

JOURNAL OF THE HOUSE

First Regular Session, 103rd General Assembly

FORTY-FIFTH DAY, MONDAY, MARCH 31, 2025

The House met pursuant to adjournment.

Speaker Patterson in the Chair.

Prayer by Representative Brian Seitz.

Father, we thank You for the grace that You've shown us by allowing us to represent the great people of Missouri.

We cry out for wisdom. We cry out for strength. We cry out for discernment and a sense of Your presence.

As the Creator God, we, Your people, recognize Your sovereignty over all things. We acknowledge that in You we live and breathe, and have our very being.

Correct us where we stray from the precepts that You have given us to follow. Guide our thoughts and hands as we do the works that You have preordained for us to do.

In Jesus's name, Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the forty-fourth day was approved as printed by the following vote:

AYES: 126

Allen	Anderson	Appelbaum	Aune	Baker
Banderman	Barnes	Billington	Black	Boggs
Boykin	Boyko	Bromley	Brown 149	Burton
Bush	Busick	Butz	Caton	Christensen
Clemens	Coleman	Cook	Costlow	Crossley
Davidson	Davis	Dean	Deaton	Diehl
Dolan	Doll	Douglas	Durnell	Elliott
Falkner	Farnan	Fogle	Fowler	Fuchs
Gallick	Gragg	Haden	Hales	Haley
Hardwick	Hausman	Hein	Hinman	Hruza
Hurlbert	Ingle	Irwin	Jacobs	Jamison
Jobe	Jones 12	Jordan	Justus	Kalberloh
Keathley	Kelley	Kimble	Knight	Laubinger
Loy	Lucas	Mackey	Mansur	Martin
Matthiesen	Mayhew	McGaugh	McGill	Meirath
Miller	Mosley	Murphy	Murray	Nolte
Oehlerking	Owen	Parker	Perkins	Phelps
Pollitt	Pouche	Price	Proudie	Reedy
Riggs	Riley	Roberts	Sassmann	Schulte
Seitz	Sharpe 4	Shields	Simmons	Smith 46

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Smith 68	Smith 74	Sparks	Steinmetz	Steinmeyer
Stinnett	Strickler	Taylor 84	Terry	Titus
Van Schoiack	Verneti	Violet	Voss	Waller
Weber	Wellenkamp	West	Whaley	Williams
Wilson	Wolfen	Wright	Young	Zimmermann
Mr. Speaker				

NOES: 000

PRESENT: 001

Fountain Henderson

ABSENT WITH LEAVE: 035

Amato	Bosley	Brown 16	Byrnes	Casteel
Chappell	Christ	Collins	Cupps	Ealy
Griffith	Harbison	Hewkin	Hovis	Johnson
Jones 88	Lewis	Myers	Overcast	Peters
Plank	Reed	Reuter	Rush	Schmidt
Self	Sharp 37	Steinhoff	Taylor 48	Thomas
Thompson	Veit	Walsh Moore	Warwick	Woods

VACANCIES: 001

Representative Van Schoiack assumed the Chair.

SECOND READING OF SENATE BILLS

The following Senate Bills were read the second time:

SS SB 61, relating to professional licensing.

SS#2 SB 79, relating to health care.

SS SB 152, relating to campaign finance.

PERFECTION OF HOUSE BILLS

HB 107, relating to the designation of a memorial bridge, was placed on the Informal Calendar.

HCS HB 941, relating to models of reading instruction, was placed on the Informal Calendar.

HB 183, relating to higher education core curricula, was taken up by Representative Parker.

On motion of Representative Parker, the title of **HB 183** was agreed to.

On motion of Representative Parker, **HB 183** was ordered perfected and printed.

HCS HB 83, relating to civil jurisprudence, was placed on the Informal Calendar.

HCS HBs 126 & 367, relating to elections, was taken up by Representative Veit.

On motion of Representative Veit, the title of **HCS HBs 126 & 367** was agreed to.

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

House Amendment No. 1

AMEND House Committee Substitute for House Bill Nos. 126 & 367, Page 2, Section 115.123, Line 22, by inserting after all of said section and line the following:

"115.125. 1. Not later than 5:00 p.m. on the tenth Tuesday prior to any election, except a special election to decide an election contest, tie vote or an election to elect seven members to serve on a school board of a district pursuant to section 162.241, or a delay in notification pursuant to subsection 3 of this section, or pursuant to the provisions of section 115.399, the officer or agency calling the election shall notify the election authorities responsible for conducting the election. The notice shall be in writing, shall specify the name of the officer or agency calling the election and shall include a certified copy of the legal notice to be published pursuant to subsection 2 of section 115.127. The notice and any other information required by this section may, with the prior notification to the election authority receiving the notice, be accepted by **email or** facsimile transmission prior to 5:00 p.m. on the tenth Tuesday prior to the election~~], provided that the original copy of the notice and a certified copy of the legal notice to be published shall be received in the office of the election authority within three business days from the date of the facsimile transmission].~~

2. In lieu of a certified copy of the legal notice to be published pursuant to subsection 2 of section 115.127, each notice of a special election to fill a vacancy shall include the name of the office to be filled, the date of the election and the date by which candidates must be selected or filed for the office. Not later than the sixth Tuesday prior to any special election to fill a vacancy called by a political subdivision or special district, the officer or agency calling the election shall certify a sample ballot to the election authorities responsible for conducting the election.

3. Except as provided for in sections 115.247 and 115.359, if there is no additional cost for the printing or reprinting of ballots or if the political subdivision or special district calling for the election agrees to pay any printing or reprinting costs, a political subdivision or special district may, at any time after certification of the notice of election required in subsection 1 of this section, but no later than 5:00 p.m. on the eighth Tuesday before the election, be permitted to make late notification to the election authority pursuant to court order, which, except for good cause shown by the election authority in opposition thereto, shall be freely given upon application by the political subdivision or special district to the circuit court of the area of such subdivision or district. No court shall have the authority to order an individual or issue be placed on the ballot less than eight weeks before the date of the election.

115.127. 1. Except as provided in subsection 4 of this section, upon receipt of notice of a special election to fill a vacancy submitted pursuant to subsection 2 of section 115.125, the election authority shall cause legal notice of the special election to be published in a newspaper of general circulation in its jurisdiction. The notice shall include the name of the officer or agency calling the election, the date and time of the election, the name of the office to be filled and the date by which candidates must be selected or filed for the office. Within one week prior to each special election to fill a vacancy held in its jurisdiction, the election authority shall cause legal notice of the election to be published in two newspapers of different political faith and general circulation in the jurisdiction. The legal notice shall include the date and time of the election, the name of the officer or agency calling the election and a sample ballot. If there is only one newspaper of general circulation in the jurisdiction, the notice shall be published in the newspaper within one week prior to the election. If there are two or more newspapers of general circulation in the jurisdiction, but no two of opposite political faith, the notice shall be published in any two of the newspapers within one week prior to the election.

2. Except as provided in subsections 1 and 4 of this section and in sections 115.521, 115.549 and 115.593, the election authority shall cause legal notice of each election held in its jurisdiction to be published. The notice shall be published in two newspapers of different political faith and qualified pursuant to chapter 493 which are

published within the bounds of the area holding the election. If there is only one so-qualified newspaper, then notice shall be published in only one newspaper. If there is no newspaper published within the bounds of the election area, then the notice shall be published in two qualified newspapers of different political faith serving the area. Notice shall be published twice, the first publication occurring in the second week prior to the election, and the second publication occurring within one week prior to the election. Each such legal notice shall include the date and time of the election, the name of the officer or agency calling the election and a sample ballot; and, unless notice has been given as provided by section 115.129, the second publication of notice of the election shall include the location of polling places. The election authority may provide any additional notice of the election it deems desirable.

3. The election authority shall print the official ballot as the same appears on the sample ballot, and no candidate's name or ballot issue which appears on the sample ballot or official printed ballot shall be stricken or removed from the ballot except on death of a candidate or by court order, but in no event shall a candidate or issue be stricken or removed from the ballot less than eight weeks before the date of the election.

4. In lieu of causing legal notice to be published in accordance with any of the provisions of this chapter, the election authority in jurisdictions which have less than seven hundred fifty registered voters and in which no newspaper qualified pursuant to chapter 493 is published, may cause legal notice to be mailed during the second week prior to the election, by first class mail, to each registered voter at the voter's voting address. All such legal notices shall include the date and time of the election, the location of the polling place, the name of the officer or agency calling the election and a sample ballot.

5. If the opening date for filing a declaration of candidacy for any office in a political subdivision or special district is not required by law or charter, the opening filing date shall be 8:00 a.m., the ~~seventeenth~~ **sixteenth** Tuesday prior to the election. If the closing date for filing a declaration of candidacy for any office in a political subdivision or special district is not required by law or charter, the closing filing date shall be 5:00 p.m., the ~~fourteenth~~ **thirteenth** Tuesday prior to the election, **or if the thirteenth Tuesday prior to the election is a state or federal holiday, the closing filing date shall be 5:00 p.m. on the next day that is not a state or federal holiday.** The political subdivision or special district calling an election shall, before the ~~seventeenth~~ **sixteenth** Tuesday, prior to any election at which offices are to be filled, notify the general public of the opening filing date, the office or offices to be filled, the proper place for filing and the closing filing date of the election. Such notification may be accomplished by legal notice published in at least one newspaper of general circulation in the political subdivision or special district.

6. Except as provided for in sections 115.247 and 115.359, if there is no additional cost for the printing or reprinting of ballots or if the candidate agrees to pay any printing or reprinting costs, a candidate who has filed for an office or who has been duly nominated for an office may, at any time after the certification of the notice of election required in subsection 1 of section 115.125 but no later than 5:00 p.m. on the eighth Tuesday before the election, withdraw as a candidate pursuant to a court order, which, except for good cause shown by the election authority in opposition thereto, shall be freely given upon application by the candidate to the circuit court of the area of such candidate's residence."; and

Further amend said bill, Page 3, Section 115.277, Line 43, by deleting the words "polling place" and inserting in lieu thereof the words "~~polling place~~ **office of the election authority on election day**"; and

Further amend said bill, page, and section, Lines 50 and 52, by inserting after each instance of the word "ballot" the words "**or at the office of the election authority on election day**"; and

Further amend said bill, Page 7, Section 115.283, Line 152, by deleting the word "read" and inserting in lieu thereof the words "~~read~~ **write**"; and

Further amend said bill and section, Page 8, Line 177, by inserting after all of said section and line the following:

"115.284. 1. There is hereby established an absentee voting process to assist persons with permanent disabilities in the exercise of their voting rights.

2. The local election authority shall send an application to participate in the absentee voting process set out in this section to any registered voter residing within the election authority's jurisdiction upon request.

3. Upon receipt of a properly completed application, the election authority shall enter the voter's name on a list of voters qualified to participate as absentee voters pursuant to this section.

4. The application to participate in the absentee voting process shall be in substantially the following form:

State of _____
County (City) of _____

I, _____ (print applicant's name), declare that I am a resident and registered voter of _____ County, Missouri, and am permanently disabled. I hereby request that my name be placed on the election authority's list of voters qualified to participate as absentee voters pursuant to section 115.284, and that I be delivered an absentee ballot application for each election in which I am eligible to vote.

Signature of Voter

Voter's Address

5. Not earlier than ten weeks before an election but prior to the fourth Tuesday prior to an election, the election authority shall deliver to each voter qualified to participate as absentee voters pursuant to this section an absentee ballot application if the voter is eligible to vote in that election. If the voter returns the absentee request application to the election authority not later than 5:00 p.m. on the second Wednesday before an election and has retained the necessary qualifications to vote, the election authority shall provide the voter with an absentee ballot pursuant to this chapter.

6. The election authority shall remove from the list of voters qualified to participate as absentee voters pursuant to this section any voter who:

- (1) Asks to be removed from the list;
- (2) Dies;
- (3) Becomes disqualified from voting pursuant to this chapter; or
- (4) No longer resides at the address of his or her voter registration.

7. **All lists of applications under this section shall be kept confidential. Such lists of applications shall not be posted or displayed in an area open to the general public nor shall such lists of applications be shown to any unauthorized person.**"; and

Further amend said bill, Page 9, Section 115.351, Line 15, by inserting after all of said section and line the following:

"115.430. 1. This section shall apply to ~~[primary and general elections where candidates for federal or statewide offices are nominated or elected and any election where statewide issue or issues are submitted to the voters]~~ **any public election.**

2. (1) A voter claiming to be properly registered in the jurisdiction of the election authority and eligible to vote in an election, but whose eligibility at that precinct cannot be immediately established upon examination of the precinct register, shall be entitled to vote a provisional ballot after providing a form of personal identification required pursuant to section 115.427 or upon executing an affidavit under section 115.427, or may vote at a central polling place as established in section 115.115 where the voter may vote his or her appropriate ballot for his or her precinct of residence upon verification of eligibility or vote a provisional ballot if eligibility cannot be determined. The provisional ballot provided to a voter under this section shall be the ballot provided to a resident of the voter's precinct determined by reference to the affidavit provided for in this section. If the voter declares that the voter is eligible to vote and the election authority determines that the voter is eligible to vote at another polling place, the voter shall be directed to the correct polling place or a central polling place as established by the election authority pursuant to subsection 5 of section 115.115. If the voter refuses to go to the correct polling place or a central polling place, the voter shall be permitted to vote a provisional ballot at the incorrect polling place, but such ballot shall not be counted if the voter was not eligible to vote at that polling place.

(2) The following steps shall be taken to establish a voter's eligibility to vote at a polling place:

(a) The election judge shall examine the precinct register as provided in section 115.425. If the voter is registered and eligible to vote at the polling place, the voter shall receive a regular ballot;

(b) If the voter's eligibility cannot be immediately established by examining the precinct register, the election judge shall contact the election authority. If the election authority cannot immediately establish that the voter is registered and eligible to vote at the polling place upon examination of the Missouri voter registration

system, or if the election judge is unable to make contact with the election authority immediately, the voter shall be notified that the voter is entitled to a provisional ballot.

(3) The voter shall have the duty to appear and vote at the correct polling place. If an election judge determines that the voter is not eligible to vote at the polling place at which a voter presents himself or herself, and if the voter appears to be eligible to vote at another polling place, the voter shall be informed that he or she may cast a provisional ballot at the current polling place or may travel to the correct polling place or a central polling place, as established by the election authority under subsection 5 of section 115.115, where the voter may cast a regular ballot or provisional ballot if the voter's eligibility still cannot be determined. Provisional ballots cast at a polling place shall be counted only if the voter was eligible to vote at such polling place as provided in subsection 5 of this section.

(4) For a voter requesting an absentee ballot in person, such voter shall be entitled to cast a provisional ballot when the voter's eligibility cannot be immediately established upon examination of the precinct registers or the Missouri voter registration system.

(5) Prior to accepting any provisional ballot at the polling place, the election judges shall determine that the information provided on the provisional ballot envelope by the provisional voter is consistent with the identification provided by such person under section 115.427.

3. (1) No person shall be entitled to receive a provisional ballot until such person has completed a provisional ballot affidavit on the provisional ballot envelope.

(2) The secretary of state shall produce appropriate sizes of provisional ballot envelopes and distribute them to each election authority according to their tabulating system. All provisional ballot envelopes shall be printed on a distinguishable color of paper that is different from the color of the regular ballot. The provisional ballot envelope shall be in the form required by subsection 4 of this section. All provisional ballots shall be marked with a conspicuous stamp or other distinguishing mark that makes them readily distinguishable from the regular ballots.

(3) Once voted, the provisional ballot shall be placed and sealed in a provisional ballot envelope.

4. The provisional ballot in its envelope shall be deposited in the ballot box. The provisional ballot envelope shall be completed by the voter for use in determining eligibility. The provisional ballot envelope specified in this section shall contain a voter's certificate which shall be in substantially the following form:

STATE OF _____
COUNTY OF _____

I do solemnly swear (or affirm) that my name is _____; that my date of birth is _____; that the last four digits of my Social Security Number are _____; that I am registered to vote in _____ County or City (if a City not within a County), Missouri; that I am a qualified voter of said County (or City not within a County); that I am eligible to vote at this polling place; and that I have not voted in this election.

I understand that if the above-provided information is not correct and the election authority determines that I am not registered and eligible to vote, my vote will not be counted. I further understand that knowingly providing false information is a violation of law and subjects me to possible criminal prosecution.

(Signature of Voter)

(Current Address)

Subscribed and affirmed before me this _____ day of _____, 20 _____

(Signature of Election Official)

The voter may provide additional information to further assist the election authority in determining eligibility, including the place and date the voter registered to vote, if known.

5. (1) Prior to counting any provisional ballot, the election authority shall determine if the voter is registered and eligible to vote and if the vote was properly cast. The eligibility of provisional votes shall be determined according to the requirements for a voter to cast a ballot in the election as set forth in sections 115.133 and 115.135. A provisional [~~voter~~] ballot shall not be eligible to be counted until the election authority has determined that:

(a) The voter cast such provisional ballot at a polling place established for the voter or the central polling place established by the election authority under subsection 5 of section 115.115;

(b) The individual who cast the provisional ballot is an individual registered to vote in the respective election at the polling place where the ballot was cast;

(c) The voter did not otherwise vote in the same election by regular ballot, absentee ballot, or otherwise; and

(d) The information on the provisional ballot envelope is found to be correct, complete, and accurate.

(2) When the ballot boxes are delivered to the election authority from the polling places, the receiving teams shall separate the provisional ballots from the rest of the ballots and place the sealed provisional ballot envelopes in a separate container. Teams of election authority employees or teams of election judges with each team consisting of one member of each major political party shall photocopy each provisional ballot envelope, such photocopy to be used by the election authority to determine provisional voter eligibility. The sealed provisional ballot envelopes shall be placed by the team in a sealed container and shall remain therein until tabulation.

(3) To determine whether a provisional ballot is valid and entitled to be counted, the election authority shall examine its records and verify that the provisional voter is properly registered and eligible to vote in the election. If the provisional voter has provided information regarding the registration agency where the provisional voter registered to vote, the election authority shall make an inquiry of the registration agency to determine whether the provisional voter is properly registered and eligible to vote in the election.

(4) If the election authority determines that the provisional voter is registered and eligible to vote in the election, the election authority shall provide documentation verifying the voter's eligibility. Such documentation shall be noted on the copy of the provisional ballot envelope and shall contain substantially the following information:

(a) The name of the provisional voter;

(b) The name of the reviewer;

(c) The date and time; and

(d) A description of evidence found that supports the voter's eligibility.

(5) The local election authority shall record on a provisional ballot acceptance/rejection list the provisional ballot identification number and a notation marking it as accepted.

(6) If the election authority determines that the provisional voter is not registered or eligible to vote in the election, the election authority shall provide documentation verifying the voter's ineligibility. Such documentation shall be noted on the copy of the provisional ballot envelope and shall contain substantially the following information:

(a) The name of the provisional voter;

(b) The name of the reviewer;

(c) The date and time;

(d) A description of why the voter is ineligible.

(7) The local election authority shall record on a provisional ballot acceptance/rejection list the provisional ballot identification number and notation marking it as rejected.

(8) If rejected, a photocopy of the envelope shall be made and used by the election authority as a mail-in voter registration. The actual provisional ballot envelope shall be kept as ballot material, and the copy of the envelope shall be used by the election authority for registration record keeping.

6. All provisional ballots cast by voters whose eligibility has been verified as provided in this section shall be counted in accordance with the rules governing ballot tabulation. Provisional ballots shall not be counted until all provisional ballots are determined either eligible or ineligible and all provisional ballots must be processed before the election is certified. The provisional ballot shall be counted only if the election authority determines that the voter is registered and eligible to vote. Provisional ballots voted in the wrong polling place shall not be counted. If the voter is not registered but is qualified to register for future elections, the affidavit shall be considered a mail-in application to register to vote pursuant to this chapter.

7. (1) After the election authority completes its review of the provisional voter's eligibility under subsection 5 of this section, the election authority shall deliver the provisional ballots and copies of the provisional ballot envelopes that include eligibility information to bipartisan counting teams, which may be the board of verification, for review and tabulation. The election authority shall maintain a record of such delivery. The record shall include the number of ballots delivered to each team and shall include a signed receipt from two judges, one from each major political party. The election authority shall provide each team with a ballot box and material necessary for tabulation.

(2) If the person named on the provisional ballot affidavit is found to have been properly qualified and registered to cast a ballot in the election and the provisional ballot otherwise qualifies to be counted under the provisions of this section, the envelope shall be opened, and the ballot shall be placed in a ballot box to be counted.

(3) If the person named on the provisional ballot affidavit is found not to have been properly qualified and registered to cast a ballot in the election or if the election authority is unable to determine such person's right to vote, the envelope containing the provisional ballot shall not be opened, and the person's vote shall not be counted. The members of the team shall follow the procedures set forth in subsection 5 of this section for rejected provisional ballots.

(4) The votes shall be tallied and the returns made as provided in sections 115.447 to 115.525 for paper ballots. After the vote on all ballots assigned to a team have been counted, the ballots, ballot envelopes, and copies of ballot envelopes with the eligibility information provided by the election authority shall be enclosed in sealed containers marked "Voted provisional ballots and ballot envelopes from the election held _____, 20_____". All rejected provisional ballots, ballot envelopes, and copies of ballot envelopes with the eligibility information provided by the election authority shall be enclosed in sealed containers marked "Rejected provisional ballots and ballot envelopes from the election held _____, 20_____". On the outside of each voted ballot and rejected ballot container, each member of the team shall write their name and all such containers shall be returned to the election authority. Upon receipt of the returns and ballots, the election authority shall tabulate the provisional votes.

8. Challengers and watchers, as provided by sections 115.105 and 115.107, may be present during all times that the bipartisan counting teams are reviewing or counting the provisional ballots, the provisional ballot envelopes, or copies of the provisional ballot envelopes that include eligibility information provided by the election authority. Challengers and watchers shall be permitted to observe the determination of the eligibility of all provisional ballots. The election authority shall notify the county chair of each major political party of the time and location when bipartisan counting teams will be reviewing or counting the provisional ballots, the provisional ballot envelopes, or the copies of the provisional ballot envelopes that include the eligibility information provided by the election authority.

9. The certificate of ballot cards shall:

- (1) Reflect the number of provisional envelopes delivered; and
- (2) Reflect the number of sealed provisional envelopes with voted ballots deposited in the ballot box.

10. In counties where the voting system does not utilize a paper ballot, the election authority shall provide the appropriate provisional ballots to each polling place.

11. The secretary of state may promulgate rules for purposes of ensuring the uniform application of this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to chapter 536.

12. The secretary of state shall design and provide to the election authorities the envelopes and forms necessary to carry out the provisions of this section.

13. Pursuant to the Help America Vote Act of 2002, the secretary of state shall ensure a free access system is established, such as a toll-free number or an internet website, that any individual who casts a provisional ballot may access to discover whether the vote of that individual was counted, and, if the vote was not counted, the reason that the vote was not counted. At the time an individual casts a provisional ballot, the election authority shall give the voter written information that states that any individual who casts a provisional ballot will be able to ascertain under such free access system whether the vote was counted, and if the vote was not counted, the reason that the vote was not counted.

14. In accordance with the Help America Vote Act of 2002, any individual who votes in an election as a result of a court order or any other order extending the time established for closing the polls in section 115.407 may vote only by using a provisional ballot, and such provisional ballot shall be separated and held apart from other provisional ballots cast by those not affected by the order. Such ballots shall not be counted until such time as the ballots are determined to be valid. No state court shall have jurisdiction to extend the polling hours established by law, including section 115.407.

115.453. Election judges shall count votes for all candidates in the following manner:

(1) No candidate shall be counted as voted for, except a candidate before whose name a distinguishing mark appears preceding the name and a distinguishing mark does not appear in the square preceding the name of any candidate for the same office in another column. Except as provided in this subdivision and subdivision (2) of this section, each candidate with a distinguishing mark preceding his or her name shall be counted as voted for;

(2) If distinguishing marks appear next to the names of more candidates for an office than are entitled to fill the office, no candidate for the office shall be counted as voted for. If more than one candidate is to be

nominated or elected to an office, and any voter has voted for the same candidate more than once for the same office at the same election, no votes cast by the voter for the candidate shall be counted;

(3) No vote shall be counted for any candidate that is not marked substantially in accordance with the provisions of this section. The judges shall count votes marked substantially in accordance with this section and section 115.456 when the intent of the voter seems clear. Regulations promulgated by the secretary of state shall be used by the judges to determine voter intent. No ballot containing any proper votes shall be rejected for containing fewer marks than are authorized by law;

(4) Write-in votes shall be counted only for candidates for election to office who have filed a declaration of intent to be a write-in candidate for election to office with the proper election authority, who shall then notify the proper filing officer of the write-in candidate prior to 5:00 p.m. on the second Friday immediately preceding the election day; except that, write-in votes shall be counted only for candidates for election to state or federal office who have filed a declaration of intent to be a write-in candidate for election to state or federal office with the secretary of state pursuant to section 115.353 prior to 5:00 p.m. on the second Friday immediately preceding the election day. No person who filed as a party or independent candidate for nomination or election to an office may, without withdrawing as provided by law, file as a write-in candidate for election to the same office for the same term. No candidate who files for nomination to an office and is not nominated at a primary election may file a declaration of intent to be a write-in candidate for the same office at the general election. When declarations are properly filed with the secretary of state, the secretary of state shall promptly transmit copies of all such declarations to the proper election authorities for further action pursuant to this section. The election authority shall furnish a list to the election judges and counting teams prior to election day of all write-in candidates who have filed such declaration. ~~[This subdivision shall not apply to elections wherein candidates are being elected to an office for which no candidate has filed.]~~ No person shall file a declaration of intent to be a write-in candidate for election to any municipal office unless such person is qualified to be certified as a candidate under section 115.306;

(5) Write-in votes shall be cast and counted for a candidate without party designation. Write-in votes for a person cast with a party designation shall not be counted. Except for candidates for political party committees, no candidate shall be elected as a write-in candidate unless such candidate receives a separate plurality of the votes without party designation regardless of whether or not the total write-in votes for such candidate under all party and without party designations totals a majority of the votes cast;

(6) When submitted to the election authority, each declaration of intent to be a write-in candidate for the office of United States president shall include the name of a candidate for vice president and the name of nominees for presidential elector equal to the number to which the state is entitled. At least one qualified resident of each congressional district shall be nominated as presidential elector. Each such declaration of intent to be a write-in candidate shall be accompanied by a declaration of candidacy for each presidential elector in substantially the form set forth in subsection 3 of section 115.399. Each declaration of candidacy for the office of presidential elector shall be subscribed and sworn to by the candidate before the election official receiving the declaration of intent to be a write-in, notary public or other officer authorized by law to administer oaths.

115.635. 1. The following offenses, and any others specifically so described by law, shall be class three election offenses and are deemed misdemeanors connected with the exercise of the right of suffrage. Conviction for any of these offenses shall be punished by imprisonment of not more than one year or by fine of not more than two thousand five hundred dollars, or by both such imprisonment and fine:

(1) Giving, lending, agreeing to give or lend, offering, promising, or endeavoring to procure, any money or valuable consideration, office, or place of employment, to or for any voter, to or for any person on behalf of any voter, or to or for any person, in order to induce any voter to vote or refrain from voting or corruptly doing any such act on account of such voter having already voted or refrained from voting at any election;

(2) Making use of, or threatening to make use of, any force, violence, or restraint, or inflicting or threatening to inflict any injury, damage, harm or loss upon or against any person, in order to induce or compel such person to vote or refrain from voting at any election;

(3) Impeding or preventing, or attempting to impede or prevent, by abduction, duress or any fraudulent device or contrivance, the free exercise of the franchise of any voter or, by abduction, duress, or any fraudulent device, compelling, inducing, or prevailing upon any voter to vote or refrain from voting at any election;

(4) Giving, or making an agreement to give, any money, property, right in action, or other gratuity or reward, in consideration of any grant or deputation of office;

(5) Bringing into this state any nonresident person with intent that such person shall vote at an election without possessing the requisite qualifications;

(6) Asking for, receiving, or taking any money or other reward by way of gift, loan, or other device or agreeing or contracting for any money, gift, office, employment, or other reward, for giving, or refraining from giving, his or her vote in any election;

(7) Removing, destroying or altering any supplies or information placed in or near a voting booth for the purpose of enabling a voter to prepare his or her ballot;

(8) Entering a voting booth or compartment except as specifically authorized by law;

(9) On the part of any election official, challenger, watcher or person assisting a person to vote, revealing or disclosing any information as to how any voter may have voted, indicated that the person had voted except as authorized by this chapter, indicated an intent to vote or offered to vote, except to a grand jury or pursuant to a lawful subpoena in a court proceeding relating to an election offense;

(10) On the part of any registration or election official, refusing to permit any person to register to vote or to vote when such official knows the person is legally entitled to register or legally entitled to vote;

(11) Attempting to commit or participating in an attempt to commit any class one or class two election offense;

(12) Threatening to harm or engaging in conduct reasonably calculated to harass, including stalking under section 565.227, an election judge, challenger, watcher, or employee or volunteer of an election authority, or a member of such person's family;

(13) Attempting to induce, influence, deceive, or pressure an election official or member of an election official's family to violate any provision of this chapter;

(14) Disseminating, through any means, the home address, home telephone number, mobile telephone number, personal email address, social security number, federal tax identification number, checking account number, savings account number, credit card number, marital status, or identity of a child under eighteen years of age, of an election judge, challenger, watcher, or employee or volunteer of an election authority, or a member of such person's family, for the purposes of threatening to harm or engaging in conduct reasonably calculated to harass an election judge, challenger, watcher, or employee or volunteer of an election authority or a member of such person's family or attempting to induce, influence, deceive, or pressure an election official or a member of an election official's family to violate any provision of this chapter.

2. For the purposes of this section, the term "election official" includes the election authority for the county, election judges, and other volunteers or employees of an election authority. If a violation of subdivision (12), (13), or (14) of subsection 1 of this section results in death or bodily injury to an election official or a member of the official's family, the offense shall be a class B felony.

115.646. No contribution or expenditure of public funds shall be made directly by any officer, employee, or agent of any political subdivision, ~~including school districts and charter schools~~ **special district, or charter school** to advocate, support, or oppose the passage or defeat of any ballot measure or the nomination or election of any candidate for public office, or to direct any public funds to, or pay any debts or obligations of, any committee supporting or opposing such ballot measures or candidates. This section shall not be construed to prohibit any public official of a political subdivision, including school districts and charter schools, from making public appearances or from issuing press releases concerning any such ballot measure. Any purposeful violation of this section shall be punished as a class four election offense."; and

Further amend said bill, Page 12, Section 115.904, Line 6, by inserting after all of said section and line the following:

"531.050. In case any person, against whom any such information in the nature of a quo warranto shall be prosecuted, shall be adjudged guilty of any usurpation of, or intrusion into, or unlawfully holding and executing any office or franchise, it may be lawful for the court as well to give judgment of ouster against such person from any of the said offices or franchises, as to fine such person for his usurpation of, intruding into or unlawfully holding and executing any such office or franchise, and to give judgment that the relator in such information named shall recover his costs of such prosecution; and if judgment shall be given for the defendant in such information, he shall recover his costs against such relator. **Any person against whom such judgment is entered, or who resigns during the pendency of the action, shall be permanently barred from holding, being appointed to, or appearing on any ballot for the office for which judgment was entered or the action was brought against such person.**"; and

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

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

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

House Amendment No. 2

AMEND House Committee Substitute for House Bill Nos. 126 & 367, Page 1, Section A, Line 4, by inserting after all of said section and line the following:

"105.695. 1. No contribution or expenditure of system funds shall be made directly by any public pension system to advocate, support, or oppose the passage or defeat of any ballot measure or the nomination or election of any candidate for public office. Nor shall any system funds pay any debts or obligations of, any committee supporting or opposing such ballot measures or candidates.

2. For the purposes of this section, the term "system" shall be defined as any retirement system established by the state of Missouri or any political subdivision or instrumentality of the state for the purpose of providing plan benefits for elected or appointed public officials or employees of the state of Missouri or any political subdivision or instrumentality of the state."; and

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

Representative Matthiesen offered **House Amendment No. 1 to House Amendment No. 2**.

House Amendment No. 1

to

House Amendment No. 2

AMEND House Amendment No. 2 to House Committee Substitute for House Bill Nos. 126 & 367, Page 1, Line 11, by deleting all of said line and inserting in lieu thereof the following:

"employees of the state of Missouri or any political subdivision or instrumentality of the state.

115.105. 1. The chair of the county committee of each political party named on the ballot shall have the right to designate a challenger for each polling place, who may be present ~~[until all]~~ **while** ballots are cast on ~~[the day of]~~ **election day, or in first class counties and charter counties, during the absentee voting period,** and a challenger for each location at which absentee ballots are counted, who may be present while the ballots are being prepared for counting and counted. No later than four business days before ~~[the election]~~ **a challenger may enter a polling location,** the chair of each county committee of each political party named on the ballot shall provide signed official designation forms with the names of the designated challengers and substitutes to the local election authority for confirmation of eligibility to serve as a challenger. The local election authority, after verifying the eligibility of each designated and substitute challenger, shall sign off on the official designation forms, unless the challenger is found not to have the qualifications established by subsection 4 of this section. If the election authority determines that a challenger does not meet the qualifications of subsection 4 of this section, the designating party chair may designate a replacement challenger and provide the local election authority with the name of the replacement challenger before 5:00 p.m. of the Monday preceding the election. The designating chair may substitute challengers at his or her discretion during such hours.

2. Challenges may only be made when the challenger believes the election laws of this state have been or will be violated, and each challenger shall report any such belief to the election judges, or to the election authority if not satisfied with the decision of the election judges.

3. Prior to the close of the polls, challengers may list and give out the names of those who have voted. The listing and giving out of names of those who have voted by a challenger shall not be considered giving information tending to show the state of the count.

4. All persons selected as challengers shall have the same qualifications required by section 115.085 for election judges, except that such challenger shall be a registered voter in the jurisdiction of the election authority for which the challenger is designated as a challenger.

5. Any challenge by a challenger to a voter's identification for validity shall be made only to the election judges or other election authority. If the poll challenger is not satisfied with the decision of the election judges, then he or she may report his or her belief that the election laws of this state have been or will be violated to the election authority as allowed under this section.

115.107. 1. At every election, the chairman of the county committee of each political party named on the ballot shall have the right to designate a watcher for each place votes are counted. **No later than four business days before a watcher may enter a polling or counting location, the chair of each county committee of each political party named on the ballot shall provide signed official designation forms with the names of the designated watchers and substitutes to the local election authority for confirmation of eligibility to serve as a watcher. The local election authority, after verifying the eligibility of each designated and substitute watcher, shall sign off on the official designation forms, unless the watcher is found not to have the qualifications established by subsection 5 of this section. If the election authority determines that a watcher does not meet the qualifications of subsection 5 of this section, the designating party chair may designate a replacement watcher and provide the local election authority with the name of the replacement watcher before 5:00 p.m. of the Monday preceding the election. The designating chair may substitute watchers at his or her discretion during such hours.**

2. Watchers are to observe the counting of the votes and present any complaint of irregularity or law violation to the election judges, or to the election authority if not satisfied with the decision of the election judges. No watcher may be substituted for another on election day.

3. No watcher shall report to anyone the name of any person who has or has not voted.

4. A watcher may remain present until all closing certification forms are completed, all equipment is closed and taken down, the transportation case for the ballots is sealed, election materials are returned to the election authority or to the designated collection place for a polling place, and any other duties or procedures required under sections 115.447 to 115.491 are completed. A watcher may also remain present at each **in-person absentee voting location in first class counties and charter counties** at which absentee ballots are counted **or prepared for counting** and may remain present while such ballots are being prepared for counting and counted.

5. All persons selected as watchers shall have the same qualifications required by section 115.085 for election judges, except that such watcher shall be a registered voter in the jurisdiction of the election authority for which the watcher is designated as a watcher."; and"; and

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

On motion of Representative Matthiesen, **House Amendment No. 1 to House Amendment No. 2** was adopted.

On motion of Representative Steinmeyer, **House Amendment No. 2, as amended**, was adopted.

On motion of Representative Veit, **HCS HBs 126 & 367, as amended**, was adopted.

On motion of Representative Veit, **HCS HBs 126 & 367, as amended**, was ordered perfected and printed.

