



MISSOURI HOUSE OF REPRESENTATIVES  
**WITNESS APPEARANCE FORM**

BILL NUMBER: <b>HB 1915</b>		DATE: <b>2/17/2026</b>	
COMMITTEE: <b>Economic Development</b>			
<b>TESTIFYING:</b> <input checked="" type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES			
<b>WITNESS NAME</b>			
<b>REGISTERED LOBBYIST:</b>			
WITNESS NAME: <b>DAVID J KLARICH</b>		PHONE NUMBER: <b>314-560-1616</b>	
REPRESENTING: <b>MECHANICAL CONTRACTORS ASSOCIATION OF EASTERN MISSOURI; MECHANICAL CONTRACTORS ASSOCIATION OF KANSAS CITY; SHEET METAL AND AIR CONDITIONING NATIONAL ASSOCIATION</b>		TITLE: <b>ATTORNEY</b>	
ADDRESS: <b>438 GATEFORD DRIVE</b>			
CITY: <b>BALLWIN</b>		STATE: <b>MO</b>	ZIP: <b>63021</b>
EMAIL: <b>dklarich@sbcglobal.net</b>	ATTENDANCE: <b>In-Person</b>	SUBMIT DATE: <b>2/17/2026 6:50 AM</b>	
<b>THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.</b>			



MISSOURI HOUSE OF REPRESENTATIVES  
**WITNESS APPEARANCE FORM**

BILL NUMBER: <b>HB 1915</b>		DATE: <b>2/17/2026</b>	
COMMITTEE: <b>Economic Development</b>			
<b>TESTIFYING:</b> <input checked="" type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES			
<b>WITNESS NAME</b>			
<b>REGISTERED LOBBYIST:</b>			
WITNESS NAME: <b>JOSHUA KLARICH</b>		PHONE NUMBER: <b>314-478-9298</b>	
REPRESENTING: <b>MECHANICAL CONTRACTORS ASSOCIATION OF EASTERN MISSOURI, MECHANICAL CONTRACTORS ASSOCIATION OF KANSAS CITY, AND SHEET METAL AND AIR CONDITIONING CONTRACTORS NATIONAL ASSOCIATION - ST. LOUIS CHAPTER</b>		TITLE:	
ADDRESS: <b>7078 BANCROFT AVENUE</b>			
CITY: <b>ST. LOUIS</b>		STATE: <b>MO</b>	ZIP: <b>63109</b>
EMAIL: <b>joshuaklarich@live.com</b>	ATTENDANCE: <b>In-Person</b>	SUBMIT DATE: <b>2/17/2026 7:40 AM</b>	
<b>THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.</b>			



MISSOURI HOUSE OF REPRESENTATIVES  
**WITNESS APPEARANCE FORM**

BILL NUMBER: <b>HB 1915</b>		DATE: <b>2/17/2026</b>	
COMMITTEE: <b>Economic Development</b>			
<b>TESTIFYING:</b> <input checked="" type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES			
<b>WITNESS NAME</b>			
<b>REGISTERED LOBBYIST:</b>			
WITNESS NAME: <b>KEVIN MCMULLIN</b>		PHONE NUMBER: <b>636-744-4990</b>	
REPRESENTING: <b>SITE IMPROVEMENT ASSOCIATION</b>		TITLE: <b>DIRECTOR GOVERNMENT AFFAIRS</b>	
ADDRESS: <b>2071 EXCHANGE DRIVE</b>			
CITY: <b>ST. CHARLES</b>		STATE: <b>MO</b>	ZIP: <b>63303</b>
EMAIL:	ATTENDANCE:	SUBMIT DATE: <b>2/17/2026 12:00 AM</b>	
<b>THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.</b>			



MISSOURI HOUSE OF REPRESENTATIVES  
**WITNESS APPEARANCE FORM**

BILL NUMBER: <b>HB 1915</b>		DATE: <b>2/17/2026</b>	
COMMITTEE: <b>Economic Development</b>			
<b>TESTIFYING:</b> <input checked="" type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES			
<b>WITNESS NAME</b>			
<b>REGISTERED LOBBYIST:</b>			
WITNESS NAME: <b>NANCY GIDDENS</b>		PHONE NUMBER: <b>573-230-6203</b>	
REPRESENTING: <b>CONSTRUCTION EMPLOYERS COALITION</b>		TITLE:	
ADDRESS: <b>208 MADISON STREET</b>			
CITY: <b>JEFFERSON CITY</b>		STATE: <b>MO</b>	ZIP: <b>65101</b>
EMAIL: <b>nancy@thegiddensgroup.com</b>	ATTENDANCE: <b>Written</b>	SUBMIT DATE: <b>2/17/2026 9:11 AM</b>	
<b>THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.</b>			



