

FIRST REGULAR SESSION  
[TRULY AGREED TO AND FINALLY PASSED]  
SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
**HOUSE BILL NO. 754**  
**103RD GENERAL ASSEMBLY**

1499S.05T

2025

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**AN ACT**

To repeal sections 32.115, 143.081, 143.121, 143.341, 361.909, 362.020, 362.247, 362.275, 362.295, 362.490, 381.410, 408.010, 427.300, 447.200, 456.1-108, and 456.10-1005, RSMo, and to enact in lieu thereof thirty-two new sections relating to certain financial organizations, with penalty provisions.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Sections 32.115, 143.081, 143.121, 143.341, 361.909, 362.020, 362.247, 362.275, 362.295, 362.490, 381.410, 408.010, 427.300, 447.200, 456.1-108, and 456.10-1005, RSMo, are repealed and thirty-two new sections enacted in lieu thereof, to be known as sections 32.115, 143.081, 143.121, 143.341, 361.909, 361.1100, 362.020, 362.247, 362.275, 362.295, 362.424, 362.490, 370.245, 381.410, 408.010, 427.300, 456.1-108, 456.10-1005, 474.540, 474.542, 474.544, 474.546, 474.548, 474.550, 474.552, 474.554, 474.556, 474.558, 474.560, 474.562, 474.564, and 474.600, to read as follows:

32.115. 1. The department of revenue shall grant a tax credit, to be applied in the following order until used, against:

(1) The annual tax on gross premium receipts of insurance companies in chapter 148;

(2) The tax on banks determined pursuant to subdivision (2) of subsection 2 of section 148.030;

(3) The tax on banks determined in subdivision (1) of subsection 2 of section 148.030;

(4) The tax on other financial institutions in chapter 148;

EXPLANATION — Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

- 9 (5) The corporation franchise tax in chapter 147;  
10 (6) The state income tax in chapter 143; and  
11 (7) The annual tax on gross receipts of express companies in chapter 153.

12 2. For proposals approved pursuant to section 32.110:

13 (1) The amount of the tax credit shall not exceed fifty percent of the total amount  
14 contributed during the taxable year by the business firm or, in the case of a financial  
15 institution, where applicable, during the relevant income period in programs approved  
16 pursuant to section 32.110;

17 (2) Except as provided in subsection 2 or 5 of this section, a tax credit of up to  
18 seventy percent may be allowed for contributions to programs where activities fall within the  
19 scope of special program priorities as defined with the approval of the governor in regulations  
20 promulgated by the director of the department of economic development;

21 (3) Except as provided in subsection 2 or 5 of this section, the tax credit allowed for  
22 contributions to programs located in any community shall be equal to seventy percent of the  
23 total amount contributed where such community is a city, town or village which has fifteen  
24 thousand or less inhabitants as of the last decennial census and is located in a county which is  
25 either located in:

26 (a) An area that is not part of a standard metropolitan statistical area;

27 (b) A standard metropolitan statistical area but such county has only one city, town or  
28 village which has more than fifteen thousand inhabitants; or

29 (c) A standard metropolitan statistical area and a substantial number of persons in  
30 such county derive their income from agriculture.

31

32 Such community may also be in an unincorporated area in such county as provided in  
33 subdivision (1), (2) or (3) of this subsection. Except in no case shall the total economic  
34 benefit of the combined federal and state tax savings to the taxpayer exceed the amount  
35 contributed by the taxpayer during the tax year;

36 (4) Such tax credit allocation, equal to seventy percent of the total amount  
37 contributed, shall not exceed four million dollars in fiscal year 1999 and six million dollars in  
38 fiscal year 2000 and any subsequent fiscal year. When the maximum dollar limit on the  
39 seventy percent tax credit allocation is committed, the tax credit allocation for such programs  
40 shall then be equal to fifty percent credit of the total amount contributed. Regulations  
41 establishing special program priorities are to be promulgated during the first month of each  
42 fiscal year and at such times during the year as the public interest dictates. Such credit shall  
43 not exceed two hundred and fifty thousand dollars annually except as provided in subdivision  
44 (5) of this subsection. No tax credit shall be approved for any bank, bank and trust company,  
45 insurance company, trust company, national bank, savings association, or building and loan

46 association for activities that are a part of its normal course of business. Any tax credit not  
47 used in the period the contribution was made may be carried over the next five succeeding  
48 calendar or fiscal years until the full credit has been claimed. Except as otherwise provided  
49 for proposals approved pursuant to section 32.111, 32.112 or 32.117, in no event shall the  
50 total amount of all other tax credits allowed pursuant to sections 32.100 to 32.125 exceed  
51 thirty-two million dollars in any one fiscal year, of which six million shall be credits allowed  
52 pursuant to section 135.460. If six million dollars in credits are not approved, then the  
53 remaining credits may be used for programs approved pursuant to sections 32.100 to 32.125;

54 (5) The credit may exceed two hundred fifty thousand dollars annually and shall not  
55 be limited if community services, crime prevention, education, job training, physical  
56 revitalization or economic development, as defined by section 32.105, is rendered in an area  
57 defined by federal or state law as an impoverished, economically distressed, or blighted area  
58 or as a neighborhood experiencing problems endangering its existence as a viable and stable  
59 neighborhood, or if the community services, crime prevention, education, job training,  
60 physical revitalization or economic development is limited to impoverished persons.

61 3. For proposals approved pursuant to section 32.111:

62 (1) The amount of the tax credit shall not exceed fifty-five percent of the total amount  
63 invested in affordable housing assistance activities or market rate housing in distressed  
64 communities as defined in section 135.530 by a business firm. Whenever such investment is  
65 made in the form of an equity investment or a loan, as opposed to a donation alone, tax credits  
66 may be claimed only where the loan or equity investment is accompanied by a donation  
67 which is eligible for federal income tax charitable deduction, and where the total value of the  
68 tax credits herein plus the value of the federal income tax charitable deduction is less than or  
69 equal to the value of the donation. Any tax credit not used in the period for which the credit  
70 was approved may be carried over the next ten succeeding calendar or fiscal years until the  
71 full credit has been allowed. If the affordable housing units or market rate housing units in  
72 distressed communities for which a tax is claimed are within a larger structure, parts of which  
73 are not the subject of a tax credit claim, then expenditures applicable to the entire structure  
74 shall be reduced on a prorated basis in proportion to the ratio of the number of square feet  
75 devoted to the affordable housing units or market rate housing units in distressed  
76 communities, for purposes of determining the amount of the tax credit. The total amount  
77 of tax credit granted for programs approved pursuant to section 32.111 for the fiscal year  
78 beginning July 1, 1991, shall not exceed two million dollars, to be increased by no more than  
79 two million dollars each succeeding fiscal year, until the total tax credits that may be  
80 approved reaches ten million dollars in any fiscal year;

81 (2) For any year during the compliance period indicated in the land use restriction  
82 agreement, the owner of the affordable housing rental units for which a credit is being

83 claimed shall certify to the commission that all tenants renting claimed units are income  
84 eligible for affordable housing units and that the rentals for each claimed unit are in  
85 compliance with the provisions of sections 32.100 to 32.125. The commission is authorized,  
86 in its discretion, to audit the records and accounts of the owner to verify such certification;

87 (3) In the case of owner-occupied affordable housing units, the qualifying owner  
88 occupant shall, before the end of the first year in which credits are claimed, certify to the  
89 commission that the occupant is income eligible during the preceding two years, and at the  
90 time of the initial purchase contract, but not thereafter. The qualifying owner occupant shall  
91 further certify to the commission, before the end of the first year in which credits are claimed,  
92 that during the compliance period indicated in the land use restriction agreement, the cost of  
93 the affordable housing unit to the occupant for the claimed unit can reasonably be projected to  
94 be in compliance with the provisions of sections 32.100 to 32.125. Any succeeding owner  
95 occupant acquiring the affordable housing unit during the compliance period indicated in the  
96 land use restriction agreement shall make the same certification;

97 (4) If at any time during the compliance period the commission determines a project  
98 for which a proposal has been approved is not in compliance with the applicable provisions of  
99 sections 32.100 to 32.125 or rules promulgated therefor, the commission may within one  
100 hundred fifty days of notice to the owner either seek injunctive enforcement action against the  
101 owner, or seek legal damages against the owner representing the value of the tax credits, or  
102 foreclose on the lien in the land use restriction agreement, selling the project at a public sale,  
103 and paying to the owner the proceeds of the sale, less the costs of the sale and less the value of  
104 all tax credits allowed herein. The commission shall remit to the director of revenue the  
105 portion of the legal damages collected or the sale proceeds representing the value of the tax  
106 credits. However, except in the event of intentional fraud by the taxpayer, the proposal's  
107 certificate of eligibility for tax credits shall not be revoked.

108 4. For proposals approved pursuant to section 32.112, the amount of the tax credit  
109 shall not exceed fifty-five percent of the total amount contributed to a neighborhood  
110 organization by business firms. Any tax credit not used in the period for which the credit was  
111 approved may be carried over the next ten succeeding calendar or fiscal years until the full  
112 credit has been allowed. The total amount of tax credit granted for programs approved  
113 pursuant to section 32.112 shall not exceed one million dollars for each fiscal year. **For any**  
114 **fiscal year in which the total amount of tax credits authorized for programs approved**  
115 **pursuant to section 32.111 is less than ten million dollars, such amount not authorized**  
116 **may be authorized for programs approved pursuant to section 32.112 during the same**  
117 **fiscal year, provided that the total combined amount of tax credits for programs**  
118 **approved pursuant to sections 32.111 and 32.112 during the fiscal year does not exceed**  
119 **eleven million dollars.**

120           5. The total amount of tax credits used for market rate housing in distressed  
121 communities pursuant to sections 32.100 to 32.125 shall not exceed thirty percent of the total  
122 amount of all tax credits authorized pursuant to sections 32.111 and 32.112.

          143.081. 1. A resident individual, resident estate, and resident trust shall be allowed a  
2 credit against the tax otherwise due pursuant to sections 143.005 to 143.998 for the amount of  
3 any income tax imposed for the taxable year by another state of the United States (or a  
4 political subdivision thereof) or the District of Columbia on income derived from sources  
5 therein and which is also subject to tax pursuant to sections 143.005 to 143.998. For purposes  
6 of this subsection, the phrase "income tax imposed" shall be that amount of tax before any  
7 income tax credit allowed by such other state or the District of Columbia if the other state or  
8 the District of Columbia authorizes a reciprocal benefit for residents of this state.

9           2. The credit provided pursuant to this section shall not exceed an amount which  
10 bears the same ratio to the tax otherwise due pursuant to sections 143.005 to 143.998 as the  
11 amount of the taxpayer's Missouri adjusted gross income derived from sources in the other  
12 jurisdiction bears to the taxpayer's Missouri adjusted gross income derived from all sources.  
13 In applying the limitation of the previous sentence to an estate or trust, Missouri taxable  
14 income shall be substituted for Missouri adjusted gross income. If the tax of more than one  
15 other jurisdiction is imposed on the same item of income, the credit shall not exceed the  
16 limitation that would result if the taxes of all the other jurisdictions applicable to the item  
17 were deemed to be of a single jurisdiction. The provisions of this subsection shall apply to  
18 any credit allowed under this section, **provided that such credit shall be allowed under this**  
19 **section with respect to any estate or trust to the extent its Missouri adjusted gross**  
20 **income is excluded from Missouri taxable income pursuant to the subtraction set forth**  
21 **in subsection 3 of section 143.341.**

22           3. (1) For the purposes of this section, in the case of an S corporation, each resident S  
23 shareholder shall be considered to have paid a tax imposed on the shareholder in an amount  
24 equal to the shareholder's pro rata share of any net income tax paid by the S corporation to a  
25 state which does not measure the income of shareholders on an S corporation by reference to  
26 the income of the S corporation or where a composite return and composite payments are  
27 made in such state on behalf of the S shareholders by the S corporation.

28           (2) A resident S shareholder shall be eligible for a credit issued pursuant to this  
29 section in an amount equal to the individual income tax imposed pursuant to this chapter on  
30 such shareholder's share of the S corporation's income derived from sources in another state  
31 of the United States or the District of Columbia, and which is subject to income tax pursuant  
32 to this chapter but is not subject to income tax in such other jurisdiction or a political  
33 subdivision thereof.

34           4. For purposes of subsection 3 of this section, in the case of an S corporation that is a  
35 bank chartered by a state, the Office of Thrift Supervision, or the comptroller of currency,  
36 each Missouri resident S shareholder of such out-of-state bank shall qualify for the  
37 shareholder's pro rata share of any net tax paid, including a bank franchise tax based on the  
38 income of the bank, by such S corporation where bank payment of taxes are made in such  
39 state on behalf of the S shareholders by the S bank to the extent of the tax paid.

143.121. 1. The Missouri adjusted gross income of a resident individual shall be the  
2 taxpayer's federal adjusted gross income subject to the modifications in this section.

