



MISSOURI HOUSE OF REPRESENTATIVES
WITNESS APPEARANCE FORM

BILL NUMBER: HB 3107		DATE: 2/11/2026
COMMITTEE: Financial Institutions		
TESTIFYING: <input checked="" type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES		
WITNESS NAME		
REGISTERED LOBBYIST:		
WITNESS NAME: DAVID KENT		PHONE NUMBER: 573-636-8151
REPRESENTING: MISSOURI BANKERS ASSOCIATION		TITLE:
ADDRESS: 207 E CAPITOL AVE		
CITY: JEFFERSON CITY		STATE: MO
		ZIP: 65101
EMAIL:	ATTENDANCE:	SUBMIT DATE: 2/11/2026 12:00 AM
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.		



MISSOURI HOUSE OF REPRESENTATIVES
WITNESS APPEARANCE FORM

BILL NUMBER: HB 3107		DATE: 2/11/2026	
COMMITTEE: Financial Institutions			
TESTIFYING: <input checked="" type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES			
WITNESS NAME			
BUSINESS/ORGANIZATION:			
WITNESS NAME: JASON PEACH		PHONE NUMBER: 636-720-2400	
BUSINESS/ORGANIZATION NAME: WEST COMMUNITY CREDIT UNION		TITLE: PRESIDENT AND CEO	
ADDRESS: 4161 HIGHWAY K			
CITY: OFALLON		STATE: MO	ZIP: 63368
EMAIL:	ATTENDANCE:	SUBMIT DATE: 2/11/2026 12:00 AM	
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.			



MISSOURI HOUSE OF REPRESENTATIVES
WITNESS APPEARANCE FORM

BILL NUMBER: HB 3107		DATE: 2/11/2026
COMMITTEE: Financial Institutions		
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: MATTHEW STEGALL		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE: ZIP:
EMAIL:	ATTENDANCE: Written	SUBMIT DATE: 2/9/2026 5:40 PM
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.		

The bill prohibits regulators from penalizing credit unions for actions taken in accordance with existing rules.

It safeguards institutions that rely in good faith on regulatory guidance.

It reinforces fairness and consumer protection by preventing retroactive enforcement against compliant conduct.



MISSOURI HOUSE OF REPRESENTATIVES
WITNESS APPEARANCE FORM

BILL NUMBER: HB 3107		DATE: 2/11/2026	
COMMITTEE: Financial Institutions			
TESTIFYING: <input type="checkbox"/> IN SUPPORT OF <input checked="" type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES			
WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: ARNIE C. AC "HONEST-ABE" DIENOFF		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL:	ATTENDANCE:	SUBMIT DATE: 2/11/2026 12:00 AM	
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.			



MISSOURI HOUSE OF REPRESENTATIVES
WITNESS APPEARANCE FORM

BILL NUMBER: HB 3107		DATE: 2/11/2026	
COMMITTEE: Financial Institutions			
TESTIFYING: <input type="checkbox"/> IN SUPPORT OF <input checked="" type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES			
WITNESS NAME			
BUSINESS/ORGANIZATION:			
WITNESS NAME: GABE HARRIS		PHONE NUMBER: 573-635-5215	
BUSINESS/ORGANIZATION NAME: MISSOURI ASSOCIATION OF TRIAL ATTORNEYS		TITLE: MEMBER	
ADDRESS: 240 E HIGH STREET, SUITE 300			
CITY: JEFFERSON CITY		STATE: MO	ZIP: 65102
EMAIL:	ATTENDANCE:	SUBMIT DATE: 2/11/2026 12:00 AM	
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.			



MISSOURI HOUSE OF REPRESENTATIVES
WITNESS APPEARANCE FORM

BILL NUMBER: HB 3107		DATE: 2/11/2026	
COMMITTEE: Financial Institutions			
TESTIFYING: <input type="checkbox"/> IN SUPPORT OF <input checked="" type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES			
WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: SARAH BERRY		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL:	ATTENDANCE: Written	SUBMIT DATE: 2/6/2026 3:16 PM	

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

HB 3107 attempts to grant civil immunity to financial institutions for harmful conduct based solely on alleged “good faith reliance” on nonbinding regulatory guidance, including documents later invalidated by courts.

This bill directly conflicts with:
 Missouri due process jurisprudence,
 separation of powers,
 settled administrative law,
 and federal supremacy doctrine.

It does not reduce litigation risk — it multiplies it.

CORE LEGAL DEFECTS

1. Unconstitutional Delegation & Void-for-Vagueness

HB 3107 elevates nonbinding guidance—including emails, bulletins, staff memoranda, and informal responses—into de facto law, without legislative standards.

