

95th General Assembly

First Regular Session

MISSOURI SENATE



WEEKLY BILL STATUS REPORT

April 20 - April 24, 2009

Prepared by
Divisions of Research and Computer Information Systems

*** SB 1 ***

HCS SS SCS SB 1

0404L.09C

SENATE SPONSOR: Scott

HOUSE HANDLER: Wasson

HCS/SS/SCS/SB 1 - This act establishes licensing requirements for preneed funeral contract sellers, providers, and seller agents and establishes requirements for all preneed contracts.

All preneed providers shall be registered to conduct business in Missouri and identify a custodian of records and any seller authorized by the provider to sell preneed contracts in connection with the seller. If the applicant is a corporation, each officer, director, manager, or controlling shareholder shall be of good moral character and be eligible for licensure if they were individually applying for licensure. (333.315)

All preneed sellers shall be registered to conduct business in Missouri and identify a custodian of records and any provider that has authorized the seller to designate such person as a provider under a preneed contract. If the applicant is a corporation, each officer, director, manager, or controlling shareholder shall be of good moral character and be eligible for licensure if they were individually applying for licensure. Sellers shall also establish a trust in order to sell trust funded preneed contracts. (333.320)

Preneed agents selling contracts on behalf of a seller shall be at least 18 years old and provide the name and address of each seller for whom the applicant is authorized to sell preneed contracts. (333.325)

The grounds for denial, suspension, and revocation of licenses and registrations are made the same for embalmers, funeral directors, preneed sellers, preneed providers, and preneed agents. Individuals whose license or registration are revoked shall wait three years to reapply. (333.330)

Persons shall not be designated as a preneed provider unless they have a written contractual agreement with the seller stating as such. (436.420)

The act enumerates provisions required to be included in all preneed contracts. (436.425)

In the case of a trust funded contract, sellers shall place at least 95% of the total amount of the contract into the trust. The calculation of the total contract amount shall include the origination fee which may be up to the first 5% which may be retained by the seller. All payments minus any origination fee must be deposited into the trust within 60 days of receipt. After the seller has deposited payments into the trust, the trustee may disburse up to 10% of the total of payments received into the trust on the contract. Payments of two or more contracts may be commingled in the same preneed trust if adequate records are kept. Expenses of establishing and administering the trust may be paid from income generated from the trust. If the income is insufficient to pay such fees, the seller is obligated to pay the fees. Sellers and providers are entitled to all of the income of the trust according to the terms of the contract, less the administration fees, which shall accrue through the life of the trust, the market value of which may be distributed upon termination of the trust. (436.430)

Trustees shall be held to the prudent investor standard and shall diversify the investments in the trust unless the trustee reasonably determines that the purpose of the trust is better served without diversification. (436.435)

Sellers, providers, and preneed agents shall not receive or collect from the purchaser of an insurance funded preneed contract, any amount in excess of what is required to pay the premiums on the insurance policy as assessed or required by the insurer as premium payments for the insurance policy. Sellers shall not collect any fees from the purchaser of an insurance funded preneed contract, other than those fees assessed by the insurer. Term life insurance policies shall not be used to fund a preneed contract unless a purchaser has a preexisting insurance policy and assigns benefits to qualify for public services. Providers, sellers, and agents shall not procure or accept a loan against an insurance contract used to fund a preneed contract. The purchaser or beneficiary shall be the owner of the insurance policy purchased to fund a preneed contract which shall only be valid if the seller or provider is named as the beneficiary or assignee of the policy. If the proceeds of the policy exceed the cost of goods and services provided pursuant to the contract, any overage shall be paid to the estate of the beneficiary or to the state if the beneficiary received public assistance. (436.450)

Sellers and purchasers may agree to use a joint account to fund the contract. A separate joint account shall be established for each preneed contract. All payments shall be deposited in the account within 10 days of receipt of the payment by the seller. Financial institutions shall not invest the funds of the account in term life insurance or any investment that does not reasonably have the potential to gain income. (436.455)

Purchasers may cancel a revocable contract any time without cause. In the case of a joint account funded contract, all deposited funds shall be returned to the purchaser and interest shall be distributed as provided in the agreement between the seller and purchaser. In the case of a trust funded contract, all of the trust property including any percentage allowed to be withdrawn but excluding interest, shall be returned to the purchaser. The insurance contract shall determine distribution in the case of an insurance funded contract. (436.456)

Sellers may cancel a trust funded or joint account funded contract if the purchaser is in default for over 60 days. Purchasers may remit payments in arrears if the seller chooses not to cancel the contract. If the purchaser fails to remit payments, the seller may cancel the contract or continue the contract where the purchaser will receive full credit for all payments the purchaser has made. Upon cancellation, 80% of the contract payments shall be refunded to the purchaser. (436.457)

Purchasers may select a different provider and shall not be assessed any fee for doing so. In such cases, the seller has the option of continuing the trust or transferring the funds to another preneed trust as designated by the new provider. (436.458)

Sellers shall file annual reports with the board that includes various information relating to the types of contracts they are holding and the details relating to the trusts and joint accounts holding assets for the contracts and the insurance contracts used to fund the contracts. (436.460)

The board shall have the authority to conduct random inspections, investigations, and audits of preneed providers, sellers and agents, and trust and joint accounts holding assets to fund preneed contracts. Financial examinations shall be conducted at least once every five years. The Attorney General shall have concurrent jurisdiction in conducting inspections, investigations, and audits. (436.470)

Those who knowingly and willfully violate any of the aforementioned provisions is guilty of a class C felony. (436.485)

Providers and sellers who cease to do business shall notify the board and certain providers, sellers, and purchasers that it is doing so. (436.490, 436.500)

Preneed contracts may offer the purchaser the option to acquire and maintain credit life insurance on the life of the purchaser to provide for the payment of death benefits to the seller in an amount equal to the total of all contract payments unpaid as of the date of the purchaser's death. (436.505)

CHRIS HOGERTY

12/01/2008 Prefiled
01/07/2009 S First Read--SB 1-Scott (S8)
01/22/2009 Second Read and Referred S Small Business, Insurance and Industry Committee (S167)
01/22/2009 Re-referred S Financial and Governmental Organizations and Elections Committee (S172)
01/26/2009 Hearing Conducted S Financial and Governmental Organizations and Elections Committee
02/02/2009 SCS Voted Do Pass S Financial and Governmental Organizations and Elections Committee (0404S.04C)
02/05/2009 Reported from S Financial and Governmental Organizations and Elections Committee to Floor w/SCS (S254)
02/10/2009 SS for SCS S offered (Scott)--(0404S.05F) (S278)
02/10/2009 Bill Placed on Informal Calendar (S279)
02/12/2009 SA 1 to SS for SCS S offered & adopted (Scott)--(0404S05.22S) (S296-297)
02/12/2009 SA 2 to SS for SCS S offered & adopted (Scott)--(0404S05.24S) (S297)
02/12/2009 SA 3 to SS for SCS S offered & adopted (Goodman)--(0404S05.19S) (S297-301)
02/12/2009 SS for SCS, as amended, S adopted (S301)
02/12/2009 Perfected (S301)
02/16/2009 Reported Truly Perfected S Rules Committee (S310)
02/16/2009 Referred S Governmental Accountability and Fiscal Oversight Committee (S310)
02/19/2009 Hearing Conducted S Governmental Accountability and Fiscal Oversight Committee
02/19/2009 Voted Do Pass S Governmental Accountability and Fiscal Oversight Committee
02/19/2009 Reported from S Governmental Accountability and Fiscal Oversight Committee to Floor (S338)
02/19/2009 S Third Read and Passed (S340)
02/19/2009 H First Read (H360)
02/23/2009 H Second Read (H392)

02/26/2009 Referred H Special Standing Committee on Professional Registration and Licensing Committee (H418)
 03/04/2009 Hearing Conducted H Special Standing Committee on Professional Registration and Licensing Committee
 03/25/2009 HCS Voted Do Pass H Special Standing Committee on Professional Registration and Licensing Committee
 03/25/2009 HCS Reported Do Pass H Special Standing Committee on Professional Registration and Licensing Committee (H714)
 03/25/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H714)
 03/31/2009 Hearing Cancelled H Rules Committee
 04/02/2009 Hearing Conducted H Rules Committee
 04/02/2009 HCS Voted Do Pass H Rules Committee
 04/02/2009 HCS Reported Do Pass H Rules Committee (H925)
 04/27/2009 H Calendar S Bills for Third Reading w/HCS

EFFECTIVE: August 28, 2009

*** SB 2 ***

0281S.011

SENATE SPONSOR: Scott

SB 2 - This act prohibits certain activities from being committed on the rivers of this state, including:

- 1) Possessing or using beer bong or other devices intended for rapid consumption of alcohol;
- 2) Possessing or consuming any alcoholic substance that is produced in gelatin form (Jell-o shots);
- 3) Possessing or using any large volume alcohol containers that hold more than one gallon;
- 4) Distributing Mardi Gras bead necklaces or similar paraphernalia; and
- 5) Possessing Styrofoam coolers on or within fifty feet of any such river, unless in a campground, picnic area, landing, road, or parking lot.

Violation of these provisions is a Class A misdemeanor.

SUSAN HENDERSON MOORE

12/01/2008 Prefiled
 01/07/2009 S First Read--SB 2-Scott (S8)
 01/22/2009 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S167)
 02/02/2009 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2009

*** SB 3 ***

0263S.011

SENATE SPONSOR: Scott

SB 3 - This act creates the "Business Premises Safety Act." The act provides that a business owners or operators shall not restrict any person from lawfully possessing a firearm in a motor vehicle, except for a motor vehicle owned or leased by such business.

The act also provides that business owners or operators have no duty to guard against the criminal acts of a third party, unless they know or have reason to know that the criminal acts are occurring or are about to occur on the premises, or if the same criminal acts have occurred on the premises within the prior 24 months.

A business also has no duty to implement security measure for the protection of its customers, but shall determine if such measures shall be implemented by considering the magnitude of the burden to the business and the foreseeability of the injury to be prevented. If past criminal activities have occurred, evidence of remedial action shall be inadmissible to show prior negligence.

Business owners or operators shall not be liable for injury or damage resulting from compliance with the provisions of this act.

This act is similar to HB 1383 (2008) and SB 1286 (2008).

JIM ERTLE

12/01/2008 Prefiled
 01/07/2009 S First Read--SB 3-Scott and Engler (S8)
 01/22/2009 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S167)
 01/26/2009 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2009

*** SB 4 ***

0527S.011

SENATE SPONSOR: Shields

SB 4 - This act requires the Department of Social Services in collaboration with the Departments of Health and Senior Services, Elementary and Secondary Education, and Mental Health to develop by September 1, 2009, a quality rating system for early childhood and before-and after-school programs licensed by the Department of Health and Senior Services that operate in this state. The licensing of such facilities shall be the baseline, while the highest rating includes accreditation. The departments shall utilize the model from the existing Missouri quality rating system pilots developed by the University of Missouri Center for Family Policy and Research to establish the system. The system will allow consumers and parents to evaluate and select high quality programs and creates a system of accountability for policymakers and those who fund such programs.

By July 1, 2012, all licensed child care facilities voluntarily receiving quality improvement funds and services shall, upon the facilities' request, be rated using the quality rating system established under this act. The Coordinating Board of Early Childhood shall develop a plan for a tiered system of reimbursement for child care subsidies based on the quality rating system established under this act. The proposed plan shall be submitted to the General Assembly with recommendations for implementation of the reimbursement system by December 31, 2010. The plan shall only become effective upon passage of a concurrent resolution by the General Assembly authorizing the implementation of the plan.

The Quality Rating System Program Improvement Grant Fund is established and shall consist of all gifts, donations, transfers, moneys appropriated by the General Assembly, and bequests to the fund. Money in the fund shall be used to provide grants directly to licensed providers seeking assistance for quality improvements to undergo evaluation under the quality rating system established under this act or to community-based organizations assisting providers with such improvements.

The Department of Social Services in collaboration with the Departments of Health and Senior Services, and Elementary and Secondary Education shall be responsible for promoting and distributing materials to educate the public and providers about the quality rating system established under this act. By January 1, 2011, the ratings of the quality rating system shall be posted on the Internet in a format easily understood and accessible by the public.

This act shall sunset in six years.

This act is similar to SS/SCS/SB 726 (2008).

ADRIANE CROUSE

12/01/2008 Prefiled
 01/07/2009 S First Read--SB 4-Shields (S8)
 01/22/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S168)
 02/03/2009 Hearing Conducted S Health, Mental Health, Seniors and Families Committee
 02/10/2009 Voted Do Pass S Health, Mental Health, Seniors and Families Committee

EFFECTIVE: August 28, 2009

*** SB 5 ***

SS#2 SCS SB 5

0233S.07P

SENATE SPONSOR: Griesheimer

SS#2/SCS/SB 5 - This act creates the Missouri County Planning Act. Nothing in this act shall affect the existence or validity of a county ordinance or order adopted prior to August 28, 2009. This act shall not be construed to authorize any county commission, county health center board, or planning commission to promulgate orders, ordinances, rules, or regulations that would apply to agricultural operations. The act shall not be applicable to property owned, used, or operated for rail purposes.

ESTABLISHMENT, POWERS, AND OPERATION OF PLANNING COMMISSIONS

This act allows any county with an assessed valuation of greater than \$200 million to create, adopt, amend, and carry out a county plan. Any such county commission may establish and appoint a planning commission.

Before appointing a planning commission, the county commission shall hold at least two public hearings in order to obtain public comments. At the hearings, the county must provide information regarding the scope, anticipated cost, and funding source for the county planning. The county commission shall appoint members to the planning commission, and shall, by resolution, ordinance, or order, establish the procedures for membership, compensation, terms, vacancies, and removal. The act specifies the membership of planning commissions in counties of the first, second, and third classification. In counties of the second and third classification, there shall be one member to represent each general farm organization with at least twenty-five members in the county, unless no member is willing to serve. Once formed, the planning commission shall elect officers and adopt rules.

The planning commission shall have various powers, including preparing and reviewing comprehensive plans, recommending regulations, reviewing plat applications, public improvements for accordance with the comprehensive plan, and zoning regulations, appointing employees, and other powers delegated to it by the county commission.

COMPREHENSIVE PLAN

The purpose of a comprehensive plan is to guide and accomplish the coordinated, efficient, and orderly physical development of the county. The planning commission may determine the applicability to the county of certain elements, such as land use, transportation, housing, community facilities, economic development, natural, cultural, or historical resources, human services, community design, and sustainability. The comprehensive plan developed by the commission may contain policies regarding any of these elements.

During the process of developing a plan, the commission shall accept and consider public comments. The commission must provide public notice and hold at least one public hearing prior to adopting a plan. The planning commission, by a majority vote, may adopt a comprehensive plan as a whole by a single resolution. The commission may also adopt portions of the plan at different times.

Upon adoption, the plan must be properly filed. A record of the public involvement must be attached to the resolution approving the plan. The plan may be adopted by the county commission by resolution only after a vote of the people. The planning commission may periodically review and amend the comprehensive plan. Amendments to the plan may be prepared at any time.

SUBDIVISION REGULATIONS

Under this act, the planning commission may recommend, and the county commission may adopt, regulations governing the subdivision of land. In lieu of immediate installation of work required by the regulations, the commission may, at the option of the developer, accept an escrow secured with cash or an irrevocable letter of credit or a surety bond, which provides for the construction of such improvements within a certain period of time.

If a developer transfers title of the subdivision property prior to full release of the escrow or bond, the county shall accept a replacement escrow or bond from the successor developer and release the original developer from further obligations. The county shall release any escrow or bond held to secure actual construction on a category of improvements or utilities within 30 days of completion. The county must inspect each category for completion within 20 business days after a request to do so. If the county does not release the escrow or bond in the time permitted, the county shall pay the owner or developer the funds due plus interest. Any developer aggrieved by the county's failure to meet these requirements may bring a civil action to enforce these requirements.

Before adopting or amending subdivision regulations, the planning commission must provide notice and hold a public hearing. A county commission may hold a public hearing, but no separate hearing is required for the adoption of subdivision regulations by the county commission after receiving the planning commission's recommendation.

After subdivision regulations are adopted, no subdivision plat shall be recorded until it is approved by the planning commission, unless the commission does not act within 30 days. The county commission may overrule the rejection of a plat by the planning commission after a public hearing. At the request of a

municipality, a planning commission may subject subdivision plats to its regulations.

The planning commission, after a public hearing, may vacate any plat of a subdivision of land located in the unincorporated areas of the county.

REVIEW OF PUBLIC IMPROVEMENTS

After a planning commission adopts a comprehensive plan, no street, public improvement, or public utility may be constructed in a location within the plan, without review and approval by the commission. The act outlines a procedure for the aggrieved party to follow if the commission does not approve the construction.

MAJOR STREET PLAN

A planning commission may adopt a major street plan for all areas of the county in accordance with the transportation element of a comprehensive plan. The county may, by ordinance, establish building lines on any public street identified in the street plan.

ZONING REGULATIONS

A planning commission may recommend, and the county commission may adopt, zoning regulations. Prior to adopting zoning regulations, the county commission shall submit the question of whether it should adopt such regulations to the voters. The act describes what the zoning regulations may include and what they may regulate, including certain building specifications, land use, density of nonresidential structures, design of site elements and open spaces, and preservation of natural resources. The regulations must define the boundaries of zoning districts or other areas where the regulations differ from one another. One appointed person shall be responsible for interpreting the zoning ordinances.

Zoning regulations shall not apply to the raising of crops, livestock, orchards, or forestry, or to seasonal or temporary impoundments used for rice farming or flood irrigation. Also, zoning regulations shall not apply to the erection, maintenance, repair, alteration or extension of farm buildings or farm structures used for such purposes in an area not within the area shown on the flood hazard area map, nor shall they apply to underground mining where entrance is through an existing shaft or shafts or through a shaft or shafts not within the area shown on the flood hazard area map.

ZONING PROCEDURES

The planning commission must provide notice and shall hold a public hearing on proposed zoning regulations. The act provides how the commission shall approve recommendations and the procedure of the county commission when either approving or overruling the commission's recommendations.

The county commission may amend zoning regulations, maps, or districts. Amendments may be initiated by the planning commission, county commission, or a property owner. A procedure is established for making such amendments.

BOARD OF ZONING ADJUSTMENT

Any county commission, which has adopted a zoning map and regulations, shall appoint a county board of zoning adjustment. The board shall consist of 5 residents with not more than 2 being residents of incorporated areas. After the initial members have staggered terms, the members shall serve four-year terms.

The board shall have the following powers and it shall be its duty to:

- 1) hear and decide appeals about errors of law or any determination made by officials regarding zoning regulations;
- 2) hear and decide matters referred to it or matters it is required to determine under the zoning regulations; and
- 3) authorize a variance from the strict application of a regulation when it causes a property owner to endure an unreasonable hardship.

The board shall elect a chair and adopt rules of procedure. Meetings of the board shall be open to the public. This act outlines who may bring appeals and when such appeals may be brought before the board. With limited exceptions, an appeal shall stay all proceedings in furtherance of the action appealed. Any person aggrieved by a decision of the board may petition the circuit court for relief.

VIOLATIONS AND PENALTIES

Any violation of any regulation adopted under the authority of this act shall be a misdemeanor with each day of the offense being considered a separate offense. Any county commission that has appointed a county counselor may impose a civil fine for each violation under this act. The fines will be payable to the county general revenue fund and go towards paying the costs of enforcing this act. The county may bring an action to enforce the regulations.

No land owner within a platting jurisdiction of a county that has adopted subdivision regulations may transfer such land before the plat has been approved by the county commission or planning commission and properly recorded, unless such owner discloses in writing that such plat has not been approved and the sale is contingent upon approval by the planning or county commission. Each improper transfer is a violation and may be enjoined by the county.

The county may designate a zoning inspector to examine and serve violation orders. The act sets out the penalties for persons who refuse to comply with such orders.

MISCELLANEOUS PROVISIONS

The authority granted under this act shall not be used to deprive the owner of any existing property of its use or maintenance for the purpose to which it is lawfully devoted. The authority granted shall also not interfere with public utility services or services of a rural electric cooperative.

Counties may enter into agreements with other public or private organizations, agencies, or bodies to perform planning duties and functions and adopt plans prepared pursuant to cooperative agreements. The county commission may adopt regulations created pursuant to such agreements.

This act is similar to HB 1832 (2008) and SB 729 (2008).

SUSAN HENDERSON MOORE

12/01/2008 Prefiled
 01/07/2009 S First Read--SB 5-Griesheimer (S8)
 01/22/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S168)
 02/04/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee
 02/18/2009 SCS Voted Do Pass S Jobs, Economic Development and Local Government Committee (0233S.03C)
 02/26/2009 Reported from S Jobs, Economic Development and Local Government Committee to Floor w/SCS (S419)
 03/03/2009 SS for SCS S offered (Griesheimer)--(0233S.04F) (S456)
 03/03/2009 SA 1 to SS for SCS S offered & adopted (Griesheimer)--(0233S04.01S) (S456)
 03/03/2009 SA 2 to SS for SCS S offered (Griesheimer)--(0233S04.02S) (S456-457)
 03/03/2009 Bill Placed on Informal Calendar (S457)
 03/24/2009 SS for SCS S withdrawn (S694)
 03/25/2009 SS#2 for SCS S offered & adopted (Griesheimer)--(0233S.07F) (S694)
 03/25/2009 Perfected (S694)
 03/25/2009 Reported Truly Perfected S Rules Committee (S702)
 03/26/2009 Bill Placed on Informal Calendar (S773)
 04/16/2009 S Third Read and Passed (S1049-1050 / H1110)
 04/16/2009 H First Read (H1110)
 04/20/2009 H Second Read (H1117)
 04/20/2009 Referred H Ways and Means Committee (H1142)
 04/23/2009 Hearing Conducted H Ways and Means Committee

EFFECTIVE: August 28, 2009

*** SB 6 ***

0323S.011

SENATE SPONSOR: Griesheimer

SB 6 - Currently, the city mayor presides over the city council, but only votes in case of a tie. Under this act, the mayor shall vote: 1) where the vote of the council has resulted in a tie, 2) where one-half of the council elected have voted in favor of an ordinance, resolution, or motion even though there is no tie vote, or 3) where a vote greater than a majority of the council is required.

SUSAN HENDERSON MOORE

12/01/2008 Prefiled
01/07/2009 S First Read--SB 6-Griesheimer (S8-9)
01/22/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S168)
01/28/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee
EFFECTIVE: August 28, 2009

*** SB 7 ***

0196S.011

SENATE SPONSOR: Griesheimer

SS/SB 7 - This act modifies various provisions relating to political subdivisions.

SECTION 48.030

This section allows a county, after meeting the required assessed valuation, to become a second class county upon a vote of the governing body to change classifications. Currently, a county can only change classifications by a vote of the governing body if it is becoming a first class county; otherwise, the county must be at the required assessed valuation for five years before changing classifications. The effective date of the change in classification shall be at the beginning of the county fiscal year following the election by the governing body.

This section is identical to HCS/SB 820 (2008), SB 38 (2009), and HB 257 (2009).

SECTION 49.310

This section allows Caldwell County to establish a or holding facility outside of the county seat.

This section is identical to SB 457 (2009).

SECTION 49.710

Under this section, the county commission of any county without a charter form of government shall have the power to adopt ordinances requiring property owners to control brush on county right-of-ways or county maintenance easements that are part of the property owner's land that is adjacent to the county road.

Before charging a person with an ordinance violation, the county commission shall notify the property owner of the ordinance requirements, return receipt requested. The commission shall allow the owner thirty days from the date of return receipt or refusal of acceptance of delivery to control the brush. The property owner shall be granted an automatic thirty-day extension for hardship if the owner notifies the commission within the first thirty-day period of such reasons. The property owner may be granted a second thirty-day extension upon a vote of the commission.

Any property owner in violation of such a county ordinance may be ordered to pay a civil fine of not more than ten dollars per day. If the owner is found to be in violation of the ordinance, the county shall take action to control the brush as provided under Section 263.245, RSMo, not more than thirty-days after the fine was initially imposed.

This section is identical to SB 385 (2009).

SECTIONS 50.660 & 50.783

Under this section, a county is not required to obtain bids on purchases of \$6,000 or less. Currently, such amount is set at \$4,500.

Under current law, counties may waive competitive bidding when the County Commission determines that there is only one feasible source for the supply. This act requires counties to post notice on such proposed purchases of over \$6,000 and advertise the commission's intent to make such purchase in the newspaper at least ten days in advance. Currently, the commission must post notice for such proposed purchases of at least \$3,000 and also advertise in the newspaper for such purchases of at least \$5,000.

This section is identical to SB 256 (2009).

SECTIONS 52.290, 52.312, & 54.010

Currently, in counties without a charter form of government the collector collects a seven percent fee for the collection of delinquent taxes. In counties with a charter form of government and St. Louis City, the

collector collects a two percent fee for the collection of such taxes. Under these sections, in counties adopting a charter form of government after January 1, 2008, the collector shall collect a seven percent fee for the collection of delinquent taxes, while the collector in counties adopting a charter form of government before January 1, 2008, shall collect a two percent fee.

Currently, all counties, except counties with a charter form of government excluding St. Charles County, are required to establish a "Tax Maintenance Fund" to be used solely as a depository for funds received or collected for the purpose of funding additional costs and expenses incurred in the collector's office. Under these sections, counties adopting a charter form of government after January 1, 2008, shall be required to establish such a fund as well.

In the event a county of the third or fourth classification abolishes its township organization or the county collect becomes a collector-treasurer, the collector treasurer shall assume all duties, compensation, and requirements of the collector-treasurer.

These sections are identical to SCS/SB 123 (2009).

SECTIONS 52.361, 52.370, 55.140, 55.190, 139.031, 139.140, 139.150, 139.210, 139.220, 140.050, 140.070, 140.080, 140.160, and 165.071

These sections allow certain counties of the first and second classification to collect property taxes using electronic records and disbursements. County collectors of these counties are required by the fifteenth day of each month to file, with the county clerk and auditor, a detailed statement of all taxes and license fees collected during the preceding month. These sections modify the provisions regarding the payment of taxes in dispute.

These sections are similar to HB 148 (2009).

SECTION 59.319

This section increases certain user fees collected by county recorders from \$4 to \$7. Of the fee, three dollars, rather than two dollars, shall be deposited into the recorder's fund and two dollars, rather than one dollar, shall be used by the secretary of state for preservation of local records. Also, two dollars instead of one dollar shall be used to support land surveying activities. All requests for records dated after December 31, 1969, shall be made to the office in which the record was originally filed.

This section is identical to SCS/SB 362 (2009).

SECTION 65.610

This section allows the county commission, upon a majority vote, to put the issue of abolishing the county's township organization to a vote of the people. Currently, it requires a petition by 10% of the voters to submit the issue to a vote.

SECTION 67.280

This section requires communities to file one copy of any technical code adopted with the clerk's office to be available to the public, rather than three copies.

SECTION 67.281

A builder of family residences or multi-unit dwellings with no more than four units must offer purchasers to install fire sprinklers in the residence. No purchaser of such residences shall be denied the right to choose to install the fire sprinkler or decline the offer by the political subdivision's code, ordinance, rule, regulation, order or resolution. Such provisions must provide the mandatory option for purchasers to choose and the requirement that builders offer to purchasers such option.

SECTION 67.410

If a building commissioner issues an order to demolish, secure, repair, or clean up a property found to be a public nuisance, the cost shall be certified to the city clerk or officer in charge of finance, who shall cause the certified cost to be included in a special tax bill or added to the annual real estate tax bill, at the collecting official's option, for the property. The certified cost shall be collected by the city collector or other official collecting taxes. If the certified cost is not paid, the tax bill shall be considered delinquent.

This section removes the provision allowing the taxpayer to pay such tax bill back in installments over ten

years and instead the collection of such taxes shall be governed by the general laws on delinquent taxes.

SECTION 67.1360

This section authorizes the City of Ashland to seek voter approval for the imposition of a transient guest tax of not less than two percent nor more than five percent per occupied room per night. The tax authorized by this act must be separately stated from all other charges and taxes.

This section authorizes the governing body of Montgomery County to seek voter approval for the imposition of a transient guest tax. The amount of the tax will be at least two, but not more than five percent per occupied room per night, and all revenue derived from such tax will be used by the county to promote tourism.

This section is similar to SB 248 (2009) and SB 276 (2009).

SECTION 67.1361

This section allows the revenue derived from the transient guest tax for St. Joseph and Buchanan County be used for capital expenditures incurred in connection with tourism and convention facilities.

SECTION 67.2000

This section allows real property owners in Caldwell, Clinton, Daviess, and DeKalb counties to seek voter approval for the creation of exhibition center and recreational facility districts. If such a district is created, it may seek voter approval for the imposition of a one-quarter of one percent sales tax, for a period not to exceed twenty-five years, to fund the district.

This section is identical to SB 386 (2009).

SECTION 67.3000

It shall be lawful for Caldwell County to enter into a contract with private corporations engaged in delivering water at wholesale for domestic consumption. The county may also acquire, own, and hold, with private corporations, water mains.

This section is identical to SB 456 (2009).

SECTION 71.275

The governing body of a municipality may annex a research park that is compact and contiguous to the existing municipal boundaries if the property has not been sold within the previous six months and the municipality receives the written consent of all the property owners. The municipality and county shall adopt reciprocal ordinances authorizing the annexation. A "research park" is defined as an area developed by a university to be used by technology-intensive and research-based companies as a business location.

This section is identical to SB 377 (2009).

SECTIONS 79.450 & 320.121

If the governing body of Riverside enacts an ordinance prohibiting the selling of fireworks within its boundaries, any fireworks retailer located in a permanent building within such boundaries at the time of enactment shall not be subject to such ordinance and may continue to operate if otherwise properly licensed and remains in a permanent building.

SECTION 82.860

This section authorizes the City of Joplin to impose, upon voter approval, a transient guest tax of up to 8% per occupied room, per night for the promotion of tourism including, but not limited to, the construction, maintenance, and operation of tourism, cultural, artistic, and other attractions and amenities.

This section is identical to HB 710 (2009).

SECTION 94.271

This section authorizes the City of Grandview to seek voter approval to levy a sales tax of up to one-half percent to fund public safety improvements for the city. Such improvements may include expenditures on equipment, city employee salaries and benefits, and facilities for police, fire, and emergency medical providers.

This section is identical to SB 165 (2009).

SECTION 94.400

Currently, constitutional charter cities with a population between 10,000 and 300,000 are authorized to levy property taxes for certain municipal purposes, including libraries, hospitals, public health, and museum purposes. This act allows any city with a population of not less than 5,000 to do so.

This section is identical to HB 572 (2009).

SECTIONS 94.510 & 94.550

Currently, under the general city sales tax law, cities may impose a city sales tax, upon voter approval, at a rate of one-half of 1%, seven-eighths of 1%, or 1%, and the City of St. Louis may impose the tax at a rate not to exceed one and three-eighths percent, for the benefit of the city. These sections specify that the combined rate of sales taxes adopted under the city sales tax law cannot exceed 2%. This modification is not to be construed as a new tax or an increase in the current levy of an existing tax for the purpose of Section 22, Article X, of the Missouri Constitution, commonly known as the Hancock Amendment, which requires voter approval; and cities that have already imposed and collected taxes under the city sales tax law can continue to do so without voter approval as a continuation of a tax previously approved by the voters of the city.

These sections are similar to HB 169 (2009).

SECTION 94.577

Currently, under the capital improvements city sales tax law, cities not in St. Louis County may impose a sales tax, upon voter approval, at a rate of one-eighth, one-fourth, three-eighths, or one-half of 1% for the purpose of funding, operating, and maintaining capital improvements. Municipalities in charter counties are authorized to impose a capital improvements tax under Section 94.890, RSMo. This section specifies that the combined rate of sales taxes adopted under the capital improvement city sales tax law cannot exceed 1%. This modification is not to be construed as a new tax or an increase in the current levy of an existing tax for the purpose of the Hancock Amendment which requires voter approval; and cities that have already imposed and collected taxes under the city sales tax law can continue to do so without voter approval as a continuation of a tax previously approved by the voters of the city.

This section is similar to HB 169 (2009).

SECTION 94.902

This section authorizes the City of Grandview to seek voter approval to levy a sales tax of up to one-half percent to fund public safety improvements for the city. Such improvements may include expenditures on equipment, city employee salaries and benefits, and facilities for police, fire, and emergency medical providers.