3           2. There shall be added to the taxpayer's federal adjusted gross income:

4           (1) The amount of any federal income tax refund received for a prior year which  
5 resulted in a Missouri income tax benefit. The amount added pursuant to this subdivision  
6 shall not include any amount of a federal income tax refund attributable to a tax credit  
7 reducing a taxpayer's federal tax liability pursuant to Public Law 116-136 or 116-260, enacted  
8 by the 116th United States Congress, for the tax year beginning on or after January 1, 2020,  
9 and ending on or before December 31, 2020, and deducted from Missouri adjusted gross  
10 income pursuant to section 143.171. The amount added under this subdivision shall also not  
11 include any amount of a federal income tax refund attributable to a tax credit reducing a  
12 taxpayer's federal tax liability under any other federal law that provides direct economic  
13 impact payments to taxpayers to mitigate financial challenges related to the COVID-19  
14 pandemic, and deducted from Missouri adjusted gross income under section 143.171;

15           (2) Interest on certain governmental obligations excluded from federal gross income  
16 by 26 U.S.C. Section 103 of the Internal Revenue Code, as amended. The previous sentence  
17 shall not apply to interest on obligations of the state of Missouri or any of its political  
18 subdivisions or authorities and shall not apply to the interest described in subdivision (1) of  
19 subsection 3 of this section. The amount added pursuant to this subdivision shall be reduced  
20 by the amounts applicable to such interest that would have been deductible in computing the  
21 taxable income of the taxpayer except only for the application of 26 U.S.C. Section 265 of the  
22 Internal Revenue Code, as amended. The reduction shall only be made if it is at least five  
23 hundred dollars;

24           (3) The amount of any deduction that is included in the computation of federal  
25 taxable income pursuant to 26 U.S.C. Section 168 of the Internal Revenue Code as amended  
26 by the Job Creation and Worker Assistance Act of 2002 to the extent the amount deducted  
27 relates to property purchased on or after July 1, 2002, but before July 1, 2003, and to the  
28 extent the amount deducted exceeds the amount that would have been deductible pursuant to  
29 26 U.S.C. Section 168 of the Internal Revenue Code of 1986 as in effect on January 1, 2002;

30           (4) The amount of any deduction that is included in the computation of federal  
31 taxable income for net operating loss allowed by 26 U.S.C. Section 172 of the Internal

32 Revenue Code of 1986, as amended, other than the deduction allowed by 26 U.S.C. Section  
33 172(b)(1)(G) and 26 U.S.C. Section 172(i) of the Internal Revenue Code of 1986, as  
34 amended, for a net operating loss the taxpayer claims in the tax year in which the net  
35 operating loss occurred or carries forward for a period of more than twenty years and carries  
36 backward for more than two years. Any amount of net operating loss taken against federal  
37 taxable income but disallowed for Missouri income tax purposes pursuant to this subdivision  
38 after June 18, 2002, may be carried forward and taken against any income on the Missouri  
39 income tax return for a period of not more than twenty years from the year of the initial loss;  
40 and

41 (5) For nonresident individuals in all taxable years ending on or after December 31,  
42 2006, the amount of any property taxes paid to another state or a political subdivision of  
43 another state for which a deduction was allowed on such nonresident's federal return in the  
44 taxable year unless such state, political subdivision of a state, or the District of Columbia  
45 allows a subtraction from income for property taxes paid to this state for purposes of  
46 calculating income for the income tax for such state, political subdivision of a state, or the  
47 District of Columbia;

48 (6) For all tax years beginning on or after January 1, 2018, any interest expense paid  
49 or accrued in a previous taxable year, but allowed as a deduction under 26 U.S.C. Section  
50 163, as amended, in the current taxable year by reason of the carryforward of disallowed  
51 business interest provisions of 26 U.S.C. Section 163(j), as amended. For the purposes of this  
52 subdivision, an interest expense is considered paid or accrued only in the first taxable year the  
53 deduction would have been allowable under 26 U.S.C. Section 163, as amended, if the  
54 limitation under 26 U.S.C. Section 163(j), as amended, did not exist.

55 3. There shall be subtracted from the taxpayer's federal adjusted gross income the  
56 following amounts to the extent included in federal adjusted gross income:

57 (1) Interest received on deposits held at a federal reserve bank or interest or dividends  
58 on obligations of the United States and its territories and possessions or of any authority,  
59 commission or instrumentality of the United States to the extent exempt from Missouri  
60 income taxes pursuant to the laws of the United States. The amount subtracted pursuant to  
61 this subdivision shall be reduced by any interest on indebtedness incurred to carry the  
62 described obligations or securities and by any expenses incurred in the production of interest  
63 or dividend income described in this subdivision. The reduction in the previous sentence  
64 shall only apply to the extent that such expenses including amortizable bond premiums are  
65 deducted in determining the taxpayer's federal adjusted gross income or included in the  
66 taxpayer's Missouri itemized deduction. The reduction shall only be made if the expenses  
67 total at least five hundred dollars;

68           (2) The portion of any gain, from the sale or other disposition of property having a  
69 higher adjusted basis to the taxpayer for Missouri income tax purposes than for federal  
70 income tax purposes on December 31, 1972, that does not exceed such difference in basis. If  
71 a gain is considered a long-term capital gain for federal income tax purposes, the modification  
72 shall be limited to one-half of such portion of the gain;

73           (3) The amount necessary to prevent the taxation pursuant to this chapter of any  
74 annuity or other amount of income or gain which was properly included in income or gain and  
75 was taxed pursuant to the laws of Missouri for a taxable year prior to January 1, 1973, to the  
76 taxpayer, or to a decedent by reason of whose death the taxpayer acquired the right to receive  
77 the income or gain, or to a trust or estate from which the taxpayer received the income or  
78 gain;

79           (4) Accumulation distributions received by a taxpayer as a beneficiary of a trust to the  
80 extent that the same are included in federal adjusted gross income;

81           (5) The amount of any state income tax refund for a prior year which was included in  
82 the federal adjusted gross income;

83           (6) The portion of capital gain specified in section 135.357 that would otherwise be  
84 included in federal adjusted gross income;

85           (7) The amount that would have been deducted in the computation of federal taxable  
86 income pursuant to 26 U.S.C. Section 168 of the Internal Revenue Code as in effect on  
87 January 1, 2002, to the extent that amount relates to property purchased on or after July 1,  
88 2002, but before July 1, 2003, and to the extent that amount exceeds the amount actually  
89 deducted pursuant to 26 U.S.C. Section 168 of the Internal Revenue Code as amended by the  
90 Job Creation and Worker Assistance Act of 2002;

91           (8) For all tax years beginning on or after January 1, 2005, the amount of any income  
92 received for military service while the taxpayer serves in a combat zone which is included in  
93 federal adjusted gross income and not otherwise excluded therefrom. As used in this section,  
94 "combat zone" means any area which the President of the United States by Executive Order  
95 designates as an area in which Armed Forces of the United States are or have engaged in  
96 combat. Service is performed in a combat zone only if performed on or after the date  
97 designated by the President by Executive Order as the date of the commencing of combat  
98 activities in such zone, and on or before the date designated by the President by Executive  
99 Order as the date of the termination of combatant activities in such zone;

100           (9) For all tax years ending on or after July 1, 2002, with respect to qualified property  
101 that is sold or otherwise disposed of during a taxable year by a taxpayer and for which an  
102 additional modification was made under subdivision (3) of subsection 2 of this section, the  
103 amount by which additional modification made under subdivision (3) of subsection 2 of this



104 section on qualified property has not been recovered through the additional subtractions  
105 provided in subdivision (7) of this subsection;

106 (10) For all tax years beginning on or after January 1, 2014, the amount of any  
107 income received as payment from any program which provides compensation to agricultural  
108 producers who have suffered a loss as the result of a disaster or emergency, including the:

109 (a) Livestock Forage Disaster Program;

110 (b) Livestock Indemnity Program;

111 (c) Emergency Assistance for Livestock, Honeybees, and Farm-Raised Fish;

112 (d) Emergency Conservation Program;

113 (e) Noninsured Crop Disaster Assistance Program;

114 (f) Pasture, Rangeland, Forage Pilot Insurance Program;

115 (g) Annual Forage Pilot Program;

116 (h) Livestock Risk Protection Insurance Plan;

117 (i) Livestock Gross Margin Insurance Plan;

118 (11) For all tax years beginning on or after January 1, 2018, any interest expense paid  
119 or accrued in the current taxable year, but not deducted as a result of the limitation imposed  
120 under 26 U.S.C. Section 163(j), as amended. For the purposes of this subdivision, an interest  
121 expense is considered paid or accrued only in the first taxable year the deduction would have  
122 been allowable under 26 U.S.C. Section 163, as amended, if the limitation under 26 U.S.C.  
123 Section 163(j), as amended, did not exist;

124 (12) One hundred percent of any retirement benefits received by any taxpayer as a  
125 result of the taxpayer's service in the Armed Forces of the United States, including reserve  
126 components and the National Guard of this state, as defined in 32 U.S.C. Sections 101(3) and  
127 109, and any other military force organized under the laws of this state; ~~and~~

128 (13) For all tax years beginning on or after January 1, 2022, one hundred percent of  
129 any federal, state, or local grant moneys received by the taxpayer if the grant money was  
130 disbursed for the express purpose of providing or expanding access to broadband internet to  
131 areas of the state deemed to be lacking such access; **and**

132 **(14) For all tax years beginning on or after January 1, 2026, the portion of**  
133 **capital gain on the sale or exchange of specie, as that term is defined in section 408.010,**  
134 **that are otherwise included in the taxpayer's federal adjusted gross income.**

135 4. There shall be added to or subtracted from the taxpayer's federal adjusted gross  
136 income the taxpayer's share of the Missouri fiduciary adjustment provided in section 143.351.

137 5. There shall be added to or subtracted from the taxpayer's federal adjusted gross  
138 income the modifications provided in section 143.411.

139 6. In addition to the modifications to a taxpayer's federal adjusted gross income in this  
140 section, to calculate Missouri adjusted gross income there shall be subtracted from the

taxpayer's federal adjusted gross income any gain recognized pursuant to 26 U.S.C. Section 1033 of the Internal Revenue Code of 1986, as amended, arising from compulsory or involuntary conversion of property as a result of condemnation or the imminence thereof.

7. (1) As used in this subsection, "qualified health insurance premium" means the amount paid during the tax year by such taxpayer for any insurance policy primarily providing health care coverage for the taxpayer, the taxpayer's spouse, or the taxpayer's dependents.

(2) In addition to the subtractions in subsection 3 of this section, one hundred percent of the amount of qualified health insurance premiums shall be subtracted from the taxpayer's federal adjusted gross income to the extent the amount paid for such premiums is included in federal taxable income. The taxpayer shall provide the department of revenue with proof of the amount of qualified health insurance premiums paid.

8. (1) Beginning January 1, 2014, in addition to the subtractions provided in this section, one hundred percent of the cost incurred by a taxpayer for a home energy audit conducted by an entity certified by the department of natural resources under section 640.153 or the implementation of any energy efficiency recommendations made in such an audit shall be subtracted from the taxpayer's federal adjusted gross income to the extent the amount paid for any such activity is included in federal taxable income. The taxpayer shall provide the department of revenue with a summary of any recommendations made in a qualified home energy audit, the name and certification number of the qualified home energy auditor who conducted the audit, and proof of the amount paid for any activities under this subsection for which a deduction is claimed. The taxpayer shall also provide a copy of the summary of any recommendations made in a qualified home energy audit to the department of natural resources.

(2) At no time shall a deduction claimed under this subsection by an individual taxpayer or taxpayers filing combined returns exceed one thousand dollars per year for individual taxpayers or cumulatively exceed two thousand dollars per year for taxpayers filing combined returns.

(3) Any deduction claimed under this subsection shall be claimed for the tax year in which the qualified home energy audit was conducted or in which the implementation of the energy efficiency recommendations occurred. If implementation of the energy efficiency recommendations occurred during more than one year, the deduction may be claimed in more than one year, subject to the limitations provided under subdivision (2) of this subsection.

(4) A deduction shall not be claimed for any otherwise eligible activity under this subsection if such activity qualified for and received any rebate or other incentive through a state-sponsored energy program or through an electric corporation, gas corporation, electric cooperative, or municipally owned utility.

178 9. The provisions of subsection 8 of this section shall expire on December 31, 2020.

179 10. (1) As used in this subsection, the following terms mean:

180 (a) "Beginning farmer", a taxpayer who:

181 a. Has filed at least one but not more than ten Internal Revenue Service Schedule F  
182 (Form 1040) Profit or Loss From Farming forms since turning eighteen years of age;

183 b. Is approved for a beginning farmer loan through the USDA Farm Service Agency  
184 Beginning Farmer direct or guaranteed loan program;

185 c. Has a farming operation that is determined by the department of agriculture to be  
186 new production agriculture but is the principal operator of a farm and has substantial farming  
187 knowledge; or

188 d. Has been determined by the department of agriculture to be a qualified family  
189 member;

190 (b) "Farm owner", an individual who owns farmland and disposes of or relinquishes  
191 use of all or some portion of such farmland as follows:

192 a. A sale to a beginning farmer;

193 b. A lease or rental agreement not exceeding ten years with a beginning farmer; or

194 c. A crop-share arrangement not exceeding ten years with a beginning farmer;

195 (c) "Qualified family member", an individual who is related to a farm owner within  
196 the fourth degree by blood, marriage, or adoption and who is purchasing or leasing or is in a  
197 crop-share arrangement for land from all or a portion of such farm owner's farming operation.

