



MISSOURI SENATE
JEFFERSON CITY

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Additional Measures Sent to the Governor

*Bills Regarding Crime, Preneed Funeral Contracts, and Our State's Mortgage Brokers
Await the Governor's Signature*

Last week I mentioned several bills that were passed by the General Assembly and have been sent to the governor for his signature. Those bills included provisions that would boost our state's economy while instituting tax credit reform, and wide-ranging legislation designed to institute major reforms for schools across Missouri.

The Legislature also delivered to the governor an omnibus crime bill that sets out to protect our state's citizens, legislation that ensures consumer safeguards regarding preneed funeral contracts, and a bill that addresses our state's mortgage lending crisis.

Crime

For the first time in several years, the General Assembly has passed a sweeping crime bill that includes more than 50 provisions. [House Bill 62](#) includes language from a bill I filed last session dealing with dangerous behavior on our state's rivers due to irresponsible alcohol use. Portions of [Senate Bill 2](#) are now included in the omnibus crime bill, which prohibits the use of beer bongs or other devices used for rapidly consuming alcohol on rivers in our state. The legislation also prohibits large volume alcohol containers on a river or possessing certain coolers within 50 feet of a river.

Other provisions in House Bill 62 include prohibiting the use of a false or misleading diploma in connection with admission to a college or university or in connection with employment; creating penalties for owners of dogs that cause injury, and gives an absolute defense against civil liability or prosecution for killing or injuring certain threatening dogs; and banning the use or possession of an alcoholic beverage vaporizer designed for rapid alcohol consumption. House Bill 62 was passed with an emergency clause, meaning the bill takes effect immediately upon receiving the governor's signature.

Preneed Funeral Contracts

The first Senate bill I filed last session, [Senate Bill 1](#), amends Missouri's statutes regarding

preneed funeral contracts. Several states regulate this industry and without these much-needed regulations in our state, citizens purchasing preneed funeral contracts would not have certain rights compared to other consumers. Pre-paying for funerals in advance, which results in preneed funeral contracts, has caught the attention of other states for the need to regulate this type of business. Throughout the life of this bill — from its creation to its passage in the Legislature — lawmakers have become aware of these types of contracts and the complications these agreements can pass down to the consumers.

Senate Bill 1 tackles the biggest complication with these types of contracts, which is the length of time between signing the agreement and the need for services in the contract. The legislation establishes licensing and contract requirements for preneed funeral contract sellers, providers, and seller agents. Senate Bill 1 will help prevent situations where individuals take advantage of vulnerable citizens in their time of stress and grief. With the governor's signature, the bill will become law on Aug. 28 with the majority of other bills delivered to his desk.

Mortgage Brokers

I also handled a House bill in the Senate this session that addresses the mortgage lending crisis in our state. Congressional delegations all the way down to local government entities feel that many licensed mortgage brokers were partially responsible for our current economic climate by issuing bad loans, which has had a devastating effect on so many Americans.

[House Bill 382](#) further regulates the licensing of residential mortgage brokers in Missouri. Each licensed broker must register with and maintain a valid unique identifier issued by the [Nationwide Mortgage Licensing System and Registry](#). Also, brokers must verify their identity for the purpose of a background check and meet a certain set of requirements, such as demonstrating financial responsibility and passing a written test.

The measure also prohibits mortgage brokers from engaging in certain activities, including obtaining property by fraud or misrepresentation and directly or indirectly defrauding or misleading borrowers or lenders. Once House Bill 382 is signed by the governor, the provisions in the bill will become law.

If you have any questions about the more than 160 measures that have been sent to the governor for his signature, please feel free to contact me at (573) 751-8793 or by e-mail at: delbertscott@senate.mo.gov.

Senator Delbert Scott represents the people of Barton, Benton, Cedar, Dallas, Henry, Hickory, Pettis, Polk and St. Clair counties in the Missouri Senate.

