

Journal of the Senate

FIRST REGULAR SESSION

FORTY-SIXTH DAY - TUESDAY, APRIL 4, 2023

The Senate met pursuant to adjournment.

Senator Rowden in the Chair.

Senator Cierpiot offered the following prayer:

Lord, we pray for the members of the Senate. Reveal Yourself to us and bring us closer to You, each in our own unique way, that we may hear Your voice clearly and distinctly. Speak to us of truth, integrity, justice, and fairness. Please guide our path through this day and make our enemies be at peace with us. Help us engage in meaningful discussion; allow us to grow closer as a body and nurture the bonds of community. In Jesus 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

Arthur	Bean	Beck	Bernskoetter	Black	Brattin	Brown (16th Dist.)
Brown (26th Dist.)	Carter	Cierpiot	Coleman	Crawford	Eigel	Eslinger
Fitzwater	Gannon	Hoskins	Hough	Koenig	Luetkemeyer	May
McCreery	Moon	Mosley	O'Laughlin	Razer	Rizzo	Roberts
Rowden	Schroer	Thompson Rehder	Trent	Washington	Williams—34	

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Bernskoetter and Senator Fitzwater offered Senate Resolution No. 317, regarding Ameren Missouri lineworkers, which was adopted.

Senator Bernskoetter offered Senate Resolution No. 318, regarding the Tipton R-VI Lady Cardinals basketball team, Tipton, which was adopted.

Senator O'Laughlin offered Senate Resolution No. 319, regarding Ronald J. Dulaney, Moberly, which was adopted.

Senator Brown (26) offered Senate Resolution No. 320, regarding Eagle Scout Grace Wagner, Linn, which was adopted.

Senator Bean offered Senate Resolution No. 321, regarding Steve Atwood, which was adopted.

Senator Bean offered Senate Resolution No. 322, regarding Suzanne Davis, which was adopted.

Senator Bean offered Senate Resolution No. 323, regarding Edie Dilbeck, Doniphan, which was adopted.

Senator Bean offered Senate Resolution No. 324, regarding Charolyn Harris, Kennett, which was adopted.

Senator Bean offered Senate Resolution No. 325, regarding Steven Lewis, Poplar Bluff, which was adopted.

CONCURRENT RESOLUTIONS

Senator Roberts moved that **SCR 9** be taken up for adoption, which motion prevailed.

On motion of Senator Roberts, **SCR 9** was adopted by the following vote:

YEAS—Senators

Arthur	Bean	Beck	Bernskoetter	Brown (16th Dist.)	Brown (26th Dist.)	Carter
Cierpiot	Coleman	Crawford	Eigel	Eslinger	Fitzwater	Hoskins
Hough	Koenig	Luetkemeyer	May	McCreery	Moon	Mosley
O'Laughlin	Razer	Rizzo	Roberts	Rowden	Schroer	Thompson Rehder
Trent	Washington	Williams—31				

NAYS—Senators—None

Absent—Senators

Black	Brattin	Gannon—3
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Absent with leave—Senators—None

Vacancies—None

Senator O'Laughlin moved that **SCR 10** be taken up for adoption, which motion prevailed.

On motion of Senator O'Laughlin, **SCR 10** was adopted by the following vote:

YEAS—Senators

Arthur	Bean	Beck	Bernskoetter	Brown (16th Dist.)	Brown (26th Dist.)	Carter
Coleman	Crawford	Eigel	Eslinger	Fitzwater	Hoskins	Hough
Koenig	Luetkemeyer	May	McCreery	Moon	Mosley	O'Laughlin
Razer	Rizzo	Roberts	Rowden	Schroer	Thompson Rehder	Trent
Washington	Williams—30					

NAYS—Senators—None

Absent—Senators

Black	Brattin	Cierpiot	Gannon—4
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Absent with leave—Senators—None

Vacancies—None

REPORTS OF STANDING COMMITTEES

Senator O'Laughlin, Chair 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 157** and **SS** for **SCS** for **SB 92**, 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.

SENATE BILLS FOR PERFECTION

SB 360, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Crawford, **SB 11**, with **SCS**, was placed on the Informal Calendar.

Senator Thompson Rehder moved that **SB 199** be taken up for perfection, which motion prevailed.

Senator Thompson Rehder offered **SS** for **SB 199**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 199

An Act to repeal sections 160.2705, 160.2720, and 160.2725, RSMo, and to enact in lieu thereof three new sections relating to adult high schools.

Senator Bean assumed the Chair.

Senator Thompson Rehder moved that **SS** for **SB 199** be adopted, which motion prevailed.

Senator Fitzwater assumed the Chair.

On motion of Senator Thompson Rehder, **SS** for **SB 199** was declared perfected and ordered printed.

SB 95 was placed on the Informal Calendar.

Senator Thompson Rehder assumed the Chair.

Senator Brown (16) moved that **SJR 14** be taken up for perfection, which motion prevailed.

Senator Brown (16) offered **SS** for **SJR 14**, entitled:

SENATE SUBSTITUTE FOR
SENATE JOINT RESOLUTION NO. 14

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 39(e) of article III of the Constitution of Missouri, and adopting one new section in lieu thereof relating to riverboat gambling.

Senator Brown (16) moved that **SS** for **SJR 14** be adopted.

At the request of Senator Brown (16), **SJR 14**, with **SS** (pending), was placed on the Informal Calendar.

President Kehoe assumed the Chair.

At the request of Senator Luetkemeyer, **SB 189**, **SB 36**, and **SB 37**, with **SCS**, was placed on the Informal Calendar.

Senator Arthur moved that **SB 184**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 184**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 184

An Act to repeal section 144.030, RSMo, and to enact in lieu thereof four new sections relating to tax relief for child-related expenses.

Was taken up.

Senator Arthur moved that **SCS** for **SB 184** be adopted.

Senator Eigel offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 184, Page 1, In the Title, Lines 2-3, by striking “tax relief for child-related expenses” and inserting in lieu thereof the following: “taxation”; and

Further amend said bill, page 18, section 135.1350, line 168, by inserting in lieu thereof the following:

“137.115. 1. All other laws to the contrary notwithstanding, the assessor or the assessor's deputies in all counties of this state including the City of St. Louis shall annually make a list of all real and tangible personal property taxable in the assessor's city, county, town or district. Except as otherwise provided in subsection 3 of this section and section 137.078, **for all calendar years ending on or before December 31, 2023**, the assessor shall annually assess all personal property at thirty-three and one-third percent of its true value in money as of January first of each calendar year. **Except as otherwise provided in subsection 3 of this section and section 137.078, for all calendar years beginning on or after January 1, 2024, the assessor shall annually assess all personal property at thirty-one percent of its true value in money as of January first of each calendar year.** The assessor shall annually assess all real property, including any new construction and improvements to real property, and possessory interests in real property at the percent of its true value in money set in subsection 5 of this section. The true value in money of any possessory interest in real property in subclass (3), where such real property is on or lies within the ultimate airport boundary as shown by a federal airport layout plan, as defined by 14 CFR 151.5, of a commercial airport having a FAR Part 139 certification and owned by a political subdivision, shall be the otherwise applicable true value in money of any such possessory interest in real property, less the total dollar amount of costs paid by a party, other than the political subdivision, towards any new construction or improvements on such real property completed after January 1, 2008, and which are included in the above-mentioned possessory interest, regardless of the year in which such costs were incurred or whether such costs were considered in any prior year. The assessor shall annually assess all real property in the following manner: new assessed values shall be determined as of January first of each odd-numbered year and shall be entered in the assessor's books; those same assessed values shall apply in the following even-numbered year, except for new construction and property improvements which shall be valued as though they had been completed as of January first of the preceding odd-numbered year. The assessor may call at the office, place of doing business, or residence of each person required by this chapter to list property, and require the person to make a correct statement of all taxable tangible personal property owned by the person or under his or her care, charge or management, taxable in the county. On or before January first of each even-numbered year, the assessor shall prepare and submit a two-year assessment maintenance plan to the county governing body and the state tax commission for their respective approval or modification. The county governing body shall approve and forward such plan or its alternative to the plan to the state tax commission by February first. If the county governing body fails to forward the plan or its alternative to the plan to the state tax commission by February first, the assessor's plan shall be considered approved by the county governing body. If the state tax commission fails to approve a plan and if the state tax commission and the assessor and the governing body of the county involved are unable