198 (2) (a) In addition to all other subtractions authorized in this section, a taxpayer who  
199 is a farm owner who sells all or a portion of such farmland to a beginning farmer may subtract  
200 from such taxpayer's Missouri adjusted gross income an amount to the extent included in  
201 federal adjusted gross income as provided in this subdivision.

202 (b) Subject to the limitations in paragraph (c) of this subdivision, the amount that may  
203 be subtracted shall be equal to the portion of capital gains received from the sale of such  
204 farmland that such taxpayer receives in the tax year for which such taxpayer subtracts such  
205 capital gain.

206 (c) A taxpayer may subtract the following amounts and percentages per tax year in  
207 total capital gains received from the sale of such farmland under this subdivision:

208 a. For the first two million dollars received, one hundred percent;

209 b. For the next one million dollars received, eighty percent;

210 c. For the next one million dollars received, sixty percent;

211 d. For the next one million dollars received, forty percent; and

212 e. For the next one million dollars received, twenty percent.

213 (d) The department of revenue shall prepare an annual report reviewing the costs and  
214 benefits and containing statistical information regarding the subtraction of capital gains

215 authorized under this subdivision for the previous tax year including, but not limited to, the  
216 total amount of all capital gains subtracted and the number of taxpayers subtracting such  
217 capital gains. Such report shall be submitted before February first of each year to the  
218 committee on agriculture policy of the Missouri house of representatives and the committee  
219 on agriculture, food production and outdoor resources of the Missouri senate, or the successor  
220 committees.

221 (3) (a) In addition to all other subtractions authorized in this section, a taxpayer who  
222 is a farm owner who enters a lease or rental agreement for all or a portion of such farmland  
223 with a beginning farmer may subtract from such taxpayer's Missouri adjusted gross income an  
224 amount to the extent included in federal adjusted gross income as provided in this  
225 subdivision.

226 (b) Subject to the limitation in paragraph (c) of this subdivision, the amount that may  
227 be subtracted shall be equal to the portion of cash rent income received from the lease or  
228 rental of such farmland that such taxpayer receives in the tax year for which such taxpayer  
229 subtracts such income.

230 (c) No taxpayer shall subtract more than twenty-five thousand dollars per tax year in  
231 total cash rent income received from the lease or rental of such farmland under this  
232 subdivision.

233 (4) (a) In addition to all other subtractions authorized in this section, a taxpayer who  
234 is a farm owner who enters a crop-share arrangement on all or a portion of such farmland with  
235 a beginning farmer may subtract from such taxpayer's Missouri adjusted gross income an  
236 amount to the extent included in federal adjusted gross income as provided in this  
237 subdivision.

238 (b) Subject to the limitation in paragraph (c) of this subdivision, the amount that may  
239 be subtracted shall be equal to the portion of income received from the crop-share  
240 arrangement on such farmland that such taxpayer receives in the tax year for which such  
241 taxpayer subtracts such income.

242 (c) No taxpayer shall subtract more than twenty-five thousand dollars per tax year in  
243 total income received from the lease or rental of such farmland under this subdivision.

244 (5) The department of agriculture shall, by rule, establish a process to verify that a  
245 taxpayer is a beginning farmer for purposes of this section and shall provide verification to  
246 the beginning farmer and farm seller of such farmer's and seller's certification and  
247 qualification for the exemption provided in this subsection.

143.341. 1. The Missouri taxable income of a resident estate or trust means its  
2 federal taxable income subject to the modifications in this section.

3           2. There shall be subtracted the amount if any that the federal personal exemption  
4 deduction allowable to the estate or trust exceeds its federal taxable income without its  
5 personal exemption deduction.

6           **3. For all tax years beginning on or after January 1, 2026, there shall be**  
7 **subtracted that amount included in Missouri taxable income of the estate or trust that**  
8 **would not be included as Missouri taxable income if said estate or trust were considered**  
9 **a nonresident estate or trust as defined in section 143.371. This subtraction shall only**  
10 **apply to the extent it is not a determinant of the federal distributable net income of the**  
11 **estate or trust.**

12           ~~[3.]~~ 4. There shall be added or subtracted, as the case may be, the modifications  
13 described in sections 143.121 and 143.141, and there shall be subtracted the federal income  
14 tax deduction provided in section 143.171. These additions and subtractions shall only apply  
15 to the extent that they are not determinants of the federal distributable net income of the estate  
16 or trust.

17           ~~[4.]~~ 5. There shall be added or subtracted, as the case may be, the share of the estate  
18 or trust in the fiduciary adjustment determined under section 143.351.

361.909. Sections 361.900 to 361.1035 shall not apply to:

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

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

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

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

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

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

19           (a) Is properly licensed or exempt from licensing requirements under sections  
20 361.900 to 361.1035;

- 21 (b) Provides a receipt, electronic record, or other written confirmation to the sender  
22 identifying the entity as the provider of money transmission in the transaction; and
- 23 (c) Bears sole responsibility to satisfy the outstanding money transmission obligation  
24 to the sender, including the obligation to make the sender whole in connection with any  
25 failure to transmit the funds to the sender's designated recipient;
- 26 (4) The United States or a department, agency, or instrumentality thereof, or its agent;
- 27 (5) Money transmission by the United States Postal Service or by an agent of the  
28 United States Postal Service;
- 29 (6) A state, county, city, or any other governmental agency or governmental  
30 subdivision or instrumentality of a state, or its agent;
- 31 (7) A federally insured depository financial institution; bank holding company; office  
32 of an international banking corporation; foreign bank that establishes a federal branch under  
33 the International Bank Act, 12 U.S.C. Section 3102, as amended or recodified from time to  
34 time; corporation organized under the Bank Service Corporation Act, 12 U.S.C. Sections  
35 1861-1867, as amended or recodified from time to time; or corporation organized under the  
36 Edge Act, 12 U.S.C. Sections 611-633, as amended or recodified from time to time, under the  
37 laws of a state or the United States;
- 38 (8) Electronic funds transfer of governmental benefits for a federal, state, county, or  
39 governmental agency by a contractor on behalf of the United States or a department, agency,  
40 or instrumentality thereof, or on behalf of a state or governmental subdivision, agency, or  
41 instrumentality thereof;
- 42 (9) A board of trade designated as a contract market under the federal Commodity  
43 Exchange Act, 7 U.S.C. Sections 1-25, as amended or recodified from time to time, or a  
44 person that, in the ordinary course of business, provides clearance and settlement services for  
45 a board of trade to the extent of its operation as or for such a board;
- 46 (10) A registered futures commission merchant under the federal commodities laws  
47 to the extent of its operation as such a merchant;
- 48 (11) A person registered as a securities broker-dealer under federal or state securities  
49 laws to the extent of its operation as such a broker-dealer;
- 50 (12) An individual employed by a licensee, authorized delegate, or any person  
51 exempted from the licensing requirements under sections 361.900 to 361.1035 if acting  
52 within the scope of employment and under the supervision of the licensee, authorized  
53 delegate, or exempted person as an employee and not as an independent contractor;
- 54 (13) A person expressly appointed as a third-party service provider to or agent of an  
55 entity exempt under subdivision (7) of this section solely to the extent that:

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

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

63 **(14) A person appointed as an agent of a payor for purposes of providing payroll**  
64 **processing services for which the agent would otherwise need to be licensed, provided all**  
65 **of the following apply:**

66 (a) There is a written agreement between the payor and the agent that directs  
67 the agent to provide payroll processing services on the payor's behalf;

68 (b) The payor holds the agent out to employees and other payees as providing  
69 payroll processing services on the payor's behalf;

70 (c) The payor's obligation to a payee, including an employee or any other party  
71 entitled to receive funds via the payroll processing services provided by the agent, shall  
72 not be extinguished if the agent fails to remit the funds to the payee.

**361.1100. 1. This section shall be known and may be cited as the "Virtual**  
2 **Currency Kiosk Consumer Protection Act".**

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

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

7 **(2) "Blockchain", a distributed digital ledger or database that is chronological,**  
8 **consensus-based, decentralized, and mathematically verified in nature;**

9 **(3) "Blockchain analytics", a software service that uses data from various**  
10 **virtual currencies and their applicable blockchains to provide a risk rating specific to**  
11 **digital wallet addresses from users of virtual currency kiosks;**

12 **(4) "Digital wallet", hardware or software that enables individuals to store and**  
13 **use virtual currency;**

14 **(5) "Digital wallet address", an alphanumeric identifier representing a**  
15 **destination on a blockchain for a virtual currency transfer that is associated with a**  
16 **digital wallet;**

17 **(6) "Director", the director of the division;**

18 **(7) "Division", the division of finance within the department of commerce and**  
19 **insurance;**

20           (8) "Federal Deposit Insurance Corporation or Securities Investor Protection  
21 Corporation", a bank, credit union, savings and loan association, trust company,  
22 savings association, savings bank, industrial bank, or industrial loan company  
23 organized under the laws of the United States or any state of the United States, if the  
24 bank, credit union, savings and loan association, trust company, savings association,  
25 savings bank, industrial bank, or industrial loan company has federally insured  
26 deposits;

27           (9) "Fiat currency", a medium of exchange that is authorized or adopted by the  
28 United States government as part of its currency and is not backed by a commodity;

29           (10) "Individual", a natural person;

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

35           (12) "United States PATRIOT Act", the federal Uniting and Strengthening  
36 America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism  
37 Act of 2001 and its implementing rules and regulations, as amended and recodified from  
38 time to time;

39           (13) "Virtual currency",

40           (a) Any type of digital unit that is used as a medium of exchange or a form of  
41 digitally stored value or that is incorporated into payment system technology. Virtual  
42 currency shall be construed to include digital units of exchange that:

43           a. Have a centralized repository or administrator;

44           b. Are decentralized and have no centralized repository or administrator; or

45           c. May be created or obtained by computing or manufacturing effort;

46           (b) Virtual currency shall not be construed to include digital units that are used:

47           a. Solely within online gaming platforms with no market or application outside  
48 such gaming platforms; or

49           b. Exclusively as part of a consumer affinity or rewards program, and can be  
50 applied solely as payment for purchases with the issuer or other designated merchants,  
51 but cannot be converted into or redeemed for fiat currency;

52           (14) "Virtual currency kiosk", an electronic terminal of the virtual currency  
53 kiosk operator that enables the owner or operator to facilitate the exchange of fiat  
54 currency for virtual currency or virtual currency for fiat currency or other virtual  
55 currency, including, but not limited to:



56           (a) Connecting directly to a separate virtual currency exchange that performs  
57 the actual virtual currency transmission; or

58           (b) Drawing upon the virtual currency in the possession of the owner or operator  
59 of the electronic terminal;

60           (15) "Virtual currency kiosk operator", a corporation, limited liability company,  
61 limited liability partnership, or foreign entity qualified to do business in this state that  
62 operates a virtual currency kiosk within this state.

63           3. (1) Except as otherwise provided in this section, all information or reports  
64 obtained by the division from a virtual currency kiosk operator, and all information  
65 contained in or related to an examination, investigation, operating report, or condition  
66 report prepared by, on behalf of, or for the use of the division in relation to a virtual  
67 currency kiosk operator, are confidential and are not subject to disclosure under  
68 chapter 610.

69           (2) Information contained in the records of the division that is not confidential  
70 and may be available to the public either on the division's website, upon receipt by the  
71 division of a written request, or in NMLS shall include:

72           (a) The name, business address, telephone number, and unique identifier of a  
73 virtual currency kiosk operator;

74           (b) The business address of a virtual currency kiosk operator's registered agent  
75 for service; and

76           (c) Copies of any final orders of the division relating to any violation of this  
77 section or regulations implementing this section.

78           4. If any provision of this section is inconsistent with any federal law, including  
79 but not limited to the Bank Secrecy Act or the United States PATRIOT Act, the  
80 applicable federal law shall govern to the extent of any inconsistency.

81           5. (1) The director may request evidence of compliance with this section or a  
82 rule adopted or order issued pursuant to this section as reasonably necessary or  
83 appropriate to administer and enforce this section, and other applicable law, including  
84 the Bank Secrecy Act and the United States PATRIOT Act.

85           (2) A virtual currency kiosk operator shall provide the director all records the  
86 director may reasonably require to ensure compliance with this section.