This section is identical to SB 164 (2009).

SECTION 94.1011

This section authorizes the City of Waynesville, upon voter approval, to impose a transient guest tax of up to three percent per occupied hotel and motel room per night. The revenues derived from the tax must be used to fund the construction, maintenance, and repair of a multipurpose conference and convention center.

This section is identical to HB 1967 (2008), HB 28 (2009) and SB 387 (2009).

SECTION 137.1040

This section allows the governing body of a city, town, village or county to submit a proposal to the voters of such city, town village or county allowing the municipality to impose a property tax to fund cemetery maintenance. The tax authorized under this act shall not exceed one fourth of one cent per one hundred dollars assessed valuation and shall not become effective until approved by the voters of the city, town village or county.

This section is identical to the Perfected version of Senate Bill 822 (2008) and SB 168 (2009).

SECTIONS 140.150, 140.190, 140.230, 140.250, 140.260, 140.290, 140.310, 140.340, 140.405, and 140.420

These sections change the provisions regarding the sale of real property for the collection of delinquent

taxes. The collector is required to send up to three notices prior to a tax sale to the publicly recorded owner of record of the real property. The first notice is by first class mail, the second by certified mail, and a third notice is sent if the certified mail is returned unsigned to both the owner of record and the occupant of the real property at least 15 days before the fourth Monday in August.

The purchase price of the property at a third offering must be at least equal to the sum of the delinquent taxes, interest, penalties, and costs. The certificate of purchase will be issued to an agent if the purchaser is a nonresident. The purchaser is required to pay a fee to the collector to record the certificate of purchase. After the third offering, the collector's deed or trustee's deed will have priority over all the other liens or encumbrances on the property sold except for real property taxes or federal liens.

If the delinquent land tax sale results in an amount greater than the amount of debt, taxes, interest, and costs; the excess proceeds must be held in trust in the county treasury for three years for the publicly recorded owner or owners of the property sold or their legal representatives. After three years, any amount not called for will be deposited into the county's school fund.

The redemption periods for the owner of record to redeem tax sale property are revised; and the owner must reimburse the purchaser for all costs of sale, including the cost for recording the certificate of purchase, the fee to record the release of the certificate, the cost of the title search, the cost of the required certified mail notifications, interest at the rate specified on the certificate, and any taxes paid by the purchaser plus 8% interest.

These sections are identical to HB 261 (2009).

SECTION 141.160

In Jackson County and St. Louis County, the collector shall collect on behalf of the county and pay into the county general fund an additional fee for the collection of delinquent and back taxes of five percent on all sums collected to be added to the face of the tax bill and collected from the party paying the tax.

SECTION 182.802

This section authorizes public library districts to seek voter approval for a sales tax of not more than one half of one cent to fund the operation, and maintenance of libraries within the boundaries of such library district. Public library districts are defined as any city library district, county library district, city-county library district, municipal library district, consolidated library district or urban library district.

This section is identical to SB 266 (2009).

SECTION 190.054

This section provides that the current term of the director representing Subdistrict 6 of the St. Charles ambulance district shall be extended one year. At the end of such term, the district shall hold an election and the term of the new director shall be three years.

This section is identical to SB 337 (2009).

SECTION 190.056

Under this section, each member of an ambulance district board of directors shall be subject to recall from office by the registered voters of the election district from which he or she was elected. Proceedings for the recall are commenced by the filing of a notice of intention to circulate a recall petition.

The notice must be served personally, or by certified mail, on the board member and filed with the election authority. A separate notice is needed for each member sought to be recalled and must contain information explaining the reason for the recall. It must list at least one but not more than five proponents of the recall.

Within seven days, the board member may file a statement answering the statement of the proponents. The answer must be served on at least one proponent. The statement and answer are for the voters' informational purposes only.

A member cannot be recalled if he or she: 1) has not held office during the current term for more than 180 days; 2) has 180 days or less remaining on his or her current term; or 3) has had a recall election determined in his or her favor within the current term.

The person circulating the petition must sign an affidavit verifying certain information. A recall petition must be filed with the election authority not more than 180 days after the filing of the notice of intention. The number of signatures needed shall equal at least 25% of the number of voters who voted in the most recent gubernatorial election in the election district.

The election authority has twenty days from the date of filing the petition to determine if enough voters signed the petition. It must file a certificate showing whether there are enough signatures. If the election authority certifies the petition does not have enough signatures, it may be supplemented within ten days of the date of certificate. The election authority must then certify the supplemented petition. If it is insufficient, no further action shall be taken.

If the petition is sufficient, the election authority shall submit its certificate to the board of directors and order an election within a certain amount of time. Nominations for board membership openings shall be made by filing a statement of candidacy with the election authority.

Any time prior to forty-two days before the election, the member sought to be recalled may offer his or her resignation and the recall question shall be removed from the ballot and the office declared vacant.

This section is identical to SB 978 (2008) and SB 122 (2009).

SECTION 204.569

This section provides an alternate procedure to approve the issuing of bonds for a common sewer subdistrict that is partially or completely located in Cass County. Bonds may be issued for such a subdistrict if the subdistrict receives the written assent of 75% of the political subdivisions that do business with the subdistrict.

The section contains an emergency clause.

This section is identical to SCS/SB 242 (2009).

SECTION 247.031

The section modifies provisions relating to the procedure for detaching territory from a public water supply district.

When a petition for detachment is submitted to the circuit court by someone other than the district's board of directors, the district shall be named as a defendant and a copy of the petition shall be provided to the district at least 35 days before the hearing.

Current law requires notice of the petition to detach to be published in a newspaper in each county containing any portion of the proposed territory. The act instead requires that notice be published in a newspaper in the county in which the hearing will be held as well as in a newspaper with circulation in the proposed territory.

The section adds the district itself as an allowable entity to make an exception or objection to a proposed detachment. The act modifies the language required to be posted in the newspaper to mirror the statutory requirements.

This section is identical to HB 234 (2009) and SB 196 (2009).

SECTION 321.227

This section authorizes any fire protection district, located within St. Louis County, which has property located within its jurisdiction for which taxes have been abated or redistributed to seek voter approval to impose a sales tax. The sales tax cannot exceed one percent and must result in a reduction to the district's property tax levy which will decrease property tax revenues by an amount equal to fifty percent of the district's sales tax revenues received from the fire protection district sales tax fund in the previous year.

SECTIONS 650.396 & 650.399

Under current law, any county which has established an emergency communications system commission may, upon voter approval, levy and collect a property tax to fund the establishment, operation, and maintenance of an emergency communications system. These sections would give such counties the option

to seek voter approval to impose the property tax or a sales tax not to exceed one-tenth of one percent to fund the establishment, operation, and maintenance of an emergency communications system. The department of revenue will collect the sales tax revenues and deposit them into the newly created county emergency communications fund for distribution to the counties from which they were collected.

These sections are identical to SB 494 (2009).
SUSAN HENDERSON MOORE

SA 1 - REMOVES THE PROVISION AUTHORIZING A TRANSIENT GUEST TAX FOR JOPLIN FROM THE BILL (SECTION 82.860)

SA 2 - ALLOWS SUGAR CREEK TO IMPOSE A TRANSIENT GUEST TAX

SA 3 - ALLOWS KANSAS CITY TO ENACT ORDINANCES TO ALLOW THE CITY BUILDING OFFICIAL TO PETITION THE CIRCUIT COURT IN THE COUNTY WHERE A VACANT NUISANCE BUILDING IS LOCATED FOR THE APPOINTMENT OF A RECEIVER TO REHABILITATE THE BUILDING, DEMOLISH IT, OR SELL IT TO A QUALIFIED BUYER

SA 4 - ALLOWS ST. LOUIS CITY TO INCREASE ITS SEMIANNUAL REGISTRATION FEE FOR CERTAIN VACANT PROPERTY TO \$500

SA 5 - REMOVES SECTIONS 79.450 & 320.121 REGARDING FIREWORKS ORDINANCES IN RIVERSIDE FROM THE BILL

12/01/2008 Prefiled
01/07/2009 S First Read--SB 7-Griesheimer (S9)
01/22/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S168)
01/28/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee
02/09/2009 Voted Do Pass S Jobs, Economic Development and Local Government Committee
02/26/2009 Reported from S Jobs, Economic Development and Local Government Committee to Floor (S419)
03/03/2009 SS S offered (Griesheimer)--(0196S.02F) (S451)
03/03/2009 SA 1 to SS S offered & adopted (Griesheimer)--(0196S02.01S) (S451)
03/03/2009 SA 2 to SS S offered & adopted (Callahan)--(0196S02.05S) (S451)
03/03/2009 SA 3 to SS S offered & adopted (Justus)--(8070S09.01S) (S452)
03/03/2009 SA 4 to SS S offered & adopted (Smith)--(0196S02.13S) (S452-453)
03/03/2009 SA 5 to SS S offered & adopted (Shields)--(0196S02.15S) (S453)
03/03/2009 Bill Placed on Informal Calendar (S453)
04/27/2009 S Informal Calendar S Bills for Perfection--SB 7-Griesheimer, with SS (pending)

EFFECTIVE: Varies

*** SB 8 ***

SCS SB 8

0194S.02P

SENATE SPONSOR: Champion

SCS/SB 8 - This act creates a "Crime Laboratory Review Commission" to independently review the operations of crime laboratories in the state of Missouri that receive state-administered funding.

The commission shall consist of five members, including a senior manager of an accredited crime lab, a prosecuting attorney, a criminal defense attorney, a licensed law enforcement officer employed by a county or municipality in a management position, and the director of the Department of Public Safety or a designee. The commission members shall be appointed by the Governor with the advice and consent of the senate. The members shall serve terms of four years and the chairman shall be the director of the department or his or her designee. In the event the commission takes a vote concerning only a particular crime laboratory, the appointee serving as a senior crime laboratory manager or law enforcement officer shall recuse himself or herself from such vote if it involves the crime laboratory employing such manager or a crime laboratory operated by the municipality employing the officer.

The commission shall have the power to assess the capabilities and needs of the crime labs, authorize independent external investigations into allegations of misconduct or negligence, issue reprimands to crime labs and their employees or contractors found to be negligent or engaging in misconduct, make recommendations for crime lab procedure when labs are found to be negligent, and issue reports

summarizing findings of negligence or misconduct and making recommendations regarding revocation or suspension of grant funding.

The commission shall submit an annual report to the department of public safety and to the governor making recommendations to improve the quality management systems within the crime laboratories in the state, but shall not make recommendations related to relocation or consolidation of such crime laboratories.

The Department of Public Safety shall have the authority to revoke grant money from a crime lab if it does not cooperate with the commission or if allegations of serious negligence or misconduct are substantiated by the commission.

This act is similar to SB 790 (2008).

SUSAN HENDERSON MOORE

12/01/2008 Prefiled
 01/07/2009 S First Read--SB 8-Champion (S9)
 01/22/2009 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S168)
 01/26/2009 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee
 02/16/2009 SCS Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee (0194S.02C)
 -Consent
 02/18/2009 Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor w/SCS -
 Consent (S327)
 02/24/2009 Removed S Consent Calendar (S373)
 02/26/2009 Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor w/SCS
 (S420)
 03/04/2009 SA 1 to SCS S offered & adopted (Champion)--(0194S02.01S) (S466)
 03/04/2009 SCS, as amended, S adopted (S466)
 03/04/2009 Perfected (S466)
 03/04/2009 Reported Truly Perfected S Rules Committee (S478)
 03/09/2009 S Third Read and Passed (S542-543 / H517)
 03/09/2009 H First Read (H517)
 03/10/2009 H Second Read (H526)
 04/02/2009 Referred H Public Safety Committee (H921)
 04/15/2009 Hearing Conducted H Public Safety Committee

EFFECTIVE: August 28, 2009

*** SB 9 ***

HCS SCS#2 SB 9

0368L.05C

SENATE SPONSOR: Champion

HOUSE HANDLER: Wilson

HCS/SCS#2/SB 9 - This act modifies provisions relating to the MO HealthNet Oversight Committee, Hospital District Sales Tax Funds, and Health insurance

MO HEALTHNET OVERSIGHT COMMITTEE

This act modifies the membership of the MO HealthNet Oversight Committee from eighteen to nineteen members. One of the patient advocate members was eliminated from the makeup of the committee. The remaining advocate shall work with MO HealthNet participants and be recommended by a Missouri patient advocacy group that does not contract, directly or indirectly with MO HealthNet. One new optometrist and one new mental health professional was added with the same requirements for the other health care professional members.

The requirements as to the primary care physician, physician, dentist, and nonphysician health care professional members were modified to specify that the respective health care professionals shall actively care for participants and shall be recommended by any Missouri professional association or society that consists exclusively of the respective individual health care professional or student health care professional members.

The requirements as to the consumer representative and the public member were modified so that the members shall not be a health care worker and shall not either contract with, own or represent entities or individuals or be employed by entities or individuals contracting directly or indirectly with MO HealthNet.

SECTION 208.955

HEALTH INSURANCE

Under the act, a health carrier that has not paid a claimant on or before the 45th processing day must pay one percent interest per month on the claim. Under current law, a health carrier has 45 calendar days to pay the claim before the interest charges begin to accrue. This provision is similar to provisions in HB 589 (2009) and HB 259 (2009). SECTION 376.383

Health insurance carriers offering health benefit plans which are delivered, issued, continued, or renewed on or after August 28, 2010, must offer group coverage for autism spectrum disorder (ASD) for necessary medical services for enrollees diagnosed with the disorder. ASD is defined as a neurobiological disorder, an illness of the nervous system, which includes Autistic disorder, Pervasive Developmental Disorder Not Otherwise Specified. Any individual providing the medical services must be a licensed health care practitioner. Coverage for ASD can be subject to plan restrictions, exclusions, and limitations and will not include services, supplies, or equipment that comes from a publicly funded program, is provided by a family member or unlicensed provider, is considered educational or instructional, or is not directly provided to the individual with the ASD. Individually sold health benefit plans and certain other supplemental insurance policies are not subject to the ASD coverage requirements. This provision is similar to HB 589 (2009). SECTION 376.1214

HOSPITAL DISTRICT SALES TAX FUND

Authorizes hospital districts in certain counties, including Ripley County, upon voter approval, to abolish the hospital district property tax and impose a retail sales tax of up to one percent for the purpose of funding the hospital district. Moneys collected from the tax will be deposited into the newly created Hospital District Sales Tax Fund with one percent of such revenues retained and deposited into general revenue by the Director of the Department of Revenue for the cost of collection. This provision is similar to provisions in HCS/SCS/SB's 165, 164, 248 & 168 (2009). SECTION 206.165

ADRIANE CROUSE

12/01/2008 Prefiled
 01/07/2009 S First Read--SB 9-Champion (S9)
 01/22/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S168)
 01/27/2009 Hearing Conducted S Health, Mental Health, Seniors and Families Committee
 02/03/2009 SCS Voted Do Pass S Health, Mental Health, Seniors and Families Committee (0368S.02C) - Consent
 02/04/2009 SCS Reported from S Health, Mental Health, Seniors and Families Committee to Floor - Consent (S248)
 02/10/2009 Removed S Consent Calendar (S279)
 02/17/2009 SCS Voted Do Pass S Health, Mental Health, Seniors and Families Committee (0368S.03C) - Consent
 02/18/2009 Reported from S Health, Mental Health, Seniors and Families Committee to Floor w/SCS#2 - Consent (S327)
 02/25/2009 SCS#2 S adopted (S388)
 02/25/2009 S Third Read and Passed - Consent (S388 / H421)
 02/26/2009 H First Read (H421)
 03/02/2009 H Second Read (H428)
 03/30/2009 Referred H Special Standing Committee on Health Insurance Committee (H790)
 04/07/2009 Hearing Conducted H Special Standing Committee on Health Insurance Committee
 04/21/2009 HCS Voted Do Pass H Special Standing Committee on Health Insurance Committee
 04/21/2009 HCS Reported Do Pass H Special Standing Committee on Health Insurance Committee (H1196)
 04/21/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1196)

EFFECTIVE: Varies

*** SB 10 ***

0195S.011

SENATE SPONSOR: Champion

SB 10 - Any Missouri resident who owns at least five acres of land in the state shall not be required to obtain a hunting or fishing permit from the Department of Conservation in order to hunt or fish on his or her own land, except as provided in certain hunting or fishing circumstances designated by the Department. When such a permit is required, the landowner shall be able to obtain the permit from the Department at no cost. These same privileges also extend to Missouri residents who lease and reside on at least five acres, and to members of the landowner or leaseholder's immediate family who reside with the landowner or leaseholder.

ERIKA JAQUES

12/01/2008 Prefiled
 01/07/2009 S First Read--SB 10-Champion (S9)
 01/22/2009 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S168)

EFFECTIVE: August 28, 2009

*** SB 11 ***

0118S.021

SENATE SPONSOR: Bartle

SB 11 - This act repeals the Missouri Renewable Fuel Standard Act, which requires all fuel sold in Missouri to contain 10% ethanol.

ERIKA JAQUES

12/01/2008 Prefiled
 01/07/2009 S First Read--SB 11-Bartle, et al (S9)
 01/22/2009 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S168)
 02/04/2009 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee

EFFECTIVE: August 28, 2009

*** SB 12 ***

0244S.021

SENATE SPONSOR: Bartle

SB 12 – This act allows school boards to develop and adopt a policy to provide additional pay or stipends to teachers of certain subject areas or disciplines, irrespective of any collective bargaining agreement. A school board's policy must identify any subject area or discipline that would receive such pay or stipend and contain a rationale for why it is appropriate. The Board of Education will determine the amount of any additional pay or stipend.

MICHAEL RUFF

12/01/2008 Prefiled
 01/07/2009 S First Read--SB 12-Bartle and Smith (S9)
 01/22/2009 Second Read and Referred S Education Committee (S168)

EFFECTIVE: August 28, 2009

*** SB 13 ***

0243S.011

SENATE SPONSOR: Bartle

SB 13 - This act allows the Department of Transportation to construct toll roads under certain conditions.

TOLL ROADS AUTHORIZATION - This act authorizes the commission to construct, maintain and operate toll facilities on the state highway system. The commission is authorized to issue state toll facility revenue bonds to finance toll facility projects authorized by the General Assembly. Such bonds may be issued without the consent of the General Assembly. Bonds issued for toll facility projects shall not be deemed to constitute a debt or liability of the state and shall be payable solely from the state toll facility fund. Toll facility bonds shall be exempt from taxation. The commission is required to obtain a study of the proposed toll facility project by one or more qualified independent consultants prior to commencing any project (Section 226.1200).

TOLL FACILITY PROJECTS - Prior to the commencement of any toll facility project, the Director of Transportation shall obtain a study of the proposed toll facility project by a qualified independent consultant. If the Director of Transportation determines, based upon the study, that the toll facility project is in the best interest of the state, the Director of Transportation shall then be required to obtain approval of the toll facility project by the General Assembly (Section 226.1200.3).

SPECIFIC TOLL FACILITY PROJECTS - Under the enabling legislation, the General Assembly authorizes a toll facility projects to be constructed upon Interstate 70 between St. Louis and Kansas City. The commission is authorized to construct these toll facility projects with the design-build project delivery system (section 226.1205). The toll for traveling the entire length of Interstate 70 is capped at \$5 (indexed for inflation).

STATE TOLL FACILITY FUND - The act establishes within the state treasury the "State Toll Facility Fund" which shall stand appropriated without any legislative action (Section 226.205). All tolls, fees, state toll facility revenue bond proceeds, and other charges imposed for using toll facilities shall be credited to the fund. The fund shall be used to pay:

- (1) The costs of issuing state toll facility revenue bonds and refunding bonds, the costs of feasibility studies and the costs for constructing toll facilities;
- (2) The cost of collecting toll facility revenues;
- (3) The principal and interest on any outstanding state toll facility revenue bonds and refunding bonds.

If revenues in the state toll facility fund are insufficient to pay for authorized costs, the commission shall transfer amounts from the state road fund to keep the toll facility fund solvent. Transfers from the state road fund shall be repaid in the time and manner determined by the commission. The commission is authorized to continue to collect tolls and fees on all toll facilities until all costs have been repaid. Any amount in the state toll facility fund in excess of what is needed to pay authorized costs shall be transferred to the state road fund.

COLLECTION AND ENFORCEMENT OF TOLLS - The commission may use any method for imposing and collecting tolls, including toll tickets, barrier toll facilities, billing accounts, commuter passes and electronic recording or identification devices (Section 226.1215). The act further outlines the enforcement mechanisms the Department of Transportation may utilize to ensure that motorists pay for using state toll roads. The commission may enforce the payment of tolls by using automated enforcement technology, including automatic vehicle license plate identification photography and video surveillance. The use of such automated enforcement technology may be used only for the purpose of recording the image of the nonpaying motorist's license plate. Photo monitoring system evidence which shows that a motorist has failed to pay a toll shall raise a rebuttable presumption that the motor vehicle was used in violation of the law. A collection fee, not to exceed \$100, may be charged to recover the cost of collecting an unpaid toll (Section 226.1230). A motorist who fails to pay a toll shall be guilty of an infraction punishable by a fine not to exceed \$200 (Section 226.1230.6). The act allows a court to install a device on the nonpaying motor vehicle that prohibits its movement. The nonpaying motorist may also have his or her motor vehicle registration voided until the toll and all fines are paid. The act also outlines what procedures must be taken in order to collect tolls and issue traffic citations.

This act is contingent upon the passage of a constitutional amendment that authorizes the Department of Transportation to construct and operate toll facilities. This act is similar to SB 793 (2008), SB SB 652 (2006), 855 (2004) and SB 193 (2003).

STEPHEN WITTE

12/01/2008 Prefiled

01/07/2009 S First Read--SB 13-Bartle (S9)

01/22/2009 Second Read and Referred S Transportation Committee (S168)

EFFECTIVE: August 28, 2009

*** SB 14 ***

0441S.011

SENATE SPONSOR: Nodler

SB 14 - Persons who commit a felony in Missouri or commit a crime in another jurisdiction that would constitute a felony in Missouri, are barred from qualifying as a candidate for or holding public office.

This act is identical to SB 1245 (2008).

CHRIS HOGERTY

12/01/2008 Prefiled

01/07/2009 S First Read--SB 14-Nodler (S9)

01/22/2009 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S168)

03/23/2009 Hearing Conducted S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2009

*** SB 15 ***

HCS SCS SB 15

0439L.08C

SENATE SPONSOR: Nodler

HOUSE HANDLER: Stevenson

HCS/SCS/SB 15 - This act authorizes the Governor to convey various state properties.

SECTION 1

This act authorizes the Governor to convey state property in Jasper County to Missouri Southern State University. The property shall not be conveyed until the Joplin Regional Center has been relocated to different property.

SECTIONS 2 & 7

This act authorizes the Governor to convey state property in Cape Girardeau County and state property and a permanent transmission easement for construction and maintenance of utilities in St. Louis to the State Highways and Transportation Commission .

SECTIONS 3 & 5

This act authorizes the Governor to convey state property and a temporary construction easement in Greene County to the Arc of the Ozarks.

SECTION 4

This act authorizes the Governor to convey a permanent storm water easement on state property in Greene County to the City of Springfield.

SECTION 6

This act authorizes the Governor to convey an easement across state property in Macon County to owners of certain private property for the purpose of obtaining access to such property.

SECTION 8

This act authorizes the Governor to convey state property in Boone County, known as the Mid-Missouri Mental Health Center, to the curators of the University of Missouri.

SECTION 9

This act authorizes the Governor to convey state property in St. Louis to Harris-Stowe University.

SECTION 10

This act authorizes the Governor to convey easements, including a permanent easement and a temporary easement, on property in Cooper County to the City of Boonville.

SECTION 11

The director of the Department of Natural Resources is directed to lease state property in Clinton County to the Clinton County Public Water Supply District No. 3 in order to construct an elevated water storage tank.

This act contains an emergency clause for certain sections.

This act is similar to SB 1010 (2008), HB 282 (2009), SB 540 (2009).

SUSAN HENDERSON MOORE

12/01/2008 Prefiled
 01/07/2009 S First Read--SB 15-Nodler (S9)
 01/22/2009 Second Read and Referred S General Laws Committee (S168)
 02/17/2009 Hearing Conducted S General Laws Committee
 02/17/2009 SCS Voted Do Pass S General Laws Committee (0439S.04C) - Consent
 02/18/2009 Reported from S General Laws Committee to Floor w/SCS - Consent (S328)
 02/25/2009 SCS S adopted (S391)
 02/25/2009 S Third Read and Passed - Consent (S391-392 / H421)
 02/26/2009 H First Read (H421)
 03/02/2009 H Second Read (H428)
 03/30/2009 Referred H Corrections & Public Institutions Committee (H790)
 04/07/2009 Hearing Conducted H Corrections & Public Institutions Committee
 04/07/2009 Voted Do Pass H Corrections & Public Institutions Committee - Consent
 04/08/2009 Reported Do Pass H Corrections & Public Institutions Committee - Consent (H1000)
 04/08/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1000)
 04/14/2009 Hearing Conducted H Rules Committee

04/14/2009 Voted to return to committee of origin H Rules Committee (H1041)
 04/21/2009 HCS Voted Do Pass H Corrections & Public Institutions Committee
 04/23/2009 HCS Reported Do Pass H Corrections & Public Institutions Committee (H1257)
 04/23/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1257)

EFFECTIVE: Varies

*** SB 16 ***

0522S.011

SENATE SPONSOR: Nodler

This bill has been combined with SB 335

12/01/2008 Prefiled
 01/07/2009 S First Read--SB 16-Nodler (S9)
 01/22/2009 Second Read and Referred S Small Business, Insurance and Industry Committee (S168)
 02/03/2009 Hearing Conducted S Small Business, Insurance and Industry Committee
 03/10/2009 Bill Combined (w/SCS SBs 335 & 16)

EFFECTIVE: August 28, 2009

*** SB 17 ***

0235S.011

SENATE SPONSOR: Bray

SB 17 - This act repeals the death penalty and makes the crime of first degree murder punishable by life imprisonment without probation or parole.

This act is identical to SB 835 (2008).

SUSAN HENDERSON MOORE

12/01/2008 Prefiled
 01/07/2009 S First Read--SB 17-Bray, et al (S9)
 01/22/2009 Second Read and Referred S Progress and Development Committee (S168)

EFFECTIVE: August 28, 2009

*** SB 18 ***

SCS SB 18

0250S.02C

SENATE SPONSOR: Bray

SS/SCS/SB 18 - This act creates a Universal Health Assurance Commission to allow the study of implementing a universal health assurance program for the purpose of providing a single, publicly financed statewide program to provide comprehensive, necessary health care services, including preventive screening, for all residents of the state. The commission shall have as one of its goals the immediate implementation of less restrictive income methodologies for the MO HealthNet elderly and permanently and totally disabled population, facilitating the inclusion of small employers in the state employee health care plan and the study of any other possible coverage expansions in the MO HealthNet populations while the establishment of universal health coverage is achieved. The commission shall submit annual reports with a plan and recommendations for such implementation.

The Missouri Health Care Trust Fund is also created to allow for federal payments received as a result of any waiver from the Department of Health and Human Services to be used for implementing a universal health assurance program.

This act also raises the income limit for eligibility for MO HealthNet services for the elderly and permanently and totally disabled populations from 85% of the federal poverty level to 100% of the federal poverty level. As to the permanently and totally disabled population, this act allows the Family Support division to exclude certain income or resources of a parent or parents in determining the applicant's eligibility for MO HealthNet benefits.

The definition of "affordable employer-sponsored health care insurance" for health care for uninsured children (CHIP) program is also modified. It is now defined as health insurance requiring no monthly premiums for families with a gross income between 151 and 225% of the federal poverty level and no more than a 50 dollar a month premium for families with a gross income between 226% and 300% of the federal poverty level.

This act also allows small employers to join the Missouri Consolidated Health Care Plan. For purposes of the act, the term small employer means an employer who employed an average of at least one but not more than fifty persons during the preceding calendar year and who employs at least one person on the first day of the plan year. A small employer includes a sole proprietor and a partner of a partnership. The state health care plan shall maintain a separate benefit trust fund account for premium payments and other income received from small employers.

The small employer health care portion of the bill is identical to SB 741 (2008), SB 267 (2007), SB 593 (2006), SB 277 (2005) and HB 1412 (1998).

ADRIANE CROUSE

12/01/2008 Prefiled
 01/07/2009 S First Read--SB 18-Bray, et al (S9)
 01/22/2009 Second Read and Referred S Progress and Development Committee (S168)
 02/04/2009 Hearing Conducted S Progress and Development Committee
 02/18/2009 SCS Voted Do Pass S Progress and Development Committee (0250S.02C)
 02/19/2009 Reported from S Progress and Development Committee to Floor w/SCS (S344)
 02/25/2009 SS for SCS S offered (Bray)--(0250S.03F) (S399)
 02/25/2009 Bill Placed on Informal Calendar (S399)
 04/27/2009 S Informal Calendar S Bills for Perfection--SB 18-Bray, et al, with SCS & SS for SCS (pending)

EFFECTIVE: Varies

*** SB 19 ***

0240S.011

SENATE SPONSOR: Bray

SB 19 - This act brings Missouri sales and use tax laws into compliance with the streamlined sales and use tax agreement.

Compliance involves modifying many sections throughout Missouri law, based upon meeting the following criteria:

- (1) The sourcing of sales must be changed to be based on receipt. This means that current law is modified, where necessary, to consider the point of sale, and thus the applicable tax rate, to be the point of receipt of the product;
- (2) When a city annexes property, the change to the tax rate will take place on the first day of the second calendar quarter after the Director of Revenue receives notice of the boundary change;
- (3) The same provisions as in (2) shall apply to rate changes;
- (4) All sales taxes must be administered at the state level if they are not already;
- (5) All state and local sales taxes must have the same base. This means that exemptions at the state and local level must be identical;
- (6) Certain definitions, including a definitions for "delivery charges", "food" "lease or rental", "purchase price", "sales price", "tangible personal property" and other modified definitions, must be adopted from the streamlined sales and use tax agreement;
- (7) The Department of Revenue can require electronic filing and payment of the sales and use tax;
- (8) Registration for out of state sellers is simplified and no bond is required;
- (9) No caps or thresholds may exist on the collection of sales or use taxes; and
- (10) Out of state sellers must be offered uniform, simplified, electronic filing.

The act is similar to Senate Bill 1020 (2008), Senate Bill 576 (2007), Senate Bill 1173 (2006), and Senate Bill 399 (2005).

JASON ZAMKUS

12/01/2008 Prefiled
 01/07/2009 S First Read--SB 19-Bray, et al (S10)
 01/22/2009 Second Read and Referred S Ways and Means Committee (S168)

EFFECTIVE: August 28, 2009

*** SB 20 ***

0150S.011

SENATE SPONSOR: Days

SB 20 - This act amends the law relating to unsecured loans of \$500 or less. Under current law, lenders may renew such loans upon the borrower's request. This act prohibits lenders from renewing such loans.

Under current law, the director of the Division of Finance may issue a cease and desist order when

lenders fail to make a good faith effort to comply with laws relating to consumer loans. This act allows the attorney general to do the same. The Attorney General may also file an action in any circuit court to enjoin the practice; impose a civil penalty; or to obtain an order of rescission, restitution, or disgorgement.

Under the act, a lender may only charge interest and fees up to the amount of \$15 per \$100 of principal for the first 30 days of the loan, and not more than 3% per month thereafter, which is an annual percentage rate of approximately 36%.

Under current law, the Division of Finance must report to the General Assembly, the number of licenses issued under this section every other year. This act requires the division to report every year.

The provisions in this section apply to all lenders, whether or not they are properly licensed.

This act is identical to HB 1171 (2006), SB 975 (2006), SB 96 (2007), and SB 744 (2008).
CHRIS HOGERTY

12/01/2008 Prefiled
01/07/2009 S First Read--SB 20-Days and Smith (S10)
01/22/2009 Second Read and Referred S Financial and Governmental Organizations and Elections
Committee (S168)

EFFECTIVE: August 28, 2009

*** SB 21 ***

0157S.011

SENATE SPONSOR: Days

SB 21 - This act creates a system to allow voters to cast advance ballots at central voting locations and satellite sites. The advance voting period will begin the third Wednesday prior to an election and shall be conducted between 7:00 a.m. and 7:00 p.m. and until 12:00 p.m. on Saturdays. The election authority shall consider factors including geographic location and demographics of the registered voters from the previous election to ensure nondiscrimination and provide adequate notice of the central locations and the satellite sites that are chosen.

