations are classified in severity as class III or class IV according to standards set by the American Heart Association; or
  - (f) A person's age, in and of itself, shall not be a factor in determining whether such person is physically disabled or is otherwise entitled to disabled license plates and/or disabled windshield hanging placards within the meaning of sections 301.141 to 301.143;
- (5) "Physician", a person licensed to practice medicine pursuant to chapter 334;
- (6) "Physician's statement", a statement personally signed by a duly authorized person which certifies that a person is disabled as defined in this section;
- (7) "Temporarily disabled person", a disabled person as defined in this section whose disability or incapacity is expected to last no more than one hundred eighty days;
- (8) "Temporary windshield placard", a placard to be issued to persons who are temporarily disabled persons as defined in this section, certification of which shall be indicated on the physician's statement;
- (9) "Windshield placard", a placard to be issued to persons who are physically disabled as defined in this section, certification of which shall be indicated on the physician's statement.

2. Other authorized health care practitioners may furnish to a disabled or temporarily disabled person a physician's statement for only those physical health care conditions for which such health care practitioner is legally authorized to diagnose and treat.

3. A physician's statement shall:

- (1) Be on a form prescribed by the director of revenue;
- (2) Set forth the specific diagnosis and medical condition which renders the person physically disabled or temporarily disabled as defined in this section;
- (3) Include the physician's or other authorized health care practitioner's license number; and
- (4) Be personally signed by the issuing physician or other authorized health care practitioner.

4. If it is the professional opinion of the physician or other authorized health care practitioner issuing the statement that the physical disability of the applicant, user, or member of the applicant's household is permanent, it shall be noted on the statement. Otherwise, the physician or other authorized health care practitioner shall note on the statement the anticipated length of the disability which period may not exceed one hundred eighty days. If the physician or health care practitioner fails to record an expiration date on the physician's statement, the director shall issue a temporary windshield placard for a period of thirty days.

5. A physician or other authorized health care practitioner who issues or signs a physician's statement so that disabled plates or a disabled windshield placard may be obtained shall maintain in such disabled person's

medical chart documentation that such a certificate has been issued, the date the statement was signed, the diagnosis or condition which existed that qualified the person as disabled pursuant to this section and shall contain sufficient documentation so as to objectively confirm that such condition exists.

6. The medical or other records of the physician or other authorized health care practitioner who issued a physician's statement shall be open to inspection and review by such practitioner's licensing board, in order to verify compliance with this section. Information contained within such records shall be confidential unless required for prosecution, disciplinary purposes, or otherwise required to be disclosed by law.

7. Owners of motor vehicles who are residents of the state of Missouri, and who are physically disabled, owners of motor vehicles operated at least fifty percent of the time by a physically disabled person, or owners of motor vehicles used to primarily transport physically disabled members of the owner's household may obtain disabled person license plates. Such owners, upon application, accompanied by the documents and fees provided for in this section, a current physician's statement which has been issued within ninety days preceding the date the application is made and proof of compliance with the state motor vehicle laws relating to registration and licensing of motor vehicles, shall be issued motor vehicle license plates for vehicles, other than commercial vehicles with a gross weight in excess of twenty-four thousand pounds, upon which shall be inscribed the international wheelchair accessibility symbol and the word "DISABLED" in addition to a combination of letters and numbers. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. If at any time an individual who obtained disabled license plates issued under this subsection no longer occupies a residence with a physically disabled person, or no longer owns a vehicle that is operated at least fifty percent of the time by a physically disabled person, such individual shall surrender the disabled license plates to the department within thirty days of becoming ineligible for their use.

8. The director shall further issue, upon request, to such applicant one, and for good cause shown, as the director may define by rule and regulations, not more than two, removable disabled windshield hanging placards for use when the disabled person is occupying a vehicle or when a vehicle not bearing the permanent handicap plate is being used to pick up, deliver, or collect the physically disabled person issued the disabled motor vehicle license plate or disabled windshield hanging placard.

9. No additional fee shall be paid to the director for the issuance of the special license plates provided in this section, except for special personalized license plates and other license plates described in this subsection. Priority for any specific set of special license plates shall be given to the applicant who received the number in the immediately preceding license period subject to the applicant's compliance with the provisions of this section and any applicable rules or regulations issued by the director. If determined feasible by the advisory committee established in section 301.129, any special license plate issued pursuant to this section may be adapted to also include the international wheelchair accessibility symbol and the word "DISABLED" as prescribed in this section and such plate may be issued to any applicant who meets the requirements of this section and the other appropriate provision of this chapter, subject to the requirements and fees of the appropriate provision of this chapter.

10. Any physically disabled person, or the parent or guardian of any such person, or any not-for-profit group, organization, or other entity which transports more than one physically disabled person, may apply to the director of revenue for a removable windshield placard. The placard may be used in motor vehicles which do not bear the permanent handicap symbol on the license plate. Such placards must be hung from the front, middle rearview mirror of a parked motor vehicle and may not be hung from the mirror during operation. These placards may only be used during the period of time when the vehicle is being used by a disabled person, or when the vehicle is being used to pick up, deliver, or collect a disabled person, and shall be surrendered to the department, within thirty days, if a group, organization, or entity that obtained the removable windshield placard due to the transportation of more than one physically disabled person no longer transports more than one disabled person. When there is no rearview mirror, the placard shall be displayed on the dashboard on the driver's side.

11. The removable windshield placard shall conform to the specifications, in respect to size, color, and content, as set forth in federal regulations published by the Department of Transportation. The removable windshield placard shall be renewed every four years. The director may stagger the expiration dates to equalize workload **or until the time of motor vehicle registration renewal for the convenience of the applicant**. Only one removable placard may be issued to an applicant who has been issued disabled person license plates. Upon request, one additional windshield placard may be issued to an applicant who has not been issued disabled person license plates.

12. A temporary windshield placard shall be issued to any physically disabled person, or the parent or guardian of any such person who otherwise qualifies except that the physical disability, in the opinion of the physician, is not expected to exceed a period of one hundred eighty days. The temporary windshield placard shall conform to the

specifications, in respect to size, color, and content, as set forth in federal regulations published by the Department of Transportation. The fee for the temporary windshield placard shall be two dollars. Upon request, and for good cause shown, one additional temporary windshield placard may be issued to an applicant. Temporary windshield placards shall be issued upon presentation of the physician's statement provided by this section and shall be displayed in the same manner as removable windshield placards. A person or entity shall be qualified to possess and display a temporary removable windshield placard for six months and the placard may be renewed once for an additional six months if a physician's statement pursuant to this section is supplied to the director of revenue at the time of renewal.

13. Application for license plates or windshield placards issued pursuant to this section shall be made to the director of revenue and shall be accompanied by a statement signed by a licensed physician or other authorized health care practitioner which certifies that the applicant, user, or member of the applicant's household is a physically disabled person as defined by this section.

14. The placard shall be renewable only by the person or entity to which the placard was originally issued. Any placard issued pursuant to this section shall only be used when the physically disabled occupant for whom the disabled plate or placard was issued is in the motor vehicle at the time of parking or when a physically disabled person is being delivered or collected. A disabled license plate and/or a removable windshield hanging placard are not transferable and may not be used by any other person whether disabled or not.

15. At the time the disabled plates or windshield hanging placards are issued, the director shall issue a registration certificate which shall include the applicant's name, address, and other identifying information as prescribed by the director, or if issued to an agency, such agency's name and address. This certificate shall further contain the disabled license plate number or, for windshield hanging placards, the registration or identifying number stamped on the placard. The validated registration receipt given to the applicant shall serve as the registration certificate.