Missouri law is clear:
 A statute that delegates authority without intelligible principles is unconstitutional.

Missouri Case Law
 State ex rel. Brentwood Glass Co. v. City of St. Louis, 499 S.W.2d 296 (Mo. banc 1973)

Missouri Supreme Court struck statutes delegating unchecked discretion without clear standards.

Why HB 3107 fails:
 “Written guidance” is defined so broadly that no regulated party or harmed consumer can know what law applies.

This invites arbitrary enforcement and shields arbitrary harm.

2. Due Process Violation — Retroactive Immunity

HB 3107 grants immunity even when the guidance relied upon is later ruled invalid. Missouri courts repeatedly reject retroactive statutory shields that impair vested rights.

Missouri Case Law

Doe v. Roman Catholic Diocese of Jefferson City, 862 S.W.2d 338 (Mo. banc 1993)

Missouri Supreme Court held that statutes cannot retroactively extinguish accrued causes of action without violating due process.

Why HB 3107 fails:

A consumer's injury accrues at the moment of harm.

Legislators cannot later erase liability by calling misconduct "good faith."

3. Separation of Powers — Legislative Override of Courts

HB 3107 attempts to nullify judicial review by declaring that even unlawful guidance can excuse liability.

That is a direct separation-of-powers violation.

Missouri Case Law

State ex rel. Kansas City v. Public Service

Commission, 524 S.W.2d 855 (Mo. banc 1975)

Legislature may not insulate administrative actions from judicial scrutiny.

Why HB 3107 fails:

Courts — not agencies — determine what the law is.

A statute cannot pre-bless conduct later declared unlawful.

4. Conflict with Federal Administrative Law

Federal law is explicit: agency guidance does not have the force of law.

U.S. Supreme Court

Perez v. Mortgage Bankers Ass'n, 575 U.S. 92 (2015)

Interpretive rules and guidance documents are not binding law.

Why HB 3107 fails:

Missouri cannot create a parallel immunity regime based on instruments federal courts explicitly say are nonbinding.

This invites preemption challenges and Supremacy Clause litigation.

5. Consumer Protection Evisceration

HB 3107 undermines Missouri's Merchandising Practices Act (MMPA) by creating a blanket defense based on "guidance reliance."

Missouri courts reject this.

Missouri Case Law

Huch v. Charter Communications, Inc., 290 S.W.3d 721 (Mo. banc 2009)

Good faith is not a defense to consumer deception under Missouri law.

Why HB 3107 fails:

The bill directly contradicts Missouri Supreme Court precedent. It invites constitutional challenge on day one.

6. Fraud Exception Is Illusory

The bill claims to preserve liability for fraud, willful misconduct, and gross negligence — but buries plaintiffs under impossible proof burdens by allowing defendants to hide behind “guidance.”

Missouri courts have warned against statutes that appear to preserve remedies while functionally destroying them.

Missouri Case Law

Klotz v. St. Anthony’s Medical Center, 311 S.W.3d 752 (Mo. banc 2010)

Statutes that nominally preserve claims but procedurally defeat them violate due process.

7. Missouri Banking Fiduciary Conflict

Missouri recognizes heightened duties for financial institutions.

Missouri Case Law

Centerre Bank of Kansas City, N.A. v. Distributors, Inc., 705 S.W.2d 42 (Mo. banc 1986)

Fiduciary duties arise when one party exercises discretionary financial power.

Why HB 3107 fails:

You cannot legislatively erase fiduciary obligations by pointing to an agency memo.

Courts will not enforce that fiction.

HB 3107 does not clarify the law — it attempts to override it. Missouri courts have repeatedly held that guidance is not law, that liability cannot be retroactively erased, and that financial institutions may not evade accountability through informal agency communications. This bill invites immediate constitutional challenge, federal preemption litigation, and consumer class actions. The state will not be protected — it will be exposed.



MISSOURI HOUSE OF REPRESENTATIVES
WITNESS APPEARANCE FORM

BILL NUMBER: HB 3107		DATE: 2/11/2026
COMMITTEE: Financial Institutions		
TESTIFYING: <input type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input checked="" type="checkbox"/> FOR INFORMATIONAL PURPOSES		
WITNESS NAME		
BUSINESS/ORGANIZATION:		
WITNESS NAME: CHRIS PIEPER		PHONE NUMBER: 573-355-5045
BUSINESS/ORGANIZATION NAME: MISSOURI CREDIT UNION ASSOCIATION		TITLE: COUNSEL
ADDRESS: 414 EAST BROADWAY, SUITE 100		
CITY: COLUMBIA		STATE: MO
		ZIP: 65201
EMAIL:	ATTENDANCE:	SUBMIT DATE: 2/11/2026 12:00 AM
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.		