Election authorities shall create lists of names and addresses of each voter casting an advance ballot and such lists shall be confidential until 8:00 a.m. on the Friday before the election. Upon expiration of the confidential period, authorized individuals are entitled to view the lists and the election authority may make copies of the lists available to those individuals for a fee. A violation of confidentiality is a class four election offense. Provisions regarding advance voting become effective January 1, 2010.

This act is similar to SB 859 (2006), SB 37 (2007), and SB 1251 (2008).
CHRIS HOGERTY

12/01/2008 Prefiled
01/07/2009 S First Read--SB 21-Days, et al (S10)
01/22/2009 Second Read and Referred S Financial and Governmental Organizations and Elections
Committee (S168)
03/23/2009 Hearing Conducted S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2009

*** SB 22 ***

0190S.021

SENATE SPONSOR: Days

SB 22 - This act requires all election authorities to provide ballot cards for every election in which a state or federal office or measure is on the ballot.

All voters shall have the opportunity to vote a paper ballot and those ballots shall be counted. Notice shall be provided at polling places stating that paper ballots are available. The state shall pay for the cost of printing the paper ballot cards.

This act is similar to SCS/SB 1082 (2008), and HCS/HB 2114 (2008).
CHRIS HOGERTY

12/01/2008 Prefiled

01/07/2009 S First Read--SB 22-Days and Bray (S10)
01/22/2009 Second Read and Referred S Financial and Governmental Organizations and Elections
Committee (S168)

EFFECTIVE: August 28, 2009

*** SB 23 ***

0526S.021

SENATE SPONSOR: Callahan

SB 23 – This act modifies the elementary and secondary education funding formula. It removes from the calculation of the state adequacy target the inclusion of the gaming revenues from the repeal of the loss limits. Instead, the gaming revenues from the repeal of the loss limits will be placed in the Missouri Higher Education Tuition Reduction Fund. Moneys in the fund will be used to reduce tuition rates at Missouri's public higher education institutions. The Coordinating Board for Higher Education must implement a procedure and promulgate rules and regulations for reimbursing public higher education institutions that either reduce tuition or increase tuition at lower rates than previously designed.

The State Auditor must perform an annual audit of the Missouri Higher Education Tuition Reduction Fund.
MICHAEL RUFF

12/01/2008 Prefiled
01/07/2009 S First Read--SB 23-Callahan (S10)
01/22/2009 Second Read and Referred S Education Committee (S168)

EFFECTIVE: August 28, 2009

*** SB 24 ***

0525S.011

SENATE SPONSOR: Callahan

This bill has been combined with SB 453

12/01/2008 Prefiled
01/07/2009 S First Read--SB 24-Callahan (S10)
01/22/2009 Second Read and Referred S Education Committee (S168)
03/11/2009 Hearing Conducted S Education Committee
03/25/2009 Bill Combined (w/SCS SB's 453 & 24)

EFFECTIVE: August 28, 2009

*** SB 25 ***

0524S.021

SENATE SPONSOR: Callahan

SB 25– This act modifies the elementary and secondary education funding formula. It removes from the calculation of the state adequacy target the inclusion of the gaming revenues from the repeal of the loss limits. Instead, the gaming revenues are used to phase the formula in one year sooner.

Current law provides that current operating expenditures shall include, in part, any increases in state funding subsequent to fiscal year 2005, not to exceed 5%, per recalculation, of state revenue, received by a district in the 2004-2005 school year. This act removes the 5% limit on increases in state funding per recalculation.

This act contains a provision similar to SB 831 (2008).
MICHAEL RUFF

12/01/2008 Prefiled
01/07/2009 S First Read--SB 25-Callahan (S10)
01/22/2009 Second Read and Referred S Education Committee (S168)

EFFECTIVE: August 28, 2009

*** SB 26 ***

HCS SB 26

0393L.04C

SENATE SPONSOR: Ridgeway

HOUSE HANDLER: Nolte

HCS/SB 26 - This act modifies various provisions relating to crime.

SECTIONS 43.500, 43.503, & 43.506

This act requires local law enforcement agencies to provide the Highway Patrol central repository with photographs and other unique biometric identification collected of persons arrested, in addition to fingerprints as is currently required.

Under this act, law enforcement agencies are prohibited from fingerprinting a juvenile older than 15 years and six months of age who is alleged to have violated a municipal traffic ordinance, which does not constitute a felony, unless he or she is certified as an adult. Law enforcement agencies are required to forward a photo and certification papers to the central repository in cases where the juvenile has been certified as an adult.

Municipal prosecuting attorneys are required to notify the central repository of his or her decision not to file criminal charges on a charged referred to him or her. Court clerks, including municipal court clerks, shall furnish the central repository with a record of all charges filed, including those added subsequent to the filing of a criminal court case and amended charges. Currently, court clerks must provide final dispositions of cases for which the repository has a record of arrest or fingerprints.

This act modifies the time when a court shall order law enforcement or the court marshal to fingerprint and photograph a defendant if it was not done at the time of arrest. The court order shall contain the offense, charge code, date of the offense, and other information needed to complete the fingerprint card.

This act adds offenses that can be enhanced to a class A misdemeanor or higher for subsequent violations, municipal ordinances that have the same elements as a statutory felony or class A misdemeanor, and all sexual offenses under Chapter 566, RSMo, to the list of offenses that are reportable to the central repository. It also specifies that only class A misdemeanor, rather than all misdemeanors are reportable, unless otherwise specified.

These provisions are similar to HB 167 (2009).

SECTION 43.540

This act requires qualified entities that provide services to children, the elderly, or disabled persons to register with the Highway Patrol before submitting requests for screening. New requirements for qualified entities include, requiring screening requests to be voluntary and conform with federal and state law, submitting a completed fingerprint card with a signed waiver, providing the necessary fee, and requiring the employee to provide the names of other qualified entities that have previously requested screening of him or her. The national criminal history data shall only be available to qualified entities to screen employees or volunteers applying with the entities. The highway patrol shall not be required to make determinations regarding whether a person's record indicates the person's fitness for employment. The qualified entity must notify in writing the person being screened of his or her right to obtain a copy of the screening report and his or her right to challenge its accuracy. A qualified entity is not liable for damages solely for failing to obtain the criminal history record information of an employee or volunteer and the state shall not be liable for damages for providing the information.

This provision is similar to HB 167 (2009).

SECTION 82.300

This act specifies that the maximum fine for all municipal ordinance violations in Kansas City shall be \$1,000, except for ordinances requiring compliance by an industrial user with a pretreatment standard or requirement.

This provision is similar to HB 334 (2009).

SECTION 192.925

This act requires the Department of Health and Senior Services to implement an education and awareness program regarding the financial exploitation of the elderly.

This provision is similar to HB 926 (2009) and HCS/HB 384 (2009).

SECTION 210.1012

This act specifies language regarding the Amber Alert System.

SECTION 217.439

Upon the victim's request, a photograph shall be taken of an incarcerated individual prior to his or her release. A copy of the photo shall be provided to the victim.

This provision is similar to a provision of HCS/SCS/SB 338 (2009).

SECTIONS 217.450 & 217.460

This act specifies that a detainer shall not be lodged against a person confined in a correctional facility until the director of the department of corrections receives a certified copy of a warrant and a written request by the issuing agency to place the detainer. Failure of the director to comply shall not be the basis for dismissing an indictment, information or complaint unless the court also finds the offender has been denied the constitutional right to a speedy trial.

SECTION 217.665

Under this act, the governor must designate one member of the Board of Probation and Parole as the vice-chairman. The vice-chair shall act as chairman upon written order of the governor or chairman.

This provision is similar to HB 1071 (2009).

SECTION 217.670

This act allows offenders to appear before the board by means of a video conference, rather than personal appearance, at the discretion of the board. Victims may testify at the site where the board is conducting the video conference or at the institution where the offender is located.

SECTION 229.110

No longer requires prosecutors to prosecute individuals who fail to trim their hedge fences.

This provision is similar to a provision of HB 384 (2009).

SECTION 302.060

This act specifies that the director of the department of revenue shall deny driving privileges to any person convicted twice within a five-year period of violating an "intoxication-related traffic offense" and shall not issue a license to such person for five years from the date of the second conviction.

SECTIONS 302.311 & 302.750

This act removes the provision that requires the prosecuting attorney to appear in behalf of the Director of the Department of Revenue in circuit court cases or hearings reviewing administrative decisions regarding alcohol-related traffic offenses.

These provisions are similar to provisions of HB 384 (2009).

SECTION 311.310

Any person who sells or otherwise provides a minor with nonintoxicating beer shall be guilty of a class B misdemeanor for a first offense and a class A misdemeanor for a second offense.

SECTION 311.325

Under this act, a minor who purchases, attempts to purchase, or possesses nonintoxicating beer shall be guilty of a misdemeanor. A minor who purchases, attempts to purchase, or possesses liquor or who is visibly intoxicated shall be deemed to have given consent for testing to determine the person's BAC. Such consent shall be limited to not more than two tests and such tests shall be conducted in a manner approved by the Department of Health and Senior Services by licensed medical personnel or a person with a permit from DHSS. DHSS shall establish standards and procedures of persons allowed to conduct such testing. The person being tested may be accompanied by a doctor, nurse or other qualified person. Failure to obtain an additional test shall not preclude admission of evidence. Full information, as described in the act, regarding the test shall be given at the request of the person being tested.

SECTION 311.326

Currently, after one year or upon turning twenty-one years of age, a person with a first-time minor in possession charge (MIP) may apply to have his or her record expunged. Under this act, the person must wait until one year after reaching the age of twenty-one to apply for expungement.

SECTIONS 409.5-508 & 409.6-604

This act specifies that any person convicted of criminal securities fraud will be fined up to \$1 million, imprisoned for up to 10 years, or both and may be ordered to pay restitution for any loss plus an interest rate of 8% per year from the date of the violation. An additional civil penalty of up to \$5,000 may be imposed for each violation against an elderly or disabled person.

SECTIONS 479.260 & 488.5032

The judge in a criminal or municipal case that is dismissed before the defendant pleads guilty or is found guilty may assess court costs against the defendant as specified in Section 488.012 if the defendant consents to pay and is not indigent and unable to pay the costs.

This provision is similar to HB 830 (2009).

SECTION 488.5025

This act specifies ten dollars of the time-payment fee shall be payable to municipal court clerks, when applicable, for improvement of the court.

SECTION 544.665

This act modifies the penalties for failure to appear. A person is guilty if he or she knowingly fails to appear before a court or judicial officer as required. The sentence varies depending on the criminal matter involved.

SECTION 545.050 & 550.040

This act removes the requirement that court costs be assessed to the prosecutor in trespass cases if the defendant is acquitted or the prosecution fails.

This provision is similar to a provision of HCS/HB 384 (2009).

SECTIONS 550.050 - 550.090

This act repeals certain provisions making prosecutors pay certain court costs.

These provisions are similar to a provision of HB 384 (2009).

SECTION 556.036

Under this act, the statute of limitations for arson or knowingly burning or exploding is five years.

SECTION 559.106

SECTION 559.106

Under this act, the court shall no longer order the Board or Probation and Parole to supervise offenders who have pled guilty to or been found guilty of forcible rape and sodomy and who are prior sex offenders, for the remainder of their natural life via electronic monitoring. Currently, offenders who commit such offenses to a child under the age of 12 are no longer be eligible for probation.

SECTION 561.031

This act removes the requirement that when using two-way audio visual communication for criminal proceedings a full record of such proceeding be made by split-screen imaging and recording of the proceedings in the courtroom and place of confinement may be required.

SECTION 565.063

This act modifies the definitions of "domestic assault offense" to include any offense committed in another state or any federal, tribal, or military offense which, if committed in Missouri, that would be considered a domestic assault offense.

SECTIONS 565.081, 565.082, & 565.083

This act expands the crime of assault of a law enforcement officer, emergency personnel, or probation and parole officer in the first, second, or third degree to include highway workers in a construction or work zone and corrections officers.

These provisions are similar to HB 268 (2009) & HB 511 (2009).

SECTION 565.084

This act expands the crime of tampering with a judicial officer to include juvenile officers and deputy juvenile officers.

This provision is similar to HB 371 (2009).

SECTION 566.093

This act specifies that a prisoner or offender who commits sexual misconduct in the second degree in the presence of an employee or person assigned to work in any jail, prison, or correctional facility is guilty of a class D felony.

SECTION 566.148

This act prohibits certain sexual offenders from being physically present or loitering within 500 feet of or approaching, contacting, or communicating with any child younger than 18 years of age in any child care facility building or the real property comprising any child care facility when children younger than 18 years of age are present in the building or on the grounds unless the person is the parent, guardian, or custodian of a child in the building or on the grounds. Any person violating this provision is guilty of a class A misdemeanor.

This provision is similar to HB 164 (2009).

SECTION 566.150

This act prohibits certain sexual offenders from knowingly being present in or loitering within 500 feet of any real property comprising any public park with playground equipment or public swimming pool. Any person violating this provision will be guilty of a class D felony for the first offense and a class C felony for any subsequent offense.

This provision is similar to HB 105 (2009).

SECTION 566.155

This act prohibits certain sexual offenders from serving as an athletic coach, manager, or trainer for any sports team of which a child younger than 17 years of age is a member. Any person violating this provision shall be guilty of a class D felony for the first offense and a class C felony for a subsequent offense.

This provision is similar to HB 106 (2009).

SECTION 566.226

The name of any defendant in a sexual assault, domestic assault, stalking, or forcible rape case shall not be considered identifying information of the victim and shall not be redacted from court records.

SECTION 568.045

Under endangering the welfare of a child in the first degree, a person is guilty of a class C felony if he or she possesses methamphetamine in the presence of a person less than seventeen years of age or in the residence where a person less than seventeen years of age resides.

This provision is similar to HB 160 (2009).

SECTIONS 570.030 & 570.080

A person who steals or receives a stolen firearm or an explosive weapon will be guilty of a class C felony regardless of the item's value.

These provisions are similar to HB 230 (2009).

SECTION 570.040

This act revises the term "stealing-related offense" as it is used in Section 570.040, RSMo, to include robbery. The act removes the requirement that a person must have received at least a 10-day jail sentence on a prior offense before a third or subsequent misdemeanor stealing-related offense can be enhanced to a Class D felony. It also specifies that a person who has previously pleaded guilty to or been found guilty of two stealing-related offenses which were committed on two separate occasions, and who subsequently pleads guilty to or is found guilty of a stealing-related offense is guilty of certain felonies depending on the nature of such stealing-related offense.

This provision is similar to SB 200 (2009).

SECTION 575.060

This act specifies that a person shall be guilty of the crime of making a false declaration if he or she provides any verbal false statement regarding his or her identity which the person knows to be untrue. Such crime is a class B misdemeanor.

This provision is similar to SB 339 (2009) & HB 964 (2009).

SECTION 575.080

Under this act, the penalty for the crime of making a false report is increased from a class B misdemeanor to a class A misdemeanor.

SECTION 575.082

This act specifies that a person is guilty of the crime of making a false report if he or she knowingly files a false report with the Department of Natural Resources stating a regulation or ordinance has been violated. Violating this provision is a class C misdemeanor.

This provision is similar to HB 1109 (2009).

SECTION 575.150

This act increases the penalty for the crime of resisting or interfering with arrest, detention, or stop from a class D felony to a class C felony. It expands the crime to include resisting or interfering with an arrest for a probation warrant, a parole warrant, a capias warrant, or a bench warrant where the warrant issued was related to a felony, except such violations are a class D felony.

This provision is similar to SB 221 (2009) & HB 63 (2009).

SECTION 575.153

This act creates the crime of disarming a peace or correctional officer if a person intentionally removes from or deprives the peace or correctional officer of the use of his or her firearm or other deadly weapon while the officer is acting within the scope of his or her official duties. The crime does not include situations in which the person does not know or could not reasonably have known that the person was a peace or correctional officer or if the officer was engaged in felonious conduct at the time of the disarmament. Such crime is a class C felony.

SECTION 575.260

This act expands the crime of tampering with a judicial proceeding to include influencing the official action of a state prosecuting or circuit attorney.

This provision is similar to HB 384 (2009).

SECTION 577.029

This act repeals Section 577.029 as it passed in HB 574 (2007) and reenacts it as all new language.

This provision is similar to a provision of SS/SC/SB 261 et al.

SECTIONS 578.250, 578.255, 578.260, & 578.265

This act prohibits the inhalation, selling, or possession of certain solvents to induce intoxication. Such crime is a class B misdemeanor for the first offense and a class D felony for subsequent offenses.

This act prohibits any person from possessing or using an alcoholic beverage vaporizer. Such a vaporizer is defined as "any device which, by means of heat, a vibrating element, or any other method, is capable of producing a breathable mixture containing one or more alcoholic beverages to be dispensed for inhalation into the lungs via the nose or mouth or both." Also, no person shall intentionally induce or abuse solvents or ethyl alcohol. A violation of these provisions is a Class B misdemeanor.

This act does not apply to substances that are FDA-approved or administered by a medical practitioner.

These provisions shall not be construed to prohibit the legal consumption of intoxicating liquor, including wine and beer, and nonintoxicating beer.

These provisions are similar to SB 26 (2009).

SECTIONS 595.010 - 595.220

Under Executive Order 07-07 (2007), the administration of the Crime Victims' Compensation Fund was transferred from the Department of Labor and Industrial Relations to the Department of Public Safety. This act would reflect such transfer in statute.

Compensation shall be paid to crime victims for replacement of clothing, bedding, and other personal items of the victim that are seized by law enforcement as evidence in an amount not to exceed \$250.

Under this act, the Department of Public Safety may receive gifts for the benefit of crime victims, which shall be credited to the Crime Victims' Compensation Fund.

The act provides that compensation from the fund shall not be paid to a victim injured while subject to electronic monitoring in the same manner as persons who are incarcerated or under house arrest.

Upon request, pharmacists shall submit information to the department to provide verification of victims' injuries in the same manner as other medical providers.

This act allows a victim to be represented by counsel or a representative designated by the victim instead of appearing in person during an offender's parole and probation revocation hearings and allows crime victims to receive, upon request from the Department of Corrections, a photograph taken of the defendant prior to release from incarceration.

Also, under executive order, the Department of Public Safety makes payments to medical providers to cover the charges of the forensic examinations of sexual assault victims, rather the Department of Health. This act would reflect such transfer of responsibility in statute. This act also specifies that medical providers shall use collection procedures developed for victims who are minors when appropriate. Also, the medical provider's report of a forensic examination shall no longer be filed with the prosecuting attorney within three days.

These provisions are similar to SB 338 (2009).

SECTION 650.055

The circuit courts do not have to use a reasonable doubt standard when determining if an individual is a sexually violent predator.

SECTION 650.470

This act creates the Reverend Nathaniel Cole Memorial Pursuit Reduction Grant. Any money appropriated or donated to the fund will be used to provide grants, in the amount of a 50% match, to urban police departments which purchase real-time tagging and tracking pursuit management systems. An applicant's eligibility shall be determined by the Director of the Department of Public Safety.

This provision is similar to HB 1064 (2009).

SECTION 1

This act authorizes the revisor statutes to change the term "criminal records and identification division" to "central repository".

SUSAN HENDERSON MOORE

12/01/2008 Prefiled
 01/07/2009 S First Read--SB 26-Ridgeway (S10)
 01/22/2009 Second Read and Referred S General Laws Committee (S168)
 01/27/2009 Hearing Conducted S General Laws Committee
 02/03/2009 Voted Do Pass S General Laws Committee
 02/05/2009 Reported from S General Laws Committee to Floor (S254)
 02/11/2009 Bill Placed on Informal Calendar (S285)
 02/11/2009 Perfected (S286)
 02/12/2009 Reported Truly Perfected S Rules Committee (S294)
 02/19/2009 S Third Read and Passed (S338-339)
 02/19/2009 H First Read (H360)
 02/23/2009 H Second Read (H392)
 04/02/2009 Referred H Crime Prevention Committee (H921)

04/15/2009 Hearing Conducted H Crime Prevention Committee
 04/22/2009 HCS Voted Do Pass H Crime Prevention Committee
 04/23/2009 HCS Reported Do Pass H Crime Prevention Committee (H1257)
 04/23/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1257)

EFFECTIVE: August 28, 2009

*** SB 27 ***

0394S.011

SENATE SPONSOR: Ridgeway

SB 27 - This act exempts persons 21 years of age or older from wearing protective headgear except when operating or riding motorcycles or motortricycles upon interstate highways. The motorcycle helmet exemption expires on August 28, 2014.

This act is substantially similar to SB 1067 (2008), SB 252 (2007), SB 635 (2006), SB 12 (2005), SB 744 (2004), SB 226 (2003), SB 646 (2002), SB 18 (2001), SB 610 (2000) and SB 294 (1999).

STEPHEN WITTE

12/01/2008 Prefiled
 01/07/2009 S First Read--SB 27-Ridgeway (S10)
 01/22/2009 Second Read and Referred S General Laws Committee (S168)
 02/17/2009 Hearing Conducted S General Laws Committee
 02/24/2009 Voted Do Pass S General Laws Committee

EFFECTIVE: August 28, 2009

*** SB 28 ***

0392S.011

SENATE SPONSOR: Ridgeway

SB 28 - This act provides that any vested member of the Missouri state employees' retirement system (MOSERS) or the highways and transportation employees' and highway patrol retirement system (MPERS) who has terminated all employment with the state may elect to receive a lump sum payment for the present value of a deferred annuity. This provision shall apply to the closed plan and year 2000 plan of MOSERS. The act also provides that any member who chooses the lump sum payment option shall forfeit, waive, and relinquish all accrued rights in the system, including accrued creditable service, which shall result in a complete discharge of the existing liability of the system with respect to such terminated member or person, however, this shall not be construed to affect a member's health care benefits as provided under Chapter 103, RSMo.

This act is identical to SCS/SB 638 (2007).

JIM ERTLE

12/01/2008 Prefiled
 01/07/2009 S First Read--SB 28-Ridgeway (S10)
 01/22/2009 Second Read and Referred S Veterans' Affairs, Pensions and Urban Affairs Committee (S168)

EFFECTIVE: August 28, 2009

*** SB 29 ***

0327S.011

SENATE SPONSOR: Stouffer

SB 29 - The act requires the Department of Agriculture to issue a determination once it finds that the price of biodiesel or biodiesel-blended fuel has on average been less than or equal to the cost of conventional diesel fuel for one year. By the later of either June 1, 2011, or 120 days after the Department's price determination issuance, all diesel fuel sold at retail in Missouri shall be a biodiesel-blended fuel. By the later of either May 1, 2011, or 90 days after the Department's price determination issuance, fuel terminals in Missouri that sell diesel fuel shall sell biodiesel, conventional diesel fuel, and biodiesel-blended fuel that contains 5% biodiesel by volume. It shall not be considered a violation for a terminal to sell biodiesel-blended fuel that contains more than 5% biodiesel by volume provided any such sale adheres to notification requirements promulgated by the Department of Agriculture.

The act allows distributors to purchase unblended gasoline at the terminal for the purpose of making fuel ethanol-blended gasoline in order to comply with the fuel ethanol content requirements in current law, if the distributor can make the fuel ethanol blended gasoline at the same or lower cost of purchasing the blended

fuel directly from the terminal.

If the acquisition of biodiesel-blended fuel is more expensive for a distributor than acquisition of conventional diesel fuel, the distributor is not required to acquire biodiesel-blended fuel and neither this nor the sale of conventional diesel fuel at retail will be considered a violation of the act. The purchase of conventional diesel fuel by a distributor for the purpose of making five-percent biodiesel-blended fuel is allowable under the act. Position holders, suppliers, distributors, and retailers shall provide certain sales transaction and price information to the Departments of Agriculture and Revenue upon request. Such sales and price information shall be kept confidential by the departments.

Diesel fuel used by railroads and nuclear power generation facilities are exempt from the act's provisions. The Director of the Department of Agriculture may exempt additional fuel uses from the requirements of the act. Under current law, the Governor may issue an Executive Order to waive any of the current fuel-ethanol requirements for reasons related to air quality. The act removes the air quality criteria, thereby allowing the Governor to issue an Executive Order to waive the current fuel ethanol or the act's biodiesel requirements for any reason.

In promulgating rules for the act, the Department of Agriculture shall, as much as practicable, apply to biodiesel producers the requirements of an "accredited producer" in the BQ-9000 program of the National Biodiesel Accreditation Commission.

Current law allows fuel retailers, wholesalers, distributors, and marketers to purchase fuel ethanol from any terminal, position holder, fuel ethanol producer, wholesaler, or supplier. The act allows these entities to purchase biodiesel in the same manner.

The Department of Agriculture shall develop cold temperature operability standards for biodiesel and shall enforce the standards beginning January 1, 2011.

Anyone who manufactures biodiesel that does not meet the quality standard as promulgated by the Department of Agriculture may be subject to a penalty of up to \$10,000 per violation as well as be subject to a cease and desist order.

The Department of Agriculture may annually contract with the Food & Agricultural Policy Research Institute at the University of Missouri to study the effect of biodiesel and fuel ethanol production on the prices of fuel and food. The results of the study shall be submitted to the General Assembly each year by January 15th.

This act is similar to the perfected SCS/SB 759 (2008) and HCS/SS#2/SCS/SB 204 (2007).

ERIKA JAQUES

12/01/2008 Prefiled
 01/07/2009 S First Read--SB 29-Stouffer (S10)
 01/22/2009 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S168)
 02/04/2009 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee
 02/11/2009 Voted Do Pass S Agriculture, Food Production and Outdoor Resources Committee
 02/12/2009 Reported from S Agriculture, Food Production and Outdoor Resources Committee to Floor (S294)
 02/18/2009 Bill Placed on Informal Calendar (S328)
 04/27/2009 S Informal Calendar S Bills for Perfection--SB 29-Stouffer

EFFECTIVE: August 28, 2009

*** SB 30 ***

0146S.011

SENATE SPONSOR: Stouffer

SB 30 - Under this act, any person whose driver's license has been revoked or disqualified for a period for a period of one year or greater shall immediately surrender his or her current license plates to the director of the Department of Revenue for destruction. The person shall be issued a set of restricted license plates that shall bear a special series of numbers or letters so as to be readily identified by the highway patrol and other law enforcement officers. The restricted license plates shall be displayed on the motor vehicle or motor vehicles registered solely or jointly in the person's name for the period of the revocation, denial, or disqualification. The letters and numbers on the restricted license plates shall be codes or configured in a manner so as to be readily identified by law enforcement.

Under the act, law enforcement officers may stop vehicles bearing the restricted license plates to determine whether the driver of such vehicle has a valid driver's license. Under the act, a registered owner of a motor vehicle who has been issued restricted license plates may not sell the motor vehicle during the period the vehicle is required to display the plates unless the registered owner applies to the Department of Revenue for permission to transfer title to the motor vehicle. If the director is satisfied that the proposed sale is in good faith and for a valid consideration, and that the sale or transfer is not for the purpose of circumventing the provisions of the act, the director may certify its consent to the owner of motor vehicle. Any vehicle acquired by the applicant during the period of restriction shall display the restricted license plates (Section 302.305).

This act is similar to SB 580 (2007).

STEPHEN JOHN WITTE

12/01/2008 Prefiled
01/07/2009 S First Read--SB 30-Stouffer (S10)
01/22/2009 Second Read and Referred S Transportation Committee (S168)
02/11/2009 Hearing Conducted S Transportation Committee

EFFECTIVE: August 28, 2009

*** SB 31 ***

0330S.01P

SENATE SPONSOR: Stouffer

SB 31 - This act eliminates the position of the Transportation Inspector General contained within the Joint Committee on Transportation Oversight.

STEPHEN WITTE

12/01/2008 Prefiled
01/07/2009 S First Read--SB 31-Stouffer (S11)
01/22/2009 Second Read and Referred S Transportation Committee (S168)
01/28/2009 Hearing Conducted S Transportation Committee
01/29/2009 Voted Do Pass S Transportation Committee-Consent
01/29/2009 Reported from S Transportation Committee to Floor - Consent (S218)
02/12/2009 S Third Read and Passed - Consent (S295 / H323)
02/16/2009 H First Read (H323)
02/17/2009 H Second Read (H332)
03/30/2009 Referred H Transportation Committee (H790)
04/07/2009 Hearing Conducted H Transportation Committee

EFFECTIVE: August 28, 2009

*** SB 32 ***

0057S.011

SENATE SPONSOR: Wilson

SB 32 - This act allows any city in this state to designate duty free zones within such city and grant such areas tax favored status for a term not to exceed twenty-three years. Tax favored status is defined as a reduction to or elimination of the rate of tax on transactions imposed under Missouri's sales and use tax laws. Duty free zones may only be established in blighted areas located within qualified census tracts. The act requires the governing body of the city to hold public hearings prior to the adoption of an ordinance designating an area of such municipality as a duty free zone. The act requires the governing body to provide notice of such hearings to affected taxing districts and the public. Upon receiving municipal approval, the designation must be approved, at the same rate of tax and term, by the county or counties in which the city is located and by the Missouri Development Finance Board.

Upon the issuance of a certificate of approval from the Missouri Development Finance Board, any business located within a duty free zone may receive tax favored status for a term not to exceed fifteen years. In order to receive tax favored status, a business owner must report the amount of taxes deferred, on an availability basis, for the duration of the time in which it receives tax favored status. Municipalities are prohibited from having more than one duty free zone in existence, within such municipality, at any given time.

The act contains a contingent effective date. The provisions of the act will become effective upon voter approval of a constitutional amendment authorizing tax free or reduced tax zones for the purpose of promoting economic development.

This act is similar to Senate Bill 1012 (2008).

JASON ZAMKUS

12/01/2008 Prefiled

01/07/2009 S First Read--SB 32-Wilson (S11)

01/22/2009 Second Read and Referred S Ways and Means Committee (S168)

04/08/2009 Hearing Conducted S Ways and Means Committee

EFFECTIVE: Contingent

*** SB 33 ***

0405S.011

SENATE SPONSOR: Wilson

SB 33 – This act creates the Missouri Strive to Succeed Graduation Program, to be implemented and administered by the Department of Elementary and Secondary Education. The Department must establish procedures to allow certain school districts to apply for grants to implement drop-out prevention strategies. The Department must give preference for grants to school districts that propose to target students across the age spectrum and that would adopt the following: a collaborative approach with various community organizations as described in the act; early intervention strategies; the implementation of various core strategies for drop-out prevention as described in the act; and the implementation of early intervention strategies for students not likely to graduate.

To qualify for a grant award, a school district must meet one of these three criteria: be classified as unaccredited, provisionally accredited, or interim accredited; have obtained an annual performance review score consistent with unaccredited or provisionally accredited; or have not met the graduation rate performance standard as indicated on its most recent annual performance review. Grants may be awarded for one to five consecutive years and are renewable.

The Department may stop grant payments to a district if it determines that the district is misusing funds or if the district's program is deemed ineffective. The Department must provide written notice thirty days prior to cessation of funds.

The Department must report annually to the General Assembly the recipients and amount of grants and data for the preceding five years for each recipient district. The General Assembly must annually appropriate an amount sufficient to properly fund this act, a minimum of five million dollars in any fiscal year.

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

This act is similar to SB 1128 (2008).

MICHAEL RUFF

12/01/2008 Prefiled

01/07/2009 S First Read--SB 33-Wilson (S11)

01/22/2009 Second Read and Referred S Education Committee (S168)

EFFECTIVE: August 28, 2009

*** SB 34 ***

0055S.011

SENATE SPONSOR: Wilson

SB 34 - This act provides that pursuant to the option granted under the federal Personal Responsibility and Work Opportunity Act of 1996, an individual who has a felony conviction under federal or state law involving possession or use of a controlled substance shall be eligible for food stamp benefits if such person, as determined by the department of social services, successfully participates in or has satisfactorily completed a substance abuse treatment program approved by the division of alcohol and drug abuse or complies with all obligations imposed by the court, Division of Alcohol and Drug Abuse and the Division of Probation and Parole. In addition, the individual shall be subject to random drug testing. Such individual shall be permanently disqualified for such benefits following any positive drug test, except for those controlled substances validly prescribed by a licensed health care provider. The individual must all meet all other factors for foods stamps eligibility.

