

FIRST REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
**HOUSE BILL NO. 642**  
**103RD GENERAL ASSEMBLY**

1744H.04C

JOSEPH ENGLER, Chief Clerk

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**AN ACT**

To repeal sections 135.305, 135.686, 135.772, 135.775, 135.778, 135.1610, 137.1018, 143.121, 178.530, 301.010, 307.010, 321.220, 348.436, 348.491, and 348.493, RSMo, and to enact in lieu thereof eighteen new sections relating to agriculture.

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

Section A. Sections 135.305, 135.686, 135.772, 135.775, 135.778, 135.1610, 2 137.1018, 143.121, 178.530, 301.010, 307.010, 321.220, 348.436, 348.491, and 348.493, 3 RSMo, are repealed and eighteen new sections enacted in lieu thereof, to be known as 4 sections 64.198, 135.305, 135.686, 135.772, 135.775, 135.778, 135.1610, 137.1018, 143.121, 5 178.530, 272.138, 272.380, 301.010, 307.010, 321.220, 348.491, 348.493, and 640.406, to 6 read as follows:

**64.198. Notwithstanding any provision of law to the contrary, no county shall 2 enact ordinances, impose regulations, or require permits with respect to the installation 3 or erection of fire suppression sprinkler systems in animal or livestock agriculture 4 buildings or structures.**

135.305. A Missouri wood energy producer shall be eligible for a tax credit on taxes 2 otherwise due under chapter 143, except sections 143.191 to 143.261, as a production 3 incentive to produce processed wood products in a qualified wood-producing facility using 4 Missouri forest product residue. The tax credit to the wood energy producer shall be five 5 dollars per ton of processed material. The credit may be claimed for a period of five years 6 and is to be a tax credit against the tax otherwise due. ~~[No new tax credits, provided for under 7 sections 135.300 to 135.311, shall be authorized after June 30, 2028.]~~ In no event shall the 8 aggregate amount of all tax credits allowed under sections 135.300 to 135.311 exceed six

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 million dollars in any given fiscal year. There shall be no tax credits authorized under  
10 sections 135.300 to 135.311 unless an appropriation is made for such tax credits.

135.686. 1. This section shall be known and may be cited as the "Meat Processing  
2 Facility Investment Tax Credit Act".

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

4 (1) "Authority", the agricultural and small business development authority  
5 established in chapter 348;

6 (2) "Meat processing facility", any commercial plant, as defined under section  
7 265.300, at which livestock are slaughtered or at which meat or meat products are processed  
8 for sale commercially and for human consumption;

9 (3) "Meat processing modernization or expansion", constructing, improving, or  
10 acquiring buildings or facilities, or acquiring equipment for meat processing including the  
11 following, if used exclusively for meat processing and if acquired and placed in service in this  
12 state during tax years beginning on or after January 1, 2017~~, but ending on or before~~  
13 ~~December 31, 2028~~];

14 (a) Building construction including livestock handling, product intake, storage, and  
15 warehouse facilities;

16 (b) Building additions;

17 (c) Upgrades to utilities including water, electric, heat, refrigeration, freezing, and  
18 waste facilities;

19 (d) Livestock intake and storage equipment;

20 (e) Processing and manufacturing equipment including cutting equipment, mixers,  
21 grinders, sausage stuffers, meat smokers, curing equipment, cooking equipment, pipes,  
22 motors, pumps, and valves;

23 (f) Packaging and handling equipment including sealing, bagging, boxing, labeling,  
24 conveying, and product movement equipment;

25 (g) Warehouse equipment including storage and curing racks;

26 (h) Waste treatment and waste management equipment including tanks, blowers,  
27 separators, dryers, digesters, and equipment that uses waste to produce energy, fuel, or  
28 industrial products;

29 (i) Computer software and hardware used for managing the claimant's meat  
30 processing operation including software and hardware related to logistics, inventory  
31 management, production plant controls, and temperature monitoring controls; and

32 (j) Construction or expansion of retail facilities or the purchase or upgrade of retail  
33 equipment for the commercial sale of meat products if the retail facility is located at the same  
34 location as the meat processing facility;

35 (4) "Tax credit", a credit against the tax otherwise due under chapter 143, excluding  
36 withholding tax imposed under sections 143.191 to 143.265, or otherwise due under chapter  
37 **147 or chapter 148;**

38 (5) "Taxpayer", any individual or entity who:

39 (a) Is subject to the tax imposed under chapter 143, excluding withholding tax  
40 imposed under sections 143.191 to 143.265, or the tax imposed under chapter 147 **or chapter**  
41 **148;**

42 (b) In the case of an individual, is a resident of this state as verified by a 911 address  
43 or, in the absence of a 911 system, a physical address; and

44 (c) Owns a meat processing facility located in this state and employs a combined total  
45 of fewer than five hundred individuals in all meat processing facilities owned by the  
46 individual or entity in this country;

47 (6) "Used exclusively", used to the exclusion of all other uses except for use not  
48 exceeding five percent of total use.

49 3. For all tax years beginning on or after January 1, 2017, [~~but ending on or before~~  
50 ~~December 31, 2028;~~] a taxpayer shall be allowed a tax credit for meat processing  
51 modernization or expansion related to the taxpayer's meat processing facility. The tax credit  
52 amount shall be equal to twenty-five percent of the amount the taxpayer paid in the tax year  
53 for meat processing modernization or expansion.

54 4. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's  
55 state tax liability for the tax year for which the credit is claimed. No tax credit claimed under  
56 this section shall be refundable. The tax credit shall be claimed in the tax year in which the  
57 meat processing modernization or expansion expenses were paid, but any amount of credit  
58 that the taxpayer is prohibited by this section from claiming in a tax year may be carried  
59 forward to any of the taxpayer's four subsequent tax years. The total amount of tax credits  
60 that any taxpayer may claim shall not exceed seventy-five thousand dollars per year. If two or  
61 more persons own and operate the meat processing facility, each person may claim a credit  
62 under this section in proportion to such person's ownership interest; except that, the aggregate  
63 amount of the credits claimed by all persons who own and operate the meat processing  
64 facility shall not exceed seventy-five thousand dollars per year. The amount of tax credits  
65 authorized in this section in a calendar year shall not exceed two million dollars. Tax credits  
66 shall be issued on an as-received application basis until the calendar year limit is reached.  
67 Any credits not issued in any calendar year shall expire and shall not be issued in any  
68 subsequent year.

69 5. To claim the tax credit allowed under this section, the taxpayer shall submit to the  
70 authority an application for the tax credit on a form provided by the authority and any  
71 application fee imposed by the authority. The application shall be filed with the authority at

72 the end of each calendar year in which a meat processing modernization or expansion project  
73 was completed and for which a tax credit is claimed under this section. The application shall  
74 include any certified documentation, proof of meat processing modernization or expansion,  
75 and any other information required by the authority. All required information obtained by the  
76 authority shall be confidential and not disclosed except by court order, subpoena, or as  
77 otherwise provided by law. If the taxpayer and the meat processing modernization or  
78 expansion meet all criteria required by this section and approval is granted by the authority,  
79 the authority shall issue a tax credit certificate in the appropriate amount. Tax credit  
80 certificates issued under this section may be assigned, transferred, sold, or otherwise  
81 conveyed, and the new owner of the tax credit certificate shall have the same rights in the tax  
82 credit as the original taxpayer. If a tax credit certificate is assigned, transferred, sold, or  
83 otherwise conveyed, a notarized endorsement shall be filed with the authority specifying the  
84 name and address of the new owner of the tax credit certificate and the value of the tax credit.

85 6. Any information provided under this section shall be confidential information, to  
86 be shared with no one except state and federal animal health officials, except as provided in  
87 subsection 5 of this section.

88 7. The authority shall promulgate rules establishing a process for verifying that a  
89 facility's modernization or expansion for which tax credits were allowed under this section  
90 has in fact expanded the facility's production within three years of the issuance of the tax  
91 credit and if not, the authority shall promulgate through rulemaking a process by which the  
92 taxpayer shall repay the authority an amount equal to that of the tax credit allowed.

93 8. The authority shall, at least annually, submit a report to the Missouri general  
94 assembly reviewing the costs and benefits of the program established under this section.

95 9. The authority may promulgate rules to implement the provisions of this section.  
96 Any rule or portion of a rule, as that term is defined in section 536.010, that is created under  
97 the authority delegated in this section shall become effective only if it complies with and is  
98 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section  
99 and chapter 536 are nonseverable and if any of the powers vested with the general assembly  
100 pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a  
101 rule are subsequently held unconstitutional, then the grant of rulemaking authority and any  
102 rule proposed or adopted after August 28, 2016, shall be invalid and void.

103 10. This section shall not be subject to the Missouri sunset act, sections 23.250 to  
104 23.298.

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

- 2 (1) "Department", the Missouri department of revenue;
- 3 (2) "Distributor", a person, firm, or corporation doing business in this state that:
  - 4 (a) Produces, refines, blends, compounds, or manufactures motor fuel;

- 5 (b) Imports motor fuel into the state; or
- 6 (c) Is engaged in distribution of motor fuel;
- 7 (3) "Higher ethanol blend", a fuel capable of being dispensed directly into motor
- 8 vehicle fuel tanks for consumption that is comprised of at least fifteen percent but not more
- 9 than eighty-five percent ethanol;
- 10 (4) "Retail dealer", a person, firm, or corporation doing business in this state that
- 11 owns or operates a retail service station in this state;
- 12 (5) "Retail service station", a location in this state from which higher ethanol blend is
- 13 sold to the general public and is dispensed directly into motor vehicle fuel tanks for
- 14 consumption.
- 15 2. For all tax years beginning on or after January 1, 2023, a retail dealer that sells
- 16 higher ethanol blend at such retail dealer's retail service station or a distributor that sells
- 17 higher ethanol blend directly to the final user located in this state shall be allowed a tax credit
- 18 to be taken against the retail dealer's or distributor's state income tax liability. The amount of
- 19 the credit shall equal five cents per gallon of higher ethanol blend sold by the retail dealer and
- 20 dispensed through metered pumps at the retail dealer's retail service station or by a distributor
- 21 directly to the final user located in this state during the tax year for which the tax credit is
- 22 claimed. For any retail dealer or distributor with a tax year beginning prior to January 1,
- 23 2023, but ending during the 2023 calendar year, such retail dealer or distributor shall be
- 24 allowed a tax credit for the amount of higher ethanol blend sold during the portion of such tax
- 25 year that occurs during the 2023 calendar year. Tax credits authorized pursuant to this section
- 26 shall not be transferred, sold, or assigned. If the amount of the tax credit exceeds the
- 27 taxpayer's state tax liability, the difference shall not be refundable but may be carried forward
- 28 to any of the five subsequent tax years. The total amount of tax credits issued pursuant to this
- 29 section for any given fiscal year shall not exceed five million dollars.
- 30 3. In the event the total amount of tax credits claimed under this section exceeds the
- 31 amount of available tax credits, the tax credits shall be apportioned among all eligible retail
- 32 dealers and distributors claiming a tax credit by April fifteenth, or as directed by section
- 33 143.851, of the fiscal year in which the tax credit is claimed.
- 34 4. The tax credit allowed by this section shall be claimed by such taxpayer at the time
- 35 such taxpayer files a return and shall be applied against the income tax liability imposed by
- 36 chapter 143, excluding the withholding tax imposed by sections 143.191 to 143.265, after
- 37 reduction for all other credits allowed thereon. The department may require any
- 38 documentation it deems necessary to implement the provisions of this section.
- 39 5. The department shall promulgate rules to implement the provisions of this section.
- 40 Any rule or portion of a rule, as that term is defined in section 536.010, that is created under
- 41 the authority delegated in this section shall become effective only if it complies with and is

42 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section  
43 and chapter 536 are nonseverable and if any of the powers vested with the general assembly  
44 pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a  
45 rule are subsequently held unconstitutional, then the grant of rulemaking authority and any  
46 rule proposed or adopted after January 2, 2023, shall be invalid and void.

