

Journal of the Senate

FIRST REGULAR SESSION

FORTY-SIXTH DAY—TUESDAY, APRIL 9, 2013

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Is anything too wonderful for the Lord?” (Genesis 18:14a)

We know, O Lord, that life is filled with challenges and obstacles and tunnels that seem to have no light at the end of them. Yet hearing Your Word, we know that You are with us and there is nothing too hard for us to accomplish with Your assistance. So guide us this week with our doubts knowing that all things are possible with Your help. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

Senator Pearce assumed the Chair.

RESOLUTIONS

Senator Sater offered Senate Resolution No. 649, regarding the Wheaton R-III School District, which was adopted.

Senator Sater offered Senate Resolution No. 650, regarding the Taneyville R-II School District, which was adopted.

Senator Sater offered Senate Resolution No. 651, regarding the Shell Knob 78 School District, which was adopted.

Senator Sater offered Senate Resolution No. 652, regarding the Reeds Spring R-IV School District, which was adopted.

Senator Sater offered Senate Resolution No. 653, regarding the Pierce City R-VI School District, which was adopted.

Senator Sater offered Senate Resolution No. 654, regarding the Mount Vernon R-V School District, which was adopted.

Senator Sater offered Senate Resolution No. 655, regarding the Monett R-I School District, which was adopted.

Senator Sater offered Senate Resolution No. 656, regarding the McDonald County R-I School District, which was adopted.

Senator Sater offered Senate Resolution No. 657, regarding the Mark Twain R-VIII School District, which was adopted.

Senator Sater offered Senate Resolution No. 658, regarding the Marionville R-IX School District, which was adopted.

Senator Sater offered Senate Resolution No. 659, regarding the Hurley R-I School District, which was adopted.

Senator Sater offered Senate Resolution No. 660, regarding the Hollister R-V School District, which was adopted.

Senator Sater offered Senate Resolution No. 661, regarding the Forsyth R-III School District, which was adopted.

Senator Sater offered Senate Resolution No. 662, regarding the Cassville R-IV School District, which was adopted.

Senator Sater offered Senate Resolution No. 663, regarding the Branson R-IV School District, which was adopted.

Senator Sater offered Senate Resolution No. 664, regarding the Blue Eye R-V School District, which was adopted.

Senator Sater offered Senate Resolution No. 665, regarding the Aurora R-VIII School District, which was adopted.

Senator Sater offered Senate Resolution No. 666, regarding the Kirbyville R-VI School District, which was adopted.

Senator Sater offered Senate Resolution No. 667, regarding the Miller R-II School District, which was adopted.

Senators Schmitt and Nieves offered Senate Resolution No. 668, regarding the Academy of St. Louis, Chesterfield, which was adopted.

Senator Schmitt offered Senate Resolution No. 669, regarding David J. Kraeling, which was adopted.

Senator LeVota offered Senate Resolution No. 670, regarding Matthew Tyler Allen, Independence, which was adopted.

Senator LeVota offered Senate Resolution No. 671, regarding the Missouri State Association of Parliamentarians, which was adopted.

Senator Kehoe offered the following resolution:

SENATE RESOLUTION NO. 672

Whereas, the General Assembly deems it worthy to support and encourage any of those programs which exist to provide Missouri's senior citizens with an opportunity to utilize their experience and knowledge in a positive and meaningful way; and

Whereas, the General Assembly also deems it worthy to support those programs which are designed to provide participants with opportunities to develop better citizenship and leadership qualities; and

Whereas, the Silver Haired Legislature is a program which helps to ensure that senior citizens have a voice in state government while giving its participants a unique insight into the legislative process; and

Whereas, the General Assembly has a long tradition of granting the use of its Chambers to such programs:

Now, Therefore, Be It Resolved that the Missouri Senate hereby grant the participants of the Silver Haired Legislature permission to use the Senate Chamber for the purpose of their regular session from 8:00 a.m. to 4:00 p.m. Thursday, October 10, 2013 and 8:00 am to 12:00 noon on Friday, October 11, 2013.

Senator Kehoe requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 672** up for adoption, which request was granted.

On motion of Senator Kehoe, **SR 672** was adopted.

SENATE BILLS FOR PERFECTION

Senator Schmitt moved that **SB 159**, with **SCS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

Senator Schmitt offered **SS** for **SCS** for **SB 159**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 159

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to insurance coverage for physical therapy services.

Senator Schmitt moved that **SS** for **SCS** for **SB 159** be adopted, which motion prevailed.

On motion of Senator Schmitt, **SS** for **SCS** for **SB 159** was declared perfected and ordered printed.

Senator Kehoe assumed the Chair.

Senator Kraus moved that **SB 252** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Kraus offered **SS** for **SB 252**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 252

An Act to repeal section 302.183, and to enact in lieu thereof three new sections relating to the receipt, collection, and retention of certain information related to the issuance and renewal of driver's licenses and nondriver's licenses by the department of revenue, with an emergency clause.

Senator Kraus moved that **SS** for **SB 252** be adopted.

Senator Emery offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 252, Page 1, In the Title, Line 3 of said page, by striking "the receipt, collection,,"; and

Further amend said bill and page, section A, line 3 of said page, by inserting immediately after all of said line the following:

"50.535. 1. Notwithstanding the provisions of sections 50.525 to 50.745, the fee collected pursuant to subsections 10 and 11 of section 571.101 shall be deposited by the county treasurer into a separate interest-bearing fund to be known as the "County Sheriff's Revolving Fund" to be expended at the direction of the county or city sheriff or his or her designee as provided in this section.

2. No prior approval of the expenditures from this fund shall be required by the governing body of the county or city not within a county, nor shall any prior audit or encumbrance of the fund be required before any expenditure is made by the sheriff from this fund. This fund shall only be used by law enforcement agencies for the purchase of equipment, to provide training, and to make necessary expenditures to process applications for concealed carry [endorsements] **permits** or renewals, including but not limited to the purchase of equipment, information and data exchange, training, fingerprinting and background checks, employment of additional personnel, and any expenditure necessitated by an action under section 571.114 or 571.117. If the moneys collected and deposited into this fund are not totally expended annually, then the unexpended balance shall remain in said fund and the balance shall be kept in said fund to accumulate from year to year. This fund may be audited by the state auditor's office or the appropriate auditing agency.

3. Notwithstanding any provision of this section to the contrary, the sheriff of every county, regardless of classification, is authorized to pay, from the sheriff's revolving fund, all reasonable and necessary costs and expenses for activities or services occasioned by compliance with sections 571.101 to 571.121. Such was the intent of the general assembly in original enactment of this section and sections 571.101 to 571.121, and it is made express by this section in light of the decision in *Brooks v. State of Missouri*, (Mo. Sup. Ct. February 26, 2004). The application and renewal fees to be charged pursuant to section 571.101 shall be based on the sheriff's good faith estimate, made during regular budgeting cycles, of the actual costs and expenses to be incurred by reason of compliance with sections 571.101 to 571.121. If the maximum fee permitted by section 571.101 is inadequate to cover the actual reasonable and necessary expenses in a given year, and there are not sufficient accumulated unexpended funds in the revolving fund, a sheriff may present specific and verified evidence of the unreimbursed expenses to the office of administration, which upon certification by the attorney general shall reimburse such sheriff for those expenses from an appropriation made for that purpose.

4. If pursuant to subsection [12] **13** of section 571.101, the sheriff of a county of the first classification

designates one or more chiefs of police of any town, city, or municipality within such county to accept and process applications for [certificates of qualification to obtain a concealed carry endorsement] **concealed carry permits**, then that sheriff shall reimburse such chiefs of police, out of the moneys deposited into this fund, for any reasonable expenses related to accepting and processing such applications.”; and

Further amend said bill and page, section 302.065, line 17 of said page, by striking all of said line; and

Further amend said bill and section, page 2, lines 1-26 of said page, by striking all of said lines; and further amend said section by renumbering the remaining subsections accordingly; and

Further amend said bill and section, page 3, line 10 of said page, by inserting immediately after all of said line the following:

“302.181. 1. The license issued pursuant to the provisions of sections 302.010 to 302.340 shall be in such form as the director shall prescribe, but the license shall be a card made of plastic or other comparable material. All licenses shall be manufactured of materials and processes that will prohibit, as nearly as possible, the ability to reproduce, alter, counterfeit, forge, or duplicate any license without ready detection. All licenses shall bear the licensee’s Social Security number, if the licensee has one, and if not, a notarized affidavit must be signed by the licensee stating that the licensee does not possess a Social Security number, or, if applicable, a certified statement must be submitted as provided in subsection 4 of this section. The license shall also bear the expiration date of the license, the classification of the license, the name, date of birth, residence address including the county of residence or a code number corresponding to such county established by the department, and brief description and colored photograph or digitized image of the licensee, and a facsimile of the signature of the licensee. The director shall provide by administrative rule the procedure and format for a licensee to indicate on the back of the license together with the designation for an anatomical gift as provided in section 194.240 the name and address of the person designated pursuant to sections 404.800 to 404.865 as the licensee’s attorney in fact for the purposes of a durable power of attorney for health care decisions. No license shall be valid until it has been so signed by the licensee. If any portion of the license is prepared by a private firm, any contract with such firm shall be made in accordance with the competitive purchasing procedures as established by the state director of the division of purchasing. For all licenses issued or renewed after March 1, 1992, the applicant’s Social Security number shall serve as the applicant’s license number. Where the licensee has no Social Security number, or where the licensee is issued a license without a Social Security number in accordance with subsection 4 of this section, the director shall issue a license number for the licensee and such number shall also include an indicator showing that the number is not a Social Security number.

2. All film involved in the production of photographs for licenses shall become the property of the department of revenue.

3. The license issued shall be carried at all times by the holder thereof while driving a motor vehicle, and shall be displayed upon demand of any officer of the highway patrol, or any police officer or peace officer, or any other duly authorized person, for inspection when demand is made therefor.

Failure of any operator of a motor vehicle to exhibit his or her license to any duly authorized officer shall be presumptive evidence that such person is not a duly licensed operator.

4. The director of revenue shall issue a commercial or noncommercial driver’s license without a Social Security number to an applicant therefor, who is otherwise qualified to be licensed, upon presentation to the director of a certified statement that the applicant objects to the display of the Social Security number

on the license. The director shall assign an identification number, that is not based on a Social Security number, to the applicant which shall be displayed on the license in lieu of the Social Security number.

5. The director of revenue shall not issue a license without a facial photograph or digital image of the license applicant, except as provided pursuant to subsection 8 of this section. A photograph or digital image of the applicant's full facial features shall be taken in a manner prescribed by the director. No photograph or digital image will be taken wearing anything which cloaks the facial features of the individual.

6. The department of revenue may issue a temporary license or a full license without the photograph or with the last photograph or digital image in the department's records to members of the Armed Forces, except that where such temporary license is issued it shall be valid only until the applicant shall have had time to appear and have his or her picture taken and a license with his or her photograph issued.

7. The department of revenue shall issue upon request a nondriver's license card containing essentially the same information and photograph or digital image, except as provided pursuant to subsection 8 of this section, as the driver's license upon payment of six dollars. All nondriver's licenses shall expire on the applicant's birthday in the sixth year after issuance. A person who has passed his or her seventieth birthday shall upon application be issued a nonexpiring nondriver's license card. Notwithstanding any other provision of this chapter, a nondriver's license containing a concealed carry endorsement shall expire three years from the date the certificate of qualification was issued pursuant to section 571.101 **as section 571.101 existed prior to August 28, 2013**. The fee for nondriver's licenses issued for a period exceeding three years is six dollars or three dollars for nondriver's licenses issued for a period of three years or less. The nondriver's license card shall be used for identification purposes only and shall not be valid as a license.

8. If otherwise eligible, an applicant may receive a driver's license or nondriver's license without a photograph or digital image of the applicant's full facial features except that such applicant's photograph or digital image shall be taken and maintained by the director and not printed on such license.

In order to qualify for a license without a photograph or digital image pursuant to this section the applicant must:

(1) Present a form provided by the department of revenue requesting the applicant's photograph be omitted from the license or nondriver's license due to religious affiliations. The form shall be signed by the applicant and another member of the religious tenant verifying the photograph or digital image exemption on the license or nondriver's license is required as part of their religious affiliation. The required signatures on the prescribed form shall be properly notarized;

(2) Provide satisfactory proof to the director that the applicant has been a [U.S.] **United States** citizen for at least five years and a resident of this state for at least one year, except that an applicant moving to this state possessing a valid driver's license from another state without a photograph shall be exempt from the one-year state residency requirement. The director may establish rules necessary to determine satisfactory proof of citizenship and residency pursuant to this section;

(3) Applications for a driver's license or nondriver's license without a photograph or digital image must be made in person at a license office determined by the director. The director is authorized to limit the number of offices that may issue a driver's or nondriver's license without a photograph or digital image pursuant to this section.