16. The director shall, upon issuing any disabled registration certificate for license plates and/or windshield hanging placards, provide information which explains that such plates or windshield hanging placards are nontransferable, and the restrictions explaining who and when a person or vehicle which bears or has the disabled plates or windshield hanging placards may be used or be parked in a disabled reserved parking space, and the penalties prescribed for violations of the provisions of this act.

17. Every new applicant for a disabled license plate or placard shall be required to present a new physician's statement dated no more than ninety days prior to such application. Renewal applicants will be required to submit a physician's statement dated no more than ninety days prior to such application upon their first renewal occurring on or after August 1, 2005. Upon completing subsequent renewal applications, a physician's statement dated no more than ninety days prior to such application shall be required every eighth year. Such physician's statement shall state the expiration date for the temporary windshield placard. If the physician fails to record an expiration date on the physician's statement, the director shall issue the temporary windshield placard for a period of thirty days. The director may stagger the requirement of a physician's statement on all renewals for the initial implementation of an eight-year period.

18. The director of revenue upon receiving a physician's statement pursuant to this subsection shall check with the state board of registration for the healing arts created in section 334.120, or the Missouri state board of nursing established in section 335.021, with respect to physician's statements signed by advanced practice registered nurses, or the Missouri state board of chiropractic examiners established in section 331.090, with respect to physician's statements signed by licensed chiropractors, or with the board of optometry established in section 336.130, with respect to physician's statements signed by licensed optometrists, or the state board of podiatric medicine created in section 330.100, with respect to physician's statements signed by physicians of the foot or podiatrists to determine whether the physician is duly licensed and registered pursuant to law. If such applicant obtaining a disabled license plate or placard presents proof of disability in the form of a statement from the United States Veterans' Administration verifying that the person is permanently disabled, the applicant shall be exempt from the eight-year certification requirement of this subsection for renewal of the plate or placard. Initial applications shall be accompanied by the physician's statement required by this section. Notwithstanding the provisions of paragraph (f) of subdivision (4) of subsection 1 of this section, any person seventy-five years of age or older who provided the physician's statement with the original application shall not be required to provide a physician's statement for the purpose of renewal of disabled persons license plates or windshield placards.

19. The boards shall cooperate with the director and shall supply information requested pursuant to this subsection. The director shall, in cooperation with the boards which shall assist the director, establish a list of all Missouri physicians and other authorized health care practitioners and of any other information necessary to administer this section.

20. Where the owner's application is based on the fact that the vehicle is used at least fifty percent of the time by a physically disabled person, the applicant shall submit a statement stating this fact, in addition to the physician's statement. The statement shall be signed by both the owner of the vehicle and the physically disabled person. The applicant shall be required to submit this statement with each application for license plates. No person shall willingly or knowingly submit a false statement and any such false statement shall be considered perjury and may be punishable pursuant to section 301.420.

21. The director of revenue shall retain all physicians' statements and all other documents received in connection with a person's application for disabled license plates and/or disabled windshield placards.

22. The director of revenue shall enter into reciprocity agreements with other states or the federal government for the purpose of recognizing disabled person license plates or windshield placards issued to physically disabled persons.

23. When a person to whom disabled person license plates or a removable or temporary windshield placard or both have been issued dies, the personal representative of the decedent or such other person who may come into or otherwise take possession of the disabled license plates or disabled windshield placard shall return the same to the director of revenue under penalty of law. Failure to return such plates or placards shall constitute a class B misdemeanor.

24. The director of revenue may order any person issued disabled person license plates or windshield placards to submit to an examination by a chiropractor, osteopath, or physician, or to such other investigation as will determine whether such person qualifies for the special plates or placards.

25. If such person refuses to submit or is found to no longer qualify for special plates or placards provided for in this section, the director of revenue shall collect the special plates or placards, and shall furnish license plates to replace the ones collected as provided by this chapter.

26. In the event a removable or temporary windshield placard is lost, stolen, or mutilated, the lawful holder thereof shall, within five days, file with the director of revenue an application and an affidavit stating such fact, in order to purchase a new placard. The fee for the replacement windshield placard shall be four dollars.

27. Fraudulent application, renewal, issuance, procurement or use of disabled person license plates or windshield placards shall be a class A misdemeanor. It is a class B misdemeanor for a physician, chiropractor, podiatrist or optometrist to certify that an individual or family member is qualified for a license plate or windshield placard based on a disability, the diagnosis of which is outside their scope of practice or if there is no basis for the diagnosis.

301.147. 1. Notwithstanding the provisions of section 301.020 to the contrary, beginning July 1, 2000, the director of revenue may provide owners of motor vehicles, other than commercial motor vehicles licensed in excess of fifty-four thousand pounds gross weight, the option of biennially registering motor vehicles. ~~[Any vehicle manufactured as an even-numbered model year vehicle shall be renewed each even-numbered calendar year and any such vehicle manufactured as an odd-numbered model year vehicle shall be renewed each odd-numbered calendar year, subject to the following requirements:]~~

(1) The fee collected at the time of biennial registration shall include the annual registration fee plus a pro rata amount for the additional ~~[twelve]~~ months of the biennial registration;

(2) Presentation of all documentation otherwise required by law for vehicle registration including, but not limited to, a personal property tax receipt or certified statement for the preceding year that no such taxes were due as set forth in section 301.025, proof of a motor vehicle safety inspection and any applicable emission inspection conducted within sixty days prior to the date of application and proof of insurance as required by section 303.026.

2. The director of revenue may prescribe rules and regulations for the effective administration of this section. The director is authorized to adopt those rules that are reasonable and necessary to accomplish the limited duties specifically delegated within this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is promulgated pursuant to the authority delegated in this section 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 July 1, 2000, shall be invalid and void.

3. The director of revenue shall have the authority to stagger the registration period of motor vehicles, other than commercial motor vehicles licensed in excess of twelve thousand pounds gross weight, **to equalize workload or for the convenience of registration applicants**. Once the owner of a motor vehicle chooses the option of biennial registration, such registration must be maintained for the full twenty-four month period."; and

Further amend said bill, Page 5, Section 301.469, Line 41, by inserting after all of the said section and line the following:



"301.560. 1. In addition to the application forms prescribed by the department, each applicant shall submit the following to the department:

(1) Every application other than a renewal application for a motor vehicle franchise dealer shall include a certification that the applicant has a bona fide established place of business. Such application shall include an annual certification that the applicant has a bona fide established place of business for the first three years and only for every other year thereafter. The certification shall be performed by a uniformed member of the Missouri state highway patrol or authorized or designated employee stationed in the troop area in which the applicant's place of business is located; except that in counties of the first classification, certification may be performed by an officer of a metropolitan police department when the applicant's established place of business of distributing or selling motor vehicles or trailers is in the metropolitan area where the certifying metropolitan police officer is employed. When the application is being made for licensure as a boat manufacturer or boat dealer, certification shall be performed by a uniformed member of the Missouri state highway patrol or authorized or designated employee stationed in the troop area in which the applicant's place of business is located or, if the applicant's place of business is located within the jurisdiction of a metropolitan police department in a first class county, by an officer of such metropolitan police department. A bona fide established place of business for any new motor vehicle franchise dealer, used motor vehicle dealer, boat dealer, powersport dealer, wholesale motor vehicle dealer, trailer dealer, or wholesale or public auction shall be a permanent enclosed building or structure, either owned in fee or leased and actually occupied as a place of business by the applicant for the selling, bartering, trading, servicing, or exchanging of motor vehicles, boats, personal watercraft, or trailers and wherein the public may contact the owner or operator at any reasonable time, and wherein shall be kept and maintained the books, records, files and other matters required and necessary to conduct the business. The applicant shall maintain a working telephone number during the entire registration year which will allow the public, the department, and law enforcement to contact the applicant during regular business hours. The applicant shall also maintain an email address during the entire registration year which may be used for official correspondence with the department. In order to qualify as a bona fide established place of business for all applicants licensed pursuant to this section there shall be an exterior sign displayed carrying the name of the business set forth in letters at least six inches in height and clearly visible to the public and there shall be an area or lot which shall not be a public street on which multiple vehicles, boats, personal watercraft, or trailers may be displayed. The sign shall contain the name of the dealership by which it is known to the public through advertising or otherwise, which need not be identical to the name appearing on the dealership's license so long as such name is registered as a fictitious name with the secretary of state, has been approved by its line-maker manufacturer in writing in the case of a new motor vehicle franchise dealer and a copy of such fictitious name registration has been provided to the department. Dealers who sell only emergency vehicles as defined in section 301.550 are exempt from maintaining a bona fide place of business, including the related law enforcement certification requirements, and from meeting the minimum yearly sales;

