



MISSOURI HOUSE OF REPRESENTATIVES
WITNESS APPEARANCE FORM

BILL NUMBER: HB 2366		DATE: 1/27/2026	
COMMITTEE: Commerce			
TESTIFYING: <input checked="" type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES			
WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: ARNIE C. AC "HONEST-ABE" DIENOFF-STATE PUBLIC ADVO		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL:	ATTENDANCE: In-Person	SUBMIT DATE: 1/27/2026 11:53 PM	
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.			



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WITNESS NAME			
BUSINESS/ORGANIZATION:			
WITNESS NAME: BYRON KEELIN		PHONE NUMBER: 314-402-0655	
BUSINESS/ORGANIZATION NAME: FREEDOM PRINCIPLE		TITLE: PRESIDENT	
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CITY: BALLWIN		STATE: MO	ZIP: 63022
EMAIL: freedomprinciplemo@protonmail.com	ATTENDANCE: Written	SUBMIT DATE: 1/27/2026 5:34 AM	

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

We support this bill and urge this committee to advance HB 2511 and similar measures, which are essential to upholding the integrity of Missouri’s workforce and the responsible stewardship of public resources. These bills effectively address the ongoing issue of unauthorized employment—an area of concern not only for state law enforcement and regulatory agencies, but also for taxpayers and law-abiding businesses across our state.

By requiring employers who benefit from state contracts, grants, or tax incentives to verify the employment eligibility of their workers through federal programs like E-Verify, Missouri will help ensure that public funds and opportunities are not indirectly enabling unlawful or unfair business practices. This, in turn, protects legitimate Missouri companies that comply with the law and employ qualified workers, placing them on an even playing field in the competition for state contracts and economic benefits.

The bills’ provisions for strong enforcement, meaningful penalties, and robust investigative authority for the Attorney General will send a clear message that Missouri will not tolerate the circumvention of federal immigration or employment laws. At the same time, HB 2511 and its counterparts recognize the necessity of due process, providing fair defenses for employers who follow proper procedures in good faith while incorporating safeguards to prevent baseless or frivolous complaints.

In sum, this legislation demonstrates Missouri’s commitment to the rule of law, the protection of honest businesses, and the proper use of taxpayer funds. It builds confidence in the public contracting process and promotes a fair, lawful, and competitive labor market for all Missourians. I strongly encourage your consideration and passage of these important reforms.



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WITNESS NAME			
BUSINESS/ORGANIZATION:			
WITNESS NAME: JACOB HUMMEL		PHONE NUMBER: 573-634-2115	
BUSINESS/ORGANIZATION NAME: MISSOURI AFL-CIO		TITLE: PRESIDENT	
ADDRESS: 131 E. HIGH STREET STE 100			
CITY: JEFFERSON CITY		STATE: MO	ZIP: 65101
EMAIL: matttroesser@moaflcio.org	ATTENDANCE: Written	SUBMIT DATE: 1/27/2026 11:07 AM	

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Honorable Representatives of the Committee,

The Missouri AFL-CIO is in support of HB 2511 and HB 2366. These bills strengthen enforcement against employers who knowingly exploit unauthorized labor, which can improve wage fairness and job standards. Employee misclassification and wage theft in Missouri's construction industry allow unscrupulous law-breaking contractors to have an unfair advantage over law-abiding contractors who see their market share materially diminished or reduced from such illegal actions. University of Missouri-Kansas City economist Michael P. Kelsay has documented that payroll fraud, particularly worker misclassification in the construction industry, results in significant financial losses to states. His research indicates that Missouri loses tens of millions in tax revenue annually, alongside millions in unemployment and workers' compensation funds, driven by companies misclassifying employees. For the protection of workers and the State of Missouri we support HB 2511 and HB 2366.



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WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: MARK DALTON		PHONE NUMBER: 314-644-4800	
REPRESENTING: MID AMERICA CARPENTERS REGIONAL COUNCIL		TITLE:	
ADDRESS: 1401 HAMPTON AVE.			
CITY: ST. LOUIS		STATE: MO	ZIP: 63139
EMAIL:	ATTENDANCE:	SUBMIT DATE: 1/27/2026 12:00 AM	
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WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: RYAN MCKENNA		PHONE NUMBER: 314-799-2329	
REPRESENTING: MISSOURI AFL-CIO		TITLE:	
ADDRESS: 131 E. HIGH ST., STE 100			
CITY: JEFFERSON CITY		STATE: MO	ZIP: 65101
EMAIL:	ATTENDANCE:	SUBMIT DATE: 1/27/2026 12:00 AM	
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WITNESS NAME			
BUSINESS/ORGANIZATION:			
WITNESS NAME: EDWARD J. TWEHOUS		PHONE NUMBER: 573-690-0484	
BUSINESS/ORGANIZATION NAME: ASSOCIATED GENERAL CONTRACTORS OF MISSOURI & TWEHOUS EXCAVATING COMPANY INC.		TITLE: LEGISLATIVE COMMITTEE CHAIR/VICE PRESIDENT	
ADDRESS: 8514 LIBERTY ROAD			
CITY: JEFFERSON CITY		STATE: MO	ZIP: 65101
EMAIL:	ATTENDANCE:	SUBMIT DATE: 1/27/2026 12:00 AM	
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WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: FRED DREILING		PHONE NUMBER: 816-806-6335	
REPRESENTING: BUILDERS' ASSOCIATION A CHAPTER OF THE AGC		TITLE: LOBBYIST	
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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: GABRIELA RAMIREZ-ARELLANO		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL:	ATTENDANCE: Written	SUBMIT DATE: 1/26/2026 3:38 PM	

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I respectfully urge the committee to vote NO on HB2511 and HB2366.