HCS HB 368, relating to state aid for schools, was placed on the Informal Calendar.

HB 770, relating to fees collected by the secretary of state, was taken up by Representative Banderman.

On motion of Representative Banderman, the title of **HB 770** was agreed to.

On motion of Representative Banderman, **HB 770** was ordered perfected and printed.

HCS HB 50, relating to the Missouri nuclear clean power act, was placed on the Informal Calendar.

HB 969, relating to motorcycle or all-terrain vehicle franchisors, was placed on the Informal Calendar.

HB 478, relating to professional licensing, was taken up by Representative Oehlerking.

On motion of Representative Oehlerking, the title of **HB 478** was agreed to.

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

House Amendment No. 1

AMEND House Bill No. 478, Page 3, Section 324.004, Line 60, by inserting after all of said section and line the following:

"333.041. 1. ~~[Each applicant for a license to practice funeral directing shall furnish evidence to establish to the satisfaction of the board that he or she is at least eighteen years of age, and possesses a high school diploma, a general equivalency diploma, or equivalent thereof, as determined, at its discretion, by the board.~~

2.] Every person desiring to enter the profession of embalming dead human bodies within the state of Missouri and who is enrolled in a program **of education** accredited by the American Board of Funeral Service Education, any successor organization, or other accrediting entity as approved by the board shall register with the board as a practicum student upon the form ~~[provided]~~ **approved** by the board. ~~[After such registration, a student may assist, under the direct supervision of Missouri licensed embalmers and funeral directors, in Missouri licensed funeral establishments, while serving his or her practicum.]~~ The form for registration as a practicum student shall be accompanied by a fee in an amount established by the board. **After a student's registration has been approved by the board, a practicum student registrant may assist, under the direct supervision of an embalmer licensed under this chapter, in an establishment licensed under this chapter. Practicum student registrants shall not assist when not under such supervision. Each practicum student registrant is authorized to work only at the location or locations registered with the board and under only those supervisors registered with the board.**

~~[3. Each applicant for a license to practice embalming shall furnish evidence to establish to the satisfaction of the board that he or she:~~

~~(1) Is at least eighteen years of age, and possesses a high school diploma, a general equivalency diploma, or equivalent thereof, as determined, at its discretion, by the board;~~

~~(2) Has completed a funeral service education program accredited by the American Board of Funeral Service Education, any successor organization, or other accrediting entity as approved by the board. If an applicant does not complete all requirements for licensure within five years from the date of his or her completion of an accredited program, his or her registration as an apprentice embalmer shall be automatically cancelled. The applicant shall be required to file a new application and pay applicable fees. No previous apprenticeship shall be considered for the new application;~~

~~(3) Upon due examination administered by the board, is possessed of a knowledge of the subjects of embalming, anatomy, pathology, bacteriology, mortuary administration, chemistry, restorative art, together with statutes, rules and regulations governing the care, custody, shelter and disposition of dead human bodies and the transportation thereof or has passed the national board examination of the Conference of Funeral Service Examining Boards. If any applicant fails to pass the state examination, he or she may retake the examination at the next regular examination meeting. The applicant shall notify the board office of his or her desire to retake the examination at least thirty days prior to the date of the examination. Each time the examination is retaken, the applicant shall pay a new examination fee in an amount established by the board;~~

~~(4) Has been employed full time in funeral service in a licensed funeral establishment and has personally embalmed at least twenty five dead human bodies under the personal supervision of an embalmer who holds a current and valid Missouri embalmer's license during an apprenticeship of not less than twelve consecutive months. "Personal supervision" means that the licensed embalmer shall be physically present during the entire embalming process in the first six months of the apprenticeship period and physically present at the beginning of the embalming process and available for consultation and personal inspection within a period of not more than one hour in the remaining six months of the apprenticeship period. All transcripts and other records filed with the board shall become a part of the board files.~~

4.] 2. Except as otherwise provided in this section, an applicant not entitled to an embalmer's license under section 333.051 or 324.009 shall make application for such license. Each applicant for an initial license to practice embalming shall furnish evidence to establish to the satisfaction of the board that he or she:

- (1) Is eighteen years of age or older;**
- (2) Possesses a high school diploma, a general equivalency diploma, or equivalent thereof, as determined, at its discretion, by the board;**
- (3) Has completed a funeral service education program accredited by the American Board of Funeral Service Education, any successor organization, or other accrediting entity as approved by the board;**
- (4) Received passing scores on the National Board Examination-Sciences and the Missouri law examination administered by the International Conference of Funeral Service Examining Boards, any successor organization, or other organization approved by the board; and**
- (5) Has been employed in a qualifying embalmer's apprentice program as defined by the board for no less than six months and has personally embalmed at least twenty-five dead human bodies under the supervision of an embalmer who is licensed under this chapter. The first twelve of the embalmings shall be conducted under the direct supervision of the licensed embalmer. For purposes of this subdivision, a "qualifying embalmer's apprentice program" is a program in which the apprentice completed the minimum number of hours required by the board and, as attested to by the supervising licensed embalmer, obtained the minimal required skills to practice embalming. For purposes of this subdivision, "direct supervision" shall mean supervision in which the licensed embalmer is physically present with the apprentice embalmer and the dead human body at the beginning of the embalming process and available for consultation within one hour for the remainder of the embalming process. The licensed embalmer shall inspect all bodies embalmed by the apprentice embalmer.**

3. Upon written request to the board, any person licensed under this section may, at his or her election, at any time, sit for the National Board Examination-Arts administered by the International Conference of Funeral Service Examining Boards, any successor organization, or other organization approved by the board if such person has not previously passed such examination.

4. If the applicant does not complete the application process within the five years after his or her completion of an approved program, then he or she must file a new application and no fees paid previously shall apply toward the license fee.

~~5. [Examinations required by this section and section 333.042 shall be held at least twice a year at times and places fixed by the board. The board shall by rule and regulation prescribe the standard for successful completion of the examinations.~~

~~6. Upon establishment of his or her qualifications as specified by this section or section 333.042, the board shall issue to the applicant a license to practice funeral directing or embalming, as the case may require, and shall register the applicant as a duly licensed funeral director or a duly licensed embalmer.] Any person having the qualifications required by this section and section 333.042 may be granted both a license to practice funeral directing and to practice embalming.~~

~~[7. The board shall, upon request, waive any requirement of this chapter and issue a temporary funeral director's license, valid for six months, to the surviving spouse or next of kin or the personal representative of a licensed funeral director, or to the spouse, next of kin, employee or conservator of a licensed funeral director disabled because of sickness, mental incapacity or injury.]~~

~~333.042. 1. [Every person desiring to enter the profession of funeral directing in this state shall make application with the state board of embalmers and funeral directors and pay the current application and examination fees. Except as otherwise provided in section 41.950, applicants not entitled to a license pursuant to section 333.051 or 324.009 shall serve an apprenticeship for at least twelve consecutive months in a funeral establishment licensed for the care and preparation for burial and transportation of the human dead in this state or in another state which has established standards for admission to practice funeral directing equal to, or more stringent than, the requirements for admission to practice funeral directing in this state. The applicant shall devote at least fifteen hours per week to~~

his or her duties as an apprentice under the supervision of a Missouri licensed funeral director. Such applicant shall submit proof to the board, on forms provided by the board, that the applicant has arranged and conducted ten funeral services during the applicant's apprenticeship under the supervision of a Missouri licensed funeral director. Upon completion of the apprenticeship, the applicant shall appear before the board to be tested on the applicant's legal and practical knowledge of funeral directing, funeral home licensing, preneed funeral contracts and the care, custody, shelter, disposition and transportation of dead human bodies. Upon acceptance of the application and fees by the board, an applicant shall have twenty four months to successfully complete the requirements for licensure found in this section or the application for licensure shall be cancelled.

2. If a person applies for a limited license to work only in a funeral establishment which is licensed only for cremation, including transportation of dead human bodies to and from the funeral establishment, he or she shall make application, pay the current application and examination fee and successfully complete the Missouri law examination. He or she shall be exempt from the twelve month apprenticeship required by subsection 1 of this section and the practical examination before the board. If a person has a limited license issued pursuant to this subsection, he or she may obtain a full funeral director's license if he or she fulfills the apprenticeship and successfully completes the funeral director practical examination.

3. If an individual is a Missouri licensed embalmer or has completed a program accredited by the American Board of Funeral Service Education, any successor organization, or other accrediting entity as approved by the board or has successfully completed a course of study in funeral directing offered by an institution accredited by a recognized national, regional or state accrediting body and approved by the state board of embalmers and funeral directors, and desires to enter the profession of funeral directing in this state, the individual shall comply with all the requirements for licensure as a funeral director pursuant to subsection 1 of section 333.041 and subsection 1 of this section; however, the individual is exempt from the twelve month apprenticeship required by subsection 1 of this section.] Except as otherwise provided in this section, an applicant for a funeral director license not entitled to a license under section 333.051 or 324.009 shall make application for an initial license to practice funeral directing and shall furnish evidence to establish to the satisfaction of the board that he or she:

- (1) Is eighteen years of age or older;
- (2) Possesses a high school diploma, a general equivalency diploma, or equivalent thereof, as determined, at its discretion, by the board; and
- (3) Has either:
 - (a) Completed a funeral service education program accredited by the American Board of Funeral Service Education, any successor organization, or other accrediting entity as approved by the board and received passing scores on the National Board Examination—Arts and the Missouri law examination. The board may accept, in lieu of a passing score on the National Board Examination—Arts, a passing score on an administration of the Missouri arts examination that occurred before the International Conference of Funeral Service Examining Boards ended all administrations of the Missouri arts examination on January 1, 2023; or
 - (b) Made application for a funeral director provisional license and successfully either:
 - a. Within twenty-four months of receipt of the provisional license:
 - (i) Completed a twelve-month qualifying funeral director apprentice program as determined by the board during which the applicant arranged and conducted ten funeral services. Such program shall be under the personal supervision of a funeral director licensed under this chapter and in a Missouri funeral establishment licensed for the care and preparation for burial and transportation of the human dead in this state; and
 - (ii) Received passing scores on the National Board Examination—Arts and the Missouri law examination. The board may accept, in lieu of a passing score on the National Board Examination—Arts, a passing score on an administration of the Missouri arts examination that occurred before the International Conference of Funeral Service Examining Boards ended all administrations of the Missouri arts examination on January 1, 2023; or
 - b. Within thirty-six months of receipt of the provisional license:
 - (i) Completed an eighteen-month qualifying funeral director apprentice program as determined by the board during which the applicant arranged and conducted twenty-five funeral services. Such program shall be under the personal supervision of a funeral director licensed under this chapter and in a Missouri funeral establishment licensed for the care and preparation for burial and transportation of the human dead in this state; and
 - (ii) Received a passing score on the Missouri law examination.

2. Any person holding a provisional license shall be eligible, upon written request to the board, to sit for the National Board Examination-Arts and the Missouri law examination at any time during the period in which his or her provisional license is effective.

3. Any licensed funeral director who has not previously sat for the National Board Examination-Arts may, at his or her election and upon written request to the board, sit for the examination.

4. A person may apply for a limited license to work only in a funeral establishment licensed for cremation. A person holding a limited funeral director license may perform duties related to cremation. To qualify for a limited funeral director license, an applicant shall be eighteen years of age or older and shall make application with the board, pay applicable fees, and successfully complete the Missouri law examination. Completion of a qualifying funeral director apprentice program shall not be required to obtain a limited funeral director license.

5. The board shall, at its discretion and upon written request, waive individual funeral director licensure requirements for up to six months if there is an absence of a funeral director in charge due to the death or disability of the licensed funeral director and there is no other licensed funeral director available to discharge the director's duties. A waiver under this subsection shall allow the spouse, next of kin, personal representative, or conservator of the absent director to conduct business until a licensed funeral director can be obtained or business arrangements are made to close or sell the establishment. The waiver shall not allow for any services to be provided for which formal funeral service education is required.

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

(1) "Personal supervision", supervision in which the licensed funeral director shall be physically present during any arrangement conferences and present for the first five funeral services conducted by the apprentice. The supervising licensed funeral director shall not be required to be present when the apprentice performs any other functions relating to the practice of funeral directing but shall be available within one hour for consultation;

(2) "Qualifying funeral director apprentice program", a program that meets the minimum hour requirements for funeral directing tasks as set by the board and in which the supervising funeral director has attested that the apprentice has obtained the minimal required skills to practice funeral directing."; and

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

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

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

House Amendment No. 2

AMEND House Bill No. 478, Page 3, Section 324.004, Line 60, by inserting after said section and line the following:

"324.263. 1. The board may apply to the administrative hearing commission for an emergency suspension or restriction of a license issued under sections 324.240 to 324.275 if:

(1) The holder of the license is the subject of a pending criminal indictment, criminal information, or other criminal charge related to the duties and responsibilities of the licensed occupation; and

(2) There is reasonable cause for the board to believe that the public health, safety, or welfare is at imminent risk of harm from the holder of the license.

2. The board shall submit to the administrative hearing commission supporting affidavits and certified court records, together with a complaint alleging the facts in support of the board's request for an emergency suspension or restriction of a license, and shall supply the administrative hearing commission with the last home or business addresses on file with the board for the licensee. Within one business day of the filing of the complaint, the administrative hearing commission shall return a service packet to the board. The service packet shall include the board's complaint and any affidavits or records the board intends to rely on that have been filed with the administrative hearing commission. The service packet may contain other information in the discretion of the administrative hearing commission. Within twenty-four hours of receiving the packet, the board shall either personally serve the licensee the service packet or leave a copy of the service packet at all of the licensee's current addresses on file with the board.

3. Within five days of the board's filing of the complaint, the administrative hearing commission shall review the information submitted by the board and shall issue its findings of fact and conclusions of law. If the administrative hearing commission finds that there is reasonable cause for the board to believe that the public health, safety, or welfare is at imminent risk of harm from the holder of the license, the administrative hearing commission shall enter the order requested by the board. The order shall be effective upon personal service or by leaving a copy at all of the licensee's current addresses on file with the board.

4. (1) The administrative hearing commission shall hold an evidentiary hearing on the record within forty-five days of the board's filing of the complaint, or upon final adjudication of any criminal charges filed against the licensee, as appropriate, to determine if cause for discipline exists under the provisions of sections 324.240 to 324.275 and to determine whether the initial order entered by the commission shall continue in effect. Prior to the hearing, the licensee may file affidavits and certified court records for consideration by the administrative hearing commission. The administrative hearing commission may grant a request for a continuance but shall in any event hold the hearing within one hundred twenty days of the board's initial filing. The board shall be granted leave to amend its complaint if it is more than thirty days prior to the hearing, or within thirty days prior to the hearing upon a showing of good cause.

(2) If no cause for discipline is found following an evidentiary hearing, the administrative hearing commission shall issue findings of fact, conclusions of law, and an order terminating the commission's initial order imposing an emergency suspension or restriction of the license.

(3) If the administrative hearing commission finds cause for discipline following an evidentiary hearing, the commission shall issue findings of fact and conclusions of law and order the emergency suspension or restriction to remain in full force and effect pending a disciplinary hearing before the board. The board shall hold a hearing following the certification of the record by the administrative hearing commission and may impose discipline otherwise authorized by state law.

5. Any action under this section shall be in addition to and not in lieu of any discipline otherwise in the board's power to impose and may be brought concurrently with other actions.

6. If the administrative hearing commission does not grant an initial order imposing an emergency suspension or restriction of the license as described in subsection 3 of this section, the board shall remove all reference to such emergency suspension or restriction from its public records.

331.084. 1. The board may apply to the administrative hearing commission for an emergency suspension or restriction of a license issued under this chapter if:

(1) The holder of the license is the subject of a pending criminal indictment, criminal information, or other criminal charge related to the duties and responsibilities of the licensed occupation; and

(2) There is reasonable cause for the board to believe that the public health, safety, or welfare is at imminent risk of harm from the holder of the license.

2. The board shall submit to the administrative hearing commission supporting affidavits and certified court records, together with a complaint alleging the facts in support of the board's request for an emergency suspension or restriction of a license, and shall supply the administrative hearing commission with the last home or business addresses on file with the board for the licensee. Within one business day of the filing of the complaint, the administrative hearing commission shall return a service packet to the board. The service packet shall include the board's complaint and any affidavits or records the board intends to rely on that have been filed with the administrative hearing commission. The service packet may contain other information in the discretion of the administrative hearing commission. Within twenty-four hours of receiving the packet, the board shall either personally serve the licensee the service packet or leave a copy of the service packet at all of the licensee's current addresses on file with the board.

3. Within five days of the board's filing of the complaint, the administrative hearing commission shall review the information submitted by the board and shall issue its findings of fact and conclusions of law. If the administrative hearing commission finds that there is reasonable cause for the board to believe that the public health, safety, or welfare is at imminent risk of harm from the holder of the license, the administrative hearing commission shall enter the order requested by the board. The order shall be effective upon personal service or by leaving a copy at all of the licensee's current addresses on file with the board.

4. (1) The administrative hearing commission shall hold an evidentiary hearing on the record within forty-five days of the board's filing of the complaint, or upon final adjudication of any criminal charges filed against the licensee, as appropriate, to determine if cause for discipline exists under the provisions of this chapter and to determine whether the initial order entered by the commission shall continue in effect. Prior

to the hearing, the licensee may file affidavits and certified court records for consideration by the administrative hearing commission. The administrative hearing commission may grant a request for a continuance but shall in any event hold the hearing within one hundred twenty days of the board's initial filing. The board shall be granted leave to amend its complaint if it is more than thirty days prior to the hearing, or within thirty days prior to the hearing upon a showing of good cause.

(2) If no cause for discipline is found following an evidentiary hearing, the administrative hearing commission shall issue findings of fact, conclusions of law, and an order terminating the commission's initial order imposing an emergency suspension or restriction of the license.

(3) If the administrative hearing commission finds cause for discipline following an evidentiary hearing, the commission shall issue findings of fact and conclusions of law and order the emergency suspension or restriction to remain in full force and effect pending a disciplinary hearing before the board. The board shall hold a hearing following the certification of the record by the administrative hearing commission and may impose discipline otherwise authorized by state law.

5. Any action under this section shall be in addition to and not in lieu of any discipline otherwise in the board's power to impose and may be brought concurrently with other actions.

6. If the administrative hearing commission does not grant an initial order imposing an emergency suspension or restriction of the license as described in subsection 3 of this section, the board shall remove all reference to such emergency suspension or restriction from its public records."; and

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

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

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

House Amendment No. 3

AMEND House Bill No. 478, Page 3, Section 324.004, Line 60, by inserting after said section and line the following:

"361.1200. A person appointed as an agent of a payor for purposes of providing payroll processing services for which the agent would otherwise need to be licensed, provided all of the following apply:

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

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

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

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

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

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

House Amendment No. 4

AMEND House Bill No. 478, Page 3, Section 324.004, Line 60, by inserting after all of said section and line the following:

"337.600. As used in sections 337.600 to 337.689, the following terms mean:

(1) "Advanced macro social worker", the applications of social work theory, knowledge, methods, principles, values, and ethics; and the professional use of self to community and organizational systems, systemic

and macrocosm issues, and other indirect nonclinical services; specialized knowledge and advanced practice skills in case management, information and referral, nonclinical assessments, counseling, outcome evaluation, mediation, nonclinical supervision, nonclinical consultation, expert testimony, education, outcome evaluation, research, advocacy, social planning and policy development, community organization, and the development, implementation and administration of policies, programs, and activities. A licensed advanced macro social worker may not treat mental or emotional disorders or provide psychotherapy without the direct supervision of a licensed clinical social worker, or diagnose a mental disorder;

(2) "Clinical social work", the application of social work theory, knowledge, values, methods, principles, and techniques of case work, group work, client-centered advocacy, community organization, administration, planning, evaluation, consultation, research, psychotherapy and counseling methods and techniques to persons, families and groups in assessment, diagnosis, treatment, prevention and amelioration of mental and emotional conditions;

(3) "Committee", the state committee for social workers established in section 337.622;

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

(5) "Director", the director of the division of professional registration;

(6) "Division", the division of professional registration;

(7) "Independent practice", any practice of social workers outside of an organized setting such as a social, medical, or governmental agency in which a social worker assumes responsibility and accountability for services required;

(8) "Licensed advanced macro social worker", any person who offers to render services to individuals, groups, families, couples, organizations, institutions, communities, government agencies, corporations, or the general public for a fee, monetary or otherwise, implying that the person is trained, experienced, and licensed as an advanced macro social worker, and who holds a current valid license to practice as an advanced macro social worker;

(9) "Licensed baccalaureate social worker", any person who offers to render services to individuals, groups, organizations, institutions, corporations, government agencies, or the general public for a fee, monetary or otherwise, implying that the person is trained, experienced, and licensed as a baccalaureate social worker, and who holds a current valid license to practice as a baccalaureate social worker;

(10) "Licensed clinical social worker", any person who offers to render services to individuals, groups, organizations, institutions, corporations, government agencies, or the general public for a fee, monetary or otherwise, implying that the person is trained, experienced, and licensed as a clinical social worker, and who holds a current, valid license to practice as a clinical social worker;

(11) "Licensed master social worker", any person who offers to render services to individuals, groups, families, couples, organizations, institutions, communities, government agencies, corporations, or the general public for a fee, monetary or otherwise, implying that the person is trained, experienced, and licensed as a master social worker, and who holds a current valid license to practice as a master social worker. A licensed master social worker may not treat mental or emotional disorders, provide psychotherapy without the direct supervision of a licensed clinical social worker, or diagnose a mental disorder;

(12) "Master social work", the application of social work theory, knowledge, methods, and ethics and the professional use of self to restore or enhance social, psychosocial, or biopsychosocial functioning of individuals, couples, families, groups, organizations, communities, institutions, government agencies, or corporations. The practice includes the applications of specialized knowledge and advanced practice skills in the areas of assessment, treatment planning, implementation and evaluation, case management, mediation, information and referral, counseling, client education, supervision, consultation, education, research, advocacy, community organization and development, planning, evaluation, implementation and administration of policies, programs, and activities. Under supervision as provided in this section, the practice of master social work may include the practices reserved to clinical social workers or advanced macro social workers for no more than forty-eight consecutive calendar months for the purpose of obtaining licensure under section 337.615 or 337.645;

(13) "Practice of advanced macro social work", rendering, offering to render, or supervising those who render to individuals, couples, families, groups, organizations, institutions, corporations, government agencies, communities, or the general public any service involving the application of methods, principles, and techniques of advanced practice macro social work;

(14) "Practice of baccalaureate social work", rendering, offering to render, or supervising those who render to individuals, families, groups, organizations, institutions, corporations, or the general public any service involving the application of methods, principles, and techniques of baccalaureate social work;

(15) "Practice of clinical social work", rendering, offering to render, or supervising those who render to individuals, couples, groups, organizations, institutions, corporations, or the general public any service involving the application of methods, principles, and techniques of clinical social work;

(16) "Practice of master social work", rendering, offering to render, or supervising those who render to individuals, couples, families, groups, organizations, institutions, corporations, government agencies, communities, or the general public any service involving the application of methods, principles, and techniques of master social work;

(17) "Qualified advanced macro supervisor", any licensed social worker who meets the qualifications of a qualified clinical supervisor or a licensed advanced macro social worker who has:

(a) Practiced in the field of social work as a licensed social worker for which he or she is supervising the applicant for a minimum of five years;

(b) Successfully completed a minimum of sixteen hours of supervisory training from the Association of Social Work Boards, the National Association of Social Workers, an accredited university, or a program approved by the state committee for social workers. All organizations providing the supervisory training shall adhere to the basic content and quality standards outlined by the state committee on social work; and

(c) Met all the requirements of sections 337.600 to 337.689, and as defined by rule by the state committee for social workers;

(18) "Qualified baccalaureate supervisor", any licensed social worker who meets the qualifications of a qualified clinical supervisor, qualified master supervisor, qualified advanced macro supervisor, or a licensed baccalaureate social worker who has:

(a) Practiced in the field of social work as a licensed social worker for which he or she is supervising the applicant for a minimum of five years;

(b) Successfully completed a minimum of sixteen hours of supervisory training from the Association of Social Work Boards, the National Association of Social Workers, an accredited university, or a program approved by the state committee for social workers. All organizations providing the supervisory training shall adhere to the basic content and quality standards outlined by the state committee on social workers; and

(c) Met all the requirements of sections 337.600 to 337.689, and as defined by rule by the state committee for social workers;

(19) "Qualified clinical supervisor", any licensed clinical social worker who has:

(a) Practiced in the field of social work as a licensed social worker for which he or she is supervising the applicant for a minimum of five years;

(b) Successfully completed a minimum of sixteen hours of supervisory training from the Association of Social Work Boards, the National Association of Social Workers, an accredited university, or a program approved by the state committee for social workers. All organizations providing the supervisory training shall adhere to the basic content and quality standards outlined by the state committee on social work; and

(c) Met all the requirements of sections 337.600 to 337.689, and as defined by rule by the state committee for social workers;

(20) "Social worker", any individual that has:

(a) Received a baccalaureate ~~or master's~~ degree in social work from an accredited social work program approved by the ~~[council on social work education]~~ **Council on Social Work Education;**

(b) **Received a master's degree in social work from a social work program:**

a. Accredited by the Council on Social Work Education; or

b. Recognized and approved by the committee in accordance with rules adopted by the committee under section 337.627 and in accordance with the procedure set forth in section 337.628;

(c) Received a doctorate or Ph.D. in social work; or

~~[(c)]~~ (d) A current social worker license as set forth in sections 337.600 to 337.689.

337.604. 1. No person shall hold himself or herself out to be a social worker unless such person has:

(1) Received a baccalaureate ~~or master's~~ degree in social work from an accredited social work program approved by the ~~[council on social work education]~~ **Council on Social Work Education;**

(2) **Received a master's degree in social work from a social work program:**

(a) Accredited by the Council on Social Work Education; or

(b) Recognized and approved by the committee in accordance with rules adopted by the committee under section 337.627 and in accordance with the procedure set forth in section 337.628;

(3) Received a doctorate or Ph.D. in social work; or

~~[(3)]~~ (4) A current social worker license as set forth in sections 337.600 to 337.689.

2. No government entities, public or private agencies or organizations in the state shall use the title "social worker" or any form of the title, including but not limited to the abbreviations "SW", "BSW", "MSW", "DSW", "LBSW", "LBSW-IP", "LMSW", "PLCSW", "LCSW", "CSW", "LAMSW", and "AMSW", for volunteer or employment positions or within contracts for services, documents, manuals, or reference material effective January 1, 2004, unless the volunteers or employees in those positions meet the criteria set forth in this chapter.

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

- (1) "License", a license, certificate, registration, permit, accreditation, or military occupational specialty that enables a person to legally practice an occupation or profession in a particular jurisdiction;
- (2) "Military", the Armed Forces of the United States, including the Air Force, Army, Coast Guard, Marine Corps, Navy, Space Force, National Guard, and any other military branch that is designated by Congress as part of the Armed Forces of the United States, and all reserve components and auxiliaries. The term "military" also includes the military reserves and militia of any United States territory or state;
- (3) "Nonresident military spouse", a nonresident spouse of an active-duty member of the Armed Forces of the United States who has been transferred or is scheduled to be transferred to the state of Missouri, or who has been transferred or is scheduled to be transferred to an adjacent state and is or will be domiciled in the state of Missouri, or has moved to the state of Missouri on a permanent change-of-station basis;
- (4) "Oversight body", any board, department, agency, or office of a jurisdiction that issues licenses;
- (5) "Resident military spouse", a spouse of an active-duty member of the Armed Forces of the United States who has been transferred or is scheduled to be transferred to the state of Missouri or an adjacent state and who is a permanent resident of the state of Missouri, who is domiciled in the state of Missouri, or who has Missouri as his or her home of record.

2. Each applicant for licensure as a clinical social worker shall furnish evidence to the committee that:

- (1) The applicant has:
 - (a) A master's degree from a college or university program of social work:
 - a. Accredited by the ~~[council of social work education]~~ **Council on Social Work Education; or**
 - b. Recognized and approved by the committee in accordance with rules adopted by the committee under section 337.627 and in accordance with the procedure set forth in section 337.628; or**
 - (b) A doctorate degree from a school of social work acceptable to the committee;
 - (2) The applicant has completed at least three thousand hours of supervised clinical experience with a qualified clinical supervisor, as defined in section 337.600, in no less than twenty-four months and no more than forty-eight consecutive calendar months. For any applicant who has successfully completed at least four thousand hours of supervised clinical experience with a qualified clinical supervisor, as defined in section 337.600, within the same time frame prescribed in this subsection, the applicant shall be eligible for application of licensure at three thousand hours and shall be furnished a certificate by the state committee for social workers acknowledging the completion of said additional hours;
 - (3) The applicant has achieved a passing score, as defined by the committee, on an examination approved by the committee. The eligibility requirements for such examination shall be promulgated by rule of the committee; and
 - (4) The applicant is at least eighteen years of age, is a United States citizen or has status as a legal resident alien, and has not been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state, of the United States, or of any country, for any offense directly related to the duties and responsibilities of the occupation, as set forth in section 324.012, regardless of whether or not sentence has been imposed.

3. (1) Any person who holds a valid current clinical social work license issued by another state, a branch or unit of the military, a territory of the United States, or the District of Columbia, and who has been licensed for at least one year in such other jurisdiction, may submit to the committee an application for a clinical social work license in Missouri along with proof of current licensure and proof of licensure for at least one year in the other jurisdiction.

(2) The committee shall:

- (a) Within six months of receiving an application described in subdivision (1) of this subsection, waive any examination, educational, or experience requirements for licensure in this state for the applicant if it determines that there were minimum education requirements and, if applicable, work experience and clinical supervision requirements in effect and the other jurisdiction verifies that the person met those requirements in order to be licensed or certified in that jurisdiction. The committee may require an applicant to take and pass an examination specific to the laws of this state; or

(b) Within thirty days of receiving an application described in subdivision (1) of this subsection from a nonresident military spouse or a resident military spouse, waive any examination, educational, or experience requirements for licensure in this state for the applicant and issue such applicant a license under this subsection if such applicant otherwise meets the requirements of this subsection.

(3) (a) The committee shall not waive any examination, educational, or experience requirements for any applicant who has had his or her license revoked by an oversight body outside the state; who is currently under investigation, who has a complaint pending, or who is currently under disciplinary action, except as provided in paragraph (b) of this subdivision, with an oversight body outside the state; who does not hold a license in good standing with an oversight body outside the state; who has a criminal record that would disqualify him or her for licensure in Missouri; or who does not hold a valid current license in the other jurisdiction on the date the committee receives his or her application under this subsection ~~and section~~.

(b) If another jurisdiction has taken disciplinary action against an applicant, the committee shall determine if the cause for the action was corrected and the matter resolved. If the matter has not been resolved by that jurisdiction, the committee may deny a license until the matter is resolved.

(4) Nothing in this subsection shall prohibit the committee from denying a license to an applicant under this subsection for any reason described in section 337.630.

(5) Any person who is licensed under the provisions of this subsection shall be subject to the committee's jurisdiction and all rules and regulations pertaining to the practice as a licensed clinical social worker in this state.

(6) This subsection shall not be construed to waive any requirement for an applicant to pay any fees.

4. The committee shall issue a license to each person who files an application and fee as required by the provisions of sections 337.600 to 337.689 and who furnishes evidence satisfactory to the committee that the applicant has complied with the provisions of subdivisions (1) to (4) of subsection 2 of this section.

337.627. 1. The committee shall promulgate rules and regulations pertaining to:

(1) The form and content of license applications required by the provisions of sections 337.600 to 337.689 and section 324.009 and the procedures for filing an application for an initial or renewal license in this state;

(2) Fees required by the provisions of sections 337.600 to 337.689 and section 324.009;

(3) The characteristics of supervised clinical experience, supervised master experience, supervised advanced macro experience, and supervised baccalaureate experience;

(4) The standards and methods to be used in assessing competency as a licensed clinical social worker, licensed master social worker, licensed advanced macro social worker, and licensed baccalaureate social worker, including the requirement for continuing education hours;

(5) Establishment and promulgation of procedures for investigating, hearing and determining grievances and violations occurring pursuant to the provisions of sections 337.600 to 337.689;

(6) Development of an appeal procedure for the review of decisions and rules of administrative agencies existing pursuant to the constitution or laws of this state;

(7) Establishment of a policy and procedure for reciprocity with states which do not have clinical, master, advanced macro, or baccalaureate social worker licensing laws and states whose licensing laws are not substantially similar to those of this state; ~~and~~

(8) Establishment of a policy and procedure for reviewing social work degree programs offering a master's degree in social work that have achieved candidacy or precandidacy status in the accreditation process established by the Council on Social Work Education to determine whether to recognize and approve such programs for licensure purposes; and

(9) Any other policies or procedures necessary to the fulfillment of the requirements of sections 337.600 to 337.689.

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

337.628. A social work degree program offering a master's degree in social work that has achieved candidacy or precandidacy status in the accreditation process established by the Council on Social Work Education shall not receive automatic recognition and approval by the committee due to that status under the rules adopted under section 337.627. Only such programs may apply to the committee for recognition and approval, and the committee shall review each application on an individualized basis to determine whether the program qualifies for recognition and approval.

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

(1) "License", a license, certificate, registration, permit, accreditation, or military occupational specialty that enables a person to legally practice an occupation or profession in a particular jurisdiction;

(2) "Military", the Armed Forces of the United States, including the Air Force, Army, Coast Guard, Marine Corps, Navy, Space Force, National Guard, and any other military branch that is designated by Congress as part of the Armed Forces of the United States, and all reserve components and auxiliaries. The term "military" also includes the military reserves and militia of any United States territory or state;

(3) "Nonresident military spouse", a nonresident spouse of an active-duty member of the Armed Forces of the United States who has been transferred or is scheduled to be transferred to the state of Missouri, or who has been transferred or is scheduled to be transferred to an adjacent state and is or will be domiciled in the state of Missouri, or has moved to the state of Missouri on a permanent change-of-station basis;

(4) "Oversight body", any board, department, agency, or office of a jurisdiction that issues licenses;

(5) "Resident military spouse", a spouse of an active-duty member of the Armed Forces of the United States who has been transferred or is scheduled to be transferred to the state of Missouri or an adjacent state and who is a permanent resident of the state of Missouri, who is domiciled in the state of Missouri, or who has Missouri as his or her home of record.

2. Each applicant for licensure as a master social worker shall furnish evidence to the committee that:

(1) The applicant has:

(a) A master's **degree in social work from a social work degree program:**

a. Accredited by the Council on Social Work Education; or

b. Recognized and approved by the committee in accordance with rules adopted by the committee under section 337.627 and in accordance with the procedure set forth in section 337.628; or

(b) A doctorate degree in social work from an accredited social work degree program approved by the [council of social work education] Council on Social Work Education;

(2) The applicant has achieved a passing score, as defined by the committee, on an examination approved by the committee. The eligibility requirements for such examination shall be determined by the state committee for social workers;

(3) The applicant is at least eighteen years of age, is a United States citizen or has status as a legal resident alien, and has not been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state, of the United States, or of any country, for any offense directly related to the duties and responsibilities of the occupation, as set forth in section 324.012, regardless of whether or not sentence is imposed;

(4) The applicant has submitted a written application on forms prescribed by the state board; and

(5) The applicant has submitted the required licensing fee, as determined by the committee.

3. Any applicant who answers in the affirmative to any question on the application that relates to possible grounds for denial of licensure under section 337.630 shall submit a sworn affidavit setting forth in detail the facts which explain such answer and copies of appropriate documents related to such answer.

4. The committee shall issue a license to each person who files an application and fee as required by the provisions of sections 337.600 to 337.689 and who furnishes evidence satisfactory to the committee that the applicant has complied with the provisions of subsection 2 of this section. The license shall refer to the individual as a licensed master social worker and shall recognize that individual's right to practice licensed master social work as defined in section 337.600.

5. (1) Any person who holds a valid current master social work license issued by another state, a branch or unit of the military, a territory of the United States, or the District of Columbia, and who has been licensed for at least one year in such other jurisdiction, may submit to the committee an application for a master social work license in Missouri along with proof of current licensure and proof of licensure for at least one year in the other jurisdiction.

