

A SUMMARY OF LEGISLATION
TRULY AGREED TO AND FINALLY PASSED

by the

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2008

Prepared by the
Divisions of Research, Computer Information Systems
and Administration
of the
MISSOURI SENATE

CCS/HCS/SS/SCS/SB 711 - This act modifies laws regarding property taxation by requiring tax rate rollbacks by all political subdivisions in reassessment years, changing the way voter-approved tax increases are applied to assessed values, changing the time line for the assessment and appeal of property taxes.

The imposition of penalties and interest on the erroneous payments of property taxes is prohibited when there is clear and convincing evidence that the county made an error in determining the tax amount due. Any penalty or interest paid by the taxpayer will be refunded upon the discovery of the error or omission.

Voter-approved property tax rate increases must to be applied to a political subdivision's most recent total assessed valuation, as certified by the city or county on or before the date of the election. Every political subdivision in a reassessment year must roll back its prior year's tax rate regardless of whether the political subdivision was levying the tax at its tax rate ceiling. A political subdivision may modify its tax rate, not to exceed its maximum authorized voter-approved levy, through the adoption of an ordinance, resolution, or policy statement in a non-reassessment year. All counties and the City of St. Louis must allow public testimony at the public hearing prior to setting the tax rates.

The income exemption for married claimants, under the property tax credit program, is increased from two thousand dollars to four thousand dollars for claimants that own and occupy their homestead for the entire year. The maximum award under the property tax credit program is increased from seven hundred fifty dollars to eleven hundred dollars for homeowners. The maximum upper limit and minimum base amounts, for the property tax credit for calendar year 2008, are extended to all subsequent calendar years. For homeowners claiming the property tax credit, the maximum upper limit is increased to thirty thousand dollars.

The act modifies the definition of "Agricultural and Horticultural Property" for purposes of real property tax to include real property used for showing of horses.

Charter counties and the City of St. Louis will set their tax rates by October 1st instead of September 20th. Assessors for the City of St. Louis and all charter counties must notify taxpayers by June 15th of real property assessment increases and the county provide an estimated tax liability for the property beginning January 1, 2009. Assessors for non-charter counties must notify taxpayers by June 15th of real property assessment increases and the county has to provide an estimated tax liability for the property beginning January 1, 2011. Assessors are required to provide the city or county clerks with assessment books by March 1st of each year to assist with determining the estimated tax liability on properties with increased assessed valuations. The clerks must make abstracts of the assessment books showing the aggregate amount of different types of property and the valuation of each type for each political subdivision levying taxes on property.

Governing bodies of political subdivisions have to informally project non-binding tax rate levies from the information provided in the abstracts and provide the projected levies to the clerk by April 8th of each year. County collectors must calculate the projected tax liability for each property for which the assessor intends to provide a notice of increased assessed valuation by April 30th by utilizing the projected tax levies. A political subdivision's tax levy will be reduced by twenty percent for the tax year if it fails to provide projected tax levies by April 8th, unless the failure is a direct result of a delinquency in providing, or a failure to provide, the required information by either the clerk or the assessor.

The date that the St. Louis County Board of Equalization convenes is moved back from the first

SPONSOR: Gibbons

HANDLER: Sutherland

Monday in June to the second Monday in July. The State Tax Commission must develop or enter into contracts for the development of computer software programs which will produce the notice of projected tax liability. Any collector that files a request with the commission before December 31, 2009, will be provided with the computer software programs. The circuit court clerk must send the county collector a notice when a taxpayer timely files an appeal seeking exemption of a final decision of the local board of equalization. The notice must contain the taxpayer's name, the case number assigned by the court, and the parcel or locator number of the property being appealed. The notice to the collector must state that the taxes in dispute are to be impounded. The commission to send the county collector a notice of appeal when a taxpayer timely files an appeal. The notice must contain the taxpayer's name, the appeal number assigned by the commission, the assessed value provided to the local board of equalization, and the assessed value proposed by the taxpayer if the values are available to the commission when the appeal is filed. The notice must also specifically state that the taxes in dispute are to be impounded, and if the notice is filed in an odd-numbered year, it will serve as notice to the collector to impound taxes for the following even-numbered year if no decision has been rendered in the appeal. Taxpayers are relieved from the requirement of filing a statement of protest if the taxpayer filed an appeal from a local board of equalization to the commission or circuit court.

The act repeals the requirement that operators of rental and leasing facilities provide a description of the personal property located within the rental or leasing facility to the county assessor where such rental or leasing facility is located for property tax purposes. The provision authorizing the imposition of a penalty for an owner of a rental or leasing facility's failure to provide the property lists is also repealed. Owners of marinas and other comparable facilities which provide dockage or storage space for boats, vessels, floating homes, and floating structures will no longer be required to provide documentation including the lessee's name, address, county of residence, and a description of the personal property located within the marina or comparable facility to the county assessor where such marina or comparable facility is located for property tax purposes.

The requirement that certain counties and the City of St. Louis must deduct a percentage of all ad valorem property tax collections and deposit the amount into the county's assessment fund is extended from December 31, 2009, to December 31, 2015. Effective July 1, 2009, the percentage deducted is increased from either one-eighth of one percent or one-quarter of one percent to either one-eighth of one percent or one-half of one percent and the income limits are increased from one hundred thousand dollars to one hundred twenty-five thousand dollars in any year for first classification and charter counties and from fifty thousand dollars to seventy-five thousand dollars for second, third, and fourth classification counties. If the commission withholds state assessment reimbursement funds from a county for three consecutive quarters, the extra one-eighth of one percent or one-half of one percent collection revenues in the county assessment fund will be forfeited and returned by the county to the political subdivisions within the county. The act changes which counties of the first classification are required to withhold one percent of all ad valorem taxes to be deposited into the county's assessment fund.

For homestead preservation tax credits filed between Dec 31, 2008, and Dec 31, 2011, the homestead exemption limit will be based on the increase in tax liability from the base year to the year prior to the application year. For applications filed on or after January 1, 2012, the homestead exemption limit will be based on the increase to tax liability from two years prior to application to the year immediately prior to application. The term "base year" means the year prior to the first year in which the eligible owner's application was approved, or 2006, whichever is later. Under current law, in the event the general assembly fails to appropriate sufficient moneys to fully fund the homestead preservation tax credit, the exemption limit is increased thereby limiting the number of otherwise eligible applicants which will

SPONSOR: Gibbons

HANDLER: Sutherland

receive a credit. This act would allow for a pro rata allocation of tax credits among all eligible applicants in years in which state appropriation is insufficient to fully fund the homestead preservation tax credit program.

The true value in money for assessment purposes of any possessory interest in real property on or adjacent to a certain commercial airport and owned by a political subdivision will be the true value in money of the possessory interest in the real property less the total costs paid toward any new construction or improvements on the property if included in the possessory interest, unless paid by the political subdivision, regardless of the year the costs were incurred.

Beginning January 1, 2009, subject to appropriation a taxpayer may receive a property tax credit for expenses incurred to manufacture, maintain, or improve a freight line company's qualified rolling stock up to the amount of such taxpayer's tax liability. The state will, subject to appropriation, annually reimburse a political subdivision for any loss in revenue resulting from utilization of the tax credit.

The act modifies several provisions of law regarding the notification of appeal of assessment and the impounding, investing, and refunding of protested tax payments. School districts which levy a tax rate below the performance levy due to mandatory roll-backs will continue to be eligible to receive grants currently provided to small school districts. Political subdivisions with voter-approved rate increases subsequent to setting their most recent tax rate are exempt from the provisions regarding the mandatory rollback in reassessment years. The requirement that the commission notify each school district of the equivalent sales ratio for the previous year which was adopted to determine the equalized assessed valuation of the property and the equalized operating levy of the school district for distributions under the previous school foundation formula is repealed. The position of taxpayer advocate is created, within the state tax commission, to represent and protect the interests of taxpayers regarding property taxation.

The act requires the director of the Department of Revenue to collect a maximum fee of one half of one cent per motor vehicle or driver license record for batch/bulk customer requests that meet the criteria enumerated in the Drivers Licence Privacy and Protection Act.

This act contains provisions similar to those contained in SB 718, SB 805, SB 891, SB 976, SB 1285, HB 1321, HB 1343, HB 1349, HB 1474, HB 1694, HB 1695, HB 1723, HB 1836, HB 1958, HB 2058, HB 2079, HB 2165, HB 2393, HB 2439, and HB 2532.

JASON ZAMKUS

***** SB 714 *****

SPONSOR: Loudon

HANDLER: Bruns

SS/SCS/SBs 714, 933, 899 & 758 - This act modifies various provisions relating to sexual offenses.

SECTIONS 43.650, 43.651, 589.402, & 589. 407 (also see Sections 589.402 & 589.407 below)

Any person required to register as a sexual offender must provide county law enforcement with any online identifying information he or she uses. Such information shall be made available to the public on the sex offender registry website, but only through specific searches using the online identifier. The information shall not be included in a general profile of the offender.

Subject to appropriations, the Highway Patrol shall make online identifying information of registered sex offenders available to certain electronic and computer businesses to prescreen users and to compare information held by the business.

SPONSOR: Loudon

HANDLER: Bruns

The patrol shall promulgate rules regarding the release and use of online identifying information and establish a fee for such service. Information obtained by the business shall not be used for any purpose other than for prescreening users or comparing the database of registered users against the list of online identifiers of persons on the sex offender registry in order to protect children from online sexual predators.

Any business complying with these provisions in good faith shall be immune from any civil or criminal liability resulting from: 1) refusing to provide services to a person because the entity believed the person was required to register as a sex offender; 2) a person's criminal or tortious acts, when the person is a register sex offender who has complied with the registration requirements, and committed the acts against a minor using the business's services or system; or 3) any activity for which the entity would be immune from liability under federal law for blocking or screening of offensive material.

SECTIONS 211.425 and 589.400 (also see Section 589.400 below)

Currently, juvenile sex offenders are required to register on a separate juvenile sex offender registry that is kept confidential by the juvenile offices. Under this act, juveniles certified as adults, who have committed an offense comparable to or more severe than aggravated sexual abuse, and those juveniles fourteen years of age or older who are adjudicated of an offense that is comparable to or more severe than aggravated sexual abuse, shall be required to register as an adult sex offender on the public registry.

SECTION 491.075

Under this act, a statement made by a child under the age of fourteen relating to a pornography offense performed with or on a child by another person, that is otherwise inadmissible in court, shall be admissible as evidence if certain requirements are met, including the court finding that the statement provides sufficient indications of reliability and the child testifies at the proceedings or the court finds that the trauma that would result from testifying renders the child "unavailable" as a trial witness. Any statement of such a child is sufficient corroboration of a statement, admission, or confession regardless of whether or not the child is available to testify.

SECTIONS 556.061 & 565.153

This act increases the penalty for parental kidnapping from a Class D felony to a Class C felony when the parent commits the offense by detaining or concealing the whereabouts of the child for not less than 60 days but not longer than 119 days. The crime shall be a Class B felony if the parent detains or conceals the child for not less than 120 days.

When the crime of parental kidnapping qualifies as a Class B felony, it shall be considered a "dangerous felony". Persons convicted of dangerous felonies and committed to the Department of Corrections are required to serve 85% of the sentence imposed by the court.

SECTION 566.083

This act makes attempted sexual misconduct involving a child a Class D felony in the same manner as committing sexual misconduct involving a child. This act also changes the crime of sexual misconduct of a child to include certain acts committed against a child victim less than fifteen years of age instead of less than fourteen years of age.

SECTIONS 566.147 & 566.149

Currently, persons who have committed certain sexual offenses against a child are prohibited from

SPONSOR: Loudon

HANDLER: Bruns

being present in or loitering within five hundred feet of school without being a parent with school permission or from residing within one thousand feet of a school or licensed child-care facility. Under this act, persons who commit comparable offenses in any other state or foreign country or under tribal, federal, or military jurisdiction shall be subject to the same restrictions.

SECTION 566.153

Under this act, a person commits the crime of age misrepresentation with intent to solicit a minor when he or she knowingly misrepresents his or her age with the intent to use the Internet to engage in criminal sexual conduct involving a minor. Such crime is a Class D felony.

SECTION 573.025

A person is guilty of promoting child pornography in the first degree if, knowing of its contents and character, such person possesses with the intent to promote or promotes child pornography of a child less than 14 years of age or obscene material portraying what appears to be a child less than fourteen years of age. This act prohibits any person who pleads guilty to or is found guilty of promoting child pornography in the first degree from being eligible for probation or parole for at least 3 years.

SECTION 573.035

A person is guilty of promoting child pornography in the second degree if, knowing of its contents and character, such person possesses with the intent to promote or promotes child pornography of a minor under the age of eighteen or obscene material portraying what appears to be a minor under the age of eighteen. This act prohibits any person convicted of promoting child pornography in the second degree from being eligible for probation.

SECTION 573.037

A person commits possession of child pornography if, knowing of its content and character, such person possesses any child pornography of a minor under the age of eighteen or obscene material portraying a minor under the age of eighteen.

This act makes possession of child pornography a Class C felony unless the person possesses more than twenty still images or one film or videotape of child pornography or has previously committed this offense, in which case, the crime is a Class B felony. Currently, possession of child pornography is a Class D felony unless the offender has previously committed this offense, in which case, the crime is a Class C felony.

SECTION 573.038

This act requires that in any criminal proceeding, any property or material that constitutes child pornography shall remain in the custody of the state or the court. The court shall deny requests to copy or reproduce the child pornography if it is made reasonably available to the defendant by providing ample opportunity for inspection, viewing, and examination at a state or other governmental facility.

SECTION 573.040

Under this act, attempting to furnish pornographic materials to a minor is a Class A misdemeanor in the same manner as actually furnishing the materials to a minor. It is not an affirmative defense to prosecution that the person being furnished the pornographic material is a peace officer masquerading as a minor.

SECTION 589.015

SPONSOR: Loudon

HANDLER: Bruns

This act adds the crime of enticement of a child to the list of offenses for which a person must complete the sexual offender treatment program (MOSOP).

SECTIONS 589.400, 589.402, 589.403, 589.405, 589.407, & 589.414

Persons who conspire to commit an offense listed on the sex offender registry shall be required to register as well as the persons who actually commit the crimes. Persons who are on the register for conspiring to commit an offense will have his or her information posted on the Highway Patrol sexual offender registry website. Also, persons who have committed comparable offenses under a tribal jurisdiction must register.

This act also adds the crime of abuse of a child when such abuse is sexual in nature to list of crimes for which a person must register as a sexual offender.

Currently, a person required to register in another state must register in Missouri if he or she is attending school or training here for more than fourteen days per year. This act specifies instead that persons attending any educational institution, whether public or private, including any secondary school, trade school, professional school, or institution of higher education for more than seven days in a twelve-month period must register.

Under this act, a register sex offender shall have three days, rather than ten days, upon conviction, release from incarceration, or placement on probation, to register with law enforcement.

A person convicted of attempting or conspiring to commit felonious restraint when the victim is the person's child, nonsexual child abuse, or parental kidnapping, shall be removed from the registry.

A person on the sexual offender registry for attempting to commit or conspiring to commit the crimes of promoting prostitution in the second or third degree, public display of explicit sexual material, or statutory rape in the second degree, when no physical force was used in the commission of the crime, may make a petition to the court for removal after ten years. Currently, persons who are convicted of committing such crimes may make such a petition.

Currently, correctional facilities must obtain and forward the address of a sex offender being released to county law enforcement. This act requires the facility to complete the initial registration prior to release and forward it to the county law enforcement within three business days. When the person being released lists an out-of-state address, the registration shall be forwarded to the Highway Patrol. The court must forward to county law enforcement the address of a sex offender who is released from county jail within three days.

Along with other registration information provided by a sex offender, he or she must also provide county law enforcement with palm prints and a DNA sample if one has not already been taken. When reporting semiannually with law enforcement, a sex offender must allow the chief law enforcement officer to take a current photograph of the offender rather than providing a photograph himself or herself.

This act changes the length of time that a sex offender has to contact law enforcement with any changes in registry information from ten days to three days. Also, the offender must appear in person to county law enforcement regarding all changes in information rather than only those regarding moving outside of the county.

SPONSOR: Loudon

HANDLER: Bruns

This act specifies that if a registered sex offender changes or obtains a new online identifier, the person shall report such information in the same manner as a change in residence before using the identifier.

SECTION 589.425

This act makes the crime of failing to register as a sex offender a Class D felony for the first offense, unless the crime for which the person must register is an unclassified felony, a Class A or B felony, or a felony involving a child under the age of fourteen, in which case, it is a Class C felony. Currently, the crime is a Class A misdemeanor, unless the aggravating circumstances exist, and it is a Class D felony.

SECTION 589.426

This act restricts certain activities of sex offenders on Halloween. They are required to avoid all Halloween-related contact with children, remain inside his or her residence between 5 and 10:30 p.m. unless there is just cause to leave, post a sign stating, "No candy or treats at this residence", and leave all outside residential lighting off during the evening hours.

SECTION 650.120

This act creates the "Cyber Crime Investigation Fund". This fund shall be used solely for the administration of the cyber crime investigation grant program. Beginning with fiscal year 2010, the general assembly shall appropriate three million dollars to the fund annually. The Department of Public Safety shall administer the fund.

This act allows money distributed by the Department of Public Safety to investigate internet sex crimes against children to be used to fund training for prosecuting and circuit attorneys. Currently, the money can only be used for other purposes, including training law enforcement personnel.

This act contains an emergency clause for certain provisions.

This act is similar to SB 5 (2007), SB 933 (2008), & SB 737 (2008).

SUSAN HENDERSON MOORE

SPONSOR: Kennedy

HANDLER: Pearce

CCS/HCS#2/SS/SCS/SB 718 - This act increases the annual cap on the amount of tax credits the Department of Economic Development may authorize for the Enhanced Enterprise Zone Program from fourteen million dollars to twenty-four million dollars. The fiscal year cap on economic development tax credits that are approved as part of the Neighborhood Assistance Program is increased from four million dollars to six million dollars.

The city of Harrisonville is authorized to impose, upon voter approval, a sales tax of up to one half of one percent for the operation of public safety departments including employee compensation, pension programs, health care, employment of additional police officers, and additional equipment and facilities. The city of Raytown is authorized to impose, upon voter approval, a sales tax of up to one half of one percent for the purpose of improving public safety in the city, including expenditures on equipment, city employee salaries and benefits, and facilities for police, fire and emergency medical providers.

The provision providing for any municipality in a county under the authority of the East-West Gateway Council of Governments to create a TIF commission in the same manner as the creation of a TIF

SPONSOR: Kennedy

HANDLER: Pearce

commission in St. Louis County is repealed. The provision requiring any city, town, or village under the authority of such Council to obtain permission of the county TIF commission is also repealed.

Beginning August 28, 2008, any city, town, or village in St. Louis County, St. Charles County, or Jefferson County shall, prior to adoption of an ordinance approving the designation of a redevelopment area or approving a redevelopment plan/project, create a commission of twelve people. Six members shall be appointed by the county executive or presiding commissioner, three members shall be appointed by the cities, towns, and villages in the county which have TIF districts, two members shall be appointed by the school boards in the county, and one member shall represent all other taxing districts in the proposed redevelopment area and be appointed in a manner agreed upon by all such districts. A city, town, or village that creates such a commission must send notice to the county executive or presiding commissioner, school districts, and other taxing districts.

Any commission created by a city, town, or village in such counties shall, within 15 days of receiving a redevelopment plan and a request by the applicable city, town, or village, fix a time and place for the required public hearing. The hearing shall be held no later than 75 days from the commission receiving the plan and request. The commission shall vote and make recommendations to the governing body of the city, town, or village requesting the hearing within 30 days after the hearing. If the commission fails to vote within 30 days, the plan will be deemed rejected.

Section 99.825 is currently doubly-enacted, so one version of the section is repealed. Any public hearing of a commission created by a city, town, or village in St. Louis County, St. Charles County, or Jefferson County shall not be continued for more than thirty days unless requested by the chief elected official of the municipality creating the commission and approved by the majority of the commission.

Changes may be made to the redevelopment plan without further hearing provided there is no enlargement of the boundaries of the redevelopment area, substantial effect on the general land use, change in the nature of the redevelopment project, or increase in the total redevelopment costs approved by the commission to be paid by TIF, excluding interest and finance costs, by more than 10% and notice of such changes is given to each affected taxing district by mail and publication in the newspaper.

After adoption of an ordinance approving a redevelopment plan, alterations to the plan may be made provided they do not: enlarge the boundaries of the redevelopment area, substantially affect the general land use, change the nature of the redevelopment project, or increase the total redevelopment costs approved by the commission to be paid by TIF, excluding interest and finance costs, by more than 10% may be adopted.

The act allows community improvement districts (CID) to exist in special business districts within the City of St. Louis. Currently, any CID in St. Louis which is also in a special business district cannot levy a CID sales tax unless special assessments imposed on real property or businesses within the special business district are repealed. Sales by public utilities and providers of communications, cable, or video services will be exempt from the CID sales tax.

The director of the Department of Economic Development is authorized to issue letter rulings regarding the New Markets Tax Credit Program. The letter rulings are binding in a court of law and must be issued within sixty days of a request. The department can refuse to issue the letter ruling for good cause, but must explain the reason for refusal. Letter rulings are closed to the public, however information can be released as long as anything which would identify the applicant or is otherwise

SPONSOR: Kennedy
protected is redacted.

HANDLER: Pearce

Any applicant for state tax credits who purposely and directly employs unauthorized aliens must forfeit any tax credits issued to such applicant which have not been redeemed, and any tax credits redeemed by such applicant will be recaptured for the period of time in which the applicant employed unauthorized aliens.

The act specifies that the true value in money for property tax assessment purposes of any possessory interest in real property located on or within the ultimate airport boundary shown by a federal airport layout plan of the Kansas City International Airport will be the true value in money of the possessory interest in the real property less the total costs paid toward any new construction or improvements completed on the property after January 1, 2008, if included in the possessory interest, unless paid by the political subdivision, regardless of the year the costs were incurred.

An exemption from state and local sales and use tax is created for all tangible personal property included on the United States munitions list which is sold to or purchased by a foreign government for a governmental purpose. Currently, this exemption is granted by the Department of Revenue through a letter ruling.

Currently, some demolition activities associated with Brownfield redevelopment are separate from remediation activities. The act specifies that all demolition activities are part of remediation and allows remediation tax credits to include up to one hundred percent of demolition costs that are not directly part of the remediation, but which are necessary to accomplish the planned use of the facility. Demolition may occur on adjacent property that independently qualifies as abandoned or underutilized and is located in a municipality with fewer than 20,000 residents.

Currently, the Department of Economic Development cannot issue more than forty million dollars in tax credits annually under the Quality Jobs Act. The act increases the cap on the annual issuance of tax credits to sixty million dollars. Under current law, tax credits for job retention projects are only authorized through August 30, 2007. The act extends the authorization to August 30, 2013. Under the Quality Jobs Act, a project facility may include separate buildings if they are located within one mile of each other. The act allows a project facility to include separate buildings within the same county. Companies which lease or own facilities that produce electricity derived from qualified renewable energy sources, or which produce fuel for the generation of electricity from qualified renewable energy sources are allowed to participate in the quality jobs program as a technology business project if all other requirements of the program are met. Qualified renewable energy sources include open-looped biomass, close-looped biomass, solar, wind, geothermal, and hydropower but not ethanol distillation or production or biodiesel production.

JASON ZAMKUS

***** SB 720 *****

SPONSOR: Coleman

HANDLER: Smith

CCS#2/HCS/SCS/SB 720 - This act modifies various provisions relating to utilities.

SECTIONS 260.1050 - 260.1101 - COMPUTER EQUIPMENT RECOVERY

This act creates the Manufacturer Responsibility and Consumer Convenience Equipment Collection and Recovery Act.

SPONSOR: Coleman

HANDLER: Smith

The act requires manufacturers of computers to implement "recovery plans" for the collection of and the recycling or reuse of their obsolete equipment. The recovery plan must be implemented and a copy of the plan submitted to the Department of Natural Resources before the manufacturer can sell its computers in Missouri. Such manufacturers must also label their equipment to identify themselves as the manufacturer.

Requirements for the recovery plan and reporting by computer manufacturers are listed in the act. Retailers are prohibited from selling new computers in Missouri unless the equipment contains a manufacturer's label and the manufacturer is listed by the Department as having a recovery plan.

The Department shall educate consumers about the recycling and reuse of computers and shall provide a website for this purpose, which shall include a list of manufacturers' recovery plans as well as dates and locations for collection opportunities.

The act provides enforcement authority to the Department and the Attorney General, which includes the authority to assess penalties for manufacturers for certain violations not to exceed \$10,000 for second violations, and not to exceed \$25,000 for subsequent violations.

The Department shall promulgate rules by July 1, 2009 to implement this act and the act shall not be enforced until the Department's rules are promulgated. Retailers shall not be considered in violation of the act for selling computers acquired prior to August 28, 2008.

These provisions are similar to SCS/SB 895 (2008).

SECTION 393.108 - HOT WEATHER RULE

The act establishes a hot weather rule during the time period from June 1st to September 30th. During this time, natural gas or electricity providers are prohibited from disconnecting service to residential customers on days when either the temperature is expected to rise above 95 degrees or the heat index is expected to rise above 105 degrees for the following twenty-four hour period or on days when service personnel will not be available to reconnect service and the temperature or heat index is expected to rise above these marks.

This provision is similar to SB 11 (2007) and SB 955 (2006).

SECTION 393.171 - RETROACTIVE APPROVAL FOR CONSTRUCTION OF ELECTRIC PLANTS

The Public Service Commission (PSC) may approve the construction of an electric plant in a county of the first classification after any such electric plant has been constructed or acquired. No such approval, nor any locally-issued special use permit for such an electric plant, shall impair any private suits or claims for damages made against such an electric plant. The costs incurred by an electrical corporation to pay any such damages shall not be allowed to be recovered from ratepayers. The PSC's authority under this section expires August 28, 2009.

SECTION 393.1150 - CLAIMS AGAINST CERTAIN UNLAWFULLY CONSTRUCTED ELECTRIC PLANTS

For electric plants that are unlawfully constructed after August 28, 2008, the amount of damages awarded in any claim against the electric plant shall be 3 times the actual damages to the plaintiff's real estate plus court costs and attorney fees.

SPONSOR: Coleman

HANDLER: Smith

SECTIONS 660.115 - 660.135 - UTILICARE

The act increases the maximum amount, from \$600 to \$800 per year, that may be paid from the Utilicare Stabilization Fund to providers of heating or cooling on behalf of eligible households. The act removes the \$5 million cap on the annual appropriation to the Utilicare Stabilization Fund, instead making it simply subject to appropriations each fiscal year. The act makes it mandatory, rather than discretionary, that the Department of Social Services apply a portion of the funds appropriated to the Utilicare Stabilization Fund to the Low-Income Weatherization Assistance Program.

This act is similar to HCS/HB 2279 (2008).

ERIKA JAQUES

*** SB 724 ***

SPONSOR: Scott

HANDLER: Jones

CCS/HCS/SCS/SB 724 - Currently, advanced practice registered nurses have the authority to administer, dispense and prescribe certain drugs while operating under a collaborative practice agreement. This act authorizes advanced practice registered nurses who hold a certificate of controlled substance prescriptive authority from the board of nursing to prescribe controlled substances in schedules III, IV, and V while operating under a collaborative practice agreement. Schedule III narcotic controlled substance prescriptions shall be limited to a 120 hour supply without refill. Certified registered nurse anesthetists do not have this authority.

The act contains requirements that must be contained in all collaborative practice agreements including:

- Names, addresses, and phone numbers of the collaborating individuals.
- A list of offices where the collaborating physician has authorized the APRN to prescribe.
- A requirement that notice shall be displayed at all offices where an APRN is prescribing, that informs patients that they may be seen by an APRN.
- All specialty or board certifications.
- The details of the collaboration including geographic proximity, and how absences are handled.
- A description of the prescriptive authority including a list of controlled substances the physician authorizes.
- A list of all other practice agreements involving the collaborating individuals.
- The duration of the agreement.
- A description of the time and manner of the collaborating physician's review of the APRN's prescribing practices

The act modifies requirements for all collaborative arrangements including the following:

- Physicians shall not collaborate with more than three full time APRNs
- APRNs shall practice for one month in a setting where the collaborating physician is continuously present.
- Neither physicians nor APRNs shall be required to enter collaborative practice agreements.

Collaborative practice arrangements shall not delegate the authority to administer schedule II, IV, or V controlled substances to induce sedation or for general anesthesia for therapeutic, diagnostic or surgical procedures.

Certified registered nurse anesthetists shall be permitted to provide anesthesia services without a collaborative practice arrangement provided that he or she is under the supervision of an anesthesiologist,

SPONSOR: Scott

HANDLER: Jones

physician, dentist, or podiatrist who is immediately available if needed.

Rules relating to dispensing or distribution of controlled substances by prescription or prescription drug orders under a collaborative practice arrangement shall be subject to the approval of the department of health and senior services and the state board of pharmacy.

The act defines advanced practice registered nurse, certified advanced registered nurse practitioner, certified clinical nurse specialist, certified nurse midwife, and certified registered nurse anesthetist.

The act includes experience and practice requirements that are prerequisites for the board of nursing to grant a certificate of controlled substance prescriptive authority.

Current law requires certain documentation relating to the sale of products containing pseudoephedrine. For non-prescription pseudoephedrine products, this act requires that the photo identification that must currently be provided to the pharmacist must be issued by a state or the federal government, or another acceptable document and that such identification must be furnished prior to purchase. The log currently maintained by pharmacists is modified to now include the signature of the purchaser, the name of the product and the time of the purchase. The act also requires that the log be electronic, rather than written. Logs of required transactions create a rebuttable presumption that the person whose name appears in the logs is the person whose transactions are recorded in the logs. The seller is required to deliver the product directly into the custody of the purchaser.

The act modifies the current gram limits for the sale of pseudoephedrine products. The act provides that the limits do not apply to quantities that must be sold, dispensed or distributed in a pharmacy under a valid prescription. The current 30 day period limit of 9 grams to a person applies without regard to the number of transactions. Within a twenty-four hour period, no person may obtain more than 3.6 grams without regard to the number of transactions.

The act repeals provisions that exempted the liquid and liquid-filled gel capsule forms of pseudoephedrine from recordkeeping and log maintenance requirements.

Pharmacies must submit information regarding sales of certain pseudoephedrine products in accordance with transmission methods and frequencies established by the department of health and senior services. All logs, records and other documents maintained for the dispensing of pseudoephedrine products shall be open for inspection and copying by law enforcement officers whose duty it is to enforce state or federal controlled substance laws.

In addition, this act modifies and adds to the current names of scheduled controlled substances.

The act removes a provision defining Christian Science nurses as those listed as such in the Christian Science Journal and allows them to use the name Christian Science nurse when providing services to those who choose to rely upon healing by spiritual means alone.

This act is similar to SB 1255 (2004), SCS/SB 90 (2005), SS/SCS/SB 566 (2006), SB 511 (2007), and HCS/SCS/SB 732 (2008). CHRIS HOGERTY

SPONSOR: Champion

HANDLER: Bruns

SPONSOR: Champion

HANDLER: Bruns

HCS/SB 733 - This act requires crime laboratories providing reports or testimony to a state court pertaining to a result of the forensic analysis of evidence to be accredited by a laboratory accrediting organization approved by the Department of Public Safety. Crime laboratories shall comply with these requirements on or after December 31, 2012. Under this act, the term "crime laboratory" means a laboratory operated or supported financially by the state or any unit of local government that employs at least one scientist, who examines physical evidence in criminal matters and provides expert or opinion testimony about such evidence in state court.

The department shall promulgate rules identifying approved accrediting bodies and shall establish a procedure for monitoring crime laboratory compliance.

SUSAN HENDERSON MOORE

***** SB 748 *****

SPONSOR: Ridgeway

HANDLER: LeVota

SB 748 - Under current law, a non-resident income taxpayer must add any amount of property taxes paid to another state back into adjusted gross income. This act would only require non-resident taxpayers to add-back property taxes paid to adjusted gross income, if the property is located in another state, political subdivision of a state or the District of Columbia, which does not allow a similar subtraction from income for property taxes paid to this state.

This act contains an emergency clause.

JASON ZAMKUS

***** SB 753 *****

SPONSOR: Mayer

HANDLER: Swinger

HCS/SCS/SBs 753, 728, 906 & 1026 - This act designates a portion of state highway 84 from the interstate highway 55 exit to the Caruthersville city limits as the "Corporal Rickey L. Bell Memorial Highway." This act designates a portion of U.S. Highway 169 from its intersection with Missouri Route 6, north to its intersection with Gene Field Road, as the "Deputy Charles M. Cook Memorial Highway". The Department of Transportation shall erect and maintain appropriate signs commemorating this portion of U. S. Highway 169, with the cost of such signs to be paid by the St. Joseph Fraternal Order of Police. This act designates a portion of State Highway 87 in Moniteau County as the "Lance Corporal Leon B. Deraps Memorial Highway". This act designates a portion of State Highway 13 as the "Rick Seiner Memorial Highway".

STEPHEN WITTE

***** SB 765 *****

SPONSOR: Goodman

HANDLER: Schneider

CCS/HCS/SCS/SB 765 - This act repeals the provisions in Section 72.080, RSMo, which allow villages to incorporate in an alternative way rather than requiring a petition by two-thirds of the taxable inhabitants that is approved by the county commission, as is required by Section 80.020, RSMo.

Under the language being repealed, a city, town, or village may incorporate after a number equal to 15% of the registered voters petitions the county commission. The commission must submit the question to the voters for their approval. In order to qualify for incorporation a village need only have the ability

SPONSOR: Goodman

HANDLER: Schneider

to furnish normal municipal services if it has at least 100 inhabitants. The language creating a definition of "village" in Section 72.080, RSMo, is also repealed.

This act contains a severability clause.