to resolve the differences, in order to receive state cost-share funds outlined in section 137.750, the county or the assessor shall petition the administrative hearing commission, by May first, to decide all matters in dispute regarding the assessment maintenance plan. Upon agreement of the parties, the matter may be stayed while the parties proceed with mediation or arbitration upon terms agreed to by the parties. The final decision of the administrative hearing commission shall be subject to judicial review in the circuit court of the county involved. In the event a valuation of subclass (1) real property within any county with a charter form of government, or within a city not within a county, is made by a computer, computer-assisted method or a computer program, the burden of proof, supported by clear, convincing and cogent evidence to sustain such valuation, shall be on the assessor at any hearing or appeal. In any such county, unless the assessor proves otherwise, there shall be a presumption that the assessment was made by a computer, computer-assisted method or a computer program. Such evidence shall include, but shall not be limited to, the following:

(1) The findings of the assessor based on an appraisal of the property by generally accepted appraisal techniques; and

(2) The purchase prices from sales of at least three comparable properties and the address or location thereof. As used in this subdivision, the word “comparable” means that:

(a) Such sale was closed at a date relevant to the property valuation; and

(b) Such properties are not more than one mile from the site of the disputed property, except where no similar properties exist within one mile of the disputed property, the nearest comparable property shall be used. Such property shall be within five hundred square feet in size of the disputed property, and resemble the disputed property in age, floor plan, number of rooms, and other relevant characteristics.

2. Assessors in each county of this state and the City of St. Louis may send personal property assessment forms through the mail.

3. The following items of personal property shall each constitute separate subclasses of tangible personal property and shall be assessed and valued for the purposes of taxation at the following percentages of their true value in money, **except as provided in subsection 9 of this section**:

(1) Grain and other agricultural crops in an unmanufactured condition, one-half of one percent;

(2) Livestock, twelve percent;

(3) Farm machinery, twelve percent;

(4) Motor vehicles which are eligible for registration as and are registered as historic motor vehicles pursuant to section 301.131 and aircraft which are at least twenty-five years old and which are used solely for noncommercial purposes and are operated less than two hundred hours per year or aircraft that are home built from a kit, five percent;

(5) Poultry, twelve percent; and

(6) Tools and equipment used for pollution control and tools and equipment used in retooling for the purpose of introducing new product lines or used for making improvements to existing products by any

company which is located in a state enterprise zone and which is identified by any standard industrial classification number cited in subdivision (7) of section 135.200, twenty-five percent.

4. The person listing the property shall enter a true and correct statement of the property, in a printed blank prepared for that purpose. The statement, after being filled out, shall be signed and either affirmed or sworn to as provided in section 137.155. The list shall then be delivered to the assessor.

5. (1) All subclasses of real property, as such subclasses are established in Section 4(b) of Article X of the Missouri Constitution and defined in section 137.016, shall be assessed at the following percentages of true value:

- (a) For real property in subclass (1), nineteen percent;
- (b) For real property in subclass (2), twelve percent; and
- (c) For real property in subclass (3), thirty-two percent.

(2) A taxpayer may apply to the county assessor, or, if not located within a county, then the assessor of such city, for the reclassification of such taxpayer's real property if the use or purpose of such real property is changed after such property is assessed under the provisions of this chapter. If the assessor determines that such property shall be reclassified, he or she shall determine the assessment under this subsection based on the percentage of the tax year that such property was classified in each subclassification.

6. Manufactured homes, as defined in section 700.010, which are actually used as dwelling units shall be assessed at the same percentage of true value as residential real property for the purpose of taxation. The percentage of assessment of true value for such manufactured homes shall be the same as for residential real property. If the county collector cannot identify or find the manufactured home when attempting to attach the manufactured home for payment of taxes owed by the manufactured home owner, the county collector may request the county commission to have the manufactured home removed from the tax books, and such request shall be granted within thirty days after the request is made; however, the removal from the tax books does not remove the tax lien on the manufactured home if it is later identified or found. For purposes of this section, a manufactured home located in a manufactured home rental park, rental community or on real estate not owned by the manufactured home owner shall be considered personal property. For purposes of this section, a manufactured home located on real estate owned by the manufactured home owner may be considered real property.

7. Each manufactured home assessed shall be considered a parcel for the purpose of reimbursement pursuant to section 137.750, unless the manufactured home is deemed to be real estate as defined in subsection 7 of section 442.015 and assessed as a realty improvement to the existing real estate parcel.

8. Any amount of tax due and owing based on the assessment of a manufactured home shall be included on the personal property tax statement of the manufactured home owner unless the manufactured home is deemed to be real estate as defined in subsection 7 of section 442.015, in which case the amount of tax due and owing on the assessment of the manufactured home as a realty improvement to the existing real estate parcel shall be included on the real property tax statement of the real estate owner.

9. **To determine the true value in money for motor vehicles and farm machinery**, the assessor of each county and each city not within a county shall use the [trade-in value published in the October issue

of the National Automobile Dealers' Association Official Used Car Guide, or its successor publication, as the recommended guide of information for determining the true value of motor vehicles described in such publication. The assessor shall not use a value that is greater than the average trade-in value in determining the true value of the motor vehicle without performing a physical inspection of the motor vehicle. For vehicles two years old or newer from a vehicle's model year, the assessor may use a value other than average without performing a physical inspection of the motor vehicle. In the absence of a listing for a particular motor vehicle in such publication, the assessor shall use such information or publications which in the assessor's judgment will fairly estimate the true value in money of the motor vehicle.] **manufacturer's suggested retail price for the year of manufacture of a motor vehicle or farm machinery, and shall apply the following depreciation schedule to such value to determine the motor vehicle's or farm machinery's true value in money:**

Years since manufacture	Percent Depreciation
Current	15
1	25
2	35
3	45
4	55
5	65
6	75
7	85
8	95
9	Minimum value one dollar

The state tax commission shall, with the assistance of the Missouri state assessor's association, develop the bid specifications to secure the original manufacturer's suggested retail price from a nationally recognized service. The cost of the guide and programming necessary to allow valuation by vehicle identification number in all certified mass appraisal software systems used in the state shall be paid out of a county's assessment fund established pursuant to section 137.750 if the balance in such fund is in excess of one hundred thousand dollars. If the balance in such fund is less than or equal to one hundred thousand dollars, such costs shall be paid by an appropriation secured by the state tax commission from the general assembly. The state tax commission or the state of Missouri shall be the registered user of the value guide with rights to allow all assessors access to the guide and to an online site. Counties shall be responsible for renewals and annual software costs of preparing the data in a usable format for approved personal property software vendors in the state if the balance in such county's assessment fund is in excess of one hundred thousand dollars. If the

balance in such fund is less than or equal to one hundred thousand dollars, the state of Missouri or the state tax commission shall be responsible for such renewals and annual software costs. If a county creates its own software, it shall meet the same standards as the approved vendors. The data shall be available to all vendors by August fifteenth annually. All vendors shall have the data available for use in their client counties by October first prior to the January first assessment date. When the manufacturer's suggested retail price data is not available from the approved source or the assessor deems it not appropriate for the vehicle value he or she is valuing, the assessor may obtain a manufacturer's suggested retail price from a source he or she deems reliable and apply the depreciation schedule set out above.