This act is identical to SB SS/SB 764 (2008).

ADRIANE CROUSE

12/01/2008 Prefiled
 01/07/2009 S First Read--SB 34-Wilson (S12)
 01/22/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S168)
 04/21/2009 Hearing Conducted S Health, Mental Health, Seniors and Families Committee

EFFECTIVE: August 28, 2009

*** SB 35 ***

0518S.011

SENATE SPONSOR: Goodman

SB 35 - Currently, the Secretary of State submits fair ballot language statements to the Attorney General for approval before the measures are put on the ballot. This act requires that the Secretary of State submit the language to a newly created Fair Ballot Commission for approval.

The Commission is comprised of eight members. The pro tem and minority leader of the Senate and the speaker and minority leader of the House of Representatives shall each appoint one attorney licensed in the state and one private citizen of the state who is not an attorney to establish membership. The statements shall be approved by a majority of the Commission. If a statement is not so approved, the statement shall be returned to the Secretary of State along with an alternative statement approved by the majority of the Commission.

All statements shall include the current law governing the topic of the proposed change along with the fiscal impact on state and local governments.

CHRIS HOGERTY

12/01/2008 Prefiled
 01/07/2009 S First Read--SB 35-Goodman and Champion (S11)
 01/22/2009 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S168)
 03/23/2009 Hearing Scheduled But Not Heard S Financial and Governmental Organizations and Elections Committee
 04/14/2009 Hearing Conducted S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2009

*** SB 36 ***

HCS SCS SBs 36 & 112

0517L.04C

SENATE SPONSOR: Goodman

HOUSE HANDLER: Wasson

HCS/SCS/SBs 36 & 112 - Currently, the penalty for forcible rape or sodomy of a child under the age of twelve is life imprisonment without eligibility for probation or parole until the person has served at least thirty years of such sentence. Under this act, the penalty for such crimes is life imprisonment without ever being eligible for probation, parole, or conditional release, if such forcible rape or sodomy of a child is outrageously or wantonly vile, horrible or inhuman in that it involved torture or depravity of mind.

SUSAN HENDERSON MOORE

12/01/2008 Prefiled
 01/07/2009 S First Read--SB 36-Goodman (S11)
 01/22/2009 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S169)
 01/26/2009 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee
 02/02/2009 SCS Voted Do Pass (w/SCS/SBs 36 & 112) S Judiciary and Civil and Criminal Jurisprudence Committee (0517S.03C)
 02/05/2009 Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor w/SCS (S254)
 02/11/2009 SCS S adopted (S285)
 02/11/2009 Perfected (S285)
 02/12/2009 Reported Truly Perfected S Rules Committee (S294)
 02/12/2009 Referred S Governmental Accountability and Fiscal Oversight Committee (S302)
 02/16/2009 Voted Do Pass S Governmental Accountability and Fiscal Oversight Committee
 02/17/2009 Reported from S Governmental Accountability and Fiscal Oversight Committee to Floor (S319)
 02/19/2009 S Third Read and Passed (S339-340)
 02/19/2009 H First Read (H360)
 02/23/2009 H Second Read (H392)
 04/02/2009 Referred H Crime Prevention Committee (H921)

04/15/2009 Hearing Conducted H Crime Prevention Committee
04/22/2009 HCS Voted Do Pass H Crime Prevention Committee
04/23/2009 HCS Reported Do Pass H Crime Prevention Committee (H1257)
04/23/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1257)

EFFECTIVE: August 28, 2009

*** SB 37 ***

SCS SB 37

0516S.02P

SENATE SPONSOR: Goodman

HOUSE HANDLER: Jones

SCS/SB 37 - This act modifies various provisions relating to the public defender system.

SECTION 600.011

This section redefines various positions within the public defender system, including assistant public defenders, contract counsel, deputy directors, deputy district defenders, and district defenders. The definitions reflect the current administrative structure of the public defender system.

This section specifies that the deputy director exercises the duties of the director on a temporary basis only, when the director is absent or has resigned, until the commission appoints a new director.

SECTION 600.015

This section adds an additional member to the Public Defender Commission, for a total of eight. At least one member must be an assistant public defender with at least one year of experience.

SECTION 600.017

The public defender commission shall only continue to have the power to select the director and deputy directors and not other public defenders. This section specifies that the commission shall only continue to have the authority to draw up procedures to select division directors and district defenders and not other public defenders and staff.

The commission shall also establish maximum public defender caseload standards in order to fulfill the constitutional obligation to provide effective counsel and comply with the rules of professional conduct. In doing so, the commission shall consider national defender caseload standards, particulars of local practice, the needs of the criminal justice system, and other pertinent factors.

SECTION 600.021

Under this section, the director of the system shall be the employer of the public defender system employees rather than the commission and the employees shall serve at the pleasure of the director rather than the local public defender.

Public defenders shall no longer have a term of four years.

This section repeals the provision providing that the commission may appoint and fix the compensation of personnel for the system.

Currently, the commission may contract with private attorneys. Under this act, the commission may authorize the director to contract with such attorneys.

SECTION 600.040

The state shall pay for the parking costs for public defender system employees.

SECTION 600.042

Under this section, the director shall fix the compensation of all public defender system employees except for the deputy directors.

This section states that the director and deputy directors may participate in cases based on their own discretion and not only upon an order of the commission. Currently, the director has no authority to direct or control the legal defense of specific cases. Under this section, the director shall have the authority to become involved in cases in order to ensure that the defendant is provided effective counsel.

Funds applied for and accepted on behalf of the public defender system, which are available through government grants, private gifts, donations, or any other source, shall be deposited into the Legal Defense

and Defender Fund, rather than the general revenue fund.

The director shall also ensure that public defender caseloads remain within the maximum defender caseloads established by the commission. Where the number of cases exceeds the maximum caseload, the director shall contract the excess cases to private counsel when funds are available. If funds are not available, the director shall notify the court that the public defender is unavailable. Persons eligible for public defender services shall then be placed on a waiting list for services and the court shall proceed as provided in this section.

Currently, indigent persons are eligible for public defender services when detained or charged with a misdemeanor which will likely result in confinement. Under this section, such person shall only be eligible when the prosecuting attorney has requested a jail sentence for such misdemeanor.

SECTION 600.045

When the public defender is unavailable to accept additional cases because maximum caseload standards have been met, the court and the public defender shall proceed in the following manner:

(1) the public defender shall continue to make indigency determinations and inform the court of the status of defendants requesting services;

(2) If, after consulting with the prosecutor, the court determines a case can be disposed of without a jail or prison sentence, the court may proceed without the provision of counsel to the defendant;

(3) If a jail or prison sentence remains possible, the court shall place the case on a waiting list for defender services;

(4) The court shall determine the order in which cases will be placed on its waiting list for services.

The commission and Supreme Court may make rules and regulations regarding these provisions in order to ensure the defendant's constitutional right to effective assistance of counsel is met.

Nothing in this section shall prevent the court from using non-public defender resources to obtain counsel for a defendant on the waiting list or from making pro bono appointments. Private counsel may seek payment of litigation expenses from the public defender system for such services, but such expenses shall not include counsel fees and shall be limited to the expenses approved in advance by the director.

SECTION 600.086

This section requires state and local government offices to provide financial records and information about a person seeking services from the public defender system to any employee of the system, upon request and without a fee. Currently, only persons in certain positions within the system may request such information.

SECTION 600.090

Currently, a balance of not more than \$150,000 shall remain in the Legal Defense and Defender Fund at the end of the appropriation period and not be transferred to the general revenue fund. Under this section, the amount is increased to an amount equal to 20% of the current annual fund appropriation.

SECTION 600.096

This section requires public offices to provide public defenders with photographs, recordings, and electronic files at no cost.

This act is similar to SCS/SB 737 (2008).
SUSAN HENDERSON MOORE

SA 1 - ADDS ONE MEMBER TO THE PUBLIC DEFENDER COMMISSION AND REQUIRES ONE MEMBER OF THE COMMISSION TO BE AN ASSISTANT PUBLIC DEFENDER WITH AT LEAST ONE YEAR OF SERVICE

12/01/2008 Prefiled
01/07/2009 S First Read--SB 37-Goodman (S11)
01/22/2009 Second Read and Referred S General Laws Committee (S169)
01/27/2009 Hearing Conducted S General Laws Committee
02/03/2009 SCS Voted Do Pass S General Laws Committee (0516S.02C)

02/05/2009 Reported from S General Laws Committee to Floor w/SCS (S254)
 02/11/2009 SA 1 to SCS S offered (Justus)--(0516S02.01S) (S286)
 02/11/2009 Bill Placed on Informal Calendar (S286)
 02/24/2009 SA 1 to SCS S adopted (S374)
 02/24/2009 SCS, as amended, S adopted (S374)
 02/24/2009 Perfected (S374)
 02/25/2009 Reported Truly Perfected S Rules Committee (S384)
 02/25/2009 Referred S Governmental Accountability and Fiscal Oversight Committee (S385)
 02/26/2009 Hearing Scheduled But Not Heard S Governmental Accountability and Fiscal Oversight Committee
 03/02/2009 Hearing Conducted S Governmental Accountability and Fiscal Oversight Committee
 03/02/2009 Voted Do Pass S Governmental Accountability and Fiscal Oversight Committee
 03/03/2009 Reported from S Governmental Accountability and Fiscal Oversight Committee to Floor (S458)
 03/04/2009 S Third Read and Passed (S471-472 / H494)
 03/05/2009 H First Read (H494)
 03/06/2009 H Second Read (H501)
 04/02/2009 Referred H Judiciary Committee (H921)
 04/07/2009 Re-referred H Special Standing Committee on General Laws Committee (S955)
 04/14/2009 Hearing Conducted H Special Standing Committee on General Laws Committee
 04/21/2009 Voted Do Pass H Special Standing Committee on General Laws Committee
 04/21/2009 Reported Do Pass H Special Standing Committee on General Laws Committee (H1195)
 04/21/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1195)

EFFECTIVE: August 28, 2009

*** SB 38 ***

0319S.01P

SENATE SPONSOR: Rupp

SB 38 - This act allows a county, after meeting the required assessed valuation, to become a second class county upon a vote of the governing body to change classifications. Currently, a county can only change classifications by a vote of the governing body if it is becoming a first class county; otherwise, the county must be at the required assessed valuation for five years before changing classifications. The effective date of the change in classification shall be at the beginning of the county fiscal year following the election by the governing body.

This act increases the assessed valuation a county must maintain in order to move into a higher classification. The assessed valuation for counties of the first classification is increased from \$600 million to \$750 million. The assessed valuation for counties of the second classification is increased from \$450 million to \$600 million. All counties with an assessed valuation of less than \$600 million will be counties of the third classification.

The required assessed valuation for each classification shall be increased by an amount equal to any percentage increase in the consumer price index.

This act is identical to HCS/SB 820 (2008) and SB 358 (2009).
 SUSAN HENDERSON MOORE

12/01/2008 Prefiled
 01/07/2009 S First Read--SB 38-Rupp (S11)
 01/22/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S169)
 01/28/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee
 02/09/2009 Voted Do Pass S Jobs, Economic Development and Local Government Committee - Consent
 02/11/2009 Reported from S Jobs, Economic Development and Local Government Committee to Floor - Consent (S286)
 02/17/2009 Removed S Consent Calendar (S322)
 02/26/2009 Reported from S Jobs, Economic Development and Local Government Committee to Floor (S419)
 03/03/2009 SA 1 S offered & adopted (Purgason)--(0319S01.04S) (S457-458)
 03/03/2009 Perfected, as amended (S458)
 03/04/2009 Reported Truly Perfected S Rules Committee (S474)
 03/09/2009 S Third Read and Passed (S541-542 / H517)
 03/09/2009 H First Read (H517)

03/10/2009 H Second Read (H526)
 04/02/2009 Referred H Local Government Committee (H921)
 04/08/2009 Hearing Conducted H Local Government Committee

EFFECTIVE: August 28, 2009

*** SB 39 ***

0372S.011

SENATE SPONSOR: Rupp

SB 39 - This act provides that beginning August 28, 2009, there shall be an additional circuit judge position in the 45th circuit. The two judges in this circuit will sit in divisions numbered one and two. The judge who sits in this circuit on August 27, 2009, shall sit in division one until a successor is elected in 2012. The circuit judge in division two shall be elected in 2010.

This act is substantially similar to SB 769 (2008) and SB 434 (2007).

JIM ERTLE

12/01/2008 Prefiled
 01/07/2009 S First Read--SB 39-Rupp (S11)
 01/22/2009 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S169)

EFFECTIVE: August 28, 2009

*** SB 40 ***

0331S.021

SENATE SPONSOR: Rupp

SB 40 – This act makes changes to the Bright Flight Scholarship Program. It specifies that a student must be a Missouri resident in order to be eligible for a scholarship. In addition, it expands scholarship eligibility to individuals who have received a General Education Development diploma (GED) or who have completed a homeschooling program of study.

The qualifying score necessary for a student to receive a scholarship will be determined at the beginning of an eligible student's final year of secondary coursework.

Current law provides that in fiscal year 2011 and beyond, a student scoring between the top 3-5% of Missouri ACT or SAT test-takers will receive a \$1000 scholarship. This act provides that a student scoring in the top 5% of Missouri ACT test-takers will be offered a \$1000 scholarship, with an additional result being that a test-taker scoring in the top 3% would receive \$4,000.

Current law allows a student to receive a renewal scholarship for the second, third, and fourth academic years. This act allows a student to renew the scholarship for as long as the student is in compliance with the renewal requirements described in the act.

If a scholarship recipient cannot attend an approved institution because of military service with the United States Armed Forces, the student will receive the scholarship if he or she returns to full-time status within six months after ending military service. The student must verify to the Coordinating Board for Higher Education that the military service was satisfactorily completed.

This act is similar to provisions contained in SB 984 (2008).

MICHAEL RUFF

12/01/2008 Prefiled
 01/07/2009 S First Read--SB 40-Rupp (S11)
 01/22/2009 Second Read and Referred S Education Committee (S169)

EFFECTIVE: August 28, 2009

*** SB 41 ***

0514S.011

SENATE SPONSOR: Cunningham

SB 41 – This act creates the "Amy Hestir Student Protection Act." (Section 160.085)

SECTION 37.710: This act grants the Office of the Child Advocate the authority to file any findings or reports of the child advocate regarding the parent or child with the court and to issue recommendations regarding the

disposition of an investigation, which may be provided to the court and the investigating agency.

SECTION 160.261: If a student reports alleged sexual misconduct by a teacher or other school employee to a mandated reporter, the school district superintendent must forward the allegation to the Children's Division within twenty-four hours. This act changes the standard used when the school board considers allegations of alleged child abuse to a preponderance of the evidence. If the school board finds and concludes that the alleged child abuse is unsubstantiated, but the allegations contain an element of sexual misconduct, the record of allegations and the report of it being unsubstantiated must be retained in the information system of the Children's Division. In addition, if any allegations contain an element of sexual misconduct but the case is unresolved, the record of allegations will be retained in the information system of the Children's Division. These closed records will be retained for a period of five years if the allegations were initiated by a mandatory reporter or two years if the allegations were initiated by another party. A mandated reporter as described in the act, who is a school officer or employee, who fails to report, will be subject to a fine of up to \$5,000 or one year in jail, or both. A student who makes a false allegation will be subject to disciplinary action by school policy, including the attachment of a notice of the false allegation to the student's permanent record.

SECTION 160.262: This act authorizes the Office of the Child Advocate to offer mediation services when requested by either party when child abuse allegations arise in a school setting. No student or parent will be required to enter into mediation but a school district is required to participate if a parent requests mediation. The Department may also direct the average daily attendance of a student to be counted in the receiving district. Student participation in student activities at such school or school district will be on the basis of a resident basis. Procedures for mediation are described in the act.

SECTION 162.014: A registered sex offender, or a person required to be registered as a sex offender, is prohibited from being a school board member or candidate for school board.

SECTION 162.068: Beginning July 1, 2010, any school employee who is required to undergo a background check and register with the family care safety registry will be asked to sign a waiver to permit a school district access to closed records in the child abuse registry or information system if there are at least two records or reports of unsubstantiated or unresolved incidents. No applicant for employment will be required to sign the waiver to be considered for employment.

By July 1, 2010, every school district must adopt a written policy on information that the district may provide about former employees to other potential employers.

The act grants civil immunity to school district employees who report or discuss employee job performance for the purpose of making employment decisions that affect the safety and overall well-being of a student or students if done in good faith and without malice. The Attorney General will defend the employees in such an action as described in the act.

If a school district had an employee whose job involved contact with children and the district received allegations of the employee's sexual misconduct and the district dismisses the employee or allows the employee to resign and the district fails to disclose the allegations in a reference to another school district, the district will be liable for damages and have third-party liability for failure to disclose.

SECTION 162.069: By January 1, 2010, every school district must develop a written policy concerning teacher-student communication and employee-student communications. Each policy must include appropriate oral and nonverbal personal communication, which may be combined with sexual harassment policies, and appropriate use of electronic media as described in the act, including social networking sites. Teachers cannot establish, maintain, or use a work-related website unless it is available to school administrators and parents, or have a nonwork-related website that allows exclusive access with a current or former student.

By January 1, 2010, each school district must include in its teacher and employee training a component that provides information on identifying signs of sexual abuse in children and of potentially abusive relationships between children and adults, with an emphasis on mandatory reporting. Training must also include an emphasis on the obligation of mandated reporters to report suspected abuse by other mandatory reporters.

SECTION 168.021: In order to obtain a teaching certificate, an applicant must complete a background check as provided in section 168.133.

SECTION 168.071: The crimes of sexual contact with a student while on public school property as well as second and third degree sexual misconduct are added to the offenses for which a teacher's license or certificate may be revoked.

SECTION 168.133: This act changes, from two to one, the number of sets of fingerprints an applicant must submit for a criminal history background check. An employee employed after July 1, 2010, who is required to undergo a criminal background check must register with the family care safety registry. The Department of Elementary and Secondary Education must facilitate an annual check for employees with active teaching certificates against criminal history records in the central repository, sexual offender registry, and child abuse central registry. The Missouri Highway Patrol must provide ongoing electronic updates to criminal history background checks for those persons previously submitted by the Department of Elementary and Secondary Education.

SECTION 210.135: Third-party reporters of child abuse who report an alleged incident to school administrators are immune from civil and criminal liability under certain circumstances.

SECTION 210.145: The Children's Division must provide information about the Office of the Child Advocate and services it may provide to any individual who is not satisfied with the results of an investigation.

SECTION 210.152: The Children's Division may reopen a case for review at the request of any party to the investigation if information is obtained that the investigation was not properly conducted under the provisions of Chapter 210, RSMo, or if new information becomes available.

SECTIONS 210.915 and 210.922: This act adds the Department of Elementary and Secondary Education to the list of departments that must collaborate to compare records on child-care, elder-care, and personal-care workers, including those individuals required to undergo a background check under section 168.133 and who may use registry information to carry out assigned duties.

SECTION 556.037 - This act repeals the current twenty-year statute of limitations for the prosecution of unlawful sexual offenses involving a person eighteen years of age or younger.

This act is substantially similar to HCS/HB 1314 (2008), is similar to SB 1212 (2008) and contains provisions identical to HB 2334 (2008) and HB 2579 (2008).

MICHAEL RUFF

12/01/2008 Prefiled
01/07/2009 S First Read--SB 41-Cunningham (S11)
01/22/2009 Second Read and Referred S Education Committee (S169)
03/04/2009 Hearing Conducted S Education Committee

EFFECTIVE: August 28, 2009

*** SB 42 ***

0509S.011

SENATE SPONSOR: Cunningham

SB 42 – This act modifies provisions relating to teacher pay.

SECTION 163.011: This act modifies the definition and calculation of the state adequacy target for the elementary and secondary education funding formula. It removes from the calculation of the state adequacy target the inclusion of the gaming revenues from the repeal of the loss limits. It also removes the requirement that the state adequacy target be recalculated every year.

SECTION 168.106: A teacher may opt out of his or her permanent contract and participate in the Teacher Choice Compensation Package.

SECTION 168.745: This act creates the "Teacher Choice Compensation Package" to permit performance-based salary stipends, upon the decision of a teacher, to reward teachers for objectively demonstrated superior performance. It also creates the Teacher Choice Compensation Fund in the State Treasury.

SECTION 168.747: A teacher must opt of his or her permanent contract for the duration of his or her employment with the school district to participate in the Teacher Choice Compensation Package. If a teacher chooses to no longer participate in the Compensation Package, he or she may not resume permanent teacher status with the district. If a teacher becomes employed by another school district, he or she may

choose to remain in the Compensation Package or resume the process for an indefinite contract in that district. Teachers will qualify annually in October.

Stipends will be offered in increments of five thousand dollars, up to fifteen thousand dollars but must not exceed fifty percent of a teacher's base salary as described in the act. The Department of Elementary and Secondary Education will make a payment to the district in the amount of the stipend, which will be delivered as a lump sum in January following the October qualification. If funds are insufficient, the Department may prorate payments.

The Compensation Package will be open to every person employed by a school district regardless of certification status, provided the other requirements are satisfied. Stipends will be prorated for part-time employees and will be forfeited for any teacher dismissed for cause.

SECTION 168.749 & 168.750: Beginning with the 2010-2011 school year, teachers who opt out of their permanent contract may be eligible based on the following: student scores on a value-added test instrument as described in the act, evaluations by principals or other administrators, evaluations by parents, and evaluations by students. The Department of Elementary and Secondary Education must develop or identify model instruments for use by school districts, which may also use or develop their own instruments.

The Department of Elementary and Secondary Education must develop criteria for determining eligibility for stipend increments. Test-scores will be given more weight than evaluations. The level of scores required must take into account classroom demographics.

SECTION 313.778: This act provides that monies in the Schools First Elementary and Secondary Education Improvement Fund will be transferred to the Teacher Choice Compensation Fund to be used for purposes of the Teacher Choice Compensation Package.

This act is similar to HB 214 (2007).

MICHAEL RUFF

12/01/2008 Prefiled

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03/04/2009 Hearing Conducted S Education Committee

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*** SB 43 ***

0442S.011

SENATE SPONSOR: Pearce

This bill has been combined with SB 65

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01/07/2009 S First Read--SB 43-Pearce and Engler (S12)

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03/03/2009 Bill Combined (w/SCS/SBs 65 & 43)

EFFECTIVE: August 28, 2009

*** SB 44 ***

HCS SCS SB 44

0438L.07C

SENATE SPONSOR: Pearce

HCS/SCS/SB 44 - This act creates new requirements for private jails. Private jails are facilities not owned or operated by the state, a county, or a municipality that confine or detain prisoners who are awaiting trial, awaiting sentencing, or serving a sentence in jail.

When an employee of a private jail has reasonable cause to believe that a felony has been committed at the private jail, he or she shall promptly, upon learning of the event, report it to the supervisor on duty. The administrator shall, in a timely manner, refer all reports to local, state, or county law enforcement with jurisdiction. The administrator and employees shall cooperate in the investigation of the facts alleged in the report insofar as is consistent with the constitutional rights of all parties involved.

In the event that a prisoner is missing, the private jail shall take prompt and reasonable action to discover where the prisoner has escaped. Upon learning such an escape has occurred, the private jail shall promptly notify law enforcement and provide them with all available information known about the escape and the escapee.

It shall be an infraction, subject to a civil penalty of not less than one hundred dollars but not more than one thousand dollars, for any person or company to willfully fail to make a report required by this act. The action to recover such penalty shall be a civil action brought by the county attorney in the name of the county where the report was required to be made. Except for such infraction, Section 221.095 and 221.097, RSMo, shall not create any new civil cause of action.

Any person who makes a report, or who testifies in an administrative or judicial proceeding arising from the report, shall be immune from any civil or criminal liability for making such a report or for testifying, unless the person acted with malice.

Persons confined in private jails shall be separated and confined by gender. Persons confined under civil process or for civil causes shall be kept separate from people confined regarding criminal matters. The administrator shall arrange for necessary health care services and provide adequate clothing, food, and bedding, for those persons confined in the private jail. Deprivation of such items shall not be used as a disciplinary action against a confined person. No person confined in a private jail shall be used in any manner for the profit, betterment, or personal gain of any county or private jail employee. Any law enforcement investigation of a report regarding necessary health care or use of a confined person for profit or gain shall be concluded in a timely manner and a written report shall be provided to the private jail.

SUSAN HENDERSON MOORE

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 03/09/2009 SA 2 to SCS, as amended, S adopted (S545)
 03/09/2009 SA 3 to SCS S offered & adopted (Wilson)--(0438S04.03S) (S545-546)
 03/09/2009 SA 4 to SCS S offered & adopted (Bray)--(0438S04.02F) (S546)
 03/09/2009 SA 5 to SCS S offered & adopted (Bray)--(0438S04S.03F) (S546)
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EFFECTIVE: August 28, 2009

*** SB 45 ***

SCS SBs 45, 212, 136, 278, 279, 285 & 288

0528S.08C

SENATE SPONSOR: Pearce

SS#3/SCS/SBs 45, 212, 136, 278, 279, 285 & 288 - This act modifies every state tax credit program in existence which does not currently have a tax credit cap or sunset date for the program, except for the senior

citizen property tax credit, the homestead preservation tax credit, financial and insurance tax credits, and the community college new job training and retention tax credit.

The authorization of development tax credits will be prohibited after June 30, 2012. (Section 32.105) The authorization of neighborhood assistance tax credits is prohibited after June 30, 2015. (Sections 32.110 and 32.115) The authorization of affordable housing tax credits is prohibited after June 30, 2012. (Sections 32.111, 32.112, and 32.115)

Under current law, any city, town, or village located in St. Louis County, Jefferson County, or St. Charles County must create a county-wide TIF commission in order to implement a tax increment finance project. This act requires any city, town, or village in the state, which is located within a county subject to the authority of the East-West Gateway Council of Governments and desires to implement a TIF project after August 28, 2009, to create a county-wide tax increment finance commission. (Section 99.820)

Any municipality which fails to provide the statutorily required report to the department of economic development will be prohibited from implementing any new tax increment finance project for a period of no less than five years from the date of failure to comply. The State Auditor is required to make information on municipal tax increment finance projects available to the public in a searchable database on the Auditor's website. (Section 99.865)

Under current law, the Missouri Development Finance Board is prohibited from issuing the greater of ten million dollars or an amount equal to five percent of growth in general revenue receipts for the preceding three years in Missouri Development Finance Board Infrastructure Development Fund Contribution Tax Credits annually unless the Commissioner of Administration, the director of the Department of Economic Development, and the director of the Department of Revenue agree to exceed such limit. Beginning fiscal year 2010, the act limits the authorization of infrastructure and development contribution credits to no more than ten million dollars per fiscal year. The limitation on authorization of infrastructure development fund contribution tax credits may only be exceeded by a signed and notarized letter evidencing mutual agreement by the Commissioner of Administration, the director of the Department of Economic Development, the director of the Department of Revenue, the Chairman of the House Budget Committee, and the Chairman of the Senate Appropriations Committee, provided that in such case no more than twenty-five million dollars in tax credits may be authorized for such fiscal year. Taxpayers must file an application with the department of economic development for infrastructure development contribution tax credits. If the amount of eligible applications exceeds the allocation for tax credits, tax credits will be awarded on a first-to-file, first-to-receive basis. The authorization of infrastructure development fund contribution tax credits is prohibited after June 30, 2015. (Section 100.286)

Beginning fiscal year 2010, the Missouri Development Finance Board is barred from issuing more than ten million dollars in revenue bonds or notes for which tax credits are available under the bond guarantee program per fiscal year. Bond guarantee tax credits are prohibited from being authorized after June 30, 2015. (Section 100.297)

The act removes the requirement that applicants for the BUILD program consider locating within another state and state the disparity in costs exist between such state and Missouri and increases the annual tax credit cap from fifteen million to twenty-five million dollars. An additional ten million dollars in tax credits will be available for companies which have pay an average wage in excess of seventy-five thousand dollars. The act prohibits the issuance of BUILD tax credits after June 30, 2015. (Section 100.850)

The act requires the circuit court to order a public hearing on the creation and funding of a proposed transportation development district, if the petition to create such district was filed by the owners of all real property within the proposed district. The director of the Department of Revenue will perform all functions incident to the administration, collection, enforcement, and operation of transportation development district sales taxes. The board of directors of every transportation development district is required to annually submit a report of financial transactions to the state auditor. Failure to timely file such a report by a transportation development district will result in the imposition of a fine not to exceed five hundred dollars. Petitions to create transportation development districts must include details of the budgeted expenditures, including estimated expenditures for real physical improvements, estimated land acquisition expenses, estimated expenses for professional services, and estimated interest charges. (Sections 105.145, 238.207, 238.212, and 238.235)

No more than one hundred thousand dollars in tax credits for surviving spouses of public safety officers

may be authorized in any fiscal year beginning fiscal year 2010. Taxpayers will be required to file an application for tax credits with the department of revenue. If the amount of eligible applications exceeds the allocation for tax credits, tax credits will be awarded on a first-to-file, first-to-receive basis. Tax credits for surviving spouses of public safety officers are prohibited from being authorized after June 30, 2013. (Section 135.090)

The act allows an existing headquarters to receive tax credits for new or expanded business facilities for expansions done before January 1, 2015. At least twenty-five new employees and at least one million dollars in new investment must be attributed to such expansion. Buildings on multiple, non-contiguous property will be considered one facility if the buildings are within the same municipality. (Section 135.155)

Beginning fiscal year 2010, the department of economic development is prohibited from authorizing more than three million five hundred thousand dollars in wood energy producer tax credits per fiscal year. Taxpayers must file an application with the department of economic development for wood energy producer tax credits. If the amount of eligible applications exceeds the allocation for tax credits, tax credits will be awarded on a first-to-file, first-to-receive basis. (Section 135.305)

No special needs adoption tax credits or children in crisis tax credits may be authorized after June 30, 2012. (Section 135.327)

Beginning fiscal year 2010, no more than one hundred percent of the amount of tax credits which are made available for projects within the state under the federal low income housing tax credit program may be made available for authorization under the low income housing tax credit program per fiscal year. No low income housing tax credits may be authorized after June 30, 2019. The director of the department of economic development is required to request a binding letter ruling from the IRS, no later than October 1, 2009, stating that certificated tax credits are treated as a payment of tax liability. (Section 135.352)

The act prohibits the authorization of youth opportunities tax credits after June 30, 2013. (Sections 32.115 and 135.460)

The act prohibits the authorization of neighborhood preservation tax credits after June 30, 2015. (Section 135.484)

No more than fifty thousand dollars in tax credits for expenses incurred by small businesses in the provision of disabled access may be authorized each fiscal year beginning FY 2010. Small businesses must file an application with the Department of Economic Development for disabled access tax credits. If the amount of eligible applications exceed the allocation for tax credits, tax credits will be awarded on a first-to-file, first-to-receive basis. The act prohibits the authorization of disabled access tax credits after June 30, 2014. (Section 135.490)

The act prohibits the authorization of rebuilding communities tax credits after June 30, 2013. (Section 135.535)

The act prohibits the authorization of tax credits for contributions to shelters for victims of domestic violence after June 30, 2014. (Section 135.550)

The secondary mining use tax credit program is created to provide a tax credit for taxpayers, including not-for-profit insurance companies, that incur expenses for the utilization of an existing mine for secondary uses equal to the lesser of hundred percent of such costs or one hundred thousand dollars. The tax credit is fully transferrable, and non-refundable, but may be carried forward five years. The tax credit has an annual aggregate state-wide cap of one million dollars. The provisions of the act creating this tax credit program will automatically terminate six years from the effective date of the act unless re-authorized. (Section 135.567)

The Business Relocation for Secondary Mining Use Tax Credit program is created to provide a tax credit to taxpayers, including not-for-profit insurance companies, that incur expenses in relocating to an existing mine for use of the mine other than mining equal to the lesser of fifty percent of such costs or ten thousand dollars. The tax credit is fully transferrable, and non-refundable, but may be carried forward five years. The tax credit has an annual aggregate state-wide cap of one hundred thousand dollars. The provisions of the act creating this tax credit program will automatically terminate six years from the effective date of the act unless re-authorized. (Section 135.568)

The Abandoned Mine Safety Tax Credit Program is created to provide a tax credit, to taxpayers, including not-for-profit insurance companies, that incur expenses in implementing safety measures or devices in abandoned mines, equal to the lesser of fifty percent of such expenses or fifty thousand dollars. The tax credit is fully transferrable, and non-refundable, but may be carried forward five years. The tax credit has an annual aggregate state-wide cap of five hundred thousand dollars. The provisions of the act creating this tax credit program will automatically terminate six years from the effective date of the act unless re-authorized. (Section 135.569)

No tax credits for contributions to maternity homes may be authorized after June 30, 2014. (Section 135.600)

Under current law, the Department of Economic Development is required to limit the monetary amount of qualified equity investments to a level necessary to limit tax credit utilization to no more than fifteen million dollars annually. Following fiscal year 2010, no equity investments may be made unless reauthorization is provided by enactment of a general law by the General Assembly.