(2) The initial application for licensure shall include a photograph, not to exceed eight inches by ten inches but no less than five inches by seven inches, showing the business building, lot, and sign. A new motor vehicle franchise dealer applicant who has purchased a currently licensed new motor vehicle franchised dealership shall be allowed to submit a photograph of the existing dealership building, lot and sign but shall be required to submit a new photograph upon the installation of the new dealership sign as required by sections 301.550 to 301.580. Applicants shall not be required to submit a photograph annually unless the business has moved from its previously licensed location, or unless the name of the business or address has changed, or unless the class of business has changed;

(3) Every applicant as a new motor vehicle franchise dealer, a used motor vehicle dealer, a powersport dealer, a wholesale motor vehicle dealer, trailer dealer, or boat dealer shall furnish with the application a corporate surety bond or an irrevocable letter of credit as defined in section 400.5-102, issued by any state or federal financial institution in the penal sum of fifty thousand dollars on a form approved by the department. The bond or irrevocable letter of credit shall be conditioned upon the dealer complying with the provisions of the statutes applicable to new motor vehicle franchise dealers, used motor vehicle dealers, powersport dealers, wholesale motor vehicle dealers, trailer dealers, and boat dealers, and the bond shall be an indemnity for any loss sustained by reason of the acts of the person bonded when such acts constitute grounds for the suspension or revocation of the dealer's license. The bond shall be executed in the name of the state of Missouri for the benefit of all aggrieved parties or the irrevocable letter of credit shall name the state of Missouri as the beneficiary; except, that the aggregate liability of the surety or financial institution to the aggrieved parties shall, in no event, exceed the amount of the bond or irrevocable letter of credit. Additionally, every applicant as a new motor vehicle franchise dealer, a used motor vehicle dealer, a powersport dealer, a wholesale motor vehicle dealer, or boat dealer shall furnish with the application a copy of a

current dealer garage policy bearing the policy number and name of the insurer and the insured. The proceeds of the bond or irrevocable letter of credit furnished by an applicant shall be paid upon receipt by the department of a final judgment from a Missouri court of competent jurisdiction against the principal and in favor of an aggrieved party. The proceeds of the bond or irrevocable letter of credit furnished by an applicant shall be paid at the order of the department and in the amount determined by the department to any buyer or interested lienholder up to the greater of the amount required for the release of the purchase money lien or the sales price paid by the buyer where a dealer has failed to fulfill the dealer's obligations under an agreement to assign and deliver title to the buyer within thirty days under a contract entered into pursuant to subsection 5 of section 301.210. The department shall direct release of the bond or irrevocable letter of credit proceeds upon presentation of a written agreement entered into pursuant to subsection 5 of section 301.210, copies of the associated sales and finance documents, and the affidavit or affidavits of the buyer or lienholder stating that the certificate of title with assignment thereof has not been passed to the buyer within thirty days of the date of the contract entered into under subsection 5 of section 301.210, that the dealer has not fulfilled the agreement under the contract to repurchase the vehicle, that the buyer or the lienholder has notified the dealer of the claim on the bond or letter of credit, and the amount claimed by the purchaser or lienholder. In addition, prior to directing release and payment of the proceeds of a bond or irrevocable letter of credit, the department shall ensure that there is satisfactory evidence to establish that the vehicle which is subject to the written agreement has been returned by the buyer to the dealer or that the buyer has represented to the department that the buyer will surrender possession of the vehicle to the dealer upon payment of the proceeds of the bond or letter of credit directed by the department. Excepting ordinary wear and tear or mechanical failures not caused by the buyer, the amount of proceeds to be paid to the buyer under the bond or irrevocable letter of credit shall be reduced by an amount equivalent to any damage, abuse, or destruction incurred by the vehicle while the vehicle was in the buyer's possession as agreed between the buyer and the dealer. The dealer may apply to a court of competent jurisdiction to contest the claim on the bond or letter of credit, including the amount of the claim and the amount of any adjustment for any damage, abuse, or destruction, by filing a petition with the court within thirty days of the notification by the buyer or lienholder. If the dealer does not fulfill the agreement or file a petition to request judicial relief from the terms of the agreement or contest the amount of the claim, the bond or letter of credit shall be released by the department and directed paid in the amount or amounts presented by the lienholder or buyer;

(4) Payment of all necessary license fees as established by the department. In establishing the amount of the annual license fees, the department shall, as near as possible, produce sufficient total income to offset operational expenses of the department relating to the administration of sections 301.550 to 301.580. All fees payable pursuant to the provisions of sections 301.550 to 301.580 [~~other than those fees collected for the issuance of dealer plates or certificates of number collected pursuant to subsection 6 of this section,~~] shall be collected by the department for deposit in the state treasury to the credit of the "Motor Vehicle Commission Fund", which is hereby created. The motor vehicle commission fund shall be administered by the Missouri department of revenue. The provisions of section 33.080 to the contrary notwithstanding, money in such fund shall not be transferred and placed to the credit of the general revenue fund until the amount in the motor vehicle commission fund at the end of the biennium exceeds two times the amount of the appropriation from such fund for the preceding fiscal year or, if the department requires permit renewal less frequently than yearly, then three times the appropriation from such fund for the preceding fiscal year. The amount, if any, in the fund which shall lapse is that amount in the fund which exceeds the multiple of the appropriation from such fund for the preceding fiscal year.

2. In the event a new vehicle manufacturer, boat manufacturer, motor vehicle dealer, wholesale motor vehicle dealer, boat dealer, powersport dealer, wholesale motor vehicle auction, trailer dealer, or a public motor vehicle auction submits an application for a license for a new business and the applicant has complied with all the provisions of this section, the department shall make a decision to grant or deny the license to the applicant within eight working hours after receipt of the dealer's application, notwithstanding any rule of the department.

3. Except as otherwise provided in subsection 6 of this section, upon the initial issuance of a license by the department, the department shall assign a distinctive dealer license number or certificate of number to the applicant and the department shall issue one number plate or certificate bearing the distinctive dealer license number or certificate of number and two additional number plates or certificates of number within eight working hours after presentation of the application and payment by the applicant of a fee of fifty dollars for the first plate or certificate and ten dollars and fifty cents for each additional plate or certificate. Upon renewal, the department shall issue [~~the distinctive dealer license number or certificate of number~~] **a renewal tab to be placed on the lower right corner of the plate or certificate** as quickly as possible. **The fee for the tabs shall be twenty-five dollars for the first tab and six dollars for each additional tab.** The issuance of such distinctive dealer license number or certificate of number, **and tab or tabs**, shall be in lieu of registering each motor vehicle, trailer, vessel or vessel trailer dealt with by a boat dealer, boat manufacturer, manufacturer, public motor vehicle auction, wholesale motor vehicle dealer,

wholesale motor vehicle auction or new or used motor vehicle dealer. The license plates described in this section shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.