47 ~~[6. Under section 23.253 of the Missouri sunset act:~~

48 ~~(1) The provisions of this section shall automatically sunset on December 31, 2028,~~  
49 ~~unless reauthorized by an act of the general assembly; and~~

50 ~~(2) If such program is reauthorized, the program authorized under this section shall~~  
51 ~~automatically sunset twelve years after the effective date of the reauthorization of this section;~~  
52 ~~and~~

53 ~~(3) This section shall terminate on September first of the calendar year immediately~~  
54 ~~following the calendar year in which the program authorized under this section is sunset.]~~

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

2 (1) "Biodiesel blend", a blend of diesel fuel and biodiesel fuel of at least five percent  
3 and not more than twenty percent for on-road ~~[and]~~ or off-road diesel-fueled vehicle use;

4 (2) "Biodiesel fuel", a renewable, biodegradable, mono alkyl ester combustible liquid  
5 fuel that is derived from agricultural and other plant oils or animal fats and that meets the  
6 most recent version of the ASTM International D6751 Standard Specification for Biodiesel  
7 Fuel Blend Stock. A fuel shall be deemed to be biodiesel fuel if the fuel consists of a pure  
8 B100 or B99 ratio. Biodiesel produced from palm oil is not biodiesel fuel for the purposes of  
9 this section unless the palm oil is contained within waste oil and grease collected within the  
10 United States;

11 (3) "B99", a blend of ninety-nine percent biodiesel fuel that meets the most recent  
12 version of the ASTM International D6751 Standard Specification for Biodiesel Fuel Blend  
13 Stock with a minimum of one-tenth of one percent and maximum of one percent diesel fuel  
14 that meets the most recent version of the ASTM International D975 Standard Specification  
15 for Diesel Fuel;

16 (4) "Department", the Missouri department of revenue;

17 (5) "Distributor", a person, firm, or corporation doing business in this state that:

18 (a) Produces, refines, blends, compounds, or manufactures motor fuel;

19 (b) Imports motor fuel into the state; or

20 (c) Is engaged in distribution of motor fuel;

21 (6) "Retail dealer", a person, firm, or corporation doing business in this state that  
22 owns or operates a retail service station in this state;

23 (7) "Retail service station", a location in this state from which biodiesel blend is sold  
24 to the general public and is dispensed directly into motor vehicle fuel tanks for consumption  
25 at retail.

26 2. For all tax years beginning on or after January 1, 2023, a retail dealer that sells a  
27 biodiesel blend at a retail service station or a distributor that sells a biodiesel blend directly to  
28 the final user located in this state shall be allowed a tax credit to be taken against the retail  
29 dealer or distributor's state income tax liability. For any retail dealer or distributor with a tax  
30 year beginning prior to January 1, 2023, but ending during the 2023 calendar year, such retail  
31 dealer or distributor shall be allowed a tax credit for the amount of biodiesel blend sold during  
32 the portion of such tax year that occurs during the 2023 calendar year. The amount of the  
33 credit shall be equal to:

34 (1) Two cents per gallon of biodiesel blend of at least five percent but not more than  
35 ten percent sold by the retail dealer at a retail service station or by a distributor directly to the  
36 final user located in this state during the tax year for which the tax credit is claimed; and

37 (2) Five cents per gallon of biodiesel blend in excess of ten percent but not more than  
38 twenty percent sold by the retail dealer at a retail service station or by a distributor directly to  
39 the final user located in this state during the tax year for which the tax credit is claimed.

40 3. Tax credits authorized under this section shall not be transferred, sold, or assigned.  
41 If the amount of the tax credit exceeds the taxpayer's state tax liability, the difference shall be  
42 refundable. The total amount of tax credits issued under this section for any given fiscal year  
43 shall not exceed sixteen million dollars.

44 4. In the event the total amount of tax credits claimed under this section exceeds the  
45 amount of available tax credits, the tax credits shall be apportioned among all eligible retail  
46 dealers and distributors claiming a tax credit by April fifteenth, or as directed by section  
47 143.851, of the fiscal year in which the tax credit is claimed.

48 5. The tax credit allowed by this section shall be claimed by such taxpayer at the time  
49 such taxpayer files a return and shall be applied against the income tax liability imposed by  
50 chapter 143, excluding the withholding tax imposed by sections 143.191 to 143.265, after  
51 reduction for all other credits allowed thereon. The department may require any  
52 documentation it deems necessary to administer the provisions of this section.

53 6. Notwithstanding the provisions of section 32.057 to the contrary, the department  
54 may work with the division of weights and measures within the department of agriculture to  
55 validate that the biodiesel blend a retail dealer or distributor claims for the tax credit  
56 authorized under this section contains a sufficient percentage of biodiesel fuel.

57 7. **In the event a taxpayer is denied part or all of a tax credit to which the**  
58 **taxpayer is qualified pursuant to any provision of law due to lack of available funds, and**  
59 **such denial causes a balance-due notice to be generated by the department of revenue or**

60 **any other redeeming agency, a taxpayer shall not be held liable for any penalty or**  
61 **interest on such balance due, provided the balance is paid or approved payment**  
62 **arrangements have been made within sixty days from the notice of denial. Any**  
63 **payments not timely made pursuant to this section shall be subject to penalty and**  
64 **interest pursuant to this chapter.**

65       8. The department shall promulgate rules to implement and administer the provisions  
66 of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is  
67 created pursuant to the authority delegated in this section shall become effective only if it  
68 complies with and is subject to all of the provisions of chapter 536 and, if applicable, section  
69 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with  
70 the general assembly pursuant to chapter 536 to review, to delay the effective date, or to  
71 disapprove and annul a rule are subsequently held unconstitutional, then the grant of  
72 rulemaking authority and any rule proposed or adopted after January 2, 2023, shall be invalid  
73 and void.

74       ~~[8. Under section 23.253 of the Missouri sunset act:~~

75       ~~(1) The provisions of the new program authorized under this section shall~~  
76 ~~automatically sunset on December 31, 2028, unless reauthorized by an act of the general~~  
77 ~~assembly;~~

78       ~~(2) If such program is reauthorized, the program authorized under this section shall~~  
79 ~~automatically sunset twelve years after the effective date of the reauthorization of this section;~~  
80 ~~and~~

81       ~~(3) This section shall terminate on September first of the calendar year immediately~~  
82 ~~following the calendar year in which the program authorized under this section is sunset. The~~  
83 ~~termination of the program as described in this subsection shall not be construed to preclude~~  
84 ~~any qualified taxpayer who claims any benefit under any program that is sunset under this~~  
85 ~~subsection from claiming such benefit for all allowable activities related to such claim that~~  
86 ~~were completed before the program was sunset or to eliminate any responsibility of the~~  
87 ~~department to verify the continued eligibility of qualified individuals receiving tax credits and~~  
88 ~~to enforce other requirements of law that applied before the program was sunset.]~~

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

2       (1) "Biodiesel fuel", a renewable, biodegradable, mono alkyl ester combustible liquid  
3 fuel that is derived from agricultural and other plant oils or animal fats and that meets the  
4 most recent version of the ASTM International D6751 Standard Specification for Biodiesel  
5 Fuel Blend Stock. A fuel shall be deemed to be biodiesel fuel if the fuel consists of a pure  
6 B100 or B99 ratio. Biodiesel produced from palm oil is not biodiesel fuel for the purposes of  
7 this section unless the palm oil is contained within waste oil and grease collected within the  
8 United States;

9 (2) "B99", a blend of ninety-nine percent biodiesel fuel that meets the most recent  
10 version of the ASTM International D6751 Standard Specification for Biodiesel Fuel Blend  
11 Stock with a minimum of one-tenth of one percent and maximum of one percent diesel fuel  
12 that meets the most recent version of the ASTM International D975 Standard Specification  
13 for Diesel Fuel;

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

15 (4) "Missouri biodiesel producer", a person, firm, or corporation doing business in  
16 this state that produces biodiesel fuel in this state, is registered with the United States  
17 Environmental Protection Agency according to the requirements of 40 CFR Part 79, and has  
18 begun construction on such facility or has been selling biodiesel fuel produced at such facility  
19 on or before January 2, 2023.

20 2. For all tax years beginning on or after January 1, 2023, a Missouri biodiesel  
21 producer shall be allowed a tax credit to be taken against the producer's state income tax  
22 liability. For any Missouri biodiesel producer with a tax year beginning prior to January 1,  
23 2023, but ending during the 2023 calendar year, such Missouri biodiesel producer shall be  
24 allowed a tax credit for the amount of biodiesel fuel produced during the portion of such tax  
25 year that occurs during the 2023 calendar year. The amount of the tax credit shall be two  
26 cents per gallon of biodiesel fuel produced by the Missouri biodiesel producer during the tax  
27 year for which the tax credit is claimed.

28 3. Tax credits authorized under this section shall not be transferred, sold, or assigned.  
29 If the amount of the tax credit exceeds the taxpayer's state tax liability, the difference shall be  
30 refundable. The total amount of tax credits issued under this section for any given fiscal year  
31 shall not exceed five million five hundred thousand dollars, which shall be authorized on a  
32 first-come, first-served basis.

33 4. The tax credit authorized under this section shall be claimed by such taxpayer at  
34 the time such taxpayer files a return and shall be applied against the income tax liability  
35 imposed by chapter 143, excluding the withholding tax imposed by sections 143.191 to  
36 143.265, after reduction for all other credits allowed thereon. The department may require  
37 any documentation it deems necessary to administer the provisions of this section.

38 5. The department shall promulgate rules to implement and administer the provisions  
39 of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is  
40 created pursuant to the authority delegated in this section shall become effective only if it  
41 complies with and is subject to all of the provisions of chapter 536 and, if applicable, section  
42 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with  
43 the general assembly pursuant to chapter 536 to review, to delay the effective date, or to  
44 disapprove and annul a rule are subsequently held unconstitutional, then the grant of

45 rulemaking authority and any rule proposed or adopted after January 2, 2023, shall be invalid  
46 and void.