This act would require the department to limit the monetary amount of qualified equity investments to a level necessary to limit tax credit utilization to no more than twenty-five million dollars annually. The department is required to deny any application received for certain other economic development incentives which, in addition to the benefits received under the new markets program by the entity, either directly or indirectly, would exceed the projected state benefit. The requirement for reauthorization by enactment of a general law by the General Assembly is moved back two fiscal years to fiscal years following fiscal year 2012. (Section 135.680)

No more than three hundred fifty thousand dollars in wine and grape production tax credits may be authorized each fiscal year beginning FY 2010. Wine and grape producers must file an application with the department of economic development for disabled access tax credits. If the amount of eligible applications exceeds the allocation for tax credits, tax credits will be awarded on a first-to-file, first-to-receive basis. No wine and grape production tax credits may be authorized after June 30, 2014. (Section 135.700)

Beginning FY 2010, the act limits fiscal year authorizations of loan guarantee fee tax credits to no more than one hundred twenty-five thousand dollars. After June 30, 2012, no loan guarantee fee tax credits may be authorized. (Section 135.766)

The act modifies provisions of the Tax Credit Accountability Act of 2004 to require tax credit recipients to report job creation resulting from tax credit utilization. The department of economic development is required to make certain tax credit utilization information available on the department's website and the Missouri Accountability Portal. (Sections 135.800, 135.802, 135.805, and 620.017)

No enhanced enterprise zone tax credits may be authorized after June 30, 2015. (Section 135.967)

The act creates a state and local sales and use tax exemption for utilities, machinery and equipment used or consumed by certain businesses, which after the effective date of the act, commence operations in a facility located in an underground mine which contains at least five hundred thousand square feet of space which could be used by such business. The exemption will expire for taxpayers twenty years from the date the taxpayer is approved for the exemption. The sales tax exemption created by this act and benefits available under the Missouri Quality Jobs Act are mutually exclusive of one another such that any business which receives a tax benefit under one is ineligible for receipt of the other. (Section 144.059)

Tax credits may not be authorized for contributions to the family development account after June 30, 2012. (Section 208.770)

No more than one hundred twenty-five million dollars in historic preservation tax credits may be authorized each fiscal year beginning FY 2010. No historic preservation tax credits may be authorized after June 30, 2015. Applicants which have incurred certain levels of expenses or received certification from the state historical preservation officer on or before the thirtieth day following the effective date of the act will not be precluded from receiving tax credit authorization. (Section 253.550)

Under current law, not-for-profit entities are eligible for tax credits under the Historic Preservation Tax Credit Program. This act would make not-for-profit entities eligible to receive historic preservation tax credits.

(Section 253.557)

The Department of Economic Development will be allowed to authorize tax credits tax credits per year to encourage equity investment in technology-based early stage Missouri companies, commonly referred to as angel investments. Investors who contribute the first five hundred thousand dollars in equity investment to a qualified Missouri business may be issued a tax credit equal to thirty percent of the investment or forty percent of the investment if the qualified business is located in a rural area or distressed community. An investor can receive a credit of up to fifty thousand dollars for an investment in a single qualified business and up to one hundred thousand dollars for investments in more than one qualified business per year. Tax credits for equity investment in technology-based early stage Missouri companies may be carried forward for up to three years or transferred. Beginning FY 2010, the department of economic development is prohibited from authorizing more than five million dollars in angel tax credits each fiscal year. No angel tax credits may be authorized after June 30, 2015. (Sections 348.273 and 348.274)

No family farm breeding livestock tax credits may be authorized after June 30, 2013. (Section 348.505)

No more than seventeen million five hundred thousand dollars in brownfield redevelopment tax credits may be authorized each fiscal year beginning FY 2010. Brownfield redevelopment credits will no longer be available for demolition costs, new investment, or new or retained jobs. Brownfield remediation credits will now be available for costs of environmental insurance policies and the backfill of areas where contaminated soil excavation occurs. The act allows for the pro rated release of remediation tax credits upon issuance of a letter of completion from the department of natural resources. No brownfield redevelopment tax credits may be authorized after June 30, 2015. (Section 447.708)

Records pertaining to a business project with which the Department of Economic Development, the Economic Development Export Finance Board, or a regional planning commission may be deemed closed records. (Sections 620.014)

The act creates an income tax credit for contributions to the Missouri job development fund equal to fifty percent of the contribution made. The tax credit is non-transferrable and non-refundable, but may be carried forward three years. The credit is limited to two thousand five hundred dollars per taxpayer. No more than one hundred thousand dollars in tax credits for contributions to the Missouri job development fund may be authorized each fiscal year beginning FY 2010. No tax credits for contributions to the Missouri job development fund may be authorized after June 30, 2011. (Sections 620.470 and 620.478)

The Department of Economic Development is allowed to include pre-employment training in its new or expanding industry training. The act specifies what services may be provided including development of training plans, the provision of training through qualified training staff, fees for training professionals, and transportation expenses if the training can be more effectively provided outside the community where the jobs will be located. Any assistance provided which does not result in an increase in employment within one year from the date the department provides such assistance will be subject to a claw-back provision. (Section 620.472)

The act increases the annual cap on small business incubator tax credits from five hundred thousand to one million dollars and prohibits the authorization of such tax credits after June 30, 2015. (Section 620.495)

The act modifies provisions of law which authorize a tax credit for qualified research expenses. The tax credit will be equal to ten percent of qualified research expenses incurred during the taxable year unless such expenses were incurred in a distressed community, in which case the credit will be equal to twenty-five percent of such expenses. Eligibility for receipt of the tax credit is limited to taxpayers with less than two hundred twenty-five employees, seventy-five percent of which must be employed within the state. Such taxpayers must be engaged, on a for-profit basis, in the development of medical instruments and devices, medical diagnostics and therapeutics, plant science products, or pharmaceutical or veterinary products with agricultural applications in order to receive the credit. Under current law, no qualified research expense tax credits may be approved, awarded or issued after January 1, 2005. This act removes the prohibition on approval and issuance of tax credits and provides that, no more than three million dollars tax credits for qualified research expenses may be authorized per year. No more than five hundred thousand dollars may be issued annually per taxpayer unless such taxpayer incurred the qualified research expenses in a distressed community in which case such taxpayer may not receive more than one million dollars in tax credits annually. No taxpayer may simultaneously receive tax credits under this tax credit program and the newly created tax credit in section 620.1041 of this act. The provisions of the act creating this tax credit

program will automatically terminate six years from the effective date of the act unless re-authorized. (Section 620.1039)

The act creates a new tax credit for qualified research expenses. The amount of the tax credit will be based upon the increase in a taxpayer's qualified research expenses over an average of the three preceding year's expenses. A taxpayer can receive a tax credit equal to: three percent of the amount of increased expenses which do not exceed two million five hundred thousand dollars; five percent of the amount of increased expenses which exceed two million five hundred thousand but do not exceed five million dollars; and seven and one half percent of the amount of increased expenses which exceed five million dollars. No more than seven million dollars in tax credits for qualified research expenses may be authorized annually. Qualified research expenses will be limited to those incurred in the research and development of agricultural biotechnology, plant genomics products, diagnostic and therapeutic medical devices, and prescription pharmaceuticals consumed by humans or animals. Expenses incurred in the research, development, or manufacturing of power system technology for aerospace, space, defense, alternative energy, alternative energy vehicles, or implantable or wearable medical devices are also permitted. The department director may allow a taxpayer to transfer up to forty percent of the tax credits issued, but not yet claimed, between January 1, 2010, and December 31, 2016. The Director of the Department of Economic Development must act between August 1 and August 15th on tax credit applications filed between January 1 and July 1st for claims from the previous year. A formula is provided by which tax credits will be issued if the eligible claims for the credits exceed the amount available. No one taxpayer can be issued more than thirty percent of the total amount of tax credits authorized in any calendar year. Taxpayers are prohibited from simultaneously receiving benefits under this program and the other qualified research tax credit program contained in the act. The provisions of the act creating this tax credit program will automatically terminate six years from the effective date of the act unless re-authorized. (Section 620.1041)

The act creates a new type of program eligible for quality jobs benefits to be known as green jobs projects. Eligible qualified company activities for green jobs projects include the development of green technology or green manufacturing, such as clean or sustainable energy development, energy efficiency or conservation, green building techniques or components, green transportation technology or manufacturing, or environmental sustainability. A green jobs project qualified company may retain four percent of new payroll for up to five years if it creates ten new jobs which pay wages equal to or greater than the county average wage. The retention of new job withholdings may be increased by as much as an additional three percent depending upon the amount of local incentives received by the qualified company. If a qualified company creates at least one hundred new jobs, the retention period may be extended to six years. The retention period may be extended to a total of seven years if the company creates at least five hundred new jobs. To the extent retention of employee withholdings are insufficient to provide the entire amount of benefit due, the department will issue a refundable tax credit for the difference. A qualified company may receive an additional benefit if it shows that either a supplier or purchaser of such qualified company either expands or commences operations within the state by creating at least ten new state jobs. In such case, the qualified company may receive benefits equal to one-half of the supplier or purchaser's new payroll withholdings for a period of three years. (Sections 620.1878 and 620.1881)

The act specifies that if the department fails to respond within thirty days of a Quality Jobs Program applicant's notice of intent, the notice is deemed a disapproval. Currently, the notice is deemed an approval if the department fails to respond within thirty days. The act specifies how the department must apply certain definitions when a business that has already received an approved notice of intent later files another notice of intent and eliminates the per-company annual cap on technology business projects. The per project caps for technology business projects and high impact projects are removed. The annual limit on issuance of quality jobs tax credits is increased from sixty million to eighty million dollars. (Section 620.1881)

The Small Business and Entrepreneurial Growth Act is established to provide tax incentives for small business expansion. Beginning January 1, 2010, small business employers will be allowed to retain new employee income tax withholdings for one year, if such employer: employs more than five employees and increases payroll by at least twenty percent due to the creation of new jobs which pay at least eighty-five percent of the county average wage; or employs less than five employees and adds new employees so that the total number of employees is five or greater and such jobs pay at least eighty-five percent of the county average wage. Such employers will be allowed to retain all employee income tax withholding for two years if, in addition to the job creation and pay requirements, such employer offers health insurance and pays more than fifty percent of such premiums for all employees. No more than five million dollars in benefits will be available annually under the small business and entrepreneurial growth act. The provisions of the act creating this tax credit program will automatically terminate six years from the effective date of the act unless

re-authorized. (Section 620.1892)

No more than two hundred thousand dollars in tax credits to defray the cost of caring for an elderly person, commonly known as shared care credits may be authorized each fiscal year beginning FY 2010. Registered care givers must file an application with the division of aging for shared care tax credits. If the amount of eligible applications exceeds the allocation for tax credits, tax credits will be awarded on a first-to-file, first-to-receive basis. No shared care tax credits may be authorized after June 30, 2015. (Section 660.055)

The act contains an emergency clause.

JASON ZAMKUS

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 03/31/2009 Bill Placed on Informal Calendar (S830)
 03/31/2009 SS#2 for SCS S withdrawn (S831)
 03/31/2009 SS#3 for SCS S offered (Griesheimer)--(0528S.15F) (S831)
 03/31/2009 SA 1 to SS#3 for SCS S offered (Lager)--(0528S12.38S) (S832)
 03/31/2009 SSA 1 for SA 1 to SS#3 for SCS S offered & adopted (Ridgeway)--(0528S15.13S) (S832-833)
 03/31/2009 Bill Placed on Informal Calendar (S833)
 04/27/2009 S Informal Calendar S Bills for Perfection--SBs 45, 212, 136, 278, 279, 285 & 288-Pearce and Smith, with SCS & SS#3 for SCS (pending)

EFFECTIVE: Emergency Clause

*** SB 46 ***

0529S.011

SENATE SPONSOR: Schaefer

SB 46 - This act requires any person who pleads guilty to or is found guilty of a felony on or after August 28, 2009, to serve a minimum prison term of eighty-five percent of his or her sentence.

Nothing in this act shall prohibit the court from ordering a defendant to participate and complete substance abuse or mental health treatment as an alternative to serving a term of imprisonment and, upon successful completion of the treatment program, from having the defendant's charges, petition, or penalty dismissed, reduced, or modified. However, if such defendant fails to complete the treatment ordered by the court and the court requires such defendant to serve his or her sentence, such person shall serve eighty-five percent of such sentence. Nothing in this act shall prohibit the court from making an authorized disposition of the defendant, including sentencing the defendant to serve a prison term or pay a fine, suspend the imposition of the sentence, or pronounce the sentence and suspend its execution.

SUSAN HENDERSON MOORE

12/01/2008 Prefiled
 01/07/2009 S First Read--SB 46-Schaefer (S12)
 01/22/2009 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S169)
 02/02/2009 Hearing Cancelled S Judiciary and Civil and Criminal Jurisprudence Committee
 02/23/2009 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2009

*** SB 47 *** HCS SCS SB 47

0192L.03C

SENATE SPONSOR: Scott

HOUSE HANDLER: Bruns

HCS/SCS/SB 47 - This act modifies the educational requirements for Water Patrol members and Highway Patrol members and radio personnel. It also requires the POST Commission to establish these same educational requirements as part of the minimum standards for the basic training of peace officers.

Currently, any sheriff, except the sheriff of St. Louis County, must hold a valid peace officer license, except during the first 12 months of his or her first term of office, in order to execute police powers. This act removes the 12-month grace period exception.

This act is similar to the perfected version of SB 723 (2008) and HB 667 (2009).
SUSAN HENDERSON MOORE

12/01/2008 Prefiled
01/07/2009 S First Read--SB 47-Scott (S12)
01/22/2009 Second Read and Referred S General Laws Committee (S169)
01/27/2009 Hearing Conducted S General Laws Committee
02/03/2009 SCS Voted Do Pass S General Laws Committee (0192S.02C) - Consent
02/04/2009 Reported from S General Laws Committee to Floor w/SCS - Consent (S248)
02/12/2009 SCS S adopted (S296)
02/12/2009 S Third Read and Passed - Consent (S296 / H324)
02/16/2009 H First Read (H324)
02/17/2009 H Second Read (H332)
03/30/2009 Referred H Public Safety Committee (H790)
04/07/2009 Hearing Conducted H Public Safety Committee
04/07/2009 HCS Voted Do Pass H Public Safety Committee - Consent
04/08/2009 HCS Reported Do Pass H Public Safety Committee - Consent (H1001)
04/08/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1001)
04/14/2009 Hearing Conducted H Rules Committee
04/14/2009 Voted Do Pass H Rules Committee - Consent
04/14/2009 Reported Do Pass H Rules Committee - Consent (H1041)
04/27/2009 H Consent Calendar w/HCS

EFFECTIVE: August 28, 2009

*** SB 48 ***

0261S.011

SENATE SPONSOR: Scott

SB 48 - Until December 31, 2008, a public governmental body was 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 expired on December 31, 2008. This act re-institutes the exceptions and provides that the exceptions shall expire on December 31, 2012.

This act is identical to SB 953 (2008).

JIM ERTLE

12/01/2008 Prefiled
12/09/2008 Bill Withdrawn (S12)

EFFECTIVE: August 28, 2009

*** SB 49 ***

0260S.011

SENATE SPONSOR: Scott

SB 49 - Under current law, a taxpayer who trades-in or exchanges a motor vehicle, trailer, boat or outboard motor may subtract the value of such transaction from the purchase price of another motor vehicle, trailer, boat or outboard motor if such sale is consummated within one hundred and eighty days of the sale of the original article. If the value of the original transaction equals or exceeds the sale price, no tax is owed. This act allows taxpayers who trade-in or sell a motor vehicle, trailer, boat, or outboard motor for more than the purchase price of another motor vehicle, trailer, boat or outboard motor to apply any excess to any

subsequent purchase of such an article within one hundred and eighty days of the original sale of such article. The act extends the same treatment to items replaced due to theft, casualty, or loss.

This act is identical to Senate Bill 725 (2008).

JASON ZAMKUS

12/01/2008 Prefiled

01/07/2009 S First Read--SB 49-Scott (S12)

01/22/2009 Second Read and Referred S Ways and Means Committee (S169)

EFFECTIVE: August 28, 2009

*** SB 50 ***

0231S.011

SENATE SPONSOR: Bray

SB 50 - This act prohibits employers from paying any employee lower wages than those paid to employees of the opposite gender for the same work. Under the act, employees may bring a civil cause of action against employers who engage in such a discriminatory practice. Wage payment differentials based on merit systems, regional economic factors, factors that measure pay due to output, or other bona fide factors other than gender, are not actionable. Varying local market rates are not bona fide factors under the act.

Employers cannot reduce wages to comply with this act or retaliate against employees that seek the legal protections from retaliation provided by this act. If employers retaliate, employees can recover actual and compensatory damages

Remedies for any unlawful gender-based pay practices include: actual and compensatory damages, injunction, and recovery of court costs and attorneys fees.

This act abolishes the six-month statute of limitations for filing an action for employer violations and requires that an action be brought within two years after the violation occurs or the date of reasonable discovery of such a violation.

The Equal Pay Commission is established to study the causes and consequences of wage disparities.

The act imposes certain record-keeping and reporting requirements upon employers to document wage rates.

This act is similar to SB 873 (2004), SB 119 (2005), SB 700 (2006), SB 336 (2007), and SB 742 (2008).
CHRIS HOGERTY

12/01/2008 Prefiled

01/07/2009 S First Read--SB 50-Bray (S12)

01/22/2009 Second Read and Referred S Progress and Development Committee (S169)

02/25/2009 Hearing Conducted S Progress and Development Committee

EFFECTIVE: August 28, 2009

*** SB 51 ***

0238S.011

SENATE SPONSOR: Bray

SB 51 – This act requires the state board of education to classify as unaccredited any charter school that attains an annual performance review score consistent with the classification of "unaccredited" within sixty days of the publication of the annual performance review data. A charter school that is classified as unaccredited for two successive school years will have its charter revoked on June 30th of the second full school year of classification as unaccredited after the school year during which the unaccredited classification is initially assigned.

This act is identical to SB 1004 (2008).

MICHAEL RUFF

12/01/2008 Prefiled

01/07/2009 S First Read--SB 51-Bray (S12)

01/22/2009 Second Read and Referred S Education Committee (S169)

02/25/2009 Hearing Scheduled But Not Heard S Education Committee

03/04/2009 Hearing Conducted S Education Committee

EFFECTIVE: August 28, 2009

*** SB 52 ***

0256S.011

SENATE SPONSOR: Bray

SB 52 - This act allows a law enforcement officer to remove a firearm from the scene if the officer has probable cause to believe domestic assault has occurred and has observed a firearm at the scene.

The act requires the officer to provide the owner of the firearm with information about retaking it and safe storage during the proceedings related to the alleged act if the firearm is taken from the scene. The owner may retake the firearm within fourteen days after the proceeding unless he or she is ordered to have the firearm confiscated and disposed.

The act makes it unlawful for certain persons to possess a firearm. Such persons include those who are subject to a court order that:

- (1) Was issued after a hearing of which the person had notice;
- (2) Restrains a person from harassing, stalking, or threatening a family or household member or his or her child; and
- (3) Includes a finding that such person represents a credible threat to the safety of the family or household member or child or has been convicted of a misdemeanor crime of domestic assault.

A violation of this provision is a Class D felony.

This act also modifies the definition of "family or household member" and "domestic violence" in several sections relating to highway patrol reporting of domestic violence and the crime of domestic assault to be consistent with the definition of such terms in chapter 455, relating to adult abuse, orders of protection, and domestic violence shelters.

This act is identical to SB 1184 (2008).

SUSAN HENDERSON MOORE

12/01/2008 Prefiled

01/07/2009 S First Read--SB 52-Bray (S12)

01/22/2009 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S169)

01/26/2009 Hearing Cancelled S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2009

*** SB 53 ***

0156S.011

SENATE SPONSOR: Days

SB 53 - This act modifies provisions regarding adoption records. The State Registrar shall develop and, upon a birth parent's request, distribute both a contact preference and a medical history form to the birth parent. The contact preference form allows a birth parent to list his or her preference for contact by the adoptee. If a contact preference form is filed with the registrar, a medical history form shall also be so filed. Upon receipt of the forms, the State Registrar shall attach such forms to the original birth certificate of the adopted person.

This act allows for an adopted person, the adopted person's attorney, or the adopted person's descendants, if the adopted person is deceased, to obtain a copy of the adopted person's original birth certificate from the State Registrar upon written application and proof of identification. The adopted person shall be 18 years of age or older and born in Missouri. The adopted person shall also agree in writing to abide by the birth parent's contact preference, if such preference is included with the adopted person's original birth certificate. The State Registrar shall also provide a medical history form, if such form was completed by the birth parent.

The provisions of the act shall not apply to adoptions instituted or completed prior to August 28, 2009,

except that a copy of the medical history form, which has had all identifying information redacted, shall be issued to such adopted person. For adoptions completed prior to August 28, 2009, the state registrar shall release the original birth certificate only if the birth mother is deceased. If the birth mother is not deceased, the state registrar shall, within thirty days of application by the adopted person, contact the birth mother via telephone, personally and confidentially, to obtain the birth mother's written consent or denial to release the original birth certificate.

This act is identical to SCS/SB 1132 (2008) and similar to SB 322 (2003)
ADRIANE CROUSE

12/01/2008 Prefiled
01/07/2009 S First Read--SB 53-Days (S12)
01/22/2009 Second Read and Referred S General Laws Committee (S169)
04/07/2009 Hearing Conducted S General Laws Committee

EFFECTIVE: August 28, 2009

*** SB 54 ***

0151S.011

SENATE SPONSOR: Days

SB 54 - This act provides that the custodial parent of a minor, or the parent of an incapacitated person who has been appointed guardian of such person, may designate a person to act as a standby guardian of the minor or the incapacitated person by a will or by a separate written instrument.

If a parent who has designated a standby guardian is or becomes seriously ill, the parent or designated standby guardian may file a petition in probate court seeking appointment of the person as the standby guardian of the minor or the incapacitated person. The petition must be filed with a copy of the will or the written instrument designating the standby guardian, with consent to act as standby guardian by the person so designated.

The petition also must contain certain identifying and contact information for the minor or incapacitated person, the custodial parent and designated standby guardian, each parent of the minor or incapacitated person, the spouse and all living children of the minor or incapacitated person, information about any adjudication of incapacity for person, and the reasons why a standby guardian is sought.

The court shall determine appointment of a standby guardian after considering whether there is a parent other than the custodial parent willing, able and fit to care for the person, the suitability of any person nominated by the minor or incapacitated person to be standby guardian if the minor or incapacitated person can communicate such, and the desirability of minimizing stress and disruption and avoiding placement of the minor or incapacitated person in foster or similar care if the parent becomes incapacitated or dies.

The act also states that the authority of the person to act as standby guardian shall take effect if the person has previously been appointed by the court as a standby guardian, or, if the person has not yet been appointed, if the consent of the parent is given in a written instrument, if an entry of an order adjudicating the parent as incapacitated has been entered, or if the custodial parent dies, whichever first occurs. The standby guardian must notify the court within ten days after he or she begins acting as standby guardian, and within sixty days, must petition the court for appointment as a standby guardian or for another qualified person to be guardian for the minor or incapacitated person.

Nothing within this act shall be construed to deprive a parent of his or her legal rights or obligations towards a minor or incapacitated person, or to supersede such rights.

This act is similar to SB 596 (2006), SCS/SB 35 (2007) and SCS/SB 745 (2008).
EMILY KALMER

12/01/2008 Prefiled
01/07/2009 S First Read--SB 54-Days (S12)
01/22/2009 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S169)
02/02/2009 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2009

*** SB 55 ***

HCS SB 55

0154L.02C

SENATE SPONSOR: Days

HOUSE HANDLER: McNeil

SB 55 – This act allows school districts to maintain permanent records in a digital or electronic format. School districts must follow the manufacturer's guidelines, suggestions, and recommendations when using digital or electronic storage media and must not use them beyond the manufacturer suggested or recommended period of time.

This act is identical to SB 925 (2008).

MICHAEL RUFF

12/01/2008 Prefiled
 01/07/2009 S First Read--SB 55-Days (S12)
 01/22/2009 Second Read and Referred S Education Committee (S169)
 01/28/2009 Hearing Conducted S Education Committee
 02/11/2009 Voted Do Pass S Education Committee - Consent
 02/18/2009 Reported from S Education Committee to Floor - Consent (S327)
 02/25/2009 S Third Read and Passed - Consent (S389-390 / H421)
 02/26/2009 H First Read (H421)
 03/02/2009 H Second Read (H428)
 03/30/2009 Referred H Elementary and Secondary Education Committee (H790)
 04/08/2009 Hearing Conducted H Elementary and Secondary Education Committee
 04/08/2009 Voted Do Pass H Elementary and Secondary Education Committee - Consent
 04/08/2009 Reported Do Pass H Elementary and Secondary Education Committee - Consent (H1001)
 04/08/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1001)
 04/14/2009 Hearing Conducted H Rules Committee
 04/14/2009 Voted to return to committee of origin H Rules Committee (H1041)
 04/23/2009 HCS Voted Do Pass H Elementary and Secondary Education Committee
 04/24/2009 HCS Reported Do Pass H Elementary and Secondary Education Committee
 04/24/2009 Referred to Rules Committee pursuant to Rule 25(32)(f)

EFFECTIVE: August 28, 2009

*** SB 56 ***

0523S.02I

SENATE SPONSOR: Callahan

SB 56 – This act modifies the elementary and secondary education funding formula. It removes from the calculation of the state adequacy target the inclusion of the gaming revenues from the repeal of the loss limits. Instead, it requires that the gaming revenues from the repeal of the loss limits be distributed to each school district based on a district's average daily attendance calculation.

MICHAEL RUFF

12/01/2008 Prefiled
 01/07/2009 S First Read--SB 56-Callahan (S13)
 01/22/2009 Second Read and Referred S Education Committee (S169)

EFFECTIVE: August 28, 2009

*** SB 57 ***

SCS SB 57

0374S.02C

SENATE SPONSOR: Stouffer

SCS/SB 57 - Under this act, on the date the commission approves funding for any phase or portion of construction or reconstruction of Interstate 70 or Interstate 44, the rules in effect for outdoor advertising on August 27, 1999, shall be reinstated for that section of highway scheduled for construction and there shall immediately be a moratorium imposed on the issuance of state sign permits for new sign structures.

Owners of existing signs which meet the requirements for outdoor advertising in effect on August 27, 1999, and the requirements of the federal/state agreement and who voluntarily execute a partial waiver and reset agreement may reset such signs on the same or adjoining property. Such reset agreements shall be contingent upon obtaining any required local approval to reset the sign structure. Any sign which has been reset must still comply with the August 27, 1999 outdoor advertising regulations after it has been reset.

Owners of existing signs who elect to reset qualifying signs shall receive compensation representing the actual cost to reset the existing sign. Signs which have been reset under the act must be reconstructed of the same type materials and may not exceed the square footage of the original sign structure.

Sign owners may elect to reset existing qualifying signs by executing a partial waiver and reset agreement with the commission.

Upon the completion of construction on any section of Interstate 70 or Interstate 44, the moratorium on new permits shall be lifted and the rules for outdoor advertising in effect on the date the construction is completed shall apply to such section of highway.

Local zoning authorities may prohibit the resetting of qualifying signs which fail to comply with local regulations, but local authorities which choose to prohibit such resetting shall reimburse the commission the cost to condemn such signs less the cost to reset the sign under the act.

This act is virtually identical to SCS/SB 809 (2008).

STEPHEN WITTE

12/01/2008 Prefiled
 01/07/2009 S First Read--SB 57-Stouffer (S13)
 01/22/2009 Second Read and Referred S Transportation Committee (S169)
 02/11/2009 Hearing Conducted S Transportation Committee
 02/18/2009 SCS Voted Do Pass S Transportation Committee (0374S.02C)
 02/26/2009 Reported from S Transportation Committee to Floor w/SCS (S420)
 03/05/2009 Bill Placed on Informal Calendar (S524)
 04/06/2009 SA 1 to SCS S offered (Bray)--(0374S02.02S) (S903-907)
 04/06/2009 Bill Placed on Informal Calendar (S907)
 04/27/2009 S Informal Calendar S Bills for Perfection--SB 57-Stouffer, with SCS & SA 1 (pending)

EFFECTIVE: August 28, 2009

*** SB 58 ***

HCS SS SB 58

0165L.11C

SENATE SPONSOR: Stouffer

HOUSE HANDLER: Dixon

HCS/SS/SB 58 - This act modifies several provisions of law relating to transportation.

TRANSPORTATION COMMISSION LEADERSHIP - Under this act, the chair and vice chair of the commission are given the option to rotate positions. The current law requires the vice chair to assume the position of chair when the one year term of the chair expires (Section 226.030). This provision is also contained in SB 343 (2009).

DAVID'S LAW - Under this act, the Department of Transportation shall establish and administer a drunk driving risk reduction awareness program. This act shall be known as "David's Law." The signs shall be placed at or near the scene of the accident. Under the act, signs shall be attached to an existing highway sign, street light, or guard rail. The signs shall be placed upon the state highways in accordance with placement guidelines adopted by the department, and any applicable federal limitations or conditions on highway signage, including location and spacing. The department shall adopt, by rules and regulations, program guidelines for the application for and placement of signs authorized by this section, including, but not limited to, the sign application and qualification process, the procedure for the dedication of signs, and procedures for the replacement or restoration of any signs that are damaged or stolen. Any person may apply to the Department of Transportation to sponsor a drunk driving victim memorial sign in memory of an immediate family member who died as a result of a motor vehicle accident caused by a person who was shown to have been operating a motor vehicle in violation of an alcohol-related traffic law at the time of the accident. Upon the request of an immediate family member of the deceased victim involved in a drunk driving accident, the department shall place a sign in accordance with the provisions of the act. A person who is not a member of the victim's immediate family may also submit a request to have a sign placed under this section if that person also submits the written consent of a victim's immediate family member. The department shall charge the sponsoring party a fee to cover the department's cost in designing, constructing, placing, and maintaining the sign. Signs erected under the act shall remain in place for a period of ten years. After such date, the signs may be renewed for another 10 years after payment of appropriate maintenance fees. The signs developed by the department shall resemble a Missouri license plate and shall feature the words "Drunk Driving Victim!", the initials of the deceased victim, and the month and year in which the victim of the drunk driving accident was killed. Under the act, all private roadside memorials or markers commemorating the death of a drunk driving victim are prohibited. No person, other than a Department of Transportation employee or the department's designee, may erect a drunk driving victim memorial sign. These provisions may be found in SB 93 (2009)(Section 227.295).

EXPUNGEMENT OF RECORDS OF CDL HOLDERS - This act prohibits the expungement of a minor in possession (MIP) charge for holders of commercial driver's licenses or persons operating commercial motor vehicles at the time of the violation (Section 311.326). The act also provides that no records shall be expunged if a person is found guilty with a BAC of .04 or greater and is holding a commercial driver's license at the time of the offense (Section 302.545). This provision is also contained in SS/SCS/SB 761 and 774 (2008) and SS/SCS/SB 239 et al (2007).

FAILURE TO APPEAR - This act includes failure to appear by a commercial license holder or operator of a commercial motor vehicle as an commercial driver offense requiring indefinite suspension until compliance (Section 302.700 and 302.755). This provision is also contained in SS/SCS/SB 761 and 774 (2008) and SS/SCS/SB 239 et al (2007).

CDL MILITARY EXEMPTION - This act provides that a military member while driving a vehicle for military purposes is exempt from possessing a CDL. Current law provides that the military member must be driving a military vehicle to qualify for the exemption (Section 302.775). This provision was contained in SS/SCS/SB 761 and 774 (2008) and SS/SCS/SB 239 et al (2007).