If the goal is stronger compliance, Missouri can pursue more targeted options that don't punish good-faith businesses, such as:

- strengthening clear, objective documentation standards tied to existing E-Verify participation requirements for public contracting,
- focusing enforcement on the employer of record rather than expanding chain liability through an ambiguous "should have known" standard.

These bills would change Missouri law so that a general contractor or subcontractor can be held liable for the conduct of a direct subcontractor if the contractor "knows or should have known" the subcontractor employed an unauthorized worker. While compliance with employment law is essential, this approach is bad economic policy for Missouri because it injects vague, litigation-driven liability into one of the state's most important growth engines: construction and development.

Missouri can't afford policies that worsen construction constraints.

Construction is a major driver of Missouri's economy. Industry fact sheets estimate construction contributes roughly \$22 billion to Missouri GDP.

At the same time, workforce shortages are already severe: the AGC/NCCER 2025 workforce survey reports 92% of firms have difficulty hiring. Missouri-specific reporting and analysis also highlight workforce shortages as a leading contributor to delays and rising costs.

Adding vague downstream-liability risk will not create new workers or improve compliance outcomes. It will make projects more expensive and harder to deliver, undermining housing supply, infrastructure upgrades, and site-ready development.



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WITNESS NAME		
REGISTERED LOBBYIST:		
WITNESS NAME: JARED HANKINSON		PHONE NUMBER:
REPRESENTING: MO CHAMBER OF COMMERCE AND INDUSTRY		TITLE:
ADDRESS: 428 EAST CAPITOL AVE		
CITY: JEFFERSON CITY		STATE: MO
		ZIP: 65101
EMAIL:	ATTENDANCE:	SUBMIT DATE: 1/27/2026 12:00 AM
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WITNESS NAME		
REGISTERED LOBBYIST:		
WITNESS NAME: JOHN BARDGETT		PHONE NUMBER: 314-409-2855
REPRESENTING: ST. LOUIS HOMEBUILDERS ASSOC		TITLE:
ADDRESS: 16141 SWINGLEY RIDGE RD.		
CITY: CHESTERFIELD		STATE: MO
		ZIP: 63017
EMAIL:	ATTENDANCE:	SUBMIT DATE: 1/27/2026 12:00 AM
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WITNESS NAME		
REGISTERED LOBBYIST:		
WITNESS NAME: SAGE CORAM		PHONE NUMBER:
REPRESENTING: AMERICAN CIVIL LIBERTIES UNION OF MISSOURI		TITLE:
ADDRESS:		
CITY: ST. LOUIS		STATE: MO
		ZIP: 63101
EMAIL: scoram@aclu-mo.org	ATTENDANCE: Written	SUBMIT DATE: 1/27/2026 8:15 PM
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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: SARAH BERRY		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL:	ATTENDANCE: Written	SUBMIT DATE: 1/25/2026 5:18 PM	

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HB 2366 expands state power over private employers in a way that is constitutionally shaky, economically dangerous, and ripe for abuse, while doing little to actually fix the problems it claims to address.

1. Missouri cannot turn employers into immigration police

Immigration enforcement is a federal responsibility, not a state one.

Under Article I, Section 8 of the U.S. Constitution, Congress holds exclusive authority over immigration and naturalization.

HB 2366 attempts to sidestep this by punishing Missouri employers through:

- License suspensions**
- Contract termination**
- Debarment from public work**
- Monetary penalties tied to alleged violations**

This creates a state-level enforcement regime for federal immigration law, inviting federal preemption challenges and exposing Missouri taxpayers to unnecessary legal risk.

2. “Knows or should have known” is not due process

HB 2366 relies on vague and subjective language that erodes fundamental fairness.

The standard “knows or should have known”:

- Eliminates clear, objective proof requirements**
- Encourages hindsight punishment**
- Shifts the burden onto employers to prove innocence**

This violates due process protections under the Fourteenth Amendment and Article I, Section 10 of the Missouri Constitution, which require laws to be clear, predictable, and evenly applied.

A business should not lose its livelihood based on guesswork or after-the-fact interpretation.

3. The Attorney General is given excessive, centralized power

HB 2366 consolidates enforcement authority almost entirely in the Attorney General's office, allowing it to:

**Initiate investigations
Seek injunctions
Impose penalties
Suspend licenses
Pressure settlements**

This undermines separation of powers, guaranteed by Article II of the Missouri Constitution, by concentrating investigative, prosecutorial, and punitive authority in a single office.

No Missourian — individual or business — should be subject to unchecked enforcement power.

4. Small businesses will pay the price

Large corporations can absorb compliance costs and legal battles. Small businesses cannot.

HB 2366 will disproportionately harm:

**Family-owned businesses
Independent contractors
Construction and agricultural employers
Emergency-response and disaster-recovery workers
License suspension, contract termination, and debarment are not “corrections” — they are economic death sentences for small employers.**

5. Emergency carve-outs are inadequate and unrealistic

The bill allows only a fifteen-working-day suspension of requirements during emergencies.

Anyone who lives in Missouri knows disasters do not resolve themselves in fifteen days.

Tornado recovery, flood cleanup, and infrastructure repair take months — and this bill punishes businesses that show up when communities need them most.

6. This framework invites selective enforcement

When enforcement standards are vague and penalties are extreme, political and selective enforcement become inevitable.

HB 2366 creates a system where:

**Complaints can be weaponized
Enforcement priorities are discretionary
Businesses can be pressured or targeted**

This undermines equal protection under the law, guaranteed by the Fourteenth Amendment and Article I, Section 2 of the Missouri Constitution.

7. Missouri should not criminalize compliance errors

Federal work authorization systems are imperfect. They generate errors, delays, and false negatives.

HB 2366 punishes employers for failures in federal systems they do not control, treating paperwork issues as moral or criminal failures.

That is neither fair nor effective.