(2) The committee shall:

(a) Within six months of receiving an application described in subdivision (1) of this subsection, waive any examination, educational, or experience requirements for licensure in this state for the applicant if it determines that there were minimum education requirements and, if applicable, work experience and clinical supervision requirements in effect and the other jurisdiction verifies that the person met those requirements in order to be licensed or certified in that jurisdiction. The committee may require an applicant to take and pass an examination specific to the laws of this state; or

(b) Within thirty days of receiving an application described in subdivision (1) of this subsection from a nonresident military spouse or a resident military spouse, waive any examination, educational, or experience requirements for licensure in this state for the applicant and issue such applicant a license under this subsection if such applicant otherwise meets the requirements of this subsection.

(3) (a) The committee shall not waive any examination, educational, or experience requirements for any applicant who has had his or her license revoked by an oversight body outside the state; who is currently under investigation, who has a complaint pending, or who is currently under disciplinary action, except as provided in paragraph (b) of this subdivision, with an oversight body outside the state; who does not hold a license in good standing with an oversight body outside the state; who has a criminal record that would disqualify him or her for licensure in Missouri; or who does not hold a valid current license in the other jurisdiction on the date the committee receives his or her application under this ~~section~~ **subsection**.

(b) If another jurisdiction has taken disciplinary action against an applicant, the committee shall determine if the cause for the action was corrected and the matter resolved. If the matter has not been resolved by that jurisdiction, the committee may deny a license until the matter is resolved.

(4) Nothing in this subsection shall prohibit the committee from denying a license to an applicant under this subsection for any reason described in section 337.630.

(5) Any person who is licensed under the provisions of this subsection shall be subject to the committee's jurisdiction and all rules and regulations pertaining to the practice as a licensed master social worker in this state.

(6) This subsection shall not be construed to waive any requirement for an applicant to pay any fees.

337.645. 1. Each applicant for licensure as an advanced macro social worker shall furnish evidence to the committee that:

(1) The applicant has:

(a) A master's degree from a college or university program of social work:

a. Accredited by the ~~[council of social work education]~~ **Council on Social Work Education; or**

b. Recognized and approved by the committee in accordance with rules adopted by the committee under section 337.627 and in accordance with the procedure set forth in section 337.628; or

(b) A doctorate degree from a school of social work acceptable to the committee;

(2) The applicant has completed at least three thousand hours of supervised advanced macro experience with a qualified advanced macro supervisor as defined in section 337.600 in no less than twenty-four months and no more than forty-eight consecutive calendar months. For any applicant who has successfully completed at least four thousand hours of supervised advanced macro experience with a qualified advanced macro supervisor, as defined in section 337.600, within the same time frame prescribed in this subsection, the applicant shall be eligible for application of licensure at three thousand hours and shall be furnished a certificate by the state committee for social workers acknowledging the completion of said additional hours;

(3) The applicant has achieved a passing score, as defined by the committee, on an examination approved by the committee. The eligibility requirements for such examination shall be promulgated by rule of the committee;

(4) The applicant is at least eighteen years of age, is a United States citizen or has status as a legal resident alien, and has not been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state, of the United States, or of any country, for any offense directly related to the duties and responsibilities of the occupation, as set forth in section 324.012, regardless of whether or not sentence is imposed.

2. Any person holding a current license, certificate of registration, or permit from another state or territory of the United States or the District of Columbia to practice advanced macro social work who has had no disciplinary action taken against the license, certificate of registration, or permit for the preceding five years may be granted a license to practice advanced macro social work in this state if the person meets one of the following criteria:

(1) Has:

(a) Received:

a. A master's degree in social work from a social work program:

(i) Accredited by the Council on Social Work Education; or

(ii) Recognized and approved by the committee in accordance with rules adopted by the committee under section 337.627 and in accordance with the procedure set forth in section 337.628; or

b. A doctoral degree from a college or university program of social work accredited by the ~~[council of social work education]~~ **Council on Social Work Education; and [has]**

(b) Been licensed to practice advanced macro social work for the preceding five years; or

(2) Is currently licensed or certified as an advanced macro social worker in another state, territory of the United States, or the District of Columbia having substantially the same requirements as this state for advanced macro social workers.

3. The committee shall issue a license to each person who files an application and fee as required by the provisions of sections 337.600 to 337.689 and who furnishes evidence satisfactory to the committee that the applicant has complied with the provisions of subdivisions (1) to (4) of subsection 1 of this section or with the provisions of subsection 2 of this section;" and

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

Representative Stinnett offered **House Amendment No. 1 to House Amendment No. 4.**

*House Amendment No. 1
to
House Amendment No. 4*

AMEND House Amendment No. 4 to House Bill No. 478, Page 1, Line 1, by inserting after the number "478," the following:

"Page 1, Section A, Line 2, by inserting after all of said section and line the following:

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

- (1) "Department", the department of commerce and insurance;
- (2) "Director", the director of the division of professional registration; and
- (3) "Division", the division of professional registration.

2. There is hereby established a "Division of Professional Registration" assigned to the department of commerce and insurance as a type III transfer, headed by a director appointed by the governor with the advice and consent of the senate. All of the general provisions, definitions and powers enumerated in section 1 of the Omnibus State Reorganization Act of 1974 and Executive Order 06-04 shall apply to this department and its divisions, agencies, and personnel.

3. The director of the division of professional registration shall promulgate rules and regulations which designate for each board or commission assigned to the division the renewal date for licenses or certificates. After the initial establishment of renewal dates, no director of the division shall promulgate a rule or regulation which would change the renewal date for licenses or certificates if such change in renewal date would occur prior to the date on which the renewal date in effect at the time such new renewal date is specified next occurs. Each board or commission shall by rule or regulation establish licensing periods of one, two, or three years. Registration fees set by a board or commission shall be effective for the entire licensing period involved, and shall not be increased during any current licensing period. Persons who are required to pay their first registration fees shall be allowed to pay the pro rata share of such fees for the remainder of the period remaining at the time the fees are paid. Each board or commission shall provide the necessary forms for initial registration, and thereafter the director may prescribe standard forms for renewal of licenses and certificates. Each board or commission shall by rule and regulation require each applicant to provide the information which is required to keep the board's records current. Each board or commission shall have the authority to collect and analyze information required to support workforce planning and policy development. Such information shall not be publicly disclosed so as to identify a specific health care provider, as defined in section 376.1350. Each board or commission shall issue the original license or certificate.

4. The division shall provide clerical and other staff services relating to the issuance and renewal of licenses for all the professional licensing and regulating boards and commissions assigned to the division. The division shall perform the financial management and clerical functions as they each relate to issuance and renewal of licenses and certificates. "Issuance and renewal of licenses and certificates" means the ministerial function of preparing and delivering licenses or certificates, and obtaining material and information for the board or commission in connection with the renewal thereof to include verifying if the applicant has submitted all required documentation and that the documentation is legible. It does not include any discretionary authority with regard to the original review of an applicant's qualifications for licensure or certification, or the subsequent review of licensee's or certificate holder's

qualifications, or any disciplinary action contemplated against the licensee or certificate holder. The division may develop and implement microfilming systems and automated or manual management information systems.

5. The director of the division shall maintain a system of accounting and budgeting, in cooperation with the director of the department, the office of administration, and the state auditor's office, to ensure proper charges are made to the various boards for services rendered to them. The general assembly shall appropriate to the division and other state agencies from each board's funds moneys sufficient to reimburse the division and other state agencies for all services rendered and all facilities and supplies furnished to that board.

6. For accounting purposes, the appropriation to the division and to the office of administration for the payment of rent for quarters provided for the division shall be made from the "Professional Registration Fees Fund", which is hereby created, and is to be used solely for the purpose defined in subsection 5 of this section. The fund shall consist of moneys deposited into it from each board's fund. Each board shall contribute a prorated amount necessary to fund the division for services rendered and rent based upon the system of accounting and budgeting established by the director of the division as provided in subsection 5 of this section. Transfers of funds to the professional registration fees fund shall be made by each board on July first of each year; provided, however, that the director of the division may establish an alternative date or dates of transfers at the request of any board. Such transfers shall be made until they equal the prorated amount for services rendered and rent by the division. The provisions of section 33.080 to the contrary notwithstanding, money in this fund shall not be transferred and placed to the credit of general revenue.

7. The director of the division shall be responsible for collecting and accounting for all moneys received by the division or its component agencies. Any money received by a board or commission shall be promptly given, identified by type and source, to the director. The director shall keep a record by board and state accounting system classification of the amount of revenue the director receives. The director shall promptly transmit all receipts to the department of revenue for deposit in the state treasury to the credit of the appropriate fund. The director shall provide each board with all relevant financial information in a timely fashion. Each board shall cooperate with the director by providing necessary information.

8. All educational transcripts, test scores, complaints, investigatory reports, and information pertaining to any person who is an applicant or licensee of any agency assigned to the division of professional registration by statute or by the department are confidential and may not be disclosed to the public or any member of the public, except with the written consent of the person whose records are involved. The agency which possesses the records or information shall disclose the records or information if the person whose records or information is involved has consented to the disclosure. Each agency is entitled to the attorney-client privilege and work-product privilege to the same extent as any other person. Provided, however, that any board may disclose confidential information without the consent of the person involved in the course of voluntary interstate exchange of information, or in the course of any litigation concerning that person, or pursuant to a lawful request, or to other administrative or law enforcement agencies acting within the scope of their statutory authority. Information regarding identity, including names and addresses, registration, and currency of the license of the persons possessing licenses to engage in a professional occupation and the names and addresses of applicants for such licenses is not confidential information.

9. Any deliberations conducted and votes taken in rendering a final decision after a hearing before an agency assigned to the division shall be closed to the parties and the public. Once a final decision is rendered, that decision shall be made available to the parties and the public.

10. A compelling governmental interest shall be deemed to exist for the purposes of section 536.025 for licensure fees to be reduced by emergency rule, if the projected fund balance of any agency assigned to the division of professional registration is reasonably expected to exceed an amount that would require transfer from that fund to general revenue.

11. (1) The following boards and commissions are assigned by specific type transfers to the division of professional registration: Missouri state board of accountancy, chapter 326; board of cosmetology and barber examiners, chapters 328 and 329; Missouri board for architects, professional engineers, professional land surveyors and landscape architects, chapter 327; Missouri state board of chiropractic examiners, chapter 331; state board of registration for the healing arts, chapter 334; Missouri dental board, chapter 332; state board of embalmers and funeral directors, chapter 333; state board of optometry, chapter 336; Missouri state board of nursing, chapter 335; board of pharmacy, chapter 338; state board of podiatric medicine, chapter 330; Missouri real estate appraisers commission, chapter 339; and Missouri veterinary medical board, chapter 340. The governor shall appoint members of these boards by and with the advice and consent of the senate.

(2) The boards and commissions assigned to the division shall exercise all their respective statutory duties and powers, except those clerical and other staff services involving collecting and accounting for moneys and financial management relating to the issuance and renewal of licenses, which services shall be provided by the

division, within the appropriation therefor. Nothing herein shall prohibit employment of professional examining or testing services from professional associations or others as required by the boards or commissions on contract. Nothing herein shall be construed to affect the power of a board or commission to expend its funds as appropriated. However, the division shall review the expense vouchers of each board. The results of such review shall be submitted to the board reviewed and to the house and senate appropriations committees annually.

(3) Notwithstanding any other provisions of law, the director of the division shall exercise only those management functions of the boards and commissions specifically provided in the Reorganization Act of 1974, and those relating to the allocation and assignment of space, personnel other than board personnel, and equipment.

(4) "Board personnel", as used in this section or chapters 317, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, and 345, shall mean personnel whose functions and responsibilities are in areas not related to the clerical duties involving the issuance and renewal of licenses, to the collecting and accounting for moneys, or to financial management relating to issuance and renewal of licenses; specifically included are executive secretaries (or comparable positions), consultants, inspectors, investigators, counsel, and secretarial support staff for these positions; and such other positions as are established and authorized by statute for a particular board or commission. Boards and commissions may employ legal counsel, if authorized by law, and temporary personnel if the board is unable to meet its responsibilities with the employees authorized above. Any board or commission which hires temporary employees shall annually provide the division director and the appropriation committees of the general assembly with a complete list of all persons employed in the previous year, the length of their employment, the amount of their remuneration, and a description of their responsibilities.

(5) Board personnel for each board or commission shall be employed by and serve at the pleasure of the board or commission, shall be supervised as the board or commission designates, and shall have their duties and compensation prescribed by the board or commission, within appropriations for that purpose, except that compensation for board personnel shall not exceed that established for comparable positions as determined by the board or commission pursuant to the job and pay plan of the department of commerce and insurance. Nothing herein shall be construed to permit salaries for any board personnel to be lowered except by board action.

12. All the powers, duties, and functions of the division of athletics, chapter 317, and others, are assigned by type I transfer to the division of professional registration.

13. Wherever the laws, rules, or regulations of this state make reference to the division of professional registration of the department of economic development, such references shall be deemed to refer to the division of professional registration.

14. (1) The state board of nursing, board of pharmacy, Missouri dental board, state committee of psychologists, state board of chiropractic examiners, state board of optometry, Missouri board of occupational therapy, or state board of registration for the healing arts may individually or collectively enter into a contractual agreement with the department of health and senior services, a public institution of higher education, or a nonprofit entity for the purpose of collecting and analyzing workforce data from its licensees, registrants, or permit holders for future workforce planning and to assess the accessibility and availability of qualified health care services and practitioners in Missouri. The boards shall work collaboratively with other state governmental entities to ensure coordination and avoid duplication of efforts.

(2) The boards may expend appropriated funds necessary for operational expenses of the program formed under this subsection. Each board is authorized to accept grants to fund the collection or analysis authorized in this subsection. Any such funds shall be deposited in the respective board's fund.

(3) Data collection shall be controlled and approved by the applicable state board conducting or requesting the collection. Notwithstanding the provisions of ~~sections 324.010 and~~ **section 334.001**, the boards may release identifying data to the contractor to facilitate data analysis of the health care workforce including, but not limited to, geographic, demographic, and practice or professional characteristics of licensees. The state board shall not request or be authorized to collect income or other financial earnings data.

(4) Data collected under this subsection shall be deemed the property of the state board requesting the data. Data shall be maintained by the state board in accordance with chapter 610, provided that any information deemed closed or confidential under subsection 8 of this section or any other provision of state law shall not be disclosed without consent of the applicable licensee or entity or as otherwise authorized by law. Data shall only be released in an aggregate form by geography, profession or professional specialization, or population characteristic in a manner that cannot be used to identify a specific individual or entity. Data suppression standards shall be addressed and established in the contractual agreement.

(5) Contractors shall maintain the security and confidentiality of data received or collected under this subsection and shall not use, disclose, or release any data without approval of the applicable state board. The contractual agreement between the applicable state board and contractor shall establish a data release and research review policy to include legal and institutional review board, or agency-equivalent, approval.

(6) Each board may promulgate rules subject to the provisions of this subsection and chapter 536 to effectuate and implement the workforce data collection and analysis authorized by this subsection. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void."; and

Further amend said bill,"; and

Further amend said amendment and page, Line 4, by deleting all of said line and inserting in lieu thereof the following:

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

(1) "License", a license, certificate, registration, permit, accreditation, or military occupational speciality that enables a person to legally practice an occupation or profession in a particular jurisdiction;

(2) "Military", the Armed Forces of the United States including the Air Force, Army, Coast Guard, Marine Corps, Navy, Space Force, National Guard and any other military branch that is designated by Congress as part of the Armed Forces of the United States, and all reserve components and auxiliaries. Such term also includes the military reserves and militia of any United States territory or state;

(3) **"Missouri law enforcement officer", any person employed by or otherwise serving in a position for the state or a local governmental entity as a police officer, peace officer certified under chapter 590, auxiliary police officer, sheriff, sheriff's deputy, member of the patrol as that term is defined in section 43.010, or in some like position involving the enforcement of the law and protection of the public interest at the risk of that person's life and who is a permanent resident of the state of Missouri or who is domiciled in the state of Missouri;**

(4) "Nonresident military or law enforcement spouse"[:];

(a) A nonresident spouse of an active duty member of the Armed Forces of the United States who has been transferred or is scheduled to be transferred to the state of Missouri, or who has been transferred or is scheduled to be transferred to an adjacent state and is or will be domiciled in the state of Missouri, or has moved to the state of Missouri on a permanent change-of-station basis; or

(b) **A nonresident spouse of a person residing outside the state who has accepted an offer of employment from the state or a local governmental entity in the state and who will become a Missouri law enforcement officer upon the commencement of such employment;**

~~[(4)]~~ (5) "Oversight body", any board, department, agency, or office of a jurisdiction that issues licenses;

~~[(5)]~~ (6) "Resident military or law enforcement spouse", a spouse of an active duty member of the Armed Forces of the United States who has been transferred or is scheduled to be transferred to the state of Missouri or an adjacent state and who is a permanent resident of the state of Missouri, who is domiciled in the state of Missouri, or who has Missouri as his or her home of record **or a spouse of a Missouri law enforcement officer.**

2. Any person who holds a valid current license issued by another state, a branch or unit of the military, a territory of the United States, or the District of Columbia, and who has been licensed for at least one year in such other jurisdiction, may submit an application for a license in Missouri in the same occupation or profession, and at the same practice level, for which he or she holds the current license, along with proof of current licensure and proof of licensure for at least one year in the other jurisdiction, to the relevant oversight body in this state.

3. The oversight body in this state shall:

(1) Within six months of receiving an application described in subsection 2 of this section, waive any examination, educational, or experience requirements for licensure in this state for the applicant if it determines that there were minimum education requirements and, if applicable, work experience and clinical supervision requirements in effect and the other state verifies that the person met those requirements in order to be licensed or certified in that state. An oversight body that administers an examination on laws of this state as part of its licensing application requirement may require an applicant to take and pass an examination specific to the laws of this state; or

(2) Within thirty days of receiving an application described in subsection 2 of this section from a nonresident military **or law enforcement** spouse or a resident military **or law enforcement** spouse, waive any examination, educational, or experience requirements for licensure in this state for the applicant and issue such applicant a license under this section if such applicant otherwise meets the requirements of this section.

4. (1) The oversight body shall not waive any examination, educational, or experience requirements for any applicant who has had his or her license revoked by an oversight body outside the state; who is currently under investigation, who has a complaint pending, or who is currently under disciplinary action, except as provided in subdivision (2) of this subsection, with an oversight body outside the state; who does not hold a license in good standing with an oversight body outside the state; who has a criminal record that would disqualify him or her for licensure in Missouri; or who does not hold a valid current license in the other jurisdiction on the date the oversight body receives his or her application under this section.

(2) If another jurisdiction has taken disciplinary action against an applicant, the oversight body shall determine if the cause for the action was corrected and the matter resolved. If the matter has not been resolved by that jurisdiction, the oversight body may deny a license until the matter is resolved.

5. Nothing in this section shall prohibit the oversight body from denying a license to an applicant under this section for any reason described in any section associated with the occupation or profession for which the applicant seeks a license.

6. Any person who is licensed under the provisions of this section shall be subject to the applicable oversight body's jurisdiction and all rules and regulations pertaining to the practice of the licensed occupation or profession in this state.

7. This section shall not be construed to waive any requirement for an applicant to pay any fees, post any bonds or surety bonds, or submit proof of insurance associated with the license the applicant seeks.

8. This section shall not apply to business, professional, or occupational licenses issued or required by political subdivisions.

9. The provisions of this section shall not impede an oversight body's authority to require an applicant to submit fingerprints as part of the application process.

10. ~~[The provisions of this section shall not apply to an oversight body that has entered into a licensing compact with another state for the regulation of practice under the oversight body's jurisdiction.]~~ The provisions of this section shall not be construed to alter the authority granted by, or any requirements promulgated pursuant to, any interjurisdictional or interstate compacts adopted by Missouri statute or any reciprocity agreements with other states in effect ~~[on August 28, 2018]~~, and whenever possible this section shall be interpreted so as to imply no conflict between it and any compact, or any reciprocity agreements with other states in effect ~~[on August 28, 2018]~~.

11. Notwithstanding any other provision of law, a license issued under this section shall be valid only in this state and shall not make a licensee eligible to be part of an interstate compact. An applicant who is licensed in another state pursuant to an interstate compact shall not be eligible for licensure by an oversight body under the provisions of this section.

12. The provisions of this section shall not apply to any occupation set forth in subsection 6 of section 290.257, or any electrical contractor licensed under sections 324.900 to 324.945.

337.600. As used in sections 337.600 to 337.689, the following terms mean:"; and

Further amend said amendment, Page 11, Line 16, by deleting all of said line and inserting in lieu thereof the following:

"subsection 1 of this section or with the provisions of subsection 2 of this section.

337.647. 1. The committee shall develop a school social work program verification and acknowledgment of completion for individuals who have met the requirements set forth in this section.

2. The committee shall issue a document similar to the document described in subsection 2 of section 173.1400 to any individual who:

- (1) Submits an application to the board;
- (2) Holds a credential in school social work issued by a nationally recognized credentialing organization in social work, or demonstrates competency in school social work by successful passage of a school social worker exam approved by the committee;
- (3) Holds a license issued by the committee; and
- (4) Submits the fee as required by rule of the committee.

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

4. Notwithstanding any provision of law to the contrary, any school social work program verification and acknowledgment of completion issued by the committee under subsection 2 of this section shall not be deemed a license, certificate, registration or permit for any purpose, and such documents convey no authority to practice social work in Missouri and convey no authority to use any social work title in Missouri. Each school social work program verification and acknowledgment of completion issued by the committee under subsection 2 of this section shall state on its face that it:

- (1) Is not a license, certificate, registration or permit;
- (2) Conveys no authority to practice social work in Missouri; and
- (3) Conveys no authority to use any social work title in Missouri.

5. Notwithstanding any provision of law to the contrary, school social work program verification and acknowledgment of completion issued by the committee under subsection 2 of this section shall not:

- (1) Expire;
- (2) Be subject to renewal;
- (3) Be subject to denial or discipline under section 337.630; **or**
- (4) ~~Be subject to suspension under section 324.010; or~~
- ~~(5)~~ Be subject to any other action to which professional licenses may be subjected.

345.050. To be eligible for licensure by the board by examination, each applicant shall submit the application fee and shall furnish evidence of such person's current competence and shall:

(1) Hold a master's or a doctoral degree from a program that was awarded "accreditation candidate" status or is accredited by the Council on Academic Accreditation of the American Speech-Language-Hearing Association or other accrediting agency approved by the board in the area in which licensure is sought;

(2) Submit official transcripts from one or more accredited colleges or universities presenting evidence of the completion of course work and clinical practicum requirements equivalent to that required by the Council on Academic Accreditation of the American Speech-Language-Hearing Association or other accrediting agency approved by the board;

(3) Present written evidence of completion of a clinical fellowship from supervisors. The experience required by this subdivision shall follow the completion of the requirements of subdivisions (1) and (2) of this section. This period of employment shall be under the direct supervision of a ~~[person who is]~~ licensed ~~[by the state of Missouri in the profession in which the applicant seeks to be licensed]~~ **speech-language pathologist in good standing**. Persons applying with an audiology clinical doctoral degree are exempt from this provision; and

(4) Pass an examination promulgated or approved by the board. The board shall determine the subject and scope of the examinations.

~~[324.010. All governmental entities issuing professional licenses, certificates, registrations, or permits pursuant to sections 209.319 to 209.339, sections 214.270 to 214.516, sections 256.010 to 256.453, section 375.014, sections 436.005 to 436.071, and chapter 317 and chapters 324 to 346 shall provide the director of revenue with the name and Social Security number of each applicant for licensure with or licensee of such entities within one month of the date the application is filed or at least one month prior to the anticipated renewal of a licensee's license. If such licensee is delinquent on any state taxes or has failed to file state income tax returns in the last three years, the director shall then send notice to each such entity and licensee. In the case of such delinquency or failure to file, the licensee's license shall be suspended within ninety days after notice of such delinquency or failure to file, unless the director of revenue verifies that such delinquency or failure has been remedied or arrangements have been made to achieve such remedy. The director of revenue shall, within ten business days of notification to the governmental entity issuing the professional license that the delinquency has been remedied or arrangements have been made to remedy such delinquency, send written notification to the licensee that the delinquency has been remedied. Tax liability paid in protest or reasonably founded disputes with such liability shall be considered paid for the purposes of this section.]~~

~~[339.845. If the commission receives a notice of delinquent taxes from the director of revenue under the provisions of section 324.010 regarding a real estate broker or salesperson, the commission shall immediately send a copy of such notice to the real estate broker with which the real estate broker or salesperson is associated.]; and"; and~~

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

On motion of Representative Stinnett, **House Amendment No. 1 to House Amendment No. 4** was adopted.

On motion of Representative Shields, **House Amendment No. 4, as amended**, was adopted.

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

House Amendment No. 5

AMEND House Bill No. 478, Page 3, Section 324.004, Line 60, by inserting after all of said section and line the following:

"338.010. 1. The "practice of pharmacy" includes:

(1) The interpretation, implementation, and evaluation of medical prescription orders, including any legend drugs under 21 U.S.C. Section 353, and the receipt, transmission, or handling of such orders or facilitating the dispensing of such orders;

(2) The designing, initiating, implementing, and monitoring of a medication therapeutic plan in accordance with the provisions of this section;

(3) The compounding, dispensing, labeling, and administration of drugs and devices pursuant to medical prescription orders;

(4) The ordering and administration of vaccines approved or authorized by the U.S. Food and Drug Administration, excluding vaccines for cholera, monkeypox, Japanese encephalitis, typhoid, rabies, yellow fever, tick-borne encephalitis, anthrax, tuberculosis, dengue, Hib, polio, rotavirus, smallpox, **chikungunya**, and any vaccine approved after January 1, ~~[2023]~~ **2025**, to persons at least seven years of age or the age recommended by the Centers for Disease Control and Prevention, whichever is older, pursuant to joint promulgation of rules established by the board of pharmacy and the state board of registration for the healing arts unless rules are established under a state of emergency as described in section 44.100;

(5) The participation in drug selection according to state law and participation in drug utilization reviews;

(6) The proper and safe storage of drugs and devices and the maintenance of proper records thereof;

(7) Consultation with patients and other health care practitioners, and veterinarians and their clients about legend drugs, about the safe and effective use of drugs and devices;

(8) The prescribing and dispensing of any nicotine replacement therapy product under section 338.665;

(9) The dispensing of HIV postexposure prophylaxis pursuant to section 338.730; and

(10) The offering or performing of those acts, services, operations, or transactions necessary in the conduct, operation, management and control of a pharmacy.

2. No person shall engage in the practice of pharmacy unless he or she is licensed under the provisions of this chapter.

3. This chapter shall not be construed to prohibit the use of auxiliary personnel under the direct supervision of a pharmacist from assisting the pharmacist in any of his or her duties. This assistance in no way is intended to relieve the pharmacist from his or her responsibilities for compliance with this chapter and he or she will be responsible for the actions of the auxiliary personnel acting in his or her assistance.

4. This chapter shall not be construed to prohibit or interfere with any legally registered practitioner of medicine, dentistry, or podiatry, or veterinary medicine only for use in animals, or the practice of optometry in accordance with and as provided in sections 195.070 and 336.220 in the compounding, administering, prescribing, or dispensing of his or her own prescriptions.

5. A pharmacist with a certificate of medication therapeutic plan authority may provide medication therapy services pursuant to a written protocol from a physician licensed under chapter 334 to patients who have established a physician-patient relationship, as described in subdivision (1) of subsection 1 of section 191.1146, with the protocol physician. The written protocol authorized by this section shall come only from the physician and shall not come from a nurse engaged in a collaborative practice arrangement under section 334.104, or from a physician assistant engaged in a collaborative practice arrangement under section 334.735.

6. Nothing in this section shall be construed as to prevent any person, firm or corporation from owning a pharmacy regulated by sections 338.210 to 338.315, provided that a licensed pharmacist is in charge of such pharmacy.

7. Nothing in this section shall be construed to apply to or interfere with the sale of nonprescription drugs and the ordinary household remedies and such drugs or medicines as are normally sold by those engaged in the sale of general merchandise.

8. No health carrier as defined in chapter 376 shall require any physician with which they contract to enter into a written protocol with a pharmacist for medication therapeutic services.

9. This section shall not be construed to allow a pharmacist to diagnose or independently prescribe pharmaceuticals.

10. The state board of registration for the healing arts, under section 334.125, and the state board of pharmacy, under section 338.140, shall jointly promulgate rules regulating the use of protocols for medication therapy services. Such rules shall require protocols to include provisions allowing for timely communication between the pharmacist and the protocol physician or similar body authorized by this section, and any other patient protection provisions deemed appropriate by both boards. In order to take effect, such rules shall be approved by a majority vote of a quorum of each board. Neither board shall separately promulgate rules regulating the use of protocols for medication therapy services. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

11. The state board of pharmacy may grant a certificate of medication therapeutic plan authority to a licensed pharmacist who submits proof of successful completion of a board-approved course of academic clinical study beyond a bachelor of science in pharmacy, including but not limited to clinical assessment skills, from a nationally accredited college or university, or a certification of equivalence issued by a nationally recognized professional organization and approved by the board of pharmacy.

12. Any pharmacist who has received a certificate of medication therapeutic plan authority may engage in the designing, initiating, implementing, and monitoring of a medication therapeutic plan as defined by a written protocol from a physician that may be specific to each patient for care by a pharmacist.

13. Nothing in this section shall be construed to allow a pharmacist to make a therapeutic substitution of a pharmaceutical prescribed by a physician unless authorized by the written protocol or the physician's prescription order.

14. "Veterinarian", "doctor of veterinary medicine", "practitioner of veterinary medicine", "DVM", "VMD", "BVSe", "BVMS", "BSe (Vet Science)", "VMB", "MRCVS", or an equivalent title means a person who has received a doctor's degree in veterinary medicine from an accredited school of veterinary medicine or holds an Educational Commission for Foreign Veterinary Graduates (EDFVG) certificate issued by the American Veterinary Medical Association (AVMA).

15. In addition to other requirements established by the joint promulgation of rules by the board of pharmacy and the state board of registration for the healing arts:

(1) A pharmacist shall administer vaccines by protocol in accordance with treatment guidelines established by the Centers for Disease Control and Prevention (CDC);

(2) A pharmacist who is administering a vaccine shall request a patient to remain in the pharmacy a safe amount of time after administering the vaccine to observe any adverse reactions. Such pharmacist shall have adopted emergency treatment protocols.

16. In addition to other requirements by the board, a pharmacist shall receive additional training as required by the board and evidenced by receiving a certificate from the board upon completion, and shall display the certification in his or her pharmacy where vaccines are delivered.

17. A pharmacist shall inform the patient that the administration of a vaccine will be entered into the ShowMeVax system, as administered by the department of health and senior services. The patient shall attest to the

inclusion of such information in the system by signing a form provided by the pharmacist. If the patient indicates that he or she does not want such information entered into the ShowMeVax system, the pharmacist shall provide a written report within fourteen days of administration of a vaccine to the patient's health care provider, if provided by the patient, containing:

- (1) The identity of the patient;
- (2) The identity of the vaccine or vaccines administered;
- (3) The route of administration;
- (4) The anatomic site of the administration;
- (5) The dose administered; and
- (6) The date of administration.

18. A pharmacist licensed under this chapter may order and administer vaccines approved or authorized by the U.S. Food and Drug Administration to address a public health need, as lawfully authorized by the state or federal government, or a department or agency thereof, during a state or federally declared public health emergency.

338.710. 1. There is hereby created in the Missouri board of pharmacy the "RX Cares for Missouri Program". The goal of the program shall be to promote medication safety and to prevent prescription drug abuse, misuse, and diversion in Missouri.

2. The board, in consultation with the department, shall be authorized to expend, allocate, or award funds appropriated to the board to private or public entities to develop or provide programs or education to promote medication safety or to suppress or prevent prescription drug abuse, misuse, and diversion in the state of Missouri. In no case shall the authorization include, nor the funds be expended for, any state prescription drug monitoring program including, but not limited to, such as are defined in 38 CFR 1.515. Funds disbursed to a state agency under this section may enhance, but shall not supplant, funds otherwise appropriated to such state agency.

3. The board shall be the administrative agency responsible for implementing the program in consultation with the department. The board and the department may enter into interagency agreements between themselves to allow the department to assist in the management or operation of the program. The board may award funds directly to the department to implement, manage, develop, or provide programs or education pursuant to the program.

4. After a full year of program operation, the board shall prepare and submit an evaluation report to the governor and the general assembly describing the operation of the program and the funds allocated. [~~Unless otherwise authorized by the general assembly, the program shall expire on August 28, 2026.~~]; and

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

Representative Oehlerking offered **House Amendment No. 1 to House Amendment No. 5.**

House Amendment No. 1
to
House Amendment No. 5

AMEND House Amendment No. 5 to House Bill No. 478, Page 1, by inserting after the number "478," the following:

"Pages 1-3, Section 324.004, Lines 1-60, by deleting all of said section and lines and inserting in lieu thereof the following:

"324.004. 1. Any person who has at least three years of work experience in an occupation or profession in another state, the District of Columbia, or any combination of such jurisdictions, and whose work experience involved the practice of an occupation or profession for which a license is not required in the jurisdiction or jurisdictions in which the person worked but is required in this state, may submit an application for a one-time nonrenewable two-year temporary license in this state in the occupation or profession, along with proof of at least three years of work experience in the occupation or profession and a fee as set by regulation of the oversight body, to the relevant oversight body in this state. The oversight body shall make a determination of qualification within forty-five days of receiving a completed application.

2. The oversight body shall require an applicant under this section to take and pass the profession-specific examination required for licensure by those applying pursuant to the provisions of the oversight body's statutory and regulatory authority. An oversight body that administers an examination on the laws of this state as part of its licensing application requirements may require an applicant under this section to take and pass an examination specific to the laws of this state.

3. The oversight body shall not issue a one-time nonrenewable temporary license to any applicant described in subsection 1 of this section who has had any license in the relevant occupation or profession revoked by an oversight body outside of this state, who is currently under investigation, who has a complaint pending, or who is currently under disciplinary action.

4. Applicants for the one-time nonrenewable temporary license shall be citizens of the United States and shall submit legal proof of citizenship as part of the application.

5. If an applicant is not currently residing in this state, the oversight board shall conditionally approve the application contingent upon receipt of proof of domicile in this state within ninety days of the applicant receiving the temporary license. If the applicant fails to provide proof within ninety days of receiving the temporary license, the oversight board may terminate the temporary license and the applicant may reapply for a temporary license.

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

(1) Any occupation whose oversight body has entered into a licensing compact with another state for the regulation of practice under the oversight body's jurisdiction. The provisions of this section shall not be construed to alter the authority granted by, or any requirements promulgated pursuant to, any interjurisdictional or interstate compacts adopted by this state or any reciprocity agreements with other states, and whenever possible the provisions of this section shall be interpreted so as to imply no conflict between it and any compact or any reciprocity agreement with other states;

(2) Any occupation set forth in subsection 6 of section 290.257 or any electrical contractor licensed under sections 324.900 to 324.945;

(3) Any occupation whose regulators or licensees are required to comply with specific federal statutory, regulatory, and administrative requirements in order to practice in Missouri; or

(4) Assistant physicians licensed under chapter 334.

7. The one-time nonrenewable temporary license shall expire after two years. Upon expiration, the individual shall be required to apply for a permanent license in accordance with the license requirements for the occupation for which he or she held the temporary license.

8. Notwithstanding any other provision of law to the contrary, a license issued under this section shall be valid only in this state and shall not make a licensee eligible to be part of an interstate compact. An applicant who is licensed in another state pursuant to an interstate compact shall not be eligible for licensure by an oversight body under the provisions of this section.

9. Notwithstanding any other provision of law to the contrary, a license issued under this section shall be valid only in this state and shall not make a licensee eligible to obtain a license by reciprocity in another state.

10. As used in this section, the term "oversight body" means any board, department, agency, or office of a jurisdiction that issues occupational or professional licenses.

11. The division of professional registration may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2025, shall be invalid and void.";
and

Further amend said bill,"; and

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

On motion of Representative Oehlerking, **House Amendment No. 1 to House Amendment No. 5** was adopted.

Speaker Pro Tem Perkins assumed the Chair.

On motion of Representative Cook, **House Amendment No. 5, as amended**, was adopted.

On motion of Representative Oehlerking, **HB 478, as amended**, was ordered perfected and printed.