SUSAN HENDERSON MOORE

***** SB 768 *****

SPONSOR: Rupp

HANDLER: Scharnhorst

SS/SCS/SB 768 - This act creates the Missouri Commission on Autism Spectrum Disorders to advise and make recommendations to the Governor, General Assembly, and state agencies on matters relating to autism spectrum disorder. The Commission must develop a comprehensive statewide plan for an integrated system of training, treatment, and services for individuals of all ages with ASD. The Commission must issue preliminary recommendations by July 1, 2009. The Commission's membership shall include representatives from the General Assembly, various state agencies, other organizations involved with autism, as well as parents and individuals with ASD.

The Commission's duties include: studying the formation of a comprehensive, coordinated service delivery system; conducting an assessment of the need for certain education and treatment programs; providing recommendations for training programs; and creating a panel to review existing models of evidence-based educational practices. Other responsibilities of the Commission may include studying or exploring other developmental delay disorders and genetic conditions known to be associated with autism as described in the act.

The Department of Mental Health will provide administrative support to the Commission.

This act also establishes the Office of Autism Services in the Department of Mental Health within the Division of Mental Retardation and Developmental Disabilities. The Office of Autism Services, under the supervision of the division director, will provide leadership in program development for children and adults with Autism spectrum disorders. Such leadership will include establishment of program standards and coordination of program capacity.

This act contains provisions identical to SB 1127 (2008).

MICHAEL RUFF

***** SB 788 *****

SPONSOR: Scott

HANDLER: Wasson

SCS/SB 788 - This act moves the Divisions of Finance, Credit Unions and Professional Registration, and the State Banking Board, to the Department of Insurance, Financial Institutions and Professional Registration (DIFP) by type III transfer in keeping with Executive Order 06-04. The act further renames the Department of Insurance to the DIFP, and directs the Revisor of Statutes to change all statutory references to the department to DIFP. The act also removes all references of the divisions of finance, credit unions and professional registration as being "within the Department of Economic Development" and instead states that such divisions are within the DIFP. The act moves sections regarding the division of professional registration from Chapter 620 (Department of Economic Development) to Chapter 324 (Occupations and Professions General Provisions), and changes references in those sections to accurately reflect the statutory modifications. The act further defines "department" and "director" at the beginning

SPONSOR: Scott

HANDLER: Wasson

of each insurance-related chapter. These provisions are similar in nature to the provisions contained in SB 164 (2007).

This act creates a Joint Committee on Preneed Funeral Contracts to be composed of 7 members from both legislative chambers. The committee must make a comprehensive study of the consumer and economic impact on preneed funeral contracts in Missouri. The study must be submitted to the General Assembly no later than January 31, 2009.

This act modifies the definition of the practice of embalming to provide that the practice shall include the chemical preparation of a dead human body and all activities leading up to and including arterial and cavity embalming. Under current law, a person may grant the right of sepulcher to any person as long as the designation is made in a written instrument meeting certain qualifications under current law, however, such a designation will not supersede the rights of the deceased's spouse or certain family members. This act deletes the provisions of law allowing for such a designation, and instead provides that an attorney in fact designated in a durable power of attorney that specifically grants the right of sepulcher shall have first priority for the purposes of determining who has the right to choose and control the burial, cremation, or other final disposition of the deceased designee's body.

Under this act, physical therapists shall not initiate treatment for a new injury or illness without a prescription from a health care provider. Therapists may examine and treat persons with recurring self-limited injuries within one year of diagnosis or a previously diagnosed chronic illness without a prescription or direction of a health care provider. Requirements for notification of and referral to health care providers are enumerated.

Physical therapy treatment shall only be delegated to assistants or those in entry level professional education programs when those individuals who satisfy supervised clinical education requirements are supervised onsite by a physical therapist.

Examination requirements for candidates for licenses to practice physical therapy are modified to include certain entry-level competence and the Missouri laws and rules relating to physical therapy. The act removes a provision that denies a license to those who have failed a licensing examination 3 or more times.

Under this act, the requirements relating to temporary licenses for physical therapists and physical therapist assistants are modified. Licensed physical therapists supervising temporary licensees must have an unencumbered license, actively practice in the state at least one year prior to supervision, and not be an immediate family member of the applicant for the temporary license.

Under the act, licensees shall maintain adequate and complete patient records and the required contents are enumerated. Records are required to be kept for seven years from the date the last professional treatment was provided.

Reciprocity for out-of-state practitioners is authorized.

Under the act, certain provisions that govern all licensees under chapter 334 including guidelines for the expungement of records of complaints by prisoners, fees, obtaining inactive licenses, publishing lists of licensees by the board, issuance of orders suspending licenses for cause, revocations, refusals to issue or renew licenses, and injunctions are reiterated in sections specifically relating to physical therapists and

SPONSOR: Scott

HANDLER: Wasson

physical therapist assistants.

Under current law, persons, partnerships, associations, and corporations may perform acts of real estate brokers with reference to their own property without being licensed as brokers, provided they are not in the real estate business. This act removes the condition that they not be in the real estate business. Under this act, real estate brokers may employ real estate brokers from outside the state for commercial real estate transactions when they have executed a brokerage agreement with the Missouri broker, consented to jurisdiction of Missouri and the commission, consented to certain disciplinary procedures, and appointed the Missouri real estate commission as his or her agent for service of process.

Under this act, engagements to be performed in accordance with the auditing standards and rules of the Public Company Accounting Oversight Board are included in the definition of attest or attest services. This act also modifies the out-of-state equivalency requirements for certified public accountants. Currently, an individual having a valid designation to practice whose principal place of business is in a state with equivalent qualifications for licensure shall have all of the privileges of licensure in this state. The act allows those having an out-of-state domicile or residency to also qualify. All out-of-state practitioners shall have an unrestricted license in their state to qualify and shall only practice in connection with a firm holding a valid permit to practice as a certified public accounting firm in this state. Out-of-state practitioners shall cease offering professional services if their out-of-state license ceases to be valid or becomes restricted.

The act also modifies the permit requirements for certified public accounting firms. The following firms must hold a permit:

- Those with Missouri offices that perform attest services.
- Those using the title CPA or CPA firm.
- Those that do not have an office in Missouri that perform attest services for clients with offices in Missouri.

Under the act, certain firms may use professional designations and perform compilation and review services and other professional services in certain circumstances.

The act establishes the "Manufactured Housing Customer Recovery Fund" for the purposes of paying consumer claims pursuant to the procedures the commission promulgates by rule. No claims shall be considered by the commission before all other legal remedies have been exhausted (Section 700.041). The act requires every manufacturer of a manufactured home or modular unit to register with the commission each place of business at which the dealer sells such units. The act modifies the dealer registration process by requiring dealers to, when registering, maintain a bona fide established place of business and maintain a permanent enclosed building or structure for the sale of manufactured homes or modular units (§700.095). The act also assigns new statutory numbers to several provisions of law contained in the manufactured housing code (Chapter 700)(e.g. §700.465 is now §700.097). The act specifically provides that commission suspension, revocation or probation orders shall apply to all registrations held by the dealer if there is consistent pattern of abuse. The act provides that the commission, through its general counsel, may seek remedies in circuit court for violations of Chapter 700. For purposes of the "Manufactured Home Installation Act, the term "dealer" is modified to include persons who sell 4 or more used manufactured homes or persons who sell one or more new manufactured homes (section 700.650). The manufactured housing provisions are similar to the provisions contained in SB 957 (2008), SCS/HCS/HB 1474 (2008) and SB 313 (2007).

STEPHEN WITTE

***** SB 801 *****

SPONSOR: Ridgeway

SB 801 - Currently, the Kansas City board of police commissioners sets the compensation of the force's police officers. This act increases the maximum amount of compensation which the board may pay officers. The maximum amount varies for officers of different ranks.

SUSAN HENDERSON MOORE

***** SB 806 *****

SPONSOR: Engler

HANDLER: Meadows

SCS/SB 806 - This act provides that the U.S. and Missouri state flags shall be flown at half-staff for one full day whenever a Missouri resident is killed in the line of duty during military service. The Missouri veterans' commission shall make ongoing reasonable efforts to determine if any residents have been killed in the line of duty, and shall notify the governor of any such death. The governor, who shall determine the day on which the resident shall be honored, shall then notify the office of administration.

This act is similar to HB 557 (2007).

ALEXA PEARSON

***** SB 818 *****

SPONSOR: Rupp

HANDLER: Smith

HCS/SS/SCS/SBs 818 & 795 - This act modifies various provisions relating to stalking and harassment.

This act requires school boards to have a written policy requiring school administrators to report crimes of harassment and stalking committed on school property to law enforcement.

Currently, the crime of harassment includes communications meant to frighten or disturb another person. Under this act, communications conducted to knowingly frighten, intimidate, or cause emotional distress to another person are included. Harassment includes communications by any means.

Harassment includes knowingly using unwanted expressions that put the person in reasonable apprehension of offensive physical contact or harm or knowingly making unwanted communications with a person.

A person also commits harassment:

1) By knowingly communicating with another person who is, or who purports to be, seventeen years of age or younger and in so doing, and without good cause, recklessly frightens, intimidates, or causes emotional distress to such other person; or

2) By engaging, without good cause, in any other act with the purpose to frighten, intimidate, or cause emotional distress to another person, cause such person to be frightened, intimidated, or emotionally distressed, and such person's response to the act is one of a person of average sensibilities considering the person's age.

Currently, harassment is a Class A misdemeanor. Under this act, it is a Class A misdemeanor unless 1) committed by a person twenty-one years of age or older against a person seventeen years of age or

SPONSOR: Rupp

HANDLER: Smith

younger; or 2) the person has previously committed the crime of harassment. In such cases, harassment is a class D felony.

This act expands the crime of stalking to include any course of conduct with two or more acts over a period of time that is communicated by any means. A "credible threat" includes those made with the intent to cause the person who is the target to reasonably fear for his or her family's safety or family's pet's or livestock's safety, and not only his or her own safety.

Under this act, the definition of "harasses" is modified to include conduct directed at a specific person that serves no legitimate purpose, that would cause a reasonable person to be frightened or intimidated, as well as emotionally distressed. A person need only harass a person purposely, rather than purposely and repeatedly, to commit the crime of stalking or aggravated stalking.

Currently, a person commits the crime of aggravated stalking by purposely and repeatedly harassing another person and making a credible threat with the intent to place that person in reasonable fear of death or serious physical injury. Under this act, a person commits such crime by purposely harassing another person and 1) making a credible threat, as defined by statute; 2) at least one of the actions constituting the offense is a violation of an order of protection about which the person received notice; 3) at least one action constituting the offense is a probation, parole, or release of bond violation; 4) the other person is seventeen years of age or younger and the person harassing such person is twenty-one years or older; or 5) he or she has previously pleaded guilty to or been found guilty of domestic assault, violation of a protection order, or any other crime where the other person was the victim.

Currently, stalking is a class A misdemeanor for a first offense and a Class D felony for a second offense committed within five years of the first offense. Under this act, stalking is a Class A misdemeanor unless the person has previously committed a stalking offense, in which case, it is a Class D felony, regardless of when the first offense was committed.

Currently, aggravated stalking is a Class D felony for a first offense and a Class C felony for a second offense committed within five years of the first offense. Under this act, aggravated stalking is Class D felony unless the person has previously committed a stalking offense, in which case, it is a Class C felony, regardless of when the first offense was committed.

This act shall not apply to activities of law enforcement officers conducting investigations.

This act is similar to HB 1852 (2008).

SUSAN HENDERSON MOORE

SPONSOR: Coleman

HANDLER: Day

HCS/SCS/SB 830 - This act shall be known as the "Missouri Returning Heroes' Education Act," and provides that all public institutions of higher education that receive any state funds appropriated by the general assembly shall limit the tuition charged to combat veterans to fifty dollars per credit hour, for any program leading to a certificate, or an associate or baccalaureate degree. A "combat veteran" is any person who served in armed combat after September 11, 2001, who was a Missouri resident when first entering the military, and who was discharged from military service under honorable conditions.

An eligible combat veteran shall receive the tuition limitation as long as the veteran achieves and

SPONSOR: Coleman

HANDLER: Day

maintains a cumulative grade point average of at least two and one-half points on a four point scale, or its equivalent. The eligibility period for the tuition limitation shall expire ten years from the date of the veteran's last discharge from service.

The Coordinating Board for Higher Education shall ensure that the institutions comply with the provisions of this act, and the board may promulgate any rules for the efficient implementation of the act. Any other financial assistance for which the veteran is eligible must be reported to the board, and no combat veteran shall receive more than the actual cost of attendance when the limitation is combined with any other financial assistance made available to such veteran.

Each institution may report to the board the amount of tuition waived in the previous fiscal year under this act, which may be included in each institution's request for appropriations to the board for the following year. The board may include information about the amount of tuition waived in the previous year in its appropriations recommendations to the governor and general assembly, and the general assembly may reimburse institutions for the cost of the waiver for the previous year as part of the operating budget. However, this shall not be construed to deny a combat veteran a tuition limitation if the general assembly does not appropriate money for reimbursement to an institution.

This act is similar to SCS/SB 75 (2007).

ALEXA PEARSON

***** SB 839 *****

SPONSOR: Engler

HANDLER: Harris

SB 839 – Current law provides that certain payments made from any source by a school district that result in the transfer of the title of real property to the school district shall be deducted as an adjustment to the funds payable to the district under the school funding formula. This act provides that any school district that leased modular buildings in fiscal year 2004, with lease payments made from the incidental fund and that initiates the transfer of title to the district after fiscal year 2007, shall not have an adjustment of funds take place.

MICHAEL RUFF

***** SB 850 *****

SPONSOR: Justus

HANDLER: Meiners

SCS/SB 850 - This act requires the Board of Optometry to give ten days' public notice of the time and place of its semiannual meetings. Additional meetings may be held without ten days notice when necessary, provided notice is given to the other board members and to the public in the same manner as required for public meetings of governmental bodies.

CHRIS HOGERTY

***** SB 863 *****

SPONSOR: Rupp

HANDLER: Muschany

HCS/SB 863 - Currently, a participant taxpayer may deduct up to eight thousand dollars of annual contributions to the Missouri Higher Education Savings Program from income to determine Missouri adjusted gross income. This act modifies the deduction provision to allow married taxpayers filing a joint tax return to deduct up to sixteen thousand dollars of annual contributions from income and allows

SPONSOR: Rupp

HANDLER: Muschany

similar tax treatment for other qualified tuition savings programs established under the provisions of Section 529 of the Internal Revenue Code.

This act is similar to Senate Bill 224 (2007) and HB 2226 (2008).

JASON ZAMKUS

***** SB 873 *****

SPONSOR: Graham

HANDLER: Pratt

SCS/SB 873 – Current law provides for nine members on the board of curators for the University of Missouri, with one member from each congressional district. This act provides that if Missouri loses a congressional district from redistricting based on the 2010 census, the ninth member of the board will be a student curator who serves a two-year term. The student curator could be from any congressional district and could vote on any matter before the board except for the hiring or firing of faculty or staff. The first student curator would be appointed in January 2011 and would replace the existing nonvoting student representative.

This act is similar to HB 613 (2007), SB 106 (2007), SB 673 (2006).

MICHAEL RUFF

***** SB 896 *****

SPONSOR: Stouffer

HANDLER: McGhee

SB 896 - This act modifies the methods in which certain special road districts may form, expand or dissolve within counties of the fourth classification.

Under current law, a special road district may be organized within cities and towns containing less than 100,000 inhabitants under Sections 233.010 to 233.165, provided the territory of the special road district does not exceed 8 square miles. Under the proposed act, the 8 mile square territorial restriction on certain city or town special road districts will not apply to special road districts organized with counties of the fourth classification.

Under current law, the boundaries of special road districts may be extended under Sections 233.010 to 233.165 if a petition is signed by not less than 35 voters in the old district and not less than 50% of the voters in the territory proposed to be taken into the special road district. This act modifies the amount of signatures required from the voters in the proposed new territory. In the territory proposed to be taken into the special road district, the act requires the petition to be signed by not less than the lesser of 35 voters or 50% of the voters. This proposed modification is not limited by county classification.

Under current law, special road districts that are extended under Sections 233.010 to 233.165 may only be extended if the territory does not exceed 17 square miles after its extension. This act removes this restriction with respect to fourth class counties.

This act allows proposed special road districts organized under Sections 233.170 to 233.315 to be formed by an election within fourth class counties. Under current law, such special road districts are formed by a petition process in which landowners in the proposed special road district petition the county commission for its creation. This act allows 50 voters in a proposed special road district to file a petition with the county commission to submit the district's creation to a vote of the people.

SPONSOR: Stouffer

HANDLER: McGhee

This act provides an alternative method for dissolving a special road district organized under Sections 233.170 to 233.315 within fourth class counties. Under current law, a landowner within such a road district may file a petition with the county commission requesting that the road district be dissolved. Under this act, if a petition requesting the dissolution of the district is signed by 50 voters is presented to the county commission, the county commission shall submit the issue to the voters of the special road district. A petition to dissolve a district may not be presented until the expiration of four years from the date of road district's establishment or from the date of the last election seeking to expand or dissolve the special road district. A dissolution of a road district shall not effect the validity of any bonds issued by the district nor effect the validity of special assessments or taxes levied against parcels of land within the district.

The act allows a special road district organized under Sections 2133.170 to 233.315 to be expanded or extended by election within fourth class counties. Under the act, not less than 35 voters in the old district and the lesser of 35 voters or 50% of the voters in the proposed area to be added to the special road district may petition the county commission to have the expansion issue submitted to the voters.

STEPHEN J. WITTE

***** SB 907 *****

SPONSOR: Engler

HANDLER: Cooper

HCS/SCS/SB 907 - This act modifies provisions relating to the regulation of motor fuel storage tanks and equipment.

The Hazardous Waste Management Commission shall propose rules by February 13, 2009 to establish requirements for the reporting of releases and corrective action taken in response to releases from underground petroleum storage tanks.

The Board of Trustees of the Petroleum Storage Tank Insurance Fund shall be a type III agency and shall employ staff as needed.

Under current law, the Petroleum Storage Tank Insurance Fund expires on December 31, 2010, or upon revocation of 40 CFR Parts 280 and 285, which are federal standards and corrective action requirements for owners of underground storage tanks. This act extends the expiration date until December 31, 2020, and removes the clause concerning revocation of federal law.

Under current law, an owner or operator of petroleum storage tanks may participate in the Petroleum Storage Tank Insurance Fund to "partially" meet the applicable financial obligations required by state law. This act removes the word "partially" to allow this participation to fully meet the financial obligation. The act additionally changes the statute reference for the financial obligations to a single section in Chapter 319, RSMo, and an additional section in Chapter 414, RSMo, which concerns aboveground storage tanks.

Under current law, the Petroleum Storage Tank Insurance Fund Board of Trustees' advisory committee is composed of insurers and owners and operators of petroleum storage tanks. This act allows other interested parties to also serve on the committee. The requirement that the committee report to the General Assembly on the status of private insurance for fuel storage tanks is changed from annually to every two years.

SPONSOR: Engler

HANDLER: Cooper

The act requires that after December 31, 2010, owners or operators of aboveground storage tanks containing petroleum shall maintain evidence of financial responsibility in an amount sufficient to cover at least \$1 million per occurrence of a spill, up to \$2 million annually in aggregate, to pay for corrective action, third-party bodily injury compensation, and property damage. Participation in the Petroleum Storage Tank Insurance Fund is sufficient to meet this requirement. The Department of Agriculture shall promulgate rules for this requirement.

The act provides that after December 31, 2017, the current legal owner of a site where an aboveground or underground storage tank was taken out of use by December 31, 1997, shall be considered the responsible party for cleanup of any remaining petroleum pollution. Creditors of legal owners of such sites shall not be subject to greater or lesser responsibility for corrective action after December 31, 2017 than they were prior to that date.

Under current law, each participant in the Petroleum Storage Tank Insurance Fund shall pay a per-tank fee each year in an amount of at least \$100 but not greater than \$300. This act raises the maximum from \$300 to \$500. The Board of Trustees for the Fund may require new applicants, who have not had any previous insurance or financial responsibility for the tank, to conduct site assessments prior to participating in the Fund. The Board may also require these new applicants to pay a surcharge per tank per year for each year after which the tank was eligible for coverage by the Fund, with the amount of each year's surcharge not to exceed the surcharge that was actually in effect for that year.

An underground storage tank is ineligible to receive petroleum if certain spill prevention, overfill protection, leak detection, or corrosion prevention equipment have not been installed.

The act requires the Department of Natural Resources to affix a red violation tag to any underground storage tank that it determines to be ineligible to receive petroleum and the Department must notify the owner or operator of the tank of its action within 14 days. No person shall deposit petroleum in any tank with a red violation tag and removal of the tag is prohibited except in certain circumstances.

Upon the receipt of documentation from the tank owner or operator that satisfactorily indicates resolution of the problem, the Department must immediately authorize the removal of the violation tag. If the Department determines that an inspection is needed before issuing approval to remove the tag, the inspection must be conducted within 24 hours of receiving notification from the tank owner or operator. If the Department does not conduct its inspection in that time period, the owner or operator may remove the violation tag and return the tag to the Department in a pre-paid envelope provided by the Department.

In addition to any administrative remedy available, tank owners or operators may appeal any decision by the Department to the circuit court within 10 business days of the Department's action.

The act modifies the definition of "environmental response project" for purposes of the Missouri Environmental Covenants Act, by specifying that an environmental response project shall not include plans or work performed for environmental remediation of releases from aboveground or underground storage tanks containing petroleum.

Any transfer fee, declaration, or covenant that requires the payment of a fee to a specified person upon a transfer of interest in real property shall not be binding or enforceable against any subsequent owner, purchaser, or mortgagee of an interest in the real property. Water or sewer line easements shall

SPONSOR: Engler

HANDLER: Cooper

not be construed as a transfer of title of real property to any county.

Provisions of this act are similar to provisions in SB 601 (2007).
ERIKA JAQUES

***** SB 930 *****

SPONSOR: Stouffer

HANDLER: St. Onge

CCS/HCS/SCS/SB 930 & 947 - This act modifies several provisions of law relating to transportation and the regulation of motor vehicles.

AIRCRAFT SALES TAX EXEMPTION - Under current law, purchases of materials, replacement parts and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of aircraft engaged as common carriers of people and property are exempt from state and local sales tax. This act would expand the exemption to apply purchases of materials, replacement parts and equipment purchased for use directly upon, and for the modification, repair, replacement and maintenance of aircraft, aircraft power plants, and aircraft accessories from January 1, 2009, to January 1, 2015 (Section 144.030). This provision is contained in SCS/SB 1049 (2008).

AVIATION TRUST FUND CAP REMOVAL - This act increases the cap on the amount of jet fuels sales taxes that can be deposited into the State Aviation Trust Fund. Under current law, only \$6 million generated from jet fuel sales taxes may be deposited to the credit of the Aviation Trust Fund. This act increases the cap to \$10 million (Section 144.805).

COMMERCIAL AIRCRAFT TAXATION - This act modifies the definition of "commercial aircraft" for aircraft taxation purposes. Under the act, the term "commercial aircraft" is now any aircraft fully equipped for flight and of more than 3,000 pounds maximum certified gross take-off weight. Under the current statute, the weight threshold is greater than 7,000 pounds (Section 155.010).

ELECTRONIC BIDDING - Under this act, the Highways and Transportation Commission is authorized to receive bids and bid bonds for any contract for construction, maintenance, repair, or improvement of any bridge or highway on the state highway system electronically via the Internet. At its discretion, the commission may elect to receive both electronic and paper bids, or the commission may specify electronic bidding exclusively for any proposed contract. The act establishes minimum criteria for the electronic bidding program (Section 227.102).

ANNUAL BID BOND - This act provides that the commission is authorized to accept an annual bid bond for its construction and maintenance projects. The commission shall prescribe the form and content of an annual bid bond. This portion of the act is similar to SB 761 & 774 (2008), HB 596 and SCS/SB 52 (2007)(Section 227.103).

SENATOR LARRY GENE TAYLOR MEMORIAL BRIDGE - This act designates the bridge on State Highway 39 at Table Rock Lake in the City of Shell Knob as the "State Senator Larry Gene Taylor Memorial Bridge." (Section 227.378). This provision is contained in HB 1646 (2008)(HA 1 TO HA 15).

JEFF MCBRIDE MEMORIAL HIGHWAY - This act designates a portion of Interstate 55 in Jefferson County as the "Jeff McBride Memorial Highway (Section 227.397).

POLICE OFFICER ROBERT STANZE MEMORIAL HIGHWAY - This act designates a portion of

SPONSOR: Stouffer

HANDLER: St. Onge

Interstate 44 within St. Louis County as the "Police Officer Robert Stanze Memorial Highway" (Section 227.400).

SPECIAL ROAD DISTRICT COMMISSIONERS - This act allows a 5th commissioner to be appointed in a special road district that is located in 2 counties with an additional 4th commissioner appointed by the county outside of the original district (Section 233.155)(HA 1 to HA 11).

TRANSPORTATION DEVELOPMENT DISTRICTS - The act modifies the procedure for forming a transportation development district for a district to be established within 2 or more counties. Under the act, 50 or more registered voters from each of the counties may sign a petition calling for the creation of joint establishment of a district for a project to be located in multiple counties. The petition may be filed in the circuit court of any of the petitioner counties. The district and proposed funding shall be subject to voter approval under one election, rather than a bifurcated process (Sections 238.202, 238.207 and 238.210). These provisions are contained in SCS/SB 1057 (2008)(HA 21).

UTILITY VEHICLES - This act provides a definition for the term "utility vehicle" and allows for their use on the highways under certain circumstances (Sections 301.010 and 304.032)(HA 8). Under the act, a utility vehicle is any motorized vehicle manufactured and used exclusively for off-highway use which is 63" or less in width, with an unladen dry weight of 1,850 pounds or less, traveling on 4 or 6 wheels, to be used primarily for landscaping, lawn care or maintenance purposes. A provision similar to this is contained in the perfected version of SB 761 & 774 (2008).

EXEMPTION FROM REISSUANCE REQUIREMENT - This act exempts permanent nonexpiring license plates that are issued to certain commercial motor vehicles and trailers from the new plate design and reissuance requirements that take effect on January 1, 2009 (Section 301.130).

LICENSE PLATES FOR PROPERTY-CARRYING COMMERCIAL MOTOR VEHICLES - Under this act, the option of receiving 2 license plates for any property-carrying commercial motor vehicle is repealed (Section 301.130.3).

LEFT-HAND LANE PROHIBITION - This act prohibits trucks registered for a gross weight greater than 48,000 pounds from being driven in the far left-hand lane upon interstates and other highways within the urbanized areas of the state having 3 or more lanes of traffic proceeding in the same direction. The restriction does not apply under certain circumstances (e.g. right hand lane is closed to due to construction)(Section 304.015).

FIRST CLASS COUNTY SPEED LIMITS - Under this act, first class county commissions are exempt from following certain procedural requirements (public hearings, publication in local newspapers, etc.) with regards to regulations that increase speed limits (Section 304.130)(HA 14).

IDLE REDUCTION TECHNOLOGY - This act provides that the maximum gross vehicle weight limit and axle weight limit for heavy-duty vehicles equipped with idle reduction technology may be increased (up to an additional 400 pounds) to account for the technology. This provision is contained in SB 841 (2008)(Section 304.180).

INCREASED WEIGHT LIMITS ON CERTAIN HIGHWAYS - Under this act, the total gross weight of any vehicle or combination of vehicles hauling livestock may be as much as, but shall not exceed, 85,500 pounds while operating on U.S. Highway 36 from St. Joseph to U.S. Highway 65, and on U.S. Highway

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HANDLER: St. Onge

65 from the Iowa state line to U.S. Highway 36 (section 304.180.9). This provision is contained in CCS/HCS/SB 841 (2008)(HA 3).

COMMERCIAL MOTOR VEHICLE INSPECTIONS - This act requires the state patrol to establish a program to approve local law enforcement officers with respect to enforcing commercial motor vehicle laws. The certification procedures approved by the Highway Patrol shall include training, testing, on-the-job experience, data collection and other prescribed components. The certification procedures shall meet the requirements established by the Commercial Vehicle Safety Alliance (CVSA). The Highway Patrol is authorized to establish reasonable fees to recover the costs of training and certification. The act grandfathers law enforcement officers who have received CVSA certification prior to January 1, 2009 (Section 304.232).

Beginning January 1, 2009, only law enforcement officers that have been approved by the Missouri State Highway Patrol under the act, members of the Missouri State Highway Patrol, or commercial vehicle enforcement officers shall have the authority to conduct random roadside examinations or inspections to determine compliance with the commercial motor vehicle weight and size limit laws (Sections 304.170 to 304.230), and only such officers shall have the authority, with or without probable cause to believe that the size or weight is in excess of that permitted by the law, to require the driver, operator, owner, lessee, or bailee, to stop, drive, or otherwise move to a location to determine compliance with the law. A law enforcement officer not certified under the act, however, may stop a vehicle that has a visible external safety defect that could cause immediate harm to the traveling public. In the course of a stop, the law enforcement officer shall identify to the driver the defect that caused the stop. If the vehicle passes the roadside inspection, the law enforcement officer, state highway patrolman, or other authorized person shall issue such vehicle a Commercial Vehicle Safety Alliance inspection decal to be affixed to the vehicle (Section 304.230 and 304.232). These provisions can be found in SB 761 and 774 (2008) and in SCS/SB 484 (2007).

The act also provides that commercial vehicle officers designated as peace officers by the highway patrol shall be vested with the authority to make arrests for commercial vehicle violations (Section 304.230). The act requires such officers to undergo basic training that other peace officers undertake. The act also provides that the superintendent of the highway patrol may appoint members of the patrol who have CVSA certification to conduct commercial vehicle inspections (Section 304.230).

TRAVEL SAFE ZONE - This act doubles the fine imposed for a moving or speeding violation when committed in a designated travel safe zone. A "travel safe zone" is defined as any area upon or around any highway, visibly marked by the Department of Transportation, where a highway safety analysis shows the number of fatal or disabling vehicle crashes exceeds a predicted safety performance level for comparable roadways as determined by the department. In order to assess the fines, the department must have erected signs around the travel safe zone which warn motorists that fines are doubled for speeding and committing other moving violations in the travel safe zone (Section 304.590).

AVIATION TRUST FUND EXPANSION - This act allows \$2 million from the Aviation Trust Fund to be used for the study or promotion of expanded domestic or international scheduled commercial service, for the study or promotion of intrastate scheduled commercial service, or to assist airport sponsors participating in a federally funded air service program supporting intrastate scheduled commercial service. The act further requires that there must have been at least \$6 million deposited in the fund in the previous calendar year before aviation trust funds can be utilized for these purposes (Section 305.230). This act also allows moneys in the Aviation Trust Fund to be used to assist communities to match federal

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air traffic control tower cost-share program grants. Under the act, up to \$500,000 per year may be used on a ratio of 50% state/50% local to meet the non-federal match requirement. No more than \$100,000 per year may be used for any individual air traffic control tower (Section 305.230).

IMPLEMENTATION OF UNIFIED CARRIER REGISTRATION ACT - This act authorizes the State Highways and Transportation Commission to take the necessary steps to implement and administer a state plan to conform with the Unified Carrier Registration Act (UCR Act) of 2005 (Section 390.021). This provision is contained in SB 761 & 774 (2008), SCS/HB 1422 (2008), and SB 200 (2007).

MOTOR CARRIER TRANSPORTATION INDEMNITY PROVISIONS - This act makes indemnity agreements in motor carrier transportation contracts which purport to indemnify a party against loss from negligence or intentional acts void and unenforceable. Motor carrier transportation contracts shall not include Uniform Intermodal Interchange and Facilities Access Agreements (Section 390.372). This provision is contained in SB 761 & 774 (2008) and SB 39 (2007).

PRIOR DWI AND INTOXICATION-RELATED OFFENSES - This act attempts to rectify a recent Supreme Court ruling which held that a defendant's prior guilty plea and suspended imposition of sentence in municipal court could not be used to enhance the punishment for the defendant's new intoxication-related traffic offense. This act specifies that a conviction, plea of guilty or a finding of guilty followed by incarceration, a fine, a suspended imposition of sentence, suspended execution of sentence, probation or parole or any combination thereof in any intoxication-related traffic offense in a state, county or municipal court shall be treated as a prior plea of guilty or finding of guilty for purposes of enhanced punishment under Section 577.023 (Section 577.023). A similar provision, but not identical, is contained in the truly agreed to version of HB 1715. The provision contained in HB 1715 contains an emergency clause while the provision contained in this bill does not.

MISSOURI VEHICLE PROTECTION PRODUCT ACT - This act establishes the Missouri Vehicle Protection Product Act. Under the act, a person would be prohibited from selling or offering for sale a vehicle protection product in Missouri unless the seller, warrantor, and any administrator complies with the provisions of the proposed act. A vehicle protection product warrantor, a seller of a vehicle protection product, or a warranty administrator that complies with the act shall not be subject to any other provisions of the state insurance code. The proposed act would apply to all warranted products sold or offered for sale on or after January 1, 2009. The failure of any person to comply with the Act before its effective date would not be admissible in any court proceeding, administrative proceeding, arbitration, or alternative dispute resolution proceeding and may not be used to prove that the action of any person or the vehicle protection product was unlawful or otherwise improper. The vehicle product protection provisions have an effective date of January 1, 2009. This act is substantially similar to SB 902 (2008) and SCS/SB 297 (2007) and SB 1058 (2006) (sections 385.400 to 385.436)(HA 5).

PEACE OFFICER CONTINUING EDUCATION - Under this act, peace officers who make traffic stops shall receive 3 hours of training within the continuing education 3 year reporting period. The director of the Department of Public Safety may waive continuing education requirements for licensees who have been activated for military duty (Section 590.050). This provision is contained in the perfected version of SB 761 (2008)(HA 6).