MISSOURI HOUSE OF REPRESENTATIVES  
**WITNESS APPEARANCE FORM**

BILL NUMBER: <b>HB 1915</b>		DATE: <b>2/17/2026</b>
COMMITTEE: <b>Economic Development</b>		
<b>TESTIFYING:</b> <input checked="" type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES		
<b>WITNESS NAME</b>		
<b>REGISTERED LOBBYIST:</b>		
WITNESS NAME: <b>NIKKI STRONG</b>		PHONE NUMBER: <b>573-634-4876</b>
REPRESENTING: <b>AMERICAN SUBCONTRACTOR ASSOCIATION- MIDWEST COUNCIL</b>		TITLE:
ADDRESS: <b>213 E. CAPITOL AVE</b>		
CITY: <b>JEFFERSON CITY</b>		STATE: <b>MO</b>
		ZIP: <b>65101</b>
EMAIL:	ATTENDANCE:	SUBMIT DATE: <b>2/17/2026 12:00 AM</b>
<b>THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.</b>		



MISSOURI HOUSE OF REPRESENTATIVES  
**WITNESS APPEARANCE FORM**

BILL NUMBER: <b>HB 1915</b>		DATE: <b>2/17/2026</b>
COMMITTEE: <b>Economic Development</b>		
<b>TESTIFYING:</b> <input checked="" type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES		
<b>WITNESS NAME</b>		
<b>BUSINESS/ORGANIZATION:</b>		
WITNESS NAME: <b>XAVIER GASSIER</b>		PHONE NUMBER: <b>573-883-6415</b>
BUSINESS/ORGANIZATION NAME: <b>NATIONAL ELECTRICAL CONTRACTORS ASSOCIATION - ST. LOUIS CHAPTER</b>		TITLE:
ADDRESS: <b>3245 HAMPTON AVE</b>		
CITY: <b>ST. LOUIS</b>		STATE: <b>MO</b>
		ZIP: <b>63139</b>
EMAIL: <b>xavier@stlneca.org</b>	ATTENDANCE: <b>In-Person</b>	SUBMIT DATE: <b>2/16/2026 6:56 PM</b>
<b>THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.</b>		

Prompt flow of payments to contractors, sub-contractors, and suppliers after completion of work is important to the long-term health of small businesses in Missouri. In practice, payment terms can be protracted and obfuscated, transferring risk and financing costs downstream.

HB1915 establishes clear and reasonable timelines for payments to flow and a transparent process for notification so parties have ready insight into the progression of payments.



MISSOURI HOUSE OF REPRESENTATIVES  
**WITNESS APPEARANCE FORM**

BILL NUMBER: <b>HB 1915</b>		DATE: <b>2/17/2026</b>
COMMITTEE: <b>Economic Development</b>		
<b>TESTIFYING:</b> <input type="checkbox"/> IN SUPPORT OF <input checked="" type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES		
<b>WITNESS NAME</b>		
<b>INDIVIDUAL:</b>		
WITNESS NAME: <b>ARNIE "HONEST-ABE" DIENOFF-STATE PUBLIC ADVOCATE</b>		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE:      ZIP:
EMAIL:	ATTENDANCE: <b>In-Person</b>	SUBMIT DATE: <b>2/17/2026 11:25 PM</b>
<b>THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.</b>		

**I am not in Support of this Bill at this time. This Bill is Lop-Sided and highly favors the Contractor over the Project Party.**



MISSOURI HOUSE OF REPRESENTATIVES  
**WITNESS APPEARANCE FORM**

BILL NUMBER: <b>HB 1915</b>		DATE: <b>2/17/2026</b>	
COMMITTEE: <b>Economic Development</b>			
<b>TESTIFYING:</b> <input type="checkbox"/> IN SUPPORT OF <input checked="" type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES			
<b>WITNESS NAME</b>			
<b>BUSINESS/ORGANIZATION:</b>			
WITNESS NAME: <b>EDWARD J. TWEHOUS</b>		PHONE NUMBER: <b>573-690-0484</b>	
BUSINESS/ORGANIZATION NAME: <b>ASSOCIATED GENERAL CONTRACTOR OF MISSOURI/TWEHOUS EXCAVATING COMPANY INC</b>		TITLE: <b>MEMBER/OWNER</b>	
ADDRESS: <b>8514 LIBERTY ROAD</b>			
CITY: <b>JEFFERSON CITY</b>		STATE: <b>MO</b>	ZIP: <b>65101</b>
EMAIL:	ATTENDANCE:	SUBMIT DATE: <b>2/17/2026 12:00 AM</b>	
<b>THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.</b>			