PERFECTION OF HOUSE BILLS - INFORMAL

HB 1200, HCS HBs 735 & 686, HB 1193 and HB 74 were placed back on the House Bills for Perfection Calendar.

HB 262, relating to alternative therapies for veterans, was taken up by Representative Brown (16).

On motion of Representative Brown (16), the title of **HB 262** was agreed to.

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

House Amendment No. 1

AMEND House Bill No. 262, Page 1, Section 191.2605, Lines 8-9, by deleting the phrase "**hospital, or other facility authorized under rules of the department of health and senior services**" and insert in lieu thereof the phrase "**or hospital**"; and

Further amend said bill, Page 5, Section 191.2615, Lines 54-56, by deleting all of said lines; and

Further amend said bill, Page 6, Section 191.2625, Lines 25-27, by deleting all of said lines and inserting in lieu thereof the phrase "**this subsection to the governor, the president pro tempore of the senate, and the speaker of the house of representatives.**"; and

Further amend said bill, page, and section, Lines 28-37, by deleting all of said lines; and

Further amend said bill and page, Section 191.2630, Lines 1-2, by deleting the phrase "**and the department of health and senior services shall jointly**" and inserting in lieu thereof the word "**shall**"; and

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

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

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

House Amendment No. 2

AMEND House Bill No. 262, Page 3, Section 191.2610, Line 33, by inserting after the word "**information**" the phrase "**, with the veteran's approval of sharing his or her data with the commission or a third party,**"; and

Further amend said bill, page, and section, Line 34, by inserting after the second occurrence of the word "testing" the phrase ". **The veteran will not be disqualified from receiving the therapy if he or she does not give approval of the sharing of his or her data with the commission or a third party**"; and

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

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

On motion of Representative Brown (16), **HB 262, as amended**, was ordered perfected and printed.

HCS HBs 408, 306 & 854, relating to student electronic personal communications device usage, was taken up by Representative Gragg.

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

House Amendment No. 1

AMEND House Committee Substitute for House Bill Nos. 408, 306 & 854, Page 1, In the Title, Lines 2-3, by deleting the phrase "student electronic personal communications device usage" and inserting in lieu thereof the phrase "safe school environments"; and

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

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

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

House Amendment No. 2

AMEND House Committee Substitute for House Bill Nos. 408, 306 & 854, Page 1, Section A, Line 2, by inserting after all of the said section and line the following:

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

- (1) "Department", the department of elementary and secondary education;**
- (2) "Local educational agency", as such term is defined in section 161.1085.**

2. The department shall establish procedures by which each local educational agency shall regularly report to the department all school safety incidents and credible school safety threats that occur at each attendance center of such local educational agency, including all incidents of school shootings or other incidents involving a firearm, explosive, knife, or other weapon defined in section 571.010 and all credible threats of school shootings or other incidents involving a firearm, explosive, knife, or other weapon defined in section 571.010. The department shall require local educational agencies to report acts of school violence or violent behavior, as such terms are defined in section 160.261, or any crimes required to be reported to law enforcement under section 160.261.

3. The procedures established under subsection 2 of this section shall include, but shall not be limited to, the following elements:

- (1) Criteria to assist local educational agencies in determining what constitutes a school safety incident or credible school safety threat that is required to be reported to the department;**
- (2) A time frame within which a local educational agency shall report a school safety incident or credible school safety threat after such incident or threat occurs; and**
- (3) Any other information that the department requires to be included in each report of a school safety incident or credible school safety threat under the provisions of this section.**

4. (1) The department shall maintain and regularly update a database of all school safety incidents and credible school safety threats that are reported under the provisions of this section.

(2) No record in the database shall contain personally identifiable information of a student.

(3) A record in the database shall contain only aggregate data by charter school, school district, or attendance center thereof and shall be a public record subject to disclosure under chapter 610.

(4) The department shall share data relating to school safety incidents and credible school safety threats with the state department of public safety to facilitate additional investigation efforts conducted by the state department of public safety.

5. The department may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2025, shall be invalid and void."; and

Further amend said bill and page, Section 162.207, Lines 10 to 16, by deleting all of the said lines and inserting in lieu thereof the following:

"3. At a minimum, such policy:

(1) Shall prohibit a student from using an electronic personal communications device from the beginning of the school day until the end of the school day during regularly scheduled instructional time and during meal times, provided that such policy defines instructional time;

(2) May prohibit a student from using an electronic personal communications device during breaks from regularly scheduled instructional time including, but not limited to, time between classes, study halls, and field trips;

(3) Shall describe the disciplinary procedures and measures that will be taken if a student violates the policy; and

(4) (a) Shall provide exceptions to the prohibition that allow the display and use of an electronic "; and

Further amend said bill and section, Page 2, Line 34, by inserting after the word "emergency;" the word "and"; and

Further amend said bill, page, and section, Lines 36 to 38, by deleting all of the said lines and inserting in lieu thereof the following:

"authorization as directed by established board policies."; and

Further amend said bill, page, and section, Line 45, by inserting after all of the said line the following:

"6. The provisions of this section shall expire on August 28, 2032."; and

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

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

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

House Amendment No. 3

AMEND House Committee Substitute for House Bill Nos. 408, 306 & 854, Page 2, Section 162.207, Line 45, by inserting after all of the said section and line the following:

"167.167. Each school district shall prohibit, in name and practice, any zero-tolerance disciplinary policy or practice of discipline that results in an automatic disciplinary consequence against a pupil without the discretion to modify such disciplinary consequence on a case-by-case basis, such as automatic detention, suspension, or expulsion or the automatic imposition of other disciplinary measures."; and

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

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

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

House Amendment No. 4

AMEND House Committee Substitute for House Bill Nos. 408, 306 & 854, Page 1, Section A, Line 2, by inserting after all of the said section and line the following:

"160.1052. 1. Sections 160.1052 to 160.1055 shall be known and may be cited as the "Missouri Educators and Parental Empowerment and Rights Act".

2. As used in sections 160.1052 to 160.1055, the following terms mean:

- (1) "Local educational agency" or "LEA", each:**
 - (a) School district as defined in section 160.011;**
 - (b) Charter school as described in section 160.400; and**
 - (c) Virtual school as described in section 161.670;**
- (2) "Parent", a child's parent, legal guardian, or other person having charge, control, or custody of the child.**

3. The general assembly hereby recognizes that:

- (1) The collaboration of both parents and teachers has a profound effect on the educational success of Missouri's children;**
- (2) Education is essential to the preservation of the rights and liberties of the people;**
- (3) Considering that parents are the first teacher of their child and are uniquely qualified to understand and advocate for their child, the state recognizes their importance in the education of their children; and**
- (4) Considering the years of education and continuous updating of knowledge that teachers undertake and achieve, it is important that teachers be given the respect such teachers have earned and deserve.**

160.1053. 1. This section shall be known and may be cited as the "Parents' Bill of Rights".

2. To foster and maintain collaboration between parents and teachers, parents shall have the following rights under this section:

- (1) The right to receive information, upon request, regarding what their minor child is being taught in school including, but not limited to, curricula adopted under section 160.514;**
- (2) The right to review such curricula, upon request, free from any requirement to agree to a nondisclosure agreement or other similar form, as allowed by law;**
- (3) The right to receive information, upon request, about who is teaching their minor child including, but not limited to, guest lecturers and outside presenters;**
- (4) The right to receive information, upon request, about individuals and organizations receiving LEA contracts and funding in the LEA in which their minor child is enrolled, except that no personally identifiable information about any student shall be released;**
- (5) The right to visit the school their minor child attends during school hours in accordance with reasonable regulations created under section 160.1055;**
- (6) The right to view and, upon request, receive a copy of all school records, medical or otherwise, concerning their minor child, in accordance with state and federal law;**
- (7) The right to receive information, upon request, about the collection of their minor child's data and the transmission of such data to entities outside the LEA;**
- (8) The right to have an LEA governing board that is open, transparent, and accountable to the patrons of the LEA under state and federal laws;**

(9) The right to be informed regarding situations affecting their minor child's safety in school, in accordance with section 160.1055;

(10) The right to provide authorization for their minor child to participate in field trips; and

(11) The right to be free from their minor child being encouraged or experiencing any attempt at coercion to withhold information from such minor child's parents by an LEA employee, except that any such employee required to report suspected abuse or neglect under sections 210.109 to 210.183 may encourage a minor child to withhold information where disclosure could reasonably result in abuse or neglect.

160.1054. 1. This section shall be known and may be cited as the "Educators' Bill of Rights".

2. To foster and maintain collaboration between teachers and parents, each teacher has the following rights under this section:

(1) The right to be free from physical abuse from a student. Such abuse is grounds for the suspension or expulsion of the student as provided in chapter 167;

(2) The right to be free from physical abuse from a parent and to be protected from oral, written, or electronically generated threats of harm. Such abuse is grounds for the prohibition of the physical presence of the perpetrator of such abuse on the LEA's property and at the LEA's events and may result in other legal actions taken by such teacher;

(3) The right to be evaluated for competency by an administrator under board policy and, upon request, to be assigned a peer mentor to observe and coach the teacher;

(4) The right to exercise the freedom of speech, religion, and the expression of such teacher's opinions as is guaranteed by the Constitution of the United States;

(5) The right to be treated with civility and respect as a professional;

(6) The right to be given regularly scheduled preparation time during contract hours;

(7) The right to teach protected by official immunity, as provided by state law, and to be covered by LEA insurance for work-related duties;

(8) The right to have the opportunity to implement a discipline plan in the classroom as allowed in section 160.1055 and to have the opportunity to provide the administration with such teacher's professional opinion regarding the discipline of a student;

(9) The right to be considered a professional, with all the appropriate rights, responsibilities, and privileges afforded to other recognized professions, in accordance with section 168.011;

(10) The right to teach in a safe, secure, and orderly environment that is conducive to learning and to report any concerns regarding the safety and security of the teaching environment and receive a response from the LEA;

(11) The right to intervene for the protection of pupils in incidents of school violence and be entitled to all defenses to criminal charges available to the intervenor under chapter 563; and

(12) If such teacher is a beginning teacher, the right to receive leadership and support in accordance with beginning teacher assistance programs as provided in state law.

160.1055. 1. Each local educational agency shall develop policies and procedures for such LEA to follow to accommodate and assist parents and teachers in the exercise of the rights described in sections 160.1052 to 160.1055.

2. Each LEA's governing board shall affirm the board's commitment to ensuring sufficient and effective accountability and transparency to parents in the LEA's jurisdiction by adopting policies that:

(1) Recognize and affirm the protected right of parents to guide the education of their minor child;

(2) Encourage communication between parents and the LEA relating to parental rights and parental concerns about their minor child's education and educational experience through the LEA's community engagement initiatives required under 162.058; and

(3) Collaborate with parents to identify ways in which parents can exercise parental rights and communicate such ways to parents in a clear, consistent manner that can be easily understood by all parents.

3. Each local educational agency shall notify parents in a timely manner if their child is involved in a safety incident in which a school employee is charged with a crime.

4. Each local educational agency shall provide prompt notification to parents of any serious disciplinary incidents involving their child and shall offer a meeting or conference to discuss the behavior and outline steps for correction and improvement.

5. (1) Each local educational agency shall adopt reasonable procedures for parents to follow when visiting their minor child during school hours.

(2) Each local educational agency shall adopt reasonable procedures for parents to follow:

(a) During an emergency in which the safety of the students requires:

a. A lockdown to limit exposure of building occupants to an imminent hazard or threat; or

b. A lockout to prevent an outside hazard or threat from entering the building; or

(b) When such local educational agency is required to prohibit an individual from having any interaction with a minor child due to an order entered under any provision of state or federal law restricting or prohibiting such individual from interacting with such minor child or the LEA has otherwise prohibited the individual from accessing school property or events.

6. (1) Teachers, school administrators, parents, and students shall be fully informed of the rights conferred upon parents and teachers under sections 160.1052 to 160.1055. Each LEA shall provide a physical or electronic copy of sections 160.1052 to 160.1055 to each parent, teacher, and student at the beginning of each school year.

(2) Each local educational agency shall post the rights listed in sections 160.1052 to 160.1055 on such LEA's website or provide a printed copy if no website exists.

7. (1) Each local educational agency shall adopt, enforce, publicly post, and annually review a code of student conduct as described in sections 160.1052 to 160.1055.

(2) Such code of conduct shall promote safe, respectful, and orderly learning environments by reinforcing teacher authority in maintaining classroom discipline and enhancing parental involvement in student behavioral issues and shall set forth expectations for behavior consistent with ethical responsibility, community standards, and regard for school authority.

(3) Each local educational agency shall adopt such code of student conduct for the 2026-27 school year and all subsequent school years.

(4) The state department of elementary and secondary education may offer guidance and technical assistance to local educational agencies to ensure compliance. The department shall not impose undue burdens or mandates on such LEAs.

8. The code of student conduct required under subsection 7 of this section shall:

(1) Reinforce respect for teachers, administrators, and staff, emphasizing that willful disobedience or disregard toward school personnel is not tolerated;

(2) Promote high expectations of personal responsibility, encouraging students to uphold values such as honesty, diligence, and civility;

(3) Include measures to address and correct disruptive behavior promptly, ensuring that teachers have the necessary authority and support to remove students from classrooms when warranted, in accordance with training provided by the LEA;

(4) Outline a system of graduated consequences for misconduct, balanced by opportunities for students to develop personal resilience and reflect on their actions through LEA-approved interventions;

(5) Require parental notification and involvement in significant disciplinary actions, ensuring that parents have timely information and opportunities to engage with teachers and administrators; and

(6) Clearly prohibit any policy or program that differentiates treatment of students primarily on the basis of race alone, ensuring that all disciplinary measures are applied equally and fairly to every student.

9. (1) A local educational agency may, at such LEA's discretion and with the LEA's governing board's approval, incorporate evidence-based training for teachers and counselors on strategies to guide students toward personal resilience.

(2) Such strategies may include:

(a) Encouraging personal responsibility and self-management;

(b) Providing students with opportunities to develop coping skills, conflict resolution techniques, and appropriate responses to authority; and

(c) Using school counselors or other qualified personnel to offer supportive interventions that emphasize respect for self and others, problem solving, and perseverance.

(3) The content and method of delivering such strategies shall not reference or require any training or curriculum primarily focused on race, gender, or other similar classifications. Such strategies shall emphasize universal community standards that benefit all students equally.

10. Each local educational agency shall ensure that teachers and staff are trained in methods to maintain order, encourage compliance, foster civility, and encourage personal responsibility.

11. Each local educational agency shall make efforts to facilitate parental engagement through regular communication, opportunities for parents to review and understand the policy handbook, and the provision of resources that support ethical responsibility and community standards at home.

12. Each LEA's governing board shall adopt such policies and procedures required by this section for the 2026-27 school year and all subsequent school years.

13. No LEA shall establish policies that prevent a parent or teacher from exercising the applicable rights listed in sections 160.1052 to 160.1055 or any other provision of law.

14. No provision of sections 160.1052 to 160.1055 shall be construed to supersede any other federal or state law or any regulation or policy adopted by the state department of elementary and secondary education or the state board of education.

15. No provision of sections 160.1052 to 160.1055 shall be construed to supersede any LEA's order, ordinance, or policy relating to the discipline of students."; and

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

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

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

House Amendment No. 5

AMEND House Committee Substitute for House Bill Nos. 408, 306 & 854, Page 1, Section A, Line 2, by inserting after all of the said section and line the following:

"160.775. 1. Every district shall adopt an antibullying policy by September 1, 2007.

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

(1) **"Act of school violence" or "violent behavior", the same meaning as in section 160.261;**

(2) **"Bullying" [means],** intimidation, unwanted aggressive behavior, or harassment that is repetitive or is substantially likely to be repeated and causes a reasonable student to fear for his or her physical safety or property; substantially interferes with the educational performance, opportunities, or benefits of any student without exception; or substantially disrupts the orderly operation of the school. Bullying may consist of physical actions, including gestures, or oral, cyberbullying, electronic, or written communication, and any threat of retaliation for reporting of such acts. Bullying of students is prohibited on school property, at any school function, or on a school bus[-];

(3) **"Crime", any of the crimes listed in section 160.261;**

(4) **"Cyberbullying" [means],** bullying as defined in this subsection through the transmission of a communication including, but not limited to, a message, text, sound, or image by means of an electronic device including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager.

3. Each **school district's and charter school's** antibullying policy shall be founded on the assumption that all students need a safe learning environment. Policies shall treat all students equally and shall not contain specific lists of protected classes of students who are to receive special treatment. Policies may include age-appropriate differences for schools based on the grade levels at the school. Each such policy shall contain a statement of the consequences of bullying.

4. Each **school district's and charter school's** antibullying policy shall be included in the student handbook and shall require, at a minimum, the following components:

(1) A statement prohibiting bullying, defined no less inclusively than in subsection 2 of this section;

(2) A statement requiring **school district or charter school** employees to report any instance of bullying of which the employee has firsthand knowledge. The policy shall require a **school district or charter school** employee who witnesses an incident of bullying to report the incident to the **school district's or charter school's** designated individual at the school within [~~two~~] **one** school [~~days~~] **day** of the employee witnessing the incident;

(3) **A statement relating to pupils who engage in self-defense that the school district or charter school administration, when determining disciplinary action for a pupil who has committed an act of school violence or exhibited violent behavior, will take into account if such act of school violence or violent behavior was committed in self-defense as an immediate response to an act of school violence or violent behavior committed against such pupil;**

(4) A procedure for reporting an act of bullying. The policy shall also include a statement requiring that the **school district or charter school** designate an individual at each school **building** in the district **and charter school** to receive reports of incidents of bullying. Such individual shall be a **school district or charter school** employee who is teacher level staff or above;

~~[(4)]~~ (5) A procedure for prompt investigation of reports of violations and complaints, identifying one or more employees responsible for the investigation including, at a minimum, the following requirements:

(a) Within two school days of a report of an incident of bullying being received, the school principal, or his or her designee, shall initiate an investigation of the incident **and ensure that the report is reduced to writing**;

(b) The school principal may appoint other school staff to assist with the investigation; ~~and~~

(c) The investigation shall be completed within ten school days from the date ~~[of the written report]~~ **the investigation is initiated under paragraph (a) of this subdivision** unless good cause exists to extend the investigation; **and**

(d) A written report shall be prepared that contains the results of the investigation and any response including, but not limited to, a description of any interventions, initiatives, techniques, or discipline provided to all involved individuals of the incident. The school district or charter school may develop a standardized form to use for such written report;

~~[(5)]~~ (6) **A procedure for the response to any investigation that finds an act of bullying occurred. The policy shall, at a minimum, require notification of the parents of the bullying student and, if such bullying meets the elements of harassment in the second degree under section 565.091, referral to law enforcement agencies or to the children's division rather than law enforcement if the bullying student is under eleven years of age;**

(7) A statement that prohibits reprisal or retaliation against any person who reports an act of bullying and the consequence and appropriate remedial action for a person who engages in reprisal or retaliation;

~~[(6)]~~ (8) A statement of how the policy is to be publicized; and

~~[(7)]~~ (9) A process for discussing the district's antibullying policy with students and training school employees and volunteers who have ~~[significant]~~ contact with students in the requirements of the policy, including, at a minimum, the following statements:

(a) The school district **or charter school** shall provide information and appropriate training to the school district **or charter school** staff who have ~~[significant]~~ contact with students regarding the policy **including, but not limited to, training on the appropriate interventions staff may take and the associated liability for action or inaction including, but not limited to, failure to report incidents**;

(b) The school district **or charter school** shall give annual notice of the policy to students, parents or guardians, and staff;

(c) The school district **or charter school** shall provide education and information to students regarding bullying, including information regarding the school district **or charter school** policy prohibiting bullying, the harmful effects of bullying, and other applicable initiatives to address bullying, including student peer-to-peer initiatives to provide accountability and policy enforcement for those found to have engaged in bullying, reprisal, or retaliation against any person who reports an act of bullying;

(d) The administration of the school district **or charter school** shall instruct its school counselors, school social workers, licensed social workers, mental health professionals, and school psychologists to educate students who are victims of bullying **and students committing acts of bullying** on techniques for students to overcome bullying's negative effects. Such techniques shall include, but not be limited to, cultivating the student's self-worth and self-esteem; teaching the student to defend himself or herself assertively and effectively; helping the student develop social skills; or encouraging the student to develop an internal locus of control. The provisions of this paragraph shall not be construed to contradict or limit any other provision of this section; and

(e) The administration of the school district **or charter school** shall implement programs and other initiatives to address bullying, to respond to such conduct in a manner that does not stigmatize the victim, and to make resources or referrals available to victims of bullying **and students committing acts of bullying**.

5. Notwithstanding any other provision of law to the contrary, any school district **or charter school** shall have jurisdiction to prohibit cyberbullying that originates on a school's campus or at a district activity if the electronic communication was made using the school's technological resources, if there is a sufficient nexus to the educational environment, or if the electronic communication was made on the school's campus or at a **school district or charter school** activity using the student's own personal technological resources. The school district **or charter school** may discipline any student for such cyberbullying to the greatest extent allowed by law.

6. Each **school district and charter school** shall review its antibullying policy and revise it as needed. The **school district's school board or charter school's governing board** shall receive input from school personnel, students, and administrators when reviewing and revising the policy.

7. (1) **The administration of each school district and charter school shall report to the school board or governing board all acts of bullying, acts of school violence or violent behavior, and crimes that occurred in between board meetings and the discipline of any pupil who committed such acts. Such report shall be submitted monthly and shall be formatted to clearly describe each such incident.**

(2) **The school board or governing board shall review such monthly report in a closed meeting under chapter 610. Discrepancies in such report shall be resolved within thirty days of the review and the board, in conjunction with the school administration, shall attempt to address and resolve substantiated concerns relating to incidents listed on such report, as concerns are expressed during such monthly review by school administration or school board or governing board members.**

8. (1) **A school district or charter school employee or volunteer may, in the course of fulfilling duties or performing services for such school district or charter school, intervene in an incident involving an act of bullying, act of school violence or violent behavior, or crime committed against a pupil to protect such pupil.**

(2) **Such school district or charter school employee or volunteer shall be held harmless and immune from any liability for actions described in subdivision (1) of this subsection if:**

(a) **In the course of intervening in such incident, such employee or volunteer follows a proper procedure for such interventions adopted by the school board of such school district or the charter school's governing board; or**

(b) **Such employee or volunteer intervenes in good faith and in a manner that such employee or volunteer reasonably believes is afforded the defense of justification under chapter 563.**

9. (1) **A school district or charter school, or an employee of such district or charter school, that in good faith imposes disciplinary action under this section upon a bullying student shall not be civilly liable for such disciplinary action.**

(2) **If a school district or charter school, or an employee of such district or charter school, prevails in an action brought against such school district, charter school, or employee described in subdivision (1) of this subsection, the court shall award court costs and attorney's fees to such prevailing school district, charter school, or employee.**

10. (1) **This section shall not be construed to provide immunity from liability for a school district's or charter school's denial, or the denial by an employee of such district or charter school, of any constitutionally protected right of a student.**

(2) **Subdivision (1) of this subsection shall not be construed to limit any immunities or defenses available under state or federal law to a school district, a charter school, or employees or volunteers of such school district or charter school.**

11. (1) **For the purposes of reporting requirements under section 210.115, incidents of bullying, acts of school violence or violent behavior, or crime may be considered abuse.**

(2) **If two or more employees or volunteers who are required to report jointly have knowledge of a known or suspected instance of child abuse, a single report may be made by the school district's or charter school's designated member. Any individual who has knowledge that the individual designated to report has failed to do so shall thereafter immediately make the report. No provision of this section shall be construed to preclude any person from reporting such abuse and such person shall be afforded the same protections provided under sections 210.135 and 210.145 for reports of abuse in compliance with section 210.115.**

12. **No charter school shall expel or transfer a student to a school district solely due to reports of bullying made against such student.";** and

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

Representative Christensen offered **House Amendment No. 1 to House Amendment No. 5.**

*House Amendment No. 1
to
House Amendment No. 5*

AMEND House Amendment No. 5 to House Committee Substitute for House Bill Nos. 408, 306 & 854, Page 2, Line 27, by inserting after the word "**parents**" the phrase "**or guardians of the bullied student, and**"; and

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

On motion of Representative Christensen, **House Amendment No. 1 to House Amendment No. 5** was adopted.

On motion of Representative Black, **House Amendment No. 5, as amended**, was adopted.

On motion of Representative Gragg, **HCS HBs 408, 306 & 854, as amended**, was adopted.

On motion of Representative Gragg, **HCS HBs 408, 306 & 854, as amended**, was ordered perfected and printed.

Representative Haley assumed the Chair.

HB 138, relating to confidentiality of motor vehicle and driver registration records, was taken up by Representative Justus.

Representative Justus moved that the title of **HB 138** be agreed to.

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

House Amendment No. 1

AMEND House Bill No. 138, Page 1, In the Title, Line 3, by deleting said line and inserting in lieu thereof the words "motor vehicle registration."; and

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

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

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

House Amendment No. 2

AMEND House Bill No. 138, Page 1, Section 32.056, Line 14, by inserting after all of said section and line the following:

"301.469. 1. Any vehicle owner may receive license plates as prescribed in this section, for any motor vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of twenty-four thousand pounds gross weight, after an annual payment of an emblem-use authorization fee to the Missouri conservation heritage foundation. The foundation hereby authorizes the use of its

official emblems to be affixed on multiyear license plates as provided in this section. Any vehicle owner may annually apply for the use of the emblems.

2. Upon annual application and payment of a twenty-five dollar emblem-use authorization fee to the Missouri conservation heritage foundation, the foundation shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented to the director of the department of revenue at the time of registration of a motor vehicle.

3. Upon presentation of the annual statement, payment of a fifteen dollar fee in addition to the regular registration fees and documents which may be required by law, the director of the department of revenue shall issue a license plate, which shall bear an emblem of the Missouri conservation heritage foundation in a form prescribed by the director, to the vehicle owner. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates pursuant to this section.

4. **Application for the emblem-use authorization and payment of the twenty-five-dollar contribution may also be made at the time of registration to the director of the department of revenue, who shall deposit the contribution to the credit of the Missouri conservation heritage foundation.**

5. A vehicle owner, who was previously issued a plate with a Missouri conservation heritage foundation emblem authorized by this section but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the foundation emblem, as otherwise provided by law.

~~5-~~ 6. The director of the department of revenue may promulgate rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is promulgated under the authority delegated in this section shall become effective only if it has been promulgated pursuant to the provisions of chapter 536. All rulemaking authority delegated prior to August 28, 1999, is of no force and effect; however, nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to August 28, 1999, if it fully complied with the provisions of chapter 536. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 1999, shall be invalid and void."; and

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

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

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

House Amendment No. 3

AMEND House Bill No. 138, Page 1, Section 32.056, Line 14, by inserting after said section and line the following:

"301.472. 1. Any motor vehicle owner may receive special license plates for any motor vehicle the person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of twenty-four thousand pounds gross weight as prescribed in this section after an annual payment of an emblem-use authorization fee to a professional sports team which has made an agreement pursuant to subsection 5 of this section. For the purposes of this section a "professional sports team" shall mean an organization located in this state franchised by the National Professional Soccer League, **the National Women's Soccer League**, the National Football League, the National Basketball Association, the National Hockey League, the International Hockey League, or the American League or the National League of Major League Baseball or a team playing in Major League Soccer.

2. The professional sports team which has made an agreement pursuant to subsection 5 of this section and which receives the emblem-use authorization fee hereby authorizes the use of its official emblem to be affixed on multiyear personalized license plates as provided in this section. Any vehicle owner may annually apply for the use

of the emblem. The director of revenue shall not authorize the manufacturer of the material to produce such license plates with the individual seal, logo, or emblem until the department of revenue receives a minimum of one hundred applications for each specific professional sports team.

3. Upon annual application and payment of a thirty-five dollar emblem-use contribution to the professional sports team such team shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the owner to the director of the department of revenue at the time of registration of a motor vehicle. Upon presentation of the annual statement and payment of a fifteen dollar fee in addition to the regular registration fees, and presentation of other documents which may be required by law, the director shall issue a personalized license plate, which shall bear the official emblem of the professional sports team in a manner determined by the director. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. A fee for the issuance of personalized license plates issued pursuant to section 301.144 shall not be required for plates issued pursuant to this section.

4. A vehicle owner, who was previously issued a plate with a professional sports team emblem authorized by this section but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the professional sports team emblem, as otherwise provided by law.

5. The director of the department of revenue is authorized to make agreements with professional sports teams on behalf of the state which allow the use of any such team's official emblem pursuant to the provisions of this section as consideration for receiving a thirty-five dollar emblem-use contribution.

6. Except as provided in subsection 7 of this section, a professional sports team receiving a thirty-five dollar contribution shall forward such contribution, less an amount not in excess of five percent of the contribution for the costs of administration, to the Jackson County Sports Authority or the St. Louis Regional Convention and Visitors Commission. The moneys shall be administered as follows:

(1) The sports authority may retain not in excess of five percent of all funds forwarded to it pursuant to this section for the costs of administration and shall expend the remaining balance of such funds, after consultation with a professional sports team within the authority's area, on marketing and promoting such team. The amount of money expended from the funds obtained pursuant to this section by the authority per professional sports team shall be in the same proportion to the total funds available to be expended on such team as the proportion of contributions forwarded by the team to the authority is to the total contributions received by the authority;

(2) The regional convention and visitors commission shall hold the revenues received from the professional sports teams in the St. Louis area in separate accounts for each team. Each team may submit an annual marketing plan to the commission. Expenses of a team which are in accordance with the marketing plan shall be reimbursed by the commission as long as moneys are available in the account. The commission may retain not in excess of five percent for the costs of administration. If no marketing plan is submitted by a team, the commission shall market and promote the team.

7. The Kansas City Chiefs shall forward all emblem-use fees received, less an amount not in excess of five percent of the costs of administration, to the Chiefs' Children's Fund, a not-for-profit fund established to benefit children in need in the Kansas City area.

8. The director of the department of revenue shall promulgate rules and regulations for the administration of this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536."; and

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

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

On motion of Representative Justus, **HB 138, as amended**, was ordered perfected and printed.

HB 543, relating to detention for evaluation and treatment at a mental health facility, was taken up by Representative Cook.

On motion of Representative Cook, the title of **HB 543** was agreed to.

On motion of Representative Cook, **HB 543** was ordered perfected and printed.

HCS HB 572, relating to motor fuel tax, was taken up by Representative Hurlbert.

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

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 572, Page 1, In the Title, Line 3, by deleting said line and inserting in lieu thereof the word "transportation."; and

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

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

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

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 572, Page 3, Section 21.795, Line 76, by inserting after said section and line the following:

"68.080. 1. There is hereby established in the state treasury the "Waterways and Ports Trust Fund". The fund shall consist of revenues appropriated to it by the general assembly.

2. The fund may also receive any gifts, contributions, grants, or bequests received from federal, private, or other sources.

3. The fund shall be a revolving trust fund exempt from the provisions of section 33.080 relating to the transfer of unexpended balances by the state treasurer to the general revenue fund of the state. All interest earned upon the balance in the fund shall be deposited to the credit of the fund.

4. Moneys in the fund shall be withdrawn only **at the request of a Missouri port authority for statutorily permitted port purposes and** upon appropriation by the general assembly, to be administered by the state highways and transportation commission and the department of transportation, in consultation with Missouri public ports, for the purposes in subsection 2 of section 68.035 and for no other purpose. To be eligible to receive an appropriation from the fund, a project shall be:

(1) A capital improvement project implementing physical improvements designed to improve commerce or terminal and transportation facilities on or adjacent to the navigable rivers of this state;

(2) Located on land owned or held in long-term lease by a Missouri port authority, **or on land owned by a city not within a county and managed by a Missouri port authority**, or within a navigable river adjacent to such land, and within the boundaries of a port authority;

(3) Funded by alternate sources so that moneys from the fund comprise no more than eighty percent of the cost of the project;

(4) Selected and approved by the highways and transportation commission, in consultation with Missouri public ports, to support a statewide plan for waterborne commerce, in accordance with subdivision (1) of section 68.065; and

(5) Capable of completion within two years of approval by the highways and transportation commission.

5. Appropriations made from the fund established in this section may be used as a local share in applying for other grant programs.

6. The provisions of this section shall terminate on August 28, 2033, pending the discharge of all warrants. On December 31, 2033, the fund shall be dissolved and the unencumbered balance shall be transferred to the general revenue fund.

71.025. Beginning August 28, 2025, city populations shall be included on city limit signs on state highways."; and

Further amend said bill, Page 4, Section 142.805, Line 30, by inserting after said section and line the following:

"168.133. 1. As used in this section, "screened volunteer" shall mean any person who assists a school by providing uncompensated service and who may periodically be left alone with students. The school district **or charter school** shall ensure that a criminal background check is conducted for all screened volunteers, who shall complete the criminal background check prior to being left alone with a student. ~~[Screened volunteers include, but are not limited to, persons who regularly assist in the office or library, mentor or tutor students, coach or supervise a school sponsored activity before or after school, or chaperone students on an overnight trip.]~~ Screened volunteers may only access student education records when necessary to assist the district **or charter school** and while supervised by staff members. Volunteers that are not screened shall not be left alone with a student or have access to student records.

2. (1) The school district **or charter school** shall ensure that a criminal background check is conducted on any person employed after January 1, 2005, authorized to have contact with pupils and prior to the individual having contact with any pupil. ~~[Such persons include, but are not limited to, administrators, teachers, aides, paraprofessionals, assistants, secretaries, custodians, cooks, screened volunteers, and nurses.]~~

(2) The school district **or charter school** shall also ensure that a criminal background check is conducted for school bus drivers **and drivers of other vehicles owned by the school district or charter school or operated under contract with a school district or charter school and used for the purpose of transporting school children**. The school district **or charter school** may allow such drivers to operate buses **and other vehicles** pending the result of the criminal background check. ~~[For bus drivers,]~~ The school district **or charter school** shall be responsible for conducting the criminal background check on drivers employed by the school district **or charter school under section 43.540**.

(3) For drivers employed **or contracted** by a pupil transportation company under contract with the school district **or a charter school**, the criminal background check shall be conducted **by the pupil transportation company** pursuant to section ~~[43.540]~~ **43.539** and conform to the requirements established in the National Child Protection Act of 1993, as amended by the Volunteers for Children Act.

(4) Personnel who have successfully undergone a criminal background check and a check of the family care safety registry as part of the professional license application process under section 168.021 and who have received clearance on the checks within one prior year of employment shall be considered to have completed the background check requirement.

(5) A criminal background check under this section shall include a search of any information publicly available in an electronic format through a public index or single case display.

3. In order to facilitate the criminal history background check, the applicant shall submit a set of fingerprints collected pursuant to standards determined by the Missouri highway patrol. The fingerprints shall be used by the highway patrol to search the criminal history repository and shall be forwarded to the Federal Bureau of Investigation for searching the federal criminal history files.

4. The applicant shall pay the fee for the state criminal history record information pursuant to section 43.530 and sections 210.900 to 210.936 and pay the appropriate fee determined by the Federal Bureau of Investigation for the federal criminal history record when he or she applies for a position authorized to have contact with pupils pursuant to this section. The department shall distribute the fees collected for the state and federal criminal histories to the Missouri highway patrol.

5. The department of elementary and secondary education shall facilitate an annual check of employed persons holding current active certificates under section 168.021 against criminal history records in the central repository under section 43.530, the sexual offender registry under sections 589.400 to 589.426, and child abuse central registry under sections 210.109 to 210.183. The department of elementary and secondary education shall facilitate procedures for school districts **and charter schools** to submit personnel information annually for persons employed by the school districts **or charter schools** who do not hold a current valid certificate who are required by subsection 1 of this section to undergo a criminal background check, sexual offender registry check, and child abuse central registry check. The Missouri state highway patrol shall provide ongoing electronic updates to criminal history background checks of those persons previously submitted, both those who have an active certificate and those who do not have an active certificate, by the department of elementary and secondary education. This shall fulfill the annual check against the criminal history records in the central repository under section 43.530.

6. The school district **or charter school** may adopt a policy to provide for reimbursement of expenses incurred by an employee for state and federal criminal history information pursuant to section 43.530.