10. Before the assessor may increase the assessed valuation of any parcel of subclass (1) real property by more than fifteen percent since the last assessment, excluding increases due to new construction or improvements, the assessor shall conduct a physical inspection of such property.

11. If a physical inspection is required, pursuant to subsection 10 of this section, the assessor shall notify the property owner of that fact in writing and shall provide the owner clear written notice of the owner's rights relating to the physical inspection. If a physical inspection is required, the property owner may request that an interior inspection be performed during the physical inspection. The owner shall have no less than thirty days to notify the assessor of a request for an interior physical inspection.

12. A physical inspection, as required by subsection 10 of this section, shall include, but not be limited to, an on-site personal observation and review of all exterior portions of the land and any buildings and improvements to which the inspector has or may reasonably and lawfully gain external access, and shall include an observation and review of the interior of any buildings or improvements on the property upon the timely request of the owner pursuant to subsection 11 of this section. Mere observation of the property via a drive-by inspection or the like shall not be considered sufficient to constitute a physical inspection as required by this section.

13. A county or city collector may accept credit cards as proper form of payment of outstanding property tax or license due. No county or city collector may charge surcharge for payment by credit card which exceeds the fee or surcharge charged by the credit card bank, processor, or issuer for its service. A county or city collector may accept payment by electronic transfers of funds in payment of any tax or license and charge the person making such payment a fee equal to the fee charged the county by the bank, processor, or issuer of such electronic payment.

14. Any county or city not within a county in this state may, by an affirmative vote of the governing body of such county, opt out of the provisions of this section and sections 137.073, 138.060, and 138.100 as enacted by house bill no. 1150 of the ninety-first general assembly, second regular session and section 137.073 as modified by house committee substitute for senate substitute for senate committee substitute for senate bill no. 960, ninety-second general assembly, second regular session, for the next year of the general reassessment, prior to January first of any year. No county or city not within a county shall exercise this opt-out provision after implementing the provisions of this section and sections 137.073, 138.060, and 138.100 as enacted by house bill no. 1150 of the ninety-first general assembly, second regular session and section 137.073 as modified by house committee substitute for senate substitute for senate committee substitute for senate bill no. 960, ninety-second general assembly, second regular session, in a year of general reassessment. For the purposes of applying the provisions of this subsection, a political subdivision contained within two or more counties where at least one of such counties has opted

out and at least one of such counties has not opted out shall calculate a single tax rate as in effect prior to the enactment of house bill no. 1150 of the ninety-first general assembly, second regular session. A governing body of a city not within a county or a county that has opted out under the provisions of this subsection may choose to implement the provisions of this section and sections 137.073, 138.060, and 138.100 as enacted by house bill no. 1150 of the ninety-first general assembly, second regular session, and section 137.073 as modified by house committee substitute for senate substitute for senate committee substitute for senate bill no. 960, ninety-second general assembly, second regular session, for the next year of general reassessment, by an affirmative vote of the governing body prior to December thirty-first of any year.

15. The governing body of any city of the third classification with more than twenty-six thousand three hundred but fewer than twenty-six thousand seven hundred inhabitants located in any county that has exercised its authority to opt out under subsection 14 of this section may levy separate and differing tax rates for real and personal property only if such city bills and collects its own property taxes or satisfies the entire cost of the billing and collection of such separate and differing tax rates. Such separate and differing rates shall not exceed such city's tax rate ceiling.

16. Any portion of real property that is available as reserve for strip, surface, or coal mining for minerals for purposes of excavation for future use or sale to others that has not been bonded and permitted under chapter 444 shall be assessed based upon how the real property is currently being used. Any information provided to a county assessor, state tax commission, state agency, or political subdivision responsible for the administration of tax policies shall, in the performance of its duties, make available all books, records, and information requested, except such books, records, and information as are by law declared confidential in nature, including individually identifiable information regarding a specific taxpayer or taxpayer's mine property. For purposes of this subsection, "mine property" shall mean all real property that is in use or readily available as a reserve for strip, surface, or coal mining for minerals for purposes of excavation for current or future use or sale to others that has been bonded and permitted under chapter 444."; and

Further amend the title and enacting clause accordingly.

Senator Eigel moved that the above amendment be adopted.

At the request of Senator Arthur, **SB 184**, with **SCS**, and **SA 1** (pending), was placed on the Informal Calendar.

At the request of Senator Bean, **SB 209**, with **SCS**, was placed on the Informal Calendar.

Senator Koenig moved that **SB 95** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Koenig offered **SS** for **SB 95**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 95

An Act to repeal section 139.031, RSMo, and to enact in lieu thereof two new sections relating to property taxes.

Senator Koenig moved that **SS** for **SB 95** be adopted.

Senator Luetkemeyer offered SA 1:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 95, Page 2, Section 137.132, Line 24, by inserting after all of said line the following:

“137.1050. 1. For the purposes of this section, the following terms shall mean:

(1) “Eligible credit amount”, the difference between an eligible taxpayer's real property tax liability on such taxpayer's homestead for a given tax year, minus the real property tax liability on such homestead in the year that the taxpayer became an eligible taxpayer;

(2) “Eligible taxpayer”, a Missouri resident who:

(a) Is eligible for Social Security retirement benefits;

(b) Is an owner of record of a homestead or has a legal or equitable interest in such property as evidenced by a written instrument; and

(c) Is liable for the payment of real property taxes on such homestead;

(3) “Homestead”, real property actually occupied by an eligible taxpayer as the primary residence. An eligible taxpayer shall not claim more than one primary residence.

2. Any county authorized to impose a property tax may grant a property tax credit to eligible taxpayers residing in such county in an amount equal to the taxpayer's eligible credit amount, provided that:

(1) Such county adopts an ordinance authorizing such credit; or

(2) (a) A petition in support of a referendum on such a credit is signed by at least five percent of the registered voters of such county voting in the last gubernatorial election and the petition is delivered to the governing body of the county, which shall subsequently hold a referendum on such credit.

(b) The ballot of submission for the question submitted to the voters pursuant to paragraph (a) of this subdivision shall be in substantially the following form:

Shall the County of _____ exempt senior citizens from increases in the property tax liability due on such seniors citizens' primary residence?

YES

NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the credit shall be in effect.

3. A county granting an exemption pursuant to this section shall apply such exemption when calculating the eligible taxpayer's property tax liability for the tax year. The amount of the credit shall be noted on the statement of tax due sent to the eligible taxpayer by the county collector.

4. For the purposes of calculating property tax levies pursuant to section 137.073, the total amount of credits authorized by a county pursuant to this section shall be considered tax revenue, as such term is defined in section 137.073, actually received by the county.”; and

Further amend the title and enacting clause accordingly.