IGNITION INTERLOCK DEVICES - This act makes the current ignition interlock device law for repeat offenders an administrative requirement enforced by the Department of Revenue instead of the courts. Under the terms of the act, repeat offenders must provide proof of installation to the department in order

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to obtain a license or limited driving privilege.

Under the terms of this act, any person who has been convicted more than twice of a driving while intoxicated offense and had his or her license or driving privilege denied cannot have his or license reinstated until the person has filed proof with the Director of the Department of Revenue that his or her motor vehicle is equipped with an ignition interlock device. The ignition interlock device must be maintained on all motor vehicles operated by the person for a period of at least 6 months following the date of reinstatement. If the person fails to maintain the proof, the restricted driving privilege will be suspended for the remainder of the six-month period or until the person files proof with the director (Section 302.060).

The act applies the same criteria to persons who have had their license suspended or revoked due to points for a second or subsequent conviction relating to driving while in an intoxicated condition, driving under the influence of controlled substances or drugs or driving with a blood alcohol content of eight-hundredths of one percent or more by weight. Such persons must also file proof with the director that have equipped their motor vehicles with certified ignition interlock devices. Such devices shall be maintained on all vehicles for a period of at least 6 months following the date of reinstatement. If the person fails to maintain proof of maintaining an ignition interlock device, the person will be guilty of a Class A misdemeanor (Section 302.304). The act specifies that a limited driving privilege may be granted to a person seeking the services of a certified ignition interlock device provider. No limited driving privilege shall be issued under Section 302.309 until the applicant for such privilege files proof with the Director of Revenue that all of the motor vehicles operated by the applicant are equipped with certified ignition interlock devices. Failure to maintain proof of installation of a functioning, certified ignition interlock device shall result in termination of the limited driving privilege (Section 302.309). The provisions of the act relating to the installation of ignition interlock devices become effective July 1, 2009. The ignition interlock provisions are identical to the provisions contained in HB 1423 (2008).

SCHOOL BUS ENDORSEMENT FEES - This act waives school bus endorsement renewal fees for applicants 70 years of age or older (Section 302.177 and Section 302.735). This act waives the school bus endorsement examination fee for an applicant 70 years of age or older (Section 302.720).

THIRD-PARTY TESTERS - This act requires the Department of Revenue to certify certain municipalities as third-party testers for purposes of administering the commercial drivers licensing law (Section 302.720)(HA 10).

FAILURE TO PREPAY FINE OR APPEAR IN COURT - This act provides that when a motorist pays fines and court costs associated with a moving traffic violation, and any reinstatement fees, the director of revenue shall return the motorist's driver's license and remove the suspension from the motorist's driving record. This provision is applicable to situations where the motorist's license has been suspended for failing to pay a moving violation ticket (Section 302.341).

STEPHEN WITTE

SPONSOR: Purgason

HANDLER: Dethrow

CCS/HCS/SS/SCS/SB 931 - This act modifies provisions pertaining to the administration of agriculture incentives and programs.

SECTION 135.710 - TAX CREDIT FOR ALTERNATIVE FUEL STATIONS

SPONSOR: Purgason

HANDLER: Dethrow

This act creates an income tax credit for the costs of constructing a qualified alternative fuel vehicle refueling property. The tax credit shall not exceed the lesser of \$20,000 or 20% of the costs directly associated with the purchase and installation of any alternative fuel storage and dispensing equipment. The cumulative amount of credits which may be claimed shall not exceed \$3,000,000 for taxable year 2009. For taxable year 2010, the cumulative amount of tax credits which may be claimed is reduced to \$2,000,000, and for taxable year 2011, the amount is further reduced to \$1,000,000.

SECTIONS 135.800-135.805 - TAX REPORTING REQUIREMENTS

This act makes the Family Farm Breeding Livestock Loan tax credit and the Qualified Beef tax credit subject to the same reporting requirements as what is required for agricultural tax credits under the Tax Credit Accountability Act. The act also requires new generation cooperatives to report under the Tax Credit Accountability Act, when an agricultural tax credit is issued as a result of a producer member investing in the cooperative.

SECTION 142.028 - QUALIFIED BIOMASS FOR FUEL ETHANOL

Under current law, a qualified fuel ethanol producer is eligible for a monthly grant for fuel ethanol produced from Missouri agricultural products. This act allows such fuel ethanol to also be produced from biomass that is qualified by the Missouri Agricultural and Small Business Development Authority (MASBDA) in consultation with the Conservation Commission. Fuel ethanol grant incentives paid for fuel ethanol produced from biomass are authorized between January 1, 2009 and December 31, 2019 and shall only be available to two producers, with each producer limited to total payments of \$7.5 million.

SECTION 144.053 - SALES TAX EXEMPTION FOR FORESTRY EQUIPMENT

Any new or used farm tractors, machinery, or equipment, including parts, supplies, and fuel, used to plant, harvest, process, or transport forestry products shall be exempt from state and local sales tax, similar to other farm machinery in section 144.030.

SECTION 144.063 - SALES TAX EXEMPTION FOR FENCING AND FUEL

This act creates a sales tax exemption for the purchase of fencing materials and motor fuel, when such materials or fuel is to be used for agricultural purposes.

SECTION 260.546 - HAZARDOUS SUBSTANCE SPILL CLEANUP

Current law makes an owner of a released hazardous substance liable for reasonable cleanup costs. This act adds the requirement that the costs for which the owner is liable also be "necessary." The act adds costs incurred for cleaning up any hazardous substances to the costs for which an owner is liable.

The act specifies a 60-day timeframe in which the political subdivision or volunteer fire protection association involved in the cleanup must submit the itemized statement of costs to the owner of the released substance. The statement of costs must include certain explanations for why the costs were incurred.

In the event of an appeal by the owner of the released hazardous substance, the burden of proof is on the political subdivision or volunteer fire protection association to justify the cleanup costs. The act increases the timeframe from 30 days to 60 days in which the Director of the Department of Natural Resources must notify the involved parties of his or her decision regarding an appeal.

SECTIONS 261.035-261.239 and 265.200 - DEPT. OF AG. NAME CHANGES

The act makes the following name changes in the Department of Agriculture: the Marketing Division to

SPONSOR: Purgason

HANDLER: Dethrow

the "Agriculture Business Development Division;" the Marketing Development Fund to the "Agriculture Business Development Fund;" the Missouri Agricultural Products Marketing Development Fund to the "AgriMissouri Fund;" and the Citizen's Advisory Commission for Marketing Missouri Agricultural Products to the "AgriMissouri Advisory Commission."

SECTION 263.232 - NOXIOUS WEED CONTROL

This act makes the plant spotted knapweed subject to existing noxious weed control laws.

SECTION 267.168 - NATIONAL ANIMAL IDENTIFICATION SYSTEM

The State of Missouri may support a voluntary animal identification program. The act prohibits the Missouri Department of Agriculture from mandating premises registration under the U.S. Department of Agriculture's National Animal Identification System (NAIS) program unless the Department is specifically statutorily authorized to do so.

Participants in the NAIS may withdraw from the program at any time and all of their personal information shall be deleted at the time of withdrawal unless a participant is part of an ongoing disease investigation.

The Governor may waive the provisions of this section if the provisions interfere with the marketing of Missouri livestock.

SECTION 278.070 - WATERSHED SUBDISTRICT

The act adds a definition for subdistrict, watershed subdistrict, and watershed district.

SECTION 281.260 - PESTICIDES

Retailers shall be given a reasonable amount of time in which to dispose of existing stocks of pesticides in the event that a manufacturer or distributor stops registering the product.

SECTIONS 340.337-340.396 - LARGE ANIMAL VETERINARY STUDENTS

This act modifies provisions pertaining to the Large Animal Veterinary Medicine Loan Repayment Program and the Large Animal Veterinary Student Loan Program.

The act adds the requirement that permanent residency be "lawful" as a criteria for the eligibility standards applicable to participants in the Large Animal Veterinary Medicine Loan Repayment Program.

Currently, eligible veterinary students at the University of Missouri may be awarded up to \$80,000 worth of Large Animal Veterinary Student loans for veterinary school. This act specifies that no more than \$20,000 may be awarded per academic year and does not allow the loans to be awarded retroactively.

Under current law, the Department of Agriculture can forgive loans made through the Large Animal Veterinary Student Loan Program in exchange for large animal veterinary service in under-served parts of the state. This act places a dollar limit of \$20,000 as the maximum amount that shall be forgiven by the Department per year of qualified service.

Under current law, a loan recipient is required to begin repayment within one year of completing the veterinary degree program unless the individual fulfills the qualified service requirement. The act requires a loan recipient who fails to meet the qualified service requirement to begin repayment within 6 months of the first day on which he or she did not meet the service requirement.

SPONSOR: Purgason

HANDLER: Dethrow

The act allows the Department to grant a loan deferment to anyone who is on active duty in any branch of the U.S. armed forces.

The Large Animal Veterinary Student Loan Program shall expire on June 30, 2013.

The act reorganizes the sections pertaining to the Large Animal Veterinary Student Loan Program.

SECTIONS 348.230-348.235 - DAIRIES

Subject to appropriation, MASBDA shall pay for the first full year of interest on any applicable Missouri linked deposit program loan, provided the loan pertains to the acquisition of dairy cows. MASBDA may charge a fee up to \$50 for this service.

Subject to appropriation not to exceed \$50,000, MASBDA shall award dairy business planning grants for up to \$5,000 per grant or no greater than 90% of the cost of the plan, whichever is less. MASBDA may charge a fee up to \$50 to apply for a grant. Eligible applicants for the grants shall be existing or start-up dairy operations in Missouri that are at least 51% owned by Missouri residents. MASBDA may promulgate rules for the grant program to establish eligibility and award criteria.

SECTIONS 348.430-348.432 - "IN STATE" REQUIREMENT

A new generation cooperative must operate within the state in order to be eligible for either the Agricultural Product Utilization Contributor tax credit or the New Generation Cooperative Incentive tax credit.

SECTION 348.505 - TAX CREDIT MAXIMUM INCREASE

The total cumulative amount of tax credits issued by MASBDA per fiscal year for interest waived for family farm livestock loans is increased from \$150,000 to \$300,000.

SECTIONS 348.515-348.533 - LOAN GUARANTEE PROGRAM

MASBDA shall develop and implement a Livestock Feed and Crop Input Loan Guarantee Program, which shall provide loan guarantees for up to 50% of the amount of a loan on a declining principal basis, not to exceed \$40,000 per individual loan. The loan guarantee program shall make such payment to eligible lenders in the event of loan default by recipients of loans given for the purpose of purchasing or growing feed for livestock production.

Beginning in fiscal year 2009, up to \$4 million may be appropriated to administer the program. The act describes eligibility and other administrative requirements.

This act is similar to the perfected SB 898 (2008) and HCS/SCS/SB 942 (2008).

ERIKA JAQUES

SPONSOR: Loudon

HANDLER: Cooper

HCS/SB 932 - This act creates the "Cyber Crime Investigation Fund". This fund shall be used solely for the administration of the Cyber Crime Investigation Grant Program. Beginning with fiscal year 2010, the General Assembly shall appropriate three million dollars to the fund annually. The Department of Public Safety shall administer the fund.

This act allows money distributed by the Department of Public Safety to investigate internet sex

SPONSOR: Loudon

HANDLER: Cooper

crimes against children to be used to fund training for prosecuting and circuit attorneys. Currently, the money can only be used for other purposes, including training law enforcement personnel.

Currently, peace officers who make traffic stops are required to receive annual training concerning the prohibition of race profiling. This act changes the training requirement to three hours within the law enforcement continuing education three-year reporting period.

Currently, a search warrant shall be executed as soon as practicable and shall expire if not executed and the return made within ten days after the date of making the application. Under this act, a search and any subsequent searches of the contents of any property, article, material, or substance seized and removed from the location of the execution of any search warrant during its execution may be conducted at any time during or after the execution of the warrant, subject to the continued existence of probable cause to search. A search and any subsequent searches may be conducted after the time for delivering the warrant, return, and receipt to the issuing judge has expired. A supplemental return and receipt shall be delivered to the judge upon final completion of any search which ends after the expiration of time for delivering the original return and receipt.

This act is similar to SB 477 (2007), SB 795 (2008), HB 2224 (2008).

SUSAN HENDERSON MOORE

***** SB 936 *****

SPONSOR: Griesheimer

HANDLER: Lembke

SB 936 - This act modifies the state emissions law to allow motorists to operate their vehicle for 30 days beyond the vehicle's registration expiration without a current state registration license for the purposes of resetting their vehicle's readiness monitors and passing the on-board diagnostic (OBD) retest. Motorists must keep a copy of the most recent failing OBD test results in their vehicle to present to law enforcement. Motorists would still be liable for late registration penalties.

STEPHEN WITTE

***** SB 939 *****

SPONSOR: Stouffer

HANDLER: Quinn

HCS/SCS/SB 939 - Currently, the board of supervisors of a levee district must levy a uniform tax of not more than one dollar per acre upon each acre of land and each mile of right-of-way of all public service corporations within such district. The tax is used to pay expenses incurred before the board is empowered to levy a property tax under Section 245.180, RSMo. This act would require a levee district to levy such a tax for not more than eight dollars.

Currently, the board of supervisors of a drainage district must levy a uniform tax of not more than one dollar per acre upon each acre of land. The tax is used to pay expenses incurred before the board is empowered to levy a property tax under Section 242.450, RSMo. This act would require a drainage district to levy such a tax for not more than eight dollars.

Currently, only owners of 25% of the property in certain drainage districts can petition a court for readjustment of the assessment of benefits for the property in the district. This act allows the district board of supervisors to petition for readjustment for some or all of the property in the district as identified in the petition. The act also specifies that property owners or the board of supervisors in levee districts

SPONSOR: Stouffer

HANDLER: Quinn

can petition a court for readjustment of the assessment of benefits for just a particular part of the property in the district as identified in the petition. Drainage districts in St. Louis County are authorized to adopt an alternative procedure with respect to voting rights. All drainage districts are authorized to adopt an alternative procedure for the apportionment of installment taxes after a readjustment of the assessment of benefits.

This act is similar to HB 1782 (2008).

SUSAN HENDERSON MOORE

***** SB 944 *****

SPONSOR: Engler

HANDLER: Robb

SS/SCS/SB 944 - Under current law, the State Auditor is paid ten cents for each \$100 of the face value of bonds registered. This act requires that the fee not exceed \$1,000.

This act contains an emergency clause

CHRIS HOGERTY

***** SB 951 *****

SPONSOR: Scott

HANDLER: Spreng

SCS/SB 951 - Under the act, in a state of emergency, the Governor shall authorized the Director of Finance and the Director of Credit Unions to suspend laws and rules applicable to the division that are reasonable and necessary to safeguard the soundness of financial institutions and coordinate emergency response with financial institutions and emergency responders. The respective directors shall file written waivers, suspensions, actions, and directives in the office of the Director of Finance.

Under current law, banks and trust companies may operate under emergency bylaws in certain circumstances . This act allows banks and trust companies to do the same when the legislature or governor declares a state of emergency. On such occasion, the board of directors or president of the financial institution shall notify the director of finance of the implementation of emergency bylaws and the status of its emergency response operations.

CHRIS HOGERTY

***** SB 956 *****

SPONSOR: Kennedy

HANDLER: Hobbs

SB 956 - The act changes the expiration dates of the staggered terms for the first appointed members of a public water supply district board by changing the ending month from June to April.

Under current law, a circuit court must follow certain public notice requirements when holding a hearing regarding the detachment of property that is part of a public water supply district. This act increases the timeframe from 5 to 7 for the maximum number of days before the hearing date in which the last public hearing notice must be published in the county newspaper.

In the event the court approves a detachment of property from a public water supply district, the court shall include in its decree a description of the district after the detachment as well as make any appropriate changes to the subdistrict boundary lines. Any changes in subdistrict boundaries shall not

SPONSOR: Kennedy

HANDLER: Hobbs

become effective until the next annual board of directors election. Certified copies of any court order regarding a detachment of district property shall be provided to the county recorder of deeds, the county clerk of any affected county, and to the Secretary of State. The court costs for district property detachment shall be borne by the petitioners of such action.

This act contains provisions similar to provisions in HB 766 (2007) and SB 419 (2007).

ERIKA JAQUES

***** SB 958 *****

SPONSOR: Goodman

HANDLER: Schad

HCS/SB 958 - This act authorizes any rural electric cooperative and certain electrical corporations that operate on the not-for-profit cooperative business plan to trim trees and control vegetation within the legal description in a recorded easement, or when no easement exists, within the following areas: 1) within 10 feet of electric lines located in a city and potentially energized at or below 34.5 kilovolts; 2) within 30 feet of electric lines located outside of a city and potentially energized at or below 34.5 kilovolts; 3) within 50 feet of electric lines potentially energized between 34.5 and 100 kilovolts; and 4) within 75 feet or within a federally required clearance for electric lines potentially energized at 100 kilovolts or more. In claims for property damage, there shall be a rebuttable presumption that the electric utility acted with reasonable care and within its rights when controlling vegetation in these areas.

Electric cooperatives may control vegetation in excess of these areas if needed to maintain safe and reliable electric service. If an electric cooperative must remove certain trees outside of the authorized areas, it must notify the owner of the trees at least fourteen days prior to their removal, except in emergency situations.

Owners of trees that die within three months of being trimmed by an electric cooperative may request the cooperative to remove any such tree, and the cooperative must respond to any such request within 90 days.

Nothing in the act requires electric cooperatives to fully exercise the authorities granted to it by the act.

This act is similar to SS/SCS/SB 563 (2007) and HCS/HB 811 (2007).

ERIKA JAQUES

***** SB 967 *****

SPONSOR: Mayer

HANDLER: Kingery

SCS/SB 967 – This act allows the Missouri Higher Education Loan Authority to be the originator of any federally guaranteed student loan. For borrowers attending higher education institutions in Missouri, the authority's origination of Stafford loans under the Federal Family Education Loan Program must not exceed 10% of the previous year's total Missouri Federal Family Education Loan Program volume as described in the act.

This act contains an emergency clause.

MICHAEL RUFF

***** SB 979 *****

***** SB 979 *** (Cont'd)**

SPONSOR: Vogel

HANDLER: Sutherland

SB 979 - This act terminates eligibility for the surviving spouse of a public safety official income tax credit for property taxes paid, on a homestead, upon a surviving spouse's remarriage.

JASON ZAMKUS

***** SB 980 *****

SPONSOR: Ridgeway

HANDLER: Flook

SB 980 - This act requires members of the Police Retirement System of Kansas City and the Civilian Employees' Retirement System of the Police Department of Kansas City to be in active service in order to be eligible for certain duty-related or nonduty-related disability retirement benefits. Duplicate language regarding supplemental benefits for the Police Retirement System of Kansas City, enacted in 2007, is also repealed.

This act is identical to HB 1710 (2008).

ALEXA PEARSON

***** SB 991 *****

SPONSOR: Loudon

HANDLER: Schlottach

SB 991 - This act designates the ice cream cone as the official state dessert for the state of Missouri.

JIM ERTLE

***** SB 999 *****

SPONSOR: Scott

HANDLER: Parson

SB 999 - Under current law, only the financial institution whose name is deceptively used may bring a civil action. This act allows the Attorney General to bring an action for unlawful merchandising practices when such a deceptive use occurs.

This act is identical to HB 500 (2007).

CHRIS HOGERTY

***** SB 1002 *****

SPONSOR: Justus

HANDLER: Curls

HCS/SB 1002 - Currently, property owners violating certain zoning regulations in municipalities located in Jackson County shall be fined at least \$10 but not more \$500, or imprisoned for ten days, for each day of such violation. For second or subsequent offenses involving the same violation at the same place, the punishment shall be a fine of not less than \$250 but not more than \$1,000, or imprisonment for ten days, for each day of the violation. In all other municipalities, property owners shall be fined at least \$10 but not more than \$100 for each day of the violation, unless the offense was committed wilfully, in which case, the penalty shall be a fine of not less than \$100 but not more than \$250, or imprisonment for ten days, for each day of such violation.

Under this act, a property owner in any city with more than 300,000 inhabitants may be fined at least \$10 but not more \$500, or imprisoned for ten days, for each day of such violation. For second or subsequent offenses involving the same violation at the same place, the punishment shall be a fine of not

***** SB 1002 *** (Cont'd)**

SPONSOR: Justus

HANDLER: Curls

less than \$250 but not more than \$1,000, or imprisonment for ten days, for each day of the violation.

In all other municipalities, property owners shall be fined not less than \$10 but not more than \$250, or imprisoned for ten days, for each day of the violation. For second or subsequent offenses involving the same violation at the same place, the punishment shall be a fine of not less than \$100 but not more than \$500, or imprisonment for ten days, for each day of the violation.

This act repeals the other version of Section 89.120, RSMo, which was doubly-enacted.

This act is identical to HB 1849 (2008).

SUSAN HENDERSON MOORE

***** SB 1009 *****

SPONSOR: Loudon

HANDLER: Wasson

SCS/SB 1009 - This act modifies the law with respect to the requirement that funds accepted by a settlement agent be certified funds. Under this act, the certified funds requirement shall only apply when a settlement agent accepts funds greater than \$2,500 in a real estate transaction.

This act has an emergency clause.

STEPHEN WITTE

***** SB 1016 *****

SPONSOR: Mayer

SB 1016 - This act dissolves the Legal Services for Low-Income Person Fund and provides that the portion of money that was being transferred into such fund from the Tort Victims' Compensation Fund, in addition to any money remaining in the Legal Services for Low-Income Person Fund, shall now be transferred to the Basic Civil Legal Services Fund. Such funds shall continue to be distributed to qualifying state legal service organizations that provide legal services to eligible low-income persons.

This act is identical to HB 1621 (2008).

ALEXA PEARSON

***** SB 1033 *****

SPONSOR: Griesheimer

HCS/SCS/SB 1033 - Currently, no transfer of title of real property to a county or other political subdivision by donation or dedication shall be valid for recording unless it has been proved or acknowledged. This act specifies that water and sewer line easements shall not be considered transfers of title under this provision and therefore are not subject to such requirements.

This act is identical to HB 1603 (2008).

SUSAN HENDERSON MOORE

***** SB 1034 *****

SPONSOR: Mayer

HANDLER: Kraus

SPONSOR: Mayer

HANDLER: Kraus

HCS/SCS/SBs 1034 & 802 - This act modifies the current record-keeping requirements for purchases of copper scrap metal and also applies such record-keeping requirements to purchases of brass, bronze, and certain aluminum scrap metal. The act requires that a separate record be maintained in either written or electronic form for each applicable transaction of copper, brass, bronze, or aluminum scrap metal.

A copy of the scrap metal seller's driver's license or other state or federally-issued photo identification containing the seller's current address must be kept in the transaction record, as well as the date, time, and place of each such transaction. The act removes the existing provision that allows a scrap metal seller's business address to serve in place of a residential address in the record.

Records must be kept for two years after the date the scrap metal was purchased and shall be available for inspection by any law enforcement officer.

The act modifies the penalty for violating the record-keeping requirements by removing the specified fine and jail term ranges, and instead making a violation a Class A misdemeanor.

The act exempts certain scrap metal transactions from the record-keeping requirements: when the total sale amount is not more than \$50; when the seller has an existing business relationship with the purchaser and is reasonably expected to generate scrap metal; and when the metal is a minor part of a larger item being sold, except for electrical power generation or telecommunications equipment.

Scrap metal dealers are prohibited from knowingly purchasing or possessing a whole or partial metal beer keg on premises used by the dealer to alter scrap metal, unless the keg is purchased from a brewer or brewer's representative. A violation of this provision is a Class A misdemeanor with a penalty of only a fine.

Scrap yards are prohibited from purchasing metal identified as belonging to a cemetery, political subdivision, electrical cooperative, or any utility, except when purchasing it directly from the metal owner or from a person authorized in writing by the owner to sell such metal. A violation of this provision is a Class B misdemeanor.

Payments by scrap metal dealers larger than \$500 shall be made only by check or other traceable method, except in transactions where the seller has an existing business relationship with the dealer and the seller is an established business that generates scrap metal.

The act makes it a Class C felony to steal or appropriate, without the owner's consent, any wire, electrical transformer, metallic wire for telecommunications, or device or pipe used to conduct electricity or transport fuels.

This act is similar to HB 1512 (2008), SB 683 (2007) and HB 547 (2007).

ERIKA JAQUES

***** SB 1038 *****

SPONSOR: Shields

HANDLER: Cox

SB 1038 - This act repeals the campaign contribution limits for certain candidates running for office.

Individuals and committees required to file campaign disclosure reports shall electronically file contributions exceeding \$5,000 within 48 hours of receiving the contribution.

SPONSOR: Shields

HANDLER: Cox

The treasurer and deputy treasurer of all committees shall reside in the district or county in which the committee sits.

Legislative and senatorial district committees shall retain only one address in the district in which it sits for the purpose of receiving contributions.

Out-of-state committees that make contributions in support of or against candidates or issues in elections shall report the names of its contributors even when the contributions originally made to the out-of-state committee were not made specifically to influence any particular election.

Current law imposes a penalty of twice the amount of the contribution or expenditure that is incorrectly reported up to \$5,000. This amendment removes the \$5,000 cap and imposes a penalty equal to the amount of the contribution for failing to file or filing incomplete reports.

CHRIS HOGERTY

***** SB 1039 *****

SPONSOR: Clemens

HANDLER: Weter

HCS/SCS/SB 1039 - This act requires the county commission of Christian County, upon voter approval of a county sales tax for central dispatching of emergency services, to appoint a seven-member board to administer the funds and oversee the provision of emergency services. The board shall include the head of any of the county's fire protection or ambulance districts, the county sheriff, the head of any police departments in the county, and the head of the county's emergency management organizations.

Under current law, each ground ambulance is required to be staffed with at least two licensed individuals when transporting a patient, except for certain counties which are allowed to have only one licensed emergency medical technician, registered nurse or physician in attendance. This act amends current law to allow this exception for any ambulance licensed in the state staffed with volunteers. A volunteer is defined as an individual who performs hours of service without promise, expectation or receipt of compensation for services rendered, except for a nominal stipend per call to compensate for fuel, uniforms, and training.

This act is similar to SCS/SB 1044 (2008), HCS/SB 845 (2008), and HCS/HB 1711 (2008).
SUSAN HENDERSON MOORE

***** SB 1040 *****

SPONSOR: Clemens

HANDLER: Hobbs

SCS/SB 1040 - Current law allows sewer districts and water districts in counties of the first classification and the city of St. Louis to receive grants and loans for storm water control projects. This act limits eligibility for sewer and water districts to only those considered "public."

Current law requires the Department of Natural Resources to provide both grants and loans using the funds resulting from the issuance of storm water control bonds. This act modifies this requirement so that both are no longer simultaneously required, but either one is still permissible.

The act removes the requirement that 50% of the proceeds from the bonds be allocated to grants and 50% to loans.

SPONSOR: Clemens

HANDLER: Hobbs

Once the initial offer of grants or loans has been made to all eligible recipients, the act allows any remaining funds to be given to grant or loan recipients who need additional funding in proportions as described in the act.

The act allows repayments of storm water loans and applicable interest to be deposited in the Storm Water Loan Revolving Fund, which is created by the act, and authorizes the monies in the Fund to be used to finance and construct storm water control plans, studies, and projects. Unexpended balances shall not be subject to biennial transfer to the General Revenue Fund and the Fund shall retain its interest.

The act repeals a doubly enacted section.

The effective date of the act is contingent upon the passage of a constitutional amendment regarding the financing and constructing of storm water control plans, studies, and projects.

ERIKA JAQUES

***** SB 1044 *****

SPONSOR: Stouffer

HANDLER: McGhee

SCS/SB 1044 - Under current law, each ground ambulance is required to be staffed with at least two licensed individuals when transporting a patient, except for certain counties which are allowed to have only one licensed emergency medical technician, registered nurse or physician in attendance. This act amends current law to allow this exception for any ambulance licensed in the state staffed with volunteers. A volunteer is defined as an individual who performs hours of service without promise, expectation or receipt of compensation for services rendered, except for a nominal stipend per call to compensate for fuel, uniforms, and training.

This act is identical to provisions in HCS/SCS/SB 1039 (2008) and to provisions in HCS/SB 845 (2008).

ADRIANE CROUSE

***** SB 1061 *****

SPONSOR: Barnitz

HANDLER: Cooper

SB 1061 - This act requires county coroners and their assistants to register with the Missouri Coroners' and Medical Examiners' Association immediately after election or appointment but prior to beginning their duties. All coroners and assistants of the coroner shall, within six months, complete the required annual training.

SUSAN HENDERSON MOORE

***** SB 1066 *****

SPONSOR: Ridgeway

HANDLER: Muschany

SB 1066 – This act creates an alternative method of obtaining teacher certification from the State Board of Education. An individual may obtain teacher certification by obtaining certification from the American Board for Certification of Teacher Excellence (ABCTE) and verification of ability to work with children by completing sixty contact hours in the classroom as described in the act. Such certification may not be granted in the areas of early childhood education, elementary education, or

SPONSOR: Ridgeway

HANDLER: Muschany

special education. An applicant may apply for a career continuous professional certificate after completing thirty contact hours of professional development within four years, validated completion of a mentoring program as described in the act, attainment of a successful performance-based teacher evaluation, and participation in a beginning teacher assistance program. Applicants for an initial ABCTE certificate are responsible for any associated fees. A school district may develop its own policy for fee reimbursement. This method of obtaining teacher certification terminates on August 28, 2014.

This act grants the State Auditor the power to audit any school district in the state in the same manner as any agency of the state.

This act modifies the duties of the Joint Committee on Education and the Commissioner of Education. Currently, the Commissioner of Education is required to distribute \$18 million per fiscal year to address statewide areas of critical needs. This amendment requires that any disbursement of the \$18 million must be first approved by the Joint Committee on Education. Prior to distributing any of the \$18 million, the Commissioner of Education must appear before the Joint Committee on Education and present how and what programs are to be funded with the \$18 million. The Joint Committee on Education shall review the Commissioner's proposal and affirm by a majority vote prior to disbursement.

This act is similar to provisions contained in SB 804 (2008), SB 480 (2007) and HB 620 (2007).

MICHAEL RUFF

***** SB 1068 *****

SPONSOR: Mayer

HANDLER: Sater

CCS/SB 1068 - This act modifies provisions relating to pharmacies and pharmacists.

PHARMACY REBATES FUND

This act establishes the Pharmacy Rebates Fund for the purposes of depositing any revenues received by the state from pharmaceutical manufacturer rebates as required by state or federal law for use in the MO HealthNet pharmacy program. SECTION 338.650

This provision is substantially similar to HB 2193 (2008).

AUDITS

This act establishes procedures for when certain prescribed entities conduct audits of pharmacies. Each entity conducting an audit shall establish an appeals process, lasting no longer than six months, under which a licensed pharmacy may appeal an unfavorable preliminary audit report. The audit procedures established under this act shall not apply to any audit conducted as part of an investigation that involves probable fraud, willful misrepresentation, or abuse, nor shall such procedures apply to any audit conducted as part of an inspection or investigation conducted by any governmental entity or law enforcement agency. SECTION 338.600

This provision is substantially similar to SCS/HCS/HB 1332 (2008).

FIBROMYALGIA AWARENESS PROGRAM

This act establishes within the Department of Health and Senior Services the "Missouri Fibromyalgia Awareness Initiative Program." The primary target population for such program shall be women between twenty and sixty years of age.

SPONSOR: Mayer

HANDLER: Sater

The department shall appoint and convene a Missouri Fibromyalgia Panel, which shall be empowered to raise at least fifty thousand dollars through private funding for the purpose of establishing a public information and outreach campaign, working with other state and local agencies to promote education and training programs for physicians and other health care professionals, and examining the pharmaceutical treatments available for such patients.

This program shall be implemented only to the extent that the panel obtains private funding for the program. SECTION 338.410

This provision is substantially similar to a provision in HB 2243 (2008).

ADRIANE CROUSE

***** SB 1073 *****

SPONSOR: Dempsey

HANDLER: Faith

SB 1073 - This act creates a state and local sales and use tax exemption for sales of tangible personal property, on the United States Munitions List, to foreign governments.

JASON ZAMKUS

***** SB 1081 *****

SPONSOR: Nodler

HANDLER: Cooper

HCS/SCS/SB 1081 -This act modifies provisions relating to quality assurance and safety in the Division of Mental Retardation and Developmental Disabilities Community Programs.

FAMILY CARE SAFETY REGISTRY

This act amends the Family Care Safety Registry to include protections for the developmentally disabled and requires the registry to contain information on mental health workers. This act also adds direct care staff from the Division of Mental Retardation and Developmental Disabilities (MRDD) community programs to the list of health care and mental health providers who are required to report suspected cases abuse of a patient, resident, or client of a mental health facility. The Department of Mental Health shall conduct such abuse and neglect investigations. SECTIONS 210.900 TO 210.927

GOOD SAMARITAN

This act modifies the good Samaritan statute to include suicide prevention intervention rendered in good faith by a qualified counselor or any other person to the list of care or services rendered in an emergency situation that are immune from civil liability. SECTION 537.037

This provision is identical to a provision in HB 1890 (2008) and similar to SB 974 (2008).

MENTAL HEALTH COORDINATORS

Under current law, mental health coordinators must be employed by the State of Missouri. This act provides that such coordinators may be contract employees or work for community health providers. SECTIONS 630.045 AND 632.005

This provision is substantially similar to SB 974 (2008) and HB 1890 (2008).

REPORTING AND INVESTIGATING OF ABUSE AND NEGLECT

SPONSOR: Nodler

HANDLER: Cooper

Under this act, the department shall promulgate rules as necessary for reporting and investigating complaints of abuse and neglect. SECTION 630.050

RELEASE OF INFORMATION

This act also specifies that the release of client information must be consistent with requirements of the Federal Health Insurance Portability and Accountability Act of 1996 (HIPAA). SECTION 630.140

This provision is substantially similar to SB 974 (2008) and HB 1890 (2008).