FARMER CDL EXEMPTION - This act clarifies the CDL exemption for persons driving farm vehicles. In order to qualify for the exemption, the farm vehicle must be controlled by a farmer or family member, be used to transport agricultural products, machinery, or supplies to or from a farm, not be used in the operations of a common or contract carrier, and be used within 150 miles of the farmer's farm (Section 302.775). This provision was contained in SS/SCS/SB 761.

HAZARDOUS MATERIAL ENDORSEMENT REVOCATION - This act requires the state to immediately revoke a hazardous material endorsement upon receipt of an Initial Determination of Threat Assessment and Immediate Revocation from the Transportation Security Administration. The state must revoke or deny a hazardous material indorsement within 15 days of receipt of a final determination (Section 302.735).

HAZARDOUS MATERIAL DEFINITION - This act modifies the definition of hazardous materials to correspond with federal law and regulations (Section 302.700).

DRIVING WHILE OUT OF SERVICE - This act provides that any person convicted for driving while out of service shall be disqualified from driving a commercial motor vehicle in a manner prescribed by the federal regulations (Section 302.755).

ALCOHOL-RELATED ENFORCEMENT CONTACT - Under this act, a person is disqualified from driving a commercial motor vehicle for a period of not less than one year if convicted for the 1st violation of an alcohol-related enforcement contact (Section 302.755).

TRANSPORTATION INSPECTOR GENERAL - This act eliminates the position of the Transportation Inspector General contained within the Joint Committee on Transportation Oversight. These provisions are contained in SB 31 (2009)(Sections 226.030 and 21.795).

TOWING BY LAW ENFORCEMENT - Under current law, property is deemed abandoned when it has been on the right-of-way of any highway or freeway in an urbanized area for 10 hours, but property on the right-of-way on any highway or freeway outside of an urbanized area is not abandoned until it has been on the right-of-way for 48 hours. This act amends the current law so that a law enforcement officer may authorize a towing company to remove property left unattended for 12 hours on the right-of-way on any highway or freeway outside of an urbanized area. This act authorizes law enforcement officers to tow abandoned vehicles abandoned by persons who elude arrest for offenses the officer would have taken the offender into custody. The act also authorizes law enforcement officers to immediately remove abandoned property from the right of way of any interstate highway, freeway, or state highway if the abandoned property is creating a traffic hazard. Currently, this provision of law only authorizes the department of transportation to immediately remove the hazard from a state highway (Section 304.155). This provision is similar to one contained in SCS/SB 88 (2009).

DEAD RED - This act provides that a person operating a motorcycle or bicycle who enters or crosses an intersection controlled by a traffic-control signal against a red light shall have an affirmative defense to that charge if the person establishes all of the following conditions:

- (1) The motorcycle or bicycle has been brought to a complete stop;

- (2) The traffic signal continues to show a red light for an unreasonable time;
- (3) The traffic signal is apparently malfunctioning or, if programmed or engineered to change to a green light only after detecting the approach of a motor vehicle, the signal has apparently failed to detect the arrival of the motorcycle; and
- (4) No motor vehicle or person is approaching on the street or highway to be crossed or entered or is so far away from the intersection that it does not constitute an immediate hazard.

The affirmative defense applies only to a violation for entering or crossing an intersection controlled by a traffic-control signal against a red light and does not provide a defense to any other civil or criminal action. This provision is contained in SB 368 (2009). A similar provision was contained in SB 614 (2007) and SCS/SB 969 (2006). This provision is also contained in SS/SCS/SB 239 et al (2007)(Section 304.285).

REVISION OF THE SPECIAL LICENSE PLATE PROCEDURE - Under the proposed act, the Joint Committee on Transportation Oversight's role in approving special license plates is modified (Section 21.795). In lieu of receiving unanimous approval by the Joint Committee on Transportation Oversight for a special license plate application, only a majority vote from the committee is required. In addition, the committee shall approve a special license plate application unless the committee receives a signed petition signed by 5 House members or 5 Senators stating the reason for their opposition. The committee may disapprove a special license plate application if the proposed plate contains objectionable language or design or if the organization seeking the special license plate has not complied with the special license plate statute or accompanying rules (Sections 21.795).

FILED RATE DOCTRINE REPEALED FOR HOUSEHOLD GOODS MOVERS IN COMMERCIAL ZONES - Under this act, motor carriers are not required to file its schedules of rates, fares and charges for shipments of household goods that are transported wholly within a commercial zone (Section 387.040).

REVISION OF MACKS CREEK LAW - Under this act, if a 4th class city with less than 1,000 persons and having an interstate traversing through its city limits receive more than 35% of its annual revenue from traffic fines, all revenues in excess of the 35% threshold must be sent to the Department of Revenue to be distributed to the state school system (Section 302.341).

TRACTOR PARADES - This act exempts tractors used in tractor parades from certain width, length, height, and license plate display regulations provided the tractors are driven by licensed drivers during daylight hours only and with the approval of the superintendent of the Missouri State Highway Patrol (Sections 304.170 and 304.260). These provisions are contained in SB 293 (2009).

VETERANS MEMORIAL HIGHWAY - This act designates a portion of Missouri Highway 100 in Franklin County as the "Veterans Memorial Highway" (Section 227.310).

DIESEL FUEL DEFINITION - This act modifies the definition of diesel fuel for the purposes of the motor fuel tax law to exclude biodiesel commonly referred to as B100 until such biodiesel is blended with other diesel fuel or sold for highway use (Section 142.800).

MOTOR VEHICLE VIOLATIONS - This act modifies numerous penalties for violations of motor vehicle licensing, registration, and equipment statutes. The act makes certain motor vehicle registration violations punishable as infractions rather than various classes of misdemeanors. These provisions can be found in SB 342 (2009), SB 101 (2007), HCS/SS/SCS/SBs 239, 24 & 445 (2007), and SB 1143 (2006).

This act changes the penalty for violating Missouri's historic motor vehicle 1,000 mile personal use limitation from a Class C misdemeanor to a violation punishable by a fine of not less than five dollars or more than five hundred dollars (Section 301.131).

The act changes the penalty for fastening voided plates to a motor vehicle from a Class C misdemeanor to a violation punishable by a fine of not less than five dollars or more than five hundred dollars (Section 301.150).

The penalty for failing to surrender a mutilated or worn plate for which a duplicate has been issued is changed from a misdemeanor to a violation punishable by a fine of not less than five dollars or more than five hundred dollars (Section 301.310).

The act provides that the penalty for knowingly making a false statement in the application for the registration of a motor vehicle is a Class C misdemeanor (Section 301.420).

The act removes the imposition of a jail sentence for various motor vehicle registration violations in which no specific statutory penalty is provided and provides that such violations shall be punishable by a fine of not less than \$5 nor more than \$500. The current law provides that certain motor vehicle registration violations are punishable by imprisonment in the county jail for a term not exceeding one year or by a fine of not less than \$5 or more than \$500, or by both (Section 301.440).

Under the act, violations of Missouri's ATV titling and registration laws are punishable as infractions (Section 301.716). Under the act, failure to secure truck load violations are punished as infractions rather than Class C misdemeanors (Section 307.010). Under the act, the punishment for a mud flap violation is changed from a Class B misdemeanor to an infraction (Section 307.015).

Under the act, the punishment for a spotlight violation is changed from a Class C misdemeanor to an infraction (Section 307.090). The act further provides that violations of certain motor vehicle lighting regulations shall be punishable as infractions rather than misdemeanors (Section 307.120). Under the act, the punishment for improperly lighting or marking an animal-driven vehicle is changed from a Class C misdemeanor to an infraction (Section 307.125).

Under the act, the punishment for certain motor vehicle safety glass violations is changed from a Class C misdemeanor to an infraction (Section 307.155). Under the act, the punishment for altering the front or rear of a motor vehicle or operating a motor vehicle without proper bumpers is changed from a Class C misdemeanor to an infraction (Section 307.172). Under the act, the punishment for a window tinting violation is changed from a Class C misdemeanor to an infraction (Section 307.173). Under the act, the punishment for operating a motorized bicycle without a license or operating a motorized bicycle upon an interstate highway is changed from a Class C misdemeanor to an infraction (Section 307.195).

Under the act, the punishment for an ATV equipment violation is changed from a Class C misdemeanor to an infraction (Section 307.198). Under the act, the punishment for violating certain motor vehicle inspection station regulations is changed from a misdemeanor to a Class C misdemeanor (Section 307.365). Under the act, the punishment for school bus inspection violations is changed from a misdemeanor to a Class C misdemeanor (Section 307.375).

Under the act, the punishment for violating Missouri's motor vehicle safety inspection regulations is changed from a misdemeanor to an infraction (Section 307.390). Under the act, the punishment for violating certain commercial motor vehicle regulations is changed from a Class B misdemeanor to an infraction (Section 307.400). This act provides that for an infraction, all court costs, fees, surcharges, and other charges shall be assessed in the same manner and amount as for a misdemeanor (Section 488.006).

Under this act, an offense is an infraction if it is designated as one, or if a violation can result only in a fine, forfeiture, or other civil penalty. A determination of whether an infraction has occurred shall be made by the filing of a civil action. The action shall be filed by a person who is authorized to bring a criminal action or an action to enforce an ordinance. The action will be brought in the name of the state or the appropriate political subdivision. An infraction violation shall be proved by a preponderance of the evidence but shall not be tried by a jury. If an infraction violation is proven, judgment shall be entered for the plaintiff. This act requires any driver to stop on signal of any law enforcement officer and to obey any reasonable signals of such officer given in the course of enforcing any infraction. Any person who fails or refuses to obey any such signal or who resists an officer while enforcing any infraction, shall be guilty of a Class A misdemeanor (Section 556.021).

SPECIAL LICENSE PLATE ISSUANCE - Under this act, the Department of Revenue does not have to issue an authorized special license plate unless it has received 200 applications for such plate. Beginning January 1, 2011, if the total numbers of special plates issued falls below 200, the department will no longer have to accept applications for the plate (Section 301.2998).

TOWING COMPANY ADMINISTRATIVE PROCEDURE TO RECOUP COSTS - This act creates an administrative procedure in which a towing company may seek to recoup reasonable towing and storage fees associated with towing an abandoned vehicle from public property. The towing company may submit an affidavit within 30 days, but no more than 45 days of the tow to recoup the towing company's towing and

storage fees. In addition to the affidavit, the towing company must submit an application which shall include an itemized accounting of the towing and storage fees. The application shall also be accompanied by a copy of the crime and inquiry inspection report (the DOR 4569 Form) and the applicant shall attest that the towing company has complied with all the statutory procedural requirements related to the towing of abandoned vehicles. Within 5 business days of receiving the application, the Department of Revenue shall send notice to the registered owner of the abandoned motor vehicle that a claim for reasonable towing and storage charges has been filed with the department. The notice shall state that if the registered owner does not provide proof to the department that such charges have been paid within 30 days of receiving the notice, the department shall suspend the owner's license and any motor vehicle registrations registered in the owner's name. The notice of suspension shall be mailed to the registered owner at the last known address shown on the department's records. The notice of suspension is deemed received three days after mailing. The notice of suspension shall clearly specify the reason and statutory grounds for the suspension and the effective date of the suspension, the right of the person to request a hearing, the procedure for requesting a hearing, and the date by which that request for a hearing must be made. If the request for a hearing is received by the department prior to the effective date of the suspension, the effective date of the suspension will be stayed until a final order is issued following the hearing. The suspension shall become effective 30 days after the registered owner is deemed to have received the notice. The period of the suspension shall continue until the owner submits proof that he or she has satisfied all reasonable towing and storage charges. Under this act, "reasonable storage charges" shall not exceed the charges for motor vehicles which have been towed with the consent of the owner on a negotiated basis. Reasonable storage charges shall not exceed 90 days. This portion of the act is identical to SB 471 (2009) and HB 360 (2009) and similar to SB 1284 (2006) and SB 606 (2006)(section 302.289).

RED LIGHT CAMERAS - This act enacts provisions regulating the use and operation of automated photo red light enforcement systems. Under the terms of the act, all automated photo red light enforcement systems shall be registered with the Missouri department of transportation prior to installation. The department shall collect a one-time registration fee of \$500 per red light camera and all registration fees collected shall be deposited in a special fund known as the "Red Light Enforcement Fund". Under the act, no agency shall use an automated photo red light enforcement system unless the system is capable of producing at least two high-resolution color digital recorded images that show:

- (1) The traffic control signal while it is emitting a steady red signal;
- (2) The offending vehicle; and
- (3) The rear license plate of the offending vehicle.

An automated photo red light enforcement system shall not be used unless the traffic signal is emitting a steady yellow light signal for a minimum of four seconds. An automated photo red light enforcement system shall not be used for the purpose of enforcing right turn violations. An automated photo red light enforcement system shall utilize a video recording component which shall record the local time at which the two violation images were captured, as well as at least 5 seconds before and at least 5 seconds after the violation event. An agency that establishes an automated photo red light enforcement system may enter into agreements for the purpose of compensating a private vendor to perform operational and administrative tasks associated with the use of such system. The violation notice, however, shall not be issued by a private vendor. Any compensation paid to a private vendor shall not be derived from fines received for violations nor shall compensation be based upon the number of violations mailed, the number of citations issued, the number of violations paid, or the amount of revenue collected by the agency. The compensation paid to a private vendor shall be based upon the value of the equipment and the services provided or rendered in support of the system.

Before a notice violation may be issued, all violation images produced by a system shall be reviewed and approved by a law or code enforcement officer employed by the agency in which the alleged violation occurred. Such review and acceptance shall be based on a full review of the images that clearly identify the vehicle and demonstrate a violation. The act sets forth what the notice violation must contain. The notice must contain the name and address of the owner of the vehicle; the registration number of the motor vehicle involved in the violation; a copy of 2 recorded images and a zoomed and cropped image of the vehicle license plate which was extracted from one of the two images; and other information advising the registered owner of the manner, time, and place in which liability as alleged in the notice of violation may be contested.

Under the terms of the act, a penalty imposed for a violation detected pursuant to an automated photo red light enforcement system shall not be deemed a moving violation and shall not be made a part of the operating record of the person upon whom such liability is imposed, nor shall such imposition of a penalty be subject to a merit rating for insurance purposes and no surcharge points shall be imposed in the provision of

motor vehicle insurance coverage. Points shall not be assessed for violations detected by automated photo red light enforcement systems.

Under the act, a law enforcement office employee must review the photographic or video evidence from an automated photo red light enforcement system and make a determination as to whether a violation has occurred. If a determination is made that a violation has occurred, a notice of violation or a citation shall be sent by first class mail to the registered owner of the vehicle that was captured by the automated photo red light enforcement system.

Under the act, a fine collected by the agency issuing the violation shall not exceed \$75.

For each automated photo red light enforcement system that is installed at an intersection, during the first 30 days the system is monitoring an intersection, the agency shall issue only warning notices and shall not issue any ticket or citation for any violation detected by the system.

Under the act, the use of photo radar systems to enforce speeding violations is prohibited.

Photographic and other recorded evidence obtained through the use of automated photo red light enforcement devices shall be maintained according to law and shall be maintained by the appropriate agency for a period of at least 3 years. Such photographic and other recorded evidence obtained through the use of an automated photo red light enforcement system shall be confidential and shall not be deemed a "public record" under section the Sunshine Law.

The automated photo red light enforcement system provisions shall not apply to any automated photo red light enforcement system in place prior to August 28, 2009, until the end of the primary term of such contract and any extension thereto (Sections 304.287 to 304.297).

TRANSPORTATION PROJECTS TO CONSIDER PEDESTRIANS, BICYCLISTS, ETC. - This act requires the Department of Transportation's plans, programs, and projects to provide full consideration for the safety and contiguous routes for bicyclists, pedestrians, disabled persons, and transit users of all ages and abilities. Bicycle and pedestrian ways must be given full consideration in the planning and development of transportation facilities by the department, including their incorporation into state plans and programs (Section 226.222).

MODOT ANTI-LOBBYING - Under this act, no funds appropriated to or received by the Missouri Department of Transportation shall be available for any activity specifically designed to urge a state or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any legislative body. The provisions of the act do not prohibit officers or employees of the Missouri Department of Transportation from testifying before any legislative body in response to the invitation of any member of that legislative body or a state executive office (Section 226.227).

VETERANS MEMORIAL HIGHWAY - This act designates a portion of Poplar Bluff Bypass in Butler County as the "Veterans Memorial Highway" (Section 227.311).

MARTIN LUTHER KING JR MEMORIAL MILE - This act designates a portion of Missouri Highway 266 in Green County as Dr. Martin Luther King Jr. Memorial Mile (Section 227.313).

JAMES FINLEY MEMORIAL BRIDGE - This act designates a bridge in Laclede County as the "Specialist James M. Finley Memorial Bridge" (Section 22.368). This section is also contained in SB 84 and SCS/HB 91 (2009).

WWII OKINAWA VETERANS MEMORIAL BRIDGE - This act designates the bridge over the Gasconade River on State Highway 17 in Pulaski County as the "WWII Okinawa Veterans Memorial Bridge" (Section 227.402). This section is also contained in SB 84 and SCS/HB 91 (2009).

LAMAR HUNT MEMORIAL HIGHWAY - This act designates a portion of Interstate 435 as the "Lamar Hunt Memorial Highway." This provision can be found in SCS/HB 91 and HB 358 (2009)(Section 227.407).

JACK BUCK MEMORIAL HIGHWAY - This act designates a portion of I-64/US 40 as the "Jack Buck Memorial Highway" (Section 227.409).

RABBI ABRAHAM JOSHUA HESCHEL MEMORIAL HIGHWAY - This act designates a portion of U.S. Highway 160 in Greene County as the "Rabbi Abraham Joshua Heschel Memorial Highway" (Section 227.410).

ATVs AND RECREATIONAL OFF-HIGHWAY VEHICLES - This act modifies the definition of all-terrain vehicles by increasing the vehicle's unladen dry weight from 1,000 pounds to 1,500 pounds. The definition is also modified by stating that an ATV is a vehicle with four or more nonhighway tires (current law uses the term low pressure tires). The act also provides a definition for the term "recreational off-highway vehicle" for purposes of Missouri's titling and registration laws. Under the act, a recreational off-highway vehicle is any motorized vehicle manufactured and used exclusively for off-highway use which is 60 inches or less in width, with an unladen dry weight of 1,500 pounds or less, traveling on four or more nonhighway tires, with a nonstraddle seat, and steering wheel, which are subject to the same registration requirements and trail use as all-terrain vehicles. This provision can be found in SB 525 (2009) (Section 301.010).

BRAIN TUMOR AWARENESS PLATES - This act authorizes the issuance of Brain Tumor Awareness Organization special license plates (section 301.165). This provision can be found in SB 134 (2009).

ARMED FORCES EXPEDITIONARY MEDAL PLATE - This act also allows persons who have been awarded the Armed Forces Expeditionary Medal to receive a special license plate inscribed with the words "expeditionary service" and bearing a reproduction of the Armed Forces Expeditionary Medal. This provision was contained in SB 134 (2009) and SB 856 (2008)(Section 301.3155).

LEGION OF MERIT MEDAL SPECIAL LICENSE PLATES - This act allows persons who have been awarded the legion of merit medal to receive Legion of Merit special license plates (Section 301.3158).

MISSOURI BICYCLE FEDERATION SPECIALTY LICENSE PLATES -This act allows persons to receive Missouri Bicycle Federation special license plates (Section 301.4005).

NIXA EDUCATION FOUNDATION SPECIAL LICENSE PLATES - This act allows persons to receive Nixa education foundation special license plates (Section 301.4006).

NATIONAL WILD TURKEY FEDERATION SPECIAL LICENSE PLATES - This act allows members of the National Wild Turkey Federation to receive National Wild Turkey Federation special license plates (Section 301.4010).

MISSOURI STREAM TEAM WATERSHED COALITION SPECIAL LICENSE PLATES - This act allows members of the Missouri stream team watershed coalition to receive special license plates bearing their organization's name and insignia (Section 301.4016).

DARE SPECIAL LICENSE PLATES - This act allows persons to receive Missouri State Drug Abuse Resistance Education (D.A.R.E.) special license plates (Section 301.4018).

UNITED STATES SUBMARINE VETERAN SPECIAL LICENSE PLATES - This act allows members of the United States Submarine Veterans Incorporation to receive special license plates bearing the words "United States Submarine Veteran" (Section 301.4020).

FRAUDULENT INSURANCE CARDS - Under this act, any person who intentionally produces, manufactures, sells, or otherwise distributes a fraudulent document intended to serve as an insurance identification card is guilty of a Class D felony. The act further provides that any person who knowingly or intentionally possesses a fraudulent document intended to serve as an insurance identification card is guilty of a Class B misdemeanor. This provision is contained in SB 16 (2009)(Section 303.024).

HIGHWAY WORK ZONES - This act provides that no person shall be cited for an enhanced highway work zone penalty when no highway workers are located or working within the construction zone or work zone at the time the alleged violation occurred (Section 304.582).

TRAILER SAFETY - This act prohibits any person from climbing, standing, or working on top of any trailer or semitrailer stopped along any highway unless proper safety precautions are taken. Any person violating this provision will be guilty of an infraction punishable by a fine of between \$50 and \$100 (Section 304.870).

CONTRACT CARRIERS - This act applies to contract carriers that transport railroad employees under the

terms of a contractual agreement with a railroad corporation on a road or highway of this state in a vehicle designed to carry 8 or fewer passengers, including the driver. The act requires a contract carrier to limit the hours of service by a driver to 16 hours of on-duty time within any 24-hour period. The act requires a contract carrier to make a concerted effort to provide a rest period of at least eight consecutive hours off duty to a driver who has 16 hours of total on-duty time within any 24-hour period. The act requires driver records to be kept for at least six months indicating the time all for-hire motor carrier drivers report for duty and the time of relief for each tour of duty. All records must be made available to the Director of the Department of Transportation for inspection (Section 389.948).

ASSAULT OF HIGHWAY WORKERS AND CORRECTION OFFICERS - The crime of assault of a law enforcement officer, emergency personnel, or probation and parole officer in the first, second, and third degree is expanded to include highway workers in construction or work zones and correction officers (Sections 565.081 - 565.083)

CONVEYANCE OF PROPERTY FOR MISSISSIPPI RIVER BRIDGE - This act authorizes the Governor to convey a parcel of real property, which is being currently used by the Department of Corrections as a minimum security correctional facility, to the Missouri Highways and Transportation Commission for the new Mississippi River Bridge project. This provision is contained in SB 179 (2009)(Section 1).

STEPHEN WITTE

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 02/04/2009 Hearing Conducted S Transportation Committee
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 03/10/2009 SA 2 to SS S offered & adopted (Purgason) (S574)
 03/10/2009 SA 3 to SS S offered & adopted (Lembke)--(8046S09.02S) (S574)
 03/10/2009 SA 4 to SS S offered & adopted (Barnitz)--(8013S09.01S) (S574-577)
 03/10/2009 SA 5 to SS S offered & adopted (Griesheimer)--(8049S09.01S) (S577)
 03/10/2009 SA 6 to SS S offered & adopted (Shoemyer)--(0165S05.02S) (S577-578)
 03/10/2009 SA 7 to SS S offered (Ridgeway)--(0165S05.03S) (S578-580)
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 03/11/2009 SA 8 to SS, as amended, S adopted (S596)
 03/11/2009 SA 9 to SS S offered & adopted (Shields)--(0165S05.06S) (S596-605)
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EFFECTIVE: August 28, 2009

*** SB 59 ***

0166S.011

SENATE SPONSOR: Stouffer

SB 59 - Under this act, shippers shipping radioactive waste in Missouri shall be subject to statutory fees established by the act. State-funded institutions of higher education who ship nuclear waste shall be exempt

from the statutory fees but such institutions shall reimburse the Missouri Highway Patrol for costs associated with shipment escorts. The fee structure is described in the act and the Department of Natural Resources in coordination with the Departments of Health and Senior Services, and Public Safety may promulgate rules necessary to carry out the provisions of the act. Any shipper who fails to pay a fee or to provide notice of a shipment to the Department of Natural Resources shall be liable for a civil penalty of an amount not to exceed ten times the amount of the original fee assessed and not paid.

The fees assessed and collected under the act shall be deposited into the environmental radiation monitoring fund. The department of natural resources may use moneys in the fund for the purposes delineated in the act. The act requires the Department of Natural Resources to prepare a report for the General Assembly beginning December 31, 2009, and every two years thereafter on all activities relating to the environmental radiation monitoring fund.

The provisions of this act do not apply to radioactive waste being shipped by or for the federal government for military or national defense purposes. This portion of the act shall sunset six years after the effective date of the section unless reauthorized by the General Assembly (Sections 260.392 and 260.750). These provisions are contained in SB 919 and the perfected version of SB 761 (2008).

STEPHEN WITTE

12/01/2008 Prefiled

01/07/2009 S First Read--SB 59-Stouffer (S13)

01/22/2009 Second Read and Referred S Transportation Committee (S169)

EFFECTIVE: August 28, 2009

*** SB 60 ***

0067S.011

SENATE SPONSOR: Wilson

SB 60 – This act requires the Department of Elementary and Secondary Education to develop standards for teaching in Missouri public schools by June 30, 2010, including public schools, charter schools, and public virtual schools. The teaching standards must include: having students actively participate and be successful in the learning process; forms of assessment to monitor and manage student learning; having the teacher be prepared and knowledgeable of content and maintain students' on-task behavior; having the teacher be current on instructional knowledge and explore changes in teaching behavior; and having the teacher act as a responsible professional in the mission of the school.

The Department will provide guidance to districts in establishing criteria for teacher evaluations under the teaching standards. In developing the teaching standards and evaluation models, the Department must involve representatives from teacher organizations, administration and principal organizations, the Missouri Advisory Council for the Certification of Educators, the Missouri Staff Development Council, and colleges and universities.

This act is identical to SB 1273 (2008).

MICHAEL RUFF

12/01/2008 Prefiled

01/07/2009 S First Read--SB 60-Wilson (S13)

01/22/2009 Second Read and Referred S Education Committee (S169)

EFFECTIVE: August 28, 2009

*** SB 61 ***

0063S.021

SENATE SPONSOR: Wilson

SCS/SB 61 - This act creates the "Comprehensive Tobacco Control Trust Fund," which shall be funded by monies received from the strategic contribution payments under the Tobacco Master Settlement Agreement. The Commission for Comprehensive Tobacco Control is established in the Department of Health and Senior Services. The Commission shall fund evidence-based prevention and cessation programs designated by the Commission for comprehensive tobacco control.

This act is similar to SB 843 (2008).

ADRIANE CROUSE

12/01/2008 Prefiled

01/07/2009 S First Read--SB 61-Wilson (S13)
 01/22/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S169)
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 02/03/2009 Hearing Conducted S Health, Mental Health, Seniors and Families Committee
 02/17/2009 SCS Voted Do Pass S Health, Mental Health, Seniors and Families Committee (0063S.05C)

EFFECTIVE: August 28, 2009

*** SB 62 ***

0062S.011

SENATE SPONSOR: Wilson

SB 62 - This act provides that in any case involving child custody or support, the court may appoint a parenting coordinator as a neutral third party to assist the parents in resolving disputes concerning parental responsibilities and the implementation of a court-ordered parenting plan.

The court order appointing such parenting coordinator shall specify the matters which the coordinator has authority to determine, however, appointment of a coordinator shall not divest the court of its exclusive jurisdiction and control of the case. The parenting coordinator shall possess the same qualifications as a mediator under Supreme Court Rule 88.05.

A parenting coordinator may be appointed despite party objection if the court makes findings that the case is high-conflict, and that appointment of a coordinator is in the best interest of the child or children. The court shall consider the effect of any evidence of domestic violence on the parties' ability to engage in parent coordination services.

The parenting coordinator shall assist the parties in implementing the terms of a court-ordered parenting plan. Upon appointment, the parenting coordinator shall attempt to resolve disputes between the parties regarding the parenting plan, or other disputes regarding parental responsibilities. The parenting coordinator also shall have authority to make findings and recommendations to the court regarding modification or clarification of an existing court-ordered parenting plan. The parenting coordinator shall submit any findings and recommendations to the parties, along with a statement that such information shall be submitted to the court. Any party who disagrees with the findings or recommendations may file a motion, within fifteen days of the receipt of the information, to request a court hearing. The judge shall choose to adopt, modify, or reject the findings and recommendations of the parenting coordinator.

The order appointing a parenting coordinator shall be for a specified term. Upon agreement of the parties, the court may extend, modify, or terminate the appointment, or may choose to terminate the appointment at any time for good cause. The parenting coordinator may withdraw from the case at any time.

No parenting coordinator shall be appointed unless the court finds that the parties are able to pay the fees, and the court shall allocate fees between such parties after consideration of all relevant factors. In cases of hardship, the court may appoint a coordinator to serve on a volunteer basis.

The parenting coordinator shall not be competent to testify about the parenting coordination process in any proceeding between the parties to the action, and shall not be required to produce records as to any statement or decision made during the appointment, other than the findings and recommendations the coordinator submits to the court.

The coordinator shall be immune from liability for any act or omission occurring during the performance of his or her duties, except for willful and wanton acts or omissions.

This act is identical to SB 1249 (2008).

ADRIANE CROUSE

12/01/2008 Prefiled
 01/07/2009 S First Read--SB 62-Wilson (S13)
 01/22/2009 Second Read and Referred S General Laws Committee (S169)

EFFECTIVE: August 28, 2009

*** SB 63 ***

00318S.021

SENATE SPONSOR: Rupp

SB 63 - This act modifies various provisions relating to dog fighting.

SECTION 578.025

This act increases the penalty for being a spectator at a dog fighting event from a Class A misdemeanor to a Class D felony for a second or subsequent offense.

SECTION 578.026

Any authorized public health official or law enforcement officer may seek a warrant to allow him or her to enter private property to inspect, care for, or impound dogs that are the subject of a dogfighting violation. The county sheriff, or a designee, shall be notified when a public health official or law enforcement officer is seeking a warrant to enter property because of a dog fighting violation. The sheriff shall participate in serving the warrant.

Any law enforcement officer or public health official, who has probable cause to believe a violation of the dog fighting provisions has occurred and who has the authority to make a lawful seizure, shall take possession of the dogs and other property used in the violation.

The officer or official taking possession of the dog or property shall file with the court an affidavit verifying certain information relating to the violation and stating that he or she has reason to believe a violation has or was about to occur.

A person performing a lawful seizure because of a dog fighting violation, whether acting under the authority of a warrant or not, shall be given a disposition hearing within 30 days of the filing of the request in order to grant immediate disposition of the impounded dog. The person seizing the dog shall place it in the care of a veterinarian, animal shelter, or animal control authority. If such people are not available, the dog shall not be impounded unless diseased or disabled. The dog shall be humanely killed if a veterinarian determines the dog is diseased or disabled beyond recovery. No person who lawfully seizes a dog shall be liable for necessary property damage.

Owners of an impounded dog may prevent disposition of the dog by posting bond in an amount sufficient to cover the dog's care for 30 days. The authority with custody may dispose of the dog at the end of such time unless there is a court order prohibiting it. The court order shall provide for a bond or other security in an amount to cover the cost of care, keeping, or disposal of the dog.

The owner of a dog humanely killed under this act shall not be entitled to recover damages for the value of the dog if it was found by a veterinarian to be diseased or disabled or if the owner failed to post bond for its care and disposition after being notified of the impoundment.

SECTION 578.030

This act repeals provisions requiring dogs that are subject to a dog fighting violation be kept until a conviction or final discharge occurs with the case.

This act is similar to SB 819 (2008).

SUSAN HENDERSON MOORE

12/01/2008 Prefiled

01/07/2009 S First Read--SB 63-Rupp and Smith (S13)

01/22/2009 Second Read and Referred S General Laws Committee (S169)

02/10/2009 Hearing Conducted S General Laws Committee

EFFECTIVE: August 28, 2009

*** SB 64 ***

0455S.011

SENATE SPONSOR: Rupp

SB 64 – This act modifies provisions relating to charter schools.

Section 160.400: Current law provides that charter schools may only be operated in the Kansas City and St. Louis City school districts. This act allows charter schools to be operated in school districts that are not classified as accredited by the State Board of Education or in any school district that for any two of the past three years has obtained a score on its annual performance evaluation consistent with the classification of provisionally accredited or unaccredited. Charter schools may continue to operate if the district in which they

are located becomes classified as accredited at a later time. In addition, charter schools may continue to operate and serve the same geographic area if a change in school district boundary lines occurs because of annexation, consolidation, or dissolution.