9. The department of revenue shall make available, at one or more locations within the state, an opportunity for individuals to have their full facial photograph taken by an employee of the department of

revenue, or their designee, who is of the same sex as the individual being photographed, in a segregated location.

10. Beginning July 1, 2005, the director shall not issue a driver's license or a nondriver's license for a period that exceeds an applicant's lawful presence in the United States. The director may, by rule or regulation, establish procedures to verify the lawful presence of the applicant and establish the duration of any driver's license or nondriver's license issued under this section.

11. No rule or portion of a rule promulgated pursuant to the authority of this chapter shall become effective unless it is promulgated pursuant to the provisions of chapter 536.”; and

Further amend said bill, page 6, section 302.189, line 15 of said page, by inserting immediately after all of said line the following:

“571.030. 1. A person commits the crime of unlawful use of weapons if he or she knowingly:

(1) Carries concealed upon or about his or her person a knife, a firearm, a blackjack or any other weapon readily capable of lethal use; or

(2) Sets a spring gun; or

(3) Discharges or shoots a firearm into a dwelling house, a railroad train, boat, aircraft, or motor vehicle as defined in section 302.010, or any building or structure used for the assembling of people; or

(4) Exhibits, in the presence of one or more persons, any weapon readily capable of lethal use in an angry or threatening manner; or

(5) Has a firearm or projectile weapon readily capable of lethal use on his or her person, while he or she is intoxicated, and handles or otherwise uses such firearm or projectile weapon in either a negligent or unlawful manner or discharges such firearm or projectile weapon unless acting in self-defense; **or**

(6) Discharges a firearm within one hundred yards of any occupied schoolhouse, courthouse, or church building; or

(7) Discharges or shoots a firearm at a mark, at any object, or at random, on, along or across a public highway or discharges or shoots a firearm into any outbuilding; or

(8) Carries a firearm or any other weapon readily capable of lethal use into any church or place where people have assembled for worship, or into any election precinct on any election day, or into any building owned or occupied by any agency of the federal government, state government, or political subdivision thereof; or

(9) Discharges or shoots a firearm at or from a motor vehicle, as defined in section 301.010, discharges or shoots a firearm at any person, or at any other motor vehicle, or at any building or habitable structure, unless the person was lawfully acting in self-defense; or

(10) Carries a firearm, whether loaded or unloaded, or any other weapon readily capable of lethal use into any school, onto any school bus, or onto the premises of any function or activity sponsored or sanctioned by school officials or the district school board.

2. Subdivisions (1), (8), and (10) of subsection 1 of this section shall not apply to the persons described in this subsection, regardless of whether such uses are reasonably associated with or are necessary to the fulfillment of such person's official duties except as otherwise provided in this subsection. Subdivisions (3), (4), (6), (7), and (9) of subsection 1 of this section shall not apply to or affect any of the following persons,

when such uses are reasonably associated with or are necessary to the fulfillment of such person's official duties, except as otherwise provided in this subsection:

(1) All state, county and municipal peace officers who have completed the training required by the police officer standards and training commission pursuant to sections 590.030 to 590.050 and who possess the duty and power of arrest for violation of the general criminal laws of the state or for violation of ordinances of counties or municipalities of the state, whether such officers are on or off duty, and whether such officers are within or outside of the law enforcement agency's jurisdiction, or all qualified retired peace officers, as defined in subsection 11 of this section, and who carry the identification defined in subsection 12 of this section, or any person summoned by such officers to assist in making arrests or preserving the peace while actually engaged in assisting such officer;

(2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of crime;

(3) Members of the Armed Forces or National Guard while performing their official duty;

(4) Those persons vested by article V, section 1 of the Constitution of Missouri with the judicial power of the state and those persons vested by Article III of the Constitution of the United States with the judicial power of the United States, the members of the federal judiciary;

(5) Any person whose bona fide duty is to execute process, civil or criminal;

(6) Any federal probation officer or federal flight deck officer as defined under the federal flight deck officer program, 49 U.S.C. Section 44921 regardless of whether such officers are on duty, or within the law enforcement agency's jurisdiction;

(7) Any state probation or parole officer, including supervisors and members of the board of probation and parole;

(8) Any corporate security advisor meeting the definition and fulfilling the requirements of the regulations established by the board of police commissioners under section 84.340;

(9) Any coroner, deputy coroner, medical examiner, or assistant medical examiner;

(10) Any prosecuting attorney or assistant prosecuting attorney or any circuit attorney or assistant circuit attorney who has completed the firearms safety training course required under subsection 2 of section 571.111; and

(11) Any member of a fire department or fire protection district who is employed on a full-time basis as a fire investigator and who has a valid concealed carry endorsement **issued prior to August 28, 2013, or a valid concealed carry permit** under section 571.111 when such uses are reasonably associated with or are necessary to the fulfillment of such person's official duties.

3. Subdivisions (1), (5), (8), and (10) of subsection 1 of this section do not apply when the actor is transporting such weapons in a nonfunctioning state or in an unloaded state when ammunition is not readily accessible or when such weapons are not readily accessible. Subdivision (1) of subsection 1 of this section does not apply to any person twenty-one years of age or older or eighteen years of age or older and a member of the United States Armed Forces, or honorably discharged from the United States Armed Forces, transporting a concealable firearm in the passenger compartment of a motor vehicle, so long as such concealable firearm is otherwise lawfully possessed, nor when the actor is also in possession of an exposed firearm or projectile weapon for the lawful pursuit of game, or is in his or her dwelling unit or upon

premises over which the actor has possession, authority or control, or is traveling in a continuous journey peaceably through this state. Subdivision (10) of subsection 1 of this section does not apply if the firearm is otherwise lawfully possessed by a person while traversing school premises for the purposes of transporting a student to or from school, or possessed by an adult for the purposes of facilitation of a school-sanctioned firearm-related event or club event.

4. Subdivisions (1), (8), and (10) of subsection 1 of this section shall not apply to any person who has a valid concealed carry [endorsement] **permit** issued pursuant to sections 571.101 to 571.121, **a valid concealed carry endorsement issued before August 28, 2013**, or a valid permit or endorsement to carry concealed firearms issued by another state or political subdivision of another state.

5. Subdivisions (3), (4), (5), (6), (7), (8), (9), and (10) of subsection 1 of this section shall not apply to persons who are engaged in a lawful act of defense pursuant to section 563.031.

6. Nothing in this section shall make it unlawful for a student to actually participate in school-sanctioned gun safety courses, student military or ROTC courses, or other school-sponsored or club-sponsored firearm-related events, provided the student does not carry a firearm or other weapon readily capable of lethal use into any school, onto any school bus, or onto the premises of any other function or activity sponsored or sanctioned by school officials or the district school board.

7. Unlawful use of weapons is a class D felony unless committed pursuant to subdivision (6), (7), or (8) of subsection 1 of this section, in which cases it is a class B misdemeanor, or subdivision (5) or (10) of subsection 1 of this section, in which case it is a class A misdemeanor if the firearm is unloaded and a class D felony if the firearm is loaded, or subdivision (9) of subsection 1 of this section, in which case it is a class B felony, except that if the violation of subdivision (9) of subsection 1 of this section results in injury or death to another person, it is a class A felony.

8. Violations of subdivision (9) of subsection 1 of this section shall be punished as follows:

(1) For the first violation a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony;

(2) For any violation by a prior offender as defined in section 558.016, a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony without the possibility of parole, probation or conditional release for a term of ten years;

(3) For any violation by a persistent offender as defined in section 558.016, a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony without the possibility of parole, probation, or conditional release;

(4) For any violation which results in injury or death to another person, a person shall be sentenced to an authorized disposition for a class A felony.

9. Any person knowingly aiding or abetting any other person in the violation of subdivision (9) of subsection 1 of this section shall be subject to the same penalty as that prescribed by this section for violations by other persons.

10. Notwithstanding any other provision of law, no person who pleads guilty to or is found guilty of a felony violation of subsection 1 of this section shall receive a suspended imposition of sentence if such person has previously received a suspended imposition of sentence for any other firearms- or weapons-related felony offense.

11. As used in this section “qualified retired peace officer” means an individual who:

- (1) Retired in good standing from service with a public agency as a peace officer, other than for reasons of mental instability;
- (2) Before such retirement, was authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and had statutory powers of arrest;
- (3) Before such retirement, was regularly employed as a peace officer for an aggregate of fifteen years or more, or retired from service with such agency, after completing any applicable probationary period of such service, due to a service-connected disability, as determined by such agency;
- (4) Has a nonforfeitable right to benefits under the retirement plan of the agency if such a plan is available;
- (5) During the most recent twelve-month period, has met, at the expense of the individual, the standards for training and qualification for active peace officers to carry firearms;
- (6) Is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance; and
- (7) Is not prohibited by federal law from receiving a firearm.

12. The identification required by subdivision (1) of subsection 2 of this section is:

- (1) A photographic identification issued by the agency from which the individual retired from service as a peace officer that indicates that the individual has, not less recently than one year before the date the individual is carrying the concealed firearm, been tested or otherwise found by the agency to meet the standards established by the agency for training and qualification for active peace officers to carry a firearm of the same type as the concealed firearm; or
- (2) A photographic identification issued by the agency from which the individual retired from service as a peace officer; and
- (3) A certification issued by the state in which the individual resides that indicates that the individual has, not less recently than one year before the date the individual is carrying the concealed firearm, been tested or otherwise found by the state to meet the standards established by the state for training and qualification for active peace officers to carry a firearm of the same type as the concealed firearm.

571.037. Any person who has a valid concealed carry endorsement **issued prior to August 28, 2013, or a valid concealed carry permit**, and who is lawfully carrying a firearm in a concealed manner, may briefly and openly display the firearm to the ordinary sight of another person, unless the firearm is intentionally displayed in an angry or threatening manner, not in necessary self defense.

571.101. 1. All applicants for concealed carry [endorsements] **permits** issued pursuant to subsection 7 of this section must satisfy the requirements of sections 571.101 to 571.121. If the said applicant can show qualification as provided by sections 571.101 to 571.121, the county or city sheriff shall issue a [certificate of qualification for a concealed carry endorsement. Upon receipt of such certificate, the certificate holder shall apply for a driver’s license or nondriver’s license with the director of revenue in order to obtain a concealed carry endorsement. Any person who has been issued a concealed carry endorsement on a driver’s license or nondriver’s license and such endorsement or license has not been suspended, revoked, cancelled, or denied may carry concealed firearms on or about his or her person or within a vehicle] **concealed carry permit authorizing the carrying of a concealed firearm on or about the applicant’s person or within**

a vehicle. A concealed carry [endorsement] **permit** shall be valid for a period of three years from the date of issuance or renewal. The concealed carry [endorsement] **permit** is valid throughout this state. **A concealed carry endorsement issued prior to August 28, 2013 shall continue for a period of three years from the date of issuance or renewal to authorize the carrying of a concealed firearm on or about the applicant's person or within a vehicle in the same manner as a concealed carry permit issued under subsection 7 of this section on or after August 28, 2013.**

2. A **concealed carry permit** [of qualification for a concealed carry endorsement certificate] issued pursuant to subsection 7 of this section shall be issued by the sheriff or his or her designee of the county or city in which the applicant resides, if the applicant:

(1) Is at least twenty-one years of age, is a citizen of the United States and either:

(a) Has assumed residency in this state; or

(b) Is a member of the Armed Forces stationed in Missouri, or the spouse of such member of the military;

(2) Is at least twenty-one years of age, or is at least eighteen years of age and a member of the United States Armed Forces or honorably discharged from the United States Armed Forces, and is a citizen of the United States and either:

(a) Has assumed residency in this state;

(b) Is a member of the Armed Forces stationed in Missouri; or

(c) The spouse of such member of the military stationed in Missouri and twenty-one years of age;

(3) Has not pled guilty to or entered a plea of nolo contendere or been convicted of a crime punishable by imprisonment for a term exceeding one year under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of one year or less that does not involve an explosive weapon, firearm, firearm silencer or gas gun;

(4) Has not been convicted of, pled guilty to or entered a plea of nolo contendere to one or more misdemeanor offenses involving crimes of violence within a five-year period immediately preceding application for a [certificate of qualification for a concealed carry endorsement] **concealed carry permit** or if the applicant has not been convicted of two or more misdemeanor offenses involving driving while under the influence of intoxicating liquor or drugs or the possession or abuse of a controlled substance within a five-year period immediately preceding application for a [certificate of qualification for a concealed carry endorsement] **concealed carry permit**;

(5) Is not a fugitive from justice or currently charged in an information or indictment with the commission of a crime punishable by imprisonment for a term exceeding one year under the laws of any state of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of two years or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun;

(6) Has not been discharged under dishonorable conditions from the United States Armed Forces;

(7) Has not engaged in a pattern of behavior, documented in public records, that causes the sheriff to have a reasonable belief that the applicant presents a danger to himself or others;

(8) Is not adjudged mentally incompetent at the time of application or for five years prior to application,

or has not been committed to a mental health facility, as defined in section 632.005, or a similar institution located in another state following a hearing at which the defendant was represented by counsel or a representative;

(9) Submits a completed application for a [certificate of qualification] **permit** as described in subsection 3 of this section;

(10) Submits an affidavit attesting that the applicant complies with the concealed carry safety training requirement pursuant to subsections 1 and 2 of section 571.111;

(11) Is not the respondent of a valid full order of protection which is still in effect.