4. Notwithstanding any other provision of the law to the contrary, the department shall assign the following distinctive dealer license numbers to:

New motor vehicle franchise dealers	D-0 through D-999
New powersport dealers	D-1000 through D-1999
Used motor vehicle and used powersport dealers	D-2000 through D-9999
Wholesale motor vehicle dealers	W-0 through W-1999
Wholesale motor vehicle auctions	WA-0 through WA-999
New and used trailer dealers	T-0 through T-9999
Motor vehicle, trailer, and boat manufacturers	DM-0 through DM-999
Public motor vehicle auctions	A-0 through A-1999
Boat dealers	M-0 through M-9999
New and used recreational motor vehicle dealers	RV-0 through RV-999

For purposes of this subsection, qualified transactions shall include the purchase of salvage titled vehicles by a licensed salvage dealer. A used motor vehicle dealer who also holds a salvage dealer's license shall be allowed one additional plate or certificate number per fifty-unit qualified transactions annually. In order for salvage dealers to obtain number plates or certificates under this section, dealers shall submit to the department of revenue on August first of each year a statement certifying, under penalty of perjury, the dealer's number of purchases during the reporting period of July first of the immediately preceding year to June thirtieth of the present year. The provisions of this subsection shall become effective on the date the director of the department of revenue begins to reissue new license plates under section 301.130, or on December 1, 2008, whichever occurs first. If the director of revenue begins reissuing new license plates under the authority granted under section 301.130 prior to December 1, 2008, the director of the department of revenue shall notify the revisor of statutes of such fact.

5. Upon the sale of a currently licensed motor vehicle dealership the department shall, upon request, authorize the new approved dealer applicant to retain the selling dealer's license number and shall cause the new dealer's records to indicate such transfer. If the new approved dealer applicant elects not to retain the selling dealer's license number, the department shall issue the new dealer applicant a new dealer's license number and an equal number of plates or certificates as the department had issued to the selling dealer.

6. In the case of motor vehicle dealers, the department shall issue one number plate bearing the distinctive dealer license number and may issue one additional number plate to the applicant upon payment by the dealer of a fifty dollar fee for the number plate bearing the distinctive dealer license number and ten dollars and fifty cents for the additional number plate. The department may issue a third plate to the motor vehicle dealer upon completion of the dealer's fifteenth qualified transaction and payment of a fee of ten dollars and fifty cents. In the case of new motor vehicle manufacturers, powersport dealers, recreational motor vehicle dealers, and trailer dealers, the department shall issue one number plate bearing the distinctive dealer license number and may issue two additional number plates to the applicant upon payment by the manufacturer or dealer of a fifty dollar fee for the number plate bearing the distinctive dealer license number and ten dollars and fifty cents for each additional number plate. Boat dealers and boat manufacturers shall be entitled to one certificate of number bearing such number upon the payment of a fifty dollar fee. Additional number plates and as many additional certificates of number may be obtained upon payment of a fee of ten dollars and fifty cents for each additional plate or certificate. New motor vehicle manufacturers shall not be issued or possess more than three hundred forty-seven additional number plates or certificates of number annually. New and used motor vehicle dealers, powersport dealers, wholesale motor vehicle dealers, boat dealers, and trailer dealers are limited to one additional plate or certificate of number per ten-unit qualified transactions annually. New and used recreational motor vehicle dealers are limited to two additional plates or certificate of number per ten-unit qualified transactions annually for their first fifty transactions and one additional plate or certificate of number per ten-unit qualified transactions thereafter. An applicant seeking the issuance of an initial license shall indicate on his or her initial application the applicant's proposed annual number of sales in order for the director to issue the appropriate number of additional plates or certificates of number. A motor vehicle dealer, trailer dealer, boat dealer, powersport dealer, recreational motor vehicle dealer, motor vehicle manufacturer, boat manufacturer, or wholesale motor vehicle dealer obtaining a distinctive dealer license plate or certificate of number or additional license plate or additional certificate of number, throughout the calendar year,

shall be required to pay a fee for such license plates or certificates of number computed on the basis of one-twelfth of the full fee prescribed for the original and duplicate number plates or certificates of number for such dealers' licenses, multiplied by the number of months remaining in the licensing period for which the dealer or manufacturers shall be required to be licensed. In the event of a renewing dealer, the fee due at the time of renewal shall not be prorated. Wholesale and public auctions shall be issued a certificate of dealer registration in lieu of a dealer number plate. In order for dealers to obtain number plates or certificates under this section, dealers shall submit to the department of revenue on August first of each year a statement certifying, under penalty of perjury, the dealer's number of sales during the reporting period of July first of the immediately preceding year to June thirtieth of the present year.

7. The plates issued pursuant to subsection 3 or 6 of this section may be displayed on any motor vehicle owned by a new motor vehicle manufacturer. The plates issued pursuant to subsection 3 or 6 of this section may be displayed on any motor vehicle or trailer owned and held for resale by a motor vehicle dealer for use by a customer who is test driving the motor vehicle, for use by any customer while the customer's vehicle is being serviced or repaired by the motor vehicle dealer, for use and display purposes during, but not limited to, parades, private events, charitable events, or for use by an employee or officer, but shall not be displayed on any motor vehicle or trailer hired or loaned to others or upon any regularly used service or wrecker vehicle. Motor vehicle dealers may display their dealer plates on a tractor, truck or trailer to demonstrate a vehicle under a loaded condition. Trailer dealers may display their dealer license plates in like manner, except such plates may only be displayed on trailers owned and held for resale by the trailer dealer.

8. The certificates of number issued pursuant to subsection 3 or 6 of this section may be displayed on any vessel or vessel trailer owned and held for resale by a boat manufacturer or a boat dealer, and used by a customer who is test driving the vessel or vessel trailer, or is used by an employee or officer on a vessel or vessel trailer only, but shall not be displayed on any motor vehicle owned by a boat manufacturer, boat dealer, or trailer dealer, or vessel or vessel trailer hired or loaned to others or upon any regularly used service vessel or vessel trailer. Boat dealers and boat manufacturers may display their certificate of number on a vessel or vessel trailer when transporting a vessel or vessels to an exhibit or show.

9. If any law enforcement officer has probable cause to believe that any license plate or certificate of number issued under subsection 3 or 6 of this section is being misused in violation of subsection 7 or 8 of this section, the license plate or certificate of number may be seized and surrendered to the department.

10. (1) Every application for the issuance of a used motor vehicle dealer's license shall be accompanied by proof that the applicant, within the last twelve months, has completed an educational seminar course approved by the department as prescribed by subdivision (2) of this subsection. Wholesale and public auto auctions and applicants currently holding a new or used license for a separate dealership shall be exempt from the requirements of this subsection. The provisions of this subsection shall not apply to current new motor vehicle franchise dealers or motor vehicle leasing agencies or applicants for a new motor vehicle franchise or a motor vehicle leasing agency. The provisions of this subsection shall not apply to used motor vehicle dealers who were licensed prior to August 28, 2006.