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

Senator Schroer offered SA 2:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Bill No. 95, Page 1, Section A, Line 3, by inserting after all of said line the following:

“115.240. The election authority for any political subdivision or special district shall label ballot measures relating to taxation that are submitted by such political subdivision or special district to a vote of the people numerically or alphabetically in the order in which they are submitted. No such ballot measure shall be labeled in a descriptive manner aside from its numerical or alphabetical designation. Election authorities may coordinate with each other, or with the secretary of state, to maintain a database or other record to facilitate numerical or alphabetical assignment.

137.067. Notwithstanding any provision of law to the contrary, any ballot measure seeking approval to add, change, or modify a tax on real property shall express the effect of the proposed change within the ballot language in terms of the change in real dollars owed per one hundred thousand dollars of a property's market valuation.

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

(1) “General reassessment”, changes in value, entered in the assessor's books, of a substantial portion of the parcels of real property within a county resulting wholly or partly from reappraisal of value or other actions of the assessor or county equalization body or ordered by the state tax commission or any court;

(2) “Tax rate”, “rate”, or “rate of levy”, singular or plural, includes the tax rate for each purpose of taxation of property a taxing authority is authorized to levy without a vote and any tax rate authorized by election, including bond interest and sinking fund;

(3) “Tax rate ceiling”, a tax rate as revised by the taxing authority to comply with the provisions of this section or when a court has determined the tax rate; except that, other provisions of law to the contrary notwithstanding, a school district may levy the operating levy for school purposes required for the current year pursuant to subsection 2 of section 163.021, less all adjustments required pursuant to Article X, Section 22 of the Missouri Constitution, if such tax rate does not exceed the highest tax rate in effect subsequent to the 1980 tax year. This is the maximum tax rate that may be levied, unless a higher tax rate ceiling is approved by voters of the political subdivision as provided in this section;

(4) “Tax revenue”, when referring to the previous year, means the actual receipts from ad valorem levies on all classes of property, including state-assessed property, in the immediately preceding fiscal year of the political subdivision, plus an allowance for taxes billed but not collected in the fiscal year and plus an additional allowance for the revenue which would have been collected from property which was annexed by such political subdivision but which was not previously used in determining tax revenue pursuant to this section. The term “tax revenue” shall not include any receipts from ad valorem levies on any property of a railroad corporation or a public utility, as these terms are defined in section 386.020, which were assessed by the assessor of a county or city in the previous year but are assessed by the state tax commission in the current year. All school districts and those counties levying sales taxes pursuant to chapter 67 shall include in the calculation of tax revenue an amount equivalent to that by which they reduced property tax levies as a result of sales tax pursuant to section 67.505 and section 164.013 or as excess home dock city or county fees as provided in subsection 4 of section 313.820 in the immediately preceding fiscal year but not including any amount calculated to adjust for prior years. For purposes of political subdivisions which were authorized to levy a tax in the prior year but which did not levy such tax or levied a reduced rate, the term “tax revenue”, as used in relation to the revision of tax levies mandated by law, shall mean the revenues equal to the amount that would have been available if the voluntary rate reduction had not been made.

2. Whenever changes in assessed valuation are entered in the assessor's books for any personal property, in the aggregate, or for any subclass of real property as such subclasses are established in Section 4(b) of Article X of the Missouri Constitution and defined in section 137.016, the county clerk in all counties and the assessor of St. Louis City shall notify each political subdivision wholly or partially within the county or St. Louis City of the change in valuation of each subclass of real property, individually, and personal property, in the aggregate, exclusive of new construction and improvements. All political subdivisions shall immediately revise the applicable rates of levy for each purpose for each subclass of real property, individually, and personal property, in the aggregate, for which taxes are levied to the extent necessary to produce from all taxable property, exclusive of new construction and improvements, substantially the same amount of tax revenue as was produced in the previous year for each subclass of real property, individually, and personal property, in the aggregate, except that the rate shall not exceed the greater of the most recent voter-approved rate or the most recent voter-approved rate as adjusted under subdivision (2) of subsection 5 of this section. Any political subdivision that has received approval from voters for a tax increase after August 27, 2008, may levy a rate to collect substantially the same amount of tax revenue as the amount of revenue that would have been derived by applying the voter-approved increased tax rate ceiling to the total assessed valuation of the political subdivision as most recently certified by the city or county clerk on or before the date of the election in which such increase is approved, increased by the percentage increase in the consumer price index, as provided by law, except that the rate shall not exceed the greater of the most recent voter-approved rate or the most recent voter-approved rate as adjusted under subdivision (2) of subsection 5 of this section. Such tax revenue shall not include any receipts from ad valorem levies on any real property which was assessed by the assessor of a county or city in such previous year but is assessed by the assessor of a county or city in the current year in a different subclass of real property. Where the taxing authority is a school district for the purposes of revising the applicable rates of levy for each subclass of real property, the tax revenues from state-assessed railroad and utility property shall be apportioned and attributed to each subclass of real property based on the percentage of the total assessed valuation of the county that each subclass of real property represents in

the current taxable year. As provided in Section 22 of Article X of the constitution, a political subdivision may also revise each levy to allow for inflationary assessment growth occurring within the political subdivision. The inflationary growth factor for any such subclass of real property or personal property shall be limited to the actual assessment growth in such subclass or class, exclusive of new construction and improvements, and exclusive of the assessed value on any real property which was assessed by the assessor of a county or city in the current year in a different subclass of real property, but not to exceed the consumer price index or five percent, whichever is lower. Should the tax revenue of a political subdivision from the various tax rates determined in this subsection be different than the tax revenue that would have been determined from a single tax rate as calculated pursuant to the method of calculation in this subsection prior to January 1, 2003, then the political subdivision shall revise the tax rates of those subclasses of real property, individually, and/or personal property, in the aggregate, in which there is a tax rate reduction, pursuant to the provisions of this subsection. Such revision shall yield an amount equal to such difference and shall be apportioned among such subclasses of real property, individually, and/or personal property, in the aggregate, based on the relative assessed valuation of the class or subclasses of property experiencing a tax rate reduction. Such revision in the tax rates of each class or subclass shall be made by computing the percentage of current year adjusted assessed valuation of each class or subclass with a tax rate reduction to the total current year adjusted assessed valuation of the class or subclasses with a tax rate reduction, multiplying the resulting percentages by the revenue difference between the single rate calculation and the calculations pursuant to this subsection and dividing by the respective adjusted current year assessed valuation of each class or subclass to determine the adjustment to the rate to be levied upon each class or subclass of property. The adjustment computed herein shall be multiplied by one hundred, rounded to four decimals in the manner provided in this subsection, and added to the initial rate computed for each class or subclass of property. For school districts that levy separate tax rates on each subclass of real property and personal property in the aggregate, if voters approved a ballot before January 1, 2011, that presented separate stated tax rates to be applied to the different subclasses of real property and personal property in the aggregate, or increases the separate rates that may be levied on the different subclasses of real property and personal property in the aggregate by different amounts, the tax rate that shall be used for the single tax rate calculation shall be a blended rate, calculated in the manner provided under subdivision (1) of subsection 6 of this section. Notwithstanding any provision of this subsection to the contrary, no revision to the rate of levy for personal property shall cause such levy to increase over the levy for personal property from the prior year.