47 ~~[6. Under section 23.253 of the Missouri sunset act:~~

48 ~~(1) The provisions of the new program authorized under this section shall~~  
49 ~~automatically sunset on December 31, 2028, unless reauthorized by an act of the general~~  
50 ~~assembly;~~

51 ~~(2) If such program is reauthorized, the program authorized under this section shall~~  
52 ~~automatically sunset twelve years after the effective date of the reauthorization of this section;~~  
53 ~~and~~

54 ~~(3) This section shall terminate on September first of the calendar year immediately~~  
55 ~~following the calendar year in which the program authorized under this section is sunset. The~~  
56 ~~termination of the program as described in this subsection shall not be construed to preclude~~  
57 ~~any qualified taxpayer who claims any benefit under any program that is sunset under this~~  
58 ~~subsection from claiming such benefit for all allowable activities related to such claim that~~  
59 ~~were completed before the program was sunset, or to eliminate any responsibility of the~~  
60 ~~department to verify the continued eligibility of qualified individuals receiving tax credits and~~  
61 ~~to enforce other requirements of law that applied before the program was sunset.]~~

135.1610. 1. As used in this section, the following terms mean:

2 (1) "Eligible expenses", expenses incurred in the construction or development of  
3 establishing or improving an urban farm in an urban area. The term eligible expenses shall  
4 not include any expense for labor or any expense incurred to grow medical marijuana or  
5 industrial hemp;

6 (2) "Tax credit", a credit against the tax otherwise due under chapter 143, excluding  
7 withholding tax imposed under sections 143.191 to 143.265;

8 (3) "Taxpayer", any individual, partnership, or corporation as described under section  
9 143.441 or 143.471 that is subject to the tax imposed under chapter 143, excluding  
10 withholding tax imposed under sections 143.191 to 143.265, or any charitable organization  
11 that is exempt from federal income tax and whose Missouri unrelated business taxable  
12 income, if any, would be subject to the state income tax imposed under chapter 143;

13 (4) "Urban area", an urbanized area as defined by the United States Census Bureau;

14 (5) "Urban farm", an agricultural plot or facility in an urban area that produces  
15 agricultural food products used solely for distribution to the public by sale or donation.  
16 Urban farm shall include community-run gardens. Urban farm shall not include personal  
17 farms or residential lots for personal use.

18 2. For all tax years beginning on or after January 1, 2023, a taxpayer shall be allowed  
19 to claim a tax credit against the taxpayer's state tax liability in an amount equal to fifty percent

20 of the taxpayer's eligible expenses for establishing or improving an urban farm that focuses on  
21 food production.

22 3. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's  
23 state tax liability in the tax year for which the credit is claimed, and the taxpayer shall not be  
24 allowed to claim a tax credit under this section in excess of five thousand dollars for each  
25 urban farm. The total amount of tax credits that may be authorized for all taxpayers for  
26 eligible expenses incurred on any given urban farm shall not exceed twenty-five thousand  
27 dollars. Any issued tax credit that cannot be claimed in the tax year in which the eligible  
28 expenses were incurred may be carried over to the next three succeeding tax years until the  
29 full credit is claimed.

30 4. The total amount of tax credits that may be authorized under this section shall not  
31 exceed two hundred thousand dollars in any calendar year.

32 5. Tax credits issued under the provisions of this section shall not be transferred, sold,  
33 or assigned.

34 6. The Missouri agricultural and small business development authority shall recapture  
35 the amount of tax credits issued to any taxpayer who, after receiving such tax credit, uses the  
36 urban farm for the personal benefit of the taxpayer instead of for producing agricultural food  
37 products used solely for distribution to the public by sale or donation.

38 7. The Missouri agricultural and small business development authority may  
39 promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as  
40 that term is defined in section 536.010, that is created under the authority delegated in this  
41 section shall become effective only if it complies with and is subject to all of the provisions of  
42 chapter 536 and, if applicable, section 536.028. This section and chapter 536 are  
43 nonseverable and if any of the powers vested with the general assembly pursuant to chapter  
44 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently  
45 held unconstitutional, then the grant of rulemaking authority and any rule proposed or  
46 adopted after January 2, 2023, shall be invalid and void.

47 ~~[8. Under section 23.253 of the Missouri sunset act:~~

48 ~~(1) The program authorized under this section shall automatically sunset on~~  
49 ~~December 31, 2028, unless reauthorized by an act of the general assembly;~~

50 ~~(2) If such program is reauthorized, the program authorized under this section shall~~  
51 ~~automatically sunset on December thirty-first twelve years after the effective date of the~~  
52 ~~reauthorization of this section;~~

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

55 ~~(4) Nothing in this subsection shall prevent a taxpayer from claiming a tax credit~~  
56 ~~properly issued before the program was sunset in a tax year after the program is sunset.]~~

137.1018. 1. The commission shall ascertain the statewide average rate of property taxes levied the preceding year, based upon the total assessed valuation of the railroad and street railway companies and the total property taxes levied upon the railroad and street railway companies. It shall determine total property taxes levied from reports prescribed by the commission from the railroad and street railway companies. Total taxes levied shall not include revenues from the surtax on subclass three real property.

2. The commission shall report its determination of average property tax rate for the preceding year, together with the taxable distributable assessed valuation of each freight line company for the current year to the director no later than October first of each year.

3. Taxes on property of such freight line companies shall be collected at the state level by the director on behalf of the counties and other local public taxing entities and shall be distributed in accordance with sections 137.1021 and 137.1024. The director shall tax such property based upon the distributable assessed valuation attributable to Missouri of each freight line company, using the average tax rate for the preceding year of the railroad and street railway companies certified by the commission. Such tax shall be due and payable on or before December thirty-first of the year levied and, if it becomes delinquent, shall be subject to a penalty equal to that specified in section 140.100.

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

(a) "Eligible expenses", expenses incurred in this state to manufacture, maintain, or improve a freight line company's qualified rolling stock;

(b) "Qualified rolling stock", any freight, stock, refrigerator, or other railcars subject to the tax levied under this section.

(2) For all taxable years beginning on or after January 1, 2009, a freight line company shall, subject to appropriation, be allowed a credit against the tax levied under this section for the applicable tax year. The tax credit amount shall be equal to the amount of eligible expenses incurred during the calendar year immediately preceding the tax year for which the credit under this section is claimed. The amount of the tax credit issued shall not exceed the freight line company's liability for the tax levied under this section for the tax year for which the credit is claimed.

(3) A freight line company may apply for the credit by submitting to the commission an application in the form prescribed by the state tax commission.

(4) Subject to appropriation, the state shall reimburse, on an annual basis, any political subdivision of this state for any decrease in revenue due to the provisions of this subsection.

~~[5. Pursuant to section 23.253 of the Missouri sunset act:~~

~~(1) The program authorized under subsection 4 of this section shall expire on August 28, 2028; and~~

38 ~~(2) Subsection 4 of this section shall terminate on September 1, 2029.]~~

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.
- 132 4. There shall be added to or subtracted from the taxpayer's federal adjusted gross
- 133 income the taxpayer's share of the Missouri fiduciary adjustment provided in section 143.351.
- 134 5. There shall be added to or subtracted from the taxpayer's federal adjusted gross
- 135 income the modifications provided in section 143.411.
- 136 6. In addition to the modifications to a taxpayer's federal adjusted gross income in this
- 137 section, to calculate Missouri adjusted gross income there shall be subtracted from the
- 138 taxpayer's federal adjusted gross income any gain recognized pursuant to 26 U.S.C. Section
- 139 1033 of the Internal Revenue Code of 1986, as amended, arising from compulsory or
- 140 involuntary conversion of property as a result of condemnation or the imminence thereof.
- 141 7. (1) As used in this subsection, "qualified health insurance premium" means the
- 142 amount paid during the tax year by such taxpayer for any insurance policy primarily
- 143 providing health care coverage for the taxpayer, the taxpayer's spouse, or the taxpayer's
- 144 dependents.
- 145 (2) In addition to the subtractions in subsection 3 of this section, one hundred percent
- 146 of the amount of qualified health insurance premiums shall be subtracted from the taxpayer's

147 federal adjusted gross income to the extent the amount paid for such premiums is included in  
148 federal taxable income. The taxpayer shall provide the department of revenue with proof of  
149 the amount of qualified health insurance premiums paid.

150 8. (1) Beginning January 1, 2014, in addition to the subtractions provided in this  
151 section, one hundred percent of the cost incurred by a taxpayer for a home energy audit  
152 conducted by an entity certified by the department of natural resources under section 640.153  
153 or the implementation of any energy efficiency recommendations made in such an audit shall  
154 be subtracted from the taxpayer's federal adjusted gross income to the extent the amount paid  
155 for any such activity is included in federal taxable income. The taxpayer shall provide the  
156 department of revenue with a summary of any recommendations made in a qualified home  
157 energy audit, the name and certification number of the qualified home energy auditor who  
158 conducted the audit, and proof of the amount paid for any activities under this subsection for  
159 which a deduction is claimed. The taxpayer shall also provide a copy of the summary of any  
160 recommendations made in a qualified home energy audit to the department of natural  
161 resources.

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

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

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

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

176 10. (1) As used in this subsection, the following terms mean:

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

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

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

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

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

187 (b) "Farm owner", ~~an individual~~ **a taxpayer** who owns farmland and disposes of or  
188 relinquishes use of all or some portion of such farmland as follows:

189 a. A sale to a beginning farmer;

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

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

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

195 **(d) "Taxpayer", any individual, trust, firm, partner in a firm, corporation,**  
196 **partnership, shareholder in an S corporation, or member of a limited liability company**  
197 **subject to the income tax imposed under this chapter, excluding withholding tax**  
198 **imposed under sections 143.191 to 143.265.**

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

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

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

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

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

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

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

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

214 (d) The department of revenue shall prepare an annual report reviewing the costs and  
215 benefits and containing statistical information regarding the subtraction of capital gains  
216 authorized under this subdivision for the previous tax year including, but not limited to, the  
217 total amount of all capital gains subtracted and the number of taxpayers subtracting such  
218 capital gains. Such report shall be submitted before February first of each year to the

219 committee on agriculture policy of the Missouri house of representatives and the committee  
220 on agriculture, food production and outdoor resources of the Missouri senate, or the successor  
221 committees.

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

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

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

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

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

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

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

178.530. 1. The state board of education shall establish standards and annually  
2 inspect, as a basis for approval, all public prevocational, vocational schools, State Technical  
3 College of Missouri, departments and classes receiving state or federal moneys for giving  
4 training in agriculture, industrial, home economics and commercial subjects and all schools,  
5 departments and classes receiving state or federal moneys for the preparation of teachers and  
6 supervisors of such subjects. The public prevocational and vocational schools, State  
7 Technical College of Missouri, departments, and classes, and the training schools,

8 departments and classes are entitled to the state or federal moneys so long as they are  
9 approved by the state board of education, as to site, plant, equipment, qualifications of  
10 teachers, admission of pupils, courses of study and methods of instruction. All disbursements  
11 of state or federal moneys for the benefit of the approved prevocational and vocational  
12 schools, State Technical College of Missouri, departments and classes shall be made  
13 semiannually. The school board of each approved school or the governing body of State  
14 Technical College of Missouri shall file a report with the state board of education at the times  
15 and in the form that the state board requires. Upon receipt of a satisfactory report, the state  
16 board of education shall certify to the commissioner of administration for his approval the  
17 amount of the state and federal moneys due the school district or State Technical College of  
18 Missouri. The amount due the school district shall be certified by the commissioner of  
19 administration and proper warrant therefor shall be issued to the district treasurer or State  
20 Technical College of Missouri.