7. If, as a result of the criminal history background check mandated by this section, it is determined that the holder of a certificate issued pursuant to section 168.021 has pled guilty or nolo contendere to, or been found guilty of a crime or offense listed in section 168.071, or a similar crime or offense committed in another state, the United States, or any other country, regardless of imposition of sentence, such information shall be reported to the department of elementary and secondary education.

8. Any school official making a report to the department of elementary and secondary education in conformity with this section shall not be subject to civil liability for such action.

9. For any teacher who is employed by a school district **or charter school** on a substitute or part-time basis within one year of such teacher's retirement from a Missouri school, the state of Missouri shall not require such teacher to be subject to any additional background checks prior to having contact with pupils. Nothing in this subsection shall be construed as prohibiting or otherwise restricting a school district **or charter school** from requiring additional background checks for such teachers employed by the school district **or charter school**.

10. A criminal background check and fingerprint collection conducted under subsections 1 to 3 of this section shall be valid for at least a period of one year and transferrable from one school district **or charter school** to another district **or charter school**. A school district **or charter school** may, in its discretion, conduct a new criminal background check and fingerprint collection under subsections 1 to 3 **of this section** for a newly hired employee at the district's **or charter school's** expense. A teacher's change in type of certification shall have no effect on the transferability or validity of such records.

11. Nothing in this section shall be construed to alter the standards for suspension, denial, or revocation of a certificate issued pursuant to this chapter.

12. The state board of education may promulgate rules for criminal history background checks made pursuant to this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after January 1, 2005, shall be invalid and void.

226.006. 1. The department of transportation shall limit the messages displayed on roadside dynamic message signs to the fewest number of characters necessary to practically convey the intended information. Messages displayed on roadside dynamic message signs generally shall be limited to information related to traffic conditions, weather, or emergency alerts, and shall not contain commercial advertisements.

2. For purposes of this section, "dynamic message sign" means a changeable message traffic control device used for traffic warning, regulation, routing, and management.

226.096. 1. This section shall govern any controversy or claim to which the Missouri department of transportation is a party that arises out of or relates to a contract awarded pursuant to subdivision (9) of subsection 1 of section 226.130, and the claim exceeds twenty-five thousand dollars, but is less than three hundred twenty-seven thousand dollars as adjusted on an annual basis effective January first of each year in accordance with the Implicit Price Deflator for Personal Consumption Expenditures as calculated pursuant to subsection 5 of section 537.610. Provided a claim has been filed pursuant to the procedures set forth in the Missouri standard specifications for highway construction, or its successor, upon issuance of a final decision as provided in such standards or upon expiration of ninety days from the date the claim was filed, the controversy or claim shall upon written demand by any party to the contract be settled by arbitration administered by the American Arbitration Association under its Construction Industry Arbitration Rules, except as provided herein. The highways and transportation commission shall promulgate rules pursuant to chapter 536, to become effective on or before July 1, 2004, establishing a method for appointment of arbitrators and allowing for the mediation of claims upon agreement of both parties. Judgment upon awards rendered under arbitration shall be entered in the circuit court of Cole County, Missouri.

2. Any contract specification, special provision, contract clause, or rule pertaining to contracts governed by this section, which purports to waive, release or extinguish the rights of a contractor to file a claim, or which purports to bind any court of competent jurisdiction or alternate dispute resolution process to any determinations of fact rendered by the Missouri department of transportation or its employees and agents so as to prevent any such court or alternate dispute resolution process from fully considering the merits of any controversy or claim governed by this section, is against public policy and shall be void and unenforceable.

3. All general specification documents issued by the Missouri department of transportation under this section shall be subject to the rulemaking requirements of chapter 536 to ensure public notice, comment, and legislative oversight as provided by law.

4. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2003, shall be invalid and void.

226.510. As used in sections 226.500 to 226.600, the following words or phrases mean:

(1) "Freeway primary highway", that part of a federal-aid primary highway system, as of June 1, 1991, which has been constructed as divided, dual lane fully controlled access facilities with no access to the throughways except the established interchanges. When existing two-lane highways are being upgraded to four-lane limited access, the regulations for freeway primary highways shall apply as of the date the state highways and transportation commission acquires all access rights on the adjoining right-of-way;

(2) "Interstate system", that portion of the national system of interstate highways located within the boundaries of Missouri, as officially designated or may be hereafter designated by the state highways and transportation commission with the approval of the Secretary of Transportation, pursuant to Title 23, United States Code, as amended;

(3) "Outdoor advertising", an outdoor sign, display, device, figure, painting, drawing, message, plaque, poster, billboard, or other thing designed, intended or used to advertise or inform, any part of the advertising or information contents of which is visible from any point of the traveled ways of the interstate or primary systems; **none of the preceding items shall be deemed "outdoor advertising" when located on, attached to, or erected as part of, a fence, fences, or walls that enclose, in whole or in part, an athletic field that is owned or leased by a school or an entity described in section 501(c)(3) of the Internal Revenue Code, as amended. When the audience of such signs is intended to be the patrons, participants, or attendees of an event occurring at the athletic field, the signs shall not require permitting from the Missouri department of transportation;**

(4) "Primary system", the federal-aid primary highways as of June 1, 1991, and all highways designated as part of the National Highway System by the National Highway System Designation Act of 1995 and those highways subsequently designated as part of the National Highway System;

(5) "Rest area", an area or site established and maintained within or adjacent to the highway right-of-way under public supervision or control, for the convenience of the traveling public, except that the term shall not include automotive service stations, hotels, motels, restaurants or other commerce facilities of like nature;

(6) "Urban area", an urban place as designated by the Bureau of the Census, having a population of five thousand or more within boundaries to be fixed by the state highways and transportation commission and local officials in cooperation with each other and approved by the Secretary of Transportation, or an urbanized area as designated by the Bureau of the Census within boundaries to be fixed by the state highways and transportation commission and local officials and approved by the Secretary of Transportation. The boundary of the urban area shall, as a minimum, encompass the entire urban place as designated by the Bureau of the Census.

226.540. Notwithstanding any other provisions of sections 226.500 to 226.600, outdoor advertising shall be permitted within six hundred and sixty feet of the nearest edge of the right-of-way of highways located on the interstate, federal-aid primary system as it existed on June 1, 1991, or the national highway system as amended in areas zoned industrial, commercial or the like and in unzoned commercial and industrial areas as defined in this section, subject to the following regulations which are consistent with customary use in this state:

(1) Lighting:

(a) No revolving or rotating beam or beacon of light that simulates any emergency light or device shall be permitted as part of any sign. No flashing, intermittent, or moving light or lights will be permitted except scoreboards and other illuminated signs designating public service information, such as time, date, or temperature, or similar information, will be allowed; tri-vision, projection, and other changeable message signs shall be allowed subject to Missouri highways and transportation commission regulations;

(b) External lighting, such as floodlights, thin line and gooseneck reflectors are permitted, provided the light source is directed upon the face of the sign and is effectively shielded so as to prevent beams or rays of light from being directed into any portion of the main traveled way of the federal-aid primary highways as of June 1, 1991, and all highways designated as part of the National Highway System by the National Highway System Designation Act of 1995 and those highways subsequently designated as part of the National Highway System and

the lights are not of such intensity so as to cause glare, impair the vision of the driver of a motor vehicle, or otherwise interfere with a driver's operation of a motor vehicle;

(c) No sign shall be so illuminated that it interferes with the effectiveness of, or obscures, an official traffic sign, device, or signal;

(2) Size of signs:

(a) The maximum area for any one sign shall be eight hundred square feet with a maximum height of thirty feet and a maximum length of seventy-two feet, inclusive of border and trim but excluding the base or apron, supports, and other structural members. The area shall be measured as established herein and in rules promulgated by the commission. In determining the size of a conforming or nonconforming sign structure, temporary cutouts and extensions installed for the length of a specific display contract shall not be considered a substantial increase to the size of the permanent display; provided the actual square footage of such temporary cutouts or extensions may not exceed thirty-three percent of the permanent display area. Signs erected in accordance with the provisions of sections 226.500 to 226.600 prior to August 28, 2002, which fail to meet the requirements of this provision shall be deemed legally nonconforming as defined herein;

(b) The maximum size limitations shall apply to each side of a sign structure, and signs may be placed back to back, double faced, or in V-type construction with not more than two displays to each facing, but such sign structure shall be considered as one sign;

(c) After August 28, 1999, no new sign structure shall be erected in which two or more displays are stacked one above the other. Stacked structures existing on or before August 28, 1999, in accordance with sections 226.500 to 226.600 shall be deemed legally nonconforming and may be maintained in accordance with the provisions of sections 226.500 to 226.600. Structures displaying more than one display on a horizontal basis shall be allowed, provided that total display areas do not exceed the maximum allowed square footage for a sign structure pursuant to the provisions of paragraph (a) of this subdivision;

(3) Spacing of signs:

(a) On all interstate highways, freeways, and nonfreeway federal-aid primary highways as of June 1, 1991, and all highways designated as part of the National Highway System by the National Highway System Designation Act of 1995 and those highways subsequently designated as part of the National Highway System:

a. No sign structure shall be erected within one thousand four hundred feet of an existing sign on the same side of the highway;

b. Outside of incorporated municipalities, no structure may be located adjacent to or within five hundred feet of an interchange, intersection at grade, or safety rest area. Such five hundred feet shall be measured from the beginning or ending of the pavement widening at the exit from or entrance to the main traveled way. For purpose of this subparagraph, the term "incorporated municipalities" shall include "urban areas", except that such "urban areas" shall not be considered "incorporated municipalities" if it is finally determined that such would have the effect of making Missouri be in noncompliance with the requirements of Title 23, United States Code, Section 131;

(b) The spacing between structure provisions of this subdivision do not apply to signs which are separated by buildings, natural surroundings, or other obstructions in such manner that only one sign facing located within such distance is visible at any one time. Directional or other official signs or those advertising the sale or lease of the property on which they are located, or those which advertise activities on the property on which they are located, including products sold, shall not be counted, nor shall measurements be made from them for the purpose of compliance with spacing provisions;

(c) No sign shall be located in such manner as to obstruct or otherwise physically interfere with the effectiveness of an official traffic sign, signal, or device or obstruct or physically interfere with a motor vehicle operator's view of approaching, merging, or intersecting traffic;

(d) The measurements in this section shall be the minimum distances between outdoor advertising sign structures measured along the nearest edge of the pavement between points directly opposite the signs along each side of the highway and shall apply only to outdoor advertising sign structures located on the same side of the highway involved;

(4) As used in this section, the words "unzoned commercial and industrial land" shall be defined as follows: that area not zoned by state or local law or ordinance and on which there is located one or more permanent structures used for a commercial business or industrial activity or on which a commercial or industrial activity is actually conducted together with the area along the highway extending outwardly seven hundred fifty feet from and beyond the edge of such activity. All measurements shall be from the outer edges of the regularly used improvements, buildings, parking lots, landscaped, storage or processing areas of the commercial or industrial

activity and along and parallel to the edge of the pavement of the highway. **On nonfreeway primary highways where there is an unzoned commercial or industrial area on one side of the road in accordance with this section, the unzoned commercial or industrial area shall also include those lands located on the opposite side of the highway to the extent of the same dimensions.** Unzoned land shall not include:

(a) Land on the opposite side of the highway from an unzoned commercial or industrial area as defined in this section and located adjacent to highways located on the interstate~~], federal aid primary system as it existed on June 1, 1991, or the national highway system as amended, unless the opposite side of the highway qualifies as a separate unzoned commercial or industrial area]~~ **or freeway primary highways;** or

(b) Land zoned by a state or local law, regulation, or ordinance;

(5) "Commercial or industrial activities" as used in this section means those which are generally recognized as commercial or industrial by zoning authorities in this state, except that none of the following shall be considered commercial or industrial:

(a) Outdoor advertising structures;

(b) Agricultural, forestry, ranching, grazing, farming, and related activities, including seasonal roadside fresh produce stands;

(c) Transient or temporary activities;

(d) Activities more than six hundred sixty feet from the nearest edge of the right-of-way or not visible from the main traveled way;

(e) Activities conducted in a building principally used as a residence;

(f) Railroad tracks and minor sidings;

(6) The words "unzoned commercial or industrial land" shall also include all areas not specified in this section which constitute an "unzoned commercial or industrial area" within the meaning of the present Section 131 of Title 23 of the United States Code, or as such statute may be amended. As used in this section, the words "zoned commercial or industrial area" shall refer to those areas zoned commercial or industrial by the duly constituted zoning authority of a municipality, county, or other lawfully established political subdivision of the state, or by the state and which is within seven hundred fifty feet of one or more permanent commercial or industrial activities. Commercial or industrial activities as used in this section are limited to those activities:

(a) In which the primary use of the property is commercial or industrial in nature;

(b) Which are clearly visible from the highway and recognizable as a commercial business;

(c) Which are permanent as opposed to temporary or transitory and of a nature that would customarily be restricted to commercial or industrial zoning in areas comprehensively zoned; and

(d) In determining whether the primary use of the property is commercial or industrial pursuant to paragraph (a) of this subdivision, the state highways and transportation commission shall consider the following factors:

a. The presence of a permanent and substantial building;

b. The existence of utilities and local business licenses, if any, for the commercial activity;

c. On-premise signs or other identification;

d. The presence of an owner or employee on the premises for at least twenty hours per week;

(7) In zoned commercial and industrial areas, whenever a state, county or municipal zoning authority has adopted laws or ordinances which include regulations with respect to the size, lighting and spacing of signs, which regulations are consistent with the intent of sections 226.500 to 226.600 and with customary use, then from and after the effective date of such regulations, and so long as they shall continue in effect, the provisions of this section shall not apply to the erection of signs in such areas. Notwithstanding any other provisions of this section, after August 28, 1992, with respect to any outdoor advertising which is regulated by the provisions of subdivision (1), (3) or (4) of section 226.520 or subsection 1 of section 226.527:

(a) No county or municipality shall issue a permit to allow a regulated sign to be newly erected without a permit issued by the state highways and transportation commission;

(b) A county or municipality may charge a reasonable one-time permit or inspection fee to assure compliance with local wind load and electrical requirements when the sign is first erected, but a county or municipality may not charge a permit or inspection fee for such sign after such initial fee. Changing the display face or performing routine maintenance shall not be considered as erecting a new sign;

(8) The state highways and transportation commission on behalf of the state of Missouri, may seek agreement with the Secretary of Transportation of the United States under Section 131 of Title 23, United States Code, as amended, that sections 226.500 to 226.600 are in conformance with that Section 131 and provides effective control of outdoor advertising signs as set forth therein. If such agreement cannot be reached and the penalties under subsection (b) of Section 131 are invoked, the attorney general of this state shall institute proceedings described in subsection (1) of that Section 131.

226.550. 1. No outdoor advertising which is regulated by subdivision (1), (3) or (4) of section 226.520 or subsection 1 of section 226.527 shall be erected or maintained on or after August 28, 1992, without a one-time permanent permit issued by the state highways and transportation commission. Application for permits shall be made to the state highways and transportation commission on forms furnished by the commission and shall be accompanied by a permit fee of two hundred dollars for all signs; except that, tax-exempt religious organizations as defined in subdivision (11) of section 313.005, service organizations as defined in subdivision (12) of section 313.005, veterans' organizations as defined in subdivision (14) of section 313.005, and fraternal organizations as defined in subdivision (8) of section 313.005 shall be granted a permit for signs less than seventy-six square feet without payment of the fee. **The permit fee of two hundred dollars shall be waived for landowners, provided that the landowner is the permit holder and owns both the land upon which the outdoor advertising is placed and the business being advertised on the sign, so long as the business being advertised is located within seven hundred fifty feet of the sign location.** In the event a permit holder fails to erect a sign structure within twenty-four months of issuance, said permit shall expire and a new permit must be obtained prior to any construction.

2. No outdoor advertising which is regulated by subdivision (1), (3) or (4) of section 226.520 or subsection 1 of section 226.527 which was erected prior to August 28, 1992, shall be maintained without a one-time permanent permit for outdoor advertising issued by the state highways and transportation commission. If a one-time permanent permit was issued by the state highways and transportation commission after March 30, 1972, and before August 28, 1992, it is not necessary for a new permit to be issued. If a one-time permanent permit was not issued for a lawfully erected and lawfully existing sign by the state highways and transportation commission after March 30, 1972, and before August 28, 1992, a one-time permanent permit shall be issued by the commission for each sign which is lawfully in existence on the day prior to August 28, 1992, upon application and payment of a permit fee of two hundred dollars. All applications and fees due pursuant to this subsection shall be submitted before December 31, 1992. **The permit fee of two hundred dollars shall be waived for landowners, provided that the landowner is the permit holder and owns both the land upon which the outdoor advertising is placed and the business being advertised on the sign, so long as the business being advertised is located within seven hundred fifty feet of the sign location.**

3. For purposes of sections 226.500 to 226.600, the terminology "structure lawfully in existence" or "lawfully existing" sign or outdoor advertising shall, nevertheless, include the following signs unless the signs violate the provisions of subdivisions (3) to (7) of subsection 1 of section 226.580:

- (1) All signs erected prior to January 1, 1968;
- (2) All signs erected before March 30, 1972, but on or after January 1, 1968, which would otherwise be lawful but for the failure to have a permit for such signs prior to March 30, 1972, except that any sign or structure which was not in compliance with sizing, spacing, lighting, or location requirements of sections 226.500 to 226.600 as the sections appeared in the revised statutes of Missouri 1969, wheresoever located, shall not be considered a lawfully existing sign or structure;
- (3) All signs erected after March 30, 1972, which are in conformity with sections 226.500 to 226.600;
- (4) All signs erected in compliance with sections 226.500 to 226.600 prior to August 28, 2002.

4. On or after August 28, 1992, the state highways and transportation commission may, in addition to the fees authorized by subsections 1 and 2 of this section, collect a biennial inspection fee every two years after a state permit has been issued. Biennial inspection fees due after August 28, 2002, and prior to August 28, 2003, shall be fifty dollars. Biennial inspection fees due on or after August 28, 2003, shall be seventy-five dollars. Biennial inspection fees due on or after August 28, 2004, shall be one hundred dollars; except that, tax-exempt religious organizations as defined in subdivision (11) of section 313.005, service organizations as defined in subdivision (12) of section 313.005, veterans' organizations as defined in subdivision (14) of section 313.005, and fraternal organizations as defined in subdivision (8) of section 313.005 shall not be required to pay such fee. **The biennial inspection fee shall be waived for landowners, provided that the landowner is the permit holder and owns both the land upon which the outdoor advertising is placed and the business being advertised on the sign, so long as the business being advertised is located within seven hundred fifty feet of the sign location.**

5. In order to effect the more efficient collection of biennial inspection fees, the state highways and transportation commission is encouraged to adopt a renewal system in which all permits in a particular county are renewed in the same month. In conjunction with the conversion to this renewal system, the state highways and transportation commission is specifically authorized to prorate renewal fees based on changes in renewal dates.

6. Sign owners or owners of the land on which signs are located must apply to the state highways and transportation commission for biennial inspection and submit any fees as required by this section on or before

December 31, 1992. For a permitted sign which does not have a permit, a permit shall be issued at the time of the next biennial inspection.

7. The state highways and transportation commission shall deposit all fees received for outdoor advertising permits and inspection fees in the state road fund, keeping a separate record of such fees, and the same may be expended by the commission in the administration of sections 226.500 to 226.600.

226.1170. The department of transportation, in consultation with the Ozark Highland Distillers Guild, shall erect and maintain suitable markings and informational signs designating the Ozark Highlands Spirits Region in accordance with the map produced pursuant to subsection 4 of section 311.028. Signs shall be located along highways approaching or entering the region, with the costs to be paid by private donation.

227.101. The commission shall publish on the department of transportation's official public website its cost estimate and project completion date for any construction, maintenance, or repair work on the state highway system at the time bidding on a contract for the work first closes.

227.850. Notwithstanding any provision of law to the contrary, the department of transportation shall not erect any sign designating a highway named for any person who has been convicted of the killing of, or the attempted killing of, a law enforcement officer or permit any signage in the convicted person's memory. Any such sign in place prior to August 28, 2025, shall be removed.

227.855. 1. The department of transportation shall place a sign at the city limits of the hometown, or other suitable location determined at the discretion of the department based on the available right of way, coordination with any other existing traffic control devices, and impacts on roadway safety, of any Missouri resident who is a recipient of the Congressional Medal of Honor. For purposes of this section, "hometown" means the city, town, or village in which the recipient resided for the majority of the recipient's lifetime. Only one hometown shall be designated per recipient and signs shall appear on only one route through the recipient's hometown. The signs shall be paid for, erected, and maintained by the department of transportation by appropriation from the Missouri medal of honor recipients fund established under section 226.925.

2. The signs shall feature the words "Medal of Honor Recipient", the name of the recipient, and the year in which such person received the award. The overall design of the sign, including size, color, and lettering, shall be determined by the department based on available space in the right of way and to conform with the guidelines provided in the Manual on Uniform Traffic Control Devices for Streets and Highways.

3. The department of transportation may promulgate rules and regulations to implement and administer the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2025, shall be invalid and void.

229.222. The governing assembly of any county, city, or village of this state may designate any street, road, or highway within such county, city, or village as a memorial road for any law enforcement officer, emergency personnel, or member of the Armed Forces who is killed in the line of duty. Any county, city, or village designating a memorial road pursuant to this section shall provide for and shall be responsible for the costs, erection, and maintenance of any signs marking the designated road.

238.060. 1. There shall be five commissioners of the Kansas City area transportation authority appointed from within the district established by the compact between the states of Missouri and Kansas. One commissioner each shall be appointed from Cass, Platte and Clay counties. One commissioner shall be appointed from a part of Jackson County other than that part of such county that is within the city of Kansas City, and one commissioner shall be appointed from the city of Kansas City. The commissioners serving on August 28, 2000, shall serve the remainder of the term for which they were appointed.

2. Within sixty days before the expiration of the term of each commissioner holding office on August 28, 2000, or any commissioner holding office after August 28, 2000, or within thirty days after the position of a commissioner shall become vacant, that commissioner's successor shall be appointed as follows:

(1) If the current commissioner or the position which has become vacant was appointed from Platte or Clay County, the county commission of the county shall submit a panel of three persons who are residents of that county and of any city, town or village, including the city of Kansas City, Missouri, that has appropriated funds for operations of the Kansas City area transportation authority in its current or immediately preceding fiscal year, selected by a majority vote of the commission, to the mayor of Kansas City, Missouri, who shall appoint a

successor from the panel submitted by the county commission, with the approval of a majority of the members of the city council of the city of Kansas City, Missouri~~], a successor];~~

(2) If the current commissioner or the position which has become vacant was appointed from Cass County, the county commission of the county shall, by a majority vote, submit a panel of three persons who are residents of the county to the governor. Within thirty days of submission, the governor shall appoint one person from the panel as commissioner, with the advice and consent of the senate; provided that, if any panel is not submitted to the governor by the time appointment is required, the governor shall appoint a qualified person meeting the residency requirements to fill the vacancy;

(3) If the current commissioner or the position which has become vacant was appointed from Jackson County, the county executive of Jackson County shall appoint a successor who shall be a resident of any city, town or village, other than the city of Kansas City, Missouri, that has appropriated funds for operations of the Kansas City area transportation authority in its current or immediately preceding fiscal year;

(4) If the current commissioner or the position which has become vacant was appointed from Kansas City, Missouri, the mayor of Kansas City, Missouri, shall appoint a successor who is a resident of that city.

3. Each commissioner appointed pursuant to this section shall hold office for a term of four years or for the unexpired term of his or her predecessor and shall continue in office until his or her successor has been appointed and has qualified. No person shall serve more than two consecutive four-year terms as a commissioner, provided that a person appointed to serve the unexpired term of a predecessor whose remaining term at the time of such appointment is more than two and one-half years shall only be permitted to serve one additional, consecutive four-year term.

300.295. 1. Whenever any person driving a vehicle approaches a railroad grade crossing under any of the circumstances stated in this section, the driver of such vehicle shall stop within fifty feet but not less than fifteen feet from the nearest rail of such railroad, and shall not proceed until he can do so safely. The foregoing requirements shall apply when:

(1) A clearly visible electric or mechanical signal device gives warning of the immediate approach of a railroad train **or any on-track equipment**;

(2) A crossing gate is lowered or when a human flagman gives or continues to give a signal of the approach or passage of a railroad train **or any on-track equipment**;

(3) An approaching railroad train **or any on-track equipment** is plainly visible and is in hazardous proximity to such crossing.

2. No person shall drive any vehicle through, around or under any crossing gate or barrier at a railroad crossing while such gate or barrier is closed or is being opened or closed.

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

(1) "All-terrain vehicle", any motorized vehicle manufactured and used exclusively for off-highway use, with an unladen dry weight of one thousand five hundred pounds or less, traveling on three, four or more nonhighway tires, with either:

(a) A seat designed to be straddled by the operator, and handlebars for steering control, but excluding an electric bicycle; or

(b) A width of fifty inches or less, measured from outside of tire rim to outside of tire rim, regardless of seating or steering arrangement;

(2) "Autocycle", a three-wheeled motor vehicle which the drivers and passengers ride in a partially or completely enclosed nonstraddle seating area, that is designed to be controlled with a steering wheel and pedals, and that has met applicable Department of Transportation National Highway Traffic Safety Administration requirements or federal motorcycle safety standards;

(3) "Automobile transporter", any vehicle combination capable of carrying cargo on the power unit and designed and used for the transport of assembled motor vehicles, including truck camper units;

(4) "Axle load", the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle;

(5) "Backhaul", the return trip of a vehicle transporting cargo or general freight, especially when carrying goods back over all or part of the same route;

(6) "Boat transporter", any vehicle combination capable of carrying cargo on the power unit and designed and used specifically to transport assembled boats and boat hulls. Boats may be partially disassembled to facilitate transporting;

(7) "Body shop", a business that repairs physical damage on motor vehicles that are not owned by the shop or its officers or employees by mending, straightening, replacing body parts, or painting;

(8) "Bus", a motor vehicle primarily for the transportation of a driver and eight or more passengers but not including shuttle buses;

(9) "Commercial motor vehicle", a motor vehicle designed or regularly used for carrying freight and merchandise, or more than eight passengers but not including vanpools or shuttle buses;

(10) "Cotton trailer", a trailer designed [~~and used exclusively~~] for transporting cotton at speeds less than [forty] **seventy** miles per hour from field to field or from field to market and return;

(11) "Dealer", any person, firm, corporation, association, agent or subagent engaged in the sale or exchange of new, used or reconstructed motor vehicles or trailers;

(12) "Director" or "director of revenue", the director of the department of revenue;

(13) "Driveaway operation":

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(a) Offered for hire or lease; or

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(b) By reason of condition or circumstance, has been declared salvage, either by its owner, or by a person, firm, corporation, or other legal entity exercising the right of security interest in it;

- (c) Has been declared salvage by an insurance company as a result of settlement of a claim;
- (d) Ownership of which is evidenced by a salvage title; or
- (e) Is abandoned property which is titled pursuant to section 304.155 or section 304.157 and designated with the words "salvage/abandoned property". The total cost of repairs to rebuild or reconstruct the vehicle shall not include the cost of repairing, replacing, or reinstalling inflatable safety restraints, tires, sound systems, or damage as a result of hail, or any sales tax on parts or materials to rebuild or reconstruct the vehicle. For purposes of this definition, "fair market value" means the retail value of a motor vehicle as:
 - a. Set forth in a current edition of any nationally recognized compilation of retail values, including automated databases, or from publications commonly used by the automotive and insurance industries to establish the values of motor vehicles;
 - b. Determined pursuant to a market survey of comparable vehicles with regard to condition and equipment;and
 - c. Determined by an insurance company using any other procedure recognized by the insurance industry, including market surveys, that is applied by the company in a uniform manner;
- (56) "School bus", any motor vehicle used solely to transport students to or from school or to transport students to or from any place for educational purposes;
- (57) "Scrap processor", a business that, through the use of fixed or mobile equipment, flattens, crushes, or otherwise accepts motor vehicles and vehicle parts for processing or transportation to a shredder or scrap metal operator for recycling;
- (58) "Shuttle bus", a motor vehicle used or maintained by any person, firm, or corporation as an incidental service to transport patrons or customers of the regular business of such person, firm, or corporation to and from the place of business of the person, firm, or corporation providing the service at no fee or charge. Shuttle buses shall not be registered as buses or as commercial motor vehicles;
- (59) "Special mobile equipment", every self-propelled vehicle not designed or used primarily for the transportation of persons or property and incidentally operated or moved over the highways, including farm equipment, implements of husbandry, road construction or maintenance machinery, ditch-digging apparatus, stone crushers, air compressors, power shovels, cranes, graders, rollers, well-drillers and wood-sawing equipment used for hire, asphalt spreaders, bituminous mixers, bucket loaders, ditchers, leveling graders, finished machines, motor graders, road rollers, scarifiers, earth-moving carryalls, scrapers, drag lines, concrete pump trucks, rock-drilling and earth-moving equipment. This enumeration shall be deemed partial and shall not operate to exclude other such vehicles which are within the general terms of this section;
- (60) "Specially constructed motor vehicle", a motor vehicle which shall not have been originally constructed under a distinctive name, make, model or type by a manufacturer of motor vehicles. The term specially constructed motor vehicle includes kit vehicles;
- (61) "Stinger-steered combination", a truck tractor-semitrailer wherein the fifth wheel is located on a drop frame located behind and below the rearmost axle of the power unit;
- (62) "Tandem axle", a group of two or more axles, arranged one behind another, the distance between the extremes of which is more than forty inches and not more than ninety-six inches apart;
- (63) "Towaway trailer transporter combination", a combination of vehicles consisting of a trailer transporter towing unit and two trailers or semitrailers, with a total weight that does not exceed twenty-six thousand pounds; and in which the trailers or semitrailers carry no property and constitute inventory property of a manufacturer, distributor, or dealer of such trailers or semitrailers;
- (64) "Tractor", "truck tractor" or "truck-tractor", a self-propelled motor vehicle designed for drawing other vehicles, but not for the carriage of any load when operating independently. When attached to a semitrailer, it supports a part of the weight thereof;
- (65) "Trailer", any vehicle without motive power designed for carrying property or passengers on its own structure and for being drawn by a self-propelled vehicle, except those running exclusively on tracks, including a semitrailer or vehicle of the trailer type so designed and used in conjunction with a self-propelled vehicle that a considerable part of its own weight rests upon and is carried by the towing vehicle. The term trailer shall not include cotton trailers as defined in this section and shall not include manufactured homes as defined in section 700.010;
- (66) "Trailer transporter towing unit", a power unit that is not used to carry property when operating in a towaway trailer transporter combination;
- (67) "Truck", a motor vehicle designed, used, or maintained for the transportation of property;

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

(69) "Truck-trailer boat transporter combination", a boat transporter combination consisting of a straight truck towing a trailer using typically a ball and socket connection with the trailer axle located substantially at the trailer center of gravity rather than the rear of the trailer but so as to maintain a downward force on the trailer tongue;

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

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

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

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

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

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

301.055. 1. The annual registration fee for motor vehicles other than commercial motor vehicles is[~~:-~~]

[Less than 12 horsepower]	[\$18.00]
[12 horsepower and less than 24 horsepower]	[21.00]
[24 horsepower and less than 36 horsepower]	[24.00]
[36 horsepower and less than 48 horsepower]	[33.00]
[48 horsepower and less than 60 horsepower]	[39.00]
[60 horsepower and less than 72 horsepower]	[45.00]
[72 horsepower and more]	[51.00]
[Motorcycles]	[8.50]
[Motortricycles]	[10.00]
[Autocycles]	[10.00]

twenty-five dollars, which shall include the railroad crossing safety fee prescribed in section 389.612.

2. The annual registration fee for motorcycles, motortricycles, and autocycles is ten dollars, which shall include the railroad crossing safety fee prescribed in section 389.612.

~~[2-] 3.~~ Notwithstanding any other provision of law, the registration of any autocycle registered as a motorcycle or motortricycle prior to August 28, 2018, shall remain in effect until the expiration of the registration period for such vehicle at which time the owner shall be required to renew the motor vehicle's registration under the autocycle classification and pay the appropriate registration fee.

301.070. 1. ~~[In determining fees based on the horsepower of vehicles propelled by internal combustion engines, the horsepower shall be computed and recorded upon the following formula established by the National Automobile Chamber of Commerce: Square the bore of the cylinder in inches multiplied by the number of cylinders, divided by two and one half.~~

~~2. The horsepower of all motor vehicles propelled by steam may be accepted as rated by the manufacturers thereof, or may be determined in accordance with regulations promulgated by the director.~~

~~3. The horsepower of all motor vehicles, except commercial motor vehicles, propelled by electric power, shall be rated as being between twelve and twenty-four horsepower.~~

4.] Fees of commercial motor vehicles, other than passenger-carrying commercial motor vehicles, shall be based on the gross weight of the vehicle or any combination of vehicles and the maximum load to be carried at any one time during the license period, except the fee for a wrecker, tow truck, rollback or car carrier used in a towing service shall be based on the empty weight of such vehicle fully equipped for the recovery or towing of vehicles.

~~5.]~~ 2. The decision of the director as to the type of motor vehicles and their classification for the purpose of registration and the computation of fees therefor shall be final and conclusive.

301.110. 1. Whenever the director shall determine from an increase or decrease in the number of registrations of all types of motor vehicles in any given month that the volume of clerical work of registration of all types of motor vehicles in such month has become so disproportionate to the volume of work in the remaining registration periods as to render the system burdensome or inefficient, he is authorized and empowered to change the registration period of any number of motor vehicles, other than commercial motor vehicles, as may be necessary to increase or reduce the volume of registration in one or more periods by advancing the renewal date and shortening the registration period of such motor vehicles.

2. The shifting of registration periods shall be accomplished by notifying the registrants of the change, and giving them credit for that portion of the registration period not yet elapsed. In such instances the director shall order the registrant to surrender the license plates and registration certificate held by him and shall assign and issue, without cost to the owner, new plates and a registration certificate designating the new registration expiration date.

3. Notwithstanding subsection 6 of section 142.869 or any other provision of law to the contrary, the director may stagger the collection of alternative fuel decal fees and issuance of alternative fuel decals so that issuance of alternative fuel decals occurs at the time of vehicle registration and the decal or decals are valid for the duration of the vehicle's registration period. In lieu of an alternative fuel decal, the director may issue a receipt showing payment of the alternative fuel decal fee, which shall be kept with the vehicle and valid in place of an alternative fuel decal displayed in accordance with section 142.869.

301.130. 1. The director of revenue, upon receipt of a proper application for registration, required fees and any other information which may be required by law, shall issue to the applicant a certificate of registration in such manner and form as the director of revenue may prescribe and a set of license plates, or other evidence of registration, as provided by this section. Each set of license plates shall bear the name or abbreviated name of this state, the words "SHOW-ME STATE", the month and year in which the registration shall expire, and an arrangement of numbers or letters, or both, as shall be assigned from year to year by the director of revenue. The plates shall also contain fully reflective material with a common color scheme and design for each type of license plate issued pursuant to this chapter. The plates shall be clearly visible at night, and shall be aesthetically attractive. Special plates for qualified disabled veterans will have the "DISABLED VETERAN" wording on the license plates in preference to the words "SHOW-ME STATE" and special plates for members of the National Guard will have the "NATIONAL GUARD" wording in preference to the words "SHOW-ME STATE".

2. The arrangement of letters and numbers of license plates shall be uniform throughout each classification of registration. The director may provide for the arrangement of the numbers in groups or otherwise, and for other distinguishing marks on the plates.

3. All property-carrying commercial motor vehicles to be registered at a gross weight in excess of twelve thousand pounds, all passenger-carrying commercial motor vehicles, local transit buses, school buses, trailers, semitrailers, motorcycles, motortricycles, autocycles, motorscooters, and driveaway vehicles shall be registered with the director of revenue as provided for in subsection 3 of section 301.030, or with the state highways and transportation commission as otherwise provided in this chapter, but only one license plate shall be issued for each such vehicle, except as provided in this subsection. The applicant for registration of any property-carrying commercial vehicle registered at a gross weight in excess of twelve thousand pounds may request and be issued two license plates for such vehicle, and if such plates are issued, the director of revenue shall provide for distinguishing marks on the plates indicating one plate is for the front and the other is for the rear of such vehicle. The director may assess and collect an additional charge from the applicant in an amount not to exceed the fee prescribed for personalized license plates in subsection 1 of section 301.144.