87           6. As part of establishing a relationship with a customer, and prior to entering  
88 into an initial transaction for, on behalf of, or with such customer, each virtual currency  
89 kiosk operator shall disclose in clear, conspicuous, and legible writing in the English  
90 language, whether in accessible terms of service or elsewhere, all material risks  
91 associated with its products, services, and activities and virtual currency generally,  
92 including disclosures substantially similar to the following:

93           (1) Virtual currency is not legal tender, is not backed by the government, and  
94 accounts and value balances are not subject to Federal Deposit Insurance Corporation  
95 or Securities Investor Protection Corporation protections;

96           (2) Legislative and regulatory changes or actions at the state, federal, or  
97 international level may adversely affect the use, transfer, exchange, and value of virtual  
98 currency;

99           (3) Transactions in virtual currency may be irreversible, and, accordingly, losses  
100 due to fraudulent or accidental transactions may not be recoverable;

101           (4) Some virtual currency transactions shall be deemed to be made when  
102 recorded on a public ledger, which is not necessarily the date or time that the customer  
103 initiates the transaction;

104           (5) The value of virtual currency may be derived from the continued willingness  
105 of market participants to exchange fiat currency for virtual currency, which may result  
106 in the potential for permanent and total loss of value of a particular virtual currency  
107 should the market for that virtual currency disappear;

108           (6) There is no assurance that a person who accepts a virtual currency as  
109 payment today will continue to do so in the future;

110           (7) The volatility and unpredictability of the price of virtual currency relative to  
111 fiat currency may result in significant loss over a short period of time;

112           (8) The nature of virtual currency may lead to an increased risk of fraud or  
113 cyber attack;

114           (9) The nature of virtual currency means that any technological difficulties  
115 experienced by the virtual currency kiosk operator may prevent the access or use of a  
116 customer's virtual currency; and

117           (10) Any bond or trust account maintained by the virtual currency kiosk  
118 operator for the benefit of its customers may not be sufficient to cover all losses incurred  
119 by customers.

120           7. When opening an account for a new customer, and prior to entering into an  
121 initial transaction for, on behalf of, or with such customer, each virtual currency kiosk  
122 operator shall disclose in clear, conspicuous, and legible writing in the English language,  
123 whether in accessible terms of service or elsewhere, all relevant terms and conditions  
124 associated with its products, services, and activities and virtual currency generally,  
125 including disclosures substantially similar to the following:

126           (1) The customer's liability for unauthorized virtual currency transactions;

127           (2) Under what circumstances the virtual currency kiosk operator will, absent a  
128 court or government order, disclose information concerning the customer's account to  
129 third parties;

130           (3) The customer's right to receive periodic account statements and valuations  
131 from the virtual currency kiosk operator;

132           (4) The customer's right to receive a receipt, trade ticket, or other evidence of a  
133 transaction;

134           (5) The customer's right to prior notice of a change in the virtual currency kiosk  
135 operator's rules or policies; and

136           (6) Such other disclosures as are customarily given in connection with the  
137 opening of customer accounts.

138           8. Prior to entering into a virtual currency transaction with a customer, each  
139 virtual currency kiosk operator shall ensure a warning is disclosed to a customer  
140 substantially similar to the following:

141           Customer Notice. Please Read Carefully.

142           Did you receive a phone call from your bank, software provider, the  
143 police, or were you directed to make a payment for Social Security,  
144 utility bill, investment, warrants, or bail money at this kiosk? STOP  
145 Is anyone on the phone pressuring you to make a payment of any  
146 kind? STOP

147           I understand that the purchase and sale of cryptocurrency is a final  
148 irreversible and non-refundable transaction.

149           I confirm I am sending funds to a wallet I own or directly have control  
150 over. I confirm that I am using funds gained from my own initiative  
151 to make my transaction.

152           9. Upon completion of any virtual currency kiosk transaction, each virtual  
153 currency kiosk operator shall provide to a customer a digital or physical receipt  
154 containing the following information:

155           (1) The name and contact information of the virtual currency kiosk operator,  
156 including a telephone number established by the virtual currency kiosk operator to  
157 answer questions and register complaints;

158           (2) The type, value, date, and precise time of the transaction in the local time  
159 zone;

160           (3) The fee charged;

161           (4) The exchange rate, if applicable;

162           (5) A statement of the liability of the virtual currency kiosk operator for non-  
163 delivery or delayed delivery; and

164           (6) A statement of the refund policy of the virtual currency kiosk operator.

165           10. All virtual currency kiosk operators shall use blockchain analytics software  
166 to assist in the prevention of sending purchased virtual currency from a virtual currency

kiosk operator to a digital wallet known to be affiliated with fraudulent activity at the time of a transaction. The division may request evidence from any virtual currency kiosk operator of current use of blockchain analytics.

11. All virtual currency kiosk operators performing business in this state shall provide live customer service at a minimum on Monday through Friday between the hours of 8:00 a.m. and 10:00 p.m. The customer service toll-free number shall be displayed on the virtual currency kiosk or the virtual currency kiosk screens.

12. All virtual currency kiosk operators shall take reasonable steps to detect and prevent fraud, including establishing and maintaining a written anti-fraud policy. The anti-fraud policy shall, at a minimum, include:

- (1) The identification and assessment of fraud-related risk areas;
- (2) Procedures and controls to protect against identified risks;
- (3) Allocation of responsibility for monitoring risks; and
- (4) Procedures for the periodic evaluation and revision of the anti-fraud procedures, controls, and monitoring mechanisms.

13. (1) Each virtual currency kiosk operator shall maintain, implement, and enforce a written "Enhanced Due Diligence Policy". Such a policy shall be reviewed and approved by the virtual currency kiosk operator's board of directors or an equivalent governing body of the virtual currency kiosk operator.

(2) The "Enhanced Due Diligence Policy" shall identify, at minimum, individuals who are at risk of fraud based on age or mental capacity.

14. (1) Each virtual currency kiosk operator shall comply with the provisions of this section, any lawful order, rule, or regulation made or issued under the provisions of this section, and all applicable federal and state laws, rules, and regulations.

(2) Each virtual currency kiosk shall maintain, implement, and enforce written compliance policies and procedures. Such policies and procedures shall be reviewed and approved by the virtual currency kiosk operator's board of directors or an equivalent governing body of the virtual currency kiosk operator.

15. (1) Each virtual currency kiosk operator shall designate and employ a compliance officer with the following requirements:

(a) The individual shall be qualified to coordinate and monitor compliance with this section and all other applicable federal and state laws, rules, and regulations;

(b) The individual shall be employed full-time by the virtual currency kiosk operator; and

(c) The designated compliance officer cannot be any individual who owns more than twenty percent of the virtual currency kiosk operator by whom the individual is employed.

204           **(2) Compliance responsibilities required under federal and state laws, rules, and**  
205 **regulations shall be completed by full-time employees of the virtual currency kiosk**  
206 **operator.**

207           **16. Each virtual currency kiosk operator shall designate and employ a consumer**  
208 **protection officer with each of the following requirements:**

209           **(1) The individual shall be qualified to coordinate and monitor compliance with**  
210 **this section and all other applicable federal and state laws, rules, and regulations;**

211           **(2) The individual shall be employed full-time by the virtual currency kiosk**  
212 **operators; and**

213           **(3) The designated consumer protection officer cannot be an individual who**  
214 **owns more than twenty percent of the virtual currency kiosk operator by whom the**  
215 **individual is employed.**

216           **17. (1) Each virtual currency kiosk operator shall submit a report to the division**  
217 **of the location of each virtual currency kiosk located within this state within forty-five**  
218 **days of the end of the calendar quarter. The director shall formulate a system for**  
219 **virtual currency kiosk operators to submit such locations that is consistent with the**  
220 **requirements of this section.**

221           **(2) The location report shall include, at a minimum, the following information**  
222 **regarding the location where a virtual currency kiosk is located:**

223           **(a) Company legal name;**

224           **(b) Any fictitious or trade name;**

225           **(c) Physical address;**

226           **(d) Start date of operation of virtual currency kiosk at location; and**

227           **(e) End date of operation of virtual currency kiosk at location, if applicable.**

228           **18. (1) Any virtual currency kiosk operator who owns, operates, solicits,**  
229 **markets, advertises, or facilitates virtual currency kiosks in this state shall be deemed to**  
230 **be engaged in money transmission and require licensure pursuant to sections 361.900 to**  
231 **361.1035.**

232           **(2) All unlicensed virtual currency kiosk operators shall apply for a money**  
233 **transmitter license within sixty days after this section goes into effect. Virtual currency**  
234 **kiosk operators who apply within this time will be allowed to continue operations while**  
235 **the division reviews the application. Any virtual currency kiosk operators whose**  
236 **application is denied by the division shall cease operations until granted a money**  
237 **transmitter license.**

238           **19. The division of finance may promulgate rules for the purpose of**  
239 **implementing the provisions of this section. Any rule or portion of a rule, as that**  
240 **term is defined in section 536.010, that is created under the authority delegated in this**

241 **section shall become effective only if it complies with and is subject to all of the**  
242 **provisions of chapter 536 and, if applicable, section 536.028. This section and chapter**  
243 **536 are nonseverable and if any of the powers vested with the general assembly**  
244 **pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul**  
245 **a rule are subsequently held unconstitutional, then the grant of rulemaking authority**  
246 **and any rule proposed or adopted after August 28, 2025, shall be invalid and void.**

362.020. 1. The articles of agreement mentioned in this chapter shall set out:

2 (1) The corporate name of the proposed corporation. The corporate name shall not be  
3 a name, or an imitation of a name, used within the preceding fifty years as a corporate title of  
4 a bank or trust company incorporated in this state;

5 (2) The name of the city or town and county in this state in which the corporation is to  
6 be located;

7 (3) The amount of the capital stock of the corporation, the number of shares into  
8 which it is divided, and the par value thereof; that the same has been subscribed in good faith  
9 and all thereof actually paid up in lawful money of the United States and is in the custody of  
10 the persons named as the first board of directors or managers;

11 (4) The names and places of residences of the several shareholders and number of  
12 shares subscribed by each;

13 (5) The number and the names of the first directors;

14 (6) The purposes for which the corporation is formed;

15 (7) Any provisions relating to the preemptive rights of a shareholder as provided in  
16 section 351.305.

17

18 **The articles of agreement may provide for the issuance of additional shares of capital**  
19 **stock or other classes of stock pursuant to the same procedures and conditions as**  
20 **provided under section 351.180, provided that such terms and procedures are**  
21 **acceptable to the director of finance and, provided that any notice or other approval**  
22 **required to be given or obtained from the state of Missouri shall be given or obtained**  
23 **from the director of the division of finance.**

24 2. The articles of agreement may designate the number of directors necessary to  
25 constitute a quorum, and may provide for the number of years the corporation is to continue,  
26 or may provide that the existence of the corporation shall continue until the corporation shall  
27 be dissolved by consent of the stockholders or by proceedings instituted by the state under  
28 any statute now in force or hereafter enacted.

362.247. 1. A majority of the full board of directors shall constitute a quorum for the  
2 transaction of business unless another number is required by the articles of agreement, the  
3 bylaws or by law. The act of a majority of the directors present at a meeting at which a

4 quorum is present shall be the act of the board of directors unless the act of a greater number  
5 is required by the articles of agreement, the bylaws or by law.

6 2. Unless otherwise prohibited by statute or ~~[regulation,]~~ **an order or memorandum**  
7 **of understanding entered into with the director of finance related to bank safety and**  
8 **soundness**, directors may attend board meetings by telephonic conference call or video  
9 conferencing, and the bank or trust company may include in a quorum directors who are not  
10 physically present but are allowed to vote~~], provided the bank or trust company has a~~  
11 ~~composite rating of 1 or 2 under the Uniform Financial Institutions Rating System of the~~  
12 ~~Federal Financial Institution Examination Counsel (FFIEC)]~~.

13 3. Any director remotely attending a board meeting via telephone or video  
14 conferencing may be counted toward a quorum for such meeting and, if the director is not  
15 otherwise prohibited, may vote on matters before the bank or trust company's board so long as  
16 the meeting minutes identify the director appearing remotely and reflect that the remote  
17 director:

18 (1) Received formal notice of the board meeting for which he or she is attending or  
19 waived such notice as otherwise provided by law;

20 (2) Received the board meeting information required for each board of director's  
21 meeting as provided by section 362.275;

22 (3) Was alone when participating in such board meeting or was in the physical  
23 presence of no one not a director of such bank or trust company; and

24 (4) Was able to clearly hear such board meeting discussion from its beginning to end.

25 4. The director of the division of finance may promulgate additional regulations,  
26 reasonable in scope, to provide for the integrity of the board of directors' operations when  
27 directors attend board meetings remotely, the safety and soundness of the bank or trust  
28 company's operation, and the bank or trust company's interest in minimizing the cost of  
29 compliance with such regulation.