(2) The educational seminar shall include, but is not limited to, the dealer requirements of sections 301.550 to 301.580, the rules promulgated to implement, enforce, and administer sections 301.550 to 301.580, and any other rules and regulations promulgated by the department.";

Further amend said bill, Page 11, Section 302.181, Line 113, by inserting after all of the said section and line the following:

"307.350. 1. The owner of every motor vehicle as defined in section 301.010 which is required to be registered in this state, except:

(1) Motor vehicles having less than one hundred fifty thousand miles, for the ten-year period following their model year of manufacture, excluding prior salvage vehicles immediately following a rebuilding process and vehicles subject to the provisions of section 307.380;

(2) Those motor vehicles which are engaged in interstate commerce and are proportionately registered in this state with the Missouri highway reciprocity commission, although the owner may request that such vehicle be inspected by an official inspection station, and a peace officer may stop and inspect such vehicles to determine whether the mechanical condition is in compliance with the safety regulations established by the United States Department of Transportation; and

(3) Historic motor vehicles registered pursuant to section 301.131;

- (4) Vehicles registered in excess of twenty-four thousand pounds for a period of less than twelve months;

shall submit such vehicles to a biennial inspection of their mechanism and equipment in accordance with the provisions of sections 307.350 to 307.390 and obtain a certificate of inspection and approval and a sticker, seal, or other device from a duly authorized official inspection station. The inspection, except the inspection of school buses which shall be made at the time provided in section 307.375, shall be made at the time prescribed in the rules and regulations issued by the superintendent of the Missouri state highway patrol; but the inspection of a vehicle shall not be made more than sixty days prior to the date of application for registration or within sixty days of when a vehicle's registration is transferred; however, if a vehicle was purchased from a motor vehicle dealer and a valid inspection had been made within sixty days of the purchase date, the new owner shall be able to utilize an inspection performed within ninety days prior to the application for registration or transfer. ~~[Any vehicle manufactured as an even-numbered model year vehicle shall be inspected and approved pursuant to the safety inspection program established pursuant to sections 307.350 to 307.390 in each even-numbered calendar year and any such vehicle manufactured as an odd-numbered model year vehicle shall be inspected and approved pursuant to sections 307.350 to 307.390 in each odd-numbered year.]~~ The certificate of inspection and approval shall be a sticker, seal, or other device or combination thereof, as the superintendent of the Missouri state highway patrol prescribes by regulation and shall be displayed upon the motor vehicle or trailer as prescribed by the regulations established by him. The replacement of certificates of inspection and approval which are lost or destroyed shall be made by the superintendent of the Missouri state highway patrol under regulations prescribed by him.

2. For the purpose of obtaining an inspection only, it shall be lawful to operate a vehicle over the most direct route between the owner's usual place of residence and an inspection station of such owner's choice, notwithstanding the fact that the vehicle does not have a current state registration license. It shall also be lawful to operate such a vehicle from an inspection station to another place where repairs may be made and to return the vehicle to the inspection station notwithstanding the absence of a current state registration license.

3. No person whose motor vehicle was duly inspected and approved as provided in this section shall be required to have the same motor vehicle again inspected and approved for the sole reason that such person wishes to obtain a set of any special personalized license plates available pursuant to section 301.144 or a set of any license plates available pursuant to section 301.142, prior to the expiration date of such motor vehicle's current registration.

**4. Notwithstanding any provision of law to the contrary, a valid safety inspection shall be required for all registration issuances and renewals of a motor vehicle subject to safety inspection under this section.**

**5.** Notwithstanding the provisions of section 307.390, violation of this section shall be deemed an infraction.

643.315. 1. Except as provided in sections 643.300 to 643.355, all motor vehicles which are domiciled, registered or primarily operated in an area for which the commission has established a motor vehicle emissions inspection program pursuant to sections 643.300 to 643.355 shall be inspected and approved prior to sale or transfer; provided that, if such vehicle is inspected and approved prior to sale or transfer, such vehicle shall not be subject to another emissions inspection for ninety days after the date of sale or transfer of such vehicle. ~~[In addition, any such vehicle manufactured as an even-numbered model year vehicle shall be inspected and approved under the emissions inspection program established pursuant to sections 643.300 to 643.355 in each even-numbered calendar year and any such vehicle manufactured as an odd-numbered model year vehicle shall be inspected and approved under the emissions inspection program established pursuant to sections 643.300 to 643.355 in each odd-numbered calendar year.]~~ All motor vehicles subject to the inspection requirements of sections 643.300 to 643.355 shall display a valid emissions inspection sticker, and when applicable, a valid emissions inspection certificate shall be presented at the time of registration or registration renewal of such motor vehicle. The department of revenue shall require evidence of the safety and emission inspection and approval required by this section in issuing the motor vehicle ~~[annual]~~ registration in conformity with the procedure required by sections 307.350 to 307.390 and sections 643.300 to 643.355. The director of revenue may verify that a successful safety and emissions inspection was completed via electronic means.

2. The inspection requirement of subsection 1 of this section shall apply to all motor vehicles except:

(1) Motor vehicles with a manufacturer's gross vehicle weight rating in excess of eight thousand five hundred pounds;

(2) Motorcycles and motortricycles if such vehicles are exempted from the motor vehicle emissions inspection under federal regulation and approved by the commission by rule;

(3) Model year vehicles manufactured prior to 1996;

(4) Vehicles which are powered exclusively by electric or hydrogen power or by fuels other than gasoline which are exempted from the motor vehicle emissions inspection under federal regulation and approved by the commission by rule;

(5) Motor vehicles registered in an area subject to the inspection requirements of sections 643.300 to 643.355 which are domiciled and operated exclusively in an area of the state not subject to the inspection requirements of sections 643.300 to 643.355, but only if the owner of such vehicle presents to the department an affidavit that the vehicle will be operated exclusively in an area of the state not subject to the inspection requirements of sections 643.300 to 643.355 for the next twenty-four months, and the owner applies for and receives a waiver which shall be presented at the time of registration or registration renewal;

(6) New and unused motor vehicles, of model years of the current calendar year and of any calendar year within two years of such calendar year, which have an odometer reading of less than six thousand miles at the time of original sale by a motor vehicle manufacturer or licensed motor vehicle dealer to the first user;

(7) Historic motor vehicles registered pursuant to section 301.131;

(8) School buses;

(9) Heavy-duty diesel-powered vehicles with a gross vehicle weight rating in excess of eight thousand five hundred pounds;

(10) New motor vehicles that have not been previously titled and registered, for the four-year period following their model year of manufacture, provided the odometer reading for such motor vehicles are under forty thousand miles at their first required biennial safety inspection conducted under sections 307.350 to 307.390; otherwise such motor vehicles shall be subject to the emissions inspection requirements of subsection 1 of this section during the same period that the biennial safety inspection is conducted;

(11) Motor vehicles that are driven fewer than twelve thousand miles between biennial safety inspections; and

(12) Qualified plug-in electric drive vehicles. For the purposes of this section, "qualified plug-in electric drive vehicle" shall mean a plug-in electric drive vehicle that is made by a manufacturer, has not been modified from original manufacturer specifications, and can operate solely on electric power and is capable of recharging its battery from an on-board generation source and an off-board electricity source.

3. The commission may, by rule, allow inspection reciprocity with other states having equivalent or more stringent testing and waiver requirements than those established pursuant to sections 643.300 to 643.355.

4. (1) At the time of sale, a licensed motor vehicle dealer, as defined in section 301.550, may choose to sell a motor vehicle subject to the inspection requirements of sections 643.300 to 643.355 either:

(a) With prior inspection and approval as provided in subdivision (2) of this subsection; or

(b) Without prior inspection and approval as provided in subdivision (3) of this subsection.

(2) If the dealer chooses to sell the vehicle with prior inspection and approval, the dealer shall disclose, in writing, prior to sale, whether the vehicle obtained approval by meeting the emissions standards established pursuant to sections 643.300 to 643.355 or by obtaining a waiver pursuant to section 643.335. A vehicle sold pursuant to this subdivision by a licensed motor vehicle dealer shall be inspected and approved within the one hundred twenty days immediately preceding the date of sale, and, for the purpose of registration of such vehicle, such inspection shall be considered timely.