21       2. Notwithstanding the provisions of subsection 1 of this section, the state board of  
22 education shall establish standards for agricultural education that may be adopted by a private  
23 school accredited by an agency recognized by the United States Department of Education as  
24 an accreditor of private schools that wishes to provide quality vocational programming  
25 outside the requirements of, but consistent with, the federal Vocational Education Act. Such  
26 standards shall be sufficient to qualify a private school to apply to the state chapter for  
27 approval of a local chapter of a federally chartered national agricultural education association  
28 on a form developed for that purpose by the department of elementary and secondary  
29 education without eligibility to receive state or federal funding for agricultural vocational  
30 education. The provisions of this subsection shall not be construed to create eligibility for a  
31 private school to receive state or federal funding for agricultural vocational education, but  
32 shall not prohibit a private school from receiving state or federal funds for which such private  
33 school would otherwise be eligible for agricultural vocational education. Any such private  
34 school shall reimburse the department annually for the cost of oversight and maintenance of  
35 the program.

36       3. (1) The department of elementary and secondary education, through its  
37 agricultural education section, shall be authorized to establish a pilot program, beginning in  
38 the 2020-21 school year **and ending on June thirtieth of the 2025-26 school year**, to  
39 provide for agricultural education in elementary schools in the state. [~~The purpose of the pilot  
40 program shall be to determine whether and how to implement an elementary agricultural  
41 education program statewide.~~] **For the 2026-27 school year and all subsequent school  
42 years, the pilot program established in this subsection may become a program  
43 implemented in all elementary schools in the state.**

44 (2) ~~[The department, through its employees who work in the agricultural education~~  
45 ~~section, is authorized to select from among applications submitted by the public elementary~~  
46 ~~schools a minimum of sixteen public elementary schools for participation in the pilot~~  
47 ~~program. The department shall develop an application process for public elementary schools~~  
48 ~~to apply to participate in the pilot program. The local school board for each elementary~~  
49 ~~school selected to be in the pilot program shall agree to implement and fully fund an~~  
50 ~~elementary agricultural education program in such school and to continue to provide such~~  
51 ~~elementary agricultural education program for a period no shorter than three years. The local~~  
52 ~~school district may employ an agricultural education teacher to provide such program for the~~  
53 ~~elementary school.~~

54 (3) ~~The department, through its employees who work in the agricultural education~~  
55 ~~section, and local school districts shall collaborate to establish the instructional model for~~  
56 ~~each elementary agricultural education program. Such instructional model shall be grade-~~  
57 ~~appropriate and include instruction in an organized classroom, collaborative learning~~  
58 ~~experiences through investigation and inquiry, including laboratory and site-based learning~~  
59 ~~activities, and personal, leadership, and career development opportunities.~~

60 (4) ~~The department, through its agricultural education section, shall provide for a~~  
61 ~~program evaluation regarding the success and impact of the pilot program upon completion of~~  
62 ~~the third year of the pilot program and shall report the results of such evaluation to the~~  
63 ~~relevant house and senate committees on agriculture and education.~~

64 4.] The department shall maintain an adequate number of full-time employees,  
65 certified in agricultural education and distributed regionally throughout the state, to provide  
66 accountability for program delivery of agricultural education, to continue to develop and  
67 maintain pertinent agricultural education instructional models and standards, to assist local  
68 school districts on matters related to agricultural education, and to coordinate regional and  
69 statewide activities supporting K-12 agricultural education programming.

70 ~~[5. Nothing in this section shall be construed to require public elementary schools to~~  
71 ~~participate in the pilot program.]~~ (3) **The requirements of section 160.514 shall not apply**  
72 **to this subsection.**

**272.138. When an owner of real estate desires to construct, maintain, or repair a**  
2 **division fence to enclose a field or enclosure where animals are kept as provided under**  
3 **section 272.010, such owner, or a contractor hired by such owner, may enter on the**  
4 **adjoining property up to a distance of ten feet for the length of such division fence to**  
5 **construct, maintain, or repair such division fence. The owner or contractor**  
6 **constructing, maintaining, or repairing such division fence is not guilty of trespass for**  
7 **entering onto the adjoining property during the construction, maintenance, or repair of**  
8 **such division fence, provided that the owner or contractor does not enter onto the**

9 adjoining property beyond the ten feet specified in this section. However, such owner or  
10 contractor shall be liable for all damages, if any, caused by entry onto the adjoining  
11 property, including damages to crops. Notwithstanding any provision to the contrary,  
12 the owner or contractor that constructs, maintains, or repairs such division fence under  
13 this section shall not be liable for damages for clearing or removing any tree, brush, or  
14 vegetation that lies directly upon the property boundary line where such division fence  
15 is constructed, maintained, or repaired, so that such division fence may be constructed,  
16 maintained, or repaired upon such property boundary line. The provisions of this  
17 section shall not apply when the adjoining property is owned or operated by any utility  
18 company, railroad, or a zoological park, wildlife conservation facility, or animal  
19 sanctuary accredited by the Association of Zoos and Aquariums or a similarly  
20 recognized accrediting body. Nothing in this section shall be construed to allow an  
21 owner or contractor to enter into a building on the adjoining property.

272.380. When an owner of real estate desires to construct, maintain, or repair a  
2 division fence to enclose a field or enclosure where animals are kept or placed as  
3 provided under section 272.220, such owner, or a contractor hired by such owner, may  
4 enter on the adjoining property up to a distance of ten feet for the length of such division  
5 fence to construct, maintain, or repair such division fence. The owner or contractor  
6 constructing, maintaining, or repairing such division fence is not guilty of trespass for  
7 entering onto the adjoining property during the construction, maintenance, or repair of  
8 such division fence, provided that the owner or contractor does not enter onto the  
9 adjoining property beyond the ten feet specified in this section. However, such owner or  
10 contractor shall be liable for all damages, if any, caused by entry onto the adjoining  
11 property, including damages to crops. Notwithstanding any provision to the contrary,  
12 the owner or contractor that constructs, maintains, or repairs such division fence under  
13 this section shall not be liable for damages for clearing or removing any tree, brush, or  
14 vegetation that lies directly upon the property boundary line where such division fence  
15 is constructed, maintained, or repaired, so that such division fence may be constructed,  
16 maintained, or repaired upon such property boundary line. The provisions of this  
17 section shall not apply when the adjoining property is owned or operated by any utility  
18 company, railroad, or a zoological park, wildlife conservation facility, or animal  
19 sanctuary accredited by the Association of Zoos and Aquariums or a similarly  
20 recognized accrediting body. Nothing in this section shall be construed to allow an  
21 owner or contractor to enter into a building on the adjoining property.

301.010. As used in this chapter and sections 304.010 to 304.040, 304.120 to  
2 304.260, and sections 307.010 to 307.175, the following terms mean:

- 3 (1) "All-terrain vehicle", any motorized vehicle manufactured and used exclusively  
4 for off-highway use, with an unladen dry weight of one thousand five hundred pounds or less,  
5 traveling on three, four or more nonhighway tires, with either:
- 6 (a) A seat designed to be straddled by the operator, and handlebars for steering  
7 control, but excluding an electric bicycle; or  
8 (b) A width of fifty inches or less, measured from outside of tire rim to outside of tire  
9 rim, regardless of seating or steering arrangement;
- 10 (2) "Autocycle", a three-wheeled motor vehicle which the drivers and passengers ride  
11 in a partially or completely enclosed nonstraddle seating area, that is designed to be  
12 controlled with a steering wheel and pedals, and that has met applicable Department of  
13 Transportation National Highway Traffic Safety Administration requirements or federal  
14 motorcycle safety standards;
- 15 (3) "Automobile transporter", any vehicle combination capable of carrying cargo on  
16 the power unit and designed and used for the transport of assembled motor vehicles, including  
17 truck camper units;
- 18 (4) "Axle load", the total load transmitted to the road by all wheels whose centers are  
19 included between two parallel transverse vertical planes forty inches apart, extending across  
20 the full width of the vehicle;
- 21 (5) "Backhaul", the return trip of a vehicle transporting cargo or general freight,  
22 especially when carrying goods back over all or part of the same route;
- 23 (6) "Boat transporter", any vehicle combination capable of carrying cargo on the  
24 power unit and designed and used specifically to transport assembled boats and boat hulls.  
25 Boats may be partially disassembled to facilitate transporting;
- 26 (7) "Body shop", a business that repairs physical damage on motor vehicles that are  
27 not owned by the shop or its officers or employees by mending, straightening, replacing body  
28 parts, or painting;
- 29 (8) "Bus", a motor vehicle primarily for the transportation of a driver and eight or  
30 more passengers but not including shuttle buses;
- 31 (9) "Commercial motor vehicle", a motor vehicle designed or regularly used for  
32 carrying freight and merchandise, or more than eight passengers but not including vanpools or  
33 shuttle buses;
- 34 (10) "Cotton trailer", a trailer designed [~~and used exclusively~~] for transporting cotton  
35 at speeds less than [~~forty~~] **seventy** miles per hour from field to field or from field to market  
36 and return;
- 37 (11) "Dealer", any person, firm, corporation, association, agent or subagent engaged  
38 in the sale or exchange of new, used or reconstructed motor vehicles or trailers;
- 39 (12) "Director" or "director of revenue", the director of the department of revenue;

40 (13) "Driveaway operation":

41 (a) The movement of a motor vehicle or trailer by any person or motor carrier other  
42 than a dealer over any public highway, under its own power singly, or in a fixed combination  
43 of two or more vehicles, for the purpose of delivery for sale or for delivery either before or  
44 after sale;

45 (b) The movement of any vehicle or vehicles, not owned by the transporter,  
46 constituting the commodity being transported, by a person engaged in the business of  
47 furnishing drivers and operators for the purpose of transporting vehicles in transit from one  
48 place to another by the driveaway or towaway methods; or

49 (c) The movement of a motor vehicle by any person who is lawfully engaged in the  
50 business of transporting or delivering vehicles that are not the person's own and vehicles of a  
51 type otherwise required to be registered, by the driveaway or towaway methods, from a point  
52 of manufacture, assembly or distribution or from the owner of the vehicles to a dealer or sales  
53 agent of a manufacturer or to any consignee designated by the shipper or consignor;

54 (14) "Dromedary", a box, deck, or plate mounted behind the cab and forward of the  
55 fifth wheel on the frame of the power unit of a truck tractor-semitrailer combination. A truck  
56 tractor equipped with a dromedary may carry part of a load when operating independently or  
57 in a combination with a semitrailer;

58 (15) "Electric bicycle", a bicycle equipped with fully operable pedals, a saddle or seat  
59 for the rider, and an electric motor of less than 750 watts that meets the requirements of one of  
60 the following three classes:

61 (a) "Class 1 electric bicycle", an electric bicycle equipped with a motor that provides  
62 assistance only when the rider is pedaling and that ceases to provide assistance when the  
63 bicycle reaches the speed of twenty miles per hour;

64 (b) "Class 2 electric bicycle", an electric bicycle equipped with a motor that may be  
65 used exclusively to propel the bicycle and that is not capable of providing assistance when the  
66 bicycle reaches the speed of twenty miles per hour; or

67 (c) "Class 3 electric bicycle", an electric bicycle equipped with a motor that provides  
68 assistance only when the rider is pedaling and that ceases to provide assistance when the  
69 bicycle reaches the speed of twenty-eight miles per hour;

70 (16) "Farm tractor", a tractor used exclusively for agricultural purposes;

71 (17) "Fleet", any group of ten or more motor vehicles owned by the same owner;

72 (18) "Fleet vehicle", a motor vehicle which is included as part of a fleet;

73 (19) "Fullmount", a vehicle mounted completely on the frame of either the first or last  
74 vehicle in a saddlemount combination;

75 (20) "Gross weight", the weight of vehicle and/or vehicle combination without load,  
76 plus the weight of any load thereon;

77 (21) "Hail-damaged vehicle", any vehicle, the body of which has become dented as  
78 the result of the impact of hail;

79 (22) "Highway", any public thoroughfare for vehicles, including state roads, county  
80 roads and public streets, avenues, boulevards, parkways or alleys in any municipality;

81 (23) "Improved highway", a highway which has been paved with gravel, macadam,  
82 concrete, brick or asphalt, or surfaced in such a manner that it shall have a hard, smooth  
83 surface;

84 (24) "Intersecting highway", any highway which joins another, whether or not it  
85 crosses the same;

86 (25) "Junk vehicle", a vehicle which:

87 (a) Is incapable of operation or use upon the highways and has no resale value except  
88 as a source of parts or scrap; or

89 (b) Has been designated as junk or a substantially equivalent designation by this state  
90 or any other state;

91 (26) "Kit vehicle", a motor vehicle assembled by a person other than a generally  
92 recognized manufacturer of motor vehicles by the use of a glider kit or replica purchased from  
93 an authorized manufacturer and accompanied by a manufacturer's statement of origin;

94 (27) "Land improvement contractors' commercial motor vehicle", any not-for-hire  
95 commercial motor vehicle the operation of which is confined to:

96 (a) An area that extends not more than a radius of one hundred fifty miles from its  
97 home base of operations when transporting its owner's machinery, equipment, or auxiliary  
98 supplies to or from projects involving soil and water conservation, or to and from equipment  
99 dealers' maintenance facilities for maintenance purposes; or

100 (b) An area that extends not more than a radius of fifty miles from its home base of  
101 operations when transporting its owner's machinery, equipment, or auxiliary supplies to or  
102 from projects not involving soil and water conservation.

103

104 Nothing in this subdivision shall be construed to prevent any motor vehicle from being  
105 registered as a commercial motor vehicle or local commercial motor vehicle;

106 (28) "Local commercial motor vehicle", a commercial motor vehicle whose  
107 operations are confined to a municipality and that area extending not more than fifty miles  
108 therefrom, or a commercial motor vehicle whose property-carrying operations are confined  
109 solely to the transportation of property owned by any person who is the owner or operator of  
110 such vehicle to or from a farm owned by such person or under the person's control by virtue  
111 of a landlord and tenant lease; provided that any such property transported to any such farm is  
112 for use in the operation of such farm;

113 (29) "Local log truck", a commercial motor vehicle which is registered pursuant to  
114 this chapter to operate as a motor vehicle on the public highways of this state; used  
115 exclusively in this state; used to transport harvested forest products; operated solely at a  
116 forested site and in an area extending not more than a one hundred fifty mile radius from such  
117 site; and when operated on the national system of interstate and defense highways described  
118 in 23 U.S.C. Section 103, as amended, or outside the one hundred fifty mile radius from such  
119 site with an extended distance local log truck permit, does not have more than four axles, and  
120 does not pull a trailer which has more than three axles. Harvesting equipment which is used  
121 specifically for cutting, felling, trimming, delimiting, debarking, chipping, skidding, loading,  
122 unloading, and stacking may be transported on a local log truck;

123 (30) "Local log truck tractor", a commercial motor vehicle which is registered under  
124 this chapter to operate as a motor vehicle on the public highways of this state; used  
125 exclusively in this state; used to transport harvested forest products, operated at a forested site  
126 and in an area extending not more than a one hundred fifty mile radius from such site; and  
127 when operated on the national system of interstate and defense highways described in 23  
128 U.S.C. Section 103, as amended, or outside the one hundred fifty mile radius from such site  
129 with an extended distance local log truck permit, does not have more than three axles and  
130 does not pull a trailer which has more than three axles;

131 (31) "Local transit bus", a bus whose operations are confined wholly within a  
132 municipal corporation, or wholly within a municipal corporation and a commercial zone, as  
133 defined in section 390.020, adjacent thereto, forming a part of a public transportation system  
134 within such municipal corporation and such municipal corporation and adjacent commercial  
135 zone;

136 (32) "Log truck", a vehicle which is not a local log truck or local log truck tractor and  
137 is used exclusively to transport harvested forest products to and from forested sites which is  
138 registered pursuant to this chapter to operate as a motor vehicle on the public highways of this  
139 state for the transportation of harvested forest products;

140 (33) "Major component parts", the rear clip, cowl, frame, body, cab, front-end  
141 assembly, and front clip, as those terms are defined by the director of revenue pursuant to  
142 rules and regulations or by illustrations;

143 (34) "Manufacturer", any person, firm, corporation or association engaged in the  
144 business of manufacturing or assembling motor vehicles, trailers or vessels for sale;

145 (35) "Motor change vehicle", a vehicle manufactured prior to August, 1957, which  
146 receives a new, rebuilt or used engine, and which used the number stamped on the original  
147 engine as the vehicle identification number;

148 (36) "Motor vehicle", any self-propelled vehicle not operated exclusively upon tracks,  
149 except farm tractors and electric bicycles;

150 (37) "Motor vehicle primarily for business use", any vehicle other than a recreational  
151 motor vehicle, motorcycle, motortricycle, or any commercial motor vehicle licensed for over  
152 twelve thousand pounds:

153 (a) Offered for hire or lease; or

154 (b) The owner of which also owns ten or more such motor vehicles;

155 (38) "Motorcycle", a motor vehicle operated on two wheels;

156 (39) "Motorized bicycle", any two-wheeled or three-wheeled device having an  
157 automatic transmission and a motor with a cylinder capacity of not more than fifty cubic  
158 centimeters, which produces less than three gross brake horsepower, and is capable of  
159 propelling the device at a maximum speed of not more than thirty miles per hour on level  
160 ground, but excluding an electric bicycle;

161 (40) "Motortricycle", a motor vehicle upon which the operator straddles or sits astride  
162 that is designed to be controlled by handle bars and is operated on three wheels, including a  
163 motorcycle while operated with any conveyance, temporary or otherwise, requiring the use of  
164 a third wheel, but excluding an electric bicycle. A motortricycle shall not be included in the  
165 definition of all-terrain vehicle;

166 (41) "Municipality", any city, town or village, whether incorporated or not;

167 (42) "Nonresident", a resident of a state or country other than the state of Missouri;

168 (43) "Non-USA-std motor vehicle", a motor vehicle not originally manufactured in  
169 compliance with United States emissions or safety standards;

170 (44) "Operator", any person who operates or drives a motor vehicle;

171 (45) "Owner", any person, firm, corporation or association, who holds the legal title  
172 to a vehicle or who has executed a buyer's order or retail installment sales contract with a  
173 motor vehicle dealer licensed under sections 301.550 to 301.580 for the purchase of a vehicle  
174 with an immediate right of possession vested in the transferee, or in the event a vehicle is the  
175 subject of an agreement for the conditional sale or lease thereof with the right of purchase  
176 upon performance of the conditions stated in the agreement and with an immediate right of  
177 possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle  
178 is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed  
179 the owner;

180 (46) "Public garage", a place of business where motor vehicles are housed, stored,  
181 repaired, reconstructed or repainted for persons other than the owners or operators of such  
182 place of business;

183 (47) "Rebuilder", a business that repairs or rebuilds motor vehicles owned by the  
184 rebuilder, but does not include certificated common or contract carriers of persons or  
185 property;

186 (48) "Reconstructed motor vehicle", a vehicle that is altered from its original  
187 construction by the addition or substitution of two or more new or used major component  
188 parts, excluding motor vehicles made from all new parts, and new multistage manufactured  
189 vehicles;

190 (49) "Recreational motor vehicle", any motor vehicle designed, constructed or  
191 substantially modified so that it may be used and is used for the purposes of temporary  
192 housing quarters, including therein sleeping and eating facilities which are either permanently  
193 attached to the motor vehicle or attached to a unit which is securely attached to the motor  
194 vehicle. Nothing herein shall prevent any motor vehicle from being registered as a  
195 commercial motor vehicle if the motor vehicle could otherwise be so registered;

196 (50) "Recreational off-highway vehicle", any motorized vehicle manufactured and  
197 used exclusively for off-highway use which is more than fifty inches but no more than eighty  
198 inches in width, measured from outside of tire rim to outside of tire rim, with an unladen dry  
199 weight of three thousand five hundred pounds or less, traveling on four or more nonhighway  
200 tires and which may have access to ATV trails;

201 (51) "Recreational trailer", any trailer designed, constructed, or substantially modified  
202 so that it may be used and is used for the purpose of temporary housing quarters, including  
203 therein sleeping or eating facilities, which can be temporarily attached to a motor vehicle or  
204 attached to a unit which is securely attached to a motor vehicle;

205 (52) "Rollback or car carrier", any vehicle specifically designed to transport wrecked,  
206 disabled or otherwise inoperable vehicles, when the transportation is directly connected to a  
207 wrecker or towing service;

208 (53) "Saddlemount combination", a combination of vehicles in which a truck or truck  
209 tractor tows one or more trucks or truck tractors, each connected by a saddle to the frame or  
210 fifth wheel of the vehicle in front of it. The "saddle" is a mechanism that connects the front  
211 axle of the towed vehicle to the frame or fifth wheel of the vehicle in front and functions like  
212 a fifth wheel kingpin connection. When two vehicles are towed in this manner the  
213 combination is called a "double saddlemount combination". When three vehicles are towed  
214 in this manner, the combination is called a "triple saddlemount combination";

215 (54) "Salvage dealer and dismantler", a business that dismantles used motor vehicles  
216 for the sale of the parts thereof, and buys and sells used motor vehicle parts and accessories;

217 (55) "Salvage vehicle", a motor vehicle, semitrailer, or house trailer which:

218 (a) Was damaged during a year that is no more than six years after the manufacturer's  
219 model year designation for such vehicle to the extent that the total cost of repairs to rebuild or  
220 reconstruct the vehicle to its condition immediately before it was damaged for legal operation  
221 on the roads or highways exceeds eighty percent of the fair market value of the vehicle  
222 immediately preceding the time it was damaged;