3. The application for a [certificate of qualification for a concealed carry endorsement] **concealed carry permit** issued by the sheriff of the county of the applicant's residence shall contain only the following information:

(1) The applicant's name, address, telephone number, gender, and date and place of birth;

(2) An affirmation that the applicant has assumed residency in Missouri or is a member of the Armed Forces stationed in Missouri or the spouse of such a member of the Armed Forces and is a citizen of the United States;

(3) An affirmation that the applicant is at least twenty-one years of age or is eighteen years of age or older and a member of the United States Armed Forces or honorably discharged from the United States Armed Forces;

(4) An affirmation that the applicant has not pled guilty to or been convicted of a crime punishable by imprisonment for a term exceeding one year under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of one year or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun;

(5) An affirmation that the applicant has not been convicted of, pled guilty to, or entered a plea of nolo contendere to one or more misdemeanor offenses involving crimes of violence within a five-year period immediately preceding application for a [certificate of qualification to obtain a concealed carry endorsement] **permit** or if the applicant has not been convicted of two or more misdemeanor offenses involving driving while under the influence of intoxicating liquor or drugs or the possession or abuse of a controlled substance within a five-year period immediately preceding application for a [certificate of qualification to obtain a concealed carry endorsement] **permit**;

(6) An affirmation that the applicant is not a fugitive from justice or currently charged in an information or indictment with the commission of a crime punishable by imprisonment for a term exceeding one year under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of two years or less that does not involve an explosive weapon, firearm, firearm silencer or gas gun;

(7) An affirmation that the applicant has not been discharged under dishonorable conditions from the United States Armed Forces;

(8) An affirmation that the applicant is not adjudged mentally incompetent at the time of application or for five years prior to application, or has not been committed to a mental health facility, as defined in section 632.005, or a similar institution located in another state, except that a person whose release or discharge from a facility in this state pursuant to chapter 632, or a similar discharge from a facility in another state,

occurred more than five years ago without subsequent recommitment may apply;

(9) An affirmation that the applicant has received firearms safety training that meets the standards of applicant firearms safety training defined in subsection 1 or 2 of section 571.111;

(10) An affirmation that the applicant, to the applicant's best knowledge and belief, is not the respondent of a valid full order of protection which is still in effect; and

(11) A conspicuous warning that false statements made by the applicant will result in prosecution for perjury pursuant to the laws of the state of Missouri.

4. An application for a [certificate of qualification for a concealed carry endorsement] **concealed carry permit** shall be made to the sheriff of the county or any city not within a county in which the applicant resides. An application shall be filed in writing, signed under oath and under the penalties of perjury, and shall state whether the applicant complies with each of the requirements specified in subsection 2 of this section. In addition to the completed application, the applicant for a [certificate of qualification for a concealed carry endorsement] **concealed carry permit** must also submit the following:

(1) A photocopy of a firearms safety training certificate of completion or other evidence of completion of a firearms safety training course that meets the standards established in subsection 1 or 2 of section 571.111; and

(2) A nonrefundable [certificate of qualification] **permit** fee as provided by subsection [10] **11** or [11] **12** of this section.

5. Before an application for a [certificate of qualification for a concealed carry endorsement] **concealed carry permit** is approved, the sheriff shall make only such inquiries as he or she deems necessary into the accuracy of the statements made in the application. The sheriff may require that the applicant display a Missouri driver's license or nondriver's license or military identification and orders showing the person being stationed in Missouri. In order to determine the applicant's suitability for a [certificate of qualification for a concealed carry endorsement] **concealed carry permit**, the applicant shall be fingerprinted. The sheriff shall request a criminal background check through the appropriate law enforcement agency within three working days after submission of the properly completed application for a [certificate of qualification for a concealed carry endorsement] **concealed carry permit**. If no disqualifying record is identified by the fingerprint check at the state level, the fingerprints shall be forwarded to the Federal Bureau of Investigation for a national criminal history record check. Upon receipt of the completed background check, the sheriff shall issue a [certificate of qualification for a concealed carry endorsement] **concealed carry permit** within three working days. The sheriff shall issue the [certificate] **permit** within forty-five calendar days if the criminal background check has not been received, provided that the sheriff shall revoke any such [certificate and endorsement] **permit** within twenty-four hours of receipt of any background check that results in a disqualifying record[, and shall notify the department of revenue].

6. The sheriff may refuse to approve an application for a [certificate of qualification for a concealed carry endorsement] **concealed carry permit** if he or she determines that any of the requirements specified in subsection 2 of this section have not been met, or if he or she has a substantial and demonstrable reason to believe that the applicant has rendered a false statement regarding any of the provisions of sections 571.101 to 571.121. If the applicant is found to be ineligible, the sheriff is required to deny the application, and notify the applicant in writing, stating the grounds for denial and informing the applicant of the right to submit, within thirty days, any additional documentation relating to the grounds of the denial. Upon receiving any additional documentation, the sheriff shall reconsider his or her decision and inform the

applicant within thirty days of the result of the reconsideration. The applicant shall further be informed in writing of the right to appeal the denial pursuant to subsections 2, 3, 4, and 5 of section 571.114. After two additional reviews and denials by the sheriff, the person submitting the application shall appeal the denial pursuant to subsections 2, 3, 4, and 5 of section 571.114.

7. If the application is approved, the sheriff shall issue a [certificate of qualification for a concealed carry endorsement] **concealed carry permit** to the applicant within a period not to exceed three working days after his or her approval of the application. The applicant shall sign the [certificate of qualification] **concealed carry permit** in the presence of the sheriff or his or her designee [and shall within seven days of receipt of the certificate of qualification take the certificate of qualification to the department of revenue. Upon verification of the certificate of qualification and completion of a driver's license or nondriver's license application pursuant to chapter 302, the director of revenue shall issue a new driver's license or nondriver's license with an endorsement which identifies that the applicant has received a certificate of qualification to carry concealed weapons issued pursuant to sections 571.101 to 571.121 if the applicant is otherwise qualified to receive such driver's license or nondriver's license. Notwithstanding any other provision of chapter 302, a nondriver's license with a concealed carry endorsement shall expire three years from the date the certificate of qualification was issued pursuant to this section. The requirements for the director of revenue to issue a concealed carry endorsement pursuant to this subsection shall not be effective until July 1, 2004, and]. The [certificate of qualification] **permit** issued by a county sheriff pursuant to subsection 1 of this section shall allow the person issued such [certificate] **concealed carry permit** to carry a concealed weapon pursuant to the requirements of subsection 1 of section 571.107 [in lieu of the concealed carry endorsement issued by the director of revenue from October 11, 2003, until the concealed carry endorsement is issued by the director of revenue on or after July 1, 2004,] unless such [certificate of qualification] **permit** has been suspended or revoked for cause.

8. **The concealed carry permit shall specify only the following information: name, address, date of birth, gender, height, weight, color of hair, color of eyes, and signature of the permit holder; the signature of the sheriff issuing the permit; the date of issuance; and the expiration date. The permit shall be no larger than two inches wide by three and one-fourth inches long and shall be of a uniform style prescribed by the department of public safety.**

9. The sheriff shall keep a record of all applications for a [certificate of qualification for a concealed carry endorsement] **concealed carry permit** and his or her action thereon. The sheriff shall report the issuance of a [certificate of qualification] **concealed carry permit** to the Missouri uniform law enforcement system. All information on any such [certificate] **permit** that is protected information on any driver's or nondriver's license shall have the same personal protection for purposes of sections 571.101 to 571.121. An applicant's status as a holder of a [certificate of qualification] **concealed carry permit**, or a concealed carry endorsement **issued prior to August 28, 2013**, shall not be public information and shall be considered personal protected information. Any person who violates the provisions of this subsection by disclosing protected information shall be guilty of a class A misdemeanor.

[9.] **10. Information regarding any holder of a [certificate of qualification] concealed carry permit, or a concealed carry endorsement issued prior to August 28, 2013, is a closed record. Any state agency that has retained any documents or records, including fingerprint records provided by an applicant for a concealed carry endorsement prior to August 28, 2013, shall destroy such documents or records.**

[10.] **11. For processing an application for a [certificate of qualification for a concealed carry endorsement] concealed carry permit pursuant to sections 571.101 to 571.121, the sheriff in each county**

shall charge a nonrefundable fee not to exceed one hundred dollars which shall be paid to the treasury of the county to the credit of the sheriff's revolving fund.

[11.] **12.** For processing a renewal for a [certificate of qualification for a concealed carry endorsement] **concealed carry permit** pursuant to sections 571.101 to 571.121, the sheriff in each county shall charge a nonrefundable fee not to exceed fifty dollars which shall be paid to the treasury of the county to the credit of the sheriff's revolving fund.

[12.] **13.** For the purposes of sections 571.101 to 571.121, the term "sheriff" shall include the sheriff of any county or city not within a county or his or her designee and in counties of the first classification the sheriff may designate the chief of police of any city, town, or municipality within such county.

571.104. 1. (1) A concealed carry [endorsement] **permit** issued pursuant to sections 571.101 to 571.121, **and, if applicable, a concealed carry endorsement issued prior to August 28, 2013**, shall be suspended or revoked if the concealed carry **permit or** endorsement holder becomes ineligible for such [concealed carry] **permit or** endorsement under the criteria established in subdivisions (2), (3), (4), (5), and (7) of subsection 2 of section 571.101 or upon the issuance of a valid full order of protection.

(2) When a valid full order of protection, or any arrest warrant, discharge, or commitment for the reasons listed in subdivision (2), (3), (4), (5), or (7) of subsection 2 of section 571.101, is issued against a person holding a concealed carry [endorsement] **permit** issued pursuant to sections 571.101 to 571.121, **or a concealed carry endorsement issued prior to August 28, 2013**, upon notification of said order, warrant, discharge or commitment or upon an order of a court of competent jurisdiction in a criminal proceeding, a commitment proceeding or a full order of protection proceeding ruling that a person holding a concealed carry **permit or** endorsement presents a risk of harm to themselves or others, then upon notification of such order, the holder of the concealed carry **permit or** endorsement shall surrender the **permit, and, if applicable, the driver's license or nondriver's license** containing the concealed carry endorsement to the court, to the officer, or other official serving the order, warrant, discharge, or commitment.

(3) **In cases involving a concealed carry endorsement issued prior to August 28, 2013**, the official to whom the driver's license or nondriver's license containing the concealed carry endorsement is surrendered shall issue a receipt to the licensee for the license upon a form, approved by the director of revenue, that serves as a driver's license or a nondriver's license and clearly states the concealed carry endorsement has been suspended. The official shall then transmit the driver's license or a nondriver's license containing the concealed carry endorsement to the circuit court of the county issuing the order, warrant, discharge, or commitment. The concealed carry [endorsement] **permit** issued pursuant to sections 571.101 to 571.121, **and, if applicable, the concealed carry endorsement issued prior to August 28, 2013**, shall be suspended until the order is terminated or until the arrest results in a dismissal of all charges. Upon dismissal, the court holding the **permit, and, if applicable, the driver's license or nondriver's license** containing the concealed carry endorsement shall return [it] **such permit or license** to the individual.