(3) If the dealer chooses to sell the vehicle without prior inspection and approval, the purchaser may return the vehicle within ten days of the date of purchase, provided that the vehicle has no more than one thousand additional miles since the time of sale, if the vehicle fails, upon inspection, to meet the emissions standards specified by the commission and the dealer shall have the vehicle inspected and approved without the option for a waiver of the emissions standard and return the vehicle to the purchaser with a valid emissions certificate and sticker within five working days or the purchaser and dealer may enter into any other mutually acceptable agreement. If the dealer chooses to sell the vehicle without prior inspection and approval, the dealer shall disclose conspicuously on the sales contract and bill of sale that the purchaser has the option to return the vehicle within ten days, provided that the vehicle has no more than one thousand additional miles since the time of sale, to have the dealer repair the vehicle and provide an emissions certificate and sticker within five working days if the vehicle fails, upon inspection, to meet the emissions standards established by the commission, or enter into any mutually acceptable agreement with the dealer. A violation of this subdivision shall be an unlawful practice as defined in section 407.020. No emissions inspection shall be required pursuant to sections 643.300 to 643.360 for the sale of any motor vehicle which may be sold without a certificate of inspection and approval, as provided pursuant to subsection 2 of section 307.380.

**5. Notwithstanding any provision of law to the contrary, a valid emissions inspection shall be required for all registration issuances and renewals of a motor vehicle subject to emissions inspection under this section.**

Section B. The enactment of section 301.033 and the repeal and reenactment of sections 301.070, 301.110, 301.140, 301.142, 301.147, 301.560, 307.350, and 643.315 of section A of this act shall take effect as soon as technologically possible following the development and maintenance of a modernized, integrated system for the titling of vehicles, issuance and renewal of vehicle registrations, issuance and renewal of driver's licenses and identification cards, and perfection and release of liens and encumbrances on vehicles, to be funded by the motor vehicle administration technology fund as created in section 301.558. Following the development of the system, the director of the department of revenue shall notify the governor, the secretary of state, and the revisor of statutes, and shall implement the provisions of sections 301.033, 301.070, 301.110, 301.140, 301.142, 301.147, 301.560, 307.350, and 643.315 of section A of this act."; and"; and

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

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

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

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

*House Amendment No. 8*

AMEND House Committee Substitute for House Bill No. 1775, Page 4, Section 136.055, Line 116, by inserting after all of said section and line the following:

"143.011. 1. A tax is hereby imposed for every taxable year on the Missouri taxable income of every resident. The tax shall be determined by applying the tax table or the rate provided in section 143.021, which is based upon the following rates:

If the Missouri taxable income is:	The tax is:
Not over \$1,000.00	1 1/2% of the Missouri taxable income
Over \$1,000 but not over \$2,000	\$15 plus 2% of excess over \$1,000
Over \$2,000 but not over \$3,000	\$35 plus 2 1/2% of excess over \$2,000
Over \$3,000 but not over \$4,000	\$60 plus 3% of excess over \$3,000
Over \$4,000 but not over \$5,000	\$90 plus 3 1/2% of excess over \$4,000
Over \$5,000 but not over \$6,000	\$125 plus 4% of excess over \$5,000
Over \$6,000 but not over \$7,000	\$165 plus 4 1/2% of excess over \$6,000
Over \$7,000 but not over \$8,000	\$210 plus 5% of excess over \$7,000
Over \$8,000 but not over \$9,000	\$260 plus 5 1/2% of excess over \$8,000
Over \$9,000	\$315 plus 6% of excess over \$9,000

2. (1) Notwithstanding the provisions of subsection 1 of this section to the contrary, beginning with the 2023 calendar year, the top rate of tax pursuant to subsection 1 of this section shall be four and ninety-five hundredths percent.

(2) The modification of tax rates made pursuant to this subsection shall apply only to tax years that begin on or after January 1, 2023.

(3) The director of the department of revenue shall, by rule, adjust the tax table provided in subsection 1 of this section to effectuate the provisions of this subsection. The top remaining rate of tax shall apply to all income in excess of seven thousand dollars, as adjusted pursuant to subsection [5] 4 of this section.

3. (1) In addition to the rate reduction under subsection 2 of this section, beginning with the 2024 calendar year **and ending on or before December 31, 2024**, the top rate of tax under subsection 1 of this section may be reduced by fifteen hundredths of a percent. A reduction in the rate of tax shall take effect on January first of a calendar year and such reduced rates shall continue in effect until the next reduction occurs.

(2) A reduction in the rate of tax shall only occur if the amount of net general revenue collected in the previous fiscal year exceeds the highest amount of net general revenue collected in any of the three fiscal years prior to such fiscal year by at least one hundred seventy-five million dollars.

(3) Any modification of tax rates under this subsection shall only apply to tax years that begin on or after a modification takes effect.

(4) The director of the department of revenue shall, by rule, adjust the tax tables under subsection 1 of this section to effectuate the provisions of this subsection.

~~4. [(1) In addition to the rate reductions under subsections 2 and 3 of this section, beginning with the calendar year immediately following the calendar year in which a reduction is made pursuant to subsection 3 of this section, the top rate of tax under subsection 1 of this section may be further reduced over a period of years. Each reduction in the top rate of tax shall be by one tenth of a percent and no more than one reduction shall occur in a calendar year. No more than three reductions shall be made under this subsection. Reductions in the rate of tax shall take effect on January first of a calendar year and such reduced rates shall continue in effect until the next reduction occurs.~~

~~(2) (a) A reduction in the rate of tax shall only occur if:~~

~~a. The amount of net general revenue collected in the previous fiscal year exceeds the highest amount of net general revenue collected in any of the three fiscal years prior to such fiscal year by at least two hundred million dollars; and~~

~~b. The amount of net general revenue collected in the previous fiscal year exceeds the amount of net general revenue collected in the fiscal year five years prior, adjusted annually by the percentage increase in inflation over the preceding five fiscal years.~~

~~(b) The amount of net general revenue collected required by subparagraph a. of paragraph (a) of this subdivision in order to make a reduction pursuant to this subsection shall be adjusted annually by the percent increase in inflation beginning with January 2, 2023.~~

~~(3) Any modification of tax rates under this subsection shall only apply to tax years that begin on or after a modification takes effect.~~

~~(4) The director of the department of revenue shall, by rule, adjust the tax tables under subsection 1 of this section to effectuate the provisions of this subsection. The bracket for income subject to the top rate of tax shall be eliminated once the top rate of tax has been reduced below the rate applicable to such bracket, and the top remaining rate of tax shall apply to all income in excess of the income in the second highest remaining income bracket.~~

~~5.] Beginning with the 2017 calendar year, the brackets of Missouri taxable income identified in subsection 1 of this section shall be adjusted annually by the percent increase in inflation. The director shall publish such brackets annually beginning on or after October 1, 2016. Modifications to the brackets shall take effect on January first of each calendar year and shall apply to tax years beginning on or after the effective date of the new brackets.~~

~~[6.] 5. As used in this section, the following terms mean:~~

~~(1) "CPI", the Consumer Price Index for All Urban Consumers for the United States as reported by the Bureau of Labor Statistics, or its successor index;~~

~~(2) "CPI for the preceding calendar year", the average of the CPI as of the close of the twelve-month period ending on August thirty-first of such calendar year;~~

~~(3) "Net general revenue collected", all revenue deposited into the general revenue fund, less refunds and revenues originally deposited into the general revenue fund but designated by law for a specific distribution or transfer to another state fund;~~

~~(4) "Percent increase in inflation", the percentage, if any, by which the CPI for the preceding calendar year exceeds the CPI for the year beginning September 1, 2014, and ending August 31, 2015.~~

143.021. 1. Every resident having a taxable income shall determine his or her tax from the rates provided in section 143.011. For all tax years beginning on or before December 31, 2022, there shall be no tax on a taxable income of less than one hundred dollars.

2. (1) Notwithstanding the provisions of subsection 1 of section 143.011 to the contrary, for all tax years beginning on or after January 1, 2023, there shall be no tax on taxable income of less than or equal to one thousand dollars, as adjusted pursuant to subsection [5] 4 of section 143.011.

(2) The modifications made pursuant to this subsection shall only apply to tax years that begin on or after January 1, 2023.