Any private or public four-year college or university with an approved teacher preparation program and with its primary campus in Missouri may sponsor a charter school. The mayor of St. Louis City may sponsor a charter school.

When the Department retains and remits such funds to the sponsor of a charter school, the sponsor must make an appropriate determination of the following: it must expend no less than 90% of its sponsorship funds in support of its charter school sponsorship program, or as a direct investment in the sponsored schools; have fair procedures and rigorous criteria for its application process and grant charters only to developers who show capacity for establishing and operating a quality charter school; negotiates charter school contracts that clearly articulate the rights and responsibilities of each party as described in the act; conducts contract oversight; and designs and implements a transparent and rigorous process to make merit-based renewal decisions. In addition, charter schools may expend up to ten percent of their sponsorship funds for undesignated administrative costs.

Section 160.405: This act removes the condition that charter schools become local educational agencies for the sole purpose of seeking direct access to federal grants when a sponsor and governing board enter into a written agreement reflecting the charter school's decision to become a local educational agency.

Current law requires charter schools to maintain a surety bond based on the school's cash flow. This act would allow charter schools to maintain an insurance policy in the amount of \$500,000 or more to provide coverage in the event of employee theft.

Section 160.410: Charter schools whose mission includes student drop-out prevention or recovery must enroll nonresident pupils from an adjacent county who submit a timely application. Preference will be given to resident pupils over non-resident pupils if there is insufficient capacity.

This act is similar to SB 1078 (2008), HB 2111 (2008) and contains a provision identical to SB 1027 (2008).
MICHAEL RUFF

12/01/2008 Prefiled
01/07/2009 S First Read--SB 64-Rupp (S13)
01/22/2009 Second Read and Referred S Education Committee (S169)
02/04/2009 Hearing Conducted S Education Committee
02/11/2009 Hearing Conducted S Education Committee

EFFECTIVE: August 28, 2009

*** SB 65 *** SCS SBs 65 & 43

0503S.03P

SENATE SPONSOR: Rupp

SCS/SBs 65 & 43 - The act expands eligibility on the state's no-call list to include personal cell phone numbers. Current law prohibits certain types of telephone solicitations to persons on the no-call list. This act additionally prohibits these same types of solicitations via faxing, graphic imaging, or data communication (which includes text messaging).

The act also adds automated phone calls to the types of calls prohibited to individuals who sign up on the no-call list. Certain automated calls are exempt, which are calls:

- that a person has given permission to receive;
- relating to a recent or current business relationship or a current personal relationship;
- that are preceded by a live operator who obtains the receiver's consent to play the message;
- from a public safety agency or other entity notifying a person of an emergency;
- from school districts to students, parents, or employees;
- from employers to employees about work-related issues;
- from a telecommunications company or its directory publisher affiliates made solely to verify the delivery of products or services provided at no charge to the individual called; and
- for the purpose of taking polls on public policy matters, political candidates, or issues to be put before the voters, provided such poll is not a push poll.

Entities that make automated calls shall not block their number from appearing on any caller identification

service. Automatic dialing announcing devices are prohibited from being used to call Missourians' personal phones unless the device will disconnect within 10 seconds of the receiver hanging up. In addition to other penalties as described, violators of these provisions may be subject to penalties associated with certain unlawful merchandising practices.

Violators of this act may be subject to a civil penalty up to \$5,000 per knowing violation. Individuals who receive more than one automated call from the same entity in any twelve-month period in violation of this act may bring action to cease the calls and recover actual monetary loss or damages. A two-year statute of limitations exists on bringing suit for violations of this act. It shall not be considered a violation of the act for an automated call message to be left on the answering machine or voice mail of a person whose number is registered on the no-call list, provided that the automated message is announced by a live operator.

The act also requires that anyone making a political phone call to a Missouri resident must include a "paid for by" statement. A committee making political phone calls must be registered with the Missouri Ethics Commission. Businesses and other non-committee organizations making political phone calls must register with the Secretary of State and the Missouri Ethics Commission and must disclose on whose behalf the organization is making the calls. Records must be kept for 2 years after the date an organization receives payment for political solicitation services rendered.

Entities that give out the phone number of an elected official in a political radio advertisement must register with the Missouri Ethics Commission and disclose who is paying for the advertisement.

The Secretary of State shall provide a summary of the political phone call requirements to any candidate who files for an elective office.

Violations of the political-related solicitations may be referred to the Missouri Ethics Commission.

The act repeals section 407.1110, which required the Attorney General to create a no-call consumer education advisory group as well as conduct certain no-call outreach and education activities.

This act is similar to SCS/SBs 840 & 857 (2008), SS/SCS/SBs 49, 65, 210, 251 (2007) and SCS/HB 801 (2007).

ERIKA JAQUES

12/01/2008 Prefiled
 01/07/2009 S First Read--SB 65-Rupp, et at (S13)
 01/22/2009 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S169)
 02/03/2009 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee
 03/03/2009 SCS Voted Do Pass (w/SCS SBs 65 & 43) S Commerce, Consumer Protection, Energy and the Environment Committee (0503S.03C)
 03/05/2009 Reported from S Commerce, Consumer Protection, Energy and the Environment Committee to Floor w/SCS (S528)
 03/24/2009 SA 1 to SCS S offered & adopted (Smith)--(0503S01.01S) (S682-683)
 03/24/2009 SCS, as amended, S adopted (S683)
 03/24/2009 Perfected (S683)
 03/25/2009 Reported Truly Perfected S Rules Committee (S702)
 03/26/2009 S Third Read and Passed (S774 / H749)
 03/26/2009 H First Read (H749)
 03/27/2009 H Second Read (H757)

EFFECTIVE: August 28, 2009

*** SB 66 ***

0264S.01P

SENATE SPONSOR: Scott

HOUSE HANDLER: Hoskins

SB 66 - Current law requires elected officials, candidates for elective office, and certain other officials of a political subdivision with an operating budget of over \$1 million to file financial interest statements. This act changes the operating budget floor to those over \$2 million.

This act is identical to SB 479 (2005), SB 818 (2006), SB 271 (2007), SB 970 (2008).
 CHRIS HOGERTY

12/01/2008 Prefiled
 01/07/2009 S First Read--SB 66-Scott (S13)
 01/22/2009 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S169)
 02/16/2009 Hearing Conducted S Financial and Governmental Organizations and Elections Committee
 03/02/2009 Voted Do Pass S Financial and Governmental Organizations and Elections Committee - Consent
 03/04/2009 Reported from S Financial and Governmental Organizations and Elections Committee to Floor - Consent (S473)
 03/12/2009 S Third Read and Passed - Consent (S610-611 / H600)
 03/12/2009 H First Read (H600)
 03/18/2009 H Second Read (H606)
 03/30/2009 Referred H Financial Institutions Committee (H790)
 04/01/2009 Hearing Conducted H Financial Institutions Committee
 04/01/2009 Voted Do Pass H Financial Institutions - Consent
 04/02/2009 Reported Do Pass H Financial Institutions Committee - Consent (H923)
 04/02/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H923)
 04/07/2009 Hearing Conducted H Rules Committee
 04/07/2009 Voted Do Pass H Rules Committee - Consent
 04/07/2009 Reported Do Pass H Rules Committee - Consent (H959)
 04/27/2009 H Consent Calendar

EFFECTIVE: August 28, 2009

*** SB 67 ***

0402S.011

SENATE SPONSOR: Scott

SB 67 - Under this act, the governing body of any municipality may by resolution or ordinance allow persons to operate golf carts or motorized wheelchairs upon any street under its jurisdiction. A golf cart or motorized wheelchair shall not be operated at any time on any state or federal highway, but may be operated upon such highway in order to cross a portion of the state highway system which intersects a municipal street. No golf cart or motorized wheelchair shall cross any highway at an intersection where the highway being crossed has a posted speed limit of more than forty-five miles per hour.

Golf carts operated on city streets must be equipped with adequate brakes and shall meet any other safety requirements imposed by the governing body. Golf carts are not subject to registration.

The act defines a "golf cart" as a motor vehicle that is designed and manufactured for operation on a golf course for sporting or recreational purposes and that is not capable of exceeding speeds of twenty miles per hour.

STEPHEN WITTE

12/01/2008 Prefiled
 01/07/2009 S First Read--SB 67-Scott (S13)
 01/22/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S169)
 01/28/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee
 03/05/2009 Voted Do Pass S Jobs, Economic Development and Local Government Committee - Consent
 03/11/2009 Reported from S Jobs, Economic Development and Local Government Committee to Floor - Consent (S587)
 03/23/2009 Removed S Consent Calendar (S656)

EFFECTIVE: August 28, 2009

*** SB 68 ***

0236S.011

SENATE SPONSOR: Bray

SB 68 - This act makes criminally negligent storage of a firearm a Class A misdemeanor.

A person commits the crime of criminally negligent storage of a firearm if the person stores or keeps any loaded firearm or unloaded firearm with ammunition under his or her control and knows or reasonably should know a minor is capable of gaining access to the firearm and the minor uses the firearm to threaten or cause the death of or injury to any person.

A person does not commit this crime if: (1) the firearm is stored in a locked box; (2) the firearm has a locking mechanism; (3) the firearm is stored in a dismantled state and at least one part which is essential to the operation of the firearm is stored in a locked box; or (4) the ammunition is stored away from an unloaded firearm in a locked box.

A minor who uses a weapon in self-defense or is being supervised while engaged in hunting or another lawful purpose does not fall under this law. A person does not commit this crime if the minor obtained possession of the firearm due to unlawful entry onto the premises or the person is a peace officer and the minor obtains the firearm during such person performing his or her official duties.

This act requires firearm dealers to post a written warning about the provisions in a conspicuous place where firearms are sold.

This act is identical to SB 836 (2008).
SUSAN HENDERSON MOORE

12/01/2008 Prefiled

01/07/2009 S First Read--SB 68-Bray (S13)

01/22/2009 Second Read and Referred S Progress and Development Committee (S169)

EFFECTIVE: August 28, 2009

*** SB 69 ***

0249S.011

SENATE SPONSOR: Bray

SB 69 - This act modifies several provisions of law relating to homeowner's and property insurance.

Under this act, an insurer may cancel a homeowner's policy if physical changes in the property insured have significantly increased the hazards originally insured. Under the current law, an insurer may cancel the policy if physical changes have increased the hazards originally insured (Section 375.002).

Under this act, the insurer must give the insured 60 days notice prior to cancelling the insured's policy (Current law is 30 days). The insurer must also give the insured 60 days of its intention not to renew a policy (Sections 375.003 and 375.004).

Under this act, homeowner insurance companies shall not consider as a claim any inquiry made by the insured as to whether the policy covers a certain loss or whether the policy provides a certain type or level of coverage (Section 375.001). Homeowner insurance companies are prohibited from refusing to renew a policy on the basis of a weather-related claim (Section 375.004). Further, insurers are prohibited from using a rating plan or a rating system which surcharges the insured's dwelling fire or homeowners insurance premium based upon the insured's weather-related claims or upon inquiries into whether the policy covers certain losses (Section 375.004).

FAIR PLAN - Under this act, the name of the Missouri Basic Property Insurance Inspection and Placement Program is changed to the Fair Access to Insurance Requirements (FAIR) plan. FAIR plans were created in the late 1960s to make property insurance more readily available to people who can't obtain it from private insurers because their property is considered "high risk." The plans are operated by the insurance industry and make insurance available to property owners meeting certain requirements. Under the act, the FAIR plan is to offer dwelling fire, commercial fire and homeowners coverage for property owners, renters, and condominium owners. These coverages shall be similar to what is available in the standard market and provide protection against loss from various hazards(Section 379.815).

The act increases the amount of property insurance coverage a person can obtain through the program on residential property from \$200,000 to \$300,000 and on commercial property from \$1,000,000 to \$3,000,000 (Section 379.820).

Under this act, the length of time in which the facility must approve or decline whether the FAIR plan will insure a potential insured is decreased from 5 days to 3 days after the inspection report and application are received (Section 379.830).

All property insurance plans and underwriting guidelines used in the FAIR plan must be submitted to the director for approval at least 60 days prior to their use (Section 379.840).

A FAIR plan insurance policy shall not be cancelled or nonrenewed unless the insured receives 60 days notice (up from 30 days)(Section 379.845).

The governing committee of the FAIR plan is increase by two members (for a total of 15 members). The two new members shall be consumer representatives. Under this act, the date of the annual meeting of the insurers and the governing committee must also be approved by the director (Section 379.860).

This act is similar to SB 1090 (2008), SB 639 (2007), SB 659 (2006) and SB 106 (2005).

STEPHEN WITTE

12/01/2008 Prefiled

01/07/2009 S First Read--SB 69-Bray (S14)

01/22/2009 Second Read and Referred S Small Business, Insurance and Industry Committee (S170)

EFFECTIVE: August 28, 2009

*** SB 70 ***

0324S.011

SENATE SPONSOR: Bray

SB 70 - This act modifies the paperwork requirements for the formation of a new political party and the nomination of independent candidates.

The act repeals the requirement that the petition to form the new party must contain, if presidential electors are to be nominated by petition, the name of at least one qualified resident in each congressional district to be a nominee for presidential elector. Alternatively, this information will be provided when filing the respective declarations of candidacy.

This act is identical to SCS/SB 84 (2005), SB 726 (2006), SB 138 (2007), and SB 797 (2008).

CHRIS HOGERTY

12/01/2008 Prefiled

01/07/2009 S First Read--SB 70-Bray (S14)

01/22/2009 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S170)

EFFECTIVE: August 28, 2009

*** SB 71 ***

SCS SB 71

0326S.02P

SENATE SPONSOR: Stouffer

SCS/SB 71 - The act creates an income tax credit equal to fifty percent of the amount of an eligible donation made, on or after January 1, 2010, to a qualifying developmental disability care provider. The tax credit may not be applied against withholding taxes. The tax credit is non-refundable, but may be carried forward four years. The tax credit is transferable. A provider may apply to the Department of Revenue for the tax credits. The provisions of this act shall automatically sunset six years after the effective date of the act unless reauthorized.

This act is similar to Senate Bill 1274 (2008).

JASON ZAMKUS

12/01/2008 Prefiled

01/07/2009 S First Read--SB 71-Stouffer (S14)

01/22/2009 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S170)

01/29/2009 Hearing Conducted S Governmental Accountability and Fiscal Oversight Committee

02/23/2009 Hearing Conducted S Governmental Accountability and Fiscal Oversight Committee

02/23/2009 SCS Voted Do Pass S Governmental Accountability and Fiscal Oversight Committee - Consent (0326S.02C)

02/25/2009 Reported from S Governmental Accountability and Fiscal Oversight Committee to Floor w/SCS - Consent (S384)

03/03/2009 Removed S Consent Calendar (S458)

04/02/2009 Reported from S Governmental Accountability and Fiscal Oversight Committee to Floor w/SCS (S889)

04/08/2009 SCS S adopted (S947)

04/08/2009 Perfected (S947)
 04/08/2009 Reported Truly Perfected S Rules Committee (S971)
 04/09/2009 S Third Read and Passed (S976-977 / H1026)
 04/09/2009 H First Read (H1026)
 04/10/2009 H Second Read (H1031)
 04/16/2009 Referred H Tax Reform Committee (H1108)
 04/22/2009 Hearing Conducted H Tax Reform Committee

EFFECTIVE: August 28, 2009

*** SB 72 ***

SCS SB 72

0369S.03C

SENATE SPONSOR: Stouffer

SCS/SB 72 - This act provides that a new health care facility may be licensed without certificate of need review when arranging for the transfer of licensed skilled nursing, residential care or assisted living facility beds to a new health care facility so long as the following criteria are satisfied:

- (1) A letter of intent to develop the new facility is submitted to the Department of Health and Senior Services and the Missouri Health Facilities Review Committee;
- (2) The department certifies that the transferred beds are from skilled nursing, residential care or assisted living facilities in Missouri and have maintained an average occupancy in the relevant licensure category of under seventy percent for the previous six calendar quarters; and
- (3) The proposed new health care facility otherwise satisfies all conditions of licensure under current law.

The facility transferring beds under this act shall not seek to add beds within a two-year period of time after the transaction.

This act is similar to SCS/SB 1173 (2008).

ADRIANE CROUSE

12/01/2008 Prefiled
 01/07/2009 S First Read--SB 72-Stouffer (S14)
 01/22/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S170)
 01/27/2009 Hearing Conducted S Health, Mental Health, Seniors and Families Committee
 02/03/2009 SCS Voted Do Pass S Health, Mental Health, Seniors and Families Committee (0369S.03C)
 02/19/2009 Reported from S Health, Mental Health, Seniors and Families Committee to Floor w/SCS (S344)
 02/24/2009 Bill Placed on Informal Calendar (S368)
 04/27/2009 S Informal Calendar S Bills for Perfection--SB 72-Stouffer, with SCS

EFFECTIVE: August 28, 2009

*** SB 73 ***

0371S.011

SENATE SPONSOR: Stouffer

SB 73 - This act requires the Department of Social Services to develop a program to test applicants or recipients of temporary assistance for needy families (TANF) benefits when a case worker believes, based on reasonable suspicion, that such person engages in illegal use of controlled substances. Any applicant or recipient who is found to have tested positive for the use of a controlled substance after an administrative hearing shall be declared ineligible for temporary assistance for needy families benefits for a period of three years from the date of the administrative hearing decision. The department shall refer an applicant or recipient who tested positive for the use of a controlled substance under this act to an appropriate substance abuse treatment program approved by the division of alcohol and drug abuse within the department of mental health. Also, if a parent is deemed ineligible for TANF benefits due to the provisions of this act, his or her dependent child's eligibility for such benefits shall not be affected and an appropriate protective payee may be established for the benefit of the child. The department shall promulgate rules to develop the screening and testing provisions of this section.

This act is identical to SB 1259 (2008).

ADRIANE CROUSE

12/01/2008 Prefiled
 01/07/2009 S First Read--SB 73-Stouffer and Engler (S14)
 01/22/2009 Second Read and Referred S Progress and Development Committee (S170)
 02/11/2009 Hearing Conducted S Progress and Development Committee

EFFECTIVE: August 28, 2009

*** SB 74 ***

0054S.011

SENATE SPONSOR: Wilson

SB 74 - This act provides a tax credit for a taxpayer who serves as a poll worker for an election. The tax credit is equal to fifty dollars per election in which the taxpayer serves as a poll worker, not to exceed one hundred dollars per taxpayer per year. The tax credit is non-refundable, but may be carried forward five years until used. The provisions of this act shall automatically sunset six years from the effective date of the act if not re-authorized.

This act is similar to Senate Bill 989 (2008) and Senate Bill 1098 (2006).

JASON ZAMKUS

12/01/2008 Prefiled

01/07/2009 S First Read--SB 74-Wilson (S14)

01/22/2009 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S170)

EFFECTIVE: August 28, 2009

*** SB 75 ***

0059S.011

SENATE SPONSOR: Wilson

SB 75 - This act modifies the distressed areas land assemblage tax credit program definition of the term "eligible project area", by decreasing the size requirement for the area from seventy-five acres to forty acres. The requirement that eligible parcels acquired by the applicant within the eligible project area total at least fifty acres has been reduced to at least thirty acres.

This act is identical to Senate Bill 814 (2008).

JASON ZAMKUS

12/01/2008 Prefiled

01/07/2009 S First Read--SB 75-Wilson (S14)

01/22/2009 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S170)

EFFECTIVE: August 28, 2009

*** SB 76 ***

0061S.011

SENATE SPONSOR: Wilson

SB 76 – This act creates the Volunteer and Parents Incentive Program, to be implemented and administered by the Department of Elementary and Secondary Education. Under the program, the Department will provide a reimbursement to parents or volunteers who donate time at certain schools. To be eligible, individuals must donate time at a school in a district that is unaccredited or provisionally accredited, or has a population of at least 50% at risk students as described in the act. For every one hundred hours donated by a volunteer or parent, the department will provide him or her with a reimbursement for the cost of three credit hours at a public institution of higher learning located in Missouri. The reimbursement cannot exceed \$500 every two years. If a participating school district becomes classified as accredited, it may continue to participate in the program for an additional two years.

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

This act is substantially similar to SB 1014 (2008).

MICHAEL RUFF

12/01/2008 Prefiled

01/07/2009 S First Read--SB 76-Wilson (S14)

01/22/2009 Second Read and Referred S Education Committee (S170)

EFFECTIVE: August 28, 2009

*** SB 77 ***

00370S.011

SENATE SPONSOR: Stouffer

SB 77 - This act adds as a covered service under the MO HealthNet program comprehensive day rehabilitation services.

This act is identical to SB 972 (2008).

ADRIANE CROUSE

12/01/2008 Prefiled
 01/07/2009 S First Read--SB 77-Stouffer (S14)
 01/22/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S170)
 02/03/2009 Hearing Conducted S Health, Mental Health, Seniors and Families Committee
 02/10/2009 Voted Do Pass S Health, Mental Health, Seniors and Families Committee

EFFECTIVE: August 28, 2009

*** SB 78 ***

0060S.011

SENATE SPONSOR: Wilson

SB 78 – This act creates the Missouri Senior Cadet Program, which will provide opportunities for twelfth graders in public school to mentor kindergarten through eighth grade students as described in the act. Participating students must be Missouri residents attending a Missouri high school, maintain a 3.0 GPA and plan to attend college. Twelfth graders who donate ten hours per week during the academic year will receive one elective credit that may be used to fulfill graduation requirements. If a student attends a public college or university located in Missouri after participating in the program, the state will provide a reimbursement in the amount of three credit hours per semester for up to four years. The provisions of this act will expire in six years unless reauthorized.

This act is identical to SB 1013 (2008) and similar to SB 921 (2006).

MICHAEL RUFF

12/01/2008 Prefiled
 01/07/2009 S First Read--SB 78-Wilson (S14)
 01/22/2009 Second Read and Referred S Education Committee (S170)
 02/11/2009 Hearing Conducted S Education Committee

EFFECTIVE: August 28, 2009

*** SB 79 ***

0052S.011

SENATE SPONSOR: Wilson

HOUSE HANDLER: Wallace

SB 79 – This act modifies the definition of "bullying" as used in antibullying policies that must be enacted by school districts. The definition of "bullying" shall include cyberbullying and electronic communications.

This act is identical to SB 762 (2008) and similar to SB 646 (2007).

MICHAEL RUFF

12/01/2008 Prefiled
 01/07/2009 S First Read--SB 79-Wilson (S14)
 01/22/2009 Second Read and Referred S Education Committee (S170)
 01/28/2009 Hearing Conducted S Education Committee
 02/11/2009 Voted Do Pass S Education Committee - Consent
 02/18/2009 Reported from S Education Committee to Floor - Consent (S327)
 02/25/2009 S Third Read and Passed - Consent (S390 / H422)
 02/26/2009 H First Read (H422)
 03/02/2009 H Second Read (H428)
 03/30/2009 Referred H Elementary and Secondary Education Committee (H790)
 04/08/2009 Hearing Conducted H Elementary and Secondary Education Committee
 04/08/2009 Voted Do Pass H Elementary and Secondary Education Committee - Consent
 04/09/2009 Reported Do Pass H Elementary and Secondary Education Committee - Consent (H1020)
 04/09/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1020)
 04/14/2009 Hearing Conducted H Rules Committee
 04/14/2009 Voted to return to committee of origin H Rules Committee (H1041)

EFFECTIVE: August 28, 2009

*** SB 80 ***

0065S.011

SENATE SPONSOR: Wilson

SB 80 - This act, upon voter approval, increases the fee collected by each recorder of deeds to fund the county homeless person assistance program from \$3 to \$10 if such a program has been created by the governing body of such charter county.

This act is identical to SB 897 (2008).

SUSAN HENDERSON MOORE

12/01/2008 Prefiled

01/07/2009 S First Read--SB 80-Wilson (S14)

01/22/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S170)

02/04/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee

EFFECTIVE: August 28, 2009

*** SB 81 ***

0053S.011

SENATE SPONSOR: Wilson

SB 81 - This act criminalizes the displaying of a noose for the purpose of intimidating a person or a group of persons. A violation of this provision is a Class A misdemeanor for the first offense and a Class D felony for a second offense.

This act is identical to SB 763 (2008).

SUSAN HENDERSON MOORE

12/01/2008 Prefiled

01/07/2009 S First Read--SB 81-Wilson (S15)

01/22/2009 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S170)

02/02/2009 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2009

*** SB 82 ***

0056S.011

SENATE SPONSOR: Wilson

SB 82 - This act expands the crime of unlawful use of weapons to include the discharge of a firearm in the air for celebratory purposes in an urban area.

This act is identical to SB 812 (2008).

SUSAN HENDERSON MOORE

12/01/2008 Prefiled

01/07/2009 S First Read--SB 82-Wilson (S15)

01/22/2009 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S170)

03/09/2009 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2009

*** SB 83 ***

0058S.011

SENATE SPONSOR: Wilson

SB 83 - This act makes ownership, possession or discharge of a stun gun or taser gun an unlawful use of a weapon, which is a Class D felony. However, this prohibition does not apply to peace officers, prison employees, members of the armed forces while on duty, people vested with the judicial power of the state, any person with a duty to execute process, probation officers, corporate security advisors, or coroners or medical examiners.

This act defines a "stun gun" or "taser" as any portable device or weapon from which an electric current,

impulse, wave, or beam is produced that is capable of incapacitating temporarily, injuring, or killing a human being.

This act is identical to SB 813 (2008).
SUSAN HENDERSON MOORE

12/01/2008 Prefiled

01/07/2009 S First Read--SB 83-Wilson (S15)

01/22/2009 Second Read and Referred S General Laws Committee (S170)

EFFECTIVE: August 28, 2009

*** SB 84 ***	HCS SB 84	0559L.03C
SENATE SPONSOR: Purgason		HOUSE HANDLER: Dixon

HCS/SB 84 - This act modifies several provisions of law relating to transportation.

WINDOW STICKERS - This act requires a window sticker instead of a license plate tab to be placed on the inside front windshield of a motor vehicle to show the current registration. A window sticker will not be issued for a motorcycle or trailer registration. This portion of the act becomes effective January 1, 2011 (Sections 136.055, 301.032, 301.130, 301.140, 301.160, 301.290, 301.300, 301.301, 301.302, Section C).

POSSESSION OF EXPIRED LICENSE PLATES - The act also allows persons to possess used or expired license plates provided the possession of such license plates is for charitable purposes (section 301.140). This provision is contained in SCS/HB 683 (2009).

PROOF OF FINANCIAL RESPONSIBILITY This act requires anyone purchasing a motor vehicle from a motor vehicle dealer to provide proof of financial responsibility to the dealer before the issuance of a temporary license plate. This portion of the act is similar to SCS/HB 683 (2009) and SB 759 (2009) (Section 301.140).

HANDICAP PARKING - Under this act, all new signs erected to denote designated handicapped parking shall not contain the words "Handicap Parking" (Section 301.143).

SALVAGE VEHICLES - Under current law, when a person who is not a resident of the United States buys a nonrepairable motor vehicle or a salvage motor vehicle, the seller must stamp the words "FOR EXPORT ONLY" on the face of the title and in each unused reassignment space on the back of the title and forward it to the Department of Revenue. This act specifies that it is the operator of the salvage pool or salvage disposal sale or the subsequent purchaser who is required to fulfill these duties (Section 301.218). This provision is contained in HB 644 (2009).

TRANSPORTATION COMMISSION LEADERSHIP - Under this act, the chair and vice chair of the commission are given the option to rotate positions. The current law requires the vice chair to assume the position of chair when the one year term of the chair expires (Section 226.030). This provision is also contained in SB 343 (2009).

DAVID'S LAW - Under this act, the Department of Transportation shall establish and administer a drunk driving risk reduction awareness program. This act shall be known as "David's Law." The signs shall be placed at or near the scene of the accident. Under the act, signs shall be attached to an existing highway sign, street light, or guard rail. The signs shall be placed upon the state highways in accordance with placement guidelines adopted by the department, and any applicable federal limitations or conditions on highway signage, including location and spacing. The department shall adopt, by rules and regulations, program guidelines for the application for and placement of signs authorized by this section, including, but not limited to, the sign application and qualification process, the procedure for the dedication of signs, and procedures for the replacement or restoration of any signs that are damaged or stolen. Any person may apply to the Department of Transportation to sponsor a drunk driving victim memorial sign in memory of an immediate family member who died as a result of a motor vehicle accident caused by a person who was shown to have been operating a motor vehicle in violation of an alcohol-related traffic law at the time of the accident. Upon the request of an immediate family member of the deceased victim involved in a drunk driving accident, the department shall place a sign in accordance with the provisions of the act. A person who is not a member of the victim's immediate family may also submit a request to have a sign placed under this section if that person also submits the written consent of a victim's immediate family member. The department shall charge the sponsoring party a fee to cover the department's cost in designing, constructing, placing, and

maintaining the sign. Signs erected under the act shall remain in place for a period of ten years. After such date, the signs may be renewed for another 10 years after payment of appropriate maintenance fees. The signs developed by the department shall resemble a Missouri license plate and shall feature the words "Drunk Driving Victim!", the initials of the deceased victim, and the month and year in which the victim of the drunk driving accident was killed. Under the act, all private roadside memorials or markers commemorating the death of a drunk driving victim are prohibited. No person, other than a Department of Transportation employee or the department's designee, may erect a drunk driving victim memorial sign. These provisions may be found in SB 93 (2009)(Section 227.295).

HEROS WAY INTERSTATE INTERCHANGE DESIGNATION PROGRAM - This act establishes an interstate interchange designation program, to be known as the "Heroes Way Interstate Interchange Designation Program", to honor the fallen Missouri heroes who have been killed in action while performing active military duty with the armed forces in Afghanistan or Iraq on or after September 11, 2001. Under the act, any person who is related by marriage, adoption, or consanguinity within the second degree to a member of the United States armed forces who was killed in action while performing active military duty with the armed forces in Afghanistan or Iraq on or after September 11, 2001, and who was a resident of this state at the time he or she was killed in action, may apply for an interstate interchange designation. The act sets forth the requirements an applicant must submit in order to obtain a designation. Under the act, the Department of Transportation shall submit for approval or disapproval all applications for interstate interchange designations to the Joint Committee on Transportation Oversight. The committee shall notify the Department of Transportation upon the approval or denial of an application for an interstate interchange designation. The act requires two signs to be erected for each interstate interchange designation processed under the act. No interstate interchange may be named or designated after more than one member of the United States armed forces killed in action. Such person shall only be eligible for one interstate interchange designation under the provisions of this section. Any highway signs erected for any interstate interchange designation under the provisions of this section shall be erected and maintained for a twenty-year period. After such period, the signs shall be subject to removal by the Department of Transportation and the interstate interchange may be designated to honor persons other than the current designee. An existing interstate interchange designation processed under the provisions of this act may be retained for additional twenty-year increments if, at least one year before the designation's expiration, an application to the Department of Transportation is made to retain the designation along with the required documents and all applicable fees required under the act. The provision establishing the "Heroes Way Interstate Interchange Designation Program" is contained in SCS/HB 91 and SB 110 (2009)(Section 227.297).

TEMPORARY MOTORCYCLE PERMIT - Under this act, a person who is at least 16 years of age who receives a temporary motorcycle permit shall be entitled to operate a motorcycle for a period of 6 months. Such person shall not operate the motorcycle at any time from a half-hour after sunset to a half-hour before sunrise. The operate shall not carry any passengers on the motorcycle (Section 302.132).

PERMANENT DISABLED NOTATION - Under this act, any person who is permanently disabled may apply to the department of revenue to have such status denoted on his or her driver's license or nondriver's license. The department may establish the cost for placing the notation and require medical proof from the applicant (Section 302.182).

CENTRALIZED VIOLATION BUREAU - Under this act, any court using a centralized violation bureau may elect to have the bureau order and verify completion of driver improvement programs or motorcycle-rider training courses. If a person has been ordered by the court to attend a driver-improvement program or a motorcycle-rider training program, the person also consents to attendance at any such program, and to verification of such attendance as directed by the bureau, when he or she pays the fines and court costs (Sections 302.302 and 476.385). These provisions are contained in HCS/SB 114 (2009).