(4) Any conviction, discharge, or commitment specified in sections 571.101 to 571.121 shall result in a revocation. Upon conviction, the court shall forward a notice of conviction or action and the **permit to the issuing county sheriff. If a concealed carry endorsement issued prior to August 28, 2013, is revoked, the court shall forward the notice and the driver's license or nondriver's license** with the concealed carry endorsement to the department of revenue. The department of revenue shall notify the sheriff of the county which issued the certificate of qualification for a concealed carry endorsement [and]. **The sheriff that issued the concealed carry permit, or the certificate of qualification prior to August**

28, 2013, shall report the change in status of the concealed carry **permit or** endorsement to the Missouri uniform law enforcement system. The director of revenue shall immediately remove the endorsement issued [pursuant to sections 571.101 to 571.121] **prior to August 28, 2013**, from the individual's driving record within three days of the receipt of the notice from the court. The director of revenue shall notify the licensee that he or she must apply for a new license pursuant to chapter 302 which does not contain such endorsement. This requirement does not affect the driving privileges of the licensee. The notice issued by the department of revenue shall be mailed to the last known address shown on the individual's driving record. The notice is deemed received three days after mailing.

2. A concealed carry [endorsement] **permit** shall be renewed for a qualified applicant upon receipt of the properly completed renewal application and the required renewal fee by the sheriff of the county of the applicant's residence. The renewal application shall contain the same required information as set forth in subsection 3 of section 571.101, except that in lieu of the fingerprint requirement of subsection 5 of section 571.101 and the firearms safety training, the applicant need only display his or her current [driver's license or nondriver's license containing a] concealed carry [endorsement] **permit**. Upon successful completion of all renewal requirements, the sheriff shall issue a [certificate of qualification] **new concealed carry permit** which contains the date such [certificate] **permit** was renewed. **The process for renewing a concealed carry endorsement issued prior to August 28, 2013, shall be the same as the process for renewing a permit, except that in lieu of the fingerprint requirement of subsection 5 of section 571.101 and the firearms safety training, the applicant need only display his or her current driver's license or nondriver's license containing an endorsement. Upon successful completion of all renewal requirements, the sheriff shall issue a new concealed carry permit as provided under this subsection.**

3. A person who has been issued a [certificate] **concealed carry permit, or a certificate** of qualification for a concealed carry endorsement **prior to August 28, 2013**, who fails to file a renewal application **for a concealed carry permit** on or before its expiration date must pay an additional late fee of ten dollars per month for each month it is expired for up to six months. After six months, the sheriff who issued the expired **concealed carry permit or certificate of qualification** shall notify the **Missouri uniform law enforcement system and the individual that such permit is expired and cancelled. If the person has a concealed carry endorsement issued prior to August 28, 2013, the sheriff that issued the certificate of qualification for the endorsement shall notify the** director of revenue that such certificate is expired **regardless of whether the endorsement holder has applied for a concealed carry permit under subsection 2 of this section.** The director of revenue shall immediately [cancel the concealed carry endorsement and] remove such endorsement from the individual's driving record and notify the individual [of such cancellation] **that his or her driver's license or nondriver's license has expired.** The notice [of cancellation of the endorsement] shall be conducted in the same manner as described in subsection 1 of this section. Any person who has been issued a [certificate of qualification for a concealed carry endorsement] **concealed carry permit** pursuant to sections 571.101 to 571.121, **or a concealed carry endorsement issued prior to August 28, 2013**, who fails to renew his or her application within the six-month period must reapply for a new [certificate of qualification for a concealed carry endorsement] **concealed carry permit** and pay the fee for a new application. [The director of revenue shall not issue an endorsement on a renewed driver's license or renewed nondriver's license unless the applicant for such license provides evidence that he or she has renewed the certification of qualification for a concealed carry endorsement in the manner provided for such renewal pursuant to sections 571.101 to 571.121. If an applicant for renewal of a driver's license or nondriver's license containing a concealed carry endorsement does not want to maintain the concealed carry endorsement, the applicant shall inform the director at the time of license renewal of his

or her desire to remove the endorsement. When a driver's or nondriver's license applicant informs the director of his or her desire to remove the concealed carry endorsement, the director shall renew the driver's license or nondriver's license without the endorsement appearing on the license if the applicant is otherwise qualified for such renewal.]

4. Any person issued a concealed carry [endorsement] **permit** pursuant to sections 571.101 to 571.121 **or a concealed carry endorsement issued prior to August 28, 2013**, shall notify [the department of revenue and] the sheriffs of both the old and new jurisdictions of the **permit or** endorsement holder's change of residence within thirty days after the changing of a permanent residence. The **permit or** endorsement holder shall furnish proof to [the department of revenue and] the sheriff in the new jurisdiction that the **permit or** endorsement holder has changed his or her residence. The sheriff of the new jurisdiction may charge a processing fee of not more than ten dollars for any costs associated with notification of a change in residence. **If the person has a concealed carry endorsement issued prior to August 28, 2013, the endorsement holder shall also furnish proof to the department of revenue of his or her residence change. In such cases**, the change of residence shall be made by the department of revenue onto the individual's driving record [and]. **The sheriff shall report the residence change to the Missouri uniform law enforcement system and** the new address shall be accessible by the Missouri uniform law enforcement system within three days of receipt of the information.

5. Any person issued a [driver's license or nondriver's license containing a] concealed carry [endorsement] **permit** pursuant to sections 571.101 to 571.121 **or a concealed carry endorsement issued prior to August 28, 2013**, shall notify the sheriff or his or her designee of the **permit or** endorsement holder's county or city of residence within seven days after actual knowledge of the loss or destruction of his or her **permit or** driver's license or nondriver's license containing a concealed carry endorsement. The **permit or** endorsement holder shall furnish a statement to the sheriff that the **permit or** driver's license or nondriver's license containing the concealed carry endorsement has been lost or destroyed. After notification of the loss or destruction of a **permit or** driver's license or nondriver's license containing a concealed carry endorsement, the sheriff shall reissue a new [certificate of qualification] **concealed carry permit** within three working days of being notified by the concealed carry **permit or** endorsement holder of its loss or destruction. The [reissued certificate of qualification] **new concealed carry permit** shall contain the same personal information, including expiration date, as the original [certificate of qualification]. The applicant shall then take the certificate to the department of revenue, and the department of revenue shall proceed on the certificate in the same manner as provided in subsection 7 section 571.101. Upon application for a license pursuant to chapter 302, the director of revenue shall issue a driver's license or nondriver's license containing a concealed carry endorsement if the applicant is otherwise eligible to receive such license] **concealed carry permit**.

6. If a person issued a concealed carry **permit, or** endorsement **issued prior to August 28, 2013**, changes his or her name, the person to whom the **permit or** endorsement was issued shall obtain a corrected [certificate of qualification for a concealed carry endorsement] **or new concealed carry permit** with a change of name from the sheriff who issued [such certificate] **the original concealed carry permit or the original certificate of qualification for an endorsement** upon the sheriff's verification of the name change. The sheriff may charge a processing fee of not more than ten dollars for any costs associated with obtaining a corrected [certificate of qualification] **or new concealed carry permit**. The **permit or** endorsement holder shall furnish proof of the name change to the [department of revenue and the] sheriff within thirty days of changing his or her name and display his or her **concealed carry permit or** current

driver's license or nondriver's license containing a concealed carry endorsement. [The endorsement holder shall apply for a new driver's license or nondriver's license containing his or her new name. Such application for a driver's license or nondriver's license shall be made pursuant to chapter 302. The director of revenue shall issue a driver's license or nondriver's license with concealed carry endorsement with the endorsement holder's new name if the applicant is otherwise eligible for such license. The director of revenue shall take custody of the old driver's license or nondriver's license. The name change shall be made by the department of revenue onto the individual's driving record] **The sheriff shall report the name change to the Missouri uniform law enforcement system** and the new name shall be accessible by the Missouri uniform law enforcement system within three days of receipt of the information.

7. A concealed carry **permit, and, if applicable,** endorsement shall be automatically invalid after thirty days if the **permit or** endorsement holder has changed his or her name or changed his or her residence and not notified the department of revenue and sheriff [of a change of name or residence] as required in subsections 4 and 6 of this section.

571.107. 1. A concealed carry [endorsement] **permit** issued pursuant to sections 571.101 to 571.121, **a valid concealed carry endorsement issued prior to August 28, 2013,** or a concealed carry endorsement or permit issued by another state or political subdivision of another state shall authorize the person in whose name the permit or endorsement is issued to carry concealed firearms on or about his or her person or vehicle throughout the state. No [driver's license or nondriver's license containing a] concealed carry [endorsement] **permit** issued pursuant to sections 571.101 to 571.121, **valid concealed carry endorsement issued prior to August 28, 2013,** or a concealed carry endorsement or permit issued by another state or political subdivision of another state shall authorize any person to carry concealed firearms into:

(1) Any police, sheriff, or highway patrol office or station without the consent of the chief law enforcement officer in charge of that office or station. Possession of a firearm in a vehicle on the premises of the office or station shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(2) Within twenty-five feet of any polling place on any election day. Possession of a firearm in a vehicle on the premises of the polling place shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(3) The facility of any adult or juvenile detention or correctional institution, prison or jail. Possession of a firearm in a vehicle on the premises of any adult, juvenile detention, or correctional institution, prison or jail shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(4) Any courthouse solely occupied by the circuit, appellate or supreme court, or any courtrooms, administrative offices, libraries or other rooms of any such court whether or not such court solely occupies the building in question. This subdivision shall also include, but not be limited to, any juvenile, family, drug, or other court offices, any room or office wherein any of the courts or offices listed in this subdivision are temporarily conducting any business within the jurisdiction of such courts or offices, and such other locations in such manner as may be specified by supreme court rule pursuant to subdivision (6) of this subsection. Nothing in this subdivision shall preclude those persons listed in subdivision (1) of subsection 2 of section 571.030 while within their jurisdiction and on duty, those persons listed in subdivisions (2), (4), and (10) of subsection 2 of section 571.030, or such other persons who serve in a law enforcement capacity for a court as may be specified by supreme court rule pursuant to subdivision (6) of this subsection from

carrying a concealed firearm within any of the areas described in this subdivision. Possession of a firearm in a vehicle on the premises of any of the areas listed in this subdivision shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(5) Any meeting of the governing body of a unit of local government; or any meeting of the general assembly or a committee of the general assembly, except that nothing in this subdivision shall preclude a member of the body holding a valid concealed carry **permit or** endorsement from carrying a concealed firearm at a meeting of the body which he or she is a member. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises. Nothing in this subdivision shall preclude a member of the general assembly, a full-time employee of the general assembly employed under section 17, article III, Constitution of Missouri, legislative employees of the general assembly as determined under section 21.155, or statewide elected officials and their employees, holding a valid concealed carry **permit or** endorsement, from carrying a concealed firearm in the state capitol building or at a meeting whether of the full body of a house of the general assembly or a committee thereof, that is held in the state capitol building;

(6) The general assembly, supreme court, county or municipality may by rule, administrative regulation, or ordinance prohibit or limit the carrying of concealed firearms by **permit or** endorsement holders in that portion of a building owned, leased or controlled by that unit of government. Any portion of a building in which the carrying of concealed firearms is prohibited or limited shall be clearly identified by signs posted at the entrance to the restricted area. The statute, rule or ordinance shall exempt any building used for public housing by private persons, highways or rest areas, firing ranges, and private dwellings owned, leased, or controlled by that unit of government from any restriction on the carrying or possession of a firearm. The statute, rule or ordinance shall not specify any criminal penalty for its violation but may specify that persons violating the statute, rule or ordinance may be denied entrance to the building, ordered to leave the building and if employees of the unit of government, be subjected to disciplinary measures for violation of the provisions of the statute, rule or ordinance. The provisions of this subdivision shall not apply to any other unit of government;

(7) Any establishment licensed to dispense intoxicating liquor for consumption on the premises, which portion is primarily devoted to that purpose, without the consent of the owner or manager. The provisions of this subdivision shall not apply to the licensee of said establishment. The provisions of this subdivision shall not apply to any bona fide restaurant open to the general public having dining facilities for not less than fifty persons and that receives at least fifty-one percent of its gross annual income from the dining facilities by the sale of food. This subdivision does not prohibit the possession of a firearm in a vehicle on the premises of the establishment and shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises. Nothing in this subdivision authorizes any individual who has been issued a concealed carry **permit or** endorsement to possess any firearm while intoxicated;

(8) Any area of an airport to which access is controlled by the inspection of persons and property. Possession of a firearm in a vehicle on the premises of the airport shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(9) Any place where the carrying of a firearm is prohibited by federal law;

(10) Any higher education institution or elementary or secondary school facility without the consent of the governing body of the higher education institution or a school official or the district school board.