362.275. 1. The board of directors of every bank and trust company organized or  
2 doing business pursuant to this chapter shall hold a regular meeting at least once each month,  
3 or, upon application to and acceptance by the director of finance, at such other times, not less  
4 frequently than once each calendar quarter as the director of finance shall approve, which  
5 approval may be rescinded at any time. There shall be submitted to the meeting a list giving  
6 the aggregate of loans, discounts, acceptances and advances, including overdrafts, to each  
7 individual, partnership, corporation or person whose liability to the bank or trust company has  
8 been created, extended, renewed or increased since the cut-off date prior to the regular  
9 meeting by more than an amount to be determined by the board of directors, which minimum  
10 amount shall not exceed five percent of the bank's legal loan limit, except the minimum  
11 amount shall in no case be less than ten thousand dollars; a second list of the aggregate

12 indebtedness of each borrower whose aggregate indebtedness exceeds five times such  
13 minimum amount, except the aggregate indebtedness shall in no case be less than fifty  
14 thousand dollars; **and** a third list showing all paper past due thirty days or more or  
15 alternatively, the third list shall report the total past-due ratio for loans thirty days or more  
16 past due, nonaccrual loans divided by total loans, and a listing of past-due loans in excess of  
17 the minimum amount to be determined by the board of directors, which minimum amount  
18 shall not exceed five percent of the bank's legal loan limit, except the minimum amount shall  
19 in no case be less than ten thousand dollars~~]; and a fourth list showing the aggregate of the~~  
20 ~~then-existing indebtedness and liability to the bank or trust company of each of the directors,~~  
21 ~~officers, and employees thereof].~~ The information called for in the second~~];~~ **and** third~~]; and~~  
22 ~~fourth]~~ lists shall be submitted as of the date of the regular meeting or as of a reasonable date  
23 prior thereto. No bills payable shall be made, and no bills shall be rediscounted by the bank  
24 or trust company except with the consent or ratification of the board of directors; provided,  
25 however, that if the bank or trust company is a member of the federal reserve system,  
26 rediscounts may be made to it by the officers in accordance with its rules, a list of all  
27 rediscounts to be submitted to the next regular meeting of the board. The director of finance  
28 may require, by order, that the board of directors of a bank or trust company approve or  
29 disapprove every purchase or sale of securities and every discount, loan, acceptance, renewal  
30 or other advance including every overdraft over an amount to be specified in the director's  
31 order and may also require that the board of directors review, at each monthly meeting, a list  
32 of the aggregate indebtedness of each borrower whose aggregate indebtedness exceeds an  
33 amount to be specified in the director's order. The minutes of the meeting shall indicate the  
34 compliance with the requirements of this section. Furthermore, the debtor's identity on the  
35 information required in this subsection may be masked by code to conceal the actual debtor's  
36 identity only for information mailed to or otherwise provided directors who are not physically  
37 present at the board meeting. The code used shall be revealed to all directors at the beginning  
38 of each board meeting for which this procedure is used.

39       2. For any issue in need of immediate action, the board of directors or the executive  
40 committee of the board as defined in section 362.253 may enter into a unanimous consent  
41 agreement as permitted by subsection 2 of section 351.340. Such consent may be  
42 communicated by facsimile transmission or by other authenticated record, separately by  
43 each director, provided each consent is signed by the director and the bank has no indication  
44 such signature is not the director's valid consent. When the bank or trust company has  
45 received unanimous consent from the board or executive committee, the action voted on shall  
46 be considered approved.

362.295. 1. Within ten days after service upon it of the notice provided for by section  
2 361.130, every bank and trust company shall make a written report to the director, which



3 report shall be in the form and shall contain the matters prescribed by the director and shall  
4 specifically state the items of capital, deposits, specie and cash items, public securities and  
5 private securities, real estate and real estate securities, and such other items as may be  
6 necessary to inform the public as to the financial condition and solvency of the bank or trust  
7 company, or which the director may deem proper to include therein. In lieu of requiring  
8 direct filing of reports of condition, the director may accept reports of condition or their  
9 equivalent as filed with federal regulatory agencies and may require verification and the filing  
10 of supplemental information as the director deems necessary.

11 2. Every report shall be verified by the oaths of the president or vice president and  
12 cashier or secretary or assistant cashier or assistant secretary, and the verification shall state  
13 that the report is true and correct in all respects to the best of the knowledge and belief of the  
14 persons verifying it, and the report shall be attested by three directors, and shall be a report of  
15 the actual condition of the bank or trust company at the close of business on the day  
16 designated and which day shall be prior to the call. If the director of finance obtains the data  
17 pursuant to subsection 3 of section 361.130, the director may rely on the verification provided  
18 to the federal regulatory agency.

19 3. ~~Every report, exclusive of the verification, shall, within thirty days after it shall~~  
20 ~~have been filed with the director, be published by the bank or trust company in one newspaper~~  
21 ~~of the place where its place of business is located, or if no newspaper is published there, in a~~  
22 ~~newspaper of general circulation in the town and community in which the bank or trust~~  
23 ~~company is located; the newspaper to be designated by the board of directors and a copy of~~  
24 ~~the publication, with the affidavit of the publisher thereto, shall be attached to the report;~~  
25 ~~provided, if the bank or trust company is located in a town or city having a population~~  
26 ~~exceeding ten thousand inhabitants, then the publication must be in a daily newspaper, if~~  
27 ~~published in that city; but if the bank or trust company is located in a town or city having a~~  
28 ~~population of ten thousand inhabitants or less, then the publication may be in either a daily or~~  
29 ~~weekly newspaper published in the town or city as aforesaid; and in all cases a copy of the~~  
30 ~~statement shall be posted in the banking house accessible to all.~~

31 4.] The bank and trust company shall also make such other special reports to the  
32 director as he may from time to time require, in such form and at such date as may be  
33 prescribed by him, and the report shall, if required by him, be verified in such manner as he  
34 may prescribe.

35 [5.] 4. If the bank or trust company shall fail to make any report required by this  
36 section on or before the day designated for the making thereof, or shall fail to include therein  
37 any matter required by the director, the bank or trust company shall forfeit to the state the sum  
38 of one hundred dollars for every day that the report shall be delayed or withheld, and for  
39 every day that it shall fail to report any omitted matter, unless the time therefor shall have

40 been extended by the director. Should any president, cashier or secretary of the bank or trust  
41 company or any director thereof fail to make the statement so required of him or them, or  
42 willfully and corruptly make a false statement, he or they, and each of them, shall be deemed  
43 guilty of a misdemeanor, and, upon conviction thereof, upon information, punished by a fine  
44 for each offense not exceeding five hundred dollars and not less than one hundred dollars, or  
45 by imprisonment not less than one or more than twelve months in the city or county jail, or by  
46 both such fine and imprisonment.

47 ~~[6:] 5. A bank or trust company [may provide each written] shall provide a paper or~~  
48 ~~electronic copy of any regular periodic~~ report required to be ~~[published free of charge to~~  
49 ~~the public; and when each bank or trust company notifies their customers that such~~  
50 ~~information is available; and when one copy of such information is available]~~ **filed under**  
51 **section 361.130** to each ~~[person]~~ **customer** that requests it~~[- the newspaper publication~~  
52 ~~provisions of this section shall not be enforced against such bank or trust company].~~

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

2 **(1) "Bank", includes any state or federally chartered bank, savings bank, or**  
3 **savings and loan association providing banking services to customers;**

4 **(2) "Trusted contact", any adult person designated by a bank customer that a**  
5 **bank may contact in the event of an emergency or loss of contact with the customer, or**  
6 **suspected third-party fraud or financial exploitation targeting the customer.**

7 **2. Notwithstanding any other provision of law to the contrary, any bank may**  
8 **report suspected fraudulent activity or financial exploitation targeting any of its**  
9 **customers to a federal, state, county, or municipal law enforcement agency or any**  
10 **appropriate public protective agency and shall be immune from civil liability in doing**  
11 **so.**

12 **3. Notwithstanding any other provision of law to the contrary, any bank, on a**  
13 **voluntary basis, may offer a trusted contact program to customers who may designate**  
14 **one or more trusted contacts for the bank to contact in the event a customer is not**  
15 **responsive to bank communications, the bank is presented with an urgent matter or**  
16 **emergency involving the customer and the bank is unable to locate the customer, or the**  
17 **bank suspects fraudulent activity or financial exploitation targeting the customer or the**  
18 **account has been deemed dormant and the bank is attempting to verify the status and**  
19 **location of the customer. The bank may establish such procedures, requirements, and**  
20 **forms as it deems appropriate and necessary should the bank decide to implement a**  
21 **trusted contact program.**

22 **4. Notwithstanding any other provision of law to the contrary, any bank may**  
23 **voluntarily offer customers an account with convenience and security features that set**

24 **transaction limits and permit limited access to view account activity for one or more**  
25 **trusted contacts designated by the customer.**

26 **5. No bank shall be liable for the actions of a trusted contact.**

27 **6. No bank shall be liable for declining to interact with a trusted contact when**  
28 **the bank, in good faith and exercising reasonable care, determines that a trusted contact**  
29 **is not acting in the best interests of the customer.**

30 **7. A person designated by a customer as a trusted contact who acts in good faith**  
31 **and exercises reasonable care shall be immune from liability.**

32 **8. A customer may withdraw any appointment of a person as a trusted contact at**  
33 **any time and any trusted contact may withdraw from status as a trusted contact at any**  
34 **time. The bank may require such documentation or verification as it deems necessary to**  
35 **establish the withdrawal or termination of a trusted contact.**

36 **9. No bank shall be civilly liable for implementing or not implementing or for**  
37 **actions or omissions related to providing or administering a trusted contact program.**

362.490. 1. Notwithstanding any provision of law of this state or of any political  
2 subdivision thereof requiring security for deposits in the form of collateral, surety bond or in  
3 any other form, security for such deposits shall not be required to the extent said deposits are  
4 insured under the provisions of an act of congress creating and establishing the Federal  
5 Deposit Insurance Corporation or similar agency created and established by the Congress of  
6 the United States.

7 **2. (1) As an alternative to the requirements for direct pledging of security for**  
8 **deposit of public funds in excess of the amount that is federally insured or guaranteed**  
9 **pursuant to sections 110.010, 110.020, and 110.060, a banking institution authorized as**  
10 **legal depository for public funds may secure the deposits of any governmental entity by**  
11 **granting a security interest in a single pool of securities to secure the repayment of all**  
12 **public funds deposited in the banking institution by such governmental entities and not**  
13 **otherwise federally insured or secured pursuant to law.**

14 **(2) A banking institution may secure the deposit of public funds using the direct**  
15 **method as provided in chapter 110, or the single bank pooled method provided in this**  
16 **section, or may elect to offer government entities the choice of either method to secure**  
17 **the deposit of public funds.**

18 **(3) Under the direct method a banking institution may secure the deposit of**  
19 **public funds of each government entity separately by furnishing securities pursuant to**  
20 **sections 110.010, 110.020, and 110.060.**

21 **(4) Under the single bank pooled method a banking institution may secure the**  
22 **deposit of public funds of one or more government entities through a pool of eligible**  
23 **securities held in custody and safekeeping with one or more other banking institutions**

24 or safe depositaries, to be held subject to the order of the director of the division of  
25 finance or the administrator appointed pursuant to subsection 3 of this section for the  
26 benefit of the government entities having public funds deposited with such banking  
27 institution as set forth in this section.

28       3. (1) The director of the division of finance shall have exclusive authority to  
29 appoint a bank, trust company, or association for Missouri banks which is chartered or  
30 incorporated in Missouri, to serve as the administrator with respect to a single bank  
31 pooled method. The administrator shall act as an agent for banking institutions and as  
32 the nominee of the government entities for purposes of administering the pool of  
33 securities pledged to secure uninsured public fund deposits. The fees and expenses of  
34 such administrator shall be paid by the banking institutions utilizing the single bank  
35 pooled method. The single bank pooled method shall not be utilized by any banking  
36 institution unless an administrator has been appointed by the director pursuant to this  
37 section and is acting as the administrator. The director may require the administrator  
38 to post a surety bond or security to the director in an amount up to one hundred  
39 thousand dollars to assure the faithful performance of the duties of the administrator.

40       (2) At all times the aggregate market value of the pool of securities so deposited,  
41 pledged, or in which a security interest is granted shall be at least equal to one hundred  
42 two percent of the amount on deposit which is in excess of the amount so insured.

43       (3) Each banking institution shall carry on its accounting records at all times a  
44 general ledger or other appropriate account of the total amount of all public funds to be  
45 secured by the pool of securities as determined at the opening of business each day, and  
46 the aggregate market value of the pool of securities pledged, or in which a security  
47 interest is granted to secure such public funds.

48       (4) If a banking institution elects to secure the deposit of public funds through  
49 the use of the single bank pooled method, such banking institution shall notify the  
50 administrator in writing that it has elected to utilize the single bank pooled method and  
51 the proposed effective date thereof and enter such agreement as the administrator may  
52 require.

53       (5) A banking institution may not retain any deposit of public funds which is  
54 required to be secured unless it has secured the deposits for the benefit of the  
55 government entities having public funds with such banking institution pursuant to this  
56 section.

57       (6) Only the securities and collateral described or listed pursuant to section  
58 30.270 for the safekeeping and payment of deposits by the state treasurer may be  
59 provided and accepted as security for the deposit of public funds and shall be eligible as

60 collateral. The administrator shall not accept any securities which are not described or  
61 listed pursuant to section 30.270.