MENTAL HEALTH FACILITIES AND GROUP HOMES

All group homes and mental retardation facilities shall be subject to all applicable federal and state laws, regulations and monitoring. All MRDD community providers shall be subject to the same training requirements established for state mental health workers with comparable positions in public group homes and mental health facilities. In addition, any employee, including supervisory personnel, of a group home or mental retardation facility who has been placed on the department's disqualification registry due to a substantiated finding of abuse or neglect shall be terminated. The facilities or homes are also required to report staff turnover to the Department of Mental Health and the General Assembly. The Department of Mental Health shall not transfer any person to any group home or mental retardation facility that has received a notice of noncompliance, until there is an approved plan of correction. SECTIONS 630.165, 630.167, 633.300 TO 633.309

MENTAL HEALTH DISQUALIFICATION REGISTRY

This act adds persons who have been convicted of or pled guilty to vulnerable person abuse to the list of person who are disqualified from holding any position in any public or private mental health facility or program. In addition, this act adds persons who have been convicted of or pled guilty to any offense requiring such person to register as a sex offender to the list of persons who are disqualified from holding any direct-care position in any public or private mental health facility or program. SECTION 630.170

SECURITY DEVICES

Under current law, physical and chemical restraints cannot be used on patients, residents or clients of a mental health facility or mental health program except under certain circumstances. This act allows security escort devices to be used on individuals who have been civilly committed when they are transported outside a mental health facility if the head of the facility or the attending physician finds it necessary to protect the health and safety of the individual or others or to prevent escape. Security escort devices shall be used on individuals who have been civilly committed under the sexually violent predator statutes or who have been criminally committed when they are transported outside a mental health facility, unless it is determined by the head of the facility or the attending physician that it is not necessary to protect the health and safety of the individual or others or to prevent escape. The head of a mental health facility may also use extraordinary measures to ensure the safety and security of patients, residents, clients, or others during times of natural or man-made disasters. Use of the security escort devices or the extraordinary measures during the circumstances described in this act shall not be considered restraint, seclusion or isolation as generally prohibited by statute. SECTION 630.175

This provision is substantially similar to SB 974 (2008) and HB 1890 (2008).

CIVIL LIABILITY

Also under current law, certain mental health care professionals are immune from liability for detaining, transporting, conditionally releasing or discharging a person under the mental health or

SPONSOR: Nodler

HANDLER: Cooper

guardianship statutes at or before the end of the period for which the person was admitted or detained for evaluation or treatment so long as such duties were performed in good faith and without gross negligence. This act adds investigating to the list of actions immune from liability. SECTION 632.440

This provision is substantially similar to SB 974 (2008) and HB 1890 (2008).

ICF-MR PROVIDER REIMBURSEMENT

This act also provides that beginning July 1, 2008, each Intermediate Care Facilities-Mentally Retarded Facilities (ICF-MR) in this state must pay, in addition to all other fees or taxes required by law, a ICF-MR provider reimbursement based on a formula set forth in rules promulgated by the Department of Social Services. The provisions relating to the provider reimbursement allowance shall expire on June, 30, 2009. SECTION 633.401

There is an emergency clause for the ICF-MR provider reimbursement provision.

ADRIANE CROUSE

***** SB 1105 *****

SPONSOR: Coleman

HANDLER: Faith

SCS/SB 1105 - This act creates a check-off on the Missouri individual and corporate income tax forms for contributions to the breast cancer awareness trust fund. Moneys collected will be used by the Friends of the Missouri Women's Council for breast cancer services.

The provisions of this act will automatically sunset six years from the effective date of the act.

JASON ZAMKUS

***** SB 1131 *****

SPONSOR: Wilson

HANDLER: Curls

HCS/SCS/SB 1131 - This act excludes tax revenues, derived from certain transportation sales taxes imposed by the City of Kansas City, from the allocation of economic activity taxes for payment of redevelopment costs under Missouri's Downtown and Rural Economic Stimulus Act and Real Property Tax Increment Allocation Redevelopment Act. The definition of the term "transportation purposes" contained within the provision of law authorizing the transportation sales tax provision has been expanded to include the development and operation of bus, para-transit, and fixed-rail and light-rail transit.

JASON ZAMKUS

***** SB 1139 *****

SPONSOR: Dempsey

HANDLER: Stevenson

SCS/SB 1139 - This act revises the Uniform Anatomical Gift Act.

The Department of Health and Senior Services shall establish a first person consent organ and tissue donor registry. Any individual who agrees to have his or her name in the registry has given full legal consent to the donation of any of his or her organs or tissues upon death and as recorded in the registry. An individual may withdraw consent to be listed in the registry. The department and the Department of Revenue shall advise the individual that he or she is under no obligation to have his or her name in the

SPONSOR: Dempsey

HANDLER: Stevenson

registry. This act also encourages and establishes standards for donor registries.

This act facilitates donations by expanding the list of those who may make an anatomical gift for another individual during that individual's lifetime to include healthcare agents and under some circumstances, parents or guardians. Minors who are of age to apply for a driver's permit or license are allowed to agree to donate an organ with parental consent noted on a donor card, application, driver's license or other gift document.

This act also facilitates donations from a deceased individual who made no lifetime choice by adding to the list of persons who can make a gift of the deceased individual's body or parts. Such persons added to the list include: the person who was acting as the decedent's agent under a power of attorney for healthcare at the time of the decedent's death and the decedent's adult grandchildren.

This act also permits an anatomical gift by any member of a class where there is more than one person in the class so long as no objections by other class members are known and, if an objection is known, permits a majority of the members of the class who are reasonably available to make the gift without having to take account of a known objection by any class member who is not reasonably available.

Numerous default rules for the interpretation of a gift document are added for those documents lacking specificity regarding either the persons to receive the gift or the purpose of the gift or both. This act provides that anatomical gifts made under the laws of other jurisdictions shall be recognized. Allowances are made for electronic records and signatures with respect to gift donations and consent.

This act provides for the donation of specific anatomical parts to named persons and more generally to eye banks, tissue banks, and organ or cadaver procurement organizations. This act also outlines a priority for transplantation or therapy over research or education when an anatomical gift is made for all four purposes in a gift document that fails to establish a priority. Criminal sanctions are added for falsifying the making, amending, or revoking of an anatomical gift.

In addition, this act provides that a coroner or medical examiner shall cooperate with a procurement organization to maximize the opportunity to recover anatomical gifts for the purpose of transplantation, therapy, research, or education. A procurement organization includes eye banks and tissue banks. The procedure for delivering the body or for removing a part from the body for purposes for transplantation, therapy, research, or education are prescribed under the act.

A person who acts in accordance with the provisions of Missouri's Uniform Anatomical Gift Act or with the applicable anatomical gift law of another state, so long as it is not inconsistent with the provisions of Missouri's anatomical gift law, or attempts without negligence and in good faith to do so, is not liable for the act in any civil action, criminal or administrative proceeding.

This act also amends current law regarding procedures for coroners and medical examiners as to the transferring of bodies from one county to another, designating death certificates, notification and investigation responsibilities, and determining which county should be considered the place of death. The place where the person is determined to be dead shall be considered the place of death.

In addition, current law regarding coroners and medical examiners was amended to specify the investigation procedures to be used in deaths by homicide, suicide, accident, criminal abortion including those that are self-induced, child fatality, or any unusual or suspicious manner.

SPONSOR: Dempsey

HANDLER: Stevenson

Under current law, a person may grant the right of sepulcher to any person as long as the designation is made in a written instrument meeting certain qualifications under current law, however, such a designation will not supersede the rights of the deceased's spouse or certain family members. This act deletes the provisions of law allowing for such a designation, and instead provides that an attorney in fact designated in a durable power of attorney that specifically grants the right of sepulcher shall have first priority for the purposes of determining who has the right to choose and control the burial, cremation, or other final disposition of the deceased designee's body.

This act is similar to SB 496 (2007) and SB 1025 (2008).

ADRIANE CROUSE

***** SB 1140 *****

SPONSOR: Vogel

HANDLER: Bruns

HCS/SB 1140 - This act allows the Commissioner of Administration to deduct cafeteria plan administrative fees and any amount necessary for the participation in the cafeteria plan from the employee's compensation warrant, unless the employee affirmatively elects not to participate in the plan.

Vendors are allowed to solicit the selection of products currently allowed to be included in cafeteria plans, on site in state facilities

Under current law, the balance of the administrative trust fund lapses when the unencumbered balance at the close of the fiscal year exceeds 1/12 of the total amount appropriated, paid, or transferred to the fund during that year. This act raises that threshold to 1/8 when approved by the Oversight Division of the Joint Committee on Legislative Research.

This act is similar to HB 1535 (2008), and SB 1015 (2008).

CHRIS HOGERTY

***** SB 1150 *****

SPONSOR: Barnitz

HANDLER: Lembke

SCS/SB 1150 - Several provisions in current law allow the Secretary of State to collect an additional \$5 fee on fees for filings relating to business organizations, commercial transactions, and trademarks, names and private emblems to be credited to the state's technology trust fund. These provisions are set to sunset on December 31, 2009.

This act extends the sunset provisions to December 31, 2017.

CHRIS HOGERTY

***** SB 1168 *****

SPONSOR: Dempsey

HANDLER: Scharnhorst

SCS/SB 1168 - This act revises the formula for computing a refund for credit insurance premiums. This act removes the phrase "as of the due date nearest the date of prepayment in full" from the current law so that a premium refund now equals the original premium multiplied by the ratio of the sum of the remaining insured balances divided by the sum of the original insured balances. The act also provides

SPONSOR: Dempsey

HANDLER: Scharnhorst

that in determining the number of months for which a premium is earned, the first month's premium may be considered as earned on the first day of coverage and for all successive month's premiums, on the coverage anniversary date in each successive month.

STEPHEN WITTE

***** SB 1170 *****

SPONSOR: Mayer

HANDLER: Swinger

HCS/SCS/SB 1170 – This act creates the Rebuild Missouri Schools Program. The State Board of Education will distribute no-interest funding to school districts that have had one or more school facility severely damaged or destroyed due to an act of God or extreme weather event as described in the act. Such facilities must be located in an area declared a disaster area by the Governor or President.

An eligible school district applying for funding must enter into an agreement with the state board of education that specifies the following: the funding will only be used for the costs of an emergency project under the act; the school district will pay no interest for the funding; the school district must repay, subject to annual appropriation, the amount of the funding in annual installments, not more than twenty years from the date the funding is received by the school district; any repayment by the school district is annually subject to appropriation, which may be from the district's incidental fund or capital projects fund; and a pledge to the State Board of Education from the district of the use and occupancy of the school facilities that constitute the emergency project for a period ending not earlier than the date the repayment will be completed.

An eligible school district must repay the funding over a twenty-year period pursuant to an annual appropriation by the school district for repayment. Any funding awarded by the State Board of Education cannot exceed the cost of the emergency project minus the amount of any insurance proceeds or other moneys received. If a school district receives any insurance proceeds or other moneys after receiving funding, it must pay to the state board of education the amount by which the sum of the funding under the program plus insurance proceeds and other moneys exceeds the cost of the project as described in the act. If the Rebuild Missouri Schools Fund is no longer in existence, a school district must pay any payments into the General Revenue Fund.

Funding provided under this act, and a repayment obligation, will not be considered a constitutional or statutory debt limitation applicable to a school district.

The State Board of Education must promulgate rules and regulations but must not do so in a way to exclude a public school district that received severe damage after April 1, 2006 from participating in the program.

The provisions of this section will expire in six years unless reauthorized.

This section contains an emergency clause. (Section 160.459)

LEASE-PURCHASE AGREEMENTS: Current law places a twenty-year limitation on lease-purchase agreements on the boards of educational institutions. This act increases the statutory limitation from twenty years to twenty-five years. (Section 177.088)

MICHAEL RUFF

***** SB 1177 *****

SPONSOR: Barnitz

HANDLER: Cooper

SB 1177 - Licensed professional counselors are included in the definition of mental health professionals for the purposes of carrying out the services of the Division of Comprehensive Psychiatric Services and the Division of Alcohol and Drug Abuse under the Department of Health.

This act is identical to HB 1791 (2008).

CHRIS HOGERTY

***** SB 1181 *****

SPONSOR: Engler

HANDLER: Schoeller

CCS/HCS/SCS/SBs 1181, 1100, 1262 & 1263 - This act modifies and creates provisions regarding energy regulation.

SECTIONS 8.295 - 8.837 - STATE BUILDINGS

Up to 10% of the funds appropriated each year for the Facilities Maintenance Reserve Fund shall be used for otherwise eligible projects that are also energy projects with a 15-year payback or less.

Design documents submitted to the Office of Administration for new construction or substantial renovation of certain state buildings shall include a projection of the energy savings of the building as a result of meeting the state minimum energy efficiency standard.

The act requires that by January 1, 2009, the Department of Natural Resources shall modify the minimum energy efficiency standard so that it is at least as stringent as the 2006 International Energy Conservation Code (2006 IECC), or the latest version of the Code rather than the current standard of American Society of Heating, Refrigerating, and Air Conditioning Engineers (ASHRAE) Standard 90. The act modifies the date to July 1, 2009, by which all design for state buildings over 5,000 square feet involving new construction or substantial renovation and any building over 5,000 square feet considered for purchase or lease by a state agency shall comply with the minimum energy efficiency standard. The Commissioner of the Office of Administration may exempt any state building from meeting the minimum energy efficiency standard requirement for safety reasons or when the cost of compliance is expected to exceed the energy cost savings.

These sections are similar to SB 1117 (2008).

SECTIONS 30.750 - 30.765 - LINKED DEPOSIT LOAN PROGRAM

This act allows for low interest loans through the linked deposit loan program for eligible alternative energy operations producing and selling fuel or power from alternative energy sources including solar, hydroelectric, wind, and qualified biomass.

These sections are identical to SB 1161 (2008).

SECTION 64.170 - BUILDING CODES

Currently, the counties of Clay and Jefferson are authorized, without voter approval, to adopt building and construction regulations; require building permits; license certain building contractors; require inspections; establish and collect fees for permits, licenses, and inspections; and appoint a building commission to oversee these regulations, permits, licenses, and inspections. This act expands that authority to include the adoption of regulations for electrical wiring and installation and the licensing of individuals to make them consistent with the authority granted to all other first and second classification

SPONSOR: Engler
counties.

HANDLER: Schoeller

This section is identical to HB 2380 (2008).

SECTIONS 143.121 & 144.526 - TAX INCENTIVES FOR ENERGY EFFICIENCY

The act creates an income tax deduction for either the cost of a home energy audit conducted by an energy auditor certified by the Department of Natural Resources or for the cost of implementing any of the recommendations made in any such energy audit, or for both such activities. The deduction is limited to \$1,000 per taxpayer per year, up to \$2,000 cumulative lifetime total per taxpayer. The deduction expires December 31, 2013.

The act creates the "Show Me Green Sales Tax Holiday." For 2009 and every year thereafter, during the seven day period beginning on April 19th and ending April 25th, all sales of Energy Star certified new appliances will be exempt from state sales tax. Political subdivisions may opt in at their choosing.

Provisions in these sections are similar to provisions in SB 1117 (2008).

SECTION 161.365 - GREEN SCHOOL CLEANING POLICIES

The Department of Elementary and Secondary Education, in consultation with the Department of Health and Senior Services and other interested parties, will establish annual guidelines for green cleaning programs and environmentally-sensitive cleaning product specifications. The Department shall distribute the guidelines to school districts and post the guidelines on its web site.

This section is similar to HB 1960 (2008).

SECTION 251.650 - INTER-AGENCY COLLABORATION TO SECURE ENERGY GRANTS

This act requires representatives of the Departments of Labor and Industrial Relations, Elementary and Secondary Education, Agriculture, Economic Development, and Natural Resources to meet, at least twice a year, to discuss ways to secure grants established under the federal Energy Independence and Security Act of 2007. Such grants would fund: green jobs, the production of renewable fuels, increasing energy efficiency of products, buildings and vehicles, and increasing research and development for manufacturing of renewable energy technologies. The Department of Natural Resources shall serve as the coordinating agency for the inter-agency group. The group shall report to the General Assembly and the Governor each year regarding any grants secured under this act.

This section is identical to SCS/SB 1261 (2008).

SECTION 386.850 - MISSOURI ENERGY TASK FORCE

The Missouri Energy Task Force created by Executive Order 05-46 shall reconvene at least annually to review progress made toward meeting the recommendations made in its final report as issued under the Executive Order. The Task Force shall issue its findings in an annual status report to the Governor and General Assembly.

SECTION 393.1045 - ENERGY RATES & RENEWABLE ENERGY MANDATE

Any required renewable mandate shall not raise retail electric rates by an average of more than 1% in any year, and all costs associated with a renewable mandate shall be recoverable in rates. Solar rebates shall be included in the 1% rate cap.

SPONSOR: Engler

HANDLER: Schoeller

SECTION 640.017 - ENVIRONMENTAL PERMIT COORDINATION

When multiple permits are required from the Department of Natural Resources for a particular project, this act allows a permit applicant to request coordination with the department to develop a unified permit schedule for obtaining the permits. The act lists criteria the department and permit applicant shall use in developing the schedule.

The department may contact potential permit applicants in a class of similar activities for the purpose of informing the applicants of the department's intent to use a unified permit schedule.

The department shall make the determination regarding the permits to be required for a proposed activity based on the information provided by the permit applicant. If additional information is subsequently provided, the department's permit determination may be subject to change. A unified permit schedule shall be proposed to any permit applicant under this act. At any time, a permit applicant may decline to follow the schedule.

Upon the development of a unified permit schedule, the director of the department shall notify the applicant in writing of the schedule. The only aspect of the schedule the department may change is the date of the public hearing, which also requires consent by the permit applicant. The department shall post unified permit schedules on its website.

In developing a unified permit schedule, the department shall try to consolidate any required public meetings for the permits into one meeting at a location near the site of the proposed activity for which the permits are being sought. Additionally, the director of the department may waive any procedural requirements related to timing and the issuance of permits that may be required under other applicable environmental laws provided that the required public comment periods are not shortened and the ability of the department or applicant to comply with substantive legal requirements is not impaired by the unified permit schedule.

This section is identical to SB 1248 (2008).

SECTIONS 640.153 - 640.216 - DEPARTMENT OF NATURAL RESOURCES

The Department of Natural Resources shall certify qualified home energy auditors. The Department's Energy Center shall serve as a central coordinator for energy sustainability activities in the state and shall carry out the duties described in the act.

The act creates a professorship in energy conservation and creates the Studies in Energy Conservation Fund, which shall be administered by the Department of Higher Education, in conjunction with the Department of Natural Resources, to pay for the cost of the professorship. Any unused monies in the Fund may be used to fund similar professorship positions at any public university in the state.

These sections are similar to SB 1117 (2008).

SECTIONS 701.500-701.515 - PRODUCT ENERGY EFFICIENCY STANDARDS

The act creates minimum energy efficiency standards for certain new products sold or installed within the state. Exceptions are provided for certain products that are intended to be sold outside the state, installed in manufactured homes, or designed expressly for use in recreational vehicles. The Department of Natural Resources shall promulgate the energy efficiency standards for such products, which shall not be more stringent than the federal Energy Star standards or any federal minimum energy efficiency

SPONSOR: Engler

HANDLER: Schoeller

requirements. The Appliance Energy Efficiency Advisory Group, created in the act, shall advise the Department on the development of the standards. The composition of the advisory group is listed.

In consultation with the advisory group, the Department shall update the minimum energy efficiency standards for the products at least once every 3 years to keep current with technological advancements.

Manufacturers of the products for which the energy efficiency standards apply shall certify to the Department that their products meet the standards. Manufacturers are also required to mark their products as meeting the energy efficiency standards.

The Department is given authority to enforce the provisions of the energy efficiency standards for the products. The Department may test and inspect the products and may charge a manufacturer for the cost of such testing if a product is found not to be in compliance with the standards. Violations of the energy efficiency standards may be referred to the Attorney General for prosecution.

SECTION 1 - Any electric company that achieves an amount of eligible renewable energy technology nameplate capacity equal to or greater than 15% of the company's total owned fossil-fired generating capacity by January 20, 2009, shall be exempt from a requirement to pay an incentive to any customer who installs a solar energy system and shall also be exempt from meeting mandated solar renewable energy requirements.

ERIKA JAQUES

***** SB 1187 *****

SPONSOR: Purgason

HANDLER: Pollock

SB 1187 - This act removes the ninety-nine member cap on the Water Patrol membership.
SUSAN HENDERSON MOORE

***** SB 1190 *****

SPONSOR: Nodler

HANDLER: Wasson

SB 1190 - This act authorizes the Division of Professional Registration to reduce licensure fees by emergency rule if the projected fund balance of any agency assigned to the division is reasonably expected to exceed an amount that would require transfer from that fund to the general revenue.
CHRIS HOGERTY

***** SB 1235 *****

SPONSOR: Justus

SCS/SB 1235 - Current law provides that a trustee may invest and reinvest trust assets in securities or obligations of any state or its political subdivisions, including securities that are underwritten by the trustee or an affiliate thereof. This act provides that in addition to the authority in current law, the trustee may invest trust assets in U.S. government obligations or other interests in any open-end or closed-end management investment company or investment trust registered under federal law, including but not limited to U.S. government obligations or repurchase agreements collateralized by such obligations, notwithstanding that the provided that the governing instrument or order requires or permits investment in U.S. government obligations, and provided that the portfolio of the investment company or investment trust is limited to U.S. government obligations and to repurchase agreements fully collateralized by such

SPONSOR: Justus

obligations, and provided that the investment company or trust takes delivery of such collateral.

The act also provides that a bank, trust company, or affiliate, when acting as an investment advisor, custodian, or otherwise in a fiduciary capacity with respect to the investment of assets, may invest and reinvest such assets subject to the standards contained in this act, and subject to the Missouri Prudent Investor Act within Chapter 469, RSMo. Also, such entities may invest trust assets in shares or interests in a partnership or limited liability company or other entity that operates as a privately-offered investment fund.

ALEXA PEARSON

***** SJR 45 *****

SPONSOR: Clemens

HANDLER: Hobbs

SJR 45 - Currently, sewer districts and water districts in counties of the first classification and the city of St. Louis may receive grants and loans through the Department of Natural Resources for storm water control projects. This constitutional amendment, if approved by the voters, limits the eligibility for sewer and water districts to only those considered "public."

The amendment removes the requirement that appropriations for the Stormwater Control Fund may not exceed \$20 million in aggregate per fiscal year.

Currently, the Department of Natural Resources is required to provide both grants and loans using the funds resulting from the issuance of storm water control bonds, with 50% of the funding to be used for grants and 50% for loans. This amendment removes the percentage requirements as well as the requirement that both forms of financial assistance must be offered together. Additionally, the amendment removes the requirement that grants are limited to 50% of the cost of a storm water control project.

The amendment modifies the distribution of the grants or loans by the Department by requiring the funding to be "initially offered" to the named eligible recipients rather than "dispersed" to such recipients.

Once the initial offer of grants or loans has been made to all eligible recipients, the amendment allows any unused funds to be re-offered to grant or loan recipients who need additional funding in proportions as described.

The amendment allows repayments of storm water loans and applicable interest to be deposited in a fund to finance and construct storm water control plans, studies, and projects. Unexpended balances in the fund shall not be subject to biennial transfer to the General Revenue Fund and the fund shall retain its interest.

ERIKA JAQUES

***** HB 1311 *****

SPONSOR: Hoskins

HANDLER: Engler

SCS/HB 1311 - Individuals shall not file a declaration of intent to be a write-in candidate for election to municipal office if they are in arrears for any unpaid city taxes or municipal user fees.

CHRIS HOGERTY

***** HB 1313 *****

***** HB 1313 *** (Cont'd)**

SPONSOR: Wright

HANDLER: Mayer

HB 1313 - This act requires the state and political subdivisions of the state to give preference, in awarding contracts, to businesses of service-disabled Missouri veterans when the quality of performance promised is equal or better and the price quoted is the same or less than other contractors submitting bids.

This act is similar to HB 1014 (2007).

CHRIS HOGERTY

***** HB 1341 *****

SPONSOR: Ruestman

HANDLER: Nodler

HCS/HB 1341 - This act requires owners of certain for-profit, privately owned swimming pools or facilities to maintain adequate liability insurance in an amount of at least \$1 million in the event of injury or death of a patron. For each day an owner violates the act's provisions, the owner will be subject to a civil penalty of \$250 per day of violation, with a maximum penalty of \$10,000. Under the terms of the act, an owner could also be responsible for reimbursing any costs incurred by the state or county for enforcing the provisions of the act. If an owner intentionally cancels, terminates, or fails to renew his or her liability insurance, the owner will be guilty of a Class A misdemeanor. The Department of Public Safety and local law enforcement agencies are responsible for enforcing the provisions of the act. The act provides that insurance companies shall notify the department of public safety if an owner terminates, cancels, or fails to renew his or her liability insurance.

This act contains an emergency clause.

STEPHEN J. WITTE

***** HB 1354 *****

SPONSOR: Wilson

HANDLER: Scott

HB 1354 - This act exempts self-propelled sprayers that are used for spraying chemicals or spreading fertilizer from complying with titling, registration and license plate display laws. The exemption from titling, registration, and the display of license plates applies whether the described vehicles are laden or unladen (Section 301.029). This portion of the act is similar to SB 371 (2007) and was contained in SS/SCS/SB 239 et al (2007).

STEPHEN WITTE

***** HB 1368 *****

SPONSOR: Thomson

HANDLER: Lager

HB 1368 – Currently, the Board of Regents of Northwest Missouri State University has nine members. This act requires that eight of the members be voting members and one of the members be a non-voting full time student of the university. No more than four voting members may belong to any one political party. Six members must be residents of the university's historic statutory service region and at least one member must be a resident of Nodaway County. Two voting members must be residents of a county in Missouri outside of the historic statutory service region provided they are not appointed from the same congressional district. A majority of the voting members of the board constitutes a quorum for transaction of business and a majority of the voting members is required for appropriation or disbursement of money and for employment or dismissal of teachers. The board members in office on August 28, 2008, will continue to serve the terms of their original appointment and until a successor is

SPONSOR: Thomson

HANDLER: Lager

duly appointed.

MICHAEL RUFF

***** HB 1380 *****

SPONSOR: Sater

HANDLER: Goodman

HCS/HB 1380 - This act authorizes a board of directors, formed under a Senior Citizens' Services Fund tax, to allocate moneys to senior-related programs for operational and capital needs from the property taxes collected. To be eligible, the program must be operated by a community facility that provides health, social, educational, and recreational services to adults 60 years of age or older.

JASON ZAMKUS

***** HB 1384 *****

SPONSOR: Cox

HANDLER: Gibbons

SS/SCS/HB 1384 & HB 2157 - This act modifies various provisions relating to identity protection.

This act specifies that identity theft victims have the right to contact the local law enforcement agency where they are domiciled and request that an incident report about the identity theft prepared and filed. The victim may also request to receive a copy of the report. Nothing in this act shall interfere with the discretion of the local law enforcement agency to allocate resources for investigations of crimes or to provide an incident report as permitted under this act.

A person commits a Class C felony if he or she manufactures or possesses five or more fictitious or forged means of identity with the intent to distribute to others for the purpose of committing a crime.

This act allows a consumer to request that a "security freeze" be placed on his or her credit report, which prohibits credit reporting agencies from releasing the consumer's credit report or credit score without specific authorization from the consumer.

Credit reporting agencies are directed to place a freeze on any consumer's credit report within five days of the receipt of such a request. The reporting agency must notify the consumer in writing within ten days of enacting the security freeze and must provide instructions for removing or temporarily lifting the freeze. The act provides timeframes in which credit reporting agencies shall comply with requests to temporarily lift or permanently remove a security freeze.

No fee may be charged by a credit reporting agency for a request by a consumer related to a security freeze if the request is accompanied by an identity theft incident report. For security freeze requests unaccompanied by an incident report, a fee up to \$5 may be charged for a first request to place a freeze, and up to \$10 for subsequent requests to place a freeze. A fee up to \$5 may be charged for a temporary lift of a security freeze, but no fee shall be charged to permanently remove a security freeze.

Credit reporting agencies may issue credit reports subject to a freeze in certain circumstances that include: when requested or authorized by the consumer, pursuant to a court order, during times when the freeze has been temporarily lifted by the consumer, when used for prescreening purposes, when requested by a child support enforcement agency, for certain insurance purposes, to anyone with whom the consumer has an existing debtor-creditor relationship, when requested by the State of Missouri to investigate fraud or collect delinquent taxes, or when used by a credit monitoring service to which the

***** HB 1384 *** (Cont'd)**

SPONSOR: Cox
consumer subscribes.

HANDLER: Gibbons

Credit reporting agencies must supply any consumer who believes he or she has been a victim of identity theft with a summary of rights as specified.

Credit reporting agencies that knowingly violate this act shall be liable for actual damages sustained by any affected consumer, the affected consumer's court costs and reasonable attorney fees, and may be subject to other equitable relief assessed by a court.

Processors of applications for credit shall not be in violation of any law requiring applications to be processed within a certain timeframe if they are unable to process an application within the timeframe due to a security freeze being in place.

ERIKA JAQUES

***** HB 1419 *****

SPONSOR: Portwood

HANDLER: Loudon

HB 1419 - This act modifies the law relating to licensed massage therapists.

All licensed massage therapists shall be of good moral character and have completed a program of massage therapy studies. Certain allowances for those with out-of-state licenses and alternative experience are removed. Prospective licensees without the required 500 hours of supervised instruction may submit an application for licensure and the Board of Therapeutic Massage shall establish requirements to do so.

Applicants for provisional licenses shall submit proof that they have applied to take the required examination. Provisional licenses are valid for one year and may be extended for good cause at the discretion of the board if the extension is submitted prior to the expiration of the provisional license.

CHRIS HOGERTY

***** HB 1422 *****

SPONSOR: St. Onge

HANDLER: Stouffer

SCS/HB 1422 - This act authorizes the State Highways and Transportation Commission to take the necessary steps to implement and administer a state plan to conform with the Unified Carrier Registration Act (UCR Act) of 2005.

The act also repeals Section 390.071 (pertaining to the issuance of interstate motor carrier permits) and Section 622.095 (relating to the single state registration system).

The provisions of this act are similar to those contained in HCS/SCS/SB 760 (2008) and SB 200 (2007).

STEPHEN WITTE

***** HB 1426 *****

SPONSOR: Kraus

HANDLER: Green

HB 1426 - This act removes the provision that requires the Public Service Commission to annually

***** HB 1426 *** (Cont'd)**

SPONSOR: Kraus

HANDLER: Green

study the economic impact of Section 392.410, RSMo, and submit a report to the General Assembly by the end of each calendar year. Section 392.410, RSMo, concerns the issuing of certificates of service authority for telecommunications service and limitations on the provision of telecommunications service by political subdivisions.

This act is similar to SB 928 (2008).

ERIKA JAQUES

***** HB 1450 *****

SPONSOR: Roorda

HANDLER: McKenna

SCS/HB 1450 - This act extends the expiration date of the Joint Committee on Terrorism, Bioterrorism, and Homeland Security from December 31, 2007, to December 31, 2009.

Currently, a public governmental body is authorized to close certain operational guidelines and policies used to respond to terrorist incidents as well as security systems and structural plans of real property. These exceptions expire on December 31, 2008. This act extends the deadline to December 31, 2012.

This act is similar to SB 953 (2008).

CHRIS HOGERTY

***** HB 1469 *****

SPONSOR: Pratt

HANDLER: Goodman

HB 1469 - Currently, the authority for certain administrative commissions to hear appeals shall be transferred to the Administrative Hearing Commission (AHC), however, the authority to make final decisions after a hearing on appeals by the AHC shall remain with the enumerated commissions. This act provides that the administrative commissions enumerated within may render final decisions after hearing or through stipulation, consent order, agreed settlement, or by disposition similar to a default judgment, judgement on the pleadings, or summary determination.

The act also provides that if a person aggrieved by any decision for which authority to hear appeals was transferred to the AHC files a petition for appeal, the AHC may hold hearings or may make recommended decisions by stipulation of the parties, consent order, agreed settlement, or by disposition similar to a default judgment, judgement on the pleadings, or summary determination.

This act is identical to SB 481 (2007) and HB 526 (2007), and similar to SB 976 (2008).

ALEXA PEARSON

***** HB 1549 *****

SPONSOR: Onder

HANDLER: Rupp

CCS/SS/HCS/HBs 1549, 1771, 1395, & 2366 - This act modifies the law relating to illegal immigrants.

LAW ENFORCEMENT

The Highway Patrol shall enter into a memorandum of understanding with the federal government to

SPONSOR: Onder

HANDLER: Rupp

have members trained to enforce federal immigration laws. (Section 43.032)

If the lawful presence of a prisoner cannot be made after a reasonable effort, verification shall be made within 48 hours through the Department of Homeland Security. (Section 577.900)

SANCTUARY

Municipalities are barred from adopting policies designed to give aliens sanctuary when they are present in violation of federal immigration laws. Those municipalities that adopt sanctuary policies shall be ineligible for any grants provided by the state. (Section 67.307, effective date: January 1, 2009)

PUBLIC BENEFITS

Under federal law, unlawfully present aliens are not eligible for state or local public benefits with certain exceptions. This act reiterates federal law stating that such aliens are ineligible and the exceptions.

Applicants for benefits shall provide proof of citizenship, residency, or lawful presence in order to receive benefits. If applicants cannot provide such proof they can sign an affidavit attesting to their status and shall be eligible to receive temporary benefits until their status can be determined. Employees processing public benefits shall not inquire about the legal status of a custodial parent of an applicant.

Agencies administering public benefits shall provide assistance to applicants in obtaining the appropriate documentation to obtain benefits.

If an applicant is an alien, the applicant shall not receive benefits until lawful presence is verified by the federal government. (Section 208.009)

MISCLASSIFICATION

This act bars employers with 5 or more employees from knowingly misclassifying employees. Employers must submit federal IRS 1099-MISC forms to the Department of Revenue and penalties for failing to do so are provided. The Attorney General has the power to investigate alleged misclassifications and enforce the section.