Possession of a firearm in a vehicle on the premises of any higher education institution or elementary or secondary school facility shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(11) Any portion of a building used as a child care facility without the consent of the manager. Nothing in this subdivision shall prevent the operator of a child care facility in a family home from owning or possessing a firearm or a [driver's license or nondriver's license containing a] concealed carry **permit or endorsement**;

(12) Any riverboat gambling operation accessible by the public without the consent of the owner or manager pursuant to rules promulgated by the gaming commission. Possession of a firearm in a vehicle on the premises of a riverboat gambling operation shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(13) Any gated area of an amusement park. Possession of a firearm in a vehicle on the premises of the amusement park shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(14) Any church or other place of religious worship without the consent of the minister or person or persons representing the religious organization that exercises control over the place of religious worship. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(15) Any private property whose owner has posted the premises as being off-limits to concealed firearms by means of one or more signs displayed in a conspicuous place of a minimum size of eleven inches by fourteen inches with the writing thereon in letters of not less than one inch. The owner, business or commercial lessee, manager of a private business enterprise, or any other organization, entity, or person may prohibit persons holding a concealed carry **permit or endorsement** from carrying concealed firearms on the premises and may prohibit employees, not authorized by the employer, holding a concealed carry **permit or endorsement** from carrying concealed firearms on the property of the employer. If the building or the premises are open to the public, the employer of the business enterprise shall post signs on or about the premises if carrying a concealed firearm is prohibited. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises. An employer may prohibit employees or other persons holding a concealed carry **permit or endorsement** from carrying a concealed firearm in vehicles owned by the employer;

(16) Any sports arena or stadium with a seating capacity of five thousand or more. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(17) Any hospital accessible by the public. Possession of a firearm in a vehicle on the premises of a hospital shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises.

2. Carrying of a concealed firearm in a location specified in subdivisions (1) to (17) of subsection 1 of this section by any individual who holds a concealed carry [endorsement] **permit** issued pursuant to sections 571.101 to 571.121 **or a concealed carry endorsement issued prior to August 28, 2013**, shall not be a criminal act but may subject the person to denial to the premises or removal from the premises. If such

person refuses to leave the premises and a peace officer is summoned, such person may be issued a citation for an amount not to exceed one hundred dollars for the first offense. If a second citation for a similar violation occurs within a six-month period, such person shall be fined an amount not to exceed two hundred dollars and his or her **permit, and, if applicable**, endorsement to carry concealed firearms shall be suspended for a period of one year. If a third citation for a similar violation is issued within one year of the first citation, such person shall be fined an amount not to exceed five hundred dollars and shall have his or her concealed carry **permit, and, if applicable**, endorsement revoked and such person shall not be eligible for a concealed carry [endorsement] **permit** for a period of three years. Upon conviction of charges arising from a citation issued pursuant to this subsection, the court shall notify the sheriff of the county which issued the **concealed carry permit or, if the person is a holder of a concealed carry endorsement issued prior to August 28, 2013, the court shall notify the sheriff of the county which issued the** certificate of qualification for a concealed carry endorsement and the department of revenue. The sheriff shall suspend or revoke the **concealed carry permit or, if applicable, the** certificate of qualification for a concealed carry endorsement [and]. **If the person holds an endorsement**, the department of revenue shall issue a notice of such suspension or revocation of the concealed carry endorsement and take action to remove the concealed carry endorsement from the individual's driving record. The director of revenue shall notify the licensee that he or she must apply for a new license pursuant to chapter 302 which does not contain such endorsement. [A concealed carry endorsement suspension pursuant to sections 571.101 to 571.121 shall be reinstated at the time of the renewal of his or her driver's license.] The notice issued by the department of revenue shall be mailed to the last known address shown on the individual's driving record. The notice is deemed received three days after mailing.

571.111. 1. An applicant for a concealed carry [endorsement] **permit** shall demonstrate knowledge of firearms safety training. This requirement shall be fully satisfied if the applicant for a concealed carry [endorsement] **permit**:

(1) Submits a photocopy of a certificate of firearms safety training course completion, as defined in subsection 2 of this section, signed by a qualified firearms safety instructor as defined in subsection 5 of this section; or

(2) Submits a photocopy of a certificate that shows the applicant completed a firearms safety course given by or under the supervision of any state, county, municipal, or federal law enforcement agency; or

(3) Is a qualified firearms safety instructor as defined in subsection 5 of this section; or

(4) Submits proof that the applicant currently holds any type of valid peace officer license issued under the requirements of chapter 590; or

(5) Submits proof that the applicant is currently allowed to carry firearms in accordance with the certification requirements of section 217.710; or

(6) Submits proof that the applicant is currently certified as any class of corrections officer by the Missouri department of corrections and has passed at least one eight-hour firearms training course, approved by the director of the Missouri department of corrections under the authority granted to him or her by section 217.105, that includes instruction on the justifiable use of force as prescribed in chapter 563; or

(7) Submits a photocopy of a certificate of firearms safety training course completion that was issued on August 27, 2011, or earlier so long as the certificate met the requirements of subsection 2 of this section that were in effect on the date it was issued.

2. A certificate of firearms safety training course completion may be issued to any applicant by any qualified firearms safety instructor. On the certificate of course completion the qualified firearms safety instructor shall affirm that the individual receiving instruction has taken and passed a firearms safety course of at least eight hours in length taught by the instructor that included:

- (1) Handgun safety in the classroom, at home, on the firing range and while carrying the firearm;
- (2) A physical demonstration performed by the applicant that demonstrated his or her ability to safely load and unload a revolver and a semiautomatic pistol and demonstrated his or her marksmanship with both;
- (3) The basic principles of marksmanship;
- (4) Care and cleaning of concealable firearms;
- (5) Safe storage of firearms at home;
- (6) The requirements of this state for obtaining a [certificate of qualification for a concealed carry endorsement] **concealed carry permit** from the sheriff of the individual's county of residence [and a concealed carry endorsement issued by the department of revenue];
- (7) The laws relating to firearms as prescribed in this chapter;
- (8) The laws relating to the justifiable use of force as prescribed in chapter 563;
- (9) A live firing exercise of sufficient duration for each applicant to fire both a revolver and a semiautomatic pistol, from a standing position or its equivalent, a minimum of fifty rounds from each handgun at a distance of seven yards from a B-27 silhouette target or an equivalent target;
- (10) A live fire test administered to the applicant while the instructor was present of twenty rounds from each handgun from a standing position or its equivalent at a distance from a B-27 silhouette target, or an equivalent target, of seven yards.

3. A qualified firearms safety instructor shall not give a grade of passing to an applicant for a concealed carry [endorsement] **permit** who:

- (1) Does not follow the orders of the qualified firearms instructor or cognizant range officer; or
- (2) Handles a firearm in a manner that, in the judgment of the qualified firearm safety instructor, poses a danger to the applicant or to others; or
- (3) During the live fire testing portion of the course fails to hit the silhouette portion of the targets with at least fifteen rounds, with both handguns.

4. Qualified firearms safety instructors who provide firearms safety instruction to any person who applies for a concealed carry [endorsement] **permit** shall:

- (1) Make the applicant's course records available upon request to the sheriff of the county in which the applicant resides;
- (2) Maintain all course records on students for a period of no less than four years from course completion date; and
- (3) Not have more than forty students in the classroom portion of the course or more than five students per range officer engaged in range firing.

5. A firearms safety instructor shall be considered to be a qualified firearms safety instructor by any

sheriff issuing a [certificate of qualification for a concealed carry endorsement] **concealed carry permit** pursuant to sections 571.101 to 571.121 if the instructor:

- (1) Is a valid firearms safety instructor certified by the National Rifle Association holding a rating as a personal protection instructor or pistol marksmanship instructor; or
 - (2) Submits a photocopy of a certificate from a firearms safety instructor’s course offered by a local, state, or federal governmental agency; or
 - (3) Submits a photocopy of a certificate from a firearms safety instructor course approved by the department of public safety; or
 - (4) Has successfully completed a firearms safety instructor course given by or under the supervision of any state, county, municipal, or federal law enforcement agency; or
 - (5) Is a certified police officer firearms safety instructor.
6. Any firearms safety instructor who knowingly provides any sheriff with any false information concerning an applicant’s performance on any portion of the required training and qualification shall be guilty of a class C misdemeanor.

571.114. 1. In any case when the sheriff refuses to issue a [certificate of qualification] **concealed carry permit** or to act on an application for such [certificate] **permit**, the denied applicant shall have the right to appeal the denial within thirty days of receiving written notice of the denial. Such appeals shall be heard in small claims court as defined in section 482.300, and the provisions of sections 482.300, 482.310 and 482.335 shall apply to such appeals.

2. A denial of or refusal to act on an application for a [certificate of qualification] **concealed carry permit** may be appealed by filing with the clerk of the small claims court a copy of the sheriff’s written refusal and a form substantially similar to the appeal form provided in this section. Appeal forms shall be provided by the clerk of the small claims court free of charge to any person:

SMALL CLAIMS COURT

In the Circuit Court of....., Missouri
....., Denied Applicant

)
)
)
)
)

vs.) Case Number

....., Sheriff

Return Date

APPEAL OF A DENIAL
OF [CERTIFICATE OF
QUALIFICATION FOR A
CONCEALED CARRY ENDORSEMENT] **CONCEALED CARRY PERMIT**

The denied applicant states that his or her properly completed application for a [certificate of qualification for a concealed carry endorsement] **concealed carry permit** was denied by the sheriff of County, Missouri, without just cause. The denied applicant affirms that all of the statements in the application are true.

....., Denied Applicant

3. The notice of appeal in a denial of a [certificate of qualification for a concealed carry endorsement] **concealed carry permit** appeal shall be made to the sheriff in a manner and form determined by the small claims court judge.

4. If at the hearing the person shows he or she is entitled to the requested [certificate of qualification for a] concealed carry [endorsement] **permit**, the court shall issue an appropriate order to cause the issuance of the [certificate of qualification for a] concealed carry [endorsement] **permit**. Costs shall not be assessed against the sheriff unless the action of the sheriff is determined by the judge to be arbitrary and capricious.

5. Any person aggrieved by any final judgment rendered by a small claims court in a denial of a [certificate of qualification for a] concealed carry [endorsement] **permit** appeal may have a right to trial de novo as provided in sections 512.180 to 512.320.

571.117. 1. Any person who has knowledge that another person, who was issued a [certificate of qualification for a] concealed carry [endorsement] **permit** pursuant to sections 571.101 to 571.121, **or concealed carry endorsement prior to August 28, 2013**, never was or no longer is eligible for such **permit or** endorsement under the criteria established in sections 571.101 to 571.121 may file a petition with the clerk of the small claims court to revoke that person’s [certificate of qualification for a concealed carry endorsement and such person’s] concealed carry **permit or** endorsement. The petition shall be in a form substantially similar to the petition for revocation of concealed carry **permit or** endorsement provided in this section. Appeal forms shall be provided by the clerk of the small claims court free of charge to any person:

SMALL CLAIMS COURT

In the Circuit Court of, Missouri

....., PLAINTIFF

)

)

vs.) Case Number

)

....., DEFENDANT,

Carry **Permit or** Endorsement Holder

....., DEFENDANT,

Sheriff of Issuance

PETITION FOR REVOCATION
OF [CERTIFICATE OF QUALIFICATION] **CONCEALED CARRY PERMIT**
OR CONCEALED CARRY ENDORSEMENT

Plaintiff states to the court that the defendant,, has a [certificate of qualification or a] concealed carry [endorsement] **permit** issued pursuant to sections 571.101 to 571.121, RSMo, **or a concealed carry endorsement issued prior to August 28, 2013**, and that the defendant's [certificate of qualification] **concealed carry permit** or concealed carry endorsement should now be revoked because the defendant either never was or no longer is eligible for such a [certificate] **permit** or endorsement pursuant to the provisions of sections 571.101 to 571.121, RSMo, specifically plaintiff states that defendant,, never was or no longer is eligible for such [certificate] **permit** or endorsement for one or more of the following reasons:

(CHECK BELOW EACH REASON
THAT APPLIES TO THIS DEFENDANT)

- Defendant is not at least twenty-one years of age or at least eighteen years of age and a member of the United States Armed Forces or honorably discharged from the United States Armed Forces.
- Defendant is not a citizen of the United States.
- Defendant had not resided in this state prior to issuance of the permit and does not qualify as a military member or spouse of a military member stationed in Missouri.
- Defendant has pled guilty to or been convicted of a crime punishable by imprisonment for a term exceeding one year under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of one year or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun.
- Defendant has been convicted of, pled guilty to or entered a plea of nolo contendere to one or more misdemeanor offenses involving crimes of violence within a five-year period immediately preceding application for a [certificate of qualification or] concealed carry [endorsement] **permit** issued pursuant to sections 571.101 to 571.121, RSMo, **or a concealed carry endorsement issued prior to August 28, 2013**, or if the applicant has been convicted of two or more misdemeanor offenses involving driving while under the influence of intoxicating liquor or drugs or the possession or abuse of a controlled substance within a five-year period immediately preceding application for a [certificate of qualification or a] concealed carry [endorsement] **permit** issued pursuant to sections 571.101 to 571.121, RSMo, **or a concealed carry endorsement issued prior to August 28, 2013**.
- Defendant is a fugitive from justice or currently charged in an information or indictment with the commission of a crime punishable by imprisonment for a term exceeding one year under the laws of any state of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of one year or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun.
- Defendant has been discharged under dishonorable conditions from the United States Armed Forces.
- Defendant is reasonably believed by the sheriff to be a danger to self or others based on previous, documented pattern.
- Defendant is adjudged mentally incompetent at the time of application or for five years prior to application, or has been committed to a mental health facility, as defined in section 632.005, RSMo, or a similar institution located in another state, except that a person whose release or discharge from a facility in this state pursuant to chapter 632, RSMo, or a similar discharge from a facility in

another state, occurred more than five years ago without subsequent recommitment may apply.