- 223 (b) By reason of condition or circumstance, has been declared salvage, either by its  
224 owner, or by a person, firm, corporation, or other legal entity exercising the right of security  
225 interest in it;
- 226 (c) Has been declared salvage by an insurance company as a result of settlement of a  
227 claim;
- 228 (d) Ownership of which is evidenced by a salvage title; or
- 229 (e) Is abandoned property which is titled pursuant to section 304.155 or section  
230 304.157 and designated with the words "salvage/abandoned property". The total cost of  
231 repairs to rebuild or reconstruct the vehicle shall not include the cost of repairing, replacing,  
232 or reinstalling inflatable safety restraints, tires, sound systems, or damage as a result of hail,  
233 or any sales tax on parts or materials to rebuild or reconstruct the vehicle. For purposes of  
234 this definition, "fair market value" means the retail value of a motor vehicle as:
- 235 a. Set forth in a current edition of any nationally recognized compilation of retail  
236 values, including automated databases, or from publications commonly used by the  
237 automotive and insurance industries to establish the values of motor vehicles;
- 238 b. Determined pursuant to a market survey of comparable vehicles with regard to  
239 condition and equipment; and
- 240 c. Determined by an insurance company using any other procedure recognized by the  
241 insurance industry, including market surveys, that is applied by the company in a uniform  
242 manner;
- 243 (56) "School bus", any motor vehicle used solely to transport students to or from  
244 school or to transport students to or from any place for educational purposes;
- 245 (57) "Scrap processor", a business that, through the use of fixed or mobile equipment,  
246 flattens, crushes, or otherwise accepts motor vehicles and vehicle parts for processing or  
247 transportation to a shredder or scrap metal operator for recycling;
- 248 (58) "Shuttle bus", a motor vehicle used or maintained by any person, firm, or  
249 corporation as an incidental service to transport patrons or customers of the regular business  
250 of such person, firm, or corporation to and from the place of business of the person, firm, or  
251 corporation providing the service at no fee or charge. Shuttle buses shall not be registered as  
252 buses or as commercial motor vehicles;
- 253 (59) "Special mobile equipment", every self-propelled vehicle not designed or used  
254 primarily for the transportation of persons or property and incidentally operated or moved  
255 over the highways, including farm equipment, implements of husbandry, road construction or  
256 maintenance machinery, ditch-digging apparatus, stone crushers, air compressors, power  
257 shovels, cranes, graders, rollers, well-drillers and wood-sawing equipment used for hire,  
258 asphalt spreaders, bituminous mixers, bucket loaders, ditchers, leveling graders, finished  
259 machines, motor graders, road rollers, scarifiers, earth-moving carryalls, scrapers, drag lines,

260 concrete pump trucks, rock-drilling and earth-moving equipment. This enumeration shall be  
261 deemed partial and shall not operate to exclude other such vehicles which are within the  
262 general terms of this section;

263 (60) "Specially constructed motor vehicle", a motor vehicle which shall not have been  
264 originally constructed under a distinctive name, make, model or type by a manufacturer of  
265 motor vehicles. The term specially constructed motor vehicle includes kit vehicles;

266 (61) "Stinger-steered combination", a truck tractor-semitrailer wherein the fifth wheel  
267 is located on a drop frame located behind and below the rearmost axle of the power unit;

268 (62) "Tandem axle", a group of two or more axles, arranged one behind another, the  
269 distance between the extremes of which is more than forty inches and not more than ninety-  
270 six inches apart;

271 (63) "Towaway trailer transporter combination", a combination of vehicles consisting  
272 of a trailer transporter towing unit and two trailers or semitrailers, with a total weight that  
273 does not exceed twenty-six thousand pounds; and in which the trailers or semitrailers carry no  
274 property and constitute inventory property of a manufacturer, distributor, or dealer of such  
275 trailers or semitrailers;

276 (64) "Tractor", "truck tractor" or "truck-tractor", a self-propelled motor vehicle  
277 designed for drawing other vehicles, but not for the carriage of any load when operating  
278 independently. When attached to a semitrailer, it supports a part of the weight thereof;

279 (65) "Trailer", any vehicle without motive power designed for carrying property or  
280 passengers on its own structure and for being drawn by a self-propelled vehicle, except those  
281 running exclusively on tracks, including a semitrailer or vehicle of the trailer type so designed  
282 and used in conjunction with a self-propelled vehicle that a considerable part of its own  
283 weight rests upon and is carried by the towing vehicle. The term trailer shall not include  
284 cotton trailers as defined in this section and shall not include manufactured homes as defined  
285 in section 700.010;

286 (66) "Trailer transporter towing unit", a power unit that is not used to carry property  
287 when operating in a towaway trailer transporter combination;

288 (67) "Truck", a motor vehicle designed, used, or maintained for the transportation of  
289 property;

290 (68) "Truck-tractor semitrailer-semitrailer", a combination vehicle in which the two  
291 trailing units are connected with a B-train assembly which is a rigid frame extension attached  
292 to the rear frame of a first semitrailer which allows for a fifth-wheel connection point for the  
293 second semitrailer and has one less articulation point than the conventional A-dolly connected  
294 truck-tractor semitrailer-trailer combination;

295 (69) "Truck-trailer boat transporter combination", a boat transporter combination  
296 consisting of a straight truck towing a trailer using typically a ball and socket connection with

297 the trailer axle located substantially at the trailer center of gravity rather than the rear of the  
298 trailer but so as to maintain a downward force on the trailer tongue;

299 (70) "Used parts dealer", a business that buys and sells used motor vehicle parts or  
300 accessories, but not including a business that sells only new, remanufactured or rebuilt parts.  
301 Business does not include isolated sales at a swap meet of less than three days;

302 (71) "Utility vehicle", any motorized vehicle manufactured and used exclusively for  
303 off-highway use which is more than fifty inches but no more than eighty inches in width,  
304 measured from outside of tire rim to outside of tire rim, with an unladen dry weight of three  
305 thousand five hundred pounds or less, traveling on four or six wheels, to be used primarily for  
306 landscaping, lawn care, or maintenance purposes;

307 (72) "Vanpool", any van or other motor vehicle used or maintained by any person,  
308 group, firm, corporation, association, city, county or state agency, or any member thereof, for  
309 the transportation of not less than eight nor more than forty-eight employees, per motor  
310 vehicle, to and from their place of employment; however, a vanpool shall not be included in  
311 the definition of the term bus or commercial motor vehicle as defined in this section, nor shall  
312 a vanpool driver be deemed a chauffeur as that term is defined by section 303.020; nor shall  
313 use of a vanpool vehicle for ride-sharing arrangements, recreational, personal, or maintenance  
314 uses constitute an unlicensed use of the motor vehicle, unless used for monetary profit other  
315 than for use in a ride-sharing arrangement;

316 (73) "Vehicle", any mechanical device on wheels, designed primarily for use, or used,  
317 on highways, except motorized bicycles, electric bicycles, vehicles propelled or drawn by  
318 horses or human power, or vehicles used exclusively on fixed rails or tracks, or cotton trailers  
319 or motorized wheelchairs operated by handicapped persons;

320 (74) "Wrecker" or "tow truck", any emergency commercial vehicle equipped,  
321 designed and used to assist or render aid and transport or tow disabled or wrecked vehicles  
322 from a highway, road, street or highway rights-of-way to a point of storage or repair,  
323 including towing a replacement vehicle to replace a disabled or wrecked vehicle;

324 (75) "Wrecker or towing service", the act of transporting, towing or recovering with a  
325 wrecker, tow truck, rollback or car carrier any vehicle not owned by the operator of the  
326 wrecker, tow truck, rollback or car carrier for which the operator directly or indirectly  
327 receives compensation or other personal gain.

307.010. 1. All motor vehicles, and every trailer and semitrailer operating upon the  
2 public highways of this state and carrying goods or material or farm products which may  
3 reasonably be expected to become dislodged and fall from the vehicle, trailer or semitrailer as  
4 a result of wind pressure or air pressure and/or by the movement of the vehicle, trailer or  
5 semitrailer shall have a protective cover or be sufficiently secured so that no portion of such

6 goods or material can become dislodged and fall from the vehicle, trailer or semitrailer while  
7 being transported or carried.

8       **2. A cotton trailer, as defined in section 301.010, shall not be in violation of this**  
9 **section, provided it is traveling at speeds less than seventy miles per hour from field to**  
10 **field or from field to market and return and no portion of such goods or material**  
11 **becomes dislodged and falls from the cotton trailer, and the goods are or material is:**

12       **(1) Immobilized, such so that it cannot shift or tip to the extent that the vehicle's**  
13 **stability or maneuverability is adversely affected;**

14       **(2) Transported in a sided vehicle that has walls of adequate strength, such that**  
15 **each article of cargo within the vehicle is in contact with, or sufficiently close to a wall or**  
16 **other articles, so that it cannot shift or tip to the extent that the vehicle's stability or**  
17 **maneuverability is adversely affected;**

18       **(3) Fully contained within the structure of the vehicle, and firmly immobilized or**  
19 **secured on or within the vehicle by structures of adequate strength, dunnage or dunnage**  
20 **bags, shoring bars, tiedowns, or a combination of these; or**

21       **(4) Otherwise secured in accordance with federal law.**

22       **3. Operation of a motor vehicle, trailer or semitrailer in violation of this section shall**  
23 **be a class C misdemeanor, and any person convicted thereof shall be punished as provided by**  
24 **law.**

      321.220. For the purpose of providing fire protection to the property within the  
2 district, the district and, on its behalf, the board shall have the following powers, authority and  
3 privileges:

4       (1) To have perpetual existence;

5       (2) To have and use a corporate seal;

6       (3) To sue and be sued, and be a party to suits, actions and proceedings;

7       (4) To enter into contracts, franchises and agreements with any person, partnership,  
8 association or corporation, public or private, affecting the affairs of the district, including  
9 contracts with any municipality, district or state, or the United States of America, and any of  
10 their agencies, political subdivisions or instrumentalities, for the planning, development,  
11 construction, acquisition or operation of any public improvement or facility, or for a common  
12 service relating to the control or prevention of fires, including the installation, operation and  
13 maintenance of water supply distribution, fire hydrant and fire alarm systems; provided, that a  
14 notice shall be published for bids on all construction or purchase contracts for work or  
15 material or both, outside the authority contained in subdivision (9) of this section, involving  
16 an expense of ten thousand dollars or more;

17 (5) Upon approval of the voters as herein provided, to borrow money and incur  
18 indebtedness and evidence the same by certificates, notes or debentures, and to issue bonds,  
19 in accordance with the provisions of this chapter;

20 (6) To acquire, construct, purchase, maintain, dispose of and encumber real and  
21 personal property, fire stations, fire protection and fire-fighting apparatus and auxiliary  
22 equipment therefor, and any interest therein, including leases and easements;

23 (7) To refund any bonded indebtedness of the district without an election. The terms  
24 and conditions of refunding bonds shall be substantially the same as those of the original issue  
25 of bonds, and the board shall provide for the payment of interest, at not to exceed the legal  
26 rate, and the principal of such refunding bonds in the same manner as is provided for the  
27 payment of interest and principal of bonds refunded;