The state carries the burden of proving that the employer misclassified the worker. Injunctions may be sought and employers shall be charged \$50 per day per misclassified worker up to a maximum of \$50,000 for violations. (Sections 285.309, 285.500, 285.503, 285.506, 285.512, and 285.515)

EMPLOYMENT

Employers are barred from knowingly employing unauthorized aliens. Violators are subject to the suspension of their business permits and licenses or exemptions. In order to correct the violation and have permits and licenses reinstated, the employer shall terminate the employment of the alien or request a second verification from the federal government, sign a sworn affidavit stating that the violation has ended, and submit documentation confirming the entity is enrolled in a federal work authorization program.

Violators under contract with the state may have their contracts voided and shall be barred from contracting with the state for three years. Subsequent violations shall result in a void contract and a permanent bar from contracting with the state.

Business entities shall participate in a federal work authorization program in order to be eligible for state

SPONSOR: Onder

HANDLER: Rupp

contracts. Public employers shall also participate in such a program. All entities shall have an affirmative defense that they are not in violation if they participate in the program.

Contractors are not liable for unauthorized aliens hired by their subcontractors if the contract binding the two parties affirmatively states that the subcontractor does not knowingly hire unauthorized aliens and that the subcontractor is enrolled in a federal work authorization program or the contractor receives an affidavit attesting to the fact that the subcontractor's employees are lawfully present in the United States.

(Sections 285.525, 285.530, 285.535, 285.540, 285.543, 285.550, and 285.555, Effective date: January 1, 2009)

OSHA TRAINING

Contractors and subcontractors who contract to work on public works projects shall provide a 10 hour Occupational Safety and Health instruction and safety program, or similar program approved by the department of labor, for their employees. All employees working on projects must have completed the course within 60 days of beginning work and shall keep evidence of completion on the worksite.

Contractors and subcontractors in violation will forfeit \$2,500 plus \$100 for each worker employed for each day the worker is employed without training to the public body awarding the contract.

Public bodies and contractors may withhold assessed penalties from contractors and subcontractors respectively.

(Section 292.675, Effective date: August 28, 2009.))

DRIVER'S LICENSES

The Department of Revenue shall not issue any driver's license to illegal aliens nor to persons who cannot prove lawful presence. A driver's license issued to an illegal alien in another state shall not be honored by the state of Missouri and the Department of Revenue for any purpose. The state of Missouri hereby declares that granting drivers licenses to illegal aliens is repugnant to the public policy of Missouri and therefore Missouri shall not extend full faith and credit to out-of-state drivers licenses issued to illegal aliens. (Section 302.063)

Written tests for commercial licenses shall only be administered in English. (Section 302.720)

The act creates specific crimes for assisting individuals in committing fraud in connection with obtaining instruction permits, driver's licenses, and nondriver's licenses. (Section 578.570)

BAIL

There shall be a presumption that releasing a person under any conditions set by the court, pending trial, appeal, or other proceeding, shall not reasonably assure the person's appearance if the judge reasonably believes the person is an illegal alien. If such presumption exists, the person shall be jailed until he or she provides verification of his or her lawful presence in the United States to rebut such presumption. If the person adequately proves his or her lawful presence, the judge shall review the issue of release again. However, if the person cannot prove his or her lawful presence, the person shall continue to be jailed until discharged in accordance with the law. (Section 544.470)

HARBORING

SPONSOR: Onder

HANDLER: Rupp

Individuals are barred from transporting or harboring any alien for the purposes of trafficking, drug trafficking, prostitution or employment. (Section 577.722)

COMMUNICATIONS WITH THE FEDERAL GOVERNMENT

The act bars government entities, political subdivisions, and government officials from interfering with any communication with the federal government regarding the citizenship or immigration status of any individual. The state shall not fund government entities, agencies, or political subdivisions that have policies that would interfere with such communications.

Municipalities and political subdivisions may collect and share the identity of persons in the same way the FBI utilizes its Integrated Automated Fingerprint Identification System. (Section 650.681, effective date January 1, 2009)

This act is similar to SB 1250 (2006), SB 348 (2007), SB 626 (2007), HB 1346 (2008), HB 1463 (2008), HB 1736 (2008), HB 2320 (2008), SB 750 (2008), SB 751 (2008), SB 1268 (2008), SB 1269 (2008), SB 929 (2008), SB 858 (2008), SB 927 (2008), SB 1186 (2008), SB 1255 (2008), and SB 1138 (2008).

CHRIS HOGERTY

***** HB 1550 *****

SPONSOR: Stevenson

HANDLER: Dempsey

SS/SCS/HCS/HB 1550 - This act modifies provisions relating to courts.

JUVENILE COURTS

This act expands the jurisdiction of juvenile courts to include individuals who are over seventeen years of age but not yet eighteen years of age, for the sole purpose of status offenses, by modifying the definitions of "child," "adult," and "status offense."

All law enforcement officers, juvenile officers, school personnel, or court personnel shall have civil and criminal immunity from liability for any action taken or failure to take action involving a minor child who remains under the jurisdiction of the juvenile court if such action is based on a good faith belief by such officer or personnel that the minor child is not under the jurisdiction of the juvenile court.

The provisions relating to extension of the juvenile court's jurisdiction shall not take effect until such time as appropriations by the general assembly for additional juvenile officer full-time equivalents and deputy juvenile officer full-time equivalents shall exceed by 1.9 million dollars the amount spent by the state for such officers in fiscal year 2007 and appropriations by the general assembly to single first class counties for juvenile court personnel costs shall exceed by 1.9 million dollars the amount spent by the state for such juvenile court personnel costs in fiscal year 2007.

This act also provides that the office of state courts administrator shall conduct a study and report to the general assembly by June 30, 2009, on the impact of changing the definition of child as required under this act. The report shall contain information regarding the impact on caseloads of juvenile officers, including the average increase in caseload per juvenile officer for each judicial circuit, and the number of children affected by the change in definition.

These provisions are substantially similar to SCS/SB 1054(2008).

SPONSOR: Stevenson

HANDLER: Dempsey

DRUG COURTS

In addition, current law provides that compensation for the drug court commissioner in Jackson County shall be reimbursed from the proceeds of the county's antidrug sales tax, and that the county must reimburse the state for the actual costs of the salary and benefits of the commissioner. This act provides that the compensation for the commissioner shall be paid out of the same source as compensation for all other drug court commissioners in this state.

PROBATION SERVICES

This act provides that other court-approved entities, in addition to private entities, may act as misdemeanor probation offices pursuant to a contract with the circuit judges in cases where the board of probation and parole is not required to provide services.

This provision is substantially similar to HB 2285 (2008).

JAILERS

This act gives jailers the power to serve civil process and arrest warrants on persons who surrender themselves to a jail facility as well as those who are already in the custody of the facility at which the jailer is employed.

Under the rules and regulations of the sheriff, employees designated as jailers may carry firearms when necessary for the proper discharge of their duties as jailers. Such authorized persons shall have the same power granted to other law enforcement officers to arrest escaped prisoners and apprehend persons aiding and abetting such escape while in the custody of the sheriff.

These provisions are identical to SB 1097 (2008) and HB 2054 (2008).

ADRIANE CROUSE

***** HB 1570 *****

SPONSOR: Franz

HANDLER: Champion

SCS/HB 1570 - This act provides that the Missouri Supreme Court standards for guardians ad litem in Missouri juvenile and family court matters, as approved by the supreme court on September 17, 1996, shall be adopted statewide. Each judicial circuit shall devise a plan for implementation which takes into account the needs of the circuit as well as the negative impact that excessive caseloads have upon effectiveness of counsel. Such plans shall be approved by the supreme court, and fully implemented by July 1, 2011.

The act also adds the services of guardians ad litem to the priority list of services for which moneys in the family services and justice fund shall be spent.

ALEXA PEARSON

***** HB 1575 *****

SPONSOR: Jones

HANDLER: Vogel

HCS/HB 1575 - This act designates a portion of State Highway 87 in Moniteau County as the "Lance Corporal Leon B. Deraps Memorial Highway".

This act is similar to SB 906 (2008).

SPONSOR: Jones
STEPHEN WITTE

HANDLER: Vogel

***** HB 1608 *****

SPONSOR: Ervin

HANDLER: Ridgeway

HB 1608 - This act authorizes counties to preserve electronic images of original cancelled checks instead of the actual check.

SUSAN HENDERSON MOORE

***** HB 1628 *****

SPONSOR: Cooper

HANDLER: Scott

HB 1628 - This act exempts historical vehicles powered by liquid petroleum or natural gas from the alternative fuel decal requirement and tax.

JASON ZAMKUS

***** HB 1640 *****

SPONSOR: Schoeller

HANDLER: Goodman

SCS/HB 1640 - Under current law, after an adoption, the court orders an adoption decree, which shall include such facts as are necessary to locate and identify the birth certificate of the adopted person, and shall provide information necessary to establish a new birth certificate of the adopted person. This act prohibits the issuance of a new birth certificate following an adoption by a step-parent if the adoptive parent or adoptive stepparent requests that there not be a new birth certificate.

ADRIANE CROUSE

***** HB 1670 *****

SPONSOR: Cooper

HANDLER: Dempsey

HB 1670 - This act removes the requirement that the Director of the Department of Natural Resources certify machinery, equipment, appliances, and devices used solely to prevent, abate, or monitor water or air pollution and any materials and supplies used in the installation, construction, or reconstruction of such machinery, equipment, appliances, and devices in order for purchases or leases of such equipment to receive a state and local sales and use tax exemption.

JASON ZAMKUS

***** HB 1678 *****

SPONSOR: Day

HANDLER: Stouffer

SS/HB 1678 - This act modifies various provisions relating to members of the military forces and their families. The act:

Adds the chair of the Missouri Veterans' Commission, or a designee, as an ex officio member of the Missouri Military Preparedness and Enhancement Commission, and provides that the Military preparedness and enhancement commission's duties include developing methods to improve the prosperity and employment opportunities of retired military members and the families of former military members. Section 41.1010.

SPONSOR: Day

HANDLER: Stouffer

Adds the chair of the Missouri Military Preparedness and Enhancement Commission, or a designee, as an ex officio member of the Missouri Veterans' Commission, and provides that the Missouri Military Preparedness and Enhancement Commission shall assist all veterans who are legal residents of Missouri. Section 42.007.

Allows military dependents who do not meet our state's age requirements to enter kindergarten or first grade if the child has completed an accredited prekindergarten or kindergarten program in another state. Section 160.053.

Requires the State Board of Education to develop recommendations for alternate assessments for military dependents who relocate after the commencement of a school term, in order to accommodate the student while ensuring he or she is proficient in the knowledge, skills, and competencies adopted by the State Board of Education. Section 160.518.

Requires the State Board of Education to establish rules allowing a provisional certificate of license to be issued to any spouse of a military member stationed in Missouri, who relocated to this state within one year of application, who had to complete a criminal background check in another state in order to be issued a certificate of license from another state, and who otherwise qualifies. Section 168.021.

Allows school districts to accept a course in state government completed in another state, for purposes of satisfying Missouri's graduation requirements, when a student transfers to a Missouri high school in ninth to twelfth grade. The act also deletes provisions in current law that require the state commissioners of education and higher education to make arrangements to carry out the provisions of this section, and to prescribe a list of suitable texts, and deletes provisions that provide that neglect by any superintendent, principal or teacher to observe the provisions of this section shall be sufficient cause for termination of his or her contract. Section 170.011.

Establishes a tuition grant program for spouses and children of war veterans who die, or who become eighty percent disabled, as the result of injury or illness sustained while serving in combat. Within the limits of amounts appropriated therefor, the Coordinating Board for Higher Education shall provide up to twenty-five tuition grants to the surviving spouses and children of any member of the military who served in armed combat and who was killed in the line of duty and who was a citizen of Missouri at the time of enlistment and at the time death or injury occurred. The grants shall pay an amount not to exceed the actual amount of tuition, the actual cost of books up to five hundred dollars per semester, and up to two thousand dollars per semester for room and board. The grant will continue to be awarded annually to eligible recipients as long as the recipient achieves and maintains a cumulative grade point average of at least two and one-half on a four point scale, or its equivalent. The grant may not be used for graduate study, and is not available to surviving children who are twenty-five years of age or older. The act delineates specific eligibility criteria for both the recipients and the higher education institutions. The provisions of this section shall automatically expire six years from the effective date of this act. Section 173.234.

Establishes the "Missouri Returning Heroes' Education Act," which provides that all public institutions of higher education that receive any state funds appropriated by the general assembly shall limit the tuition charged to combat veterans to fifty dollars per credit hour, for any program leading to a certificate, or an associate or baccalaureate degree. A "combat veteran" is any person who served in armed combat after September 11, 2001, who was a Missouri resident when first entering the military,

SPONSOR: Day

HANDLER: Stouffer

and who was discharged from military service under honorable conditions. An eligible combat veteran shall receive the tuition limitation as long as the veteran achieves and maintains a cumulative grade point average of at least two and one-half points on a four point scale, or its equivalent. The eligibility period for the tuition limitation shall expire ten years from the date of the veteran's last discharge from service.

The Coordinating Board for Higher Education shall ensure that the institutions comply with the provisions of this act, and the board may promulgate any rules for the efficient implementation of the act. Any other financial assistance for which the veteran is eligible must be reported to the board, and no combat veteran shall receive more than the actual cost of attendance when the limitation is combined with any other financial assistance made available to such veteran.

Each institution may report to the board the amount of tuition waived in the previous fiscal year under this act, which may be included in each institution's request for appropriations to the board for the following year. The board may include information about the amount of tuition waived in the previous year in its appropriations recommendations to the Governor and General Assembly, and the General Assembly may reimburse institutions for the cost of the waiver for the previous year as part of the operating budget. However, this shall not be construed to deny a combat veteran a tuition limitation if the General Assembly does not appropriate money for reimbursement to an institution. Section 173.900.

Provides that a party's absence, relocation, or failure to comply with custody and visitation orders shall not, by itself, be sufficient to justify a modification of a custody or visitation order if the reason for the failure to comply is due to the party's activation for military service and deployment out of the state. Section 452.412.

Modifies the Guard at Home program by renaming it the "Hero at Home" program, and by providing that services under the program shall continue to be available to national guard members and their families, as well as reserve component service members and their families, during the one year period following a National Guard member or any reserve component member's discharge from deployment. The program shall also assist returning National Guard or reserve component service members to find employment in situations where the individual cannot return to employment held prior to deployment. Also, the act allows the Department of Economic Development to operate the Hero at Home program by utilizing existing programs, or by entering into contracts with qualified providers. Section 620.515.

Authorizes Missouri to enter into the Interstate Compact on Educational Opportunity for Military Children. The Compact shall become effective and binding upon legislative enactment into law by no less than ten states. The Compact shall apply to the school-aged children of active duty uniformed members of the military forces of the United States, including National Guard and Reserve members, children of members or veterans who are medically discharged or retired for one year, and children of members who die on active duty or as a result of injuries sustained on active duty. The provisions shall only apply to local education agencies that provide control of and direction for Kindergarten through Twelfth grade public educational institutions.

The Compact requires that the custodian of records in any state from which a child of a military family is sent shall furnish unofficial education records to the parent, containing information enumerated in the Compact. The school in the state to which the child is sent shall enroll the child pending validation by official records. The school in the receiving state shall requires the student's official education record, and the school in the state that sent the child shall furnish such records within ten days, or within such time as determined by rules promulgated by the Interstate Commission.

SPONSOR: Day

HANDLER: Stouffer

States who have entered into this Compact shall give thirty days from the date of enrollment for students to obtain immunizations, or within such time as determined by rules promulgated by the Interstate Commission.

Students shall be allowed to continue their enrollment in the receiving state at the same grade level, including kindergarten, as he or she was attending in the sending state, or shall be able to attend the next highest grade level in the receiving state if he or she completed the prerequisite grade level in the sending state. When a student transfers before or during the school year, the receiving state shall honor placement of the student in courses based on the student's enrollment and assessments conducted at the school of the sending state. The receiving state school shall also honor placement of the student in educational programs based on assessments conducted at the school of the sending state. This does not preclude the receiving state from performing evaluations to ensure appropriate placement. A receiving state shall provide comparable services to a student with disabilities based on his or her current Individualized Education Program and in compliance with federal disability laws, in order to address the needs of incoming students with disabilities. This does not preclude the receiving state from performing evaluations to ensure appropriate placement.

Local education agency officials shall have flexibility in waiving course program prerequisites or other preconditions for placement in courses or programs. A student whose parent or guardian has been called for, is on leave from, or who has immediately returned from deployment to a combat zone or combat support posting shall be granted additional excused absences, at the discretion of the local education agency superintendent. Local education agencies shall not charge tuition to a transitioning military child placed in the care of a non-custodial parent or other person standing in loco parentis who lives in a jurisdiction other than that of the custodial parent. Such a child may continue to attend the school in which he or she was enrolled while residing with the custodial parent. State and local education agencies shall facilitate the opportunity for transitioning military children to participate in extracurricular activities, regardless of application deadlines, to the extent they are otherwise qualified.

State and local education agencies shall waive specific courses required for graduation if similar course work has been satisfactorily completed in another agency, or shall provide justification for denial of graduation. If a waiver is not granted to a student who would qualify to graduate from a sending school, the agency shall provide alternative means of acquiring required course work so that graduation can occur. States shall also accept exit or end-of-course exams required for graduation, or national achievement tests, or alternative testing in lieu of testing requirements for graduation in the sending state. If a military student transfers at the beginning or during his or her senior year and is ineligible to graduate from the receiving education agency after all alternatives have been considered, the sending and receiving local education agencies shall ensure the receipt of a diploma from the sending local agency, if the student meets requirements of such agency. If the sending state is not a member of this Compact, the member state shall use best efforts to facilitate the on-time graduation of the student.

Each member state shall provide for coordination among its agencies to ensure compliance with this Compact and Interstate Commission activities by creating a State Council, or by using an existing body or board, as long as the membership thereof includes the state superintendent of education, superintendent of a school district with a high concentration of military children, a representative of a military installation, a representative from the legislative and executive branches government, and any other offices or groups the Council deems appropriate. The Council shall also appoint a military family education liaison.

SPONSOR: Day

HANDLER: Stouffer

The Compact also establishes the Interstate Commission on Educational Opportunity for Military Children, having all of the powers and duties described in this Compact, including establishing bylaws and rules to provide for administration of the Compact, collecting standardized data regarding the educational transition of the children of military families, creating a process that will permit military and educational officials and parents to inform the Commission of any violations of the Compact or rules established under the Compact, and reporting to the legislatures and state councils the activities and recommendations of the Commission during the previous year.

The liability of the Interstate Commission shall not exceed the limits of liability set forth under the Constitution and laws of that state for state officials, employees, and agents, and the Commission is considered to be an instrumentality of the state for the purposes of any such action. The Commission shall defend the executive director of the Commission and its employees, and subject to the approval of the Attorney General or other legal counsel of the member state, shall defend such Commission representative in any civil action seeking to impose liability arising out of an act or omission that occurred within the scope of Commission employment or duties. To the extent that the Commission, its representatives, or employees are not covered by the state involved, they shall be held immune from any settlement or judgment obtained from acts or omissions arising out of an act or omission that occurred within the scope of Commission duties, other than intentional, willful, or wanton misconduct.

The Commission shall be organized, and shall have the power to establish committees, as herein provided. The rulemaking procedure of the Commission shall substantially conform to the Model State Administrative Procedure Act, as may be appropriate to the operations of the Commission. The majority of state legislatures of the compacting states may reject a rule by statute or resolution. All branches of government in the compacting state shall enforce this Compact, and shall take all actions necessary to effectuate its purposes. In any proceeding in a member state pertaining to the subject matter of the Compact, or that may affect the powers or duties of the Commission, the Commission shall receive service of process and shall have standing to intervene.

If the Commission determines that a member state has defaulted in its performance of obligations under the Compact, the Commission shall specify the conditions by which the state must cure the default, shall provide training and assistance to cure the default, or, if all other means of securing compliance have been exhausted, shall terminate the state from the Compact, therefore terminating all rights, privileges, and benefits conferred herein. The Commission may levy and collect an annual assessment from each member state to cover the cost of operations and activities of the Commission and its staff, in an amount sufficient to cover the Commission's annual budget, based on a formula to be determined by the Commission.

Any member state may withdraw from the Compact by repealing the statute that enacted the Compact into law, however, the withdrawal shall not become effective until one year after the effective date of such statute, and until written notice of withdrawal has been given to the Governor of each other member state. Section 160.2000.

Provisions of this act are similar to SB 663 (2007), SCS/SB 12 (2007), SCS/SB 75 (2007), SB 1036 (2008), HCS/SCS/SB 830 (2008), and HCS/HB 2062 & 1518 (2008).

ALEXA PEARSON

SPONSOR: Wilson

HANDLER: Scott

***** HB 1689 *** (Cont'd)**

SPONSOR: Wilson

HANDLER: Scott

SCS/HB 1689 - This act transfers the Governor's Council on Disability from the Department of Labor and Industrial Relations to the Office of Administration.

The Office of Administration shall provide each member of the Senate and each member of the House with a key to the dome of the state capitol.

ADRIANE CROUSE

***** HB 1690 *****

SPONSOR: Wilson

HANDLER: Scott

SCS/HCS/HB 1690 - This act allows the director of the Department of Insurance, Financial Institutions, and Professional Registration to promulgate rules establishing the specific delivery method for submissions of rate filings, rules, license applications, and other insurance-related filings. The types of delivery methods shall be web-based interface systems such as the System for Electronic Rate Form Filing (SERFF), the National Insurance Producer Registry (NIPR), and the National Association of Insurance Commissioners' Internet-State Interface Technology Enhancement (I-SITE).

The act also provides that the filings of records and signatures is authorized when carried out in a manner consistent with the Federal Electronic Signatures in Global and National Commerce Act. The act also allows automobile insurers to send automobile policy renewal notices electronically, if requested by the policyholder, as an alternative to sending such notices by first class mail. The act allows the policyholder to revert back to receiving the notice by first class mail.

Several of the provisions contained in this act are similar to those contained in SB 1008 (2008).
STEPHEN WITTE

***** HB 1710 *****

SPONSOR: Flook

HANDLER: Ridgeway

HB 1710 - This act requires members of the Police Retirement System of Kansas City and the Civilian Employees' Retirement System of the Police Department of Kansas City to be in active service in order to be eligible for certain duty-related or nonduty-related disability retirement benefits. Duplicate language regarding supplemental benefits for the Police Retirement System of Kansas City, enacted in 2007, is also repealed.

This act is identical to SB 980 (2008).
ALEXA PEARSON

***** HB 1715 *****

SPONSOR: Schad

HANDLER: Scott

SCS/HCS/HB 1715 - This act modifies various laws relating to the regulation of watercraft.

This act allows local governments to adopt ordinances that provide for the towing of derelict or junk vessels. The current law only provides for the towing of derelict or junk motor vehicles (Section 304.157).

SPONSOR: Schad

HANDLER: Scott

This act provides a definition for the term "skiing" (Section 306.010).

The act provides that any person who sells or transfers ownership of a vessel or outboard motor for which there has been issued a certificate of ownership or manufacturer's statement of origin, the holder shall endorse an assignment on the certificate in a manner prescribed by the director of revenue (Section 306.015).

The act prohibits vessels from exhibiting spotlights, docking lights, or other nonprescribed lights between sunset and sunrise. The act provides that nothing in this specific section shall prohibit the use of additional specialized lighting used in the act of sport fishing (Section 306.100).

This act modifies the negligent operation of a vessel statute by removing the types of waters in which the crime can be committed on and thereby making the crime apply universally regardless of the body of water it was committed upon. Under current law, a person can only commit the crime of negligent operation of a vessel upon the Mississippi River, Missouri River or lakes (Section 306.111).

The act modifies the penalties for operating a vessel while intoxicated by making the offense a Class B misdemeanor regardless of the number of convictions (removes the enhancement of penalties for subsequent convictions). Under current law, it is a Class A misdemeanor for a 2nd boating while intoxicated conviction and a Class D felony for a 3rd or subsequent conviction (Section 306.111).

The act makes the crimes of assault with a vessel and the crime of involuntary manslaughter with a vessel while in an intoxicated condition universally applicable to the whole state rather than just the Mississippi River, Missouri River or lakes (Section 306.111).

Under this act, a person commits the crime of operating a vessel with excessive blood alcohol content (BAC) if such person operates a vessel with a BAC of .08 rather than .10 (Sections 306.112 and 306.117).

The act modifies the penalty provision for operating a vessel with an excessive blood alcohol content by making the crime a Class B misdemeanor regardless of the number of convictions. Under the current law, a 2nd conviction is a Class A misdemeanor and a 3rd or subsequent conviction for this crime is a Class D felony (Section 306.112).

Under this act, the requirement that a nonalcoholic antiseptic be used for cleansing the skin prior to a venapuncture is removed (Section 306.114.4).

This act creates the classifications of "prior", "persistent", "aggravated", and "chronic" for repeat intoxication-related boating offenders. The penalties for each classification of offenders increase respectively based on the number and severity of the offenses committed. The penalties in this section treat persons found guilty of or pleading guilty to intoxication-related boating offenses in a similar manner as persons pleading guilty to or found guilty to intoxication-related traffic offenses. Under the act, no court shall suspend the imposition of sentence for prior, persistent, aggravated, or chronic offenders or allow a person to pay a fine instead of serving a prison term. The act also sets a minimum amount of time that such offenders must serve before being eligible for probation or parole. The act also outlines the requirements that must be met to prove a person is a prior, persistent, aggravated, or chronic offender and provides the same court procedure for intoxication-related boating cases as for intoxication-related traffic offender cases (Section 306.118).

SPONSOR: Schad

HANDLER: Scott

The act eliminates the requirement that the state water patrol place regulatory markers when closing dangerous waterways (Section 306.124.3).

Under current law, persons are prohibited from operating watercraft at a speed exceeding 30 mph during the period between sunset and sunrise. This prohibition currently only applies to the Mississippi River, the Missouri River, and lakes with an aggregate shoreline in excess of 160 miles. This territorial restriction is repealed so that the speed limit applies universally (Section 306.125).

The act prohibits vessels from being operated at a speed in excess of slow-no wake speed (idle speed) within 100 feet of any emergency vessel displaying its emergency lights (Section 306.132).

This act prohibits persons from positioning their vessels in a manner to obstruct or impede traffic on the waters of this state. Under current law, this prohibition only applies to lakes (Section 306.221).

This act makes certain noise regulations and muffler requirements applicable to all of Missouri. Under the current law, the noise decibel standards and muffler requirements only apply to the Mississippi River, Missouri River, and lakes with an aggregate shoreline exceeding 160 miles (Section 306.147).

This act modifies the crime of involuntary manslaughter in the 1st degree by making it a crime to:

- (1) Operate a vessel in an intoxicated condition and with criminal negligence cause the death of a person;
- (2) Causes the death of a person who is not a passenger of a vessel; or
- (3) With criminal negligence causes the death of emergency watercraft operator by failing to stop or grant the right-of-way to such vessels (Class B felony)(Section 565.024).

This act modifies the crime of assaulting a law enforcement officer, emergency personnel, or probation or parole officer in the 2nd degree by making it a crime to operate a vessel in an intoxicated condition and with criminal negligence cause physical injury to such persons (Section 565.082).

This act makes the abandonment of a vessel on the highway right-of-way or on the waters of this state a Class A misdemeanor (Section 577.080).

This act provides that no city or political subdivision shall adopt special rules and regulations with reference to restricting the operation of personal watercraft on waters of this state (Section 306.190).

Under this act, the Commissioner of the State Water Patrol appointed by the Governor shall have at least 10 years of experience in law enforcement similar to the duties exercised by uniformed officers of the state water patrol or at least 5 years of experience as a uniformed officer of the State Water Patrol (Section 306.163).

This act removes the ninety-nine member cap on the Water Patrol membership. This provisions is identical to SB 1187 (2008)(Section 306.228).

This act allows certain vessels that are homemade and constructed out of wood to be subject to a reduced registration fee of \$55 (§306.030).

SPONSOR: Schad

HANDLER: Scott

This act attempts to rectify a recent Supreme Court ruling which held that a defendant's prior guilty plea and suspended imposition of sentence in municipal court could not be used to enhance the punishment for the defendant's new intoxication-related traffic offense. This act specifies that a plea of guilty or a finding of guilty followed by incarceration, a suspended imposition of sentence, suspended execution of sentence, probation or parole or any combination thereof in any intoxication-related traffic offense in a state, county or municipal court shall be treated as a prior conviction for purposes of enhanced punishment under Section 577.023. This provision, albeit not identical, is contained in the truly agreed to version of SB 930 & 947 and SS/SCS/SB 761 & 774 (2008)(Section 577.023). This provision contains an emergency clause.

Several provisions of this act are identical to the provisions contained in the perfected version of SB 1107 (2008).

STEPHEN J. WITTE

***** HB 1779 *****

SPONSOR: Emery

HANDLER: Griesheimer

SS/SCS/HCS/HB 1779 - This act modifies provisions pertaining to the provision of utility services.

SECTIONS 319.015-319.050 - EXCAVATION

Under current law, gas distribution lines, electric lines, telecommunications facilities, cable T.V. facilities, water lines, storm drainage, and sewer lines located on private property and owned by the landowner are not considered "underground facilities" for purposes of the Underground Facility Safety and Damage Prevention Act. This act modifies this definition by requiring that if any of the above-mentioned lines are used for vehicular traffic control, the lighting of streets and highways, or communications for emergency response, they shall be considered an "underground facility." The lines shall also be considered an "underground facility" if they cross or lie within a public easement, public right-of-way, or another person's property.

The Missouri Department of Transportation shall not be required to be a participant in the notification center after December 31, 2011, but may continue to participate after that time if it so chooses.

Under current law, persons who own or operate underground pipeline facilities are deemed to comply with requirements to identify excavators in their pipeline areas if, among other things, the notification center maintains a list of all excavators who gave notice of intent to excavate during the previous five years. The act reduces the required timeframe from the previous five years to just the previous year.

The act requires that, as part of the process to request the locating of underground facilities, the notification center shall ask excavators to identify if the proposed excavation will be on public right-of-way or easement for public vehicular traffic use.

The act removes the requirement that an excavator shall mark the excavation location for certain excavations when the underground facility owner notifies the excavator that the excavation location cannot be determined from the information provided.

The act removes the current law that requires the notification center's records of all notices of intent to excavate to be in written form and allows electronic records to be considered official records as well. The act also requires as part of the record of a notice of intent to excavate that the record list all the

SPONSOR: Emery

HANDLER: Griesheimer

underground facility owners who were notified of such excavation.

The act allows design requests to be made through the notification center. Any such design request shall provide the same information as what is required for a notice of intent to excavate and the notification center shall treat a design request in a manner similar to a notice of intent to excavate. Underground facility owners who receive notification of a design request shall either mark the pipeline location or else contact the person making the design request within 5 working days of receiving the notification. Making a design request does not relieve any person from submitting a notice of intent to excavate to the notification center for the actual excavation work.

The act modifies the time period in which an underground facility owner must contact the excavator in response to a notice of intent to excavate. Current law requires the underground facility owner to contact the excavator within 2 working days of receiving the notice, but the act modifies the time period to within 2 working days beginning at 12 a.m. following receipt of the request by the notification center.

The act modifies the ways in which an owner or operator of an underground facility may contact an excavator to inform him or her that no facilities are in the area of excavation. The act allows such person to call the "responsible person" if such person is not the same as the excavator, in addition to using email or cell phone numbers to reach the excavator. The act provides that if the only means of contact for the facility owner or operator to reach the excavator is via telephone, two attempts to reach the excavator shall constitute compliance.

The act requires an owner or operator of an underground facility who did not respond as required to an excavator's original notice of intent to excavate, to respond within 2 hours of receiving a second notice, or by 10 a.m. the next business day in certain circumstances.

Owners or operators of underground facilities shall respond to a notice of an emergency within two hours of receiving such a notice. Excavators may be liable for costs associated with compliance by the owner or operator with this provision if the situation is not actually an emergency situation as defined.

The act repeals Section 319.036 regarding exemptions to the excavation notification requirements for agricultural property.

The act contains an effective date of January 1, 2009 for sections 319.015-319.050.

SECTIONS 386.020-392.550 - TELECOMMUNICATIONS

Voice over Internet Protocol (VOIP) service providers must obtain a registration from the Public Service Commission (PSC) before they can provide service. Exchange access charges for VOIP service providers will be the same that are charged for telecommunications services.

VOIP service providers shall collect and remit the same fees and surcharges as required for local exchange telecommunications companies, which include certain telecommunications programs, Missouri Universal Service Fund, local enhanced 911, any applicable license tax, and the PSC's annual assessment. VOIP service providers shall file an annual report with the PSC, with required elements as listed in the act.

The act excludes VOIP from being defined as "telecommunications service."

SPONSOR: Emery

HANDLER: Griesheimer

Under current law, in any area serviced by an incumbent local exchange telecommunications company (ILEC) where an alternative local exchange telecommunications company has been certified to also operate, the PSC must render a decision regarding certain proposed tariffs within 45 days of the proposal's filing date. The act modifies the area to which this provision applies to include areas where an ILEC has been classified as "competitive" and areas where a VOIP service provider is registered and provides local voice service.

The act authorizes customer-specific pricing on an equal basis for incumbent and alternative local exchange companies and interexchange telecommunications companies for any retail business service offered to an end-user in a noncompetitive exchange.

The act requires any tariff to introduce a new package of telecommunications services or modify an existing package of services to be filed on an informational basis with the PSC at least one day before the package introduction or modification. Any tariff to eliminate a package of services shall be filed on an informational basis with the PSC at least 10 days prior to elimination.

Under current law, the PSC may suspend a proposed rate or charge for a new telecommunications service for up to 60 days from the new rate or charge's proposed effective date. This act reduces the time period from 60 to 30 days.