MISSOURI HOUSE OF REPRESENTATIVES  
**WITNESS APPEARANCE FORM**

BILL NUMBER: <b>HB 1915</b>		DATE: <b>2/17/2026</b>	
COMMITTEE: <b>Economic Development</b>			
<b>TESTIFYING:</b> <input type="checkbox"/> IN SUPPORT OF <input checked="" type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES			
<b>WITNESS NAME</b>			
<b>REGISTERED LOBBYIST:</b>			
WITNESS NAME: <b>FRED J DREILING</b>		PHONE NUMBER: <b>816-806-6335</b>	
REPRESENTING: <b>BUILDERS' ASSOC. A CHAPTER OF THE AGC</b>		TITLE: <b>LOBBYIST</b>	
ADDRESS: <b>1025 W 64TH TERR</b>			
CITY: <b>KANSAS CITY</b>		STATE: <b>MO</b>	ZIP: <b>64113</b>
EMAIL: <b>freddreilingllc@gmail.com</b>	ATTENDANCE: <b>In-Person</b>	SUBMIT DATE: <b>2/15/2026 6:09 PM</b>	
<b>THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.</b>			



MISSOURI HOUSE OF REPRESENTATIVES  
**WITNESS APPEARANCE FORM**

BILL NUMBER: <b>HB 1915</b>		DATE: <b>2/17/2026</b>	
COMMITTEE: <b>Economic Development</b>			
<b>TESTIFYING:</b> <input type="checkbox"/> IN SUPPORT OF <input checked="" type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES			
<b>WITNESS NAME</b>			
<b>REGISTERED LOBBYIST:</b>			
WITNESS NAME: <b>HEATH CLARKSTON</b>		PHONE NUMBER: <b>573-520-7240</b>	
REPRESENTING: <b>HOME BUILDERS ASSOCIATION OF CENTRAL MISSOURI</b>		TITLE:	
ADDRESS: <b>235 EAST HIGH STREET</b>			
CITY: <b>JEFFERSON CITY</b>		STATE: <b>MO</b>	ZIP: <b>65101</b>
EMAIL:	ATTENDANCE:	SUBMIT DATE: <b>2/17/2026 12:00 AM</b>	
<b>THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.</b>			



MISSOURI HOUSE OF REPRESENTATIVES  
**WITNESS APPEARANCE FORM**

BILL NUMBER: <b>HB 1915</b>		DATE: <b>2/17/2026</b>	
COMMITTEE: <b>Economic Development</b>			
<b>TESTIFYING:</b> <input type="checkbox"/> IN SUPPORT OF <input checked="" type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES			
<b>WITNESS NAME</b>			
<b>REGISTERED LOBBYIST:</b>			
WITNESS NAME: <b>JOHN BARDGETT</b>		PHONE NUMBER: <b>636-530-9392</b>	
REPRESENTING: <b>ST. LOUIS HOME BUILDERS ASSOCIATION</b>		TITLE:	
ADDRESS: <b>16141 SWINGLE ROAD</b>			
CITY: <b>CHESTERFIELD</b>		STATE: <b>MO</b>	ZIP: <b>63017</b>
EMAIL:	ATTENDANCE:	SUBMIT DATE: <b>2/17/2026 12:00 AM</b>	

**THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.**



MISSOURI HOUSE OF REPRESENTATIVES  
**WITNESS APPEARANCE FORM**

BILL NUMBER: <b>HB 1915</b>		DATE: <b>2/17/2026</b>	
COMMITTEE: <b>Economic Development</b>			
<b>TESTIFYING:</b> <input type="checkbox"/> IN SUPPORT OF <input checked="" type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES			
<b>WITNESS NAME</b>			
<b>REGISTERED LOBBYIST:</b>			
WITNESS NAME: <b>MARCOS ZELADA-RODAS</b>		PHONE NUMBER: <b>636-764-6443</b>	
REPRESENTING: <b>ASSOCIATED BUILDERS AND CONTRACTORS, HEART OF AMERICA</b>		TITLE:	
ADDRESS: <b>4035 DENTON RD</b>			
CITY: <b>KANSAS CITY</b>		STATE: <b>MO</b>	ZIP: <b>64133</b>
EMAIL:	ATTENDANCE:	SUBMIT DATE: <b>2/17/2026 12:00 AM</b>	
<b>THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.</b>			



MISSOURI HOUSE OF REPRESENTATIVES  
**WITNESS APPEARANCE FORM**

BILL NUMBER: <b>HB 1915</b>		DATE: <b>2/17/2026</b>
COMMITTEE: <b>Economic Development</b>		
<b>TESTIFYING:</b> <input type="checkbox"/> IN SUPPORT OF <input checked="" type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES		
<b>WITNESS NAME</b>		
<b>INDIVIDUAL:</b>		
WITNESS NAME: <b>SARAH BERRY</b>		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:	STATE:	ZIP:
EMAIL:	ATTENDANCE: <b>Written</b>	SUBMIT DATE: <b>2/13/2026 10:14 AM</b>
<b>THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.</b>		

Members, gather around.