3. (1) Where the taxing authority is a school district, it shall be required to revise the rates of levy to the extent necessary to produce from all taxable property, including state-assessed railroad and utility property, which shall be separately estimated in addition to other data required in complying with section 164.011, substantially the amount of tax revenue permitted in this section. In the year following tax rate reduction, the tax rate ceiling may be adjusted to offset such district's reduction in the apportionment of state school moneys due to its reduced tax rate. However, in the event any school district, in calculating a tax rate ceiling pursuant to this section, requiring the estimating of effects of state-assessed railroad and utility valuation or loss of state aid, discovers that the estimates used result in receipt of excess revenues, which would have required a lower rate if the actual information had been known, the school district shall reduce the tax rate ceiling in the following year to compensate for the excess receipts, and the recalculated rate shall become the tax rate ceiling for purposes of this section.

(2) For any political subdivision which experiences a reduction in the amount of assessed valuation relating to a prior year, due to decisions of the state tax commission or a court pursuant to sections 138.430 to 138.433, or due to clerical errors or corrections in the calculation or recordation of any assessed valuation:

(a) Such political subdivision may revise the tax rate ceiling for each purpose it levies taxes to compensate for the reduction in assessed value occurring after the political subdivision calculated the tax rate ceiling for the particular subclass of real property or for personal property, in the aggregate, in a prior year. Such revision by the political subdivision shall be made at the time of the next calculation of the tax rate for the particular subclass of real property or for personal property, in the aggregate, after the reduction in assessed valuation has been determined and shall be calculated in a manner that results in the revised tax rate ceiling being the same as it would have been had the corrected or finalized assessment been available at the time of the prior calculation;

(b) In addition, for up to three years following the determination of the reduction in assessed valuation as a result of circumstances defined in this subdivision, such political subdivision may levy a tax rate for each purpose it levies taxes above the revised tax rate ceiling provided in paragraph (a) of this subdivision to recoup any revenues it was entitled to receive had the corrected or finalized assessment been available at the time of the prior calculation.

4. (1) In order to implement the provisions of this section and Section 22 of Article X of the Constitution of Missouri, the term improvements shall apply to both real and personal property. In order to determine the value of new construction and improvements, each county assessor shall maintain a record of real property valuations in such a manner as to identify each year the increase in valuation for each political subdivision in the county as a result of new construction and improvements. The value of new construction and improvements shall include the additional assessed value of all improvements or additions to real property which were begun after and were not part of the prior year's assessment, except that the additional assessed value of all improvements or additions to real property which had been totally or partially exempt from ad valorem taxes pursuant to sections 99.800 to 99.865, sections 135.200 to 135.255, and section 353.110 shall be included in the value of new construction and improvements when the property becomes totally or partially subject to assessment and payment of all ad valorem taxes. The aggregate increase in valuation of personal property for the current year over that of the previous year is the equivalent of the new construction and improvements factor for personal property. Notwithstanding any opt-out implemented pursuant to subsection 14 of section 137.115, the assessor shall certify the amount of new construction and improvements and the amount of assessed value on any real property which was assessed by the assessor of a county or city in such previous year but is assessed by the assessor of a county or city in the current year in a different subclass of real property separately for each of the three subclasses of real property for each political subdivision to the county clerk in order that political subdivisions shall have this information for the purpose of calculating tax rates pursuant to this section and Section 22, Article X, Constitution of Missouri. In addition, the state tax commission shall certify each year to each county clerk the increase in the general price level as measured by the Consumer Price Index for All Urban Consumers for the United States, or its successor publications, as defined and officially reported by the United States Department of Labor, or its successor agency. The state tax commission shall certify the increase in such index on the latest twelve-month basis available on February first of each year over the immediately preceding prior twelve-month period in order that political

subdivisions shall have this information available in setting their tax rates according to law and Section 22 of Article X of the Constitution of Missouri. For purposes of implementing the provisions of this section and Section 22 of Article X of the Missouri Constitution, the term “property” means all taxable property, including state-assessed property.

(2) Each political subdivision required to revise rates of levy pursuant to this section or Section 22 of Article X of the Constitution of Missouri shall calculate each tax rate it is authorized to levy and, in establishing each tax rate, shall consider each provision for tax rate revision provided in this section and Section 22 of Article X of the Constitution of Missouri, separately and without regard to annual tax rate reductions provided in section 67.505 and section 164.013. Each political subdivision shall set each tax rate it is authorized to levy using the calculation that produces the lowest tax rate ceiling. It is further the intent of the general assembly, pursuant to the authority of Section 10(c) of Article X of the Constitution of Missouri, that the provisions of such section be applicable to tax rate revisions mandated pursuant to Section 22 of Article X of the Constitution of Missouri as to reestablishing tax rates as revised in subsequent years, enforcement provisions, and other provisions not in conflict with Section 22 of Article X of the Constitution of Missouri. Annual tax rate reductions provided in section 67.505 and section 164.013 shall be applied to the tax rate as established pursuant to this section and Section 22 of Article X of the Constitution of Missouri, unless otherwise provided by law.

5. (1) In all political subdivisions, the tax rate ceiling established pursuant to this section shall not be increased unless approved by a vote of the people. Approval of the higher tax rate shall be by at least a majority of votes cast. When a proposed higher tax rate requires approval by more than a simple majority pursuant to any provision of law or the constitution, the tax rate increase must receive approval by at least the majority required.

(2) When voters approve an increase in the tax rate, the amount of the increase shall be added to the tax rate ceiling as calculated pursuant to this section to the extent the total rate does not exceed any maximum rate prescribed by law. If a ballot question presents a stated tax rate for approval rather than describing the amount of increase in the question, the stated tax rate approved shall be adjusted as provided in this section and, so adjusted, shall be the current tax rate ceiling. The increased tax rate ceiling as approved shall be adjusted such that when applied to the current total assessed valuation of the political subdivision, excluding new construction and improvements since the date of the election approving such increase, the revenue derived from the adjusted tax rate ceiling is equal to the sum of: the amount of revenue which would have been derived by applying the voter-approved increased tax rate ceiling to total assessed valuation of the political subdivision, as most recently certified by the city or county clerk on or before the date of the election in which such increase is approved, increased by the percentage increase in the consumer price index, as provided by law. Such adjusted tax rate ceiling may be applied to the total assessed valuation of the political subdivision at the setting of the next tax rate. If a ballot question presents a phased-in tax rate increase, upon voter approval, each tax rate increase shall be adjusted in the manner prescribed in this section to yield the sum of: the amount of revenue that would be derived by applying such voter-approved increased rate to the total assessed valuation, as most recently certified by the city or county clerk on or before the date of the election in which such increase was approved, increased by the percentage increase in the consumer price index, as provided by law, from the date of the election to the time of such increase and, so adjusted, shall be the current tax rate ceiling.

(3) The provisions of subdivision (2) of this subsection notwithstanding, if, prior to the expiration of a temporary levy increase, voters approve a subsequent levy increase, the new tax rate ceiling shall remain in effect only until such time as the temporary levy expires under the terms originally approved by a vote of the people, at which time the tax rate ceiling shall be decreased by the amount of the temporary levy increase. If, prior to the expiration of a temporary levy increase, voters of a political subdivision are asked to approve an additional, permanent increase to the political subdivision's tax rate ceiling, voters shall be submitted ballot language that clearly indicates that if the permanent levy increase is approved, the temporary levy shall be made permanent.