28 (8) To have the management, control and supervision of all the business and affairs of  
29 the district, and the construction, installation, operation and maintenance of district  
30 improvements therein;

31 (9) To hire and retain agents, employees, engineers and attorneys, including part-time  
32 or volunteer firemen;

33 (10) To have and exercise the power of eminent domain and in the manner provided  
34 by law for the condemnation of private property for public use to take any property within the  
35 district necessary to the exercise of the powers herein granted;

36 (11) To receive and accept by bequest, gift or donation any kind of property.  
37 Notwithstanding any other provision of law to the contrary, any property received by the fire  
38 protection district as a gift or any property purchased by the fire protection district at a price  
39 below the actual market value of the property may be returned to the donor or resold to the  
40 seller if such property is not used for the specific purpose for which it was acquired;

41 (12) **(a)** To adopt and amend bylaws, fire protection and fire prevention ordinances,  
42 and any other rules and regulations not in conflict with the constitution and laws of this state,  
43 necessary for the carrying on of the business, objects and affairs of the board and of the  
44 district, and refer to the proper authorities for prosecution any infraction thereof detrimental  
45 to the district. Any person violating any such ordinance is hereby declared to be guilty of a  
46 misdemeanor, and upon conviction thereof shall be punished as is provided by law therefor.  
47 The prosecuting attorney for the county in which the violation occurs shall prosecute such  
48 violations in the circuit court of that county. The legal officer or attorney for the fire district  
49 may be appointed by the prosecuting attorney as special assistant prosecuting attorney for the  
50 prosecution of any such violation. The enactments of the fire district in delegating  
51 administrative authority to officials of the district may provide standards of action for the  
52 administrative officials, which standards are declared as industrial codes adopted by  
53 nationally organized and recognized trade bodies. The board shall have the power to adopt an

54 ordinance, rule, or regulation allowing the district to charge individuals who reside outside of  
55 the district, but who receive emergency services within the boundaries of the district, for the  
56 actual and reasonable cost of such services. However, such actual and reasonable costs shall  
57 not exceed one hundred dollars for responding to each fire call or alarm and two hundred fifty  
58 dollars for each hour or a proportional sum for each quarter hour spent in combating a fire or  
59 emergency.

60 **(b) Notwithstanding paragraph (a) of this subdivision, fire protection and fire**  
61 **prevention ordinances shall not be exercised so as to impose regulations or require**  
62 **permits with respect to the installation or erection of fire suppression sprinkler systems**  
63 **in animal or livestock agriculture buildings or structures;**

64 (13) To pay all court costs and expenses connected with the first election or any  
65 subsequent election in the district;

66 (14) To have and exercise all rights and powers necessary or incidental to or implied  
67 from the specific powers granted herein. Such specific powers shall not be considered as a  
68 limitation upon any power necessary or appropriate to carry out the purposes and intent of this  
69 chapter;

70 (15) To provide for health, accident, disability and pension benefits for the salaried  
71 members of its organized fire department of the district and such other benefits for their  
72 spouses and eligible unemancipated children, through either or both a contributory or  
73 noncontributory plan. For purposes of this section, "eligible unemancipated child" means a  
74 natural or adopted child of an insured, or a stepchild of an insured who is domiciled with the  
75 insured, who is less than twenty-three years of age, who is not married, not employed on a  
76 full-time basis, not maintaining a separate residence except for full-time students in an  
77 accredited school or institution of higher learning, and who is dependent on parents or  
78 guardians for at least fifty percent of his or her support. The type and amount of such benefits  
79 shall be determined by the board of directors of the fire protection district within the level of  
80 available revenues of the pension program and other available revenues of the district. If an  
81 employee contributory plan is adopted, then at least one voting member of the board of  
82 trustees shall be a member of the fire district elected by the contributing members, which  
83 shall not be the same as the board of directors;

84 (16) To contract with any municipality that is contiguous to a fire protection district  
85 for the fire protection district to provide fire protection to the municipality for a fee as  
86 hereinafter provided;

87 (17) To provide for life insurance, accident, sickness, health, disability, annuity,  
88 length of service, pension, retirement and other employee-type fringe benefits, subject to the  
89 provisions of section 70.615, for the volunteer members of any organized fire department of  
90 the district and such other benefits for their spouses and eligible unemancipated children,

91 through either a contributory or noncontributory plan, or both. For purposes of this section,  
92 "eligible unemancipated child" means a natural or adopted child of an insured, or a stepchild  
93 of an insured who is domiciled with the insured, who is less than twenty-three years of age,  
94 who is not married, not employed on a full-time basis, not maintaining a separate residence  
95 except for full-time students in an accredited school or institution of higher learning, and who  
96 is dependent on parents or guardians for at least fifty percent of his or her support. The type  
97 and amount of such benefits shall be determined by the board of directors of the fire  
98 protection district within available revenues of the district, including the pension program of  
99 the district. The provision and receipt of such benefits shall not make the recipient an  
100 employee of the district. Directors who are also volunteer members may receive such  
101 benefits while serving as a director of the district;

102 (18) To contract for services with any rural, volunteer or subscription fire department  
103 or organization, or volunteer fire protection association, as defined in section 320.300, for the  
104 purpose of providing the benefits described in subdivision (17) of this section.

348.491. 1. This section shall be known and may be cited as the "Specialty  
2 Agricultural Crops Act".

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

4 (1) "Authority", the Missouri agricultural and small business development authority  
5 created in section 348.020;

6 (2) "Family farmer", a farmer who is a Missouri resident and who has less than one  
7 hundred thousand dollars in agricultural sales per year;

8 (3) "Lender", the same definition as in section 348.015;

9 (4) "Specialty crop", fruits and vegetables, tree nuts, dried fruits, and horticulture and  
10 nursery crops including, but not limited to, floriculture. Specialty crop shall not include  
11 medical marijuana or industrial hemp.

12 3. The authority shall establish a specialty agricultural crops loan program for family  
13 farmers for the purchase of specialty crop seeds, seedlings, or trees; soil amendments  
14 including compost; irrigation equipment; fencing; row covers; trellising; season extension  
15 equipment; refrigeration equipment; and equipment for planting and harvesting.

16 4. To participate in the loan program, a family farmer shall first obtain approval for a  
17 specialty agricultural crops loan from a lender. Each family farmer shall be eligible for only  
18 one specialty agricultural crops loan per family.

19 5. The maximum amount of the specialty agricultural crops loan for specialty crop  
20 producers shall be thirty-five thousand dollars.

21 6. Eligible borrowers under the program:

22 (1) Shall use the proceeds of the specialty agricultural crops loan to acquire the  
23 farming resources described in subsection 3 of this section;

24 (2) Shall not finance more than ninety percent of the anticipated cost of the purchase  
25 of such farming resources through the specialty agricultural crops loan; and

26 (3) Shall not be charged interest by the lender for the first year of the qualified  
27 specialty agricultural crops loan.

28 7. Upon approval of the specialty agricultural crops loan by a lender under subsection  
29 4 of this section, the loan shall be submitted for approval by the authority. The authority shall  
30 promulgate rules establishing eligibility under this section, taking into consideration:

31 (1) The eligible borrower's ability to repay the specialty agricultural crops loan;

32 (2) The general economic conditions of the area in which the farm is located;

33 (3) The prospect of a financial return for the family farmer for the type of farming  
34 resource for which the specialty agricultural crops loan is sought; and

35 (4) Such other factors as the authority may establish.

36 8. For eligible borrowers participating in the program, the authority shall be  
37 responsible for reviewing the purchase price of any farming resources to be purchased by an  
38 eligible borrower under the program to determine whether the price to be paid is appropriate  
39 for the type of farming resources purchased. The authority may impose a one-time loan  
40 review fee of one percent, which shall be collected by the lender at the time of the loan and  
41 paid to the authority.

42 9. Nothing in this section shall be construed to preclude a family farmer from  
43 participating in any other agricultural program.

44 10. Any rule or portion of a rule, as that term is defined in section 536.010, that is  
45 created under the authority delegated in this section shall become effective only if it complies  
46 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.  
47 This section and chapter 536 are nonseverable and if any of the powers vested with the  
48 general assembly pursuant to chapter 536 to review, to delay the effective date, or to  
49 disapprove and annul a rule are subsequently held unconstitutional, then the grant of  
50 rulemaking authority and any rule proposed or adopted after January 2, 2023, shall be invalid  
51 and void.

52 ~~[11. Under section 23.253 of the Missouri sunset act:~~

53 ~~(1) The provisions of the new program authorized under this section shall~~  
54 ~~automatically sunset on December 31, 2028, unless reauthorized by an act of the general~~  
55 ~~assembly; and~~

56 ~~(2) If such program is reauthorized, the program authorized under this section shall~~  
57 ~~automatically sunset twelve years after the effective date of the reauthorization of this section;~~  
58 ~~and~~

59 ~~(3) This section shall terminate on September first of the calendar year immediately~~  
60 ~~following the calendar year in which the program authorized under this section is sunset.]~~

348.493. 1. As used in this section, "state tax liability" means any state tax liability incurred by a taxpayer under the provisions of chapter 143, 147, or 148, exclusive of the provisions relating to the withholding of tax as provided for in sections 143.191 to 143.265 and related provisions.

2. Any eligible lender under the specialty agricultural crops loan program under section 348.491 shall be entitled to receive a tax credit equal to one hundred percent of the amount of interest waived by the lender under section 348.491 on a qualifying loan for the first year of the loan only. The tax credit shall be evidenced by a certificate of tax credit issued by the Missouri agricultural and small business development authority and may be used to satisfy the state tax liability of the owner of such certificate that becomes due in the tax year in which the interest on a qualified loan is waived by the lender under section 348.491. No lender shall receive a tax credit under this section unless such lender presents a certificate of tax credit to the department of revenue for payment of such state tax liability. The amount of the tax credits that may be issued to all eligible lenders claiming tax credits authorized in this section in a fiscal year shall not exceed three hundred thousand dollars.

3. The Missouri agricultural and small business development authority shall be responsible for the administration and issuance of the certificate of tax credits authorized by this section. The authority shall issue a certificate of tax credit at the request of any lender. Each request shall include a true copy of the loan documents, the name of the lender who is to receive a certificate of tax credit, the type of state tax liability against which the tax credit is to be used, and the amount of the certificate of tax credit to be issued to the lender based on the interest waived by the lender under section 348.491 on the loan for the first year.

4. The department of revenue shall accept a certificate of tax credit in lieu of other payment in such amount as is equal to the lesser of the amount of the tax or the remaining unused amount of the credit as indicated on the certificate of tax credit and shall indicate on the certificate of tax credit the amount of tax thereby paid and the date of such payment.