Imagine you hire someone to build you a house.  
 You agree on the price.  
 You agree on the work.  
 You agree on the timeline.

That is called... a contract.

Now imagine the Legislature walks in and says:

“No no no. We are rewriting your contract for you. Also, you’re not allowed to negotiate certain terms. Also, we’re deciding when you must pay, how you must pay, what you can withhold, when you can suspend work, where you can litigate, and whether you can structure risk the way sophisticated commercial parties have done for decades.”

Do you see the problem yet?  
 Let me help.

**Problem #1: You Are Rewriting Private Contracts**

Section 3 voids entire categories of negotiated risk allocation:

- Pay-if-paid clauses.
- Suspension rights.
- Out-of-state venue clauses.
- Setoff provisions.
- Conditional payment structures.
- Extra work provisions unless pre-priced.

This is not regulating fraud.  
 This is not preventing illegality.

This is the state stepping into arms-length commercial negotiations and saying:

“We don’t like how grown adults structure risk.”

**That raises:**  
**Missouri Constitution Art. I, §13 (impairment of contracts)**  
**U.S. Constitution Art. I, §10 (Contracts Clause)**  
**Substantive due process concerns under the 14th Amendment**

**When the state voids core contractual risk allocation mechanisms across an entire industry, it must show a legitimate and proportionate public purpose.**

**Here, the bill offers none.**

**It simply substitutes legislative preference for negotiated agreement.**

**That is structurally vulnerable.**

**Problem #2: Forced Payment Timelines + Deemed Acceptance**

**Under subsection 4:**  
**If an owner does not provide a hyper-detailed written objection within 15 days, the pay application is “deemed accepted in full.”**

**Read that again.**

**A procedural deadline becomes a substantive forfeiture of contractual defenses.**

**You are creating automatic liability by silence.**

**Courts scrutinize statutes that create forfeitures or eliminate defenses through technical default without meaningful due process protections.**

**Especially in complex construction projects involving multimillion-dollar pay applications.**

**Problem #3: Flow-Down Mandates That Override Industry Norms**

**The bill forces:**  
**40-day owner payment.**  
**7-day contractor payment.**  
**Mandatory notice cascading.**  
**Strict proportional withholding.**  
**Mandatory cure procedures.**  
**Nullification of negotiated leverage.**  
**Construction is already governed by:**  
**Mechanics lien statutes**  
**Bond statutes**  
**Uniform Commercial Code principles**  
**Existing prompt pay laws**

**You are layering an aggressive non-waivable regime on top of that framework.**

**This is not a gap-filling statute.**  
**This is a structural overhaul.**

**And when the state overhauls private commercial architecture without tailoring, courts ask whether it is:**

**Arbitrary**  
**Overbroad**  
**Disproportionate to the harm addressed**

**Problem #4: Out-of-State Venue Prohibition**

**Subdivision (7) voids any clause applying another state’s law or requiring out-of-state dispute resolution.**

**That implicates:**

**Dormant Commerce Clause concerns**

**Full Faith and Credit principles**

**Federal Arbitration Act preemption risk (if arbitration forum selection is affected)**

**States may regulate contracts touching their borders.**

**They may not wall off interstate commerce by voiding multistate forum selection clauses wholesale.**

**Problem #5: Non-Waivable Everything**

**Section 2 declares all rights “non-waivable.”**

**When the Legislature prohibits voluntary waiver between sophisticated parties, it must justify why freedom of contract is outweighed by a compelling public interest.**

**This bill applies to commercial nongovernmental construction across the board — not just small contractors or residential consumers.**

**You are regulating Fortune 500 project agreements the same way you regulate a small-town remodel.**

**Courts notice that kind of blunt instrument.**

**Fiscal Exposure**

**This bill will:**

**Increase construction litigation.**

**Invite declaratory challenges from industry groups.**

**Create constitutional test cases under the Contracts Clause.**

**Increase insurance costs and risk premiums in Missouri.**

**Potentially drive multistate developers to structure around Missouri law.**

**The fiscal note likely underestimates secondary litigation exposure**

**Legislative Notice:**

**The General Assembly is hereby placed on notice that HB 1915 materially impairs negotiated commercial construction contracts, restricts freedom of contract between sophisticated parties, nullifies established risk allocation mechanisms, and may implicate both state and federal constitutional protections, including the Contracts Clause and substantive due process principles. Adoption in its current form invites facial and as-applied challenges and may expose the state to protracted constitutional litigation.**

**And now, members, I will say it very gently:**

**If grown adults want to negotiate how and when they get paid on a \$100 million bridge... Perhaps we should let them.**

**Or at least tailor the statute narrowly enough that it survives first contact with a federal court.**