(3) The director of the department of revenue shall, by rule, adjust the tax table provided in subsection 1 of section 143.011 to effectuate the provisions of this subsection."; and

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



Representative Lavender moved that **House Amendment No. 8** be adopted.

Which motion was defeated by the following vote, the ayes and noes having been demanded pursuant to Rule 16:

AYES: 044

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

NOES: 099

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

PRESENT: 000

ABSENT WITH LEAVE: 019

Atchison	Barnes	Butz	Byrnes	Cupps
Deaton	Evans	Falkner	Gray	Griffith
Kelly 141	Merideth	Nickson-Clark	Parker	Sauls
Stephens	Thompson	Unsicker	West	

VACANCIES: 001

Representative Patterson moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

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

NOES: 042

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

PRESENT: 000

ABSENT WITH LEAVE: 024

Atchison	Barnes	Bland Manlove	Brown 87	Butz
Bynes	Copeland	Cupps	Deaton	Evans
Falkner	Gray	Griffith	Marquart	Merideth
Nickson-Clark	Parker	Peters	Sauls	Stephens
Thompson	Toalson Reisch	Unsicker	West	

VACANCIES: 001

On motion of Representative Perkins, **HCS HB 1775, as amended**, was adopted.

On motion of Representative Perkins, **HCS HB 1775, as amended**, was ordered perfected and printed.

### REFERRAL OF HOUSE RESOLUTIONS

The following House Resolution was referred to the Committee indicated:

**HR 5143** - Consent and House Procedure

## COMMITTEE REPORTS

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

Mr. Speaker: Your Committee on Children and Families, to which was referred **HB 1975**, 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): Burnett, Gragg, Hausman, Jones, Kelley (127), Kelly (141), Lewis (6), McGaugh, Proudie and Terry

Noes (0)

Absent (0)

Mr. Speaker: Your Committee on Children and Families, to which was referred **HB 2547**, 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): Burnett, Gragg, Hausman, Jones, Kelley (127), Kelly (141), Lewis (6), McGaugh, Proudie and Terry

Noes (0)

Absent (0)

### **Committee on Elections and Elected Officials**, Chairman McGaugh reporting:

Mr. Speaker: Your Committee on Elections and Elected Officials, to which was referred **HJR 69**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute** by the following vote:

Ayes (15): Adams, Banderman, Baringer, Byrnes, Falkner, McGaugh, Reedy, Riley, Schwadron, Smith (46), Sparks, Toalson Reisch, Waller, Windham and Woods

Noes (1): Stacy

Absent (1): Coleman

Mr. Speaker: Your Committee on Elections and Elected Officials, to which was referred **SS#4 SCS SJRs 74, 48, 59, 61 & 83**, 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): Banderman, Byrnes, Falkner, McGaugh, Reedy, Riley, Schwadron, Sparks, Stacy, Toalson Reisch and Waller

Noes (5): Adams, Baringer, Smith (46), Windham and Woods

Absent (1): Coleman

### **Committee on Financial Institutions**, Chairman O'Donnell reporting:

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **HB 2788**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (12): Billington, Butz, Clemens, Dinkins, Francis, McGirl, Mosley, O'Donnell, Owen, Sander, Thompson and Titus

Noes (0)

Absent (2): Adams and Oehlerking

**Committee on General Laws**, Chairman Riley reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 1484**, 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): Baker, Copeland, Hicks, Hudson, Justus, Lovasco, Matthiesen, McMullen, Myers, Parker and Riley

Noes (5): Crossley, Ingle, Mackey, Reuter and Weber

Absent (1): Merideth

**Committee on Local Government**, Chairman Falkner reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 2862**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute** by the following vote:

Ayes (9): Adams, Amato, Baringer, Byrnes, Falkner, Hinman, Perkins, Reedy and Walsh Moore

Noes (0)

Absent (5): Bangert, Burger, Diehl, Lonsdale and West

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

Mr. Speaker: Your Special Committee on Government Accountability, to which was referred **HB 1763**, 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): Cupps, Davidson, Deaton, Hein, Lonsdale, Lovasco, Mayhew, Perkins, Richey, Sander and Wilson

Noes (2): Anderson and Mann

Absent (7): Bosley, Christensen, Johnson (12), Knight, Phifer, Stinnett and Unsicker

**Special Committee on Property Tax Reform**, Chairman Christ reporting:

Mr. Speaker: Your Special Committee on Property Tax Reform, to which was referred **HJR 75**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute** by the following vote:

Ayes (20): Allen, Brown (16), Buchheit-Courtway, Christ, Coleman, Ealy, Gallick, Hausman, Hinman, Matthiesen, McGaugh, McGirl, Murphy, Pouche, Proudie, Reedy, Sauls, Smith (155), Stacy and Strickler

Noes (0)

Absent (12): Bland Manlove, Brown (149), Byrnes, Chappell, Crossley, Evans, Ingle, Johnson (12), Lonsdale, McMullen, Nickson-Clark and Sharp (37)

Mr. Speaker: Your Special Committee on Property Tax Reform, to which was referred **HB 1836**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute** by the following vote:

Ayes (17): Allen, Bland Manlove, Chappell, Christ, Hinman, Johnson (12), Lonsdale, Matthiesen, McGaugh, McMullen, Murphy, Pouche, Reedy, Sauls, Sharp (37), Stacy and Strickler

Noes (2): Brown (149) and McGirl

Absent (13): Brown (16), Buchheit-Courtway, Byrnes, Coleman, Crossley, Ealy, Evans, Gallick, Hausman, Ingle, Nickson-Clark, Proudie and Smith (155)

Mr. Speaker: Your Special Committee on Property Tax Reform, to which was referred **HB 2445**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute** by the following vote:

Ayes (20): Allen, Chappell, Christ, Coleman, Crossley, Ealy, Gallick, Hinman, Ingle, Johnson (12), Lonsdale, Matthiesen, McGaugh, McGirl, McMullen, Pouche, Reedy, Sauls, Stacy and Strickler

Noes (0)

Absent (12): Bland Manlove, Brown (149), Brown (16), Buchheit-Courtway, Byrnes, Evans, Hausman, Murphy, Nickson-Clark, Proudie, Sharp (37) and Smith (155)

**Special Committee on Small Business**, Chairman Brown (16) reporting:

Mr. Speaker: Your Special Committee on Small Business, to which was referred **SS SB 895**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (6): Billington, Brown (16), Jones, Plank, Sassmann and Schwadron

Noes (0)

Absent (4): Busick, McMullen, Nickson-Clark and Proudie

**Committee on Transportation Infrastructure**, Chairman Buchheit-Courtway reporting:

Mr. Speaker: Your Committee on Transportation Infrastructure, to which was referred **HB 2797**, 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): Amato, Bangert, Buchheit-Courtway, Copeland, Marquart, Mosley, Myers, Sharpe (4), Van Schoiack and Woods

Noes (0)

Absent (4): Burger, Hinman, Murphy and Phifer

**Committee on Rules - Regulatory Oversight**, Chairman Gregory reporting:

Mr. Speaker: Your Committee on Rules - Regulatory Oversight, to which was referred **HJR 87**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (6): Cupps, Evans, Gregory, Haffner, O'Donnell and Roberts

Noes (3): Ingle, Proudie and Strickler

Absent (1): Riley

Mr. Speaker: Your Committee on Rules - Regulatory Oversight, to which was referred **HCS HBs 1471, 1607 & 1797**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (7): Cupps, Evans, Gregory, Haffner, Ingle, O'Donnell and Proudie

Noes (2): Roberts and Strickler

Absent (1): Riley

Mr. Speaker: Your Committee on Rules - Regulatory Oversight, to which was referred **HCS HB 1795**, 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 Roberts