4. The plates issued to manufacturers and dealers shall bear the letters and numbers as prescribed by section 301.560, and the director may place upon the plates other letters or marks to distinguish commercial motor vehicles and trailers and other types of motor vehicles.

5. No motor vehicle or trailer shall be operated on any highway of this state unless it shall have displayed thereon the license plate or set of license plates issued by the director of revenue or the state highways and transportation commission and authorized by section 301.140. Each such plate shall be securely fastened to the motor vehicle or trailer in a manner so that all parts thereof shall be plainly visible and reasonably clean so that the reflective qualities thereof are not impaired. Each such plate may be encased in a transparent, **nontinted** cover so long as the plate is plainly visible and ~~its~~ **the plate's** reflective qualities are not impaired. **Additionally, license plate frames shall not cover or obscure any information that is necessary for law enforcement purposes.**

License plates shall be fastened to all motor vehicles except trucks, tractors, truck tractors or truck-tractors licensed in excess of twelve thousand pounds on the front and rear of such vehicles not less than eight nor more than forty-eight inches above the ground, with the letters and numbers thereon right side up. The license plates on trailers, motorcycles, motortricycles, autocycles, and motorscooters shall be displayed on the rear of such vehicles either horizontally or vertically, with the letters and numbers plainly visible. The license plate on buses, other than school buses, and on trucks, tractors, truck tractors or truck-tractors licensed in excess of twelve thousand pounds shall be displayed on the front of such vehicles not less than eight nor more than forty-eight inches above the ground, with the letters and numbers thereon right side up or if two plates are issued for the vehicle pursuant to subsection 3 of this section, displayed in the same manner on the front and rear of such vehicles. The license plate or plates authorized by section 301.140, when properly attached, shall be prima facie evidence that the required fees have been paid.

6. (1) The director of revenue shall issue annually or biennially a tab or set of tabs as provided by law as evidence of the annual payment of registration fees and the current registration of a vehicle in lieu of the set of plates. Beginning January 1, 2010, the director may prescribe any additional information recorded on the tab or tabs to ensure that the tab or tabs positively correlate with the license plate or plates issued by the department of revenue for such vehicle. Such tabs shall be produced in each license bureau office.

(2) The vehicle owner to whom a tab or set of tabs is issued shall affix and display such tab or tabs in the designated area of the license plate, no more than one per plate.

(3) A tab or set of tabs issued by the director of revenue when attached to a vehicle in the prescribed manner shall be prima facie evidence that the registration fee for such vehicle has been paid.

(4) Except as otherwise provided in this section, the director of revenue shall issue plates for a period of at least six years.

(5) For those commercial motor vehicles and trailers registered pursuant to section 301.041, the plate issued by the highways and transportation commission shall be a permanent nonexpiring license plate for which no tabs shall be issued. Nothing in this section shall relieve the owner of any vehicle permanently registered pursuant to this section from the obligation to pay the annual registration fee due for the vehicle. The permanent nonexpiring license plate shall be returned to the highways and transportation commission upon the sale or disposal of the vehicle by the owner to whom the permanent nonexpiring license plate is issued, or the plate may be transferred to a replacement commercial motor vehicle when the owner files a supplemental application with the Missouri highways and transportation commission for the registration of such replacement commercial motor vehicle. Upon payment of the annual registration fee, the highways and transportation commission shall issue a certificate of registration or other suitable evidence of payment of the annual fee, and such evidence of payment shall be carried at all times in the vehicle for which it is issued.

(6) Upon the sale or disposal of any vehicle permanently registered under this section, or upon the termination of a lease of any such vehicle, the permanent nonexpiring plate issued for such vehicle shall be returned to the highways and transportation commission and shall not be valid for operation of such vehicle, or the plate may be transferred to a replacement vehicle when the owner files a supplemental application with the Missouri highways and transportation commission for the registration of such replacement vehicle. If a vehicle which is permanently registered under this section is sold, wrecked or otherwise disposed of, or the lease terminated, the registrant shall be given credit for any unused portion of the annual registration fee when the vehicle is replaced by the purchase or lease of another vehicle during the registration year.

7. The director of revenue and the highways and transportation commission may prescribe rules and regulations for the effective administration of this section. No rule or portion of a rule promulgated under the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.

8. Notwithstanding the provisions of any other law to the contrary, owners of motor vehicles other than apportioned motor vehicles or commercial motor vehicles licensed in excess of twenty-four thousand pounds gross weight may apply for special personalized license plates. Vehicles licensed for twenty-four thousand pounds that display special personalized license plates shall be subject to the provisions of subsections 1 and 2 of section

301.030. On and after August 28, 2016, owners of motor vehicles, other than apportioned motor vehicles or commercial motor vehicles licensed in excess of twenty-four thousand pounds gross weight, may apply for any preexisting or hereafter statutorily created special personalized license plates.

9. No later than January 1, 2019, the director of revenue shall commence the reissuance of new license plates of such design as approved by the advisory committee under section 301.125 consistent with the terms, conditions, and provisions of section 301.125 and this chapter. Except as otherwise provided in this section, in addition to all other fees required by law, applicants for registration of vehicles with license plates that expire during the period of reissuance, applicants for registration of trailers or semitrailers with license plates that expire during the period of reissuance and applicants for registration of vehicles that are to be issued new license plates during the period of reissuance shall pay the cost of the plates required by this subsection. The additional cost prescribed in this subsection shall not be charged to persons receiving special license plates issued under section 301.073 or 301.443. Historic motor vehicle license plates registered pursuant to section 301.131 and specialized license plates are exempt from the provisions of this subsection. Except for new, replacement, and transfer applications, permanent nonexpiring license plates issued to commercial motor vehicles and trailers registered under section 301.041 are exempt from the provisions of this subsection.

301.140. 1. Upon the transfer of ownership of any motor vehicle or trailer, the certificate of registration and the right to use the number plates shall expire and the number plates shall be removed by the owner at the time of the transfer of possession, and it shall be unlawful for any person other than the person to whom such number plates were originally issued to have the same in his or her possession whether in use or not, unless such possession is solely for charitable purposes; except that the buyer of a motor vehicle or trailer who trades in a motor vehicle or trailer may attach the license plates from the traded-in motor vehicle or trailer to the newly purchased motor vehicle or trailer. The operation of a motor vehicle with such transferred plates shall be lawful for no more than thirty days, or no more than ninety days if the dealer is selling the motor vehicle under the provisions of section 301.213, or no more than sixty days if the dealer is selling the motor vehicle under the provisions of subsection 5 of section 301.210. As used in this subsection, the term "trade-in motor vehicle or trailer" shall include any single motor vehicle or trailer sold by the buyer of the newly purchased vehicle or trailer, as long as the license plates for the trade-in motor vehicle or trailer are still valid.

2. In the case of a transfer of ownership the original owner may register another motor vehicle under the same number, upon the payment of a fee of two dollars, if the motor vehicle is of [horsepower,] gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity[;] not in excess of that originally registered. When such motor vehicle is of greater [horsepower,] gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, the applicant shall pay a transfer fee of two dollars and a pro rata portion for the difference in fees. When such vehicle is of less [horsepower,] gross weight or (in case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, the applicant shall not be entitled to a refund.

3. License plates may be transferred from a motor vehicle which will no longer be operated to a newly purchased motor vehicle by the owner of such vehicles. The owner shall pay a transfer fee of two dollars if the newly purchased vehicle is of [horsepower,] gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity[;] not in excess of that of the vehicle which will no longer be operated. When the newly purchased motor vehicle is of greater [horsepower,] gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, the applicant shall pay a transfer fee of two dollars and a pro rata portion of the difference in fees. When the newly purchased vehicle is of less [horsepower,] gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, the applicant shall not be entitled to a refund.

4. **(1)** The director of the department of revenue shall have authority to produce or allow others to produce a weather resistant, nontearing temporary permit authorizing the operation of a motor vehicle or trailer by a buyer for not more than thirty days, ~~for no more than ninety days if issued by a dealer selling the motor vehicle under the provisions of section 301.213,~~ or no more than sixty days if issued by a dealer selling the motor vehicle under the provisions of subsection 5 of section 301.210, from the date of purchase. The temporary permit authorized under this section may be purchased by the purchaser of a motor vehicle or trailer from the central office of the department of revenue or from an authorized agent of the department of revenue upon **satisfaction of all applicable taxes under chapter 144, upon** proof of purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer and upon proof of financial responsibility, or from a motor vehicle dealer upon purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer, or from a motor

vehicle dealer upon purchase of a motor vehicle or trailer for which the buyer has registered and is awaiting receipt of registration plates. The director of the department of revenue or a producer authorized by the director of the department of revenue may make temporary permits available to registered dealers in this state, authorized agents of the department of revenue or the department of revenue. The price paid by a motor vehicle dealer, an authorized agent of the department of revenue or the department of revenue for a temporary permit shall not exceed five dollars for each permit. The director of the department of revenue shall direct motor vehicle dealers and authorized agents to obtain temporary permits from an authorized producer. Amounts received by the director of the department of revenue for temporary permits shall constitute state revenue; however, amounts received by an authorized producer other than the director of the department of revenue shall not constitute state revenue and any amounts received by motor vehicle dealers or authorized agents for temporary permits purchased from a producer other than the director of the department of revenue shall not constitute state revenue. In no event shall revenues from the general revenue fund or any other state fund be utilized to compensate motor vehicle dealers or other producers for their role in producing temporary permits as authorized under this section. Amounts that do not constitute state revenue under this section shall also not constitute fees for registration or certificates of title to be collected by the director of the department of revenue under section 301.190. No motor vehicle dealer, authorized agent or the department of revenue shall charge more than five dollars for each permit issued. The permit shall be valid for a period of thirty days, or no more than ninety days if issued by a dealer selling the motor vehicle under the provisions of section 301.213, or no more than sixty days if issued by a dealer selling the motor vehicle under the provisions of subsection 5 of section 301.210, from the date of purchase of a motor vehicle or trailer, or from the date of sale of the motor vehicle or trailer by a motor vehicle dealer for which the purchaser obtains a permit as set out above. No permit shall be issued for a vehicle under this section unless the buyer shows proof of financial responsibility. Each temporary permit issued shall be securely fastened to the back or rear of the motor vehicle in a manner and place on the motor vehicle consistent with registration plates so that all parts and qualities of the temporary permit thereof shall be plainly and clearly visible, reasonably clean and are not impaired in any way.

(2) The provisions of subdivision (1) of this subsection requiring satisfaction of all applicable taxes under chapter 144 shall become effective only upon notification by the director of the department of revenue to the revisor of statutes that implementation of such requirements are technologically feasible following the development and maintenance of a modernized, integrated system for the titling of vehicles, the issuance and renewal of vehicle registrations, the issuance and renewal of drivers' licenses and identification cards, and the perfection and release of liens and encumbrances on vehicles.

5. The permit shall be issued on a form prescribed by the director of the department of revenue and issued only for the applicant's temporary operation of the motor vehicle or trailer purchased to enable the applicant to temporarily operate the motor vehicle while proper title and registration plates are being obtained, or while awaiting receipt of registration plates, and shall be displayed on no other motor vehicle. Temporary permits issued pursuant to this section shall not be transferable or renewable, shall not be valid upon issuance of proper registration plates for the motor vehicle or trailer, and shall be returned to the department or to the department's agent upon the issuance of such proper registration plates. Any temporary permit returned to the department or to the department's agent shall be immediately destroyed. The provisions of this subsection shall not apply to temporary permits issued for commercial motor vehicles licensed in excess of twenty-four thousand pounds gross weight. The director of the department of revenue shall determine the size, material, design, numbering configuration, construction, and color of the permit. The director of the department of revenue, at his or her discretion, shall have the authority to reissue, and thereby extend the use of, a temporary permit previously and legally issued for a motor vehicle or trailer while proper title and registration are being obtained.

6. Every motor vehicle dealer that issues temporary permits shall keep, for inspection by proper officers, an accurate record of each permit issued by recording the permit number, the motor vehicle dealer's number, buyer's name and address, the motor vehicle's year, make, and manufacturer's vehicle identification number, and the permit's date of issuance and expiration date. Upon the issuance of a temporary permit by either the central office of the department of revenue, a motor vehicle dealer or an authorized agent of the department of revenue, the director of the department of revenue shall make the information associated with the issued temporary permit immediately available to the law enforcement community of the state of Missouri.

7. Upon the transfer of ownership of any currently registered motor vehicle wherein the owner cannot transfer the license plates due to a change of motor vehicle category, the owner may surrender the license plates issued to the motor vehicle and receive credit for any unused portion of the original registration fee against the registration fee of another motor vehicle. Such credit shall be granted based upon the date the license plates are surrendered. No refunds shall be made on the unused portion of any license plates surrendered for such credit.

8. An additional temporary license plate produced in a manner and of materials determined by the director to be the most cost-effective means of production with a configuration that matches an existing or newly issued plate may be purchased by a motor vehicle owner to be placed in the interior of the vehicle's rear window such that the driver's view out of the rear window is not obstructed and the plate configuration is clearly visible from the outside of the vehicle to serve as the visible plate when a bicycle rack or other item obstructs the view of the actual plate. Such temporary plate is only authorized for use when the matching actual plate is affixed to the vehicle in the manner prescribed in subsection 5 of section 301.130. The fee charged for the temporary plate shall be equal to the fee charged for a temporary permit issued under subsection 4 of this section. Replacement temporary plates authorized in this subsection may be issued as needed upon the payment of a fee equal to the fee charged for a temporary permit under subsection 4 of this section. The newly produced third plate may only be used on the vehicle with the matching plate, and the additional plate shall be clearly recognizable as a third plate and only used for the purpose specified in this subsection.

9. Notwithstanding the provisions of section 301.217, the director may issue a temporary permit to an individual who possesses a salvage motor vehicle which requires an inspection under subsection 9 of section 301.190. The operation of a salvage motor vehicle for which the permit has been issued shall be limited to the most direct route from the residence, maintenance, or storage facility of the individual in possession of such motor vehicle to the nearest authorized inspection facility and return to the originating location. Notwithstanding any other requirements for the issuance of a temporary permit under this section, an individual obtaining a temporary permit for the purpose of operating a motor vehicle to and from an examination facility as prescribed in this subsection shall also purchase the required motor vehicle examination form which is required to be completed for an examination under subsection 9 of section 301.190 and provide satisfactory evidence that such vehicle has passed a motor vehicle safety inspection for such vehicle as required in section 307.350.

10. Notwithstanding any provision of law to the contrary, a person may be stopped or inspected by law enforcement, based on reasonable suspicion that a temporary permit violation has occurred, in order to determine whether a temporary permit is current or valid. Upon a determination by law enforcement that a temporary permit is expired by at least seventy days, or that a temporary permit has been altered, the law enforcement officer conducting the stop shall issue a citation and such person shall be fined in the amount of two hundred fifty dollars. If the person properly registers the vehicle within thirty days of the issuance of a citation, the prosecutor shall nolle prosequi the citation, court costs shall be waived, and the offense shall not be registered as a violation on the person's driving record. If the vehicle is stopped a second time for a temporary permit violation after such thirty-day time period has lapsed, the vehicle shall be impounded until such time as the vehicle is properly registered. It shall be the responsibility of the owner of the vehicle to work with the impound lot owner if there is an issue with the vehicle's safety inspection.

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

~~11.~~ 12. The repeal and reenactment of this section shall become effective on the date the department of revenue or a producer authorized by the director of the department of revenue begins producing temporary permits described in subsection 4 of such section, or on July 1, 2013, whichever occurs first. If the director of revenue or a producer authorized by the director of the department of revenue begins producing temporary permits prior to July 1, 2013, the director of the department of revenue shall notify the revisor of statutes of such fact.

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

- (1) "Department", the department of revenue;
- (2) "Director", the director of the department of revenue;
- (3) "Other authorized health care practitioner" includes advanced practice registered nurses licensed pursuant to chapter 335, physician assistants licensed pursuant to chapter 334, chiropractors licensed pursuant to chapter 331, podiatrists licensed pursuant to chapter 330, assistant physicians, physical therapists licensed pursuant to chapter 334, **occupational therapists licensed pursuant to chapter 324**, and optometrists licensed pursuant to chapter 336;

(4) "Physically disabled", a natural person who is blind, as defined in section 8.700, or a natural person with medical disabilities which prohibits, limits, or severely impairs one's ability to ambulate or walk, as determined by a licensed physician or other authorized health care practitioner as follows:

(a) The person cannot ambulate or walk fifty or less feet without stopping to rest due to a severe and disabling arthritic, neurological, orthopedic condition, or other severe and disabling condition; or

(b) The person cannot ambulate or walk without the use of, or assistance from, a brace, cane, crutch, another person, prosthetic device, wheelchair, or other assistive device; or

(c) Is restricted by a respiratory or other disease to such an extent that the person's forced respiratory expiratory volume for one second, when measured by spirometry, is less than one liter, or the arterial oxygen tension is less than sixty mm/hg on room air at rest; or

(d) Uses portable oxygen; or

(e) Has a cardiac condition to the extent that the person's functional limitations are classified in severity as class III or class IV according to standards set by the American Heart Association; or

(f) Except as otherwise provided in subdivision (3) of subsection 16 of this section, a person's age, in and of itself, shall not be a factor in determining whether such person is physically disabled or is otherwise entitled to disabled license plates and/or disabled windshield hanging placards within the meaning of sections 301.141 to 301.143;

(5) "Physician", a person licensed to practice medicine pursuant to chapter 334;

(6) "Physician's statement", a statement personally signed by a duly authorized person which certifies that a person is disabled as defined in this section;

(7) "Temporarily disabled person", a disabled person as defined in this section whose disability or incapacity is expected to last no more than one hundred eighty days;

(8) "Temporary windshield placard", a placard to be issued to persons who are temporarily disabled persons as defined in this section, certification of which shall be indicated on the physician's statement;

(9) "Windshield placard", a placard to be issued to persons who are physically disabled as defined in this section, certification of which shall be indicated on the physician's statement.

2. Other authorized health care practitioners may furnish to a **physically** disabled or temporarily disabled person a physician's statement for only those physical health care conditions for which such health care practitioner is legally authorized to diagnose and treat.

3. A physician's statement shall:

(1) Be on a form prescribed by the director of revenue;

(2) Set forth the specific diagnosis and medical condition which renders the person physically disabled or temporarily disabled as defined in this section;

(3) Include the physician's or other authorized health care practitioner's license number; and

(4) Be personally signed by the issuing physician or other authorized health care practitioner.

4. If it is the professional opinion of the physician or other authorized health care practitioner issuing the statement that the physical disability of the applicant, user, or member of the applicant's household is permanent, it shall be noted on the statement. Otherwise, the physician or other authorized health care practitioner shall note on the statement the anticipated length of the disability, which shall determine the expiration date for the temporary windshield placard, and which period shall not exceed one hundred eighty days. If the physician or health care practitioner fails to record an expiration date on the physician's statement, the director shall issue a temporary windshield placard for a period of thirty days.

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

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

7. Owners of motor vehicles who are residents of the state of Missouri, and who are physically disabled, owners of motor vehicles operated at least fifty percent of the time by a physically disabled person, or owners of motor vehicles used to primarily transport physically disabled members of the owner's household may obtain disabled person license plates. Such owners, upon application to the director accompanied by the documents and fees provided for in this section, a current physician's statement which has been issued within ninety days

proceeding the date the application is made, and proof of compliance with the state motor vehicle laws relating to registration and licensing of motor vehicles, shall be issued motor vehicle license plates for vehicles, other than commercial vehicles with a gross weight in excess of twenty-four thousand pounds, upon which shall be inscribed the international wheelchair accessibility symbol and the word "DISABLED" in addition to a combination of letters and numbers. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. If at any time an individual who obtained disabled license plates issued under this subsection no longer occupies a residence with a physically disabled person, or no longer owns a vehicle that is operated at least fifty percent of the time by a physically disabled person, such individual shall surrender the disabled license plates to the department within thirty days of becoming ineligible for their use.

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

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

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

11. The removable windshield placard shall conform to the specifications, in respect to size, color, and content, as set forth in federal regulations published by the Department of Transportation. The removable windshield placard shall be renewed every ~~four~~ **eight** years. **The department shall have the authority to automatically renew current valid disabled placards for a duration of eight years, or for the duration that correlates with the person's current physician's statement expiration date, until all permanent disabled placards are on an eight-year renewal cycle.** The director may stagger the expiration dates to equalize workload. Only one removable placard may be issued to an applicant who has been issued disabled person license plates. Upon request, one additional windshield placard may be issued to an applicant who has not been issued disabled person license plates.

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

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

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

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

16. (1) Except as otherwise provided in this subsection, every applicant for issuance of a disabled license plate or placard shall be required to present a new physician's statement dated no more than ninety days prior to such application, and for renewal applications a physician's statement dated no more than ninety days prior to such application shall be required every eighth year.

(2) Notwithstanding any provision of law to the contrary, if the applicant has presented proof of disability in the form of a statement from the United States Department of Veterans Affairs verifying that the person is permanently disabled, the applicant shall not be required to provide a physician's statement for the purpose of issuance or renewal of disabled person license plates or windshield placards.

(3) Notwithstanding the provisions of paragraph (f) of subdivision (4) of subsection 1 of this section, any person seventy-five years of age or older who provided a physician's statement with the original application shall not be required to provide a physician's statement for the purpose of renewal of disabled person license plates or windshield placards.

17. The director of revenue upon receiving a physician's statement pursuant to this subsection shall check with the state board of registration for the healing arts created in section 334.120, or the Missouri state board of nursing established in section 335.021, with respect to ~~physician's~~ **physicians'** statements signed by advanced practice registered nurses, or the Missouri state board of chiropractic examiners established in section 331.090, with respect to ~~physician's~~ **physicians'** statements signed by licensed chiropractors, or with the board of optometry established in section 336.130, with respect to ~~physician's~~ **physicians'** statements signed by licensed optometrists, or the state board of podiatric medicine created in section 330.100, with respect to ~~physician's~~ **physicians'** statements signed by physicians of the foot or podiatrists, **or the Missouri board of occupational therapy established in section 324.063, with respect to physicians' statements signed by licensed occupational therapists**, to determine whether the physician is duly licensed and registered pursuant to law.

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

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

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

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

22. When a person to whom disabled person license plates or a removable or temporary windshield placard or both have been issued dies, the personal representative of the decedent or such other person who may come into or otherwise take possession of the disabled license plates or disabled windshield placard shall return the same to the

director of revenue under penalty of law. Failure to return such plates or placards shall constitute a class B misdemeanor.

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

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

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

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

301.147. 1. Notwithstanding the provisions of section 301.020 to the contrary, beginning July 1, 2000, the director of revenue may provide owners of motor vehicles, other than commercial motor vehicles licensed in excess of fifty-four thousand pounds gross weight, the option of biennially registering motor vehicles. ~~[Any vehicle manufactured as an even-numbered model year vehicle shall be renewed each even-numbered calendar year and any such vehicle manufactured as an odd-numbered model year vehicle shall be renewed each odd-numbered calendar year, subject to the following requirements:~~

~~(1)~~ The fee collected at the time of biennial registration shall include the annual registration fee plus a pro rata amount for the additional ~~[twelve]~~ months of the biennial registration];

~~(2) Presentation of].~~ **The applicant shall present** all documentation otherwise required by law for vehicle registration including, but not limited to, a personal property tax receipt or certified statement for the preceding year that no such taxes were due as set forth in section 301.025, proof of a motor vehicle safety inspection and any applicable emission inspection conducted within sixty days prior to the date of application, and proof of insurance as required by section 303.026.

2. The director of revenue may prescribe rules and regulations for the effective administration of this section. The director is authorized to adopt those rules that are reasonable and necessary to accomplish the limited duties specifically delegated within this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is promulgated pursuant to the authority delegated in this section shall become effective only if it has been promulgated pursuant to the provisions of chapter 536. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after July 1, 2000, shall be invalid and void.

3. The director of revenue shall have the authority to stagger the registration period of motor vehicles other than commercial motor vehicles licensed in excess of twelve thousand pounds gross weight **to equalize workload or for the convenience of registration applicants**. Once the owner of a motor vehicle chooses the option of biennial registration, such registration must be maintained for the full twenty-four month period.

301.448. Any person who has served and was honorably discharged or currently serves in ~~[any branch of the United States Armed Forces]~~ **the United States Army, Marine Corps, Navy, Air Force, Space Force, Coast Guard, or National Guard, or in the reserves for any such branch,** ~~[the United States Coast Guard or reserve,]~~ the United States Merchant Marines or reserve, or the Missouri National Guard, or any subdivision of any of such services or a member of the United States Marine Corps League may apply for special motor vehicle license plates, either solely or jointly, for issuance either to passenger motor vehicles subject to the registration fees provided in section 301.055, or to nonlocal property-carrying commercial motor vehicles licensed for a gross weight of six thousand pounds up through and including twenty-four thousand pounds as provided in section 301.057. Any such person shall make application for the special license plates on a form provided by the director of revenue and furnish such proof that such person is a member or former member of any such branch of service as the director may require. Upon presentation of the proof of eligibility and annual payment of the fee required for personalized license plates in section 301.144, and other fees and documents which may be required by law, the department shall issue personalized license plates which shall bear the seal, logo or emblem, along with a word or words designating the

branch or subdivision of such service for which the person applies. All seals, logos, emblems or special symbols shall become an integral part of the license plate; however, no plate shall contain more than one seal, logo, emblem or special symbol and the design of such plates shall be approved by the advisory committee established in section 301.129 and by the branch or subdivision of such service or the Marine Corps League prior to issuing such plates. The plates shall have a white background with a blue and red configuration at the discretion of the advisory committee established in section 301.129. The plates shall be clearly visible at night and shall be aesthetically attractive, as prescribed by section 301.130. The bidding process used to select a vendor for the material to manufacture the license plates authorized by this section shall consider the aesthetic appearance of the plate. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms. All license plates issued under this provision must be renewed in accordance with law. License plates issued under the provisions of this section shall not be transferable to any other person, except that any registered co-owner of the motor vehicle shall be entitled to operate the motor vehicle for the duration of the year licensed, in the event of the death of the qualified applicant.

301.469. 1. Any vehicle owner may receive license plates as prescribed in this section, for any motor vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of twenty-four thousand pounds gross weight, after an annual payment of an emblem-use authorization fee to the Missouri conservation heritage foundation. The foundation hereby authorizes the use of its official emblems to be affixed on multiyear license plates as provided in this section. Any vehicle owner may annually apply for the use of the emblems.

2. Upon annual application and payment of a twenty-five dollar emblem-use authorization fee to the Missouri conservation heritage foundation, the foundation shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented to the director of the department of revenue at the time of registration of a motor vehicle.

3. Upon presentation of the annual statement, payment of a fifteen dollar fee in addition to the regular registration fees and documents which may be required by law, the director of the department of revenue shall issue a license plate, which shall bear an emblem of the Missouri conservation heritage foundation in a form prescribed by the director, to the vehicle owner. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates pursuant to this section.

4. Application for the emblem-use authorization and payment of the twenty-five-dollar contribution may also be made at the time of registration to the director of the department of revenue, who shall deposit the contribution to the credit of the Missouri conservation heritage foundation.

5. A vehicle owner, who was previously issued a plate with a Missouri conservation heritage foundation emblem authorized by this section but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the foundation emblem, as otherwise provided by law.

~~5-~~ 6. The director of the department of revenue may promulgate rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is promulgated under the authority delegated in this section shall become effective only if it has been promulgated pursuant to the provisions of chapter 536. All rulemaking authority delegated prior to August 28, 1999, is of no force and effect; however, nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to August 28, 1999, if it fully complied with the provisions of chapter 536. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 1999, shall be invalid and void.

301.558. 1. A motor vehicle dealer, **trailer dealer**, boat dealer, or powersport dealer may fill in the blanks on standardized forms in connection with the sale or lease of a new or used motor vehicle, **trailer**, vessel, or vessel trailer if the motor vehicle dealer, **trailer dealer**, boat dealer, or powersport dealer does not charge for the services of filling in the blanks or otherwise charge for preparing documents.

2. A motor vehicle dealer, **trailer dealer**, boat dealer, or powersport dealer may charge an administrative fee in connection with the sale or lease of a new or used motor vehicle, **trailer**, vessel, or vessel trailer for the storage of documents or any other administrative or clerical services not prohibited by this section. A portion of the administrative fee may result in profit to the motor vehicle dealer, **trailer dealer**, boat dealer, or powersport dealer.

3. (1) Ten percent of any fee authorized under this section and charged by motor vehicle dealers or **trailer dealers** shall be remitted to the motor vehicle administration technology fund established in this subsection, for the

development of the system specified in this subsection. Following the development of the system specified in this subsection, the director of the department of revenue shall notify motor vehicle dealers **and trailer dealers**, and implement the system, and the percentage of any fee authorized under this section required to be remitted to the fund shall be reduced to ~~[one]~~ **three and one-half** percent, which shall be used for maintenance of the system. This subsection shall expire on January 1, 2037.

(2) There is hereby created in the state treasury the "Motor Vehicle Administration Technology Fund", which shall consist of money collected as specified in this subsection. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and money in the fund shall be used solely by the department of revenue for the purpose of development and maintenance of a modernized, integrated system for the titling of vehicles, issuance and renewal of vehicle registrations, issuance and renewal of driver's licenses and identification cards, and perfection and release of liens and encumbrances on vehicles.

(3) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

(4) The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. No motor vehicle dealer, **trailer dealer**, boat dealer, or powersport dealer that sells or leases new or used motor vehicles, **trailers**, vessels, or vessel trailers and imposes an administrative fee of five hundred dollars or less in connection with the sale or lease of a new or used **motor** vehicle, **trailer**, vessel, or vessel trailer for the storage of documents or any other administrative or clerical services shall be deemed to be engaging in the unauthorized practice of law. The maximum administrative fee permitted under this subsection shall be increased annually by an amount equal to the percentage change in the annual average of the Consumer Price Index for All Urban Consumers or its successor index, as reported by the federal Bureau of Labor Statistics or its successor agency, or by zero, whichever is greater. The director of the department of revenue shall annually furnish the maximum administrative fee determined under this section to the secretary of state, who shall publish such value in the Missouri Register as soon as practicable after January fourteenth of each year.

5. If an administrative fee is charged under this section, the same administrative fee shall be charged to all retail customers unless the fee is limited by the dealer's franchise agreement to certain classes of customers. The fee shall be disclosed on the retail buyer's order form as a separate itemized charge.

6. A preliminary worksheet on which a sale price is computed and that is shown to the purchaser, a retail buyer's order form from the purchaser, or a retail installment contract shall include, in reasonable proximity to the place on the document where the administrative fee authorized by this section is disclosed, the amount of the administrative fee and the following notice in type that is boldfaced, capitalized, underlined, or otherwise conspicuously set out from the surrounding written material:

"AN ADMINISTRATIVE FEE IS NOT AN OFFICIAL FEE AND IS NOT REQUIRED BY LAW BUT MAY BE CHARGED BY A DEALER. THIS ADMINISTRATIVE FEE MAY RESULT IN A PROFIT TO DEALER. NO PORTION OF THIS ADMINISTRATIVE FEE IS FOR THE DRAFTING, PREPARATION, OR COMPLETION OF DOCUMENTS OR THE PROVIDING OF LEGAL ADVICE. THIS NOTICE IS REQUIRED BY LAW."

7. The general assembly believes that an administrative fee charged in compliance with this section is not the unauthorized practice of law or the unauthorized business of law so long as the activity or service for which the fee is charged is in compliance with the provisions of this section and does not result in the waiver of any rights or remedies. Recognizing, however, that the judiciary is the sole arbitrator of what constitutes the practice of law, in the event that a court determines that an administrative fee charged in compliance with this section, and that does not waive any rights or remedies of the buyer, is the unauthorized practice of law or the unauthorized business of law, then no person who paid that administrative fee may recover said fee or treble damages, as permitted under section 484.020, and no person who charged that fee shall be guilty of a misdemeanor, as provided under section 484.020.

301.560. 1. In addition to the application forms prescribed by the department, each applicant shall submit the following to the department:

(1) Every application other than a renewal application for a **new** motor vehicle franchise dealer shall include a certification that the applicant has a bona fide established place of business. Such application shall include an annual certification that the applicant has a bona fide established place of business for the first three years and only for every other year thereafter. The certification shall be performed by a uniformed member of the Missouri

state highway patrol or authorized or designated employee stationed in the troop area in which the applicant's place of business is located; except that in counties of the first classification, certification may be performed by an officer of a metropolitan police department when the applicant's established place of business of distributing or selling motor vehicles or trailers is in the metropolitan area where the certifying metropolitan police officer is employed. When the application is being made for licensure as a boat manufacturer or boat dealer, certification shall be performed by a uniformed member of the Missouri state highway patrol or authorized or designated employee stationed in the troop area in which the applicant's place of business is located or, if the applicant's place of business is located within the jurisdiction of a metropolitan police department in a first class county, by an officer of such metropolitan police department. A bona fide established place of business for any new motor vehicle franchise dealer, used motor vehicle dealer, boat dealer, powersport dealer, wholesale motor vehicle dealer, trailer dealer, or wholesale or public auction shall be a permanent enclosed building or structure, either owned in fee or leased and actually occupied as a place of business by the applicant for the selling, bartering, trading, servicing, or exchanging of motor vehicles, boats, personal watercraft, or trailers and wherein the public may contact the owner or operator at any reasonable time, and wherein shall be kept and maintained the books, records, files and other matters required and necessary to conduct the business. The applicant shall maintain a working telephone number during the entire registration year which will allow the public, the department, and law enforcement to contact the applicant during regular business hours. The applicant shall also maintain an email address during the entire registration year which may be used for official correspondence with the department. In order to qualify as a bona fide established place of business for all applicants licensed pursuant to this section there shall be an exterior sign displayed carrying the name of the business set forth in letters at least six inches in height and clearly visible to the public and there shall be an area or lot which shall not be a public street on which multiple vehicles, boats, personal watercraft, or trailers may be displayed. The sign shall contain the name of the dealership by which it is known to the public through advertising or otherwise, which need not be identical to the name appearing on the dealership's license so long as such name is registered as a fictitious name with the secretary of state, has been approved by its line-make manufacturer in writing in the case of a new motor vehicle franchise dealer and a copy of such fictitious name registration has been provided to the department. Dealers who sell only emergency vehicles as defined in section 301.550 are exempt from maintaining a bona fide place of business, including the related law enforcement certification requirements, and from meeting the minimum yearly sales;

(2) The initial application for licensure shall include a photograph, not to exceed eight inches by ten inches but no less than five inches by seven inches, showing the business building, lot, and sign. A new motor vehicle franchise dealer applicant who has purchased a currently licensed new motor vehicle franchised dealership shall be allowed to submit a photograph of the existing dealership building, lot and sign but shall be required to submit a new photograph upon the installation of the new dealership sign as required by sections 301.550 to 301.580. Applicants shall not be required to submit a photograph annually unless the business has moved from its previously licensed location, or unless the name of the business or address has changed, or unless the class of business has changed;

(3) Every applicant as a new motor vehicle franchise dealer, a used motor vehicle dealer, a powersport dealer, a wholesale motor vehicle dealer, trailer dealer, or boat dealer shall furnish with the application a corporate surety bond or an irrevocable letter of credit as defined in section 400.5-102, issued by any state or federal financial institution in the penal sum of fifty thousand dollars on a form approved by the department. The bond or irrevocable letter of credit shall be conditioned upon the dealer complying with the provisions of the statutes applicable to new motor vehicle franchise dealers, used motor vehicle dealers, powersport dealers, wholesale motor vehicle dealers, trailer dealers, and boat dealers, and the bond shall be an indemnity for any loss sustained by reason of the acts of the person bonded when such acts constitute grounds for the suspension or revocation of the dealer's license. The bond shall be executed in the name of the state of Missouri for the benefit of all aggrieved parties or the irrevocable letter of credit shall name the state of Missouri as the beneficiary; except, that the aggregate liability of the surety or financial institution to the aggrieved parties shall, in no event, exceed the amount of the bond or irrevocable letter of credit. Additionally, every applicant as a new motor vehicle franchise dealer, a used motor vehicle dealer, a powersport dealer, a wholesale motor vehicle dealer, or boat dealer shall furnish with the application a copy of a current dealer garage policy bearing the policy number and name of the insurer and the insured. The proceeds of the bond or irrevocable letter of credit furnished by an applicant shall be paid upon receipt by the department of a final judgment from a Missouri court of competent jurisdiction against the principal and in favor of an aggrieved party. The proceeds of the bond or irrevocable letter of credit furnished by an applicant shall be paid at the order of the department and in the amount determined by the department to any buyer or interested lienholder up to the greater of the amount required for the release of the purchase money lien or the sales price paid by the buyer where a dealer has failed to fulfill the dealer's obligations under an agreement to assign and deliver title to the buyer within thirty days under a contract entered into pursuant to subsection 5 of section 301.210. The department shall direct release

of the bond or irrevocable letter of credit proceeds upon presentation of a written agreement entered into pursuant to subsection 5 of section 301.210, copies of the associated sales and finance documents, and the affidavit or affidavits of the buyer or lienholder stating that the certificate of title with assignment thereof has not been passed to the buyer within thirty days of the date of the contract entered into under subsection 5 of section 301.210, that the dealer has not fulfilled the agreement under the contract to repurchase the vehicle, that the buyer or the lienholder has notified the dealer of the claim on the bond or letter of credit, and the amount claimed by the purchaser or lienholder. In addition, prior to directing release and payment of the proceeds of a bond or irrevocable letter of credit, the department shall ensure that there is satisfactory evidence to establish that the vehicle which is subject to the written agreement has been returned by the buyer to the dealer or that the buyer has represented to the department that the buyer will surrender possession of the vehicle to the dealer upon payment of the proceeds of the bond or letter of credit directed by the department. Excepting ordinary wear and tear or mechanical failures not caused by the buyer, the amount of proceeds to be paid to the buyer under the bond or irrevocable letter of credit shall be reduced by an amount equivalent to any damage, abuse, or destruction incurred by the vehicle while the vehicle was in the buyer's possession as agreed between the buyer and the dealer. The dealer may apply to a court of competent jurisdiction to contest the claim on the bond or letter of credit, including the amount of the claim and the amount of any adjustment for any damage, abuse, or destruction, by filing a petition with the court within thirty days of the notification by the buyer or lienholder. If the dealer does not fulfill the agreement or file a petition to request judicial relief from the terms of the agreement or contest the amount of the claim, the bond or letter of credit shall be released by the department and directed paid in the amount or amounts presented by the lienholder or buyer;

(4) Payment of all necessary license fees as established by the department. In establishing the amount of the annual license fees, the department shall, as near as possible, produce sufficient total income to offset operational expenses of the department relating to the administration of sections 301.550 to 301.580. All fees payable pursuant to the provisions of sections 301.550 to 301.580 ~~[-other than those fees collected for the issuance of dealer plates or certificates of number collected pursuant to subsection 6 of this section,]~~ shall be collected by the department for deposit in the state treasury to the credit of the "Motor Vehicle Commission Fund", which is hereby created. The motor vehicle commission fund shall be administered by the Missouri department of revenue. The provisions of section 33.080 to the contrary notwithstanding, money in such fund shall not be transferred and placed to the credit of the general revenue fund until the amount in the motor vehicle commission fund at the end of the biennium exceeds two times the amount of the appropriation from such fund for the preceding fiscal year or, if the department requires permit renewal less frequently than yearly, then three times the appropriation from such fund for the preceding fiscal year. The amount, if any, in the fund which shall lapse is that amount in the fund which exceeds the multiple of the appropriation from such fund for the preceding fiscal year.