(4) The governing body of any political subdivision may levy a tax rate lower than its tax rate ceiling and may, in a nonreassessment year, increase that lowered tax rate to a level not exceeding the tax rate ceiling without voter approval in the manner provided under subdivision [(4)] (5) of this subsection. Nothing in this section shall be construed as prohibiting a political subdivision from voluntarily levying a tax rate lower than that which is required under the provisions of this section or from seeking voter approval of a reduction to such political subdivision's tax rate ceiling.

[(4)] (5) In a year of general reassessment, a governing body whose tax rate is lower than its tax rate ceiling shall revise its tax rate pursuant to the provisions of subsection 4 of this section as if its tax rate was at the tax rate ceiling. In a year following general reassessment, if such governing body intends to increase its tax rate, the governing body shall conduct a public hearing, and in a public meeting it shall adopt an ordinance, resolution, or policy statement justifying its action prior to setting and certifying its tax rate. The provisions of this subdivision shall not apply to any political subdivision which levies a tax rate lower than its tax rate ceiling solely due to a reduction required by law resulting from sales tax collections. The provisions of this subdivision shall not apply to any political subdivision which has received voter approval for an increase to its tax rate ceiling subsequent to setting its most recent tax rate.

6. (1) For the purposes of calculating state aid for public schools pursuant to section 163.031, each taxing authority which is a school district shall determine its proposed tax rate as a blended rate of the classes or subclasses of property. Such blended rate shall be calculated by first determining the total tax revenue of the property within the jurisdiction of the taxing authority, which amount shall be equal to the sum of the products of multiplying the assessed valuation of each class and subclass of property by the corresponding tax rate for such class or subclass, then dividing the total tax revenue by the total assessed valuation of the same jurisdiction, and then multiplying the resulting quotient by a factor of one hundred. Where the taxing authority is a school district, such blended rate shall also be used by such school district for calculating revenue from state-assessed railroad and utility property as defined in chapter 151 and for apportioning the tax rate by purpose.

(2) Each taxing authority proposing to levy a tax rate in any year shall notify the clerk of the county commission in the county or counties where the tax rate applies of its tax rate ceiling and its proposed tax rate. Each taxing authority shall express its proposed tax rate in a fraction equal to the nearest one-tenth of a cent, unless its proposed tax rate is in excess of one dollar, then one/one-hundredth of a cent. If a taxing authority shall round to one/one-hundredth of a cent, it shall round up a fraction greater than or equal to five/one-thousandth of one cent to the next higher one/one-hundredth of a cent; if a taxing authority shall round to one-tenth of a cent, it shall round up a fraction greater than or equal to five/one-hundredths of a cent to the next higher one-tenth of a cent. Any taxing authority levying a property tax

rate shall provide data, in such form as shall be prescribed by the state auditor by rule, substantiating such tax rate complies with Missouri law. All forms for the calculation of rates pursuant to this section shall be promulgated as a rule and shall not be incorporated by reference. The state auditor shall promulgate rules for any and all forms for the calculation of rates pursuant to this section which do not currently exist in rule form or that have been incorporated by reference. In addition, each taxing authority proposing to levy a tax rate for debt service shall provide data, in such form as shall be prescribed by the state auditor by rule, substantiating the tax rate for debt service complies with Missouri law. A tax rate proposed for annual debt service requirements will be prima facie valid if, after making the payment for which the tax was levied, bonds remain outstanding and the debt fund reserves do not exceed the following year's payments. The county clerk shall keep on file and available for public inspection all such information for a period of three years. The clerk shall, within three days of receipt, forward a copy of the notice of a taxing authority's tax rate ceiling and proposed tax rate and any substantiating data to the state auditor. The state auditor shall, within fifteen days of the date of receipt, examine such information and return to the county clerk his or her findings as to compliance of the tax rate ceiling with this section and as to compliance of any proposed tax rate for debt service with Missouri law. If the state auditor believes that a taxing authority's proposed tax rate does not comply with Missouri law, then the state auditor's findings shall include a recalculated tax rate, and the state auditor may request a taxing authority to submit documentation supporting such taxing authority's proposed tax rate. The county clerk shall immediately forward a copy of the auditor's findings to the taxing authority and shall file a copy of the findings with the information received from the taxing authority. The taxing authority shall have fifteen days from the date of receipt from the county clerk of the state auditor's findings and any request for supporting documentation to accept or reject in writing the rate change certified by the state auditor and to submit all requested information to the state auditor. A copy of the taxing authority's acceptance or rejection and any information submitted to the state auditor shall also be mailed to the county clerk. If a taxing authority rejects a rate change certified by the state auditor and the state auditor does not receive supporting information which justifies the taxing authority's original or any subsequent proposed tax rate, then the state auditor shall refer the perceived violations of such taxing authority to the attorney general's office and the attorney general is authorized to obtain injunctive relief to prevent the taxing authority from levying a violative tax rate.

(3) In the event that the taxing authority incorrectly completes the forms created and promulgated under subdivision (2) of this subsection, or makes a clerical error, the taxing authority may submit amended forms with an explanation for the needed changes. If such amended forms are filed under regulations prescribed by the state auditor, the state auditor shall take into consideration such amended forms for the purposes of this subsection.

7. No tax rate shall be extended on the tax rolls by the county clerk unless the political subdivision has complied with the foregoing provisions of this section.

8. Whenever a taxpayer has cause to believe that a taxing authority has not complied with the provisions of this section, the taxpayer may make a formal complaint with the prosecuting attorney of the county. Where the prosecuting attorney fails to bring an action within ten days of the filing of the complaint, the taxpayer may bring a civil action pursuant to this section and institute an action as representative of a class of all taxpayers within a taxing authority if the class is so numerous that joinder of all members is impracticable, if there are questions of law or fact common to the class, if the claims or

defenses of the representative parties are typical of the claims or defenses of the class, and if the representative parties will fairly and adequately protect the interests of the class. In any class action maintained pursuant to this section, the court may direct to the members of the class a notice to be published at least once each week for four consecutive weeks in a newspaper of general circulation published in the county where the civil action is commenced and in other counties within the jurisdiction of a taxing authority. The notice shall advise each member that the court will exclude him or her from the class if he or she so requests by a specified date, that the judgment, whether favorable or not, will include all members who do not request exclusion, and that any member who does not request exclusion may, if he or she desires, enter an appearance. In any class action brought pursuant to this section, the court, in addition to the relief requested, shall assess against the taxing authority found to be in violation of this section the reasonable costs of bringing the action, including reasonable attorney's fees, provided no attorney's fees shall be awarded any attorney or association of attorneys who receive public funds from any source for their services. Any action brought pursuant to this section shall be set for hearing as soon as practicable after the cause is at issue.

9. If in any action, including a class action, the court issues an order requiring a taxing authority to revise the tax rates as provided in this section or enjoins a taxing authority from the collection of a tax because of its failure to revise the rate of levy as provided in this section, any taxpayer paying his or her taxes when an improper rate is applied has erroneously paid his or her taxes in part, whether or not the taxes are paid under protest as provided in section 139.031 or otherwise contested. The part of the taxes paid erroneously is the difference in the amount produced by the original levy and the amount produced by the revised levy. The township or county collector of taxes or the collector of taxes in any city shall refund the amount of the tax erroneously paid. The taxing authority refusing to revise the rate of levy as provided in this section shall make available to the collector all funds necessary to make refunds pursuant to this subsection. No taxpayer shall receive any interest on any money erroneously paid by him or her pursuant to this subsection. Effective in the 1994 tax year, nothing in this section shall be construed to require a taxing authority to refund any tax erroneously paid prior to or during the third tax year preceding the current tax year.

10. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be invalid and void.”; and

Further amend the title and enacting clause accordingly.

Senator Schroer moved that the above amendment be adopted.

Senator Bean assumed the Chair.

President Kehoe assumed the Chair.

At the request of Senator Koenig, **SB 95**, with **SS**, and **SA 2** (pending), was placed on the Informal Calendar.

HOUSE BILLS ON THIRD READING

HCS for HB 115 and HB 99, entitled:

**HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILLS NOS. 115 AND 99**

An Act to repeal sections 334.100, 334.506, and 334.613, RSMo, and to enact in lieu thereof three new sections relating to the scope of practice for physical therapists.

Was taken up by Senator Eslinger.

Senator Eslinger offered **SS** for **HCS** for **HBs 115 and 99**, entitled:

**SENATE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILLS NOS. 115 and 99**

An Act to repeal sections 195.070, 334.036, 334.100, 334.104, 334.506, 334.613, 335.016, 335.019, 335.036, 335.046, 335.051, 335.056, 335.076, 335.086, 335.175, 337.510, and 338.010, RSMo, and to enact in lieu thereof nineteen new sections relating to licensing of health care professionals.

Senator Eslinger moved that **SS** for **HCS** for **HBs 115 and 99** be adopted, which motion prevailed.

On motion of Senator Eslinger, **SS** for **HCS** for **HBs 115 and 99** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bean	Beck	Bernskoetter	Black	Brattin	Brown (16th Dist.)
Brown (26th Dist.)	Carter	Cierpiot	Coleman	Crawford	Eigel	Eslinger
Fitzwater	Hoskins	Hough	Koenig	Luetkemeyer	May	McCreery
Mosley	Razer	Rizzo	Roberts	Rowden	Schroer	Thompson Rehder
Trent	Washington	Williams—31				

NAYS—Senators

Moon O'Laughlin—2

Absent—Senator Gannon—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Eslinger, title to the bill was agreed to.

Senator Eslinger moved that the vote by which the bill passed be reconsidered.

Senator O'Laughlin moved that motion lay on the table, which motion prevailed.

SENATE BILLS FOR PERFECTION

Senator Crawford moved that **SB 11**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 11**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 11**

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to health care benefits provided by certain organizations.

Was taken up.

Senator Crawford moved that **SCS** for **SB 11** be adopted.

Senator Crawford offered **SS** for **SCS** for **SB 11**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 11

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to health care benefits provided by certain organizations.

Senator Crawford moved that **SS** for **SCS** for **SB 11** be adopted.

Senator Bean assumed the Chair.

Senator Fitzwater assumed the Chair.

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

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 11, Page 2, Section 376.1850, Line 23, by inserting after “bureau” the following: “**who have been a member for at least one year**”.

Senator Roberts moved that the above amendment be adopted.

At the request of Senator Roberts, **SA 1** was withdrawn.

Senator Schroer offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 11, Page 1, Section 376.1850, Line 17, by inserting after “twenty-six” the following: “;

(5) “**Qualified membership organization**”, an entity with at least one hundred thousand dues paying members, that is governed by a council of its members, that has at least five hundred million dollars in assets, and that exists to serve its members beyond solely offering health coverage”; and further amend line 19, by inserting after “bureau” the following: “**or qualified membership organization**”; and

Further amend said bill and section, page 2, line 23, by inserting after “bureau” the following: “**or qualified membership organization**”; and further amend line 25, by inserting after “bureau” the following: “**or qualified membership organization**”.

Senator Schroer moved that the above amendment be adopted.

Senator Roberts offered **SA 1** to **SA 2**, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 2

Amend Senate Amendment No. 2 to Senate Substitute for Senate Committee Substitute for Senate Bill No. 11, Line 12, by inserting after “organization” the following: “**who have been members for at least six months or have a pre-existing condition**”.

Senator Roberts moved that the above amendment be adopted.

At the request of Senator Crawford, **SB 11**, with **SCS**, **SS** for **SCS**, **SA 2**, and **SA 1** to **SA 2** (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 passed **HB 196**, entitled:

An Act to repeal sections 217.035, 217.147, 217.650, 217.670, 217.703, 217.710, 217.720, 217.785, 217.810, 548.241, 559.016, 559.036, 559.125, and 595.209, RSMo, and to enact in lieu thereof thirteen new sections relating to the department of corrections.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 519**, entitled:

An Act to repeal sections 142.815, 142.822, and 142.824, RSMo, and to enact in lieu thereof three new sections relating to the motor fuel tax exemption.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

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 809**, entitled:

An Act to repeal sections 30.753, 130.011, 130.021, 130.031, 130.036, 130.041, 361.020, 361.098, 361.160, 361.260, 361.262, 361.715, 364.030, 364.105, 365.030, 367.140, 407.640, 408.145, 408.500, 569.010, 569.100, 570.010, and 570.030, RSMo, and to enact in lieu thereof thirty-eight new sections relating to financial affairs.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

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 90**, entitled:

An Act to repeal sections 217.785, 476.055, 485.060, and 509.520, RSMo, and to enact in lieu thereof three new sections relating to court operations.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

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 497**, entitled:

An Act to repeal sections 43.539, 43.540, 160.665, 162.471, 162.492, 162.611, 163.011, 163.031, 163.172, 168.110, 168.400, 169.070, 169.560, 169.596, 173.232, 571.030, 571.107, 571.215, 590.010, and 590.205, RSMo, and to enact in lieu thereof twenty-four new sections relating to public schools.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 200**, entitled:

An Act to repeal section 226.1150, RSMo, and to enact in lieu thereof one new section relating to the German heritage corridor of Missouri.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

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 76**, entitled:

An Act to amend chapter 160, RSMo, by adding thereto one new section relating to the Career-Tech Certificate program.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

REPORTS OF STANDING COMMITTEES

Senator O'Laughlin, Chair of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS** for **SB 199**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Rowden referred **SS** for **SB 35** and **SS** for **SCS** for **SB 92** to the Committee on Fiscal Oversight.

INTRODUCTION OF GUESTS

Senator Bean introduced to the Senate, Science Coach students, Brayden Burthardt; Andrew Bufalo; Callie Logsdon; Reagan Stinson; Jill Ott; Jennifer Hess; Shawn Morris; and Fred Schmidt.

Senator McCreery introduced to the Senate, American College of Obstetricians and Gynecologists, Missouri chapter.

Senator Schroer introduced to the Senate, Jayden Pullman, St. Louis.

Senator Williams introduced to the Senate, Educational Leadership Doctoral Program, Luella Loseille, St. Louis City; Aliscia Payne, St.Louis County; Miriam Townsend, Webster Groves; and Evelyn Shields Benford, Olivette; and Affinia Health Care Department of Obstetrics and Gynecology, Dr Melissa Tepe; and National Association of Benefits and Insurance Professionals President, Kathy Conley-Jones, St. Louis; and St. Louis Alderman, Mike Jones.

Senator Hoskins introduced to the Senate, his wife, Michelle; and Matt and Mindy Sergent, Warrensburg.

On motion of Senator O'Laughlin the Senate adjourned until 12:00 p.m., Wednesday, April 5, 2023.