- Defendant failed to submit a completed application for a [certificate of qualification or] concealed carry [endorsement] **permit** issued pursuant to sections 571.101 to 571.121, RSMo, **or a concealed carry endorsement issued prior to August 28, 2013.**
- Defendant failed to submit to or failed to clear the required background check.
- Defendant failed to submit an affidavit attesting that the applicant complies with the concealed carry safety training requirement pursuant to subsection 1 of section 571.111, RSMo.

The plaintiff subject to penalty for perjury states that the information contained in this petition is true and correct to the best of the plaintiff’s knowledge, is reasonably based upon the petitioner’s personal knowledge and is not primarily intended to harass the defendant/respondent named herein.

....., PLAINTIFF

2. If at the hearing the plaintiff shows that the defendant was not eligible for the [certificate of qualification or the] concealed carry [endorsement] **permit** issued pursuant to sections 571.101 to 571.121 **or a concealed carry endorsement issued prior to August 28, 2013** at the time of issuance or renewal or is no longer eligible for a [certificate of qualification] **concealed carry permit** or the concealed carry endorsement [issued pursuant to the provisions of sections 571.101 to 571.121], the court shall issue an appropriate order to cause the revocation of the [certificate of qualification or] **concealed carry permit, and, if applicable, the** concealed carry endorsement. Costs shall not be assessed against the sheriff.

3. The finder of fact, in any action brought against [an] **a permit or** endorsement holder pursuant to subsection 1 of this section, shall make findings of fact and the court shall make conclusions of law addressing the issues at dispute. If it is determined that the plaintiff in such an action acted without justification or with malice or primarily with an intent to harass the **permit or** endorsement holder or that there was no reasonable basis to bring the action, the court shall order the plaintiff to pay the defendant/respondent all reasonable costs incurred in defending the action including, but not limited to, attorney’s fees, deposition costs, and lost wages. Once the court determines that the plaintiff is liable to the defendant/respondent for costs and fees, the extent and type of fees and costs to be awarded should be liberally calculated in defendant/respondent’s favor. Notwithstanding any other provision of law, reasonable attorney’s fees shall be presumed to be at least one hundred fifty dollars per hour.

4. Any person aggrieved by any final judgment rendered by a small claims court in a petition for revocation of a [certificate of qualification] **concealed carry permit** or concealed carry endorsement may have a right to trial de novo as provided in sections 512.180 to 512.320.

5. The office of the county sheriff or any employee or agent of the county sheriff shall not be liable for damages in any civil action arising from alleged wrongful or improper granting, renewing, or failure to revoke a [certificate of qualification or a] concealed carry [endorsement] **permit** issued pursuant to sections 571.101 to 571.121, **or a certificate of qualification for a concealed carry endorsement issued prior to August 28, 2013,** so long as the sheriff acted in good faith.

571.121. 1. Any person issued a concealed carry [endorsement] **permit** pursuant to sections 571.101 to 571.121 **or a concealed carry endorsement issued prior to August 28, 2013,** shall carry the concealed carry **permit or** endorsement at all times the person is carrying a concealed firearm and shall display the concealed carry **permit and a state or federal government-issued photo identification or the**

endorsement upon the request of any peace officer. Failure to comply with this subsection shall not be a criminal offense but the concealed carry **permit or** endorsement holder may be issued a citation for an amount not to exceed thirty-five dollars.

2. Notwithstanding any other provisions of law, the director of revenue, by carrying out his or her requirement to issue a driver's or nondriver's license reflecting that a concealed carry permit has been granted **under the law as it existed prior to August 28, 2013**, shall bear no liability and shall be immune from any claims for damages resulting from any determination made regarding the qualification of any person for such permit or for any actions stemming from the conduct of any person issued such a permit. By issuing the permit on the driver's or nondriver's license, the director of revenue [is] **was** merely acting as a scrivener for any determination made by the sheriff that the person [is] **was** qualified for the permit.

[571.102. The repeal and reenactment of sections 302.181 and 571.101 shall become effective on the date the director of the department of revenue begins to issue nondriver licenses with conceal carry endorsements that expire three years from the dates the certificates of qualification were issued, or on January 1, 2013, whichever occurs first. If the director of revenue begins issuing nondriver licenses with conceal carry endorsements that expire three years from the dates the certificates of qualification were issued under the authority granted under sections 302.181 and 571.101 prior to January 1, 2013, the director of the department of revenue shall notify the revisor of statutes of such fact.]; and

Further amend said bill and page, section B, line 18 of said page, by striking the following: "section A" and inserting in lieu thereof the following: "the enactment of sections 302.065 and 302.189 and the repeal and reenactment of section 302.183"; and further amend line 21 of said page, by striking the following: "section A" and inserting in lieu thereof the following: "the enactment of sections 302.065 and 302.189 and the repeal and reenactment of section 302.183"; and

Further amend the title and enacting clause accordingly.

Senator Emery moved that the above amendment be adopted.

Senator Emery offered **SA 1** to **SA 1**, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Substitute for Senate Bill No. 252, Page 1, Line 2, by inserting at the end of said line the following: "further amend lines 4 to 7 of the title, by striking all of said lines and inserting in lieu thereof the following: "licenses issued by the department of revenue, with an emergency clause for certain sections."; and".

Senator Emery moved that the above amendment be adopted.

At the request of Senator Kraus, **SB 252**, with **SS**, **SA 1** and **SA 1** to **SA 1** (pending), was placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 10**.

HOUSE CONCURRENT RESOLUTION NO. 10

WHEREAS, there are currently more than 105,000 people waiting for an organ donation, with the largest waiting group being persons 18 to 49 years of age; and

WHEREAS, more than 7,000 people die each year due to the lack of organs, with an average of 18 people dying each day while on the waiting list for an organ donation; and

WHEREAS, approximately 30,000 people a year have begun new lives thanks to an organ transplant; and

WHEREAS, organs and tissue from a single nonliving donor can be used to benefit more than 50 people. Living donors can donate a kidney and parts of their liver, lung, pancreas, or intestine, and can be evaluated to help a friend, family member, or even donate anonymously to patients of the wait list; and

WHEREAS, raising and promoting awareness and information about the need for organ and tissue donors and encouraging people to become an organ donor and tissue donor is vitally important to increase the number of lives saved and changed for the better through organ donation; and

WHEREAS, every person must be advised of their option to donate an organ. By focusing on education and donor awareness, every person can be informed on the need for organ donors; and

WHEREAS, the following excerpt is from “To Remember Me - I Will Live Forever”, written by American Poet Robert Noel Test (1926 - 1994):

“...And don’t call this my deathbed. Let it be called the bed of life, and let my body be taken from it to help others lead fuller lives.

Give my sight to the man who has never seen a sunrise, a baby’s face or love in the eyes of a woman.

Give my heart to a person whose own heart has caused nothing but endless days of pain.

Give my blood to the teenager who was pulled from the wreckage of his car, so that he might live to see his grandchildren play.

Give my kidneys to the one who depends on a machine to exist from week to week.

Take my bones, every muscle, every fiber and nerve in my body and find a way to make a crippled child walk. Explore every corner of my brain.

Take my cells, if necessary, and let them grow so that, someday a speechless boy will shout at the crack of a bat and a deaf girl will hear the sound of rain against her window...”; and

WHEREAS, public awareness of the great need for organ donation is the key to increasing the number of organ donors and thereby saving lives and improving the quality of life for recipients of organ donation:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-seventh General Assembly, First Regular Session, the Senate concurring therein, hereby designate April 2013 as “Donate Life Month” in Missouri.

BE IT FURTHER RESOLVED that the General Assembly encourages and recommends that people of the State of Missouri observe Organ Donor Life Month through activities which will increase awareness of organ donation and the need for organ donors.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 25**.

HOUSE CONCURRENT RESOLUTION NO. 25

WHEREAS, the Interim Committee on Local Governance of the Missouri House of Representatives (the Committee) submitted a report to the Speaker of the House dated December 31, 2012; and

WHEREAS, this report contained a synopsis of the issues presented to the Committee, as well as its recommendations; and

WHEREAS, the Committee reported on the governance and taxation issues in the St. Louis Metropolitan Statistical Area (MSA); and

WHEREAS, the report details the changes in the laws that make the St. Louis area unique; and

WHEREAS, no other municipality or county in Missouri is governed by the sales tax and governance provisions unique to St. Louis

County and its municipalities, so that the other counties in Missouri focus on county responsibilities, while the municipalities focus on municipal duties; and

WHEREAS, the Committee recognized that any type of change to the St. Louis MSA's sales tax and governance system is part of a larger overall discussion of issues which should be undertaken, such as merging or consolidating political subdivisions which offer duplicative or inefficient services, and the use of tax increment financing by municipalities to attract retail establishments from neighboring municipalities, as well as the issues surrounding the sales tax distribution system and the financial ramifications to local government of any changes; and

WHEREAS, the Committee stated its belief that these issues are best resolved by local stakeholders, but that where the local stakeholders fail to resolve these issues, the state would be forced to offer solutions through statute or referendum during the 2014 legislative session; and

WHEREAS, the Committee recommends that an independent study be commissioned to research the larger overall discussion of issues which should be undertaken in the St. Louis MSA, such as merging or consolidating political subdivisions which offer duplicative or inefficient services, and the use of tax increment financing by municipalities to attract retail establishments from neighboring municipalities, as well as the issues surrounding the sales tax distribution system and the financial ramifications to local government of any changes.

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri House Ninety-Seventh General Assembly, First Regular Session, the Senate concurring therein, hereby establish the Joint Interim Committee on St. Louis Metropolitan Statistical Area Governance and Taxation (Joint Committee); and

BE IT FURTHER RESOLVED that the Joint Committee shall be composed of four majority party members to be appointed by the Speaker of the House of Representatives, two minority party members to be appointed by the Minority Leader of the House of Representatives, four majority party members to be appointed by the President Pro Tem of the Senate, and two minority party members to be appointed by the Minority Leader of the Senate; and

BE IT FURTHER RESOLVED that the Joint Committee shall interview and select an appropriate entity to conduct the independent study called for in the report and make recommendations to secure the appropriate commitments to fund the independent study at no direct cost to the state; and

BE IT FURTHER RESOLVED that the Joint Committee shall receive the independent study and, upon receipt, review the study as well as conduct a comprehensive analysis of the taxation and governance issues facing the St. Louis MSA, and make recommendations on proposed legislation for the 2014 legislative session; and

BE IT FURTHER RESOLVED that if this Joint Committee is not in receipt of an independent study by September 1, 2013, it shall proceed on its own and perform its own investigation and analysis of the circumstances so that this Joint Committee shall be able to make its recommendation for proposed legislative changes no later than December 31, 2013; and

BE IT FURTHER RESOLVED that the Joint Committee is authorized to hold hearing as it deems advisable and may solicit any input or information necessary to fulfill its obligations, including but not limited to any agency of the state or any political subdivision of the state which the committee may find helpful; and

BE IT FURTHER RESOLVED that the staffs of House Research, Senate Research, and the Joint Committee on Legislative Research shall provide such legal, research, clerical, technical, and bill drafting services as the Joint Committee may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the Joint Committee, its members, and any staff assigned to the Joint Committee shall receive reimbursement for their actual and necessary expenses incurred in attending meetings of the Joint Committee or any subcommittee thereof; and

BE IT FURTHER RESOLVED that the Joint Committee will report its recommendations and findings to the Missouri General Assembly by December 21, 2013; and

BE IT FURTHER RESOLVED that the Joint Committee is authorized to function during the interim between the First Regular Session of the 97th General Assembly through the end of the Second Regular Session of the 97th General Assembly; and

BE IT FURTHER RESOLVED that the Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the Speaker of the House of Representatives and the President Pro Tem of the Senate.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 28**.