2. In the event a new vehicle manufacturer, boat manufacturer, motor vehicle dealer, wholesale motor vehicle dealer, boat dealer, powersport dealer, wholesale motor vehicle auction, trailer dealer, or a public motor vehicle auction submits an application for a license for a new business and the applicant has complied with all the provisions of this section, the department shall make a decision to grant or deny the license to the applicant within eight working hours after receipt of the dealer's application, notwithstanding any rule of the department.

3. Except as otherwise provided in subsection 6 of this section, upon the initial issuance of a license by the department, the department shall assign a distinctive dealer license number or certificate of number to the applicant and the department shall issue one number plate or certificate bearing the distinctive dealer license number or certificate of number and two additional number plates or certificates of number within eight working hours after presentment of the application and payment by the applicant of a fee of fifty dollars for the first plate or certificate and ten dollars and fifty cents for each additional plate or certificate. Upon renewal, the department shall issue ~~[the distinctive dealer license number or certificate of number]~~ **a renewal tab to be placed on the lower right corner of the plate or certificate** as quickly as possible. **The fee for the tabs shall be twenty-five dollars for the first tab and six dollars for each additional tab.** The issuance of such distinctive dealer license number or certificate of number, **and tab or tabs**, shall be in lieu of registering each motor vehicle, trailer, vessel or vessel trailer dealt with by a boat dealer, boat manufacturer, manufacturer, public motor vehicle auction, wholesale motor vehicle dealer, wholesale motor vehicle auction or new or used motor vehicle dealer. The license plates described in this section shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.

4. Notwithstanding any other provision of the law to the contrary, the department shall assign the following distinctive dealer license numbers to:

New motor vehicle franchise dealers	D-0 through D-999
New powersport dealers	D-1000 through D-1999
Used motor vehicle and used powersport dealers	D-2000 through D-9999
Wholesale motor vehicle dealers	W-0 through W-1999
Wholesale motor vehicle auctions	WA-0 through WA-999
New and used trailer dealers	T-0 through T-9999
Motor vehicle, trailer, and boat manufacturers	DM-0 through DM-999
Public motor vehicle auctions	A-0 through A-1999
Boat dealers	M-0 through M-9999
New and used recreational motor vehicle dealers	RV-0 through RV-999

For purposes of this subsection, qualified transactions shall include the purchase of salvage titled vehicles by a licensed salvage dealer. A used motor vehicle dealer who also holds a salvage dealer's license shall be allowed one additional plate or certificate number per fifty-unit qualified transactions annually. In order for salvage dealers to obtain number plates or certificates under this section, dealers shall submit to the department of revenue on August first of each year a statement certifying, under penalty of perjury, the dealer's number of purchases during the reporting period of July first of the immediately preceding year to June thirtieth of the present year. The provisions of this subsection shall become effective on the date the director of the department of revenue begins to reissue new license plates under section 301.130, or on December 1, 2008, whichever occurs first. If the director of revenue begins reissuing new license plates under the authority granted under section 301.130 prior to December 1, 2008, the director of the department of revenue shall notify the revisor of statutes of such fact.

5. Upon the sale of a currently licensed motor vehicle dealership the department shall, upon request, authorize the new approved dealer applicant to retain the selling dealer's license number and shall cause the new dealer's records to indicate such transfer. If the new approved dealer applicant elects not to retain the selling dealer's license number, the department shall issue the new dealer applicant a new dealer's license number and an equal number of plates or certificates as the department had issued to the selling dealer.

6. In the case of motor vehicle dealers, the department shall issue one number plate bearing the distinctive dealer license number and may issue one additional number plate to the applicant upon payment by the dealer of a fifty dollar fee for the number plate bearing the distinctive dealer license number and ten dollars and fifty cents for the additional number plate. The department may issue a third plate to the motor vehicle dealer upon completion of the dealer's fifteenth qualified transaction and payment of a fee of ten dollars and fifty cents. In the case of new motor vehicle manufacturers, powersport dealers, recreational motor vehicle dealers, and trailer dealers, the department shall issue one number plate bearing the distinctive dealer license number and may issue two additional number plates to the applicant upon payment by the manufacturer or dealer of a fifty dollar fee for the number plate bearing the distinctive dealer license number and ten dollars and fifty cents for each additional number plate. Boat dealers and boat manufacturers shall be entitled to one certificate of number bearing such number upon the payment of a fifty dollar fee. Additional number plates and as many additional certificates of number may be obtained upon payment of a fee of ten dollars and fifty cents for each additional plate or certificate. New motor vehicle manufacturers shall not be issued or possess more than three hundred forty-seven additional number plates or certificates of number annually. New and used motor vehicle dealers, powersport dealers, wholesale motor vehicle dealers, boat dealers, and trailer dealers are limited to one additional plate or certificate of number per ten-unit qualified transactions annually. New and used recreational motor vehicle dealers are limited to two additional plates or certificate of number per ten-unit qualified transactions annually for their first fifty transactions and one additional plate or certificate of number per ten-unit qualified transactions thereafter. An applicant seeking the issuance of an initial license shall indicate on his or her initial application the applicant's proposed annual number of sales in order for the director to issue the appropriate number of additional plates or certificates of number. A motor vehicle dealer, trailer dealer, boat dealer, powersport dealer, recreational motor vehicle dealer, motor vehicle manufacturer, boat manufacturer, or wholesale motor vehicle dealer obtaining a distinctive dealer license plate or certificate of number or additional license plate or additional certificate of number, throughout the calendar year, shall be required to pay a fee for such license plates or certificates of number computed on the basis of one-twelfth of the full fee prescribed for the original and duplicate number plates or certificates of number for such dealers' licenses, multiplied by the number of months remaining in the licensing period for which the dealer or manufacturers shall be required to be licensed. In the event of a renewing dealer, the fee due at the time of renewal shall not be prorated. Wholesale and public auctions shall be issued a certificate of dealer registration in lieu of a dealer number plate. In order for dealers to obtain number plates or certificates under this section, dealers shall submit to the department of revenue on August first of each year a statement certifying, under penalty of perjury, the

dealer's number of sales during the reporting period of July first of the immediately preceding year to June thirtieth of the present year.

7. The plates issued pursuant to subsection 3 or 6 of this section may be displayed on any motor vehicle owned by a new motor vehicle manufacturer. The plates issued pursuant to subsection 3 or 6 of this section may be displayed on any motor vehicle or trailer owned and held for resale by a motor vehicle dealer for use by a customer who is test driving the motor vehicle, for use by any customer while the customer's vehicle is being serviced or repaired by the motor vehicle dealer, for use and display purposes during, but not limited to, parades, private events, charitable events, or for use by an employee or officer, but shall not be displayed on any motor vehicle or trailer hired or loaned to others or upon any regularly used service or wrecker vehicle. Motor vehicle dealers may display their dealer plates on a tractor, truck or trailer to demonstrate a vehicle under a loaded condition. Trailer dealers may display their dealer license plates in like manner, except such plates may only be displayed on trailers owned and held for resale by the trailer dealer.

8. The certificates of number issued pursuant to subsection 3 or 6 of this section may be displayed on any vessel or vessel trailer owned and held for resale by a boat manufacturer or a boat dealer, and used by a customer who is test driving the vessel or vessel trailer, or is used by an employee or officer on a vessel or vessel trailer only, but shall not be displayed on any motor vehicle owned by a boat manufacturer, boat dealer, or trailer dealer, or vessel or vessel trailer hired or loaned to others or upon any regularly used service vessel or vessel trailer. Boat dealers and boat manufacturers may display their certificate of number on a vessel or vessel trailer when transporting a vessel or vessels to an exhibit or show.

9. If any law enforcement officer has probable cause to believe that any license plate or certificate of number issued under subsection 3 or 6 of this section is being misused in violation of subsection 7 or 8 of this section, the license plate or certificate of number may be seized and surrendered to the department.

10. (1) Every application for the issuance of a used motor vehicle dealer's license shall be accompanied by proof that the applicant, within the last twelve months, has completed an educational seminar course approved by the department as prescribed by subdivision (2) of this subsection. Wholesale and public auto auctions and applicants currently holding a new or used license for a separate dealership shall be exempt from the requirements of this subsection. The provisions of this subsection shall not apply to current new motor vehicle franchise dealers or motor vehicle leasing agencies or applicants for a new motor vehicle franchise or a motor vehicle leasing agency. The provisions of this subsection shall not apply to used motor vehicle dealers who were licensed prior to August 28, 2006.

(2) The educational seminar shall include, but is not limited to, the dealer requirements of sections 301.550 to 301.580, the rules promulgated to implement, enforce, and administer sections 301.550 to 301.580, and any other rules and regulations promulgated by the department.

301.570. 1. It shall be unlawful for any person, partnership, corporation, company or association, unless the seller is a financial institution, or is selling repossessed motor vehicles or is disposing of vehicles used and titled solely in its ordinary course of business or is a collector of antique motor vehicles, to sell or display with an intent to sell ~~six~~ **eight** or more motor vehicles in a calendar year, except when such motor vehicles are registered in the name of the seller, unless such person, partnership, corporation, company or association is:

(1) Licensed as a motor vehicle dealer by the department under the provisions of sections 301.550 to 301.580;

(2) Exempt from licensure as a motor vehicle dealer pursuant to subsection 4 of section 301.559;

(3) Selling commercial motor vehicles with a gross weight of at least nineteen thousand five hundred pounds, but only with respect to such commercial motor vehicles;

(4) An auctioneer, acting at the request of the owner at an auction, when such auction is not a public motor vehicle auction.

2. Any person, partnership, corporation, company or association that has reason to believe that the provisions of this section are being violated shall file a complaint with the prosecuting attorney in the county in which the violation occurred. The prosecuting attorney shall investigate the complaint and take appropriate action.

3. For the purposes of sections 301.550 to 301.580, the sale, barter, exchange, lease or rental with option to purchase of ~~six~~ **eight** or more motor vehicles in a calendar year by any person, partnership, corporation, company or association, whether or not the motor vehicles are owned by them, shall be prima facie evidence of intent to make a profit or gain of money and such person, partnership, corporation, company or association shall be deemed to be acting as a motor vehicle dealer without a license.

4. Any person, partnership, corporation, company or association who violates subsection 1 of this section is guilty of a class A misdemeanor. A second or subsequent conviction shall be deemed a class E felony.

5. The provisions of this section shall not apply to liquidation of an estate.

301.3181. Any person who served as a member of the Armed Forces of the United States in Afghanistan and Iraq, who was awarded the Afghanistan Campaign medal and the Iraq Campaign medal, may apply for Afghanistan and Iraq Veteran vehicle license plates, for any motor vehicle the person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of twenty-four thousand pounds gross weight. Any such person shall make application for the license plates authorized by this section on a form provided by the director of revenue and furnish such proof of service in Afghanistan and Iraq, the awarding of the Afghanistan Campaign medal and the Iraq Campaign medal, and status as currently serving in a branch of the Armed Forces of the United States or as an honorably discharged veteran as the director may require. Upon presentation of the proof of eligibility, payment of a fifteen-dollar fee in addition to the regular registration fees, and presentation of documents that may be required by law, the director shall then issue license plates bearing letters or numbers or a combination thereof as determined by the director, with the words "AFGHANISTAN & IRAQ VETERAN" in place of the words "SHOW-ME STATE". Such plates shall bear the Afghanistan Campaign medal and the Iraq Campaign medal on the left side, with the Afghanistan Campaign medal appearing farthest to the left and the Iraq Campaign medal appearing immediately to the right of the Afghanistan Campaign medal. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued pursuant to this section. The plates shall be clearly visible at night and shall be aesthetically attractive, as prescribed by section 301.130. There shall be no limit on the number of license plates any person qualified pursuant to this section may obtain so long as each set of license plates issued pursuant to this section is issued for a vehicle owned solely or jointly by such person. License plates issued pursuant to this section shall not be transferable to any other person except that any registered co-owner of the motor vehicle may operate the motor vehicle for the duration of the year licensed in the event of the death of the qualified person.

301.3182. Any person who served as a member of the Armed Forces of the United States in Afghanistan, who was awarded the Afghanistan Campaign medal, may apply for Afghanistan Veteran vehicle license plates, for any motor vehicle the person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of twenty-four thousand pounds gross weight. Any such person shall make application for the license plates authorized by this section on a form provided by the director of revenue and furnish such proof of service in Afghanistan, the awarding of the Afghanistan Campaign medal, and status as currently serving in a branch of the Armed Forces of the United States or as an honorably discharged veteran as the director may require. Upon presentation of the proof of eligibility, payment of a fifteen-dollar fee in addition to the regular registration fees, and presentation of documents that may be required by law, the director shall then issue license plates bearing letters or numbers or a combination thereof as determined by the director, with the words "AFGHANISTAN VETERAN" in place of the words "SHOW-ME STATE". Such plates shall bear the Afghanistan Campaign medal on the left side. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued pursuant to this section. The plates shall be clearly visible at night and shall be aesthetically attractive, as prescribed by section 301.130. There shall be no limit on the number of license plates any person qualified pursuant to this section may obtain so long as each set of license plates issued pursuant to this section is issued for a vehicle owned solely or jointly by such person. License plates issued pursuant to this section shall not be transferable to any other person except that any registered co-owner of the motor vehicle may operate the motor vehicle for the duration of the year licensed in the event of the death of the qualified person.

302.177. 1. To all applicants for a license or renewal to transport persons or property classified in section 302.015 who are at least twenty-one years of age and under the age of seventy, and who submit a satisfactory application and meet the requirements of sections 302.010 to 302.605, the director shall issue or renew such license; except that no license shall be issued if an applicant's license is currently suspended, cancelled, revoked, disqualified, or deposited in lieu of bail. Such license shall expire on the applicant's birthday in the sixth year of issuance, unless the license must be issued for a shorter period due to other requirements of law or for transition or staggering of work as determined by the director. The license must be renewed on or before the date of expiration, which date shall be shown on the license.

2. To all applicants for a license or renewal to transport persons or property classified in section 302.015 who are less than twenty-one years of age or greater than sixty-nine years of age, and who submit a satisfactory

application and meet the requirements of sections 302.010 to 302.605, the director shall issue or renew such license; except that no license shall be issued if an applicant's license is currently suspended, cancelled, revoked, disqualified, or deposited in lieu of bail. Such license shall expire on the applicant's birthday in the third year of issuance, unless the license must be issued for a shorter period due to other requirements of law or for transition or staggering of work as determined by the director. The license must be renewed on or before the date of expiration, which date shall be shown on the license. A license issued under this section to an applicant who is ~~over the age of sixty-nine~~ **seventy-five years of age or older** and contains a school bus endorsement shall not be issued for a period that exceeds ~~one year~~ **two years**.

3. To all other applicants for a license or renewal of a license who are at least twenty-one years of age and under the age of seventy, and who submit a satisfactory application and meet the requirements of sections 302.010 to 302.605, the director shall issue or renew such license; except that no license shall be issued if an applicant's license is currently suspended, cancelled, revoked, disqualified, or deposited in lieu of bail. Such license shall expire on the applicant's birthday in the sixth year of issuance, unless the license must be issued for a shorter period due to other requirements of law or for transition or staggering of work as determined by the director. The license must be renewed on or before the date of expiration, which date shall be shown on the license.

4. To all other applicants for a license or renewal of a license who are less than twenty-one years of age or greater than sixty-nine years of age, and who submit a satisfactory application and meet the requirements of sections 302.010 to 302.605, the director shall issue or renew such license; except that no license shall be issued if an applicant's license is currently suspended, cancelled, revoked, disqualified, or deposited in lieu of bail. Such license shall expire on the applicant's birthday in the third year of issuance, unless the license must be issued for a shorter period due to other requirements of law or for transition or staggering of work as determined by the director. The license must be renewed on or before the date of expiration, which date shall be shown on the license.

5. The fee for a license issued for a period which exceeds three years under subsection 1 of this section shall be thirty dollars.

6. The fee for a license issued for a period of three years or less under subsection 2 of this section shall be fifteen dollars, except that the fee for a license issued for one year or less which contains a school bus endorsement shall be five dollars, except renewal fees shall be waived for applicants ~~seventy~~ **seventy-five** years of age or older seeking school bus endorsements.

7. The fee for a license issued for a period which exceeds three years under subsection 3 of this section shall be fifteen dollars.

8. The fee for a license issued for a period of three years or less under subsection 4 of this section shall be seven dollars and fifty cents.

9. Beginning July 1, 2005, the director shall not issue a driver's license for a period that exceeds an applicant's lawful presence in the United States. The director may establish procedures to verify the lawful presence of the applicant and establish the duration of any driver's license issued under this section.

10. The director of revenue may adopt any rules and regulations necessary to carry out the provisions of this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536.

302.272. 1. No person shall operate any school bus owned by or under contract with a public school or the state board of education unless such driver has qualified for a school bus endorsement under this section and complied with the pertinent rules and regulations of the department of revenue and any final rule issued by the secretary of the United States Department of Transportation or has a valid school bus endorsement on a valid commercial driver's license issued by another state. A school bus endorsement shall be issued to any applicant who meets the following qualifications:

(1) The applicant has a valid state license issued under this chapter;

(2) The applicant is at least twenty-one years of age; and

(3) The applicant has successfully passed an examination for the operation of a school bus as prescribed by the director of revenue. The examination shall include any examinations prescribed by the secretary of the United States Department of Transportation, and a driving test in the type of vehicle to be operated. The test shall be completed in the appropriate class of vehicle to be driven. For purposes of this section classes of school buses shall comply with the Commercial Motor Vehicle Safety Act of 1986 (Title XII of Pub. Law 99-570). For drivers who are at least ~~seventy~~ **seventy-five** years of age, such examination, excluding the pre-trip inspection portion of the commercial driver's license skills test, shall be completed ~~annually~~ **biennially** to retain the school bus endorsement.

2. The director of revenue, to the best of the director's knowledge, shall not issue or renew a school bus endorsement to any applicant whose driving record shows that such applicant's privilege to operate a motor vehicle has been suspended, revoked or disqualified or whose driving record shows a history of moving vehicle violations.

3. The director may adopt any rules and regulations necessary to carry out the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be invalid and void.

4. Notwithstanding the requirements of this section, an applicant who resides in another state and possesses a valid driver's license from his or her state of residence with a valid school bus endorsement for the type of vehicle being operated shall not be required to obtain a Missouri driver's license with a school bus endorsement.

302.735. 1. An application shall not be taken from a nonresident after September 30, 2005. The application for a commercial driver's license shall include, but not be limited to, the applicant's legal name, mailing and residence address, if different, a physical description of the person, including sex, height, weight and eye color, the person's Social Security number, date of birth and any other information deemed appropriate by the director. The application shall also require, beginning September 30, 2005, the applicant to provide the names of all states where the applicant has been previously licensed to drive any type of motor vehicle during the preceding ten years.

2. A commercial driver's license shall expire on the applicant's birthday in the sixth year after issuance, unless the license must be issued for a shorter period due to other requirements of law or for transition or staggering of work as determined by the director, and must be renewed on or before the date of expiration. When a person changes such person's name an application for a duplicate license shall be made to the director of revenue. When a person changes such person's mailing address or residence the applicant shall notify the director of revenue of said change, however, no application for a duplicate license is required. A commercial license issued pursuant to this section to an applicant less than twenty-one years of age and seventy years of age and older shall expire on the applicant's birthday in the third year after issuance, unless the license must be issued for a shorter period as determined by the director.

3. A commercial driver's license containing a hazardous materials endorsement issued to an applicant who is between the age of twenty-one and sixty-nine shall not be issued for a period exceeding five years from the approval date of the security threat assessment as determined by the Transportation Security Administration.

4. The director shall issue ~~an annual~~ **a biennial** commercial driver's license containing a school bus endorsement to an applicant who is ~~seventy~~ **seventy-five** years of age or older. The fee for such license shall be seven dollars and fifty cents.

5. A commercial driver's license containing a hazardous materials endorsement issued to an applicant who is seventy years of age or older shall not be issued for a period exceeding three years. The director shall not require such drivers to obtain a security threat assessment more frequently than such assessment is required by the Transportation Security Administration under the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT ACT) of 2001.

(1) The state shall immediately revoke a hazardous materials endorsement upon receipt of an initial determination of threat assessment and immediate revocation from the Transportation Security Administration as defined by 49 CFR 1572.13(a).

(2) The state shall revoke or deny a hazardous materials endorsement within fifteen days of receipt of a final determination of threat assessment from the Transportation Security Administration as required by CFR 1572.13(a).

6. The fee for a commercial driver's license or renewal commercial driver's license issued for a period greater than three years shall be forty dollars.

7. The fee for a commercial driver's license or renewal commercial driver's license issued for a period of three years or less shall be twenty dollars.

8. The fee for a duplicate commercial driver's license shall be twenty dollars.

9. In order for the director to properly transition driver's license requirements under the Motor Carrier Safety Improvement Act of 1999 and the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT ACT) of 2001, the director is authorized to stagger expiration dates and make adjustments for any fees, including driver examination fees that are incurred by the driver as a result of the initial issuance of a transitional license required to comply with such acts.

10. Within thirty days after moving to this state, the holder of a commercial driver's license shall apply for a commercial driver's license in this state. The applicant shall meet all other requirements of sections 302.700 to 302.780, except that the director may waive the driving test for a commercial driver's license as required in section 302.720 if the applicant for a commercial driver's license has a valid commercial driver's license from a state which has requirements for issuance of such license comparable to those in this state.

11. Any person who falsifies any information in an application or test for a commercial driver's license shall not be licensed to operate a commercial motor vehicle, or the person's commercial driver's license shall be cancelled, for a period of one year after the director discovers such falsification.

12. Beginning July 1, 2005, the director shall not issue a commercial driver's license under this section unless the director verifies that the applicant is lawfully present in the United States before accepting the application. If lawful presence is granted for a temporary period, no commercial driver's license shall be issued. The director may, by rule or regulation, establish procedures to verify the lawful presence of the applicant and establish the duration of any commercial driver's license issued under this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to chapter 536.

13. (1) Effective December 19, 2005, notwithstanding any provisions of subsections 1 and 5 of this section to the contrary, the director may issue a nondomiciled commercial driver's license or commercial driver's instruction permit to a resident of a foreign jurisdiction if the United States Secretary of Transportation has determined that the commercial motor vehicle testing and licensing standards in the foreign jurisdiction do not meet the testing standards established in 49 CFR 383.

(2) Any applicant for a nondomiciled commercial driver's license or commercial driver's instruction permit must present evidence satisfactory to the director that the applicant currently has employment with an employer in this state. The nondomiciled applicant must meet the same testing, driver record requirements, conditions, and is subject to the same disqualification and conviction reporting requirements applicable to resident commercial drivers.

(3) The nondomiciled commercial driver's license will expire on the same date that the documents establishing lawful presence for employment expire. The word "nondomiciled" shall appear on the face of the nondomiciled commercial driver's license. Any applicant for a Missouri nondomiciled commercial driver's license or commercial driver's instruction permit must first surrender any nondomiciled commercial driver's license issued by another state.

(4) The nondomiciled commercial driver's license applicant must pay the same fees as required for the issuance of a resident commercial driver's license or commercial driver's instruction permit.

14. Foreign jurisdiction for purposes of issuing a nondomiciled commercial driver's license or commercial driver's instruction permit under this section shall not include any of the fifty states of the United States or Canada or Mexico.

304.035. 1. When any person driving a vehicle approaches a railroad grade crossing, the driver of the vehicle shall operate the vehicle in a manner so he will be able to stop, and he shall stop the vehicle not less than fifteen feet and not more than fifty feet from the nearest rail of the railroad track and shall not proceed until he can safely do so if:

(1) A clearly visible electric or mechanical signal device warns of the approach of a railroad train **or any on-track equipment**; or

(2) A crossing gate is lowered or when a human flagman gives or continues to give a signal or warning of the approach or passage of a railroad train **or any on-track equipment**; or

(3) An approaching railroad train **or any on-track equipment** is visible and is in hazardous proximity to such crossing; or

(4) Any other traffic sign, device or any other act, rule, regulation or statute requires a vehicle to stop at a railroad grade crossing.

2. No person shall drive any vehicle through, around or under any crossing gate or barrier at a railroad crossing when a train **or any on-track equipment** is approaching while such gate or barrier is closed or is being opened or closed.

3. No person shall drive a vehicle through a railroad crossing when there is not sufficient space to drive completely through the crossing.

4. No person shall drive a vehicle through a railroad crossing unless such vehicle has sufficient undercarriage clearance necessary to prevent the undercarriage of the vehicle from contacting the railroad crossing.

5. Every commercial motor vehicle as defined in section 302.700 shall, upon approaching a railroad grade crossing, be driven at a rate of speed which will permit said commercial motor vehicle to be stopped before reaching the nearest rail of such crossing and shall not be driven upon or over such crossing until due caution has been taken to ascertain that the course is clear. This section does not apply to vehicles which are required to stop at railroad crossings pursuant to section 304.030.

6. Any person violating the provisions of this section is guilty of a class C misdemeanor.

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

(1) "Commercial vehicle", any self-propelled or towed vehicle that has a gross vehicle weight rating of more than ten thousand pounds;

(2) "Department", the department of transportation;

(3) "Gross vehicle weight rating", the same meaning given to the term in section 302.700;

(4) "Nonconsensual tow", the movement or transportation of a commercial vehicle by a tow truck if such movement or transportation is performed without the prior consent or authorization of the owner or operator of the commercial vehicle. Such term also includes any tow of a commercial vehicle ordered by a law enforcement agency without the prior consent or authorization of the owner or operator of the commercial vehicle;

(5) "Tow truck", the same meaning given to the term in section 304.153;

(6) "Towing company", the same meaning given to the term in section 304.153.

2. The department of transportation shall establish procedures to address nonconsensual towing, recovery, and cleanup practices related to the removal of commercial vehicles from roadways; procedures to receive, investigate, and adjudicate complaints from an owner, operator, or insurer of a commercial vehicle involved in a nonconsensual tow; and procedures for prohibiting towing companies from performing nonconsensual tows if they are found to be in violation of this section. The procedures developed under this section shall be contained in the department of transportation's towing services standards manual. All nonconsensual towing, recovery, and cleanup practices shall comply with this section, the department of transportation's towing services standards manual, and all other applicable laws and regulations.

3. The procedures established by the department under this section shall include, at a minimum:

(1) A process for an owner, operator, or insurer of a commercial vehicle to file a complaint against a towing company. All complaints filed under this section shall contain the name of the complainant; the complainant's address; the complainant's phone number; the complainant's email address, if available; the name of the towing company; the causes of the complaint; and any other facts and documentation determined by rule to be of assistance to the department in investigating the complaint;

(2) A process for the department to review a complaint and any supporting facts and documentation and to render an initial finding. The department shall ensure its process includes an opportunity for the complainant or towing company to appeal an initial decision before the department makes a final determination on the matter;

(3) Factors the department shall consider in determining whether a charge levied by a towing company was fair and reasonable. Such factors may include, without limitation, whether the towing vehicles, all other equipment, and number of employees and contractors were required to complete the tow; whether the charges are fair, reasonable, and customary; whether the total amount of time required for the service was necessary; the location of the vehicle being recovered; materials or cargo involved; and any other information regarding the recovery, towing, or storage of a commercial vehicle;

(4) Requirements for information that shall be included on every nonconsensual towing and recovery invoice, such as the name, address, and telephone number of the towing company; the date and time that the request for service was received; contact information for the party that requested the service; and the time of dispatch, time of arrival at the scene, and time at which the scene was cleared. Every invoice for a nonconsensual tow shall include the words:

"Nonconsensual tows are regulated by the Missouri Department of Transportation. If you feel that you have been treated unfairly or provided a service that was unnecessary, you may file a complaint with the Missouri Department of Transportation."; and

(5) A disciplinary matrix for any towing company found to be in violation of this section or the department of transportation's towing services standards manual. The matrix shall:

(a) Be weighted based on the severity and number of violations;

(b) Include provisions for temporarily or permanently prohibiting a towing company from performing nonconsensual tows; and

(c) Include a process for the department to communicate to the Missouri state highway patrol and other state and local law enforcement and emergency services agencies any suspension or revocation of a towing company's authority to perform nonconsensual tows.

4. To assist the department in implementing this section, the department may establish a "Towing and Recovery Review Board".

(1) The board shall consist of seven members to be appointed by the director of the department of transportation, including:

- (a) One member who is an employee of the department;
- (b) One member who is an employee of the Missouri state highway patrol;
- (c) One member representing local law enforcement agencies in this state;
- (d) One member representing motor carriers in this state;
- (e) One member representing towing companies in this state;
- (f) One member representing independent owner-operator truck drivers in this state; and
- (g) One member representing insurance companies in this state.

(2) Members of the board shall serve without compensation, shall serve three-year terms, and shall serve for no more than two consecutive terms.

(3) The board's primary functions shall include assisting the department in reviewing each complaint, identifying potential violations of the towing services standards manual, making recommendations for the initial determination, and approving or rejecting a final determination of the department.

5. If an owner or operator of a commercial vehicle requests the use of a specific towing company, law enforcement agencies shall honor that request, unless:

(1) The requested towing company cannot arrive at the location of the vehicle within a reasonable time;

(2) A traffic safety problem exists and the requested towing company cannot arrive at the location of the vehicle within thirty minutes; or

(3) The commercial vehicle is disabled in the roadway and the requested towing company cannot arrive at the location of the vehicle within thirty minutes.

6. If the department of transportation or the towing and recovery review board determines there is a genuine dispute as to the reasonableness or amount of the fees assessed by a towing company for a nonconsensual tow, the towing company shall release the commercial vehicle and cargo to the owner, operator, or insurer of the commercial vehicle and cargo without the vehicle owner paying any portion of the fees assessed.

7. No towing company shall use a per pound method of charging for a nonconsensual tow.

8. Storage charges for a nonconsensual tow shall cease accruing upon the date a complaint is filed with the department of transportation.

9. Notwithstanding any provision of law to the contrary, a nonconsensual tow or associated storage charges shall not create a lien on a commercial vehicle or its cargo.

10. A towing company shall provide reasonable access to an owner, operator, or insurer of a commercial vehicle that is the subject of a nonconsensual tow for the following purposes:

- (1) Collection of personal property from within the vehicle;
- (2) Investigation or reconstruction of an accident scene; or
- (3) Retrieval of data from the commercial vehicle's computer system.

11. No towing company shall perform a nonconsensual tow when it is prohibited by the department of transportation from performing nonconsensual tows. A towing company that violates this subsection shall be subject to a civil penalty of twenty-five thousand dollars per violation.

12. This section shall apply only to nonconsensual tows. This section shall not apply if an owner, operator, or insurer of a commercial vehicle requests the use of a specific towing company and the request is honored.

13. The department of transportation shall promulgate rules as necessary for the implementation of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2025, shall be invalid and void.

14. Actual costs to implement this section shall be appropriated to the department from the general revenue fund.

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

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

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

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

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

(4) Otherwise secured in accordance with federal law.

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

307.350. 1. The owner of every motor vehicle as defined in section 301.010 which is required to be registered in this state, except:

(1) Motor vehicles having less than one hundred fifty thousand miles, for the ten-year period following their model year of manufacture, excluding prior salvage vehicles immediately following a rebuilding process and vehicles subject to the provisions of section 307.380;

(2) Those motor vehicles which are engaged in interstate commerce and are proportionately registered in this state with the Missouri highway reciprocity commission, although the owner may request that such vehicle be inspected by an official inspection station, and a peace officer may stop and inspect such vehicles to determine whether the mechanical condition is in compliance with the safety regulations established by the United States Department of Transportation; and

(3) Historic motor vehicles registered pursuant to section 301.131;

(4) Vehicles registered in excess of twenty-four thousand pounds for a period of less than twelve months;

shall submit such vehicles to a biennial inspection of their mechanism and equipment in accordance with the provisions of sections 307.350 to 307.390 and obtain a certificate of inspection and approval and a sticker, seal, or other device from a duly authorized official inspection station. The inspection, except the inspection of school buses which shall be made at the time provided in section 307.375, shall be made at the time prescribed in the rules and regulations issued by the superintendent of the Missouri state highway patrol; but the inspection of a vehicle shall not be made more than sixty days prior to the date of application for registration or within sixty days of when a vehicle's registration is transferred; however, if a vehicle was purchased from a motor vehicle dealer and a valid inspection had been made within sixty days of the purchase date, the new owner shall be able to utilize an inspection performed within ninety days prior to the application for registration or transfer. ~~[Any vehicle manufactured as an even-numbered model year vehicle shall be inspected and approved pursuant to the safety inspection program established pursuant to sections 307.350 to 307.390 in each even-numbered calendar year and any such vehicle manufactured as an odd-numbered model year vehicle shall be inspected and approved pursuant to sections 307.350 to 307.390 in each odd-numbered year.]~~ The certificate of inspection and approval shall be a sticker, seal, or other device or combination thereof, as the superintendent of the Missouri state highway patrol prescribes by regulation and shall be displayed upon the motor vehicle or trailer as prescribed by the regulations established by him. The replacement of certificates of inspection and approval which are lost or destroyed shall be made by the superintendent of the Missouri state highway patrol under regulations prescribed by him.