Noes (3): Ingle, Proudie and Strickler

Absent (2): O'Donnell and Riley

Mr. Speaker: Your Committee on Rules - Regulatory Oversight, to which was referred **HCS HB 1800**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (8): Cupps, Evans, Gregory, Haffner, Ingle, Proudie, Roberts and Strickler

Noes (0)

Absent (2): O'Donnell and Riley

Mr. Speaker: Your Committee on Rules - Regulatory Oversight, to which was referred **HCS HB 2700**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (8): Cupps, Evans, Gregory, Haffner, Ingle, Proudie, Roberts and Strickler

Noes (0)

Absent (2): O'Donnell and Riley

Mr. Speaker: Your Committee on Rules - Regulatory Oversight, to which was referred **HCS HB 2763**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (6): Cupps, Evans, Gregory, Haffner, O'Donnell and Roberts

Noes (3): Ingle, Proudie and Strickler

Absent (1): Riley

Mr. Speaker: Your Committee on Rules - Regulatory Oversight, to which was referred **HB 2832**, 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 Roberts

Noes (2): Ingle and Strickler

Present (1): Proudie

Absent (2): O'Donnell and Riley

## **COMMITTEE CHANGES**

April 3, 2024

Ms. Dana Rademan Miller  
Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 310  
Jefferson City, MO 65101

Dear Ms. Miller,

I hereby make the following changes to the Ethics Committee:

Per his request to recuse himself from this matter, I hereby temporarily remove Representative David Evans from the committee.

I hereby appoint Representative Mike McGirl to temporarily replace him on the committee.

If you have any questions, please feel free to contact my office.

Sincerely,

/s/ Mike Henderson  
Speaker Pro Tempore  
Missouri House of Representatives

## **ADJOURNMENT**

On motion of Representative Patterson, the House adjourned until 8:00 a.m., Thursday, April 4, 2024.

## **CORRECTION TO THE HOUSE JOURNAL**

Correct House Journal, Forty-ninth Day, Tuesday, April 2, 2024, Page 1129, Line 14, by deleting “Lewis (25)” and inserting in lieu thereof “Lavender”.

## **COMMITTEE HEARINGS**

### **AGRICULTURE POLICY**

Thursday, April 4, 2024, 8:15 AM or upon adjournment (whichever is later),  
House Hearing Room 6.

Public hearing will be held: SS SB 1298

### **ETHICS**

Thursday, April 4, 2024, 8:30 AM or upon adjournment (whichever is later),  
House Hearing Room 4.

Portions of the hearing may be closed under Article III, Sections 18 & 20, of the Constitution of Missouri, House Rule 37, House Resolution 85, and Sections 610.021(1), (3), (13) & (14) to discuss House Ethics Complaint 23-01.

Portions of this meeting may be closed under the authority of Article III, Sections 18 & 20, of the Missouri Constitution, the House Rules and Resolutions governing the Committee on Ethics, and RSMo § 610.21(3).

### **LOCAL GOVERNMENT**

Tuesday, April 9, 2024, 8:00 AM, House Hearing Room 7.

Public hearing will be held: HB 2270, HB 2897

### **SPECIAL COMMITTEE ON TOURISM**

Thursday, April 4, 2024, 9:00 AM or upon adjournment of the Ways and Means Committee (whichever is later), House Hearing Room 5.

Executive session will be held: HB 2171, HB 2172

### **TRANSPORTATION ACCOUNTABILITY**

Thursday, April 4, 2024, 8:30 AM or upon adjournment (whichever is later),  
House Hearing Room 1.

Executive session will be held: HB 1921, HB 2533

### **WAYS AND MEANS**

Thursday, April 4, 2024, 8:30 AM or upon adjournment (whichever is later),  
House Hearing Room 5.

Executive session will be held: HB 1810



**HOUSE CALENDAR**

FIFTY-FIRST DAY, THURSDAY, APRIL 4, 2024

**HOUSE JOINT RESOLUTIONS FOR PERFECTION - INFORMAL**

HCS HJR 92 - Hovis  
HJR 132 - Hausman  
HJR 104 - Baker

**HOUSE BILLS FOR PERFECTION - INFORMAL**

HCS HB 1837 - McMullen  
HCS HB 1957, with HA 1, pending - Haffner  
HB 1976 - Stinnett  
HCS HBs 2619, 2365, 2448 & 2569 - Smith (163)  
HB 2063 - Owen  
HCS HB 1630, with HA 1, pending - Pouche  
HB 2291 - Davidson  
HB 2075 - Coleman  
HCS HBs 1477 & 1437 - Sharp (37)  
HCS HB 1480 - Christ  
HCS HB 1725 - O'Donnell  
HCS HB 2153, with HA 1, pending - Burger  
HCS HBs 2183 & 2529 - Hausman  
HB 2240 - Sharpe (4)  
HCS HB 2541 - Hurlbert  
HCS HB 2612 - Byrnes  
HB 2083 - Gregory  
HB 2331 - Houx  
HB 2381 - Brown (16)  
HCS HB 1708 - Schnelting  
HB 2380 - Brown (16)  
HCS HB 1563 - Kelley (127)  
HCS HB 2079 - Brown (149)  
HCS HB 2412 - Sassmann  
HCS HBs 2523, 2367 & 2470 - Billington  
HCS HB 1427 - McGirl  
HCS HBs 1804 & 1435 - Black  
HCS HB 2413 - Peters  
HCS HB 1447 - Lewis (6)  
HB 1451 - Veit  
HCS HB 1946 - Shields  
HCS HB 2064 - Black  
HCS HB 2453 - Francis  
HB 2657 - McGirl  
HCS HB 2756 - O'Donnell

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HCS HBs 2464 & 2460 - Butz  
HCS HB 1534 - Baringer  
HCS HBs 1520, 1519, 2355 & 2357 - Hudson  
HCS HB 2319 - Owen  
HCS HB 1564 - Kelley (127)  
HCS HB 2267 - Peters  
HCS#2 HB 1886 - Veit

#### **HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING - INFORMAL**

HCS HCR 36 - Barnes

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

HCS HB 2002 - Smith (163)  
HCS HB 2003 - Smith (163)  
HCS HB 2004 - Smith (163)  
HCS HB 2005 - Smith (163)  
HCS HB 2006 - Smith (163)  
HCS HB 2007 - Smith (163)  
HCS HB 2008 - Smith (163)  
HCS HB 2009 - Smith (163)  
HCS HB 2010 - Smith (163)  
HCS HB 2011 - Smith (163)  
HCS HB 2012 - Smith (163)  
HCS HB 2013 - Smith (163)  
HCS HB 2015 - Smith (163)  
HCS HB 2017 - Smith (163)  
HCS HB 2018 - Smith (163)  
HCS HB 2019 - Smith (163)  
HCS HB 2020 - Smith (163)

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

HB 1459 - Sharpe (4)  
HB 1460 - Sharpe (4)  
HB 1489 - Griffith  
HB 1494 - Griffith  
HB 1502 - Bangert  
HB 1553 - Sassmann  
HB 2650 - Haley  
HB 2670 - Thomas  
HB 2719 - Hudson  
HB 1945 - Shields  
HB 2684 - Sharp (37)  
HB 2852 - McGaugh

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

HB 1938 - Owen  
HCS HB 1726 - O'Donnell  
HB 1728 - O'Donnell  
HB 1987 - Thompson  
HB 1995 - Perkins  
HCS HB 2086 - O'Donnell  
HB 2248 - Francis  
HCS HB 2414 - Casteel  
HB 2491 - Sassmann  
HCS HB 1504 - Bangert  
HCS HB 2286 - Taylor (48)  
HB 2570 - Bonacker

**SENATE CONCURRENT RESOLUTIONS FOR THIRD READING**

SCR 23 - Pollitt

**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)

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