62 (7) The administrator may establish such procedures and reporting  
63 requirements as necessary for depository banking institutions and their safekeeping  
64 banks or depositaries to confirm the amount of insured public fund deposits, the pledge  
65 of securities to the administrator to secure the deposit of public funds, as agent for each  
66 participating banking institution, and to monitor the market value of pledged securities  
67 as reported by the custody agents, and to add, substitute, or remove securities held in  
68 the single bank pool as directed by the depository banking institution.

69 (8) In the event of the failure and insolvency of a banking institution using the  
70 single bank pooled method, subject to any order of the director pursuant to powers  
71 vested under chapter 361, the administrator shall direct the safekeeping banks or  
72 depositaries to sell the pledged securities and direct proceeds to the payment of the  
73 uninsured public fund deposits or to transfer the pledged securities to that banking  
74 institution's primary supervisory agency or the duly appointed receiver for the banking  
75 institution to be liquidated to pay out the uninsured public fund deposits.

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

2 (1) "Credit union", any state or federally chartered credit union providing  
3 financial services to members;

4 (2) "Trusted contact", any adult person designated by a credit union member  
5 that a credit union may contact in the event of an emergency or loss of contact with the  
6 member, or suspected third party fraud or financial exploitation targeting the member.

7 2. Notwithstanding any other provision of law to the contrary, any credit union  
8 may report suspected fraudulent activity or financial exploitation targeting any of its  
9 members to a federal, state, county, or municipal law enforcement agency or any  
10 appropriate public protective agency and shall be immune from civil liability in doing  
11 so.

12 3. Notwithstanding any other provision of law to the contrary, any credit union,  
13 on a voluntary basis, may offer a trusted contact program to members who may  
14 designate one or more trusted contacts for the credit union to contact in the event a  
15 member is not responsive to credit union communications, the credit union is presented  
16 with an urgent matter or emergency involving the member and the credit union is  
17 unable to locate the member, or the credit union suspects fraudulent activity or financial  
18 exploitation targeting the member or the account has been deemed dormant and the  
19 credit union is attempting to verify the status and location of the member. The credit  
20 union may establish such procedures, requirements, and forms as it deems appropriate  
21 and necessary should the credit union opt to implement a trusted contact program.

22           **4. Notwithstanding any other provision of law to the contrary, any credit union**  
23 **may voluntarily offer members an account with convenience and security features that**  
24 **set transaction limits and permit limited access to view account activity for one or more**  
25 **trusted contacts designated by the member.**

26           **5. No credit union shall be liable for the actions of a trusted contact.**

27           **6. No credit union shall be liable for declining to interact with a trusted contact**  
28 **when the credit union, in good faith and exercising reasonable care, determines that a**  
29 **trusted contact is not acting in the best interests of the member.**

30           **7. A person designated by a member as a trusted contact who acts in good faith**  
31 **and exercises reasonable care shall be immune from liability.**

32           **8. A member may withdraw any appointment of a person as a trusted contact at**  
33 **any time and any trusted contact may withdraw from status as a trusted contact at any**  
34 **time. The credit union may require such documentation or verification as it deems**  
35 **necessary to establish the withdrawal or termination of a trusted contact.**

36           **9. No credit union shall be civilly liable for implementing or not implementing or**  
37 **for actions or omissions related to providing or administering a trusted contact**  
38 **program.**

381.410. As used in this section and section 381.412, the following terms mean:

2           (1) "Cashier's check", a check, however labeled, drawn on the financial institution,  
3 which is signed only by an officer or employee of such institution, is a direct obligation of  
4 such institution, and is provided to a customer of such institution or acquired from such  
5 institution for remittance purposes;

6           (2) "Certified funds", United States currency, funds conveyed by a cashier's check,  
7 certified check, **or** teller's check, as defined in Federal Reserve Regulations CC, **or funds**  
8 **conveyed by wire transfers~~[, including]~~ unconditionally received by the settlement agent**  
9 **or the agent's depository, or funds conveyed by a real-time payment system, including,**  
10 **but not limited to, RTP and Fed Now, for which a settlement agent receives** written  
11 advice from a financial institution that collected funds have been credited to the settlement  
12 agent's account;

13           (3) "Director", the director of the department of commerce and insurance, unless the  
14 settlement agent's primary regulator is another department. When the settlement agent is  
15 regulated by such department, that department shall have jurisdiction over this section and  
16 section 381.412;

17           (4) "Financial institution":

18           (a) A person or entity doing business under the laws of this state or the United States  
19 relating to banks, trust companies, savings and loan associations, credit unions, commercial  
20 and consumer finance companies, industrial loan companies, insurance companies, small

21 business investment corporations licensed under the Small Business Investment Act of 1958,  
22 15 U.S.C. Section 661, et seq., as amended, or real estate investment trusts as defined in 26  
23 U.S.C. Section 856, as amended, or institutions constituting the Farm Credit System under the  
24 Farm Credit Act of 1971, 12 U.S.C. Section 2000, et seq., as amended; or

25 (b) A mortgage loan company or mortgage banker doing business under the laws of  
26 this state or the United States which is subject to licensing, supervision, or auditing by the  
27 Federal National Mortgage Association, or the Federal Home Loan Mortgage Corporation, or  
28 the United States Veterans' Administration, or the Government National Mortgage  
29 Association, or the United States Department of Housing and Urban Development, or a  
30 successor of any of the foregoing agencies or entities, as an approved seller or servicer, if  
31 their principal place of business is in Missouri or a state which is contiguous to Missouri;

32 (5) "Settlement agent", a person, corporation, partnership, or other business  
33 organization which accepts funds and documents as fiduciary for the buyer, seller or lender  
34 for the purposes of closing a sale of an interest in real estate located within the state of  
35 Missouri, and is not a financial institution, or a member in good standing of the Missouri Bar,  
36 or a person licensed under chapter 339.

408.010. ~~[The silver coins of the United States are hereby declared a]~~ **1. This**  
2 **section shall be known and may be cited as the "Constitutional Money Act".**

3 **2. Electronic specie currency shall be accepted as legal tender**~~[, at their par value,~~  
4 ~~fixed by the laws of the United States, and shall be receivable in]~~ **for payment of all public**  
5 **debts**~~[, public or private,]~~ **hereafter contracted in the state of Missouri and specie legal**  
6 **tender and electronic specie currency may be accepted as payment for all private debts**  
7 **hereafter contracted in the state of Missouri, in the discretion of the receiving entity;**  
8 **provided, however, that no person shall have the right to pay, upon any one debt, dimes and**  
9 **half dimes to an amount exceeding ten dollars, or of twenty and twenty-five cent pieces**  
10 **exceeding twenty dollars. Upon receiving a request for payment to a public entity using**  
11 **electronic specie, the custody agent, or other entity responsible for transmitting the**  
12 **payment to the public entity shall transmit the funds in United States dollars.**

13 **3. The director of the department of revenue shall promulgate rules on the**  
14 **methods of acceptance of electronic specie currency as payment for any debt, tax, fee, or**  
15 **obligation owed. Any rule or portion of a rule, as that term is defined in section 536.010,**  
16 **that is created under the authority delegated in this subsection shall become effective**  
17 **only if it complies with and is subject to all of the provisions of chapter 536 and, if**  
18 **applicable, section 536.028. This subsection and chapter 536 are nonseverable and if**  
19 **any of the powers vested with the general assembly pursuant to chapter 536 to review, to**  
20 **delay the effective date, or to disapprove and annul a rule are subsequently held**

21 unconstitutional, then the grant of rulemaking authority and any rule proposed or  
22 adopted after August 28, 2025, shall be invalid and void.

23       4. Except as expressly provided by contract, no person or entity shall be required  
24 to use specie legal tender or electronic specie currency in the payment of any debt and  
25 nothing in this section shall prohibit the use of federal reserve notes in the payment of  
26 any debt.

27       5. Any entity doing business in this state may, if requested by an employee, pay  
28 compensation to such employee, in full or in part, in the dollar equivalent specie legal  
29 tender either in physical or in electronic transfer form. Any entity choosing to  
30 compensate its employees in specie legal tender shall be responsible for verifying the  
31 weight and purity of any physical specie legal tender before compensating employees.

32       6. Under no circumstance shall the state of Missouri or any department, agency,  
33 political subdivision, or instrumentality thereof:

34       (1) Seize from any person any specie legal tender or electronic specie currency  
35 that is owned by such person, except as otherwise provided in section 513.607. Any  
36 person whose specie legal tender or electronic specie currency is seized in violation of  
37 this subdivision shall have a cause of action in a court of competent jurisdiction, with  
38 any successful such action resulting in the award of attorney's fees;

39       (2) Enforce or attempt to enforce any federal acts, laws, executive orders,  
40 administrative orders, rules, regulations, statutes, or ordinances infringing on the right  
41 of a person to keep and use specie legal tender and electronic specie currency as  
42 provided in this section;

43       (3) Restrict in any way the ability of a person or financial institution to acquire  
44 specie legal tender or electronic specie currency or use specie legal tender or electronic  
45 specie currency in transactions; or

46       (4) Enact any law discriminating or favoring one means of legal tender in the  
47 course of a transaction over another means of legal tender.

48       7. For purposes of this section, the following terms mean:

49       (1) "Bullion", refined precious metal, limited to gold and silver only, in any  
50 shape or form, with uniform content and purity, including, but not limited to, coins,  
51 rounds, bars, ingots, and any other products, that are:

52       (a) Stamped or imprinted with the weight and purity of the precious metal that it  
53 contains; and

54       (b) Valued primarily based on its metal content and not on its form and  
55 function;

56       (2) "Electronic specie currency", a representation of actual gold and silver,  
57 specie, and bullion held in an account, which may be transferred by electronic



58 **instruction. Such representation shall reflect the exact unit of physical specie or gold**  
59 **and silver bullion in the account in its fractional troy ounce measurement as provided in**  
60 **this section;**

61 **(3) "Legal tender", a recognized medium of exchange for the payment of debts,**  
62 **public charges, taxes, or dues that is:**

63 **(a) Authorized by the United States Congress pursuant to Article I, Section 8 of**  
64 **the United States Constitution; or**

65 **(b) Authorized by Missouri law pursuant to Article I, Section 10 of the United**  
66 **States Constitution;**

67 **(4) "Precious metal", gold or silver;**

68 **(5) "Specie", bullion fabricated into products of uniform shape, size, design,**  
69 **content, weight, and purity that are suitable for or customarily used as currency, as a**  
70 **medium of exchange, or as the medium for purchase, sale, storage, transfer, or delivery**  
71 **of precious metals in retail or wholesale transactions;**

72 **(6) "Specie legal tender", includes any of the following:**

73 **(a) Specie coin issued by the federal government at any time; and**

74 **(b) Any other specie, provided such specie does not contain any insignia,**  
75 **symbols, or other recognizable logos of the Nazi Party.**

2 427.300. 1. This section shall be known and may be cited as the "Commercial  
2 Financing Disclosure Law".

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

4 (1) "Account";

5 (a) Includes:

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

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

10 (ii) Services rendered or to be rendered;

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

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

13 (v) Energy provided or to be provided;

14 (vi) The use or hire of a vessel under a charter or other contract;

15 (vii) Arising out of the use of a credit or charge card or information contained on or  
16 for use with the card; or

17 (viii) As winnings in a lottery or other game of chance operated or sponsored by a  
18 state, governmental unit of a state, or person licensed or authorized to operate the game by a  
19 state or governmental unit of a state; and

- 20           b. Health-care-insurance receivables; and  
21           (b) Does not include:  
22           a. Rights to payment evidenced by chattel paper or an instrument;  
23           b. Commercial tort claims;  
24           c. Deposit accounts;  
25           d. Investment property;  
26           e. Letter-of-credit rights or letters of credit; or  
27           f. Rights to payment for moneys or funds advanced or sold, other than rights arising  
28 out of the use of a credit or charge card or information contained on or for use with the card;  
29           (2) "Accounts receivable purchase transaction", any transaction in which the business  
30 forwards or otherwise sells to the provider all or a portion of the business's accounts or  
31 payment intangibles at a discount to their expected value. The provider's characterization of  
32 an accounts receivable purchase transaction as a purchase is conclusive that the accounts  
33 receivable purchase transaction is not a loan or a transaction for the use, forbearance, or  
34 detention of money;  
35           (3) "Broker", any person who, for compensation or the expectation of compensation,  
36 obtains a commercial financing transaction or an offer for a commercial financing transaction  
37 from a third party that would, if executed, be binding upon that third party and communicates  
38 that offer to a business located in this state. The term broker excludes a provider, or any  
39 individual or entity whose compensation is not based or dependent on the terms of the  
40 specific commercial financing transaction obtained or offered;  
41           (4) "Business", an individual or group of individuals, sole proprietorship, corporation,  
42 limited liability company, trust, estate, cooperative, association, or limited or general  
43 partnership engaged in a business activity;  
44           (5) "Business purpose transaction", any transaction where the proceeds are provided  
45 to a business or are intended to be used to carry on a business and not for personal, family, or  
46 household purposes. For purposes of determining whether a transaction is a business purpose  
47 transaction, the provider may rely on any written statement of intended purpose signed by the  
48 business. The statement may be a separate statement or may be contained in an application,  
49 agreement, or other document signed by the business or the business owner or owners;  
50           (6) "Commercial financing facility", a provider's plan for purchasing multiple  
51 accounts receivable from the recipient over a period of time pursuant to an agreement that sets  
52 forth the terms and conditions governing the use of the facility;  
53           (7) "Commercial financing transaction", any commercial loan, accounts receivable  
54 purchase transaction, commercial open-end credit plan or each to the extent the transaction is  
55 a business purpose transaction;  
56           (8) "Commercial loan", a loan to a business, whether secured or unsecured;