2. For the purpose of obtaining an inspection only, it shall be lawful to operate a vehicle over the most direct route between the owner's usual place of residence and an inspection station of such owner's choice, notwithstanding the fact that the vehicle does not have a current state registration license. It shall also be lawful to

operate such a vehicle from an inspection station to another place where repairs may be made and to return the vehicle to the inspection station notwithstanding the absence of a current state registration license.

3. No person whose motor vehicle was duly inspected and approved as provided in this section shall be required to have the same motor vehicle again inspected and approved for the sole reason that such person wishes to obtain a set of any special personalized license plates available pursuant to section 301.144 or a set of any license plates available pursuant to section 301.142, prior to the expiration date of such motor vehicle's current registration.

4. Notwithstanding any provision of law to the contrary, a valid safety inspection shall be required for all registration issuances and renewals for any motor vehicle subject to safety inspection under this section.

5. Notwithstanding the provisions of section 307.390, violation of this section shall be deemed an infraction.

565.260. 1. Except as provided in subsection 2 of this section, a person commits the offense of unlawful tracking of a motor vehicle if the person knowingly installs, conceals, or otherwise places an electronic tracking device in or on a motor vehicle without the consent of all owners of the vehicle for the purpose of monitoring or following an occupant or occupants of the vehicle. As used in this section, "person" does not include the manufacturer of the motor vehicle.

2. (1) It shall not be an offense under this section if the installing, concealing, or placing of an electronic tracking device in or on a motor vehicle is by, or at the direction of, a law enforcement officer in furtherance of a criminal investigation and such investigation is carried out in accordance with applicable state and federal law.

(2) If the installing, concealing, or placing of an electronic tracking device in or on a motor vehicle is by, or at the direction of, a parent or legal guardian who owns or leases the vehicle, and if the device is used solely for the purpose of monitoring the minor child of the parent or legal guardian when the child is an occupant of the vehicle, the installation, concealment, or placement of the device in or on the vehicle without the consent of any or all occupants of the vehicle shall not be an offense under this section.

(3) It shall not be an offense under this section if the installing, concealing, or placing of an electronic tracking device in or on a motor vehicle is for the purpose of tracking the location of stolen goods being transported in the vehicle or for the purpose of tracking the location of the vehicle if the motor vehicle is stolen.

(4) It shall not be an offense under this section if the installing, concealing, or placing of an electronic tracking device in or on a motor vehicle is by a legally authorized representative of a vulnerable adult. As used in this subdivision, "vulnerable adult" means any person eighteen years of age or older who is impaired by reason of mental illness, intellectual or developmental disability, physical illness or disability, or other causes, including age, to the extent the adult lacks sufficient understanding or capacity to make, communicate, or carry out reasonable decisions concerning his or her well-being or has one or more limitations that substantially impair the adult's ability to independently provide for his or her daily needs or safeguard his or her person, property, or legal interests.

(5) If the installing, concealing, or placing of an electronic tracking device in or on a motor vehicle is by, or at the direction of, a person who obtains consent from all owners of the vehicle, the installation, concealment, or placement of the device in or on the vehicle shall not be an offense under this section.

(6) It shall not be an offense under this section if the installing, concealing, or placing of an electronic tracking device in or on a motor vehicle is by a vehicle rental, sharing, or leasing company that rents motor vehicles for the purpose of tracking or managing the motor vehicles owned by such company or providing services to customers.

(7) It shall not be an offense under this section if the installing, concealing, or placing of an electronic tracking device in or on a motor vehicle is by a lienholder or agent of a lienholder acting to track the movement or location of a motor vehicle in order to repossess the motor vehicle.

(8) It shall not be an offense under this section if the installing, concealing, or placing of an electronic tracking device in or on a motor vehicle is for any party to participate in a voluntary usage-based insurance program. "Voluntary usage-based insurance program" shall mean any program implemented by, or on behalf of, an insurance company that collects, records, or transmits information relating to driving behavior of an insured party.

3. The provisions of this section shall not apply to a tracking system installed by the manufacturer of a motor vehicle.

4. The offense of unlawful tracking of a motor vehicle is a class A misdemeanor for a first offense and a class E felony for any second or subsequent offense.

643.315. 1. Except as provided in sections 643.300 to 643.355, all motor vehicles which are domiciled, registered or primarily operated in an area for which the commission has established a motor vehicle emissions inspection program pursuant to sections 643.300 to 643.355 shall be inspected and approved prior to sale or transfer; provided that, if such vehicle is inspected and approved prior to sale or transfer, such vehicle shall not be subject to another emissions inspection for ninety days after the date of sale or transfer of such vehicle. ~~[In addition, any such vehicle manufactured as an even-numbered model year vehicle shall be inspected and approved under the emissions inspection program established pursuant to sections 643.300 to 643.355 in each even-numbered calendar year and any such vehicle manufactured as an odd-numbered model year vehicle shall be inspected and approved under the emissions inspection program established pursuant to sections 643.300 to 643.355 in each odd-numbered calendar year.]~~ All motor vehicles subject to the inspection requirements of sections 643.300 to 643.355 shall display a valid emissions inspection sticker, and when applicable, a valid emissions inspection certificate shall be presented at the time of registration or registration renewal of such motor vehicle. The department of revenue shall require evidence of the safety and emission inspection and approval required by this section in issuing the motor vehicle ~~[annual]~~ registration in conformity with the procedure required by sections 307.350 to 307.390 and sections 643.300 to 643.355. The director of revenue may verify that a successful safety and emissions inspection was completed via electronic means.

2. The inspection requirement of subsection 1 of this section shall apply to all motor vehicles except:

- (1) Motor vehicles with a manufacturer's gross vehicle weight rating in excess of eight thousand five hundred pounds;
 - (2) Motorcycles and motortricycles if such vehicles are exempted from the motor vehicle emissions inspection under federal regulation and approved by the commission by rule;
 - (3) Model year vehicles manufactured prior to 1996;
 - (4) Vehicles which are powered exclusively by electric or hydrogen power or by fuels other than gasoline which are exempted from the motor vehicle emissions inspection under federal regulation and approved by the commission by rule;
 - (5) Motor vehicles registered in an area subject to the inspection requirements of sections 643.300 to 643.355 which are domiciled and operated exclusively in an area of the state not subject to the inspection requirements of sections 643.300 to 643.355, but only if the owner of such vehicle presents to the department an affidavit that the vehicle will be operated exclusively in an area of the state not subject to the inspection requirements of sections 643.300 to 643.355 for the next twenty-four months, and the owner applies for and receives a waiver which shall be presented at the time of registration or registration renewal;
 - (6) New and unused motor vehicles, of model years of the current calendar year and of any calendar year within two years of such calendar year, which have an odometer reading of less than six thousand miles at the time of original sale by a motor vehicle manufacturer or licensed motor vehicle dealer to the first user;
 - (7) Historic motor vehicles registered pursuant to section 301.131;
 - (8) School buses;
 - (9) Heavy-duty diesel-powered vehicles with a gross vehicle weight rating in excess of eight thousand five hundred pounds;
 - (10) New motor vehicles that have not been previously titled and registered, for the four-year period following their model year of manufacture, provided the odometer reading for such motor vehicles are under forty thousand miles at their first required biennial safety inspection conducted under sections 307.350 to 307.390; otherwise such motor vehicles shall be subject to the emissions inspection requirements of subsection 1 of this section during the same period that the biennial safety inspection is conducted;
 - (11) Motor vehicles that are driven fewer than twelve thousand miles between biennial safety inspections;
- and
- (12) Qualified plug-in electric drive vehicles. For the purposes of this section, "qualified plug-in electric drive vehicle" shall mean a plug-in electric drive vehicle that is made by a manufacturer, has not been modified from original manufacturer specifications, and can operate solely on electric power and is capable of recharging its battery from an on-board generation source and an off-board electricity source.

3. The commission may, by rule, allow inspection reciprocity with other states having equivalent or more stringent testing and waiver requirements than those established pursuant to sections 643.300 to 643.355.

4. (1) At the time of sale, a licensed motor vehicle dealer, as defined in section 301.550, may choose to sell a motor vehicle subject to the inspection requirements of sections 643.300 to 643.355 either:

- (a) With prior inspection and approval as provided in subdivision (2) of this subsection; or

(b) Without prior inspection and approval as provided in subdivision (3) of this subsection.

(2) If the dealer chooses to sell the vehicle with prior inspection and approval, the dealer shall disclose, in writing, prior to sale, whether the vehicle obtained approval by meeting the emissions standards established pursuant to sections 643.300 to 643.355 or by obtaining a waiver pursuant to section 643.335. A vehicle sold pursuant to this subdivision by a licensed motor vehicle dealer shall be inspected and approved within the one hundred twenty days immediately preceding the date of sale, and, for the purpose of registration of such vehicle, such inspection shall be considered timely.

(3) If the dealer chooses to sell the vehicle without prior inspection and approval, the purchaser may return the vehicle within ten days of the date of purchase, provided that the vehicle has no more than one thousand additional miles since the time of sale, if the vehicle fails, upon inspection, to meet the emissions standards specified by the commission and the dealer shall have the vehicle inspected and approved without the option for a waiver of the emissions standard and return the vehicle to the purchaser with a valid emissions certificate and sticker within five working days or the purchaser and dealer may enter into any other mutually acceptable agreement. If the dealer chooses to sell the vehicle without prior inspection and approval, the dealer shall disclose conspicuously on the sales contract and bill of sale that the purchaser has the option to return the vehicle within ten days, provided that the vehicle has no more than one thousand additional miles since the time of sale, to have the dealer repair the vehicle and provide an emissions certificate and sticker within five working days if the vehicle fails, upon inspection, to meet the emissions standards established by the commission, or enter into any mutually acceptable agreement with the dealer. A violation of this subdivision shall be an unlawful practice as defined in section 407.020. No emissions inspection shall be required pursuant to sections 643.300 to 643.360 for the sale of any motor vehicle which may be sold without a certificate of inspection and approval, as provided pursuant to subsection 2 of section 307.380.

5. Notwithstanding any provision of law to the contrary, a valid emissions inspection shall be required for all registration issuances and renewals for any motor vehicle subject to emissions inspection under this section.

~~[229.130. Every overseer shall erect and maintain at every road fork, or road crossing, in his district that would likely mislead, a fingerboard, containing a legible inscription, directing the way and noting the distance to the next important place on the road, for which he may be allowed not to exceed two dollars, to be paid out of the road fund of the district.]~~

~~[229.160. All persons owning, controlling or managing threshing machines, sawmills and steam engines or gasoline tractors are required, in moving the same over public highways to lay down planks not less than one foot wide and three inches in thickness on the floors of all bridges situate on the public highways, while crossing the same with such threshing machines, sawmills, steam engines or gasoline tractors, and in the event any person owning any such machinery shall cross or attempt to cross any bridge upon any public highway with such machinery who shall neglect or fail to lay down said planks as a protection to said bridge and who shall, by reason of such neglect cause injury to any such bridge, he shall be liable for double the amount of such injury to be recovered in the name of the county or any subdivision thereof, to the use and benefit of the road and bridge fund.]~~

~~[229.210. It shall be unlawful for any person to drive a vehicle, an animal or animals or a load of any kind upon a highway bridge or culvert recently constructed or repaired wholly or partly of concrete or upon the surface of any improved highway of macadam, concrete, brick or bituminous material; and which has not been opened to traffic after the construction or repair, by order of the county highway engineer of the county in which such bridge or culvert or improved highway is situated, or by order of any other person having charge of the construction or repair of said bridge or culvert or improved highway; provided, due notice to the public has been given that the bridge or culvert or improved highway is closed to traffic, by placing barriers across the entrances to the bridge or culvert or improved highway and by written or printed handbills placed at either entrance to the bridge or culvert or improved highway stating that the bridge or culvert or improved highway is closed to traffic and mentioning the date on which same will be opened to traffic signed by the county highway engineer or by the person in charge of the construction or repair of the bridge or culvert or improved highway.]~~

~~[229.220. Any person violating the provisions of section 229.210 and any person who shall unlawfully remove either of the barriers or either of the written or printed notices above-mentioned, shall be adjudged guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than five dollars nor more than one hundred dollars.]~~

~~[229.270. Before a permit to move any house, building or other structure is granted under the provisions of sections 229.230 to 229.290, the applicant for such permit shall pay to the county clerk the sum of one dollar therefor, and the county clerk shall account for such fees as is provided for in other cases.]~~

~~[229.420. Where coal or other valuable mineral underlies any public road in this state that has not been designated as a state highway or is not under the control of the state transportation department, if said coal or other mineral is being mined on or from adjoining lands by the "strip pit" or surface process of mining, the commissioners of any special road district or the township board of directors if said road be not located in a special road district may provide for the temporary abandonment of said road and the removal or mining of said coal or other valuable mineral underlying said road and the rebuilding of said road, in the manner and under the conditions provided in sections 229.420 to 229.450, when in the opinion of said commissioners or township board the public good would best be served thereby.]~~

~~[229.430. The commissioners of any special road district where said road is located, or the township board if said road be not in a special road district, whenever in their opinion the removal of said coal or other valuable mineral from under the surface of said road and the rebuilding of said road will be a public benefit, may with the approval and consent of the county commission enter into a contract with any responsible person, firm or corporation for the removal of said coal or other mineral and for the rebuilding of said road under such terms and conditions as in their opinion are fair and just.]~~

~~[229.440. 1. Before the commissioners of any special road district or the township board of any township shall enter into any contract for the removal of coal or other mineral from or under any public road they shall submit their proposition to the county commission of the county for its approval or rejection. If the commission approves the proposition they shall direct the prosecuting attorney of the county to prepare the contract between the commissioners or township board as the case may be and the parties with whom they seek to contract.~~

~~2. Said contract shall particularly describe the road to be temporarily abandoned, the kind and character of road to be rebuilt, and the time limit for rebuilding same and before said contract is executed, the person, firm or corporation with whom it is made shall file with the clerk of the county commission a bond with good and sufficient sureties in at least four times the estimated cost of rebuilding said road after the removal of the coal or other mineral from same. Said bond shall be payable to the state of Missouri for the use and benefit of the special road district or township as the case may be and approved by the county commission and shall provide that the person, firm or corporation shall at their own expense remove said coal, within such time and under such terms as may be provided and if in the opinion of the county commission a temporary road be necessary or feasible, will at their own expense construct and at all times maintain a good road along, near and parallel to the road temporarily abandoned and connected with the usual road at both ends, all within the time and on such terms as may be provided; that they will be responsible and liable for any damages or injuries caused by their negligence in not properly constructing or maintaining said temporary road; that they will as soon as the coal or other mineral is removed from said road, at their own expense and without delay rebuild the same in a good substantial and workmanlike manner, according to the plans and specifications and within the time limit and according to the terms set forth in the contract. Said bond may provide for penalties or liquidated damages for the violation of its provisions.~~

~~3. When said road is complete as provided in the plans and specifications and according to all the terms and conditions of the contract and accepted by the county commission, the bond shall be released provided all conditions of the bond have been met and~~

~~all claims, liabilities and causes of action, arising out of the performance of the conditions of said contract or bond or out of the violation of the same have been wholly met, settled and discharged.]~~

~~[229.450. Sections 229.420 to 229.450 shall apply only to counties operating under township organization. All laws or parts of laws in conflict with the provisions of sections 229.420 to 229.450 are hereby repealed.]~~

Section B. The repeal and reenactment of sections 301.055, 301.070, 301.110, 301.140, 301.142, 301.147, 301.560, 301.570, 307.350, and 643.315 of this act shall become effective upon notification by the director of the department of revenue to the revisor of statutes that implementation of the provisions of this act are technologically feasible following the development and maintenance of a modernized, integrated system for the titling of vehicles, the issuance and renewal of vehicle registrations, the issuance and renewal of drivers' licenses and identification cards, and the perfection and release of liens and encumbrances on vehicles."; and

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

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

AYES: 089

Allen	Amato	Anderson	Appelbaum	Baker
Banderman	Billington	Black	Boggs	Bosley
Bromley	Brown 149	Brown 16	Burton	Bush
Butz	Byrnes	Christ	Cook	Costlow
Crossley	Dolan	Ealy	Falkner	Farnan
Fountain Henderson	Gallick	Gragg	Griffith	Haden
Haley	Harbison	Hewkin	Hinman	Hovis
Hruza	Hurlbert	Irwin	Jacobs	Jamison
Jobe	Johnson	Jones 12	Kalberloh	Keathley
Kimble	Mackey	Matthiesen	McGaugh	McGill
Meirath	Myers	Nolte	Oehlerking	Owen
Parker	Perkins	Peters	Phelps	Pollitt
Pouche	Price	Proudie	Reed	Reedy
Riley	Roberts	Sassmann	Schmidt	Sharpe 4
Shields	Steinhoff	Steinmeyer	Stinnett	Strickler
Taylor 48	Taylor 84	Terry	Thompson	Van Schoiack
Veit	Violet	Voss	Waller	Wellenkamp
West	Wilson	Woods	Young	

NOES: 037

Casteel	Chappell	Christensen	Davidson	Davis
Deaton	Durnell	Elliott	Fowler	Hausman
Ingle	Jones 88	Jordan	Kelley	Laubinger
Loy	Lucas	Martin	Mayhew	Miller
Murphy	Overcast	Reuter	Schulte	Seitz
Self	Sharp 37	Simmons	Smith 74	Sparks
Thomas	Titus	Verneti	Whaley	Williams
Wolfen	Wright			

PRESENT: 020

Aune	Barnes	Boykin	Caton	Clemens
Dean	Doll	Douglas	Fogle	Fuchs

Hales Smith 68	Hein Steinmetz	Mansur Walsh Moore	Murray Weber	Smith 46 Zimmermann
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ABSENT WITH LEAVE: 016

Boyko Diehl Mosley Mr. Speaker	Busick Hardwick Plank	Coleman Justus Riggs	Collins Knight Rush	Cupps Lewis Warwick
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VACANCIES: 001

On motion of Representative Hurlbert, **HCS HB 572, as amended**, was adopted.

On motion of Representative Hurlbert, **HCS HB 572, as amended**, was ordered perfected and printed.

Speaker Pro Tem Perkins resumed the Chair.

PERFECTION OF HOUSE BILLS - APPROPRIATIONS

HCS HB 2, to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, and the several divisions and programs thereof, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2025, and ending June 30, 2026, was taken up by Representative Davidson.

On motion of Representative Davidson, the title of **HCS HB 2** was agreed to.

HCS HB 2 was laid over.

HCS HB 3, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education and Workforce Development, the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2025, and ending June 30, 2026, was taken up by Representative Davidson.

On motion of Representative Davidson, the title of **HCS HB 3** was agreed to.

HCS HB 3 was laid over.

HCS HB 4, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue, the Department of Transportation, and the several divisions and programs thereof, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2025, and ending June 30, 2026, was taken up by Representative Davidson.

On motion of Representative Davidson, the title of **HCS HB 4** was agreed to.

HCS HB 4 was laid over.

HCS HB 5, to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Conservation, the Department of Public Safety, the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2025, and ending June 30, 2026, was taken up by Representative Davidson.

On motion of Representative Davidson, the title of **HCS HB 5** was agreed to.

HCS HB 5 was laid over.

HCS HB 6, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof, and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2025, and ending June 30, 2026, was taken up by Representative Davidson.

On motion of Representative Davidson, the title of **HCS HB 6** was agreed to.

HCS HB 6 was laid over.

HCS HB 7, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Commerce and Insurance, Department of Labor and Industrial Relations and the several divisions and programs thereof, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2025, and ending June 30, 2026, was taken up by Representative Davidson.

On motion of Representative Davidson, the title of **HCS HB 7** was agreed to.

HCS HB 7 was laid over.

HCS HB 8, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety and Department of National Guard and the several divisions and programs thereof, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2025, and ending June 30, 2026, was taken up by Representative Davidson.

On motion of Representative Davidson, the title of **HCS HB 8** was agreed to.

HCS HB 8 was laid over.

HCS HB 9, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections, and the several divisions and programs thereof, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2025, and ending June 30, 2026, was taken up by Representative Davidson.

On motion of Representative Davidson, the title of **HCS HB 9** was agreed to.

HCS HB 9 was laid over.

HCS HB 10, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Department of Health and Senior Services, and the several divisions and programs thereof, and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2025, and ending June 30, 2026, was taken up by Representative Davidson.

On motion of Representative Davidson, the title of **HCS HB 10** was agreed to.

HCS HB 10 was laid over.

HCS HB 11, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Social Services, and the several divisions and programs thereof, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2025, and ending June 30, 2026, was taken up by Representative Davidson.

On motion of Representative Davidson, the title of **HCS HB 11** was agreed to.

HCS HB 11 was laid over.

HCS HB 12, to appropriate money for expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and for the Missouri State Capitol Commission, and to transfer money among certain funds, to

be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2025, and ending June 30, 2026, was taken up by Representative Davidson.

On motion of Representative Davidson, the title of **HCS HB 12** was agreed to.

HCS HB 12 was laid over.

HCS HB 13, to appropriate money for real property leases, related services, utilities, systems furniture, structural modifications, and related expenses for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2025, and ending June 30, 2026, was taken up by Representative Davidson.

On motion of Representative Davidson, the title of **HCS HB 13** was agreed to.

HCS HB 13 was laid over.

HCS HB 17, to appropriate money for capital improvement and other purposes for the several departments and offices of state government and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri for the period beginning July 1, 2025, and ending June 30, 2026, was taken up by Representative Davidson.

On motion of Representative Davidson, the title of **HCS HB 17** was agreed to.

HCS HB 17 was laid over.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 790 - Corrections and Public Institutions

HB 964 - General Laws

HB 1417 - Children and Families

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SS SB 152 - Government Efficiency

SB 156 - Emerging Issues

COMMITTEE REPORTS

Committee on Children and Families, Chairman Jones (88) reporting:

Mr. Speaker: Your Committee on Children and Families, to which was referred **HJR 54**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute** by the following vote:

Ayes (11): Costlow, Dolan, Gragg, Hausman, Jones (88), Kelley, Laubinger, Loy, Peters, Schmidt and Violet

Noes (5): Jamison, Mansur, Proudie, Steinmetz and Terry

Absent (0)

Committee on Higher Education and Workforce Development, Chairman Brown (16) reporting:

Mr. Speaker: Your Committee on Higher Education and Workforce Development, to which was referred **HB 235**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute** by the following vote:

Ayes (11): Allen, Brown (16), Gallick, Haley, Hein, Mansur, Proudie, Sassmann, Shields, Smith (68) and Wright

Noes (0)

Absent (3): Stinnett, Titus and Wilson

Committee on Judiciary, Chairman Parker reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 93** and **HB 1139**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute** by the following vote:

Ayes (10): Black, Dolan, Jamison, Parker, Reuter, Sharpe (4), Smith (46), Smith (74), Sparks and Veit

Noes (0)

Absent (4): Ealy, Hardwick, Keathley and Overcast

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolution was referred to the Committee indicated:

HCS HJR 54 - Legislative Review

REFERRAL OF HOUSE BILLS - RULES

The following House Bills were referred to the Committee indicated:

HB 168 - Rules - Legislative

HB 208 - Rules - Administrative

HCS HB 488 - Rules - Legislative

HCS HBs 1025 & 381 - Rules - Administrative
HCS HB 1148 - Rules - Administrative
HCS HB 1264 - Rules - Legislative

The following member's presence was noted: Lewis.

ADJOURNMENT

On motion of Representative Riley, the House adjourned until 10:00 a.m., Tuesday, April 1, 2025.

COMMITTEE HEARINGS

BUDGET

Wednesday, April 2, 2025, 8:15 AM, House Hearing Room 3.
Public hearing will be held: HB 18, HB 19, HB 20
Public testimony.

CHILDREN AND FAMILIES

Tuesday, April 1, 2025, 8:00 AM, House Hearing Room 6.
Public hearing will be held: HB 1227, HB 483, SS SB 66
Removed HB 409 and added SB 66.
AMENDED

COMMERCE

Tuesday, April 1, 2025, 4:30 PM or upon adjournment (whichever is later),
Joint Hearing Room (117).
Public hearing will be held: SS#2 SB 145, HB 1505, HB 1067
Executive session will be held: HB 1350, HB 1245, HB 832, HB 706

COMMERCE

Wednesday, April 2, 2025, 8:00 AM, House Hearing Room 6.
Public hearing will be held: SCS SB 3, HB 1120, HB 1138
Executive session will be held: HB 69, HB 1414

CONSENT AND PROCEDURE

Tuesday, April 1, 2025, 4:00 PM or upon adjournment (whichever is later),
House Hearing Room 5.
Public hearing will be held: HR 1166, HR 1289
Executive session will be held: HR 1166, HR 1289

CORRECTIONS AND PUBLIC INSTITUTIONS

Wednesday, April 2, 2025, 4:30 PM or upon adjournment (whichever is later),
House Hearing Room 6.

Public hearing will be held: HB 847, HB 603, HB 729, HB 774

Executive session will be held: HB 847, HB 617, HB 396

HB 617 - Motion to Reconsider

ECONOMIC DEVELOPMENT

Tuesday, April 1, 2025, 8:00 AM, House Hearing Room 1.

Public hearing will be held: SS SCS SB 35, HB 668

Executive session will be held: HB 1229

ELECTIONS

Tuesday, April 1, 2025, 8:00 AM, House Hearing Room 5.

Public hearing will be held: SS#2 SCS SB 22

Executive session will be held: HB 1005

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, April 2, 2025, 12:00 PM or upon morning recess (whichever is later),
House Hearing Room 7.

Public hearing will be held: SS SB 63

Executive session will be held: HB 248, HB 1262, HB 1516

Added HB 1516.

AMENDED

ETHICS

Wednesday, April 2, 2025, 8:00 AM, House Hearing Room 4.

Portions of this meeting may be closed under the authority of Article III, Sections 18 and 20 of the Missouri Constitution, House Rule 37, House Resolution 141 and RSMo 610.021 (1), (3), (13) and (14) to discuss Complaint 25-01.

FINANCIAL INSTITUTIONS

Wednesday, April 2, 2025, 12:00 PM or upon morning recess (whichever is later),
House Hearing Room 1.

Executive session will be held: HB 1211, SS SCS SB 98

FISCAL REVIEW

Tuesday, April 1, 2025, 8:30 AM, House Hearing Room 4.

Executive session will be held: HCS HB 661, HCS HB 497, HCS HBs 493 & 635, HB 707,
HCS HB 176, HCS HBs 44 & 426, HB 49

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

GENERAL LAWS

Tuesday, April 1, 2025, 5:15 PM or upon adjournment (whichever is later),
House Hearing Room 6.

Public hearing will be held: SS#2 SB 167, HB 1340, HB 1455, HB 1102

Executive session will be held: HB 898, HB 548

Added HB 1102.

AMENDED

GOVERNMENT EFFICIENCY

Tuesday, April 1, 2025, 4:30 PM or upon adjournment (whichever is later),
House Hearing Room 3.

Public hearing will be held: SS#2 SCS SB 10

Time and room change.

CORRECTED

HEALTH AND MENTAL HEALTH

Tuesday, April 1, 2025, 12:00 PM or upon morning recess (whichever is later),
House Hearing Room 6.

Public hearing will be held: HB 973, HB 1095, HB 1195, SB 94, HB 986

Executive session will be held: HB 390, HB 710, HB 1036, HB 1213, HB 609, SS SB 7

CANCELLED

HEALTH AND MENTAL HEALTH

Wednesday, April 2, 2025, 4:30 PM or upon adjournment (whichever is later),
Joint Hearing Room (117).

Public hearing will be held: HB 973, HB 1095, HB 1195, SB 94, HB 986, HB 327

Executive session will be held: HB 390, HB 710, HB 1036, HB 1213, HB 609, SS SB 7,
HB 511, HB 1335

JOINT COMMITTEE ON EDUCATION

Tuesday, April 1, 2025, 12:00 PM or upon adjournment (whichever is later),
Joint Hearing Room (117).

Time correction. A vote may be taken to close the meeting pursuant to section 610.021(3),
RSMo and section 610.021(13), RSMo relating to personnel matters.

CORRECTED

JOINT COMMITTEE ON GOVERNMENT ACCOUNTABILITY

Wednesday, April 2, 2025, 12:00 PM or upon morning recess (whichever is later),
Joint Hearing Room (117).

Election of Chair and Vice-Chair.

JUDICIARY

Wednesday, April 2, 2025, 12:00 PM or upon morning recess (whichever is later),
House Hearing Room 5.

Public hearing will be held: SS SB 43, SS SB 218, SS SB 221, HB 663, HB 882

Executive session will be held: HB 931, HB 1531, HB 179, HB 756, HB 263

LEGISLATIVE REVIEW

Tuesday, April 1, 2025, 4:30 PM or upon adjournment of the Committee on Transportation (whichever is later), House Hearing Room 7.

Public hearing will be held: HCS HJR 54

Executive session will be held: HCS HBs 440 & 1160, HCS HJR 54

LOCAL GOVERNMENT

Wednesday, April 2, 2025, 8:00 AM, House Hearing Room 5.

Public hearing will be held: SB 396, HB 144, HB 895, HB 1405

Executive session will be held: SB 396, HB 532, HB 1416

PENSIONS

Thursday, April 3, 2025, 8:30 AM, House Hearing Room 1.

Public hearing will be held: HB 1526, HB 1504, HB 404

Executive session will be held: HB 1172

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, April 2, 2025, 9:00 AM, House Hearing Room 7.

Public hearing will be held: HB 1599

Executive session will be held: HB 764, HB 929

RULES - ADMINISTRATIVE

Tuesday, April 1, 2025, 9:30 AM, House Hearing Room 4.

Executive session will be held: HB 1068, SS SB 1, HCS HB 1346, HCS HB 937, HCS HB 927, HB 784, HCS HB 60, HCS HB 273, HCS HBs 610 & 900, HB 837

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

SPECIAL COMMITTEE ON RURAL ISSUES

Wednesday, April 2, 2025, 4:00 PM or upon adjournment (whichever is later), House Hearing Room 5.

Public hearing will be held: HB 892

CANCELLED

SPECIAL COMMITTEE ON TAX REFORM

Tuesday, April 1, 2025, 4:30 PM or upon adjournment (whichever is later), House Hearing Room 1.

Public hearing will be held: SS SB 67, HB 860, HB 1522, HB 1107

Executive session will be held: HJR 6

Time correction.

CORRECTED

SUBCOMMITTEE ON APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, April 8, 2025, 8:00 AM, House Hearing Room 5.

Office of Administration- Information Technology Services Division will be giving an educational presentation on their department and future plans.

TRANSPORTATION

Tuesday, April 1, 2025, 4:30 PM or upon adjournment (whichever is later),
House Hearing Room 7.

Executive session will be held: HB 40, HB 81, HB 1409

UTILITIES

Wednesday, April 2, 2025, 8:00 AM, House Hearing Room 1.

Public hearing will be held: HB 1231

Executive session will be held: HB 752

HOUSE CALENDAR

FORTY-SIXTH DAY, TUESDAY, APRIL 1, 2025

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HCS HJR 67 - McGaugh

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

HCS HB 2, (6 hours total debate on Perfection) - Deaton
HCS HB 3, (6 hours total debate on Perfection) - Deaton
HCS HB 4, (6 hours total debate on Perfection) - Deaton
HCS HB 5, (6 hours total debate on Perfection) - Deaton
HCS HB 6, (6 hours total debate on Perfection) - Deaton
HCS HB 7, (6 hours total debate on Perfection) - Deaton
HCS HB 8, (6 hours total debate on Perfection) - Deaton
HCS HB 9, (6 hours total debate on Perfection) - Deaton
HCS HB 10, (6 hours total debate on Perfection) - Deaton
HCS HB 11, (6 hours total debate on Perfection) - Deaton
HCS HB 12, (6 hours total debate on Perfection) - Deaton
HCS HB 13, (6 hours total debate on Perfection) - Deaton
HCS HB 17, (6 hours total debate on Perfection) - Deaton

HOUSE BILLS FOR PERFECTION

HCS HB 991 - Phelps

HB 714 - Griffith

HCS HBs 516, 290 & 778 - Matthiesen

HB 501 - Christ

HCS HBs 1363, HB 1062 & 1254 - Hruza

HB 743 - Baker

HB 1049 - Owen

HB 1200 - Reuter

HCS HBs 735 & 686 - Deaton

HB 1193 - West

HB 74 - Taylor (48)
HB 499 - Christ
HB 1298 - Jones (88)

HOUSE BILLS FOR PERFECTION - INFORMAL

HCS HB 970 - Hardwick
HB 284 - Proudie
HCS HB 531 - Hausman
HB 116 - Murphy
HCS HBs 222 & 580 - Schulte
HB 457 - Taylor (48)
HCS HB 593 - Perkins
HCS HB 119 - Murphy
HCS HB 326 - Shields
HB 349 - Reuter
HB 431 - Caton
HCS HB 806 - Taylor (48)
HCS HB 344 - Keathley
HB 783 - Keathley
HB 671 - Harbison
HB 398 - Peters
HB 242 - Sharpe (4)
HB 37 - Billington
HCS HB 712 - Pollitt
HCS HB 507 - McGaugh
HCS HB 708 - Oehlerking
HCS HB 436 - Hardwick
HB 475 - Pollitt
HCS HB 477 - Oehlerking
HCS HB 606 - Haley
HB 608 - Thompson
HB 657 - Owen
HB 723 - Peters
HB 232 - Gallick
HCS HB 916 - Perkins
HB 200 - Falkner
HCS HBs 862, 314 & 389 - Hovis
HB 107 - Verneti
HCS HB 941 - Lewis
HCS HB 83 - Veit
HCS HB 368 - Banderman
HCS HB 50 - Haley
HB 969 - Knight

HOUSE BILLS FOR PERFECTION - CONSENT

(03/31/2025)

HB 928 - Taylor (48)

HOUSE BILLS FOR THIRD READING

HCS HB 236, E.C. - Gallick

HB 1122 - Voss

HCS HB 1037 - Byrnes

HCS HB 176, (Fiscal Review 3/27/25) - Parker

HB 707, (Fiscal Review 3/27/25) - Oehlerking

HCS HB 378 - Pollitt

HCS HB 661, (Fiscal Review 3/27/25) - Keathley

HB 49, (Fiscal Review 3/27/25) - Haley

HB 147, (Fiscal Review 3/27/25) - Hovis

HCS HB 169 - Brown (149)

HCS HBs 493 & 635, (Fiscal Review 3/27/25) - Van Schoiack

HCS HBs 44 & 426, (Fiscal Review 3/27/25) - McGirl

HCS HBs 145 & 59 - Falkner

HCS HB 105 - Verneti

HB 42 - Billington

HCS HB 489 - Van Schoiack

HB 520 - Griffith

HCS HB 794 - Baker

HOUSE BILLS FOR THIRD READING - INFORMAL

HCS HB 497, (Fiscal Review 3/26/25), E.C. - Christ

HOUSE BILLS FOR THIRD READING - CONSENT

HCS HBs 1017 & 291 - Brown (16)

HB 241 - Sharpe (4)

HOUSE BILLS WITH SENATE AMENDMENTS

SS HCS HBs 737 & 486, as amended (Fiscal Review 3/13/25) - Schmidt

ACTIONS PURSUANT TO ARTICLE IV, SECTION 27

SS SCS HCS HB 2002 - Deaton

SS SCS HCS HB 2003 - Deaton

SS SCS HCS HB 2004 - Deaton

SS SCS HCS HB 2005 - Deaton

SS SCS HCS HB 2006 - Deaton

SS SCS HCS HB 2007 - Deaton

SS SCS HCS HB 2008 - Deaton

SS SCS HCS HB 2009 - Deaton
SS SCS HCS HB 2010 - Deaton
SS SCS HCS HB 2011 - Deaton
SS SCS HCS HB 2012 - Deaton
SS SCS HCS HB 2013 - Deaton
SS SCS HCS HB 2017 - Deaton
SS SCS HCS HB 2018 - Deaton
SS SCS HCS HB 2019 - Deaton
SS SCS HCS HB 2020 - Deaton