Under current law, the PSC may suspend the operation of a schedule that states a new rate, rental, or charge for a telecommunications company for up to 120 days from the date when the new rate, rental or charge would go into effect. The act reduces the time period from 120 to 60 days. The act also reduces, from 6 months to 90 days, the time period that the PSC may extend the schedule suspension if a full hearing cannot be conducted within the time of original suspension.

Large ILECs shall be subject to price cap regulations if a VOIP service provider is registered to provide service in the incumbent's service area. Small ILECs may elect to be subject to price cap regulations if a VOIP service provider registers to provide service in their areas.

Currently, the maximum allowable prices for exchange access and basic local telecommunications service provided by ILECs shall be annually changed by one of two methods. The act removes the option to select either one method or the other, and instead requires the provisions in both methods to be followed. The act modifies the first method by basing the change on the Consumer Price Index (CPI) rather than on only the telephone service component of the CPI. The act removes the current second method based on the Gross Domestic Product and instead allows companies that are subject to price-cap regulations to set the rate for basic local telecommunications service in noncompetitive exchanges at a level not to exceed the statewide average for basic service in the companies' competitive exchanges, with a maximum allowable annual increase of \$2 per month for a 4-year period.

The act reduces from 30 to 10 days, the amount of time in which the PSC shall approve a tariff filed by an ILEC to change its rates for service.

Any registered VOIP service provider in an area shall be considered as providing basic local telecommunications service.

Currently, the PSC is required to review exchanges where an ILEC is classified as competitive to make sure competitive conditions still exist at least every two years or when an ILEC raises its rates for

SPONSOR: Emery

HANDLER: Griesheimer

basic service. The act modifies this requirement where the PSC is limited to reviewing such exchanges not more than once every two years.

When 55% or more of an ILEC's subscriber access lines are in exchanges designated as competitive, the ILEC shall be considered competitive and no longer subject to price-caps, except that rates for basic service in noncompetitive exchanges shall not exceed the statewide average rate in the ILEC's competitive exchanges for 4 years. During the 4-year period, any annual rate increase for residential basic local service shall not exceed \$2 per month and rates for exchange access service shall not exceed the rates charged at the time of competitive designation.

ILECs designated as competitive and alternative local exchange telecommunications companies shall not be subject to certain PSC rules regarding customer billing, network engineering and maintenance, and service objectives except that the PSC may reimpose the rules under certain circumstances as specified in the act.

The act modifies provisions relating to how an ILEC may reduce intrastate access rates. The act adds the criteria of "annual" to the current law, which would now require the total "annual" revenue increase from increased rates for basic local service to not exceed the total "annual" revenue loss from reduced intrastate access rates.

The act removes provisions concerning maximum allowable prices for nonbasic services provided by certain ILECs and instead exempts nonbasic services from any limitations on maximum allowable prices for any ILEC that is subject to price-caps.

The PSC shall waive certain standards, to include quality of service and billing standards, for existing alternative local exchange telecommunications companies and for alternative local exchange telecommunications companies who apply for a certificate of service authority to provide basic local service. Where an alternative local exchange company is approved or where a registered VOIP provider operates, the ILEC may elect to opt into some or all of the waivers granted to the alternative local exchange company or VOIP provider.

The PSC may reimpose the waived standards for certain ILECs only when it is found that the ILEC has engaged in a pattern or practice of inadequate service. Such ILECs must be notified and given the opportunity to correct the deficiencies before the PSC may reimpose any waived standards.

SECTION 386.572 - NATURAL GAS SAFETY

The act sets the maximum penalty for a single violation of any order by the PSC relating to federal natural gas safety standards at \$15,000 per violation. The maximum penalty for a continuing violation or a multiple series of such violations is \$150,000. The maximum penalties increase by increments described in the act in the years 2015, 2025, 2035, and 2040. The PSC may determine the amount of the penalty based on several variables as described in the act. Each violation shall be considered a separate and distinct offense.

The act repeals Sections 392.490 and 392.515, RSMo.
ERIKA JAQUES

SPONSOR: Meadows

HANDLER: McKenna

***** HB 1784 *** (Cont'd)**

SPONSOR: Meadows

HANDLER: McKenna

HB 1784 - This act requires any Missouri or American flag flown on state property to be manufactured in the United States.

ALEXA PEARSON

***** HB 1790 *****

SPONSOR: Cooper

HANDLER: Shields

SS/HCS/HB 1790 - This act modifies provisions relating to municipal health care facilities and hospital designations.

HOSPITAL DESIGNATIONS

Current law provides for the Department of Health and Senior Services to designate hospitals as adult, pediatric, or adult and pediatric trauma centers upon proper application and review. This act requires the department to also designate a hospital as a STEMI or stroke center when the hospital, upon proper application and review, has been found by the department to meet the applicable level of STEMI or stroke center criteria. Such criteria shall be promulgated by the department. No hospital shall hold itself out to the public as such a center unless it is so designated by the department. STEMI, or a ST-elevation myocardial infarction, is defined as a type of heart attack in which impaired blood flow to the patient's heart muscle is evidenced by ST-segment elevation in electrocardiogram analysis and as further defined by the department.

Patients who suffer a STEMI shall be transported by emergency medical services to a STEMI center. Patients who suffer a stroke shall be transported by emergency medical services to a stroke center. When initial transport from the scene of the SEMI or stroke would be prolonged, the patient may be transported to the nearest appropriate facility for stabilization prior to transport to a STEMI or stroke center.

These provisions are substantially similar to SB 1233 (2008).

MUNICIPAL HEALTH CARE FACILITIES

Under current law, an ordinance providing for a larger board of trustees for municipal health care facilities requires that three-fifths of the trustees be citizens of the city. This act provides that some or all of the trustees do not have to be citizens of the city.

This provision is identical to HB 1386 (2008).

ADRIANE CROUSE

***** HB 1791 *****

SPONSOR: Cooper

HANDLER: Barnitz

HB 1791 - Licensed professional counselors are included in the definition of mental health professionals for the purposes of carrying out the services of the division of comprehensive psychiatric services and the Division of Alcohol and Drug Abuse under the Department of Health.

This act is identical to SB 1177 (2008).

CHRIS HOGERTY

***** HB 1804 *****

SPONSOR: Corcoran

HANDLER: Days

SPONSOR: Corcoran

HANDLER: Days

SCS/HCS/HB 1804 - This act authorizes cities with more than 5,000 inhabitants to frame and adopt or amend a charter pursuant to Sections 19 and 20 of Article VI of the Missouri Constitution. Currently, only cities with more than 10,000 inhabitants may frame and adopt or amend a charter.

For cities of the third class, the budget or any authorization to expend funds shall be approved by an ordinance, motion, or resolution that is approved by a majority of all members elected to the governing body.

The limitations on the expenditure of excursion gambling boat revenues by the City of St. Charles and St. Charles County are repealed.

This act contains an emergency clause for a certain provision.

Certain provisions of this act are identical to provisions of SS/SCS/HB 1711 (2008).

SUSAN HENDERSON MOORE

***** HB 1807 *****

SPONSOR: Cox

HANDLER: Mayer

SCS/HCS/HB 1807 – This act changes the name of the State Schools for Severely Handicapped Children to "Missouri Schools for the Severely Disabled." It also updates the name of the Division of Special Services within the Department of Elementary and Secondary Education to the Division of Special Education.

This act is similar to SB 1144 (2008).

MICHAEL RUFF

***** HB 1828 *****

SPONSOR: Sutherland

HANDLER: Vogel

HB 1828 - This act requires the Director of the Department of Revenue to establish and enforce reasonable sales and use tax rules and regulations to efficiently secure payment of and accounting for the state sales and use tax as imposed in Chapter 144, RSMo..

JASON ZAMKUS

***** HB 1849 *****

SPONSOR: Pratt

HANDLER: Justus

HB 1849 - Currently, property owners violating certain zoning regulations in municipalities located in Jackson County shall be fined at least \$10 but not more \$500, or imprisoned for ten days, for each day of such violation. For second or subsequent offenses involving the same violation at the same place, the punishment shall be a fine of not less than \$250 but not more than \$1,000, or imprisonment for ten days, for each day of the violation. In all other municipalities, property owners shall be fined at least \$10 but not more than \$100 for each day of the violation, unless the offense was committed wilfully, in which case, the penalty shall be a fine of not less than \$100 but not more than \$250, or imprisonment for ten days, for each day of such violation.

Under this act, a property owner in any city with more than 300,000 inhabitants may be fined at least

SPONSOR: Pratt

HANDLER: Justus

\$10 but not more \$500, or imprisoned for ten days, for each day of such violation. For second or subsequent offenses involving the same violation at the same place, the punishment shall be a fine of not less than \$250 but not more than \$1,000, or imprisonment for ten days, for each day of the violation.

In all other municipalities, property owners shall be fined not less than \$10 but not more than \$250, or imprisoned for ten days, for each day of the violation. For second or subsequent offenses involving the same violation at the same place, the punishment shall be a fine of not less than \$100 but not more than \$500, or imprisonment for ten days, for each day of the violation.

This act repeals the other version of Section 89.120, RSMo, which was doubly-enacted.

This act is identical to HCS/SB 1002 (2008).

SUSAN HENDERSON MOORE

***** HB 1869 *****

SPONSOR: Wilson

HANDLER: Goodman

HB 1869 – This act requires Revisor of Statutes to change the term "junior college" to "community college" in the revised statutes.

MICHAEL RUFF

***** HB 1881 *****

SPONSOR: Schlottach

HANDLER: Kennedy

HB 1881 - The act changes the expiration dates of the staggered terms for the first appointed members of a public water supply district board by changing the ending month from June to April.

This act is similar to a provision in SB 956 (2008).

ERIKA JAQUES

***** HB 1883 *****

SPONSOR: Nance

HANDLER: Loudon

SCS/HCS/HB 1883 - Public and private employers are barred from terminating an employee in relation to the employee's activation to a national disaster response by the Federal Emergency Management Agency. Employers may charge against the employee's regular pay, any time lost due to the activation and may request a written statement documenting the response to the emergency. Employees shall make reasonable efforts to notify the employer that he or she may be absent or late.

The act bars employers from requiring their employees to have personal identification microchip technology implanted into employees for any reason.

The Federal overtime standards in place before the passage of Proposition B (2006) are reinstated.

Under the act, all rights to unaccrued compensation for permanent total disability shall cease upon the death of the injured employee. Unpaid unaccrued compensation for permanent partial disability will continue to be paid to dependents. (These sections carry an emergency clause)

***** HB 1883 *** (Cont'd)**

SPONSOR: Nance

HANDLER: Loudon

This act is similar to SB 606 (2007), SB 901 (2008), SB 1164 (2008), SB 1241 (2008), HB 2308 (2008), HB 2309 (2008), HB 2311 (2008), SB 255 (2007), SB 249 (2007), SB 279 (2007), SB 782 (2008), SB 1007 (2008), HB 1424 (2008), HB 1439 (2008), HB 2041 (2008), and HB 1581 (2008).
CHRIS HOGERTY

***** HB 1887 *****

SPONSOR: Parson

HANDLER: Scott

HB 1887 - This act designates a portion of State Highway 13 in Polk County as the "Rick Seiner Memorial Highway".

This provision is also contained in SCS/SBs 753, 728, 906 & 1026 (2008).
STEPHEN WITTE

***** HB 1888 *****

SPONSOR: Schoeller

HANDLER: Clemens

HCS/HB 1888 - Under Sections 305.400 to 305.410 (Airport Zoning Law), cities, towns and villages are prohibited from annexing land located within an airport zone in Greene County. This prohibition does not apply to the city of Springfield which owns the airport. Under this act, a city, town or village may annex land within an airport zone if it enters into an agreement with the City of Springfield to adopt Springfield's airport zoning ordinance and agrees to enforce and administer such ordinance. If the city, town or village fails to enforce Springfield's airport zoning ordinance, then such political subdivisions shall be subject to various legal remedies (injunction, quo warranto, mandamus, etc.).

Under the act, the powers of the board of adjustment may be vested in a board consisting of members from Springfield and members from the city, town or village annexing land located within the airport zone. The concurring vote of eight members of the board is necessary to reverse administrative official decisions or to approve ordinance variations.

This act is similar to SB 943 (2008).
STEPHEN WITTE

***** HB 1893 *****

SPONSOR: Scharnhorst

HANDLER: Dempsey

HCS/HB 1893 - This act revises the formula for computing a refund for credit insurance premiums. This act removes the phrase "as of the due date nearest the date of prepayment in full" from the current law so that a premium refund now equals the original premium multiplied by the ratio of the sum of the remaining insured balances divided by the sum of the original insured balances. The act also provides that in determining the number of months for which a premium is earned, the first month's premium may be considered as earned on the first day of coverage and for all successive month's premiums, on the coverage anniversary date in each successive month.

This language is contained in the truly agreed to version of SB 1168 (2008).
STEPHEN WITTE

***** HB 1946 *****

SPONSOR: Franz

HANDLER: Champion

SCS/HB 1946 - This act modifies provisions relating to adoption subsidies and youth development programs.

ADOPTION SUBSIDIES

Under this act, the requirements regarding adoption subsidies that are granted to adoptive parents were modified. There will no longer be income restrictions on household incomes higher than 200% of the federal poverty level for subsidies that cover any physical or mental conditions of the adopted child. The one-year restriction on the granting of a subsidy is also repealed.

YOUTH DEVELOPMENT PROGRAMS

In addition, certain neighborhood youth development programs shall be exempt from state child care licensing requirements so long as the program meets specified standards and guidelines as prescribed in the act.

This provision is similar to a provision in SS/SCS/SB 726 (2008).

ADRIANE CROUSE

***** HB 1952 *****

SPONSOR: Loehner

HANDLER: Barnitz

HB 1952 - This act designates a bridge in Maries County as the "Roy Bassett Memorial Bridge".
STEPHEN WITTE

***** HB 1970 *****

SPONSOR: Wasson

HANDLER: Scott

HB 1970 - This act prohibits a person from bringing civil action against any licensed motor vehicle dealer other than a motor vehicle dealer directly involved in a retail transaction with the person. This act does not prohibit a person from pursuing a claim against any motor vehicle manufacturer or dealer that does not arise under Chapter 407, RSMo.

ERIKA JAKUES

***** HB 2001 *****

SPONSOR: Icet

HANDLER: Nodler

HB 2001 - Public Debt

.	Governor	House
GR	\$ 89,899,194	\$ 89,899,194
FEDERAL	0	0
OTHER	8,332,977	8,332,977
.		
TOTAL	\$ 98,232,171	\$ 98,232,171

.	Senate	Final
GR	\$ 89,899,194	\$ 89,899,194

***** HB 2001 *** (Cont'd)**

SPONSOR: Icet

HANDLER: Nodler

FEDERAL	0	0
OTHER	8,332,977	8,332,977
.		
TOTAL	\$ 98,232,171	\$ 98,232,171
DAN HAUG		

***** HB 2002 *****

SPONSOR: Icet

HANDLER: Nodler

CCS/SCS/HCS/HB 2002 - Elementary and Secondary Education

.	Governor	House
GR	\$3,010,177,416	\$3,001,835,144
FEDERAL	949,213,291	950,732,290
OTHER	1,400,301,503	1,400,097,380
.		
TOTAL	\$5,359,692,210	\$5,352,664,814

.	Senate	Final
GR	\$2,983,681.216	\$3,002,412,965
FEDERAL	950,785,669	950,859,501
OTHER	1,379,701,503	1,393,864,003
.		
TOTAL	\$5,314,168,388	\$5,347,136,469
DAN HAUG		

***** HB 2003 *****

SPONSOR: Icet

HANDLER: Nodler

CCS/SCS/HCS/HB 2003 - Higher Education

.	Governor	House
GR	\$1,044,239,582	\$1,028,814,821
FEDERAL	5,019,468	5,018,967
OTHER	233,227,295	233,221,260
.		
TOTAL	\$1,282,486,345	\$1,267,055,048

.	Senate	Final
GR	\$1,009,581,108	\$1,028,804,430
FEDERAL	5,019,468	5,119,468
OTHER	233,227,295	233,227,295
.		
TOTAL	\$1,247,827,871	\$1,267,151,193
DAN HAUG		

***** HB 2004 *****

SPONSOR: Icet

HANDLER: Nodler

CCS/SCS/HB 2004 - Revenue & Transportation

.	REVENUE	
.	Governor	House
GR	\$ 90,574,186	\$ 89,368,330
FEDERAL	6,419,221	6,419,074
OTHER	345,723,127	345,505,887
.		
TOTAL	\$ 442,716,534	\$ 441,293,291

.	Senate	Final
GR	\$ 89,710,055	\$ 89,434,513
FEDERAL	6,419,221	6,419,221
OTHER	345,723,127	345,723,127
.		
TOTAL	\$ 441,852,403	\$ 441,576,861

.	TRANSPORTATION	
.	Governor	House
GR	\$ 14,093,194	\$ 10,092,849
FEDERAL	73,961,070	73,953,956
OTHER	2,370,584,670	2,369,916,211
.		
TOTAL	\$2,458,638,934	\$2,453,963,016

.	Senate	Final
GR	\$ 13,143,194	\$ 13,142,698
FEDERAL	73,961,070	73,961,070
OTHER	2,371,084,670	2,371,084,670
.		
TOTAL	\$2,458,188,934	\$2,458,188,438
DAN HAUG		

***** HB 2005 *****

SPONSOR: Icet

HANDLER: Nodler

CCS/SCS/HCS/HB 2005 - Office of Administration

OFFICE OF ADMINISTRATION

.	Governor	House
GR	\$181,511,024	\$ 180,363,981
FEDERAL	73,998,044	78,867,009

SPONSOR: Icet

HANDLER: Nodler

OTHER	60,204,427	60,145,934
.		
TOTAL	\$315,713,495	\$ 319,376,924

.	Senate	Final
GR	\$182,432,632	\$ 181,888,270
FEDERAL	73,998,044	74,796,325
OTHER	57,856,129	64,650,184
.		
TOTAL	\$314,286,805	\$ 321,334,779

EMPLOYEE BENEFITS

.	Governor	House
GR	\$549,228,363	\$ 526,626,456
FEDERAL	165,529,733	158,003,451
OTHER	156,234,607	152,924,221
.		
TOTAL	\$870,992,703	\$ 837,554,128

.	Senate	Final
GR	\$523,926,810	\$ 526,370,644
FEDERAL	157,237,197	158,036,143
OTHER	151,526,936	152,983,837
.		
TOTAL	\$832,690,943	\$ 837,390,624

DAN HAUG

SPONSOR: Icet

HANDLER: Nodler

CCS/SCS/HCS/HB 2006 - Agriculture, Natural Resources & Conservation

. AGRICULTURE

.	Governor	House
GR	\$ 68,976,364	\$ 57,787,769
FEDERAL	4,614,629	4,608,834
OTHER	14,409,809	14,396,639
.		
TOTAL	\$ 88,000,802	\$ 76,793,242

.	Senate	Final
GR	\$ 59,657,134	\$ 57,718,487

SPONSOR: Icet

HANDLER: Nodler

FEDERAL	4,534,111	4,614,629
OTHER	\$ 14,409,809	14,379,809
.		
TOTAL	\$ 78,601,054	\$ 76,712,925

. NATURAL RESOURCES

.	Governor	House
GR	\$ 17,449,642	\$ 16,116,600
FEDERAL	42,541,044	42,471,258
OTHER	276,162,637	271,139,904
.		
TOTAL	\$336,153,323	\$329,727,762

.	Senate	Final
GR	\$ 12,739,548	\$ 15,153,322
FEDERAL	42,541,044	42,541,044
OTHER	270,326,437	270,532,637
.		
TOTAL	\$325,607,029	\$ 328,227,003

. CONSERVATION

.	Governor	House
GR	\$ 0	\$ 0
FEDERAL	0	0
OTHER	145,534,841	145,230,564
.		
TOTAL	\$143,534,841	\$145,230,564

.	Senate	Final
GR	\$ 0	0
FEDERAL	0	0
OTHER	145,534,841	\$145,534,841
.		
TOTAL	\$145,534,841	\$145,534,841

DAN HAUG

SPONSOR: Icet

HANDLER: Nodler

CCS/SCS/HCS/HB 2007 - Economic Development, Insurance & Labor and Industrial Relations

. ECONOMIC DEVELOPMENT

.	Governor	House
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SPONSOR: Icet

HANDLER: Nodler

GR	\$ 78,297,659	\$ 77,159,648
FEDERAL	169,847,375	167,558,561
OTHER	76,573,551	79,713,029
.		
TOTAL	\$324,718,585	\$324,431,238

.	Senate	Final
GR	\$ 71,681,459	\$ 72,555,297
FEDERAL	167,647,376	167,647,376
OTHER	62,198,552	75,598,552
.		
TOTAL	\$301,527,387	\$315,801,225

. INSURANCE

.	Governor	House
GR	\$ 0	\$ 0
FEDERAL	700,000	700,000
OTHER	36,223,908	36,015,480
.		
TOTAL	\$ 36,923,908	\$ 36,715,480

.	Senate	Final
GR	\$ 0	\$ 0
FEDERAL	700,000	700,000
OTHER	36,171,835	36,171,835
.		
TOTAL	\$ 36,871,835	\$ 36,871,835

. LABOR AND INDUSTRIAL RELATIONS

.	Governor	House
GR	\$ 2,652,944	\$ 2,637,481
FEDERAL	47,444,717	47,310,619
OTHER	91,637,129	94,943,792
.		
TOTAL	\$141,734,790	\$144,891,892

.	Senate	Final
GR	\$ 2,652,944	\$ 2,646,233
FEDERAL	47,444,717	47,444,717
OTHER	77,183,848	77,183,848
.		
TOTAL	\$127,281,509	\$127,274,798

DAN HAUG

***** HB 2008 *****

SPONSOR: Icet

HANDLER: Nodler

CCS/SCS/HCS/HB 2008 - Public Safety

.	Governor	House
GR	\$ 98,679,254	\$ 94,472,580
FEDERAL	131,875,325	131,856,312
OTHER	301,497,089	302,234,885
.		
TOTAL	\$532,051,668	\$528,563,777

.	Senate	Final
GR	\$ 77,051,205	\$ 88,660,485
FEDERAL	113,996,359	131,485,935
OTHER	310,141,129	307,824,567
.		
TOTAL	\$501,188,693	\$527,970,987

DAN HAUG

***** HB 2009 *****

SPONSOR: Icet

HANDLER: Nodler

CCS/SCS/HCS/HB 2009 - Corrections

.	Governor	House
GR	\$611,375,341	\$607,562,155
FEDERAL	6,941,995	6,933,838
OTHER	49,864,406	50,701,891
.		
TOTAL	\$668,181,742	\$665,197,884

.	Senate	Final
GR	\$611,267,012	\$612,500,212
FEDERAL	6,941,995	6,941,995
OTHER	49,864,406	50,634,406
.		
TOTAL	\$668,073,413	\$670,076,613

DAN HAUG

***** HB 2010 *****

SPONSOR: Icet

HANDLER: Nodler

CCS/SCS/HCS/HB 2010 - Mental Health & Health

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MENTAL HEALTH

.	Governor	House
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SPONSOR: Icet

HANDLER: Nodler

GR	\$ 617,846,482	\$ 619,994,533
FEDERAL	496,211,154	502,469,662
OTHER	39,653,471	40,889,182
.		
TOTAL	\$1,153,085,107	\$1,163,353,377

.	Senate	Final
GR	\$ 612,149,178	\$ 619,597,388
FEDERAL	495,563,592	500,992,156
OTHER	40,856,679	41,934,883
.		
TOTAL	\$1,148,569,449	\$1,159,524,427

.	HEALTH	
.	Governor	House
GR	\$250,422,468	\$ 242,803,667
FEDERAL	589,844,559	585,603,490
OTHER	27,489,859	26,927,055
.		
TOTAL	\$867,756,886	\$ 855,334,212

.	Senate	Final
GR	\$237,557,283	\$ 243,670,908
FEDERAL	576,175,250	586,115,078
OTHER	23,690,709	25,440,709
.		
TOTAL	\$837,423,242	\$ 855,226,695
DAN HAUG		

SPONSOR: Icet

HANDLER: Nodler

CCS/SCS/HCS/HB 2011 - Social Services

.	Governor	House
GR	\$1,681,448,924	\$1,642,831,478
FEDERAL	3,826,596,098	3,555,524,549
OTHER	1,791,036,304	1,693,843,904
.		
TOTAL	\$7,299,081,326	\$6,892,199,931

.	Senate	Final

***** HB 2011 *** (Cont'd)**

SPONSOR: Icet

HANDLER: Nodler

GR	\$1,617,986,219	\$1,614,886,697
FEDERAL	3,790,004,195	3,565,044,825
OTHER	1,808,213,764	1,725,263,763
.		
TOTAL	\$7,216,204,178	\$6,905,195,285

DAN HAUG

***** HB 2012 *****

SPONSOR: Icet

HANDLER: Nodler

CCS/SCS/HCS/HB 2012 - Elected Officials, Judiciary, Public Defender
& General Assembly

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ELECTED OFFICIALS

.

	Governor	House
GR	\$ 51,393,361	\$ 51,419,090
FEDERAL	23,548,603	23,529,975
OTHER	42,217,222	38,879,665
.		
TOTAL	\$117,159,186	\$113,828,730

.

	Senate	Final
GR	\$ 50,337,546	\$ 50,843,746
FEDERAL	23,548,603	23,548,603
OTHER	42,217,222	42,217,222
.		
TOTAL	\$116,103,371	\$116,609,571

.

JUDICIARY

.

	Governor	House
GR	\$168,365,423	\$ 169,837,237
FEDERAL	10,408,187	10,391,498
OTHER	10,518,330	10,509,031
.		
TOTAL	\$189,291,940	\$ 190,737,766

.

	Senate	Final
GR	\$168,439,851	\$ 168,964,851
FEDERAL	10,408,187	10,408,187
OTHER	10,518,330	10,518,330
.		
TOTAL	\$189,366,368	\$ 189,891,368

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PUBLIC DEFENDER

SPONSOR: Icet

HANDLER: Nodler

.	Governor	House
GR	\$33,901,815	\$ 33,723,053
FEDERAL	125,000	125,000
OTHER	2,980,263	2,978,603
.		
TOTAL	\$37,007,078	\$ 36,826,656

.	Senate	Final
GR	\$34,069,815	\$ 34,069,815
FEDERAL	125,000	125,000
OTHER	2,980,263	2,980,263
.		
TOTAL	\$37,175,078	\$ 37,175,078

GENERAL ASSEMBLY		
.	Governor	House
GR	\$34,557,786	\$ 34,323,052
FEDERAL	0	0
OTHER	292,255	291,100
.		
TOTAL	\$34,850,041	\$ 34,614,152

.	Senate	Final
GR	\$34,265,817	\$ 34,275,667
FEDERAL	0	0
OTHER	292,255	292,255
.		
TOTAL	\$34,558,072	\$ 34,567,922

DAN HAUG

SPONSOR: Icet

HANDLER: Nodler

CCS/SCS/HCS/HB 2013 - Statewide Leasing

.	Governor	House
GR	\$110,101,019	\$109,570,991
FEDERAL	23,638,688	23,638,688
OTHER	13,072,450	13,072,450
.		
TOTAL	\$146,812,157	\$146,282,129

***** HB 2013 *** (Cont'd)**

SPONSOR: Icet

HANDLER: Nodler

.	Senate	Final
GR	\$109,847,132	\$109,955,809
FEDERAL	23,609,434	23,609,434
OTHER	13,073,450	13,073,450
.		
TOTAL	\$146,530,016	\$146,638,693

DAN HAUG

***** HB 2014 *****

SPONSOR: Icet

HANDLER: Nodler

CCS/SCS/HCS/HB 2014 - Supplemental Appropriations - Various Departments

.	Governor	House
GR	\$ 46,738,826	\$37,520,871
FEDERAL	15,102,838	6,431,681
OTHER	38,484,372	36,141,428
.		
TOTAL	\$100,326,036	\$80,093,980

.	Senate	Final
GR	\$ 41,590,434	\$41,545,333
FEDERAL	8,359,053	5,796,942
OTHER	37,505,574	35,963,053
.		
TOTAL	\$ 87,455,061	\$83,305,328

DAN HAUG

***** HB 2015 *****

SPONSOR: Icet

HANDLER: Nodler

HB 2015 - Supplemental Appropriations - Utilicare

.	Governor	House
GR	\$6,440,785	\$6,440,785
FEDERAL		
OTHER		
.		
TOTAL	\$6,440,785	\$6,440,785

.	Senate	Final
GR	\$6,440,785	\$6,440,785
FEDERAL		
OTHER		

***** HB 2015 *** (Cont'd)**

SPONSOR: Icet

HANDLER: Nodler

.		
TOTAL	\$6,440,785	\$6,440,785
DAN HAUG		

***** HB 2016 *****

SPONSOR: Icet

HANDLER: Nodler

HCS/HB 2016 - This appropriations bill re-authorizes funding of supplemental budget legislation.
DAN HAUG

***** HB 2019 *****

SPONSOR: Icet

HANDLER: Nodler

HB 2019 - Supplemental Appropriations - University of Missouri

.	Governor	House
GR		
FEDERAL		
OTHER	\$46,182,000	\$46,182,000
.		
TOTAL	\$46,182,000	\$46,182,000

.	Senate	Final
GR		
FEDERAL		
OTHER	\$46,182,000	\$46,182,000
.		
TOTAL	\$46,182,000	\$46,182,000
DAN HAUG		

***** HB 2020 *****

SPONSOR: Icet

HANDLER: Nodler

SS/SCS/HB 2020 - Supplemental Appropriations - Capital Improvements

.	Governor	House
GR	\$ 6,726,384	\$ 5,586,384
FEDERAL	6,050,001	6,050,001
OTHER	6,819,190	4,759,190
.		
TOTAL	\$19,595,575	\$16,395,575

.	Senate	Final
GR	\$ 5,286,384	\$ 5,286,384

***** HB 2020 *** (Cont'd)**

SPONSOR: Icet

HANDLER: Nodler

FEDERAL	6,050,001	6,050,001
OTHER	5,220,190	5,220,190
.		
TOTAL	\$16,556,575	\$16,556,575

DAN HAUG

***** HB 2021 *****

SPONSOR: Icet

HANDLER: Nodler

HB 2021 - Supplemental Appropriations - Conservation

.	Governor	House
GR		
FEDERAL		
OTHER	\$10,000,000	\$10,000,000
.		
TOTAL	\$10,000,000	\$10,000,000

.	Senate	Final
GR		
FEDERAL		
OTHER	\$10,000,000	\$10,000,000
.		
TOTAL	\$10,000,000	\$10,000,000

DAN HAUG

***** HB 2022 *****

SPONSOR: Icet

HANDLER: Nodler

HB 2022 - Supplemental Appropriations - MoSmart Program

.	Governor	House
GR	\$1,827,261	\$1,827,261
FEDERAL		
OTHER		
.		
TOTAL	\$1,827,261	\$1,827,261

.	Senate	Final
GR	\$1,827,261	\$1,827,261
FEDERAL		
OTHER		
.		
TOTAL	\$1,827,261	\$1,827,261

DAN HAUG

SPONSOR: Icet

HANDLER: Nodler

CCS/SCS/HCS/HB 2023 - Capital Improvements

.	Governor	House
GR	\$ 18,266,931	\$ 47,689,774
FEDERAL	1,900,002	1,900,002
OTHER	56,711,988	54,991,988
.		
TOTAL	\$ 76,878,921	\$104,581,764
.		
	Senate	Final
GR	\$ 73,842,447	\$ 74,367,447
FEDERAL	1,900,002	1,900,002
OTHER	64,457,228	63,727,228
.		
TOTAL	\$140,199,677	\$139,994,677
DAN HAUG		

SPONSOR: Munzlinger

HANDLER: Engler

SCS/HCS/HB 2034 - This act modifies various provisions relating to weapons.

SECTIONS 537.294 & 537.355

Currently, owners of firearm ranges in existence on August 13, 1988, are immune from criminal liability for noise or sound emission from normal use of the range. Under this act, authorized users, as well as owners, shall be immune from criminal liability as well as civil liability for such actions. The act removes the August 13, 1988 date provision, which allows the immunities to apply to firearm ranges regardless of when they initiated operations. The act removes the qualifying word "normal" in reference to the type of use of the firearm range. Actions by a court in this state to enjoin the use or operation of such firearm ranges and any damages awarded against any owner or user of such firearm ranges for nuisance or trespass are null and void.

The act removes the provision under current law that grants similar immunity from criminal liability, trespass, or nuisance suits to owners of firearm ranges built after August 13, 1988, provided the firearm ranges conform to certain provisions.

All owners and authorized users of existing hunting preserves after the effective date of this act shall be immune from criminal or civil liability for noise or sound emission from normal use of the preserve. Owners and authorized users of such preserves shall not be subject to an action for public or private nuisance or trespass, and no court shall enjoin the use or operation of such hunting preserves because of such sound or noise emissions.

An owner of land who invites or allows any person to use the property for recreational purposes without charge does not confer upon the person the legal status of invitee or licensee and only owes the person the duty of care owed to a trespasser. Also, the owner does not assume responsibility for or incur liability for any injury to any person or property caused by an act or omission of the person while engaged in recreational activities without the failure to exercise ordinary care.

SPONSOR: Munzlinger

HANDLER: Engler

SECTIONS 571.010 & 571.070

Currently, it is a crime for certain persons, including dangerous felons, to possess a concealable firearm. The crime of unlawful possession of a concealable firearm is a class C felony. Under this act, the crime is expanded to prohibit any felon from possessing any firearm or explosive weapon. The term "explosive weapon" is redefined.

This section is similar to SCS/SB 1172, SB 851 & HB 1441 (2008).