57 (9) "Commercial open-end credit plan", commercial financing extended by any  
58 provider under a plan in which:

59 (a) The provider reasonably contemplates repeat transactions; and

60 (b) The amount of financing that may be extended to the business during the term of  
61 the plan, up to any limit set by the provider, is generally made available to the extent that any  
62 outstanding balance is repaid;

63 (10) "Depository institution", any of the following:

64 (a) A bank, trust company, or industrial loan company doing business under the  
65 authority of, or in accordance with, a license, certificate, or charter issued by the United  
66 States, this state, or any other state, district, territory, or commonwealth of the United States  
67 that is authorized to transact business in this state;

68 (b) A federally chartered savings and loan association, federal savings bank, or  
69 federal credit union that is authorized to transact business in this state; or

70 (c) A savings and loan association, savings bank, or credit union organized under the  
71 laws of this or any other state that is authorized to transact business in this state;

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

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

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

87 3. (1) A provider that consummates a commercial financing transaction shall disclose  
88 the terms of the commercial financing transaction as required by this section. The disclosures  
89 shall be provided at or before consummation of the transaction. Only one disclosure is  
90 required for each commercial financing transaction, and a disclosure is not required as a result  
91 of the modification, forbearance, or change to a consummated commercial financing  
92 transaction.

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

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

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

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

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

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

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

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

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

127           (1) A provider that is a depository institution or a subsidiary or affiliate;

128           (2) A provider that is a service corporation to a depository institution that is:

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

- 130 (b) Regulated by a federal banking agency;
- 131 (3) A provider that is a lender regulated under the federal Farm Credit Act, 12 U.S.C.
- 132 Section 2001, et seq.;
- 133 (4) A commercial financing transaction that is:
- 134 (a) Secured by real property;
- 135 (b) A lease; or
- 136 (c) A purchase money obligation that is incurred as all or part of the price of the
- 137 collateral or for value given to enable the business to acquire rights in or the use of the
- 138 collateral if the value is in fact so used;
- 139 (5) A commercial financing transaction in which the recipient is a motor vehicle
- 140 dealer or an affiliate of such a dealer, or a vehicle rental company, or an affiliate of such a
- 141 company, pursuant to a commercial loan or commercial open-end credit plan of at least fifty
- 142 thousand dollars or a commercial financing transaction offered by a person in connection with
- 143 the sale or lease of products or services that such person manufactures, licenses, or
- 144 distributes, or whose parent company or any of its directly or indirectly owned and controlled
- 145 subsidiaries manufactures, licenses, or distributes;
- 146 (6) A commercial financing transaction that is a factoring transaction, purchase, sale,
- 147 advance, or similar of accounts receivable owed to a health care provider because of a
- 148 patient's personal injury treated by the health care provider;
- 149 (7) A provider that is licensed as a money transmitter in accordance with a license,
- 150 certificate, or charter issued by this state or any other state, district, territory, or
- 151 commonwealth of the United States;
- 152 (8) A provider that consummates no more than five commercial financing
- 153 transactions in this state in a twelve-month period; ~~[or]~~
- 154 (9) A commercial financing transaction of more than five hundred thousand dollars;
- 155 **or**
- 156 **(10) A commercial financing product that is a premium finance agreement, as**
- 157 **defined in subdivision (3) of section 364.100, offered or entered into by a provider that is**
- 158 **a registered premium finance company.**
- 159 5. (1) No person shall engage in business as a broker within this state for
- 160 compensation, unless prior to conducting such business, the person has filed a registration
- 161 with the division of finance within the department of commerce and insurance and has on file
- 162 a good and sufficient bond as specified in this subsection. The registration shall be effective
- 163 upon receipt by the division of finance of a completed registration form and the required
- 164 registration fee, and shall remain effective until the time of renewal.

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

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

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

172 (a) The name of the broker;

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

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

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

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

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

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

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

193 6. (1) Any person who violates any provision of this section shall be punished by a  
194 fine of five hundred dollars per incident, not to exceed twenty thousand dollars, for all  
195 aggregated violations arising from the use of the transaction documentation or materials  
196 found to be in violation of this section. Any person who violates any provision of this section  
197 after receiving written notice of a prior violation from the attorney general shall be punished  
198 by a fine of one thousand dollars per incident, not to exceed fifty thousand dollars, for all  
199 aggregated violations arising from the use of the transaction documentation or materials  
200 found to be in violation of this section.

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

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

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

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

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

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

212 8. The division of finance may promulgate rules implementing this section. If the  
213 division of finance intends to promulgate rules, it shall declare its intent to do so no later than  
214 February 28, 2025. Any rule or portion of a rule, as that term is defined in section 536.010,  
215 that is created under the authority delegated in this section shall become effective only if it  
216 complies with and is subject to all of the provisions of chapter 536 and, if applicable, section  
217 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with  
218 the general assembly pursuant to chapter 536 to review, to delay the effective date, or to  
219 disapprove and annul a rule are subsequently held unconstitutional, then the grant of  
220 rulemaking authority and any rule proposed or adopted after August 28, 2024, shall be invalid  
221 and void.

456.1-108. 1. Without precluding other means for establishing a sufficient  
2 connection with the designated jurisdiction, terms of a trust designating the principal place of  
3 administration are valid and controlling if:

4 (1) a trustee's principal place of business is located in or a trustee is a resident of the  
5 designated jurisdiction; or

6 (2) all or part of the administration occurs in the designated jurisdiction.

7 2. Without precluding the right of the court to order, approve, or disapprove a  
8 transfer, the trustee may transfer the trust's principal place of administration to another state or  
9 to a jurisdiction outside of the United States that is appropriate to the trust's purposes, its  
10 administration, and the interests of the beneficiaries.

11 3. The trustee shall notify the qualified beneficiaries of a proposed transfer of a trust's  
12 principal place of administration not less than sixty days before initiating the transfer. The  
13 notice of proposed transfer must include:

14 (1) the name of the jurisdiction to which the principal place of administration is to be  
15 transferred;

16 (2) the address and telephone number at the new location at which the trustee can be  
17 contacted;

18 (3) an explanation of the reasons for the proposed transfer;

19 (4) **a notice that states a change in the place of administration may result in a**  
20 **change of the governing law, which may affect the rights of any beneficiaries in ways**  
21 **that are different from the current governing law;**

22 (5) the date on which the proposed transfer is anticipated to occur; and

23 ~~[(5)]~~ (6) the date, not less than sixty days after the giving of the notice, by which the  
24 qualified beneficiary must notify the trustee of an objection to the proposed transfer.

25 4. The authority of a trustee under this section to transfer a trust's principal place of  
26 administration without an order of a court terminates if a qualified beneficiary notifies the  
27 trustee of an objection to the proposed transfer on or before the date specified in the notice.

28 5. In connection with a transfer of the trust's principal place of administration, the  
29 trustee may transfer some or all of the trust property to a successor trustee designated in the  
30 terms of the trust or appointed pursuant to section 456.7-704.

456.10-1005. 1. A beneficiary ~~[may]~~ **shall** not commence a proceeding against a  
2 trustee for breach of trust more than one year after the last to occur of the date the beneficiary  
3 or a representative of the beneficiary was sent a report that adequately disclosed the existence  
4 of a potential claim for breach of trust and the date the trustee informed the beneficiary of the  
5 time allowed for commencing a proceeding with respect to any potential claim adequately  
6 disclosed on the report.

7 2. A report adequately discloses the existence of a potential claim for breach of trust  
8 if it provides sufficient information so that the beneficiary or representative knows of the  
9 potential claim or should have inquired into its existence.

10 3. If subsection 1 of this section does not apply, a judicial proceeding by a beneficiary  
11 against a trustee for breach of trust ~~[must]~~ **shall** be commenced within five years after the first  
12 to occur of:

13 (1) the removal, resignation, or death of the trustee;

14 (2) **the occurrence of the event causing a** termination of the beneficiary's interest in  
15 the trust; or

16 (3) **the occurrence of the event causing a** termination of the trust.

**474.540. The provisions of sections 474.540 to 474.564 shall be known and may**  
2 **be cited as the "Missouri Electronic Wills and Electronic Estate Planning Documents**  
3 **Act".**

**474.542. As used in sections 474.540 to 474.564, the following terms mean:**

2 (1) "Electronic", technology having electrical, digital, magnetic, wireless,  
3 optical, electromagnetic, or similar capabilities;



4       (2) "Electronic presence", the relationship of two or more individuals in  
5 different locations in real time using technology enabling live, interactive audio-visual  
6 communication that allows for observation, direct interaction, and communication  
7 between or among the individuals;

8       (3) "Electronic will", a will executed electronically in compliance with  
9 subsection 1 of section 474.548;

10       (4) "Record", information that is inscribed on a tangible medium or that is  
11 stored in an electronic or other medium and is retrievable in perceivable form;

12       (5) "Security procedure", a procedure to verify that an electronic signature,  
13 record, or performance is that of a specific person or to detect a change or error in an  
14 electronic record, including a procedure that uses an algorithm, code, identifying word  
15 or number, encryption, or callback or other acknowledgment procedure;

16       (6) "Sign", with present intent to authenticate or adopt a record to:

17       (a) Execute or adopt a tangible symbol; or

18       (b) Affix to or logically associate with the record an electronic symbol or  
19 process;

20       (7) "State", a state of the United States, the District of Columbia, Puerto Rico,  
21 the United States Virgin Islands, a federally recognized Indian tribe, or any territory or  
22 insular possession subject to the jurisdiction of the United States;

23       (8) "Will", a codicil and any testamentary instrument that appoints an executor,  
24 revokes or revises another will, nominates a guardian, or expressly excludes or limits the  
25 right of an individual or class to succeed to property of the decedent passing by intestate  
26 succession.

      474.544. An electronic will shall be a will for all purposes of the laws of this state.  
2 The provisions of law applicable to wills and principles of equity shall apply to an  
3 electronic will, except as modified by sections 474.540 to 474.564.

      474.546. A will executed electronically, but not in compliance with subsection 1  
2 of section 474.548, shall be an electronic will under the provisions of sections 474.540 to  
3 474.564 if executed in compliance with the law of the jurisdiction where the testator is:

4       (1) Physically located when the will is signed; or

5       (2) Domiciled, or where the testator resides, when the will is signed or when the  
6 testator dies.

      474.548. 1. An electronic will shall be:

2       (1) A record that is readable as text at the time of signing as provided in  
3 subdivision (2) of this subsection and remains accessible as text for later reference;

4       (2) Signed by:

5       (a) The testator; or

6 (b) Another individual in the testator's name, in the testator's physical presence,  
7 and by the testator's direction; and

8 (3) Signed in the physical or electronic presence of the testator by at least two  
9 individuals after witnessing:

10 (a) The signing of the will pursuant to subdivision (2) of this subsection; or

11 (b) The testator's acknowledgment of the signing of the will pursuant to  
12 subdivision (2) of this subsection or acknowledgment of the will.

13 2. The intent of a testator that the record in subdivision (1) of subsection 1 of this  
14 section be the testator's electronic will may be established by extrinsic evidence.

15 3. In accordance with the provisions of sections 474.337 or 474.550, a witness to a  
16 will shall be a resident of a state and physically located in a state at the time of signing if  
17 no self-proving affidavit is signed contemporaneously with the execution of the  
18 electronic will.

474.550. At the time of its execution or at any subsequent date, an electronic will  
2 may be made self-proved in the same manner as specified in section 474.337 or, if fewer  
3 than two witnesses are physically present in the same location as the testator at the time  
4 of such acknowledgments, before a remote online notary authorized to perform a  
5 remote online notarization in this state under the law of any state or the United States,  
6 and evidenced by a remote online notarial certificate, in form and content substantially  
7 as follows, subject to the additional requirements under section 486.1165:

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

9 County (and/or City) of \_\_\_\_\_

10 I, the undersigned notary, certify that \_\_\_\_\_, the testator, and the witnesses,  
11 whose names are signed to the attached or foregoing instrument, having  
12 personally appeared before me by remote online means, and having been  
13 first duly sworn, each then declared to me that the testator signed and  
14 executed the instrument as the testator's last will, and that the testator had  
15 willingly signed or willingly directed another to sign for the testator, and  
16 that the testator executed it as the testator's free and voluntary act for the  
17 purposes therein expressed; and that each of the witnesses, in the presence  
18 and hearing of the testator, signed the will as witness and that to the best of  
19 the witnesses' knowledge the testator was at that time eighteen or more  
20 years of age, of sound mind, and under no constraint or undue influence.  
21 In witness thereof I have hereunto subscribed my name and affixed my  
22 official seal this \_\_\_\_\_ (date).