HOUSE CONCURRENT RESOLUTION NO. 28

WHEREAS, the Army 2020 Force Structure Realignment Programmatic Environmental Assessment (PEA) includes a plan to reduce the Army's end strength and realign its forces over the coming years which will affect 21 Army installations across the country, including Fort Leonard Wood in Missouri; and

WHEREAS, these Army reductions and realignments that may occur from Fiscal Year 2013-2020 will result in significant impacts to a variety of economic measures in communities neighboring these 21 installations; and

WHEREAS, the PEA specifically references the impact of force structure reductions at Fort Leonard Wood in Missouri, including reduction in employment, income, regional population, and sales; and

WHEREAS, Fort Leonard Wood currently has a permanent workforce of approximately 9,500 soldiers and Army civilians, not including trainees, students, family members, other service members, contractors, and non-full time employees; and

WHEREAS, the Programmatic Environmental Assessment proposes a loss of up to 3,900 of these soldiers and Army civilians, which is a loss of 41% of permanent staff and an added loss of 450 direct and 504 indirect jobs across the community; and

WHEREAS, the economic impact across the three-county region, as defined in the study, would be devastating. The study shows a loss of 8% in annual sales, 6.75% in tax revenue, 11.21% in employment, and 7.5% in population; and

WHEREAS, as the study notes, only a portion of the potential loss is considered in the study. The study states that there may also be a loss of 10% of training load and an unknown percentage of other services not factored into the analysis. With this additional loss, the overall loss would be catastrophic for the region; and

WHEREAS, the majority of the impact would be felt in Pulaski County, Missouri; and

WHEREAS, the study projects a loss of almost 3,700 K-12 school students in the region, with a majority of the loss in the Waynesville School District that provides K-12 schools on Fort Leonard Wood and the immediate vicinity; and

WHEREAS, Waynesville School District has approximately 6,000 students enrolled today. Assuming 85% of the loss in that school district, the district would realize a 52% loss of its current enrollment; and

WHEREAS, to continue to provide the highest level of quality education, the Waynesville School District has recently invested in several new facilities, a high school, elementary school, and career center. These facilities are heavily dependent on continuing federal impact aid for construction bond funding. Based on the projected level of impact aid loss, the district would be placed in serious financial jeopardy; and

WHEREAS, the impact of these losses would be felt not only in the communities surrounding Fort Leonard Wood, but the entire State of Missouri. The full impact of the state if the troop reduction goes forward has yet to be determined, but it is certain it would be significant, because Fort Leonard Wood is one of the largest employers in the State of Missouri; and

WHEREAS: Fort Leonard Wood is an important asset for the Army and the Department of Defense through pioneering the concepts of multiple schools at one location, and multi-service training and education; and

WHEREAS, the Army has made a multi-billion dollar investment in new infrastructure at the installation and its operating costs are among the lowest in the country. Fort Leonard Wood should be considered for additional mission growths, not reductions; and

WHEREAS, final decisions will be made over the next several years. The projected \$233 million in economic loss and 6,441 jobs affected as a result of the proposed Army reductions will have a significant impact to the State of Missouri and catastrophic to the region:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-seventh General Assembly, First Regular Session, the Senate concurring therein, hereby strongly urge the Department of Defense to reconsider the reduction and realignment of Army forces at Fort Leonard Wood, Missouri, and continue full operation at this installation, which has one of the lowest installation operating costs in the county; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the Secretary of the United States Department of Defense, the United States Army Environment Command, and each member of the Missouri Congressional delegation.

In which the concurrence of the Senate is respectfully requested.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SS** for **SCS** for **SB 159** and **SCS** for **SB 297**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Dempsey referred **SCS** for **SB 297** to the Committee on Governmental Accountability and Fiscal Oversight.

On motion of Senator Richard, the Senate recessed until 3:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Lager.

RESOLUTIONS

Senator Richard offered Senate Resolution No. 673, regarding the Joplin Sports Complex, which was adopted.

Senator Lamping offered Senate Resolution No. 674, regarding Morris Moss, Saint Louis, which was adopted.

Senator Lamping offered Senate Resolution No. 675, regarding Scott Brinkman “Brink” Thompson, which was adopted.

Senator Walsh offered Senate Resolution No. 676, regarding David C. Miller, Florissant, which was adopted.

Senator Walsh offered Senate Resolution No. 677, regarding Joshua David Cross, Bellefontaine Neighbors, which was adopted.

Senator Schaaf offered Senate Resolution No. 678, regarding Michelle Marshall, Saint Joseph, which was adopted.

Senator Schaaf offered Senate Resolution No. 679, regarding Jacob D. Lindburg, which was adopted.

Senator Emery offered Senate Resolution No. 680, regarding Micah Cox, which was adopted.

SENATE BILLS FOR PERFECTION

Senator Kraus moved that **SB 252**, with **SS**, **SA 1** and **SA 1** to **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 1 to **SA 1** was again taken up.

Senator Kehoe assumed the Chair.

Senator Emery moved that **SA 1** to **SA 1** be adopted, which motion prevailed.

Senator Munzlinger offered **SA 2** to **SA 1**:

SENATE AMENDMENT NO. 2 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Substitute for Senate Bill No. 252, Page 16, Line 18, by striking the word “three” and inserting in lieu thereof the following: “**five**”.

Senator Munzlinger moved that the above amendment be adopted, which motion prevailed.

Senator Chappelle-Nadal offered **SA 3** to **SA 1**:

SENATE AMENDMENT NO. 3 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Substitute for Senate Bill No. 252, Page 25, Section 571.101, Lines 22-23 of said amendment page, by striking: “not to exceed one hundred dollars” and inserting in lieu thereof the following: “, **in an amount to be determined by the sheriff,**”; and further amend lines 28 and 29 of said amendment page, by striking: “not to exceed fifty dollars” and inserting in lieu thereof the following: “, **in an amount to be determined by the sheriff,**”.

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion failed.

Senator LeVota offered **SA 4** to **SA 1**, which was read:

SENATE AMENDMENT NO. 4 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Substitute for Senate Bill No. 252, Page 24, Section 571.101, Line 24 of said amendment, by inserting at the end of said line the following: “**The permit shall include a photograph of the permit holder.**”.

Senator LeVota moved that the above amendment be adopted, which motion failed.

Senator Emery moved that **SA 1**, as amended, be adopted, which motion prevailed.

Senator Holsman offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Bill No. 252, Page 1, Section A, Line 3, by inserting immediately after said line the following:

301.3031. 1. Whenever a vehicle owner pursuant to this chapter makes an application for a military license plate, the director of revenue shall notify the applicant that the applicant may make a voluntary contribution of ten dollars to the World War II memorial trust fund established pursuant to this section. The director shall transfer all contributions collected to the state treasurer for credit to and deposit in the trust fund. **Beginning August 28, 2013, the director of revenue shall no longer collect the contribution authorized by this section.**

2. There is established in the state treasury the “World War II Memorial Trust Fund”. The state treasurer shall credit to and deposit in the World War II memorial trust fund all amounts received pursuant to this section, and any other amounts which may be received from grants, gifts, bequests, the federal government, or other sources granted or given for purposes of this section.

3. The Missouri veterans’ commission shall administer the trust fund. The trust fund shall be used to participate in the funding of the National World War II Memorial to be located at a site dedicated on

November 11, 1995, on the National Mall in Washington, D.C.

4. The state treasurer shall invest moneys in the trust fund in the same manner as surplus state funds are invested pursuant to section 30.260. All earnings resulting from the investment of moneys in the trust fund shall be credited to the trust fund. The general assembly may appropriate moneys annually from the trust fund to the department of revenue to offset costs incurred for collecting and transferring contributions pursuant to subsection 1 of this section. The provisions of section 33.080 requiring all unexpended balances remaining in various state funds to be transferred and placed to the credit of the ordinary revenue fund of this state at the end of each biennium shall not apply to the trust fund.

301.3033. 1. Whenever a vehicle owner pursuant to this chapter makes an application for a military license plate, the director of revenue shall notify the applicant that the applicant may make a voluntary contribution of ten dollars to the World War I memorial trust fund established pursuant to this section. The director shall transfer all contributions collected to the state treasurer for credit to and deposit in the trust fund.

2. There is established in the state treasury the “World War I Memorial Trust Fund”. The state treasurer shall credit to and deposit in the World War I memorial trust fund all amounts received pursuant subsection 1 of this section and any other amounts which may be received from grants, gifts, bequests, the federal government, or other sources granted or given for purposes of this section.

3. The Missouri veterans’ commission shall administer the trust fund established pursuant to this section. The trust fund shall be used for the sole purpose of the restoration, renovation, and maintenance of a memorial or museum or both dedicated to World War I in any home rule city with more than four hundred thousand inhabitants and located in more than one county.

4. The state treasurer shall invest moneys in the trust fund in the same manner as surplus state funds are invested pursuant to section 30.260. All earnings resulting from the investment of moneys in the trust fund shall be credited to the trust fund. The general assembly may appropriate moneys annually from the trust fund to the department of revenue to offset costs incurred for collecting and transferring contributions pursuant to subsection 1 of this section. The provisions of section 33.080 requiring all unexpended balances remaining in various state funds to be transferred and placed to the credit of the ordinary revenue fund of this state at the end of each biennium shall not apply to the trust fund.

Further amend the title and enacting clause accordingly.

Senator Holsman moved that the above amendment be adopted, which motion prevailed.

Senator Wallingford offered SA 3:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Bill No. 252, Page 5, Section 302.183, Line 15 of said page, by inserting immediately after said line the following:

“6. The department of revenue shall indemnify and hold harmless any person who is selected or appointed by the director of revenue to act as a fee office under section 136.055 from all costs, liabilities, and expenses, including reasonable attorneys’ fee expenses, incurred by the fee office for defending a legal action brought against the fee office for an alleged violation of this section.”.

Senator Wallingford moved that the above amendment be adopted, which motion prevailed.

Senator LeVota offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Bill No. 252, Page 1, In the Title, Line 3 of said title, by striking the following: “receipt, collection,”; and further amend lines 4-5 of said title, by striking all of said lines; and further amend line 6 of said title, by striking the following: “nondriver’s licenses by the”; and

Further amend said bill and page, section A, line 3 of said page, by inserting immediately after said line the following:

“32.403. 1. Notwithstanding the provisions of chapter 610 or any other provision of law, the department of revenue shall not sell or otherwise disclose any information consisting of a person’s name, address, date of birth, sex, height, weight, eye color, driver license number, driving history showing speeding tickets or other violations, Social Security number, photograph, telephone number, electronic mail address, or medical or disability information including restrictions.

2. Information restricted under subsection 1 of this section may be disclosed if allowed under 18 U.S.C. Sections 2721 to 2725 as amended, however, such information shall not be disclosed to a business entity except for the purpose of verifying information voluntarily provided to the business.

3. Any person may bring a claim against the department of revenue in a court of proper jurisdiction alleging a violation of this section and asking for civil damages in an amount not to exceed ten thousand dollars, attorney fees and costs, and such injunctive relief as a court deems proper. A violation shall consist of the unauthorized release of information with regard to a particular person, without regard to the type or quantity of information released.

4. If the department of revenue chooses to release information in accordance with subsection 2 of this section, the department shall charge only such actual fees as necessary to process the request for information, but in no case shall the fees charged exceed the amount that is charged for a substantially similar information request under chapter 610.”; and

Further amend the title and enacting clause accordingly.

Senator LeVota moved that the above amendment be adopted, which motion failed on a standing division vote.

Senator Kraus moved that **SS** for **SB 252**, as amended, be adopted, which motion prevailed.

On motion of Senator Kraus, **SS** for **SB 252**, as amended, was declared perfected and ordered printed.

Senator Romine moved that **SB 357** be taken up for perfection, which motion prevailed.

Senator Romine offered **SS** for **SB 357**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 357

An Act to repeal section 429.010, RSMo, and to enact in lieu thereof one new section relating to statutory liens against real estate.

Senator Romine moved that **SS** for **SB 357** be adopted, which motion prevailed.

On motion of Senator Romine, **SS** for **SB 357** was declared perfected and ordered printed.

Senator Kraus moved that **SB 381**, with **SCS**, be taken up for perfection, which motion prevailed.
SCS for **SB 381**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 381

An Act to amend chapter 178, RSMo, by adding thereto one new section relating to the innovation education campus fund.

Was taken up.

Senator Kraus moved that **SCS** for **SB 381** be adopted.

Senator Schmitt offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 381, Page 1, Section 178.1100, Line 8, by inserting immediately after the word “public” the words “**or private**”.

Senator Schmitt moved that the above amendment be adopted, which motion prevailed.