SECTION 571.014

A person commits the crime of unlawful refusal to transfer by denying sale of a firearm to a non-licensee, who is otherwise not prohibited from possessing a firearm by law, solely on the basis that the non-licensee purchased a firearm that was later the subject of a trace request by law. Violation of this provision is a class A misdemeanor. With limited exception, no licensed federal firearms dealer shall fail or refuse to complete the sale of a firearm to a customer in any case in which the sale is authorized by federal law.

SECTION 571.020

This act allows licensed importers, manufacturers, dealers, or collectors to possess, manufacture, transport, repair, or sell a firearm silencer as a curio, ornament, or keepsake.

Currently, it is not a crime for a person to possess, manufacture, transport, repair, or sell a firearm silencer if such action was incident to dealing with the silencer as a curio, ornament, or keepsake, or it is used in a lawful dramatic performance, but only if the silencer is in a nonfunctioning condition. Under this act, the silencer would not have to be in such nonfunctioning condition.

This section is identical to certain provisions to SCS/SB 1172 (2008).

SECTION 571.093

Section 571.090, RSMo, requiring a concealable firearm permit from the county sheriff was repealed last year. If any sheriff retains such records of permit, they shall be closed the public and shall not be made available unless mandated by a court order relating to a criminal investigation.

This section is identical to HB 1765 (2008).

SECTION 571.101

Currently, a person applying for a concealed carry endorsement must have resided in Missouri for a minimum of six months. This act removes the six-month residency requirement and allows an applicant who has assumed residency in Missouri to be eligible for the endorsement.

This section is identical to HB 1982 (2008).

SUSAN HENDERSON MOORE

SPONSOR: Nance

HANDLER: Stouffer

HCS/HB 2036 - This act requires the Department of Health and Senior Services to equitably distribute to each area on aging any funds appropriated by the General Assembly that are in addition to the annual budget appropriation for nutrition, transportation, or home-delivered meal services for the

SPONSOR: Nance

HANDLER: Stouffer

elderly, under rules established by the department.

ADRIANE CROUSE

***** HB 2041 *****

SPONSOR: Fisher

HANDLER: Scott

SCS/HCS/HB 2041 - Under current law, the director of the Division of Employment Security cooperates with the Commissioner of Education to establish procedures to provide grants to certain schools. They also provide annual lists of demand occupations in the state. This act replaces the director of the Division of Employment Security with the Director of Economic Development with respect to these duties.

This act requires individuals to make a claim within 14 days from the last day of the week being claimed and report to an employment office to participate in a reemployment assessment and reemployment services in order to qualify for unemployment benefits unless these requirements are waived for good cause.

A Missouri resident who is a member of a reserve unit outside of Missouri may qualify as a war on terror veteran for the purposes of receiving veterans' unemployment compensation benefits.

Overpayment for veterans' unemployment compensation benefits shall be recovered through billing, setoffs against tax refunds, intercepts of lottery winnings, and other collection efforts authorized under Missouri law for the recovery of overpayment of regular unemployment compensation benefits.

The Department of Employment Security is exempted from notifying contributing base period employers of an initial claim if the employer paid the individual \$400 or less in the individual's base period.

An employer is considered an interested party for the purposes of a separation issue when the claimant was separated from the employer during a week claimed.

The act stipulates when an employer is an interested party to a refusal of work when the refusal occurs other than at a time when the initial claim is filed or a claim is renewed. An employer is an interested party in an ability to work or an availability to work issue that arises during any week the claimant claims benefits.

The Department of Employment Security may deliver notices electronically upon a claimant's or employer's request.

This act prevents the disclosure of certain unemployment information except for disclosure required by federal or state law. Persons who intentionally disclose or fail to protect the confidentiality of the information is guilty of a Class A misdemeanor. Second and subsequent offenses constitute Class D felonies.

Employers shall pay five one-hundredths of one percent of total taxable wages into the unemployment automation fund to be used to purchase automated systems to be used to administer the state's unemployment insurance program.

The Federal overtime standards in place before the passage of Proposition B (2006) are reinstated.

***** HB 2041 *** (Cont'd)**

SPONSOR: Fisher

HANDLER: Scott

Employers are barred from requiring employees to have microchip implants.

The unemployment provisions have an effective date of October 1, 2008 and the provisions reinstating the overtime standards carry an emergency clause.

This act is similar to SB 901 (2008), SB 1241 (2008), SB 255 (2007), SB 249 (2007), SB 279 (2007), SB 782 (2008), SB 1007 (2008), HB 1424 (2008), HB 1439 (2008), HB 1883 (2008), and HB 1581 (2008).

CHRIS HOGERTY

***** HB 2047 *****

SPONSOR: Curls

HANDLER: Callahan

SCS/HB 2047 - Currently, in a city with a population of 300,000 inhabitants any change in the grade of a street shall be declared necessary through a resolution passed by the city's two houses of legislation. Under this act, such change shall be declared necessary through a city ordinance.

This act allows, upon voter approval, any county of the third classification without a township form of government with a population of less than 6,000 inhabitants to impose a tax of up to one dollar per acre on agricultural and horticultural property. The proceeds shall be used to purchase road rock for county roads. Currently, only certain counties of the third classification without a township form of government may impose such a tax of up to 25 cents per acre.

This act is similar to SB 1135 (2008) and certain provisions of SS/SCS/HB 1711 (2008).
SUSAN HENDERSON MOORE

***** HB 2048 *****

SPONSOR: Zimmerman

HANDLER: Engler

SCS/HCS/HB 2048 – This act creates the Textbook Transparency Act. It requires college textbook publishers to provide, upon request, to faculty members or adopters at an approved public institution of higher education information about the publisher's products. Such information includes pricing, substantial content revisions between editions, copyright dates of all previous editions within the previous ten years, whether the products are available in any other format. Publishers that sell textbooks with supplemental material must also make such items available separately with separate pricing. In addition, approved public institutions of higher education, as described in the act, must develop a policy, where feasible, that allows students to use financial aid not used for tuition and fees to purchase required textbooks at stores on the campus. It requires approved institutions of higher education to encourage faculty members or adopters to place initial textbook orders with sufficient time to promote effective use of course materials and promote cost efficiencies for students.

MICHAEL RUFF

***** HB 2058 *****

SPONSOR: Pearce

HANDLER: Kennedy

SS/SCS/HCS/HB 2058 - This act increases the annual cap on the amount of tax credits the Department of Economic Development may authorize for the Enhanced Enterprise Zone Program from fourteen million dollars to twenty-four million dollars. The fiscal year cap on economic development tax

SPONSOR: Pearce

HANDLER: Kennedy

credits that are approved as part of the Neighborhood Assistance Program is increased from four million dollars to six million dollars.

The provision providing for any municipality in a county under the authority of the East-West Gateway Council of Governments to create a TIF commission in the same manner as the creation of a TIF commission in St. Louis County is repealed. The provision requiring any city, town, or village under the authority of such Council to obtain permission of the county TIF commission is also repealed.

Beginning August 28, 2008, any city, town, or village in St. Louis County, St. Charles County, or Jefferson County shall, prior to adoption of an ordinance approving the designation of a redevelopment area or approving a redevelopment plan/project, create a commission of twelve people. Six members shall be appointed by the county executive or presiding commissioner, three members shall be appointed by the cities, towns, and villages in the county which have TIF districts, two members shall be appointed by the school boards in the county, and one member shall represent all other taxing districts in the proposed redevelopment area and be appointed in a manner agreed upon by all such districts. A city, town, or village that creates such a commission must send notice to the county executive or presiding commissioner, school districts, and other taxing districts.

Any commission created by a city, town, or village in such counties shall, within 15 days of receiving a redevelopment plan and a request by the applicable city, town, or village, fix a time and place for the required public hearing. The hearing shall be held no later than 75 days from the commission receiving the plan and request. The commission shall vote and make recommendations to the governing body of the city, town, or village requesting the hearing within 30 days after the hearing. If the commission fails to vote within 30 days, the plan will be deemed rejected.

Section 99.825, RSMo, is currently doubly-enacted, so one version of the section is repealed. Any public hearing of a commission created by a city, town, or village in St. Louis County, St. Charles County, or Jefferson County shall not be continued for more than thirty days unless requested by the chief elected official of the municipality creating the commission and approved by the majority of the commission.

Changes may be made to the redevelopment plan without further hearing provided there is no enlargement of the boundaries of the redevelopment area, substantial effect on the general land use, change in the nature of the redevelopment project, or increase in the total redevelopment costs approved by the commission to be paid by TIF, excluding interest and finance costs, by more than 10% and notice of such changes is given to each affected taxing district by mail and publication in the newspaper.

After adoption of an ordinance approving a redevelopment plan, alterations to the plan may be made provided they do not: enlarge the boundaries of the redevelopment area, substantially affect the general land use, change the nature of the redevelopment project, or increase the total redevelopment costs approved by the commission to be paid by TIF, excluding interest and finance costs, by more than 10% may be adopted.

Currently, some demolition activities associated with Brownfield redevelopment are separate from remediation activities. The act specifies that all demolition activities are part of remediation and allows remediation tax credits to include up to one hundred percent of demolition costs that are not directly part of the remediation, but which are necessary to accomplish the planned use of the facility. Demolition may occur on adjacent property that independently qualifies as abandoned or underutilized and is located

SPONSOR: Pearce

HANDLER: Kennedy

in a municipality with fewer than 20,000 residents.

The act allows community improvement districts (CID) to exist in special business districts within the City of St. Louis. Currently, any CID in St. Louis which is also in a special business district cannot levy a CID sales tax unless special assessments imposed on real property or businesses within the special business district are repealed. Sales by public utilities and providers of communications, cable, or video services will be exempt from the CID sales tax.

The director of the Department of Economic Development is authorized to issue letter rulings regarding the New Markets Tax Credit Program. The letter rulings are binding in a court of law and must be issued within sixty days of a request. The department can refuse to issue the letter ruling for good cause, but must explain the reason for refusal. Letter rulings are closed to the public, however information can be released as long as anything which would identify the applicant or is otherwise protected is redacted.

Any applicant for state tax credits who purposely and directly employs unauthorized aliens must forfeit any tax credits issued to such applicant which have not been redeemed, and any tax credits redeemed by such applicant will be recaptured for the period of time in which the applicant employed unauthorized aliens.

All members of the General Assembly and state-wide elected public officials are required to file a financial interest statement with the Missouri Ethics Commission disclosing any state tax credits claimed on the most recent state income tax return of the member, the member's spouse, or the member's dependent child. The Department of Revenue must make information regarding state tax credits claimed by a member of the General Assembly or state-wide elected public official available to the public.

As of June 30, 2013, no new tax credits may be authorized under the wood energy tax credit program. The act repeals the manufacturing and recycling flexible cellulose casing tax credit and the sponsorship and mentoring tax credit.

All state agencies charged with administering state tax credits must make available for public inspection the name of each tax credit recipient and the amount of tax credits issued to each such recipient.

The act bars businesses from being disqualified from receiving state authorized tax credits, abatements, exemptions, or loans on a conflict of interest basis due to a relationship to an statewide elected public official or member of the general assembly when the person of relation holds less than a 2% interest the entity standing to benefit from the credit, abatement, exemption or loan.

The act specifies that the true value in money for property tax assessment purposes of any possessory interest in real property located on or within the ultimate airport boundary shown by a federal airport layout plan of the Kansas City International Airport will be the true value in money of the possessory interest in the real property less the total costs paid toward any new construction or improvements completed on the property after January 1, 2008, if included in the possessory interest, unless paid by the political subdivision, regardless of the year the costs were incurred.

An exemption from state and local sales and use tax is created for all tangible personal property included on the United States munitions list which is sold to or purchased by a foreign government for a

SPONSOR: Pearce

HANDLER: Kennedy

governmental purpose. Currently, this exemption is granted by the Department of Revenue through a letter ruling.

Currently, both the Agricultural Product Utilization Contributor tax credit and the New Generation Cooperative Incentive tax credit programs are scheduled to expire on December 31, 2010. The act extends the expiration date until December 31, 2016.

For purposes of Urban Redevelopment Corporations Law, the makes any earnings limitation, imposed on any purchaser that is not an urban redevelopment corporation or life insurance company operating as an urban redevelopment corporation, void.

The act creates the entrepreneurial development council within the department of economic development. The council will consist of seven board members from business and legal experts in the area of intellectual property. The council must impose a registration fee, sufficient to cover costs of the program, for entrepreneurs wishing to receive council benefits. The act creates the entrepreneurial development and intellectual property right protection fund to receive appropriations, grants, gifts and bequests. The council has the authority to allocate moneys from the fund to provide financial assistance for legal actions instituted by registered entrepreneurs alleging infringement of their intellectual property rights. The council may also allocate moneys from the fund to registered entrepreneurs for financial assistance for the development, manufacture and advertising of new products.

Currently, the Department of Economic Development cannot issue more than forty million dollars in tax credits annually under the Quality Jobs Act. The act increases the cap on the annual issuance of tax credits to sixty million dollars. Under current law, tax credits for job retention projects are only authorized through August 30, 2007. The act extends the authorization to August 30, 2013. Under the Quality Jobs Act, a project facility may include separate buildings if they are located within one mile of each other. The act allows a project facility to include separate buildings within the same county. Companies which lease or own facilities that produce electricity derived from qualified renewable energy sources, or which produce fuel for the generation of electricity from qualified renewable energy sources are allowed to participate in the quality jobs program as a technology business project if all other requirements of the program are met. Qualified renewable energy sources include open-looped biomass, close-looped biomass, solar, wind, geothermal, and hydropower but not ethanol distillation or production or biodiesel production.

JASON ZAMKUS

***** HB 2065 *****

SPONSOR: Wasson

HANDLER: Scott

SCS/HB 2065 - Current law allows out-of-state licensed psychologists reciprocity when the licensing state extends like privileges for reciprocal licensing as Missouri. This act removes this provision.

Records of meritless claims against psychologists by sexually violent predators may be destroyed in certain circumstances.

CHRIS HOGERTY

***** HB 2188 *****

SPONSOR: Pearce

HANDLER: Engler

SPONSOR: Pearce

HANDLER: Engler

SCS/HCS/HB 2188 - This act creates civil and criminal penalties for mortgage fraud and imposes sanctions upon certain licensed professionals and unlicensed individuals who commit the crime.

CRIMINAL PROVISION, Section 570.310 -

Under the act, it is unlawful for a person, in connection with the application for or procurement of a loan secured by real estate to willfully:

1. Employ a device, scheme, or artifice to defraud;
2. Make an untrue statement of a material fact or to omit to state a material fact necessary in order to make the statement made, in the light of the circumstances under which it is made, not misleading; or
3. Receive any portion of the purchase, sale, or loan proceeds, or any other consideration paid or generated in connection with a real estate closing that such person knew involved a violation of this section.
4. Influence appraisals in certain circumstances.

Such acts constitute a Class C felony.

REAL ESTATE BROKERS AND SALESPERSONS, Sections 339.100, 339.175 -

Licensed real estate brokers and salespersons may be brought before the Administrative Hearing Commission and lose their license for committing mortgage fraud. Licensees who are criminally convicted of mortgage fraud will automatically have their license revoked. The Missouri Real Estate Commission may maintain an action in circuit court for anyone engaging in mortgage fraud and violators shall be subject to a civil penalty of \$2,500 per violation.

REAL ESTATE APPRAISERS, Sections 339.532, 339.543 -

Licensed real estate appraisers may also be brought before the Administrative Hearing Commission and lose their license for committing mortgage fraud. Licensees who are criminally convicted of mortgage fraud will automatically have their license revoked. These licensees may appeal the decision to the Administrative Hearing Commission.

The Missouri Real Estate Appraisers Commission may maintain an action in circuit court for anyone engaging in mortgage fraud and violators shall be subject to a civil penalty of \$2,500 per violation.

RESIDENTIAL MORTGAGE BROKERS, Section 443.809, 443.810, 443.891 -

The director of the Division of Finance shall have the authority to investigate the records of any licensed residential mortgage broker.

The director or the Residential Mortgage Board may also assess a civil penalty of up to \$5,000 for any violation of the law under the jurisdiction of the commission in a contested case.

The director is allowed to issue a notice of charges in support of an order to remove persons from participating in loan brokering, mortgage brokering, or mortgage brokerage service for any loan secured by real estate under the laws pertaining to residential mortgage brokers or otherwise under the jurisdiction of the director of the Division of Finance. The director may require restitution and impose a civil penalty not to exceed \$5,000 per occurrence.

This act is similar to SB 560 (2006), SB 727 (2008), and SB 1059 (2008).

CHRIS HOGERTY

SS/SCS/HB 2191 – This act modifies provisions relating to higher education scholarships.

A+ SCHOOLS PROGRAM: Current law provides that only public community colleges and public vocational or technical schools may receive A+ Schools Program reimbursements. This act would allow any two-year public or private vocational or technical school to obtain A+ Schools Program reimbursements that meets the following requirements: the school must be a member of the North Central Association and be accredited by the Higher Learning Commission; be designated as a 501(c)(3) non-profit organization; cannot receive tuition reimbursements in excess of the tuition rate charged by public community colleges for coursework offered by private vocational or technical colleges within the service area of the school; and reimbursements provided must not violate provisions of Article IX, section 8, or Article I, section 7 of the Missouri Constitution, or the First Amendment of the United States Constitution. These new requirements shall not apply to public institutions currently receiving A+ reimbursement.

A school district may participate in the A+ Schools Program regardless of its accreditation classification by the State Board of Education provided it meets all other requirements.

KIDS' CHANCE SCHOLARSHIP FUND: This act modifies provisions relating to the Kids' Chance Scholarship Fund. Current law requires the Director of the Division of Workers' Compensation to deposit \$50,000 annually into the Kids' Chance Scholarship Fund from 1999 until 2008. This act changes the termination date from 2008 to 2018 so that the Director will continue to deposit \$50,000 annually until 2018. In addition, the Department of Higher Education may begin distributing any accrued interest in the fund as scholarships after the second Monday in October 2008.

This act contains provisions identical to SB 1085 (2008) and SB 1223 (2008), and similar to SS/SCS/SB 846 (2008), SCS/SB 160 (2007) and SB 91 (2005).

MICHAEL RUFF

***** HB 2213 *****

SPONSOR: Kraus

HANDLER: Shields

HB 2213 – This act requires the Governor to annually issue a proclamation that designates the second week of September as "Parent and Family Involvement in Education Week." The week may be observed through activities that increase awareness of the importance and benefits of parent and family involvement in children's education.

MICHAEL RUFF

***** HB 2224 *****

SPONSOR: Jones

HANDLER: Griesheimer

CCS/SS/SCS/HB 2224 - This act modifies certain provisions relating to the training and compensation of law enforcement officers.

Under this act, the sheriff shall receive an additional \$10 fee for service of any civil summons, writ, subpoena or other court order. The money received by the sheriff shall be collected by the county treasurer and made payable to the state treasurer.

The money paid to the State Treasurer shall be deposited into the newly created "Deputy Sheriff Salary Supplementation Fund". The money shall be used only to supplement the salaries, and employee

SPONSOR: Jones

HANDLER: Griesheimer

benefits resulting from such salary increases, of county deputy sheriffs. The Missouri Sheriff Methamphetamine Relief Taskforce (MoSMART), housed within the Department of Public Safety shall administer the fund.

Currently, peace officers who make traffic stops are required to receive annual training concerning the prohibition of race profiling. This act changes the training requirement to three hours within the law enforcement continuing education three-year reporting period.

This act is similar to SB 477 (2007) & SCS/SB 935 (2008).

SUSAN HENDERSON MOORE

***** HB 2233 *****

SPONSOR: Page

HANDLER: Shields

HB 2233 - This act bars elected or appointed officials and employees of political subdivisions from advocating for political appointments in exchange for anything of value to a political subdivision.

The act also removes a reference to Section 105.460 that does not appear in statute.

CHRIS HOGERTY.

***** HB 2360 *****

SPONSOR: Guest

HANDLER: Lager

HCS/HB 2360 - This act designates a portion of Highway 169 in Gentry County as the "Mo. Hwy. Patrol Corporal Henry C. Bruns Memorial Highway".

STEPHEN WITTE

***** HB 2393 *****

SPONSOR: Richard

HANDLER: Shields

SS/SCS/HCS/HB 2393 - This act creates a new type of program under the Enhanced Enterprise Zone Tax Benefit Act known as mega-projects. A taxpayer who establishes a mega-project within an enhanced enterprise zone will be allowed an income tax credit equal to a percentage of the taxpayer's new annual payroll for employees located at the project. In order to be approved as a mega-project, the new capitol investment must be projected to exceed three hundred million dollars and the project must be projected to create at least one thousand new jobs over a period of eight years. The new jobs created must have an average wage in excess of the county average wage and the taxpayer must offer health insurance to all new jobs and pay at least eighty percent of the premiums for such insurance. The taxpayer must provide an acceptable plan for repayment of tax credits received.

Prior to final approval of a mega-project, the department and the taxpayer must enter into a binding contract which: sets out the taxpayer's repayment plan; obligates the taxpayer to construct the facility; provides for the cessation of tax credit issuance and repayment of all tax credits issued with a reasonable rate of return, upon a taxpayer's failure to meet certain requirements; ceases tax credit issuance when the amount of tax credits previously issued less the amount of repayments received results in negative cash-flow to the state in an amount equal to one hundred and fifty-five million dollars.

The Department of Economic Development is prohibited from approving any mega-projects after

SPONSOR: Richard

HANDLER: Shields

December 31, 2008, and from issuing any tax credits prior to January 1, 2013. The Department of Economic Development is prohibited from issuing more than forty million dollars in tax credits for all mega-projects annually. A taxpayer who receives approval for a mega-project may receive tax credits for up to eight years to be used to offset income tax liabilities. No taxpayer may receive more than forty million dollars in mega-project tax credits annually. The department is prohibited from issuing more than two hundred forty million dollars in tax credits for all projects under the mega-project program.

Prior to January 1, 2022, taxpayers who receive mega-project tax credits are prohibited from directly employing certain elected public officials of this state and certain employees of the department of economic development.

Any taxpayer who receives mega-project tax credits must provide an annual report to the Department of Economic Development and the senate and house appropriations committees containing the number of new jobs at the project site and the new annual payroll. A taxpayer who has been approved for issuance of mega-project tax credits will not receive tax credits in any year in which such taxpayer fails to meet eligibility requirements.

JASON ZAMKUS

Administration, Office of

- SB 1140 - Modifies the law relating to the Office of Administration
SB 1181 - Modifies and creates provisions pertaining to energy efficiency and energy regulation
HB 1313 - Requires the state and political subdivisions to favor service disabled veteran businesses when letting contracts
HB 1689 - Transfers the Governor's Council on Disability from the Department of Labor and Industrial Relations to the Office of Administration
-

Administrative Law

- HB 1469 - Modifies the law regarding certain environmental appeals transferred to the Administrative Hearing Commission
-

Administrative Rules

- HB 1469 - Modifies the law regarding certain environmental appeals transferred to the Administrative Hearing Commission
-

Agriculture and Animals

- SB 931 - Modifies provisions pertaining to the administration of agriculture incentives and programs
HB 1354 - Exempts self-propelled sprayers that are used for spraying chemicals or spreading fertilizer from complying with titling, registration and license plate display laws
HB 2034 - Modifies various provisions relating to weapons
-

Agriculture Dept.

- SB 907 - Modifies provisions pertaining to motor fuel storage tanks and equipment
SB 931 - Modifies provisions pertaining to the administration of agriculture incentives and programs
-

Aircraft and Airports

- SB 930 - Modifies various provisions relating to the regulation of transportation and the regulation of motor vehicles
SB 1073 - Creates a state and local sales and use tax exemption for defense articles sold to foreign governments
HB 1888 - Allows a municipality to annex land within the airport zone of the City of Springfield if it agrees to enforce Springfield's zoning ordinance
-

Alcohol

- SB 765 - Modifies the process for incorporating a village
-

Ambulances and Ambulance Districts

- SB 1039 - Modifies minimum volunteer ambulance staffing requirements and requires Christian County to appoint an emergency services board upon voter approval of a county sales tax for central dispatching of emergency services
SB 1044 - Modifies provisions regarding minimum ambulance staffing for ambulances staffed with volunteers
-

Annexation

- HB 1888 - Allows a municipality to annex land within the airport zone of the City of Springfield if it agrees to enforce Springfield's zoning ordinance
-

Appropriations

- HB 2001 - Appropriates money to the Board of Fund Commissioners
 - HB 2002 - Appropriates money for the expenses, grants, refunds, and distributions of the State Board of Education and Department of Elementary and Secondary Education
 - HB 2003 - Appropriates money for the expenses, grants, refunds, and distributions of the Department of Higher Education
 - HB 2004 - Appropriates money for the expenses, grants, refunds, and distributions of the Department of Revenue and Department of Transportation
 - HB 2005 - Appropriates money for the expenses, grants, refunds, and distributions of the Office of Administration, Department of Transportation, and Department of Public Safety
 - HB 2006 - Appropriates money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, and Department of Conservation
 - HB 2007 - Appropriates money for the expenses and distributions of the Departments of Economic Development; Insurance, Financial Institutions and Professional Registration; and Labor and Industrial
 - HB 2008 - Appropriates money for the expenses, grants, refunds, and distributions of the Department of Public Safety
 - HB 2009 - Appropriates money for the expenses, grants, refunds, and distributions of the Department of Corrections
 - HB 2010 - Appropriates money for the expenses, grants, refunds, and distributions of the Department of Mental Health, Board of Public Buildings, and Department of Health and Senior Services
 - HB 2011 - Appropriates money for the expenses, grants, and distributions of the Department of Social Services
 - HB 2012 - Appropriates money for the expenses, grants, refunds, and distributions of statewide elected officials, the Judiciary, Office of the State Public Defender, and General Assembly
 - HB 2013 - Appropriates money for real property leases and related services
 - HB 2014 - Appropriates money for supplemental purposes for several departments, offices of state government, for purchase of equipment, payment of various claims for refunds, for persons, firms, and corporations
 - HB 2015 - Appropriates money for supplemental purposes for the Department of Social Services Utilicare program
 - HB 2016 - Appropriates money for capital improvement and other purposes for several departments of state government
 - HB 2019 - Appropriates money for supplemental purposes for the University of Missouri, for the purchase of equipment, planning, expenses for capital improvements, from funds designated for perion ending 5-30-08
 - HB 2020 - Appropriates money for supplemental purposes for the several departments and offices of state government, for the purchase of equipment, planning, expenses for the fiscal period ending 5-30-2008
 - HB 2021 - Appropriates money for supplemental purposes for the Department of Conservation
 - HB 2022 - Appropriates money for supplemental purposes for the Department of Public Safety
 - HB 2023 - Appropriates money for planning, expenses, and for capital improvements
 - HB 2036 - Repeals the formula distribution requirements for additional funding for certain services for the elderly
-

Attorney General, State

- SB 999 - Allows the Attorney General to bring an action for unlawful merchandising practices when the name of a financial institution is deceptively used
- SB 1034 - Modifies record-keeping requirements for purchasers of scrap metal and creates penalties for unlawful purchases of certain scrap metals
- HB 1970 - Limits civil actions against certain motor vehicle dealers
-

Attorneys

- HB 1570 - Adds services of guardian ad litem to the priority list of services for which moneys in the family services and justice fund shall be spent
-

Auditor, State

- SB 944 - Modifies the fees the Auditor receives for registering bonds
- SB 1066 - Modifies provisions relating to elementary and secondary education
-

Banks and Financial Institutions

- SB 951 - Modifies the law relating to emergency response within financial institutions
- SB 999 - Allows the Attorney General to bring an action for unlawful merchandising practices when the name of a financial institution is deceptively used
- SB 1235 - Modifies provisions related to a trustee's powers under the Missouri Uniform Trust Code
- HB 1608 - Authorizes counties to preserve electronic images of original cancelled checks instead of the actual check
- HB 2188 - Creates civil and criminal penalties for mortgage fraud and imposes sanctions upon certain licensed professionals and unlicensed individuals who commit the crime
-

Boards, Commissions, Committees, Councils

- SB 768 - Creates the Missouri Commission on Autism Spectrum Disorders and the Office of Autism Services
- SB 788 - Moves certain divisions and boards to the Department of Insurance and modifies law with respect to preneed funeral contracts, physical therapists and real estate brokers
- SB 850 - Requires the board of optometry to give notice of its meetings
- SB 873 - Provides for a voting student curator on the University of Missouri board of curators if Missouri loses a congressional district based on the 2010 census
- SB 931 - Modifies provisions pertaining to the administration of agriculture incentives and programs
- SB 1066 - Modifies provisions relating to elementary and secondary education
- SB 1170 - Creates the Rebuild Missouri Schools Program and allows education boards to enter into lease-purchase agreements with twenty-five successive options
- SB 1181 - Modifies and creates provisions pertaining to energy efficiency and energy regulation
- HB 1450 - Modifies the law relating to terrorism
- HB 1469 - Modifies the law regarding certain environmental appeals transferred to the Administrative Hearing Commission
- HB 1678 - Modifies various laws relating to members of the military and their families
- HB 1689 - Transfers the Governor's Council on Disability from the Department of Labor and Industrial Relations to the Office of Administration
- HB 1881 - Changes the length of the term of office for the initially appointed directors of public water supply districts
- HB 2065 - Modifies the law relating to licensed psychologists

Boards, Commissions, Committees, Councils (cont'd)

HB 2191 - Modifies provisions relating to higher education scholarships

HB 2191 - Modifies provisions relating to higher education scholarships

Boats and Watercraft

SB 1073 - Creates a state and local sales and use tax exemption for defense articles sold to foreign governments

HB 1715 - Modifies various provisions relating to the Water Patrol and watercraft regulations

Bonds - General Obligation and Revenue

SB 944 - Modifies the fees the Auditor receives for registering bonds

SB 1040 - Modifies requirements relating to the issuance of grants and loans by the Department of Natural Resources for storm water control

SJR 45 - Modifies requirements relating to the issuance of grants and loans by the Department of Natural Resources for storm water control

Business and Commerce

SB 718 - Modifies provisions of certain tax credit programs administered by the Department of Economic Development

SB 1073 - Creates a state and local sales and use tax exemption for defense articles sold to foreign governments

SB 1181 - Modifies and creates provisions pertaining to energy efficiency and energy regulation

HB 1313 - Requires the state and political subdivisions to favor service disabled veteran businesses when letting contracts

HB 2393 - Modifies provisions of the enhanced enterprise tax benefit program

Campaign Finance

SB 1038 - Repeals campaign contribution limits and modifies reporting requirements

Capital Improvements

HB 1779 - Modifies laws regarding underground facilities and telecommunications services

Children and Minors

SB 714 - Modifies various provisions relating to sexual offenses

SB 818 - Modifies various provisions relating to stalking and harassment

HB 1550 - Modifies provisions relating to courts

HB 1640 - Provides for exceptions to the requirement for issuing a new birth certificate following adoption

HB 1678 - Modifies various laws relating to members of the military and their families

HB 1946 - Modifies provisions relating to adoption subsidies and youth development programs

Circuit Clerk

SB 956 - Modifies provisions relating to public water supply districts

Cities, Towns and Villages

SB 720 - Modifies provisions relating to utilities

SB 765 - Modifies the process for incorporating a village

SB 956 - Modifies provisions relating to public water supply districts

Cities, Towns and Villages (cont'd)

- SB 1131 - Excludes tax revenues, derived from certain transportation sales taxes imposed by the City of Kansas City, from tax increment finance economic activity taxes used to pay redevelopment costs
- SB 1131 - Excludes tax revenues, derived from certain transportation sales taxes imposed by the City of Kansas City, from tax increment finance economic activity taxes used to pay redevelopment costs
- HB 1380 - Authorizes allocation of property taxes to senior center
- HB 1804 - Modifies certain provisions relating to home-rule cities and third class cities
- HB 1849 - Modifies the penalties for certain zoning violations
- HB 1881 - Changes the length of the term of office for the initially appointed directors of public water supply districts
- HB 1888 - Allows a municipality to annex land within the airport zone of the City of Springfield if it agrees to enforce Springfield's zoning ordinance
- HB 2233 - Bars certain individuals from advocating for political appointments
-

Civil Rights

- HB 2224 - Modifies various provisions relating to law enforcement
-

Compacts

- HB 1678 - Modifies various laws relating to members of the military and their families
-

Conservation Dept.