23 \_\_\_\_\_ (official signature and seal of notary)

474.552. 1. An electronic will may revoke all or part of a previous will.

2           **2. All or part of an electronic will shall be revoked by:**

3           **(1) A subsequent will that revokes all or part of the electronic will expressly or**  
4 **by inconsistency;**

5           **(2) A written instrument signed by the testator declaring the revocation; or**

6           **(3) A physical act, if it is established by a preponderance of the evidence that the**  
7 **testator, with the intent of revoking all or part of the will, performed the act or directed**  
8 **another individual who performed the act in the testator's physical presence.**

9           **3. If there is evidence that a testator signed an electronic will and neither the**  
10 **electronic will nor a certified paper copy of the electronic will can be located after a**  
11 **testator's death, there shall be a presumption that the testator revoked the electronic**  
12 **will, even if no instrument or later will revoking the electronic will can be located.**

**474.554. Without further notice, at any time during the administration of the**  
2 **estate or, if there is no grant of administration, upon such notice and in such manner as**  
3 **the court directs, the court may issue an order pursuant to sections 472.400 to 472.490**  
4 **for a custodian of an account held under a terms-of-service agreement to disclose digital**  
5 **assets for the purposes of obtaining an electronic will from the account of a deceased**  
6 **user. If there is no grant of administration at the time the court issues the order, the**  
7 **court's order shall grant disclosure to the petitioner who is deemed a personal**  
8 **representative for sections 472.400 to 472.490.**

**474.556. 1. An individual may create a certified paper copy of an electronic will**  
2 **by affirming under penalty of perjury that a paper copy of the electronic will is a**  
3 **complete, true, and accurate copy of the electronic will. If the electronic will is made**  
4 **self-proving, the certified paper copy of the will shall include a self-proving affidavit as**  
5 **provided in sections 474.337 or 474.550.**

6           **2. If a provision of law or rule of procedure requires a will to be presented or**  
7 **retained in its original form or provides legal consequences for the information not**  
8 **being presented or retained in its original form, that provision or rule shall be satisfied**  
9 **by a certified paper copy of an electronic will.**

**474.558. In applying and construing the provisions of sections 474.540 to**  
2 **474.564, consideration shall be given to the need to promote uniformity of the law with**  
3 **respect to its subject matter among states that enact similar provisions.**

**474.560. 1. Any written estate planning document may be executed**  
2 **electronically, and no such estate planning document shall be invalid or void solely**  
3 **because it is in electronic form or because it is signed electronically by a settlor, trustee,**  
4 **principal, grantor, declarant, or owner, or by a witness to any such person's signature.**  
5 **For purposes of this section, "estate planning document" shall include, but not be**  
6 **limited to:**

- 7           **(1) A power of attorney or durable power of attorney;**  
8           **(2) A health care declaration;**  
9           **(3) An advance directive;**  
10          **(4) A power of attorney for health care or durable power of attorney for health**  
11 **care;**  
12          **(5) A revocable trust or amendment thereto, or modification or revocation**  
13 **thereof;**  
14          **(6) An irrevocable trust;**  
15          **(7) A beneficiary deed;**  
16          **(8) A nonprobate transfer; or**  
17          **(9) A document modifying, amending, correcting, or revoking any written estate**  
18 **planning document.**
- 19          **2. (1) An electronic estate planning document or an electronic signature on such**  
20 **document shall be attributable to a person if it was the act of the person. The act of the**  
21 **person may be shown in any manner, including a showing of the efficacy of a security**  
22 **procedure applied to determine the person to which the electronic record or signature**  
23 **was attributable.**
- 24          **(2) The effect of attribution of a document or signature to a person pursuant to**  
25 **subdivision (1) of this subsection shall be determined from the context and surrounding**  
26 **circumstances at the time of its creation, execution, or adoption and as provided by**  
27 **other provisions of law.**
- 28          **3. (1) Unless otherwise provided under its terms, any electronic estate planning**  
29 **document may be signed in one or more counterparts, and each separate counterpart**  
30 **may be an electronic document or a paper document, provided that all signed**  
31 **counterpart pages of each document are incorporated into, or attached to, the**  
32 **document.**
- 33          **(2) An individual may create a certified paper copy of any such electronic estate**  
34 **planning document by affirming under penalty of perjury that a paper copy of the**  
35 **electronic estate planning document is a complete, true, and accurate copy of such**  
36 **document. If a provision of law or rule of procedure requires an estate planning**  
37 **document to be presented or retained in its original form or provides legal consequences**  
38 **for the information not being presented or retained in its original form, such provision**  
39 **or rule shall be satisfied by a certified paper copy of an electronic document.**
- 40          **4. Any written estate planning document, other than a will, that requires one or**  
41 **more witnesses to the signature of a principal may be witnessed by any individual or**  
42 **individuals in the electronic presence of the principal.**

43           **5. A person who acts in reliance upon an electronically executed written estate**  
44 **planning document shall not be liable to any person for so relying and may assume**  
45 **without inquiry the valid execution of the electronically executed written estate planning**  
46 **document.**

47           **6. This section does not require a written estate planning document to be**  
48 **electronically signed.**

49           **7. The laws of this state and principles of equity applicable to any estate**  
50 **planning document shall apply to any electronic estate planning document except as**  
51 **modified by this section.**

**474.562. The provisions of sections 474.540 to 474.564 modify, limit, and**  
2 **supersede the federal Electronic Signatures in Global and National Commerce Act, 15**  
3 **U.S.C. Section 7001, et seq., but do not modify, limit, or supersede Section 101(c) of that**  
4 **act, 15 U.S.C. Section 7001(c), or authorize electronic delivery of any of the notices**  
5 **described in Section 103(b) of that act, 15 U.S.C. Section 7003(b).**

**474.564. The provisions of sections 474.540 to 474.564 shall apply to any will of a**  
2 **decedent who dies on or after August 28, 2025, and to each written estate planning**  
3 **document, as that term is defined in section 474.560, signed or remotely witnessed on or**  
4 **after August 28, 2025.**

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

2           **(1) "Applicable state of emergency", the period between April 6, 2020, and**  
3 **December 31, 2021, during which a state of emergency existed due to a COVID-19**  
4 **public health threat, as proclaimed by the governor, and during which executive orders**  
5 **20-08, 20-10, 20-12, 20-14, 20-19, 21-07, and 21-09 temporarily suspended the physical**  
6 **appearance requirements in this chapter and authorized the use of audio-visual**  
7 **technology to the extent that any Missouri statute required the physical presence of any**  
8 **testator, settlor, principal, witness, notary, or other person necessary for the effective**  
9 **execution of any estate planning document such as a will, trust, or power of attorney, or**  
10 **a self-proving affidavit of the execution of such document, if the conditions set forth in**  
11 **the executive orders were met;**

12           **(2) "Estate planning document", includes, but is not limited to:**

13           **(a) A will;**

14           **(b) A codicil;**

15           **(c) A power of attorney or durable power of attorney;**

16           **(d) A health care declaration;**

17           **(e) An advance directive;**

18           **(f) A power of attorney for health care or a durable power of attorney for health**  
19 **care;**

- 20           (g) A revocable trust or amendment thereto, or modification or revocation  
21 thereof;
- 22           (h) An irrevocable trust;
- 23           (i) A beneficiary deed;
- 24           (j) A nonprobate transfer; or
- 25           (k) A document modifying, amending, correcting, or revoking any written estate  
26 planning document;
- 27           (3) "Necessary person", any testator, settlor, grantor, principal, declarant,  
28 witness, notary, or other person required for the effective execution of any estate  
29 planning document in this state;
- 30           (4) "Physical presence requirement", includes, but is not limited to, any  
31 requirement of physical presence under section 404.705, 459.015, 474.320, or 474.337, or  
32 chapter 486.
- 33           2. With respect to the execution of an estate planning document, a necessary  
34 person shall be deemed to have satisfied any physical presence requirement under  
35 Missouri law during the applicable state of emergency if the following requirements  
36 were met:
- 37           (1) The signer affirmatively represented that the signer was physically situated  
38 in the state of Missouri;
- 39           (2) The notary was physically located in the state of Missouri and stated in which  
40 county the notary was physically located for the jurisdiction on the acknowledgment;
- 41           (3) The notary identified the signers to the satisfaction of the notary and  
42 Missouri law;
- 43           (4) Any person whose signature was required appeared using video conference  
44 software where live, interactive audio-visual communication between the principal,  
45 notary, and other necessary person allowed for observation, direct interaction, and  
46 communication at the time of signing; and
- 47           (5) The notary recorded in the notary's journal the exact time and means used to  
48 perform the notarial act, along with all other required information, absent the wet  
49 signatures.
- 50           3. The requirements of subdivisions (1) to (5) of subsection 2 of this section shall  
51 be deemed satisfied if an attorney who is licensed or authorized to practice law in  
52 Missouri and who was present at the remote execution signs a written acknowledgment  
53 made before an officer authorized to administer oaths under the laws of this state, and  
54 evidenced by the officer's certificate, under official seal, affixed to or logically associated  
55 with the acknowledgment. The form and content of the acknowledgment shall be  
56 substantially as follows:

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

58 County of \_\_\_\_\_

59 **AFFIDAVIT OF REMOTE EXECUTION OF DOCUMENTS**

60 I, \_\_\_\_\_, am an attorney licensed or authorized to practice law in the  
61 state of Missouri.

62 On \_\_\_\_\_ (date), I convened with the following individuals via video  
63 conference software that allowed for live, interactive audio-visual  
64 communication between the parties to the conference and that also allowed  
65 for observation, direction, interaction, and communication between:

66 \_\_\_\_\_, the (testator, settlor, grantor, principal, or declarant);

67 \_\_\_\_\_, a witness;

68 \_\_\_\_\_, a second witness; and

69 \_\_\_\_\_, a notary public.

70 During the conference, \_\_\_\_\_, the (testator, settlor, grantor,  
71 principal, or declarant) signed the following estate planning document or  
72 documents: (a will, codicil, power of attorney, durable power of attorney,  
73 health care declaration, advance directive, health care power of attorney,  
74 revocable trust, irrevocable trust, beneficiary deed, nonprobate transfer,  
75 self-proving affidavit of the execution of a will, or a document modifying,  
76 amending, correcting, or revoking one of these estate planning documents).

77 All the parties to the conference represented that they were physically  
78 located in the state of Missouri at the time of the signing.

79 I have reviewed and am familiar with the requirements of the applicable  
80 executive order or orders in effect at the time and affirm that the remote  
81 execution of the estate planning document or documents met all the  
82 requirements of the applicable executive order or orders.

83 In witness whereof I, an officer authorized to administer oaths, have  
84 hereunto subscribed my name and affixed my official seal this \_\_\_\_\_  
85 (date).

86 (Signed) \_\_\_\_\_

87 (SEAL) \_\_\_\_\_

88 (Official capacity of officer)

2 ~~[447.200. 1. If any consumer deposit account with a banking~~  
3 ~~organization or financial organization, as such terms are defined in and under~~  
4 ~~section 447.503, is determined to be or to have been inactive for a period of~~  
5 ~~twelve or more months and if inactivity fees apply to such account, such~~  
~~banking organization, bank or financial organization shall notify the person or~~

6        ~~depositor named on such inactive account of such inactivity . Notice may be~~  
7        ~~delivered by first class mail, with postage prepaid, and marked "Address~~  
8        ~~Correction Requested", or alternatively, the notice may be sent or delivered~~  
9        ~~electronically if the consumer has consented to receiving electronic disclosures~~  
10       ~~in accordance with the federal Truth in Savings Act, 12 U.S.C. Sections 4301~~  
11       ~~to 4313, and the regulations promulgated pursuant thereto.~~

12                ~~2. Notwithstanding any provision of law to the contrary, for any~~  
13        ~~consumer deposit account with a banking organization, bank or financial~~  
14        ~~organization that is or that has been inactive for twelve months or more, such~~  
15        ~~bank or financial organization shall issue annual statements to the person or~~  
16        ~~depositor named on the account. The organization or a bank may charge a~~  
17        ~~service fee of up to five dollars for any statement issued under this subsection,~~  
18        ~~provided that such fee shall be withdrawn from the inactive account.~~

19                ~~3. If any consumer deposit account with a banking organization, bank~~  
20        ~~or financial organization is determined to be or to have been inactive for a~~  
21        ~~period of five years, the funds from such account shall be remitted to the~~  
22        ~~abandoned fund account established under section 447.543.~~

23                ~~4. For purposes of this section, the word "inactive" means a prescribed~~  
24        ~~period during which there is no activity or contact initiated by the person or~~  
25        ~~depositor named on the account, which results in an inactivity fee or fees being~~  
26        ~~charged to the account.]~~

✓