Senator Kraus moved that **SCS** for **SB 381**, as amended, be adopted, which motion prevailed.

On motion of Senator Kraus, **SCS** for **SB 381**, as amended, was declared perfected and ordered printed.

On motion of Senator Richard, the Senate recessed until 8:45 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Silvey.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 134**, entitled:

An Act to repeal section 160.775, RSMo, and to enact in lieu thereof one new section relating to school safety.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

REFERRALS

President Pro Tem Dempsey referred **SS** for **SCS** for **SB 159** to the Committee on Governmental Accountability and Fiscal Oversight.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS** for **SB 381** and **SS** for **SB 357**, begs leave to report that it has examined the same and finds that the

bills have been truly perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Dempsey referred **SCS** for **SB 381** to the Committee on Governmental Accountability and Fiscal Oversight.

SENATE BILLS FOR PERFECTION

SB 67 was placed on the Informal Calendar.

Senator Keaveny moved that **SB 99** be taken up for perfection, which motion prevailed.

On motion of Senator Keaveny, **SB 99** was declared perfected and ordered printed.

Senator Emery moved that **SB 239**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 239**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 239

An Act to repeal section 168.021, RSMo, and to enact in lieu thereof two new sections relating to elementary and secondary education.

Was taken up.

Senator Emery moved that **SCS** for **SB 239** be adopted.

Senator Curls offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 239, Page 1, Section 167.168, Lines 3-5, by striking all of said lines and inserting in lieu thereof the following: “**technology, or similar technology, unless such identification device is used solely for the purposes of student safety or student security.**”.

Senator Curls moved that the above amendment be adopted, which motion failed on a standing division vote.

President Pro Tem Dempsey assumed the Chair.

Senator Schmitt offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 239, Page 6, Section 168.021, Line 170, by inserting after all of said line the following:

“Section 1. 1. There is hereby established a joint interim committee of the general assembly to function during the legislative interim between the first and second regular sessions of the ninety-seventh general assembly to examine the current elementary and secondary education foundation formula.

2. The joint interim committee shall do the following:

(1) Study the impact of cuts to the foundation formula on hold harmless school districts;

(2) Study how other states fund elementary and secondary education and how they have addressed

elementary and secondary education budgets during difficult fiscal times; and

(3) Identify ways in which the foundation formula might be improved.

3. The joint interim committee shall report its recommendations to the president pro tempore of the senate and the speaker of the house of representatives by January 8, 2014.

4. The joint interim committee shall be composed of ten members, three majority party members, and two minority party members of the senate, to be appointed by the president pro tempore of the senate, and three majority party members and two minority party members of the house of representatives, to be appointed by the speaker of the house of representatives.

5. The joint interim committee may solicit input and information necessary to fulfill its obligations, including, but not limited to, soliciting input and information from any state department or agency the joint interim committee deems relevant, political subdivisions of this state, and the general public.

6. The staffs of senate appropriations, senate research, house appropriations, house research, the joint committee on education and the committee on legislative research shall provide such legal, research, clerical, technical, and bill drafting services as the joint interim committee may require in the performance of its duties.

7. The actual and necessary expenses of the joint interim committee, its members, and any staff assigned to the joint interim committee incurred by the joint interim committee shall be paid by the joint contingent fund.”; and

Further amend the title and enacting clause accordingly.

Senator Schmitt moved that the above amendment be adopted.

At the request of Senator Emery, **SB 239**, with **SCS** and **SA 2** (pending), was placed on the Informal Calendar.

Senator Nieves moved that **SB 272** be taken up for perfection, which motion prevailed.

Senator Walsh offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 272, Page 2, Section 320.402, Line 2, by striking “may” and inserting in lieu thereof the following: “**shall**”.

Senator Walsh moved that the above amendment be adopted, which motion failed.

Senator Walsh offered **SA 2**, which was read:

SENATE AMENDMENT NO. 2

Amend Senate Bill No. 272, Page 2, Section 320.402, Line 1, by inserting after “contractor” the following: “**or installer**”.

Senator Walsh moved that the above amendment be adopted.

At the request of Senator Nieves, **SB 272**, with **SA 2** (pending), was placed on the Informal Calendar.

Senator Nieves moved that **SB 267** be taken up for perfection, which motion prevailed.

Senator Schaaf assumed the Chair.

Senator Dixon offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 267, Page 1, Section 506.600, Lines 1-19, by striking all of said lines from the bill; and

Further amend said bill and section, page 2, lines 20-39 by striking all of said lines from the bill and further amend line 40 by striking the number “5.” and inserting in lieu thereof the following: “**506.600. 1.**”; and further amend lines 47 to 51 by striking all of said lines and inserting in lieu thereof the following: “**dispute at issue, that is repugnant to or inconsistent with the United States and Missouri constitutions.**”; and

Further amend said bill and section, page 3, lines 59-63 by striking all of said lines and inserting in lieu thereof the following: “**issue, that is repugnant to or inconsistent with the United States and Missouri constitutions;**”

Further amend line 69 by striking the words “granted under” and inserting in lieu thereof the following: “**protected by**”; and

Further amend lines 72-89 by striking all of said lines; and

Further amend said bill and section, page 4, lines 90-92 by striking all of said lines; and

Further renumber the remaining subsections accordingly.

Senator Dixon moved that the above amendment be adopted.

At the request of Senator Nieves, **SB 267**, with **SA 1** (pending), was placed on the Informal Calendar.

Senator Parson moved that **SB 342** be taken up for perfection, which motion prevailed.

On motion of Senator Parson, **SB 342** was declared perfected and ordered printed.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SS** for **SB 252** and **SB 99**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Dempsey referred **SS** for **SB 252** to the Committee on Governmental Accountability and Fiscal Oversight.

COMMUNICATIONS

President Pro Tem Dempsey submitted the following:

April 3, 2013

The Honorable Tom Dempsey
President Pro-Tem
Missouri Senate
201 W Capitol Avenue, Room 326
Jefferson City, Missouri 65101

Dear Senator Dempsey,

Please accept this letter of request to be removed from the Missouri Consolidated Health Care Plan Board (MCHCP).

Serving on the MCHCP Board for the past two (2) years has afforded me an even greater understanding and appreciation of the State's health care system.

I am grateful for the opportunity to have served in such an important capacity.

Respectfully submitted,
/s/ S. Kiki Curls
Shalonn "Kiki" Curls
Ninth Senatorial District

INTRODUCTIONS OF GUESTS

The President introduced to the Senate, former State Senator Betty Sims, Ladue.

The President and Senator Munzlinger introduced to the Senate, University of Missouri Extension Excel Leadership Class, Randolph County.

Senator Nasheed introduced to the Senate, David Chilenski, Crystal Hayden, Stanley Edwards, Lauren McComb, Sam Maynard, John Shafer, Max Moline, Isaac Reading, Andrew Moline, Jared Miller, David Aubuchon, Tom Martin, Jim Current, Grayston Eby, Shawn Hayden, Rich Hopkins, Jeffery Cunningham, Andrea Edwards, Evan Nevenschwander and Josiah Horn, representatives of Civil Air Patrol-Missouri.

Senator Richard introduced to the Senate, his wife, Patty, Gwen Delano, Paula Baker, Sharon Beshore, Jane Cage, Jane Lant and Nancy Morton, Joplin.

Senator Chappelle-Nadal introduced to the Senate, Mrs. Cheryl Jones, Mrs. Gail Sharpe, Ms. Barbi Click, Ms. Sheila Irving, and Mariah Moore, Ayanna King, Dominique Lewis, Gabrielle Brown, Jamoni Richardson, Alora Brown, Breyannah Parker, Symphoni Hollis, Amya Davis, Montia Evans, Taylor Brown, Tailyer Oden, Mya Brown, Trinity Smith, Darryan Smith, Aaliah Sperman, Jordyn Williams, Kayla Payne and Essence Green, representatives of Girls Inc., St. Louis; and Montia, Tailyer, Darryan and Aaliah were made honorary pages.

Senator Parson introduced to the Senate, Keith and Beverly Stevens, Bolivar; and Beth Crouch, Lincoln.

Senator Dixon introduced to the Senate, Marilyn Broaddus, parents and twenty fourth grade students from Greenwood Laboratory, Springfield.

Senator Chappelle-Nadal introduced to the Senate, representatives of Express Scripts, St. Louis.

On behalf of Senator Pearce, the President introduced to the Senate, Bill Owen, Springfield; and Gene Hanson, Kansas City.

On behalf of Senator Holsman and himself, Senator Pearce introduced to the Senate, Bob Madeo, Kansas City.

Senator Emery introduced to the Senate, Nancy Ross, Valo Jones, Mikayla Bartlett, Melissa Handle and

Courtney Herren, representatives of Sophomore Pilgrimage, Vernon County.

Senator Sater introduced to the Senate, Bob and Ruth Callahan, Cassville.

On behalf of Senator Kehoe, the President introduced to the Senate, Dan Campbell and students from Helias High School Civics Class, Jefferson City.

Senator Cunningham introduced to the Senate, Haley McCall and Anne Ream, West Plains.

Senator Silvey introduced to the Senate, the Physician of the Day, Dr. Brad Barth, Kansas City.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

FORTY-SEVENTH DAY—WEDNESDAY, APRIL 10, 2013

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 152-Solon, et al
 HB 581-Roord, et al
 HCS for HB 169
 HB 316-Phillips, et al
 HCS for HB 168

HCS for HBs 446 & 211
 HCS for HB 315
 HCS for HB 46
 HCS for HB 134

THIRD READING OF SENATE BILLS

SB 112-Rupp and Richard (In Fiscal Oversight)
 SCS for SB 87-Schaaf
 SB 275-Walsh
 SS for SCS for SB 159-Schmitt
 (In Fiscal Oversight)

SCS for SB 297-Lager (In Fiscal Oversight)
 SCS for SB 381-Kraus (In Fiscal Oversight)
 SS for SB 357-Romine
 SS for SB 252-Kraus (In Fiscal Oversight)
 SB 99-Keaveny

SENATE BILLS FOR PERFECTION

1. SB 373-Munzlinger, with SCS
 2. SB 57-Romine

3. SB 303-Wasson
 4. SB 304-Wasson

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|---|--|
| 5. SB 170-Chappelle-Nadal | 22. SB 410-Kehoe |
| 6. SB 118-Kraus, with SCS | 23. SB 133-Keaveny and Holsman, with SCS |
| 7. SB 251-Kraus and Chappelle-Nadal | 24. SB 210-Lamping and Nieves, with SCS |
| 8. SB 327-Dixon | 25. SB 455-Nieves, with SCS |
| 9. SB 245-Justus | 26. SB 167-Sater and Wallingford, with SCS |
| 10. SB 291-Rupp | 27. SB 343-Parson |
| 11. SB 231-Munzlinger | 28. SB 250-Schaaf, with SCS |
| 12. SB 226-Schaefer, with SCS | 29. SB 175-Wallingford |
| 13. SB 282-Wasson | 30. SB 285-Romine |
| 14. SB 366-Lamping, et al | 31. SB 339-Romine |
| 15. SB 205-Sater | 32. SB 174-Parson, with SCS |
| 16. SB 256-Silvey, with SCS | 33. SB 441-Dempsey |
| 17. SB 432-Cunningham, with SCS | 34. SJR 2-Lager |
| 18. SBs 317 & 319-Romine, with SCS | 35. SB 315-Pearce |
| 19. SB 401-Rupp | 36. SB 419-Lager, with SCS |
| 20. SB 396-Holsman and Chappelle-Nadal,
with SCS | 37. SB 411-Kehoe, with SCS |
| 21. SB 378-Pearce, with SCS | 38. SB 141-Dempsey |

HOUSE BILLS ON THIRD READING

HB 55-Flanigan and Allen, with SCS
(Schaefer)

HCS for HJR 11 & 7 (Parson)
(In Fiscal Oversight)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|-------------------------------------|---|
| SB 3-Rupp, with SA 1 (pending) | SB 82-Schaefer, with SCS |
| SB 13-Schaefer, with SCS | SB 207-Kehoe, et al, with SCS |
| SB 21-Dixon | SB 239-Emery, with SCS & SA 2 (pending) |
| SB 22-Dixon | SB 257-Silvey and Justus |
| SB 48-Lamping | SB 267-Nieves, with SA 1 (pending) |
| SB 61-Keaveny, with SCA 1 (pending) | SB 272-Nieves, with SA 2 (pending) |
| SB 65-Dixon, with SCS | SB 292-Rupp |
| SB 67-Dixon | SB 364-Parson |

RESOLUTIONS

To be Referred

HCR 10-Walton Gray, et al
HCR 25-Allen

HCR 28-Lynch, et al

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