5. The following provisions shall apply to tax credits authorized under this section:

(1) Tax credits claimed in a tax year may be claimed on a quarterly basis and applied to the estimated quarterly tax of the lender;

(2) Any amount of tax credit that exceeds the tax due, including any estimated quarterly taxes paid by the lender under subdivision (1) of this subsection that result in an overpayment of taxes for a tax year, shall not be refunded but may be carried over to any subsequent tax year, not to exceed a total of three years for which a tax credit may be taken for a qualified specialty agricultural crops loan;

(3) Notwithstanding any provision of law to the contrary, a lender may assign, transfer, sell, or otherwise convey tax credits authorized under this section, with the new owner of the tax credit receiving the same rights in the tax credit as the lender. For any tax

38 credits assigned, transferred, sold, or otherwise conveyed, a notarized endorsement shall be  
 39 filed by the lender with the authority specifying the name and address of the new owner of the  
 40 tax credit and the value of such tax credit; and

41 (4) Notwithstanding any other provision of this section to the contrary, any  
 42 commercial bank may use tax credits created under this section as provided in section  
 43 148.064 and receive a net tax credit against taxes actually paid in the amount of the first year's  
 44 interest on loans made under this section. If such first year tax credits reduce taxes due as  
 45 provided in section 148.064 to zero, the remaining tax credits may be carried over as  
 46 otherwise provided in this section and used as provided in section 148.064 in subsequent  
 47 years.

48 ~~[6. Under section 23.253 of the Missouri sunset act:~~

49 ~~(1) The provisions of the new program authorized under this section shall~~  
 50 ~~automatically sunset on December 31, 2028, unless reauthorized by an act of the general~~  
 51 ~~assembly; and~~

52 ~~(2) If such program is reauthorized, the program authorized under this section shall~~  
 53 ~~automatically sunset twelve years after the effective date of the reauthorization of this section;~~  
 54 ~~and~~

55 ~~(3) This section shall terminate on September first of the calendar year immediately~~  
 56 ~~following the calendar year in which the program authorized under this section is sunset.]~~

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

- 2 (1) "Applicant", any person applying for a water export permit;  
 3 (2) "Beneficial uses", water uses including, but not limited to, domestic,  
 4 agricultural, industrial, recreational, and other legitimate beneficial uses;  
 5 (3) "Commission", the state soil and water districts commission established  
 6 under section 278.080;  
 7 (4) "Department", the Missouri department of natural resources;  
 8 (5) "Director", the director of the department of natural resources;  
 9 (6) "End use", the final location for which the exported water will be used,  
 10 consumed, or applied for a stated beneficial use;  
 11 (7) "Person", any individual, partnership, copartnership, firm, company, public  
 12 or private corporation, association, joint stock company, trust, estate, political  
 13 subdivision, water district, or any agency, board, department, or bureau of the  
 14 federal or any state government, or any other legal entity which is recognized by law as  
 15 the subject of rights and duties;  
 16 (8) "Pipeline facility", all parts of a facility through which water moves in  
 17 transportation including, but not limited to, pipe, valves, and other appurtenances

18 connected to pipe, pumping units, fabricated assemblies associated with pumping units,  
19 metering, and delivery stations and fabricated assemblies therein, and breakout tanks;

20 (9) "Water export permit", a permit issued by the department, approved by the  
21 commission, granting the exportation of water outside the state of Missouri subject to  
22 the provisions of this section;

23 (10) "Water resources", any Missouri water source occurring on the surface, in  
24 natural or artificial channels, lakes, reservoirs, or impoundments, and in subsurface  
25 aquifers that are available or that may be made available.

26 2. In order to protect the access, use, and enjoyment of Missouri's water  
27 resources, it shall be unlawful for any person to export water resources outside the state  
28 of Missouri unless such person holds a water export permit issued by the department,  
29 subject to the following exceptions:

30 (1) The withdrawal and end use are within thirty miles of the border of the state  
31 of Missouri, provided that any person exempt under this subdivision shall report to the  
32 director annually their water use volumes and withdrawal rates as determined by the  
33 director. Such report shall be made available to the public by the department on the  
34 department's website. Such report shall also be provided to the commission;

35 (2) The exportation of bottled water or water packaged in containers intended  
36 for single use; and

37 (3) The exportation of ice.

38 3. It shall be unlawful for any person to withdraw water from any water  
39 resource for exportation outside of the state of Missouri by use of a pipeline facility  
40 unless the withdrawal and ultimate end use of the water by the pipeline facility is within  
41 thirty miles of the state border. Any person who withdraws water for exportation under  
42 this subsection shall annually report the water use volumes, withdrawal rates, and end  
43 use to the department in a manner and on timelines determined by the department.

44 4. The director shall review each water export permit application and all  
45 supporting materials to ensure the following conditions have been met prior to  
46 accepting a water export permit application for public comment and review by the  
47 commission:

48 (1) There are water resources available in the volume and withdrawal rates  
49 requested by the applicant for export;

50 (2) The applicant has demonstrated both a present need and beneficial use for  
51 the water resources. In making the determinations of need and beneficial use, the  
52 director shall consider the availability of all water sources, whether in-state or out-of-  
53 state, along with other relevant factors as the director and commission deem  
54 appropriate;

55           **(3) The volume and withdrawal rates requested by the applicant shall not**  
56 **interfere with existing and projected in-state beneficial uses. In making this**  
57 **determination, the department shall conduct the review under subsection 6 of this**  
58 **section;**

59           **(4) The applicant has demonstrated that water in the amounts and rates**  
60 **requested can feasibly be exported to meet its intended beneficial uses; and**

61           **(5) The applicant has provided relevant information and the director and**  
62 **commission confirm the issuance of a water export permit is necessary for the beneficial**  
63 **use of the applicant or the applicant's customer and the beneficial use at the end location**  
64 **is not reasonably attainable through a method other than granting a water export**  
65 **permit under this section.**

66           **5. In the event of conflict between a beneficial use outside Missouri and the needs**  
67 **in Missouri, the director and commission shall prioritize the needs of Missouri and its**  
68 **citizens over the applicants from other states.**

69           **6. Whenever a person applies for a water export permit or water export permit**  
70 **renewal, the department shall send a written notice within thirty business days from**  
71 **receiving the permit application to the county commission of the county in which the**  
72 **water for exportation is located.**

73           **7. (1) Within one hundred eighty days after the department's receipt of a**  
74 **complete application, the director shall determine the application's compliance with**  
75 **subsection 4 of this section. The director shall, after making such determination,**  
76 **provide for a thirty-day public comment period. Within sixty days after closure of the**  
77 **public comment period, the director shall recommend approval or denial of the permit.**  
78 **Such recommendation, along with all public comments, shall be submitted to the**  
79 **commission. The commission shall have a public hearing within thirty days after receipt**  
80 **of the director's recommendation. This public hearing may be scheduled during one of**  
81 **the commission's regular quarterly meetings. The commission shall make a final**  
82 **decision to approve or deny the water export permit within thirty days after the public**  
83 **hearing. A three-fourths majority vote of the commission is required to approve the**  
84 **issuance of a water export permit.**

85           **(2) To renew a valid water export permit, applicants shall file a renewal**  
86 **application for a water export permit with the department no later than two hundred**  
87 **seventy-one days prior to the expiration of their existing water export permit. The**  
88 **applicant, director, and commission shall follow the same procedures and timelines as**  
89 **required for issuance of a new permit. The director may impose additional conditions to**  
90 **address any such substantial or material change in factors evaluated under subsections**  
91 **4 and 5 of this section or may deny the water export renewal application as necessary to**

92 **comply with this section or based on any such substantial or material changes in factors**  
93 **evaluated under subsections 4 and 5 of this section. If the director or commission has**  
94 **not completed the review of such renewal application and the existing applicant's water**  
95 **export permit expires, such applicant shall be able to operate under the terms of the**  
96 **expired water export permit until a final decision is made by the commission on the**  
97 **renewal of such permit.**

98 **(3) In the absence of appeal as provided under chapter 536, the decision of the**  
99 **commission shall be final.**

100 **8. A water export permit shall be in effect for three years from the date of**  
101 **issuance. Such permit holder shall annually report the water use volumes, withdrawal**  
102 **rates, and end use to the department in a manner and timeframe determined by the**  
103 **department. Such report shall be made available to the public by the department on the**  
104 **department's website.**

105 **9. The water export permit application shall include all water exportation**  
106 **requests by the applicant. The water export permit may be approved in whole or in**  
107 **part by the director or commission. This section shall be interpreted to allow one**  
108 **applicant to include multiple water withdrawals for water exportation from various**  
109 **locations within one water export permit application.**

110 **10. A water export permit application shall include a designee or agent in the**  
111 **state of Missouri for service of process and to receive other notices.**

112 **11. A water permit applicant shall consent to suit within the state of Missouri or**  
113 **otherwise avail itself to the state's jurisdiction. In the event of a conflict between the**  
114 **conditions of use required in Missouri and conditions required in another state, the**  
115 **water permit holder shall consent to conditions imposed by the director.**

116 **12. A major water user, as defined in section 256.400, may request the**  
117 **department to reevaluate any existing water export permit using the criteria under**  
118 **subsections 4 and 11 of this section. The department shall create a mechanism for a**  
119 **major water user to submit such a request for reevaluation and shall provide to the**  
120 **major water user the director's findings within one hundred twenty days of the request**  
121 **for reevaluation. After reevaluating the permit, the director shall impose additional**  
122 **conditions necessary for the continued exportation of water outside the state if the**  
123 **director determines that the existing permit is negatively impacting the requesting**  
124 **major water user's beneficial use of his or her water resources. The director's decision**  
125 **to modify or to decline to modify the conditions in an existing permit pursuant to this**  
126 **subsection shall be subject to the approval by the commission.**

127 **13. Nothing in this section shall preclude a person from bringing any**  
128 **constitutional, statutory, or common law claim to vindicate or otherwise defend the**

129 **user's water rights. A permit issued under this section shall not serve as a defense to any**  
130 **claim brought against a water export permit holder for the infringement of water rights.**  
131 **In addition, any person harmed by the issuance of a water export permit may bring an**  
132 **injunctive action or other appropriate action to enforce the provisions of this section.**

133 **14. If the attorney general receives a complaint that provisions of this section**  
134 **have been violated, or, at the request of the department, the attorney general may bring**  
135 **an injunctive action or other appropriate action in the name of the people of the state to**  
136 **enforce provisions of this section. Suit may be brought in Cole County, or in any county**  
137 **where the defendant's principal place of business is located or where the withdrawal of**  
138 **water occurred in violation of this section.**

139 **15. Whenever a state of emergency is declared by the governor under section**  
140 **44.100 for all or any part of the state based upon drought conditions, the department**  
141 **shall reevaluate any existing water export permit. Any reevaluation completed under**  
142 **this section shall use the criteria under subsections 4 and 5 of this section. After**  
143 **reevaluation of the permit is complete, the department shall have the authority to**  
144 **impose additional conditions or revoke the permit if necessary for the continued**  
145 **exportation of water outside the state if the director determines that the existing permit**  
146 **negatively impacts beneficial use of water resources. The director's decision to modify,**  
147 **revoke, or make no changes to the permit shall be subject to approval by the**  
148 **commission.**

2 ~~[348.436. The provisions of sections 348.430 to 348.436 shall expire  
December 31, 2028.]~~

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