- SB 931 - Modifies provisions pertaining to the administration of agriculture incentives and programs
-

Construction and Building Codes

- HB 1779 - Modifies laws regarding underground facilities and telecommunications services
- HB 1849 - Modifies the penalties for certain zoning violations
-

Consumer Protection

- SB 1034 - Modifies record-keeping requirements for purchasers of scrap metal and creates penalties for unlawful purchases of certain scrap metals
- HB 1384 - Modifies certain provisions relating to protection of consumers against fraudulent practices
-

Contracts and Contractors

- SB 1073 - Creates a state and local sales and use tax exemption for defense articles sold to foreign governments
- HB 1313 - Requires the state and political subdivisions to favor service disabled veteran businesses when letting contracts
-

Corporations

- SB 1150 - Extends the sunset provisions for fees to be credited to the technology trust fund
-

Counties

- SB 720 - Modifies provisions relating to utilities
- SB 765 - Modifies the process for incorporating a village
- SB 896 - Modifies the methods in which certain special road districts may form, expand or dissolve within fourth class counties
- SB 931 - Modifies provisions pertaining to the administration of agriculture incentives and programs

Counties (cont'd)

- SB 1033 - Prohibits water or sewer line easements from being considered transfers of title of real property to counties and other political subdivisions
- SB 1033 - Prohibits water or sewer line easements from being considered transfers of title of real property to counties and other political subdivisions
- SB 1181 - Modifies and creates provisions pertaining to energy efficiency and energy regulation
- HB 1380 - Authorizes allocation of property taxes to senior center
- HB 1608 - Authorizes counties to preserve electronic images of original cancelled checks instead of the actual check

County Officials

- SB 711 - Modifies provisions regarding property taxation
- SB 1061 - Requires county coroners and their assistants to register with the Missouri Coroners' and Medical Examiners' Association
- HB 1608 - Authorizes counties to preserve electronic images of original cancelled checks instead of the actual check
- HB 2233 - Bars certain individuals from advocating for political appointments

Courts

- SB 711 - Modifies provisions regarding property taxation
- SB 956 - Modifies provisions relating to public water supply districts
- SB 1016 - Provides that a portion of the tort victims' compensation fund shall be transferred to the basic civil legal services fund
- HB 1550 - Modifies provisions relating to courts
- HB 1570 - Adds services of guardian ad litem to the priority list of services for which moneys in the family services and justice fund shall be spent
- HB 1970 - Limits civil actions against certain motor vehicle dealers

Courts, Juvenile

- HB 1570 - Adds services of guardian ad litem to the priority list of services for which moneys in the family services and justice fund shall be spent

Credit Unions

- SB 788 - Moves certain divisions and boards to the Department of Insurance and modifies law with respect to preneed funeral contracts, physical therapists and real estate brokers

Crimes and Punishment

- SB 714 - Modifies various provisions relating to sexual offenses
- SB 720 - Modifies provisions relating to utilities
- SB 733 - Requires crime laboratories providing reports or testimony to a state court to be accredited by 2012
- SB 818 - Modifies various provisions relating to stalking and harassment
- SB 932 - Modifies provisions relating to law enforcement
- SB 1002 - Modifies the penalties for certain zoning violations
- SB 1181 - Modifies and creates provisions pertaining to energy efficiency and energy regulation
- HB 1384 - Modifies certain provisions relating to protection of consumers against fraudulent practices
- HB 1849 - Modifies the penalties for certain zoning violations
- HB 2034 - Modifies various provisions relating to weapons

Crimes and Punishment (cont'd)

- HB 2041 - Modifies provisions relating to unemployment compensation
HB 2041 - Modifies provisions relating to unemployment compensation
HB 2188 - Creates civil and criminal penalties for mortgage fraud and imposes sanctions upon certain licensed professionals and unlicensed individuals who commit the crime
-

Criminal Procedure

- SB 714 - Modifies various provisions relating to sexual offenses
SB 768 - Creates the Missouri Commission on Autism Spectrum Disorders and the Office of Autism Services
SB 932 - Modifies provisions relating to law enforcement
HB 1384 - Modifies certain provisions relating to protection of consumers against fraudulent practices
-

Disabilities

- SB 720 - Modifies provisions relating to utilities
SB 980 - Modifies provisions regarding supplemental and disability retirement benefits for Kansas City police officers and civilian employees
SB 1081 - Modifies provisions regarding quality assurance and safety in the Division of Mental Retardation and Developmental Disabilities Community Programs
HB 1689 - Transfers the Governor's Council on Disability from the Department of Labor and Industrial Relations to the Office of Administration
HB 1710 - Modifies provisions regarding supplemental and disability retirement for Kansas City police officers and civilian employees
HB 1807 - Changes the name of the State Schools for Severely Handicapped Children to Missouri Schools for the Severely Disabled.
-

Domestic Relations

- HB 1570 - Adds services of guardian ad litem to the priority list of services for which moneys in the family services and justice fund shall be spent
HB 1946 - Modifies provisions relating to adoption subsidies and youth development programs
-

Drainage and Levee Districts

- SB 939 - Modifies various provisions relating to levee and drainage districts
-

Drugs and Controlled Substances

- SB 724 - Gives advanced practice registered nurses prescriptive authority for scheduled drugs
-

Drunk Driving/Boating

- SB 930 - Modifies various provisions relating to the regulation of transportation and the regulation of motor vehicles
HB 1715 - Modifies various provisions relating to the Water Patrol and watercraft regulations
-

Easements and Conveyances

- SB 1033 - Prohibits water or sewer line easements from being considered transfers of title of real property to counties and other political subdivisions
-

Economic Development

- SB 718 - Modifies provisions of certain tax credit programs administered by the Department of Economic Development

Economic Development (cont'd)

- SB 1131 - Excludes tax revenues, derived from certain transportation sales taxes imposed by the City of Kansas City, from tax increment finance economic activity taxes used to pay redevelopment costs
- SB 1131 - Excludes tax revenues, derived from certain transportation sales taxes imposed by the City of Kansas City, from tax increment finance economic activity taxes used to pay redevelopment costs
- HB 2058 - Provides tax incentives for business development
- HB 2393 - Modifies provisions of the enhanced enterprise tax benefit program
-

Economic Development Dept.

- SB 718 - Modifies provisions of certain tax credit programs administered by the Department of Economic Development
- HB 1419 - Modifies the law relating to licensed massage therapists
- HB 1791 - Designates licensed professional counselors as mental health professionals in certain circumstances
- HB 2058 - Provides tax incentives for business development
- HB 2393 - Modifies provisions of the enhanced enterprise tax benefit program
-

Education, Elementary and Secondary

- SB 839 - Modifies adjustment to funds payable resulting from transfer of title to real property for certain school districts
- SB 1066 - Modifies provisions relating to elementary and secondary education
- SB 1170 - Creates the Rebuild Missouri Schools Program and allows education boards to enter into lease-purchase agreements with twenty-five successive options
- SB 1181 - Modifies and creates provisions pertaining to energy efficiency and energy regulation
- HB 1678 - Modifies various laws relating to members of the military and their families
- HB 1807 - Changes the name of the State Schools for Severely Handicapped Children to Missouri Schools for the Severely Disabled.
- HB 2191 - Modifies provisions relating to higher education scholarships
- HB 2213 - Requires the Governor to annually issue a proclamation declaring the second week of September as Parent and Family Involvement in Education Week
-

Education, Higher

- SB 830 - Limits the tuition that may be charged by a higher education institution to certain combat veterans
- SB 863 - Allows married taxpayers filing joint returns to deduct a portion of contributions to the Missouri Higher Education Savings Program from income and provides similar tax treatment for other qualified tuition savings programs
- SB 873 - Provides for a voting student curator on the University of Missouri board of curators if Missouri loses a congressional district based on the 2010 census
- SB 967 - Allows Missouri Higher Education Loan Authority to originate federally guaranteed student loans under certain conditions.
- HB 1368 - Modifies membership requirements for the Northwest Missouri State University Board of Regents
- HB 1869 - Requires the Missouri Revisor of Statutes to change all references of the term "junior college" to "community college" in the Revised Statutes of Missouri
- HB 2048 - Creates the Textbook Transparency Act requiring textbook publishers to provide certain information to higher education institutions
-

Elderly

- SB 720 - Modifies provisions relating to utilities
HB 1380 - Authorizes allocation of property taxes to senior center
HB 2036 - Repeals the formula distribution requirements for additional funding for certain services for the elderly
-

Elections

- SB 1038 - Repeals campaign contribution limits and modifies reporting requirements
HB 1311 - Imposes certain requirements on write-in candidates for municipal office
-

Elementary and Secondary Education Dept.

- SB 768 - Creates the Missouri Commission on Autism Spectrum Disorders and the Office of Autism Services
SB 839 - Modifies adjustment to funds payable resulting from transfer of title to real property for certain school districts
SB 1066 - Modifies provisions relating to elementary and secondary education
HB 1678 - Modifies various laws relating to members of the military and their families
HB 1807 - Changes the name of the State Schools for Severely Handicapped Children to Missouri Schools for the Severely Disabled.
HB 2191 - Modifies provisions relating to higher education scholarships
HB 2213 - Requires the Governor to annually issue a proclamation declaring the second week of September as Parent and Family Involvement in Education Week
-

Emblems

- SB 991 - Establishes the ice cream cone as the official state dessert
-

Emergencies

- SB 931 - Modifies provisions pertaining to the administration of agriculture incentives and programs
SB 951 - Modifies the law relating to emergency response within financial institutions
SB 1039 - Modifies minimum volunteer ambulance staffing requirements and requires Christian County to appoint an emergency services board upon voter approval of a county sales tax for central dispatching of emergency services
HB 1450 - Modifies the law relating to terrorism
-

Employees - Employers

- SB 718 - Modifies provisions of certain tax credit programs administered by the Department of Economic Development
HB 1883 - Modifies various laws relating to employment
HB 2233 - Bars certain individuals from advocating for political appointments
-

Employment Security

- HB 2041 - Modifies provisions relating to unemployment compensation
-

Energy

- SB 1181 - Modifies and creates provisions pertaining to energy efficiency and energy regulation
-

Entertainment, Sports and Amusements

- HB 1341 - Requires owners of for-profit swimming pools to maintain adequate liability insurance in the event of injury or death of a patron
-

Environmental Protection

- SB 907 - Modifies provisions pertaining to motor fuel storage tanks and equipment
- SB 931 - Modifies provisions pertaining to the administration of agriculture incentives and programs
- HB 1469 - Modifies the law regarding certain environmental appeals transferred to the Administrative Hearing Commission
- HB 1670 - Removes the requirement for certification by the Department of Natural Resources before a sales and use tax exemption applies to the purchase or lease of certain items used to monitor water and air pollution
-

Estates, Wills and Trusts

- SB 1235 - Modifies provisions related to a trustee's powers under the Missouri Uniform Trust Code
-

Family Law

- HB 1570 - Adds services of guardian ad litem to the priority list of services for which moneys in the family services and justice fund shall be spent
- HB 1640 - Provides for exceptions to the requirement for issuing a new birth certificate following adoption
-

Federal - State Relations

- SB 1016 - Provides that a portion of the tort victims' compensation fund shall be transferred to the basic civil legal services fund
- HB 1422 - Authorizes the State Highways and Transportation Commission to take the necessary steps to implement and administer a state plan to conform with the Unified Carrier Registration Act of 2005
- HB 1549 - Modifies the law relating to illegal immigrants
- HB 2041 - Modifies provisions relating to unemployment compensation
-

Fees

- SB 1016 - Provides that a portion of the tort victims' compensation fund shall be transferred to the basic civil legal services fund
- SB 1150 - Extends the sunset provisions for fees to be credited to the technology trust fund
- HB 1570 - Adds services of guardian ad litem to the priority list of services for which moneys in the family services and justice fund shall be spent
-

Fire Protection

- SB 979 - Terminates eligibility for surviving spouse of public safety officer income tax credit upon remarriage
- HB 1883 - Modifies various laws relating to employment
-

Firearms and Fireworks

- HB 2034 - Modifies various provisions relating to weapons
-

General Assembly

- SB 768 - Creates the Missouri Commission on Autism Spectrum Disorders and the Office of Autism Services
- HB 1450 - Modifies the law relating to terrorism
- HB 1869 - Requires the Missouri Revisor of Statutes to change all references of the term "junior college" to "community college" in the Revised Statutes of Missouri
- HB 2036 - Repeals the formula distribution requirements for additional funding for certain services for the elderly

Governor & Lt. Governor

- SB 806 - Requires all government buildings to fly the U.S. and Missouri flags at half-staff when any Missouri resident is killed in combat
- HB 2213 - Requires the Governor to annually issue a proclamation declaring the second week of September as Parent and Family Involvement in Education Week
-

Health Care

- SB 1139 - Revises the Uniform Anatomical Gift Act
- HB 1790 - Modifies provisions relating to municipal health care facilities and hospital designations
-

Health Care Professionals

- SB 1044 - Modifies provisions regarding minimum ambulance staffing for ambulances staffed with volunteers
- SB 1139 - Revises the Uniform Anatomical Gift Act
- SB 1177 - Designates licensed professional counselors as mental health professionals in certain circumstances
- HB 1790 - Modifies provisions relating to municipal health care facilities and hospital designations
- HB 1791 - Designates licensed professional counselors as mental health professionals in certain circumstances
-

Health Dept.

- SB 1177 - Designates licensed professional counselors as mental health professionals in certain circumstances
- HB 1790 - Modifies provisions relating to municipal health care facilities and hospital designations
- HB 1791 - Designates licensed professional counselors as mental health professionals in certain circumstances
-

Health, Public

- SB 1139 - Revises the Uniform Anatomical Gift Act
-

Higher Education Dept.

- SB 768 - Creates the Missouri Commission on Autism Spectrum Disorders and the Office of Autism Services
- SB 830 - Limits the tuition that may be charged by a higher education institution to certain combat veterans
- HB 1368 - Modifies membership requirements for the Northwest Missouri State University Board of Regents
- HB 1869 - Requires the Missouri Revisor of Statutes to change all references of the term "junior college" to "community college" in the Revised Statutes of Missouri
- HB 2048 - Creates the Textbook Transparency Act requiring textbook publishers to provide certain information to higher education institutions
-

Highway Patrol

- SB 930 - Modifies various provisions relating to the regulation of transportation and the regulation of motor vehicles
-

Hospitals

HB 1790 - Modifies provisions relating to municipal health care facilities and hospital designations

Housing

SB 1009 - Modifies the current legal requirement that funds conveyed to settlement agents in real estate closings be certified funds
HB 2188 - Creates civil and criminal penalties for mortgage fraud and imposes sanctions upon certain licensed professionals and unlicensed individuals who commit the crime

Immigration

HB 1549 - Modifies the law relating to illegal immigrants

Insurance - General

SB 1168 - Revises the formula for computing a refund for credit insurance
HB 1341 - Requires owners of for-profit swimming pools to maintain adequate liability insurance in the event of injury or death of a patron
HB 1690 - Enacts various provisions relating to the transmission of insurance-related information
HB 1893 - Changes the requirements for premium refund calculations on credit insurance

Insurance - Property

SB 907 - Modifies provisions pertaining to motor fuel storage tanks and equipment
HB 1341 - Requires owners of for-profit swimming pools to maintain adequate liability insurance in the event of injury or death of a patron

Insurance Dept.

SB 768 - Creates the Missouri Commission on Autism Spectrum Disorders and the Office of Autism Services
SB 788 - Moves certain divisions and boards to the Department of Insurance and modifies law with respect to preneed funeral contracts, physical therapists and real estate brokers
HB 1690 - Enacts various provisions relating to the transmission of insurance-related information
HB 1893 - Changes the requirements for premium refund calculations on credit insurance

Interstate Cooperation

HB 1678 - Modifies various laws relating to members of the military and their families

Kansas City

SB 801 - Increases the maximum amount of compensation which the Kansas City Board of Police Commissioners may pay officers
SB 980 - Modifies provisions regarding supplemental and disability retirement benefits for Kansas City police officers and civilian employees
SB 1131 - Excludes tax revenues, derived from certain transportation sales taxes imposed by the City of Kansas City, from tax increment finance economic activity taxes used to pay redevelopment costs
HB 1710 - Modifies provisions regarding supplemental and disability retirement for Kansas City police officers and civilian employees

Labor and Industrial Relations Dept.

- HB 1689 - Transfers the Governor's Council on Disability from the Department of Labor and Industrial Relations to the Office of Administration
- HB 2041 - Modifies provisions relating to unemployment compensation
-

Law Enforcement Officers and Agencies

- SB 714 - Modifies various provisions relating to sexual offenses
- SB 733 - Requires crime laboratories providing reports or testimony to a state court to be accredited by 2012
- SB 801 - Increases the maximum amount of compensation which the Kansas City Board of Police Commissioners may pay officers
- SB 932 - Modifies provisions relating to law enforcement
- SB 979 - Terminates eligibility for surviving spouse of public safety officer income tax credit upon remarriage
- SB 980 - Modifies provisions regarding supplemental and disability retirement benefits for Kansas City police officers and civilian employees
- HB 1384 - Modifies certain provisions relating to protection of consumers against fraudulent practices
- HB 1549 - Modifies the law relating to illegal immigrants
- HB 1710 - Modifies provisions regarding supplemental and disability retirement for Kansas City police officers and civilian employees
- HB 2047 - Changes the law regarding street grading in cities with over 300,000 inhabitants and allows certain counties of the third classification to impose a tax on agricultural and horticultural land, upon voter approval, for purchasing road rock
- HB 2224 - Modifies various provisions relating to law enforcement
-

Liability

- SB 907 - Modifies provisions pertaining to motor fuel storage tanks and equipment
- SB 958 - Allows rural electric cooperatives to manage vegetation within specified areas to ensure reliable service
- HB 2047 - Changes the law regarding street grading in cities with over 300,000 inhabitants and allows certain counties of the third classification to impose a tax on agricultural and horticultural land, upon voter approval, for purchasing road rock
-

Licenses - Driver's

- SB 930 - Modifies various provisions relating to the regulation of transportation and the regulation of motor vehicles
-

Licenses - Motor Vehicle

- SB 936 - Allow motorists to operate vehicles without current registrations for the purpose of resetting emissions readiness monitors in order to pass emissions inspection retests
- HB 1354 - Exempts self-propelled sprayers that are used for spraying chemicals or spreading fertilizer from complying with titling, registration and license plate display laws
-

Licenses - Professional

- SB 724 - Gives advanced practice registered nurses prescriptive authority for scheduled drugs
- SB 788 - Moves certain divisions and boards to the Department of Insurance and modifies law with respect to preneed funeral contracts, physical therapists and real estate brokers
- SB 850 - Requires the board of optometry to give notice of its meetings

Licenses - Professional (cont'd)

- SB 1177 - Designates licensed professional counselors as mental health professionals in certain circumstances
- SB 1177 - Designates licensed professional counselors as mental health professionals in certain circumstances
- SB 1190 - Authorizes the division of professional registration to reduce licensure fees by emergency rule under certain circumstances
- HB 1419 - Modifies the law relating to licensed massage therapists
- HB 1791 - Designates licensed professional counselors as mental health professionals in certain circumstances
- HB 2188 - Creates civil and criminal penalties for mortgage fraud and imposes sanctions upon certain licensed professionals and unlicensed individuals who commit the crime
-

Medicaid

- SB 1068 - Modifies provisions relating to pharmacies and pharmacists
-

Mental Health

- SB 1081 - Modifies provisions regarding quality assurance and safety in the Division of Mental Retardation and Developmental Disabilities Community Programs
-

Mental Health Dept.

- SB 768 - Creates the Missouri Commission on Autism Spectrum Disorders and the Office of Autism Services
- SB 1081 - Modifies provisions regarding quality assurance and safety in the Division of Mental Retardation and Developmental Disabilities Community Programs
-

Merchandising Practices

- SB 999 - Allows the Attorney General to bring an action for unlawful merchandising practices when the name of a financial institution is deceptively used
- HB 1970 - Limits civil actions against certain motor vehicle dealers
-

Military Affairs

- SB 806 - Requires all government buildings to fly the U.S. and Missouri flags at half-staff when any Missouri resident is killed in combat
- SB 830 - Limits the tuition that may be charged by a higher education institution to certain combat veterans
- HB 1575 - Designates a portion of State Highway 87 in Moniteau County as the "Lance Corporal Leon B. Deraps Memorial Highway"
- HB 1678 - Modifies various laws relating to members of the military and their families
-

Mortgages and Deeds

- HB 2188 - Creates civil and criminal penalties for mortgage fraud and imposes sanctions upon certain licensed professionals and unlicensed individuals who commit the crime
-

Motor Carriers

- SB 930 - Modifies various provisions relating to the regulation of transportation and the regulation of motor vehicles
- HB 1422 - Authorizes the State Highways and Transportation Commission to take the necessary steps to implement and administer a state plan to conform with the Unified Carrier Registration Act of 2005
-

Motor Fuel

- SB 907 - Modifies provisions pertaining to motor fuel storage tanks and equipment
HB 1628 - Exempts historical vehicles powered by liquid petroleum or natural gas from the alternative fuel decal requirement and tax
-

Motor Vehicles

- SB 930 - Modifies various provisions relating to the regulation of transportation and the regulation of motor vehicles
SB 936 - Allow motorists to operate vehicles without current registrations for the purpose of resetting emissions readiness monitors in order to pass emissions inspection retests
HB 1354 - Exempts self-propelled sprayers that are used for spraying chemicals or spreading fertilizer from complying with titling, registration and license plate display laws
HB 1422 - Authorizes the State Highways and Transportation Commission to take the necessary steps to implement and administer a state plan to conform with the Unified Carrier Registration Act of 2005
HB 1628 - Exempts historical vehicles powered by liquid petroleum or natural gas from the alternative fuel decal requirement and tax
HB 1970 - Limits civil actions against certain motor vehicle dealers
HB 2047 - Changes the law regarding street grading in cities with over 300,000 inhabitants and allows certain counties of the third classification to impose a tax on agricultural and horticultural land, upon voter approval, for purchasing road rock
-

National Guard

- HB 1678 - Modifies various laws relating to members of the military and their families
-

Natural Resources Dept.

- SB 720 - Modifies provisions relating to utilities
SB 907 - Modifies provisions pertaining to motor fuel storage tanks and equipment
SB 931 - Modifies provisions pertaining to the administration of agriculture incentives and programs
SB 936 - Allow motorists to operate vehicles without current registrations for the purpose of resetting emissions readiness monitors in order to pass emissions inspection retests
SB 1040 - Modifies requirements relating to the issuance of grants and loans by the Department of Natural Resources for storm water control
SB 1181 - Modifies and creates provisions pertaining to energy efficiency and energy regulation
SJR 45 - Modifies requirements relating to the issuance of grants and loans by the Department of Natural Resources for storm water control
-

Nurses

- SB 724 - Gives advanced practice registered nurses prescriptive authority for scheduled drugs
-

Optometry

- SB 850 - Requires the board of optometry to give notice of its meetings
-

Pharmacy

- SB 1068 - Modifies provisions relating to pharmacies and pharmacists
-

Physicians

- SB 1139 - Revises the Uniform Anatomical Gift Act

Physicians (cont'd)

- HB 1790 - Modifies provisions relating to municipal health care facilities and hospital designations
- HB 1790 - Modifies provisions relating to municipal health care facilities and hospital designations
-

Planning and Zoning

- SB 1002 - Modifies the penalties for certain zoning violations
- HB 1849 - Modifies the penalties for certain zoning violations
- HB 2233 - Bars certain individuals from advocating for political appointments
-

Political Subdivisions

- SB 711 - Modifies provisions regarding property taxation
- SB 939 - Modifies various provisions relating to levee and drainage districts
- SB 1033 - Prohibits water or sewer line easements from being considered transfers of title of real property to counties and other political subdivisions
- SB 1235 - Modifies provisions related to a trustee's powers under the Missouri Uniform Trust Code
- HB 1380 - Authorizes allocation of property taxes to senior center
- HB 1883 - Modifies various laws relating to employment
- HB 1888 - Allows a municipality to annex land within the airport zone of the City of Springfield if it agrees to enforce Springfield's zoning ordinance
-

Probation and Parole

- SB 979 - Terminates eligibility for surviving spouse of public safety officer income tax credit upon remarriage
-

Property, Real and Personal

- SB 711 - Modifies provisions regarding property taxation
- SB 748 - Requires property taxes paid by certain non-resident taxpayers to be added-back to adjusted gross income
- HB 2058 - Provides tax incentives for business development
-

Psychologists

- HB 2065 - Modifies the law relating to licensed psychologists
-

Public Assistance

- SB 720 - Modifies provisions relating to utilities
- HB 1946 - Modifies provisions relating to adoption subsidies and youth development programs
-

Public Buildings

- SB 1181 - Modifies and creates provisions pertaining to energy efficiency and energy regulation
- HB 1784 - Requires any American or Missouri flag flown on state property to be manufactured in the United States
-

Public Officers

- SB 711 - Modifies provisions regarding property taxation
- SB 1038 - Repeals campaign contribution limits and modifies reporting requirements
- HB 2233 - Bars certain individuals from advocating for political appointments
-

Public Safety Dept.

- SB 733 - Requires crime laboratories providing reports or testimony to a state court to be accredited by 2012
- SB 932 - Modifies provisions relating to law enforcement
- HB 1341 - Requires owners of for-profit swimming pools to maintain adequate liability insurance in the event of injury or death of a patron
- HB 2224 - Modifies various provisions relating to law enforcement
-

Public Service Commission

- SB 720 - Modifies provisions relating to utilities
- SB 958 - Allows rural electric cooperatives to manage vegetation within specified areas to ensure reliable service
- SB 1181 - Modifies and creates provisions pertaining to energy efficiency and energy regulation
- HB 1426 - Removes the requirement that the Missouri Public Service Commission issue an annual economic impact report on certain telecommunication laws
- HB 1779 - Modifies laws regarding underground facilities and telecommunications services
-

Railroads

- HB 1779 - Modifies laws regarding underground facilities and telecommunications services
-

Retirement - Local Government

- HB 1710 - Modifies provisions regarding supplemental and disability retirement for Kansas City police officers and civilian employees
-

Retirement Systems and Benefits - General

- SB 980 - Modifies provisions regarding supplemental and disability retirement benefits for Kansas City police officers and civilian employees
-

Revenue Dept.

- SB 930 - Modifies various provisions relating to the regulation of transportation and the regulation of motor vehicles
- SB 931 - Modifies provisions pertaining to the administration of agriculture incentives and programs
- HB 1354 - Exempts self-propelled sprayers that are used for spraying chemicals or spreading fertilizer from complying with titling, registration and license plate display laws
- HB 1628 - Exempts historical vehicles powered by liquid petroleum or natural gas from the alternative fuel decal requirement and tax
- HB 1670 - Removes the requirement for certification by the Department of Natural Resources before a sales and use tax exemption applies to the purchase or lease of certain items used to monitor water and air pollution
- HB 1828 - Requires the Director of the Department of Revenue to establish and enforce reasonable sales and use tax rules and regulations
-

Roads and Highways

- SB 753 - Designates certain stretches of highway after law enforcement or military personnel
- SB 896 - Modifies the methods in which certain special road districts may form, expand or dissolve within fourth class counties
- HB 1354 - Exempts self-propelled sprayers that are used for spraying chemicals or spreading fertilizer from complying with titling, registration and license plate display laws

Roads and Highways (cont'd)

- HB 1575 - Designates a portion of State Highway 87 in Moniteau County as the "Lance Corporal Leon B. Deraps Memorial Highway"
- HB 1575 - Designates a portion of State Highway 87 in Moniteau County as the "Lance Corporal Leon B. Deraps Memorial Highway"
- HB 1887 - Designates a portion of State Highway 13 in Polk County as the "Rick Seiner Memorial Highway"
- HB 1952 - Designates a bridge in Maries County as the "Roy Bassett Memorial Bridge"
- HB 2360 - Designates a portion of Highway 169 in Gentry County as the "Mo. Hwy. Patrol Corporal Henry C. Bruns Memorial Highway"
-

Saint Louis

- HB 2058 - Provides tax incentives for business development
-

Science and Technology

- SB 818 - Modifies various provisions relating to stalking and harassment
-

Search and Seizure

- SB 932 - Modifies provisions relating to law enforcement
-

Secretary of State

- SB 956 - Modifies provisions relating to public water supply districts
- SB 1150 - Extends the sunset provisions for fees to be credited to the technology trust fund
- HB 1311 - Imposes certain requirements on write-in candidates for municipal office
-

Sewers and Sewer Districts

- SB 1033 - Prohibits water or sewer line easements from being considered transfers of title of real property to counties and other political subdivisions
-

Social Services Dept.

- SB 720 - Modifies provisions relating to utilities
- SB 768 - Creates the Missouri Commission on Autism Spectrum Disorders and the Office of Autism Services
- HB 1946 - Modifies provisions relating to adoption subsidies and youth development programs
- HB 2036 - Repeals the formula distribution requirements for additional funding for certain services for the elderly
-

Sovereign or Official Immunity

- HB 2047 - Changes the law regarding street grading in cities with over 300,000 inhabitants and allows certain counties of the third classification to impose a tax on agricultural and horticultural land, upon voter approval, for purchasing road rock
-

State Departments

- HB 1313 - Requires the state and political subdivisions to favor service disabled veteran businesses when letting contracts
-

State Tax Commission

- SB 711 - Modifies provisions regarding property taxation
-

Tax Credits

- SB 718 - Modifies provisions of certain tax credit programs administered by the Department of Economic Development

Tax Credits (cont'd)

- HB 2058 - Provides tax incentives for business development
HB 2058 - Provides tax incentives for business development
HB 2393 - Modifies provisions of the enhanced enterprise tax benefit program
-

Taxation and Revenue - General

- SB 931 - Modifies provisions pertaining to the administration of agriculture incentives and programs
SB 1081 - Modifies provisions regarding quality assurance and safety in the Division of Mental Retardation and Developmental Disabilities Community Programs
HB 1311 - Imposes certain requirements on write-in candidates for municipal office
HB 1628 - Exempts historical vehicles powered by liquid petroleum or natural gas from the alternative fuel decal requirement and tax
HB 2058 - Provides tax incentives for business development
HB 2393 - Modifies provisions of the enhanced enterprise tax benefit program
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Taxation and Revenue - Income

- SB 748 - Requires property taxes paid by certain non-resident taxpayers to be added-back to adjusted gross income
SB 863 - Allows married taxpayers filing joint returns to deduct a portion of contributions to the Missouri Higher Education Savings Program from income and provides similar tax treatment for other qualified tuition savings programs
SB 979 - Terminates eligibility for surviving spouse of public safety officer income tax credit upon remarriage
SB 1105 - Creates an income tax check-off for contributions to the breast cancer awareness trust fund
HB 2058 - Provides tax incentives for business development
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Taxation and Revenue - Property

- SB 711 - Modifies provisions regarding property taxation
SB 748 - Requires property taxes paid by certain non-resident taxpayers to be added-back to adjusted gross income
SB 939 - Modifies various provisions relating to levee and drainage districts
HB 1380 - Authorizes allocation of property taxes to senior center
HB 2058 - Provides tax incentives for business development
HB 2393 - Modifies provisions of the enhanced enterprise tax benefit program
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Taxation and Revenue - Sales and Use

- SB 1073 - Creates a state and local sales and use tax exemption for defense articles sold to foreign governments
SB 1131 - Excludes tax revenues, derived from certain transportation sales taxes imposed by the City of Kansas City, from tax increment finance economic activity taxes used to pay redevelopment costs
SB 1181 - Modifies and creates provisions pertaining to energy efficiency and energy regulation
HB 1670 - Removes the requirement for certification by the Department of Natural Resources before a sales and use tax exemption applies to the purchase or lease of certain items used to monitor water and air pollution
HB 1828 - Requires the Director of the Department of Revenue to establish and enforce reasonable sales and use tax rules and regulations
HB 2058 - Provides tax incentives for business development
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Telecommunications

- HB 1426 - Removes the requirement that the Missouri Public Service Commission issue an annual economic impact report on certain telecommunication laws
- HB 1779 - Modifies laws regarding underground facilities and telecommunications services
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Terrorism

- SB 951 - Modifies the law relating to emergency response within financial institutions
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Transportation

- SB 896 - Modifies the methods in which certain special road districts may form, expand or dissolve within fourth class counties
- SB 930 - Modifies various provisions relating to the regulation of transportation and the regulation of motor vehicles
- SB 1131 - Excludes tax revenues, derived from certain transportation sales taxes imposed by the City of Kansas City, from tax increment finance economic activity taxes used to pay redevelopment costs
- HB 1575 - Designates a portion of State Highway 87 in Moniteau County as the "Lance Corporal Leon B. Deraps Memorial Highway"
- HB 1715 - Modifies various provisions relating to the Water Patrol and watercraft regulations
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Transportation Dept.

- SB 753 - Designates certain stretches of highway after law enforcement or military personnel
- SB 930 - Modifies various provisions relating to the regulation of transportation and the regulation of motor vehicles
- HB 1422 - Authorizes the State Highways and Transportation Commission to take the necessary steps to implement and administer a state plan to conform with the Unified Carrier Registration Act of 2005
- HB 1575 - Designates a portion of State Highway 87 in Moniteau County as the "Lance Corporal Leon B. Deraps Memorial Highway"
- HB 1887 - Designates a portion of State Highway 13 in Polk County as the "Rick Seiner Memorial Highway"
- HB 1952 - Designates a bridge in Maries County as the "Roy Bassett Memorial Bridge"
- HB 2360 - Designates a portion of Highway 169 in Gentry County as the "Mo. Hwy. Patrol Corporal Henry C. Bruns Memorial Highway"
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Treasurer, State

- SB 1181 - Modifies and creates provisions pertaining to energy efficiency and energy regulation
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Uniform Laws

- SB 1139 - Revises the Uniform Anatomical Gift Act
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Utilities

- SB 720 - Modifies provisions relating to utilities
- SB 958 - Allows rural electric cooperatives to manage vegetation within specified areas to ensure reliable service
- SB 1181 - Modifies and creates provisions pertaining to energy efficiency and energy regulation
- HB 1426 - Removes the requirement that the Missouri Public Service Commission issue an annual economic impact report on certain telecommunication laws
- HB 1779 - Modifies laws regarding underground facilities and telecommunications services

Veterans

- SB 806 - Requires all government buildings to fly the U.S. and Missouri flags at half-staff when any Missouri resident is killed in combat
- HB 1313 - Requires the state and political subdivisions to favor service disabled veteran businesses when letting contracts
- HB 1575 - Designates a portion of State Highway 87 in Moniteau County as the "Lance Corporal Leon B. Deraps Memorial Highway"

Vital Statistics

- HB 1640 - Provides for exceptions to the requirement for issuing a new birth certificate following adoption

Waste - Hazardous

- SB 907 - Modifies provisions pertaining to motor fuel storage tanks and equipment

Water Patrol

- SB 1187 - Removes the ninety-nine member cap on the Water Patrol membership
- HB 1715 - Modifies various provisions relating to the Water Patrol and watercraft regulations

Water Resources and Water Districts

- SB 956 - Modifies provisions relating to public water supply districts
- SB 1033 - Prohibits water or sewer line easements from being considered transfers of title of real property to counties and other political subdivisions
- SB 1040 - Modifies requirements relating to the issuance of grants and loans by the Department of Natural Resources for storm water control
- SJR 45 - Modifies requirements relating to the issuance of grants and loans by the Department of Natural Resources for storm water control
- HB 1881 - Changes the length of the term of office for the initially appointed directors of public water supply districts

Weapons

- HB 2034 - Modifies various provisions relating to weapons
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