SENATE CALENDAR

FORTY-SEVENTH DAY–WEDNESDAY, APRIL 5, 2023

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 651-Eigel	SB 666-Black
SB 653-Roberts	SB 667-Eslinger
SB 654-Eigel	SB 668-Roberts
SB 655-Moon	SB 669-Arthur
SB 656-Fitzwater	SB 670-Arthur
SB 657-Crawford	SB 671-Carter
SB 658-Eigel	SB 672-Carter
SB 659-McCreery	SB 673-May
SB 660-McCreery	SB 674-May
SB 661-McCreery	SB 675-Washington
SB 662-McCreery	SB 676-Washington
SB 663-Cierpiot	SB 677-Trent
SB 664-Gannon	SB 678-Trent
SB 665-Gannon	SB 679-Trent

SB 680-Brown (26)	SB 702-Beck
SB 681-Eigel	SB 703-Eslinger
SB 682-Eigel	SB 704-Eslinger
SB 683-Trent	SB 705-Rizzo
SB 684-Luetkemeyer	SB 706-Koenig
SB 685-Coleman	SB 707-Trent
SB 686-Coleman	SB 708-O'Laughlin, et al
SB 687-Coleman	SB 709-O'Laughlin
SB 688-Bernskoetter	SB 710-Moon and Carter
SB 689-McCreery	SB 711-Eigel
SB 690-Roberts	SB 712-Brown (26)
SB 691-Razer	SB 713-Washington
SB 692-Eigel	SB 714-Washington
SB 693-Eigel	SB 715-Washington
SB 694-Eigel	SB 716-Washington
SB 695-Bean	SB 717-Fitzwater
SB 696-Hoskins	SB 718-Fitzwater
SB 697-Hoskins	SB 719-Fitzwater
SB 698-Hoskins	SB 720-Hoskins
SB 699-Brattin	SB 721-Roberts
SB 700-Luetkemeyer	SB 722-Washington
SB 701-Schroer	SB 723-Washington

HOUSE BILLS ON SECOND READING

HB 677-Copeland	HCS for HB 467
HB 585-Owen	HB 132-Griffith
HCS for HB 461	HCS for HB 475
HCS for HB 454	HB 129-Griffith
HB 490-Sharpe (4)	HCS for HB 130
HCS for HBs 47 & 638	HB 283-Kelly (141)
HB 630-Knight	HB 644-Francis
HCS for HBs 919 & 1081	HB 923-Hovis
HCS for HB 668	HB 447-Davidson
HCS for HBs 802, 807 & 886	HCS for HB 442
HB 131-Griffith	HCS for HJR 33 & 45
HCS for HB 587	HCS for HBs 816 & 660
HCS for HB 715	HCS for HBs 651, 479 & 647
HB 81-Veit	HCS for HB 725
HCS for HB 909	HCS for HBs 913 & 428
HCS for HBs 117, 343 & 1091	HCS for HB 863
HB 94-Schwadron	HS for HCS for HB 356
HCS for HB 1019	HCS for HB 1162
HB 1010-Christofanelli	HCS for HB 766
HCS for HBs 556 & 581	HCS for HBs 971 & 970

HCS for HB 1133
HCS for HB 1015
HCS for HB 207
HB 403-Haden
HCS for HB 225
HCS for HBs 882 & 518
HCS for HB 631
HCS for HB 1
HCS for HB 2
HCS for HB 3
HCS for HB 4
HCS for HB 5
HCS for HB 6
HCS for HB 7
HCS for HB 8
HCS for HB 9
HCS for HB 10
HCS for HB 11

HCS for HB 12
HCS for HB 13
HCS for HB 15
HB 1120-Hardwick
HCS for HB 870
HCS for HB 675
HB 995-Baker
HCS for HB 1058
HCS for HB 986
HCS for HB 774
HCS for HB 543
HB 196-Henderson
HB 519-Mayhew
HCS for HB 809
HCS for HB 90
HCS for HB 497
HB 200-Francis
HCS for HB 76

THIRD READING OF SENATE BILLS

SS for SCS for SB 8-Eigel
(In Fiscal Oversight)
SS for SB 143-Beck (In Fiscal Oversight)
SS#3 for SCS for SB 131-Brattin
(In Fiscal Oversight)
SJR 21-Roberts (In Fiscal Oversight)

SS for SB 35-May (In Fiscal Oversight)
SS for SCS for SB 157-Black
SS for SCS for SB 92-Hoskins
(In Fiscal Oversight)
SS for SB 199-Thompson Rehder

SENATE BILLS FOR PERFECTION

1. SB 317-Eigel, with SCS
2. SB 228-Coleman, with SCS
3. SB 413-Hoskins, with SCS
4. SBs 411 & 230-Brown (26), with SCS
5. SB 234-Brown (26)
6. SB 304-Eigel
7. SB 122-May
8. SB 256-Brattin, with SCS
9. SB 540-Eigel
10. SB 542-Eigel
11. SB 275-Trent
12. SB 190-Luetkemeyer
13. SB 355-Brown (16), with SCS

14. SB 398-Schroer, with SCS
15. SB 128-Thompson Rehder
16. SB 129-Brattin, with SCS
17. SB 74-Trent, with SCS
18. SB 378-Rowden
19. SB 265-Bean
20. SB 148-Mosley
21. SB 180-Crawford
22. SB 400-Schroer
23. SJR 12-Cierpiot
24. SB 168-Brown (26), with SCS
25. SB 335-Crawford
26. SB 46-Gannon, with SCS

27. SB 206-Eslinger

28. SB 349-Trent, with SCS

29. SB 229-Colemen, with SCS

30. SBs 332, 334, 541 & 144-Brattin, with SCS

HOUSE BILLS ON THIRD READING

HCS for HB 301, with SCS (Luetkemeyer)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 5-Koenig, with SCS

SB 11-Crawford, with SCS, SS for SCS,
SA 2 & SA 1 to SA 2 (pending)

SB 15-Cierpiot, with SS (pending)

SB 21-Bernskoetter, with SCS (pending)

SB 30-Luetkemeyer

SB 38-Williams, with SCS & SS for
SCS (pending)

SB 44-Brattin

SBs 73 & 162-Trent, with SCS, SS for
SCS & SA 2 (pending)

SB 79-Schroer, with SCS

SB 80-Schroer

SB 81-Coleman, with SCS

SB 85-Carter, with SCS, SS for SCS &
SA 1 (pending)SB 88-Brown (26), with SCS & SS for
SCS (pending)SBs 93 & 135-Hoskins, with SCS & SS for
SCS (pending)

SB 95-Koenig, with SS & SA 2 (pending)

SB 105-Cierpiot, with SS & SA 2 (pending)

SB 110-Bernskoetter

SB 112-Hough

SB 117-Luetkemeyer, with SS, SA 1 & SA 1 to
SA 1 (pending)

SB 136-Eslinger

SB 140-Bean, with SCS

SB 151-Fitzwater, with SA 2 (pending)

SB 152-Trent

SB 184-Arthur, with SCS & SA 1 (pending)

SBs 189, 36 & 37-Luetkemeyer, with SCS

SB 209-Bean, with SCS

SB 214-Beck, with SS & SA 2 (pending)

SB 360-Koenig, with SCS

SJR 14-Brown (16), with SS (pending)

HOUSE BILLS ON THIRD READING

HCS for HJR 43 (Crawford), with SS, SA 1,
SSA 1 for SA 1 & SA 1 to SSA 1
for SA 1 (pending)

RESOLUTIONS

SR 22-Roberts

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