EXPUNGEMENT OF RECORDS OF CDL HOLDERS - This act prohibits the expungement of a minor in possession (MIP) charge for holders of commercial driver's licenses or persons operating commercial motor vehicles at the time of the violation (Section 311.326). The act also provides that no records shall be expunged if a person is found guilty with a BAC of .04 or greater and is holding a commercial driver's license at the time of the offense (Section 302.545). This provision is also contained in SS/SCS/SB 761 and 774 (2008) and SS/SCS/SB 239 et al (2007).

FAILURE TO APPEAR - This act includes failure to appear by a commercial license holder or operator of a commercial motor vehicle as an commercial driver offense requiring indefinite suspension until compliance (Section 302.700 and 302.755). This provision is also contained in SS/SCS/SB 761 and 774 (2008) and

SS/SCS/SB 239 et al (2007).

CDL MILITARY EXEMPTION - This act provides that a military member while driving a vehicle for military purposes is exempt from possessing a CDL. Current law provides that the military member must be driving a military vehicle to qualify for the exemption (Section 302.775). This provision was contained in SS/SCS/SB 761 and 774 (2008) and SS/SCS/SB 239 et al (2007).

FARMER CDL EXEMPTION - This act clarifies the CDL exemption for persons driving farm vehicles. In order to qualify for the exemption, the farm vehicle must be controlled by a farmer or family member, be used to transport agricultural products, machinery, or supplies to or from a farm, not be used in the operations of a common or contract carrier, and be used within 150 miles of the farmer's farm (Section 302.775). This provision was contained in SS/SCS/SB 761.

HAZARDOUS MATERIAL ENDORSEMENT REVOCATION - This act requires the state to immediately revoke a hazardous material endorsement upon receipt of an Initial Determination of Threat Assessment and Immediate Revocation from the Transportation Security Administration. The state must revoke or deny a hazardous material endorsement within 15 days of receipt of a final determination (Section 302.735).

HAZARDOUS MATERIAL DEFINITION - This act modifies the definition of hazardous materials to correspond with federal law and regulations (Section 302.700).

DRIVING WHILE OUT OF SERVICE - This act provides that any person convicted for driving while out of service shall be disqualified from driving a commercial motor vehicle in a manner prescribed by the federal regulations (Section 302.755).

ALCOHOL-RELATED ENFORCEMENT CONTACT - Under this act, a person is disqualified from driving a commercial motor vehicle for a period of not less than one year if convicted for the 1st violation of an alcohol-related enforcement contact (Section 302.755).

TRANSPORTATION INSPECTOR GENERAL - This act eliminates the position of the Transportation Inspector General contained within the Joint Committee on Transportation Oversight. These provisions are contained in SB 31 (2009)(Sections 226.030 and 21.795).

TOWING BY LAW ENFORCEMENT - Under current law, property is deemed abandoned when it has been on the right-of-way of any highway or freeway in an urbanized area for 10 hours, but property on the right-of-way on any highway or freeway outside of an urbanized area is not abandoned until it has been on the right-of-way for 48 hours. This act amends the current law so that a law enforcement officer may authorize a towing company to remove property left unattended for 12 hours on the right-of-way on any highway or freeway outside of an urbanized area. This act authorizes law enforcement officers to tow abandoned vehicles abandoned by persons who elude arrest for offenses the officer would have taken the offender into custody. The act also authorizes law enforcement officers to immediately remove abandoned property from the right of way of any interstate highway, freeway, or state highway if the abandoned property is creating a traffic hazard. Currently, this provision of law only authorizes the department of transportation to immediately remove the hazard from a state highway (Section 304.155). This provision is similar to one contained in SCS/SB 88 (2009).

REVISION OF THE SPECIAL LICENSE PLATE PROCEDURE - Under the proposed act, the Joint Committee on Transportation Oversight's role in approving special license plates is modified (Section 21.795). In lieu of receiving unanimous approval by the Joint Committee on Transportation Oversight for a special license plate application, only a majority vote from the committee is required. In addition, the committee shall approve a special license plate application unless the committee receives a signed petition signed by 5 House members or 5 Senators stating the reason for their opposition. The committee may disapprove a special license plate application if the proposed plate contains objectionable language or design or if the organization seeking the special license plate has not complied with the special license plate statute or accompanying rules (Sections 21.795).

TRACTOR PARADES - This act exempts tractors used in tractor parades from certain width, length, height, and license plate display regulations provided the tractors are driven by licensed drivers during daylight hours only and with the approval of the superintendent of the Missouri State Highway Patrol (Sections 304.170 and 304.260). These provisions are contained in SB 293 (2009). These sections contain an emergency clause (Section B).

VETERANS MEMORIAL HIGHWAY - This act designates a portion of Missouri Highway 100 in Franklin County as the "Veterans Memorial Highway" (Section 227.310).

DIESEL FUEL DEFINITION - This act modifies the definition of diesel fuel for the purposes of the motor fuel tax law to exclude biodiesel commonly referred to as B100 until such biodiesel is blended with other diesel fuel or sold for highway use (Section 142.800).

ATV CERTIFICATE OF OWNERSHIP - This act allows a bill of sale to be used to show ownership in the application for a certificate of ownership for an all-terrain vehicle (Section 301.700).

MOTOR VEHICLE VIOLATIONS - This act modifies numerous penalties for violations of motor vehicle licensing, registration, and equipment statutes. The act makes certain motor vehicle registration violations punishable as infractions rather than various classes of misdemeanors. These provisions can be found in SB 342 (2009), SB 101 (2007), HCS/SS/SCS/SBs 239, 24 & 445 (2007), and SB 1143 (2006).

This act changes the penalty for violating Missouri's historic motor vehicle 1,000 mile personal use limitation from a Class C misdemeanor to a violation punishable by a fine of not less than five dollars or more than five hundred dollars (Section 301.131).

The act changes the penalty for fastening voided plates to a motor vehicle from a Class C misdemeanor to a violation punishable by a fine of not less than five dollars or more than five hundred dollars (Section 301.150).

The penalty for failing to surrender a mutilated or worn plate for which a duplicate has been issued is changed from a misdemeanor to a violation punishable by a fine of not less than five dollars or more than five hundred dollars (Section 301.310).

The act provides that the penalty for knowingly making a false statement in the application for the registration of a motor vehicle is a Class C misdemeanor (Section 301.420).

The act removes the imposition of a jail sentence for various motor vehicle registration violations in which no specific statutory penalty is provided and provides that such violations shall be punishable by a fine of not less than \$5 nor more than \$500. The current law provides that certain motor vehicle registration violations are punishable by imprisonment in the county jail for a term not exceeding one year or by a fine of not less than \$5 or more than \$500, or by both (Section 301.440).

Under the act, violations of Missouri's ATV titling and registration laws are punishable as infractions (Section 301.716). Under the act, failure to secure truck load violations are punished as infractions rather than Class C misdemeanors (Section 307.010). Under the act, the punishment for a mud flap violation is changed from a Class B misdemeanor to an infraction (Section 307.015).

Under the act, the punishment for a spotlight violation is changed from a Class C misdemeanor to an infraction (Section 307.090). The act further provides that violations of certain motor vehicle lighting regulations shall be punishable as infractions rather than misdemeanors (Section 307.120). Under the act, the punishment for improperly lighting or marking an animal-driven vehicle is changed from a Class C misdemeanor to an infraction (Section 307.125).

Under the act, the punishment for certain motor vehicle safety glass violations is changed from a Class C misdemeanor to an infraction (Section 307.155). Under the act, the punishment for altering the front or rear of a motor vehicle or operating a motor vehicle without proper bumpers is changed from a Class C misdemeanor to an infraction (Section 307.172). Under the act, the punishment for a window tinting violation is changed from a Class C misdemeanor to an infraction (Section 307.173). Under the act, the punishment for operating a motorized bicycle without a license or operating a motorized bicycle upon an interstate highway is changed from a Class C misdemeanor to an infraction (Section 307.195).

Under the act, the punishment for an ATV equipment violation is changed from a Class C misdemeanor to an infraction (Section 307.198). Under the act, the punishment for violating certain motor vehicle inspection station regulations is changed from a misdemeanor to a Class C misdemeanor (Section 307.365). Under the act, the punishment for school bus inspection violations is changed from a misdemeanor to a Class C misdemeanor (Section 307.375).

Under the act, the punishment for violating Missouri's motor vehicle safety inspection regulations is changed from a misdemeanor to an infraction (Section 307.390). Under the act, the punishment for violating certain commercial motor vehicle regulations is changed from a Class B misdemeanor to an infraction (Section 307.400). This act provides that for an infraction, all court costs, fees, surcharges, and other charges shall be assessed in the same manner and amount as for a misdemeanor (Section 488.006).

Under this act, an offense is an infraction if it is designated as one, or if a violation can result only in a fine, forfeiture, or other civil penalty. A determination of whether an infraction has occurred shall be made by the filing of a civil action. The action shall be filed by a person who is authorized to bring a criminal action or an action to enforce an ordinance. The action will be brought in the name of the state or the appropriate political subdivision. An infraction violation shall be proved by a preponderance of the evidence but shall not be tried by a jury. If an infraction violation is proven, judgment shall be entered for the plaintiff. This act requires any driver to stop on signal of any law enforcement officer and to obey any reasonable signals of such officer given in the course of enforcing any infraction. Any person who fails or refuses to obey any such signal or who resists an officer while enforcing any infraction, shall be guilty of a Class A misdemeanor (Section 556.021).

SPECIAL LICENSE PLATE ISSUANCE - Under this act, the Department of Revenue does not have to issue an authorized special license plate unless it has received 200 applications for such plate. Beginning January 1, 2011, if the total numbers of special plates issued falls below 200, the department will no longer have to accept applications for the plate (Section 301.2998).

TRANSPORTATION PROJECTS TO CONSIDER PEDESTRIANS, BICYCLISTS, ETC. - This act requires the Department of Transportation's plans, programs, and projects to provide full consideration for the safety and contiguous routes for bicyclists, pedestrians, disabled persons, and transit users of all ages and abilities. Bicycle and pedestrian ways must be given full consideration in the planning and development of transportation facilities by the department, including their incorporation into state plans and programs (Section 226.222).

MODOT ANTI-LOBBYING - Under this act, no funds appropriated to or received by the Missouri Department of Transportation shall be available for any activity specifically designed to urge a state or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any legislative body. The provisions of the act do not prohibit officers or employees of the Missouri Department of Transportation from testifying before any legislative body in response to the invitation of any member of that legislative body or a state executive office (Section 226.227).

VETERANS MEMORIAL HIGHWAY - This act designates a portion of Poplar Bluff Bypass in Butler County as the "Veterans Memorial Highway" (Section 227.311).

MARTIN LUTHER KING JR MEMORIAL MILE - This act designates a portion of Missouri Highway 266 in Green County as Dr. Martin Luther King Jr. Memorial Mile (Section 227.313).

JAMES FINLEY MEMORIAL BRIDGE - This act designates a bridge in Laclede County as the "Specialist James M. Finley Memorial Bridge" (Section 22.368). This section is also contained in SB 58 and SCS/HB 91 (2009).

WWII OKINAWA VETERANS MEMORIAL BRIDGE - This act designates the bridge over the Gasconade River on State Highway 17 in Pulaski County as the "WWII Okinawa Veterans Memorial Bridge" (Section 227.402). This section is also contained in SB 58 and SCS/HB 91 (2009).

LAMAR HUNT MEMORIAL HIGHWAY - This act designates a portion of Interstate 435 as the "Lamar Hunt Memorial Highway." This provision can be found in SB 58, SCS/HB 91 and HB 358 (2009)(Section 227.407).

JACK BUCK MEMORIAL HIGHWAY - This act designates a portion of I-64/US 40 as the "Jack Buck Memorial Highway" (Section 227.409).

RABBI ABRAHAM JOSHUA HESCHEL MEMORIAL HIGHWAY - This act designates a portion of U.S. highway 160 in Greene County as the "Rabbi Abraham Joshua Heschel Memorial Highway" (Section 227.410).

OFF-HIGHWAY VEHICLES - This act allows certain off-highway vehicles to be operated on gravel or dirt

roads in 3rd and 4th class counties provided certain conditions are met. An off-highway vehicle may not be operated in such a manner that creates damage to the environment (excessive pollution of the air, water, land etc.). Off-highway vehicles must meet certain equipment standards under the act. Off-highway vehicles must be equipped with adequate brakes, lighted headlights and taillights, mufflers, and safety flags. Persons operating such vehicles on public or state land must wear protective eyewear and protective headgear. A violation of this provision is a class C misdemeanor (Section 300.349).

MOBILITY MOTOR VEHICLE DEALERS - Under this act, a mobility motor vehicle dealer may purchase new motor vehicles from franchised dealers to equip such vehicles for retail sale as a mobility motor vehicle. Mobility motor vehicle dealers may also display new motor vehicles to disabled persons to equip the vehicles as mobility motor vehicles for such persons. A mobility motor vehicle dealer who purchases a new motor vehicle from a franchised dealer to equip the vehicle as a mobility motor vehicle shall not advertise the vehicle for resale until the vehicle is equipped as a mobility motor vehicle (Section 301.571).

MOTOR VEHICLE TITLES AND LIENS - This act establishes a procedure for adding or deleting names on an application for certificate of ownership for a motor vehicle or trailer that would cause it to be inconsistent with the names listed on a notice of lien. Under the act, the owner shall provide the director with documentation evidencing the lienholder's authorization to add or delete names on the application for certificate of ownership (Section 301.190). This provision is contained in SCS/HB 269 (2009).

BRAIN TUMOR AWARENESS PLATES - This act authorizes the issuance of Brain Tumor Awareness Organization special license plates (section 301.165). This provision can be found in SB 134 (2009).

ARMED FORCES EXPEDITIONARY MEDAL PLATE - This act also allows persons who have been awarded the Armed Forces Expeditionary Medal to receive a special license plate inscribed with the words "expeditionary service" and bearing a reproduction of the Armed Forces Expeditionary Medal. This provision was contained in SB 134 (2009) and SB 856 (2008)(Section 301.3155).

LEGION OF MERIT MEDAL SPECIAL LICENSE PLATES - This act allows persons who have been awarded the legion of merit medal to receive Legion of Merit special license plates (Section 301.3158).

MISSOURI BICYCLE FEDERATION SPECIALTY LICENSE PLATES - This act allows persons to receive Missouri Bicycle Federation special license plates (Section 301.4005).

NIXA EDUCATION FOUNDATION SPECIAL LICENSE PLATES - This act allows persons to receive Nixa education foundation special license plates (Section 301.4006).

NATIONAL WILD TURKEY FEDERATION SPECIAL LICENSE PLATES - This act allows members of the National Wild Turkey Federation to receive National Wild Turkey Federation special license plates (Section 301.4010).

MISSOURI STREAM TEAM SPECIAL LICENSE PLATES - This act allows members of the Missouri stream team watershed coalition to receive special license plates bearing their organization's name and insignia (Section 301.4016).

DARE SPECIAL LICENSE PLATES - This act allows persons to receive Missouri State Drug Abuse Resistance Education (D.A.R.E.) special license plates (Section 301.4018).

UNITED STATES SUBMARINE VETERAN SPECIAL LICENSE PLATES - This act allows members of the United States Submarine Veterans Incorporation to receive special license plates bearing the words "United States Submarine Veteran" (Section 301.4020).

HIGHWAY WORK ZONES - This act provides that no person shall be cited for an enhanced highway work zone penalty when no highway workers are located or working within the construction zone or work zone at the time the alleged violation occurred (Section 304.582).

TRAILER SAFETY - This act prohibits any person from climbing, standing, or working on top of any trailer or semitrailer stopped along any highway unless proper safety precautions are taken. Any person violating this provision will be guilty of an infraction punishable by a fine of between \$50 and \$100 (Section 304.870).

HEADLAMP MODULATORS - This act allows motorcycle headlamps to be wired to modulate either the

upper beam or the lower beam from its maximum intensity to a lesser intensity provided the headlight modulator meets certain standards set forth in the act. This provision is contained in HB 253 (2009) (Section 307.128).

ASSAULT OF HIGHWAY WORKERS AND CORRECTION OFFICERS - The crime of assault of a law enforcement officer, emergency personnel, or probation and parole officer in the first, second, and third degree is expanded to include highway workers in construction or work zones and correction officers (Sections 565.081 - 565.083).

CONVEYANCE OF PROPERTY FOR MISSISSIPPI RIVER BRIDGE - This act authorizes the Governor to convey a parcel of real property, which is being currently used by the Department of Corrections as a minimum security correctional facility, to the Missouri Highways and Transportation Commission for the new Mississippi River Bridge project. This provision is contained in SB 179 (2009)(Sections 1 to 5).

WARRANTY WORK ON MOTOR VEHICLES BY NON-AUTHORIZED DEALERSHIPS - Under this act, any motor vehicle manufacturer selling new motor vehicles in Missouri shall allow a non-authorized dealership or non-authorized motor vehicle repair facility to perform warranty work or repairs that are generally required to be performed by an authorized dealership or repair facility provided that:

- (1) The authorized dealership or authorized motor vehicle repair facility that would have performed the warranty work or repairs has discontinued doing such warranty work;
- (2) No other authorized dealership or authorized motor vehicle repair facility is located within 75 miles of the authorized dealership or authorized motor vehicle repair facility that has discontinued performing warranty work;
- (3) The non-authorized dealership or non-authorized motor vehicle repair facility is located within 75 miles of the current authorized dealership or authorized repair facility that has discontinued performing warranty work or repairs; and
- (4) The non-authorized dealership or non-authorized motor vehicle repair facility is certified by the National Institute for Automotive Service Excellence.

Under the terms of the act, any dealership or repair facility completing warranty work and repairs for the manufacturer shall use original equipment manufacturer parts if required by the manufacturer to retain the warranty unless the original equipment manufacturer parts will not arrive within 5 business days. If the original manufacturer parts will not arrive within 5 business days, aftermarket parts may be used but only if the parts would arrive prior to the original equipment parts. The use of aftermarket parts shall not void the manufacturer warranty nor shall such parts be covered by the manufacturer warranty (Section 407.584). This provision is similar to one contained in HB 281 (2009).

STEPHEN WITTE

12/02/2008 Prefiled
 01/07/2009 S First Read--SB 84-Purgason (S15)
 01/22/2009 Second Read and Referred S Transportation Committee (S170)
 01/28/2009 Hearing Conducted S Transportation Committee
 02/18/2009 Voted Do Pass S Transportation Committee
 02/19/2009 Reported from S Transportation Committee to Floor (S345)
 02/25/2009 Bill Placed on Informal Calendar (S401)
 02/25/2009 SA 1 S offered & adopted (Crowell)--(0559S01.01S) (S402-404)
 02/25/2009 SA 2 S offered & adopted (Green)--(8026S09.01S) (S404-405)
 02/25/2009 Perfected (S405)
 02/26/2009 Reported Truly Perfected S Rules Committee (S420)
 03/04/2009 S Third Read and Passed (S472-473 / H495)
 03/05/2009 H First Read (H495)
 03/06/2009 H Second Read (H501)
 04/02/2009 Referred H Transportation Committee (H922)
 04/15/2009 Hearing Conducted H Transportation Committee
 04/21/2009 HCS Voted Do Pass H Transportation Committee
 04/22/2009 HCS Reported Do Pass H Transportation Committee (H1219)
 04/22/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1219)

EFFECTIVE: Varies

SB 85 - This act creates the Missouri Special Needs Scholarship Tax Credit Program, to be administered by the Department of Economic Development. The program provides grants to elementary and secondary education students through scholarship granting organizations to cover all or part of the costs at a qualified public or non-public school, including transportation. Scholarships are to be portable during the school year and may be prorated if a student changes schools. Students who may receive scholarships through the program include, but are not limited to, students with an individualized education program who are mentally handicapped, speech and language impaired, deaf or hard of hearing, visually impaired, dual sensory impaired, physically impaired, emotionally handicapped, specific learning disabled, diagnosed with an autism spectrum disorder, or hospitalized or homebound due to illness or disability. Students must also have attended public school in Missouri the preceding semester or will be attending school for the first time. Any eligible student who receives an educational scholarship and attends a non-public school will be included in the weighted average daily attendance calculation of the school district the student attended immediately prior to receiving the scholarship for each year the student receives the scholarship.

Beginning with tax year 2009, a taxpayer as described in the act may claim a tax credit against the taxpayer's state tax liability in an amount equal to eighty percent of the taxpayer's contribution to a scholarship granting organization. The amount of tax credits per taxpayer is limited to \$800,000 per year. The amount of tax credits claimed cannot exceed fifty percent of a taxpayer's state tax liability for the tax year in which it is claimed. An unclaimed tax credit may be carried over to the next four succeeding tax years until the full credit is claimed. Tax credits granted under the program are transferable as described in the act.

The director of the Department of Economic Development will determine which organizations may be classified as scholarship granting organizations. A scholarship granting organization that participates in the program must meet certain requirements and follow certain procedures as described in the act. An organization must spend at least 90% of its revenue from donations on educational scholarships and spend all revenue from interest or investments on educational scholarships. In addition, an organization must distribute scholarship payments as checks to parents and provide a Department of Economic Development-approved receipt to taxpayers who contribute. An organization must demonstrate financial accountability and viability as described in the act. An organization must also cooperate with the Department to conduct criminal background checks on its employees and board members and not employ individuals who could pose a risk to the use of contributed funds. The Department may hold a hearing before the director to bar a scholarship granting organization from participating in the program if it believes the organization has intentionally and substantially failed to comply with the requirements of the program. A scholarship granting organization may appeal to the Administrative Hearing Commission.

Participating schools must comply with health and safety laws that apply to non-public schools, hold a valid occupancy permit if required, certify they will comply with 42 USC 1981, and regularly report on the students' progress to parents. Schools must also operate in Missouri and comply with state laws regarding criminal background checks for employees; they must not employ individuals prohibited by state law from working in a non-public school.

The Department of Economic Development must conduct a study of the program using non-state funds. The Department may contract with qualified researchers to conduct the study. The state auditor is granted the power to audit any school district within the state in the same manner as any agency of the state. The school district must pay for the cost of the audit. No school district can be audited under this provision more than once in any three calendar or fiscal years.

The provisions of this act expire in six years unless reauthorized.

This act is similar to Senate Bill 993 (2008) and House Bill 1886 (2008).
JASON ZAMKUS

12/02/2008 Prefiled

01/07/2009 S First Read--SB 85-Crowell (S15)

01/22/2009 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S170)

EFFECTIVE: August 28, 2009

SB 86 - This act requires the Department of Social Services to develop a program to screen and test applicants or recipients of temporary assistance for needy families (TANF) benefits who the department has reasonable cause to believe, based on the screening, engages in illegal use of controlled substances. Any applicant or recipient who is found to have tested positive for the use of a controlled substance after an administrative hearing shall be declared ineligible for temporary assistance for needy families benefits for a period of three years from the date of the administrative hearing. The department shall refer an applicant or recipient who tested positive for the use of a controlled substance under this act to an appropriate substance abuse treatment program approved by the Division of Alcohol and Drug Abuse within the Department of Mental Health. The department shall promulgate rules to develop the screening and testing provisions of this section.

This act is identical to SB 1197 (2008).

ADRIANE CROUSE

12/02/2008 Prefiled

01/07/2009 S First Read--SB 86-Crowell and Engler (S15)

01/22/2009 Second Read and Referred S Progress and Development Committee (S170)

02/11/2009 Hearing Conducted S Progress and Development Committee

EFFECTIVE: August 28, 2009

*** SB 87 ***

0558S.011

SENATE SPONSOR: Crowell

SB 87 - This act exempts MO HealthNet expense reimbursements received by doctors, dentists, and nurses from state income tax.

JASON ZAMKUS

12/02/2008 Prefiled

01/07/2009 S First Read--SB 87-Crowell (S15)

01/22/2009 Second Read and Referred S Ways and Means Committee (S170)

EFFECTIVE: August 28, 2009

*** SB 88 ***

HCS SCS SB 88

0552L.06C

SENATE SPONSOR: Stouffer

HOUSE HANDLER: Dixon

SCS/SB 88 - Under current law, property is deemed abandoned when it has been on the right-of-way of any highway or freeway in an urbanized area for 10 hours, but property on the right-of-way on any highway or freeway outside of an urbanized area is not abandoned until it has been on the right-of-way for 48 hours. This act amends the current law so that property is deemed abandoned after it has been left unattended for 10 hours on the right-of-way of the state highway system. The urbanized and non-urbanized distinctions are repealed so that abandoned property is subject to tow after the property has been left unattended for 10 hours.

This act authorizes law enforcement officers to tow abandoned vehicles abandoned by persons who elude arrest for offenses the officer would have taken the offender into custody. The act also authorizes law enforcement officers to immediately remove abandoned property from the right of way of any interstate highway, freeway, or state highway if the abandoned property is creating a traffic hazard. Currently, this provision of law only authorizes the Department of Transportation to immediately remove the hazard from a state highway.

STEPHEN WITTE

12/02/2008 Prefiled

01/07/2009 S First Read--SB 88-Stouffer (S15)

01/22/2009 Second Read and Referred S Transportation Committee (S170)

02/11/2009 Hearing Conducted S Transportation Committee

02/18/2009 SCS Voted Do Pass S Transportation Committee (0552S.02C)

02/19/2009 Reported from S Transportation Committee to Floor w/SCS (S345)

02/26/2009 SA 1 to SCS S offered & Ruled out of order (McKenna)--(8035S09.01S) (S421-422)

02/26/2009 SCS S adopted (S422)

02/26/2009 Perfected (S422)

03/02/2009 Reported Truly Perfected S Rules Committee (S436)

03/04/2009 S Third Read and Passed (S479-480 / H495)
 03/05/2009 H First Read (H495)
 03/06/2009 H Second Read (H501)
 04/02/2009 Referred H Transportation Committee (H922)
 04/15/2009 Hearing Conducted H Transportation Committee
 04/23/2009 HCS Voted Do Pass H Transportation Committee
 04/23/2009 HCS Reported Do Pass H Transportation Committee (H1258)
 04/23/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1258)

EFFECTIVE: August 28, 2009

*** SB 89 ***

HCS SS SCS SB 89

0448L.10C

SENATE SPONSOR: Stouffer

HOUSE HANDLER: Wasson

SS/SCS/SB 89 -This act modifies provisions relating to safety in long-term care facilities.

FIRE SAFETY STANDARDS

This act specifies that any section of a facility in which a major renovation has been completed on or after August 28, 2007, shall install and maintain an approved sprinkler system in accordance with National Fire Protection Association (NFPA) 13. The act also specifies when the requirements for sprinklers shall be NFPA 13R (residential) or NFPA 13 (commercial). This act removes a fire sprinkler exemption for skilled nursing and intermediate care facilities that pertains to the Chapter 33 of existing residential board and care occupancies of NFPA life safety code.

A substantial step for obtaining a loan from the Fire Safety Standards Loan Fund shall be as specified for certain residential care and assisted living facilities and all skilled nursing and intermediate care facilities.

The Fire Safety Standards Loan Fund was modified to provide that the loans may be for implementing the sprinkler requirements for certain qualifying residential care and assisted living facilities and all types of qualifying skilled nursing and intermediate care facilities. The loan fund shall be administered by the Office of Administration rather than the Department of Health and Senior Services as in current law.

This act removes the requirement that the interconnected smoke detectors be in place throughout the facility and the requirement for inspections to be conducted annually by the state fire marshal or local fire protection districts. (SECTIONS 198.074 and 198.075)

BONDS FOR LONG-TERM CARE RESIDENT'S PROPERTY IN TRUST

This act modifies the current provision in law regarding a bond required for holding a resident's property in trust by specifying that the bond shall be obtained and filed with the department for the preceding twelve months rather than for the preceding calendar year. (SECTION 198.096)

INSPECTORS AND SURVEYORS

Under this act, the Department of Health and Senior Services shall not assign an individual to inspect or survey a long-term care facility in which the surveyor was an employee of such facility within the preceding two years.

The department shall require disclosure statements by newly hired and currently employed inspectors and surveyors of long-term care facilities regarding his or her past employment in long-term care facilities and the current or past employment of immediate family members in long-term care facilities.

Any person may notify the department if facts exist that would lead a reasonable person to conclude that any inspector or surveyor has any personal or business affiliation that would result in a conflict of interest in conducting an inspection or survey of a facility. Upon receiving that notice, the department, when assigning an inspector or surveyor to inspect or survey a facility, for any purpose, shall take steps to verify the information, and if the department has probable cause to believe that it is correct, shall not assign the inspector or surveyor to the facility in order to avoid an appearance of prejudice or favor to the facility or bias on the part of the inspector or surveyor.

ADRIANE CROUSE

12/02/2008 Prefiled
 01/07/2009 S First Read--SB 89-Stouffer (S15)
 01/22/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S170)
 01/27/2009 Hearing Conducted S Health, Mental Health, Seniors and Families Committee
 02/10/2009 Voted Do Pass S Health, Mental Health, Seniors and Families Committee

02/12/2009 Reported from S Health, Mental Health, Seniors and Families Committee to Floor (S294)
 02/12/2009 Unanimous consent to return committee report (S301)
 02/17/2009 SCS Voted Do Pass S Health, Mental Health, Seniors and Families Committee (0448S.03C)
 02/19/2009 Reported from S Health, Mental Health, Seniors and Families Committee to Floor w/SCS (S344)
 02/24/2009 SA 1 to SCS S offered (Green)--(0448S03.01S) (S369)
 02/24/2009 SSA 1 for SA 1 to SCS S offered (Callahan)--(0448S03.01F) (S369)
 02/24/2009 Bill Placed on Informal Calendar (S369)
 03/24/2009 SSA 1 for SA 1 to SCS S withdrawn (S683)
 03/24/2009 SA 1 to SCS S withdrawn (S683)
 03/24/2009 SS for SCS S offered (Stouffer)--(0448S.06F) (S683)
 03/24/2009 Bill Placed on Informal Calendar (S683)
 03/24/2009 SS for SCS S adopted (S698)
 03/25/2009 Perfected (S698)
 03/25/2009 Reported Truly Perfected S Rules Committee (S702)
 03/26/2009 S Third Read and Passed (S777-778 / H749)
 03/26/2009 H First Read (H749)
 03/27/2009 H Second Read (H757)
 04/02/2009 Referred H Senior Citizen Advocacy Committee (H922)
 04/07/2009 Re-referred H Public Safety Committee (S955)
 04/15/2009 Hearing Conducted H Public Safety Committee
 04/21/2009 HCS Voted Do Pass H Public Safety Committee
 04/22/2009 HCS Reported Do Pass H Public Safety Committee (H1219)
 04/22/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1219)

EFFECTIVE: August 28, 2009

*** SB 90 ***

0447S.011

SENATE SPONSOR: Stouffer

SB 90 - This act repeals the certificate of need law and certain statutory references to the law.

ADRIANE CROUSE

12/02/2008 Prefiled
 01/07/2009 S First Read--SB 90-Stouffer (S15)
 01/22/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S170)

EFFECTIVE: August 28, 2009

*** SB 91 ***

0396S.011

SENATE SPONSOR: Green

SB 91 - This act modifies provisions of the Missouri Securities Act of 2003 as it relates to the elderly and disabled.

Definitions for "elderly" and "disabled persons" are added. This act provides that when a defendant is convicted of criminal securities fraud against an elderly or disabled person, the defendant may be fined not less than fifty thousand dollars.

This act also provides options for the commissioner of securities to impose enhanced penalties for securities fraud against the elderly or disabled.

This act is similar to SCS/SB 889 (2008) and SB 177 (2007).

ADRIANE CROUSE

12/03/2008 Prefiled
 01/07/2009 S First Read--SB 91-Green, et al (S15)
 01/22/2009 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S170)

EFFECTIVE: August 28, 2009

*** SB 92 ***

0399S.011

SENATE SPONSOR: Green

SB 92 - The act corrects punctuation, restructures some sectional divisions and makes various structural changes to the Missouri Securities Act.

The act allows the Commissioner to issue orders that include civil penalties when individuals violate Missouri securities law.

Currently, residential telephone numbers are not available for public examination for the purposes of Missouri securities law. The act provides that residential telephone numbers used as business numbers are public.

Currently, the Commissioner may censure individuals for a variety of reasons if the individual has also engaged in dishonest or unethical practices. This act allows censure for any of the enumerated reasons regardless of whether the act was dishonest or unethical.

This act is identical to SB 506 (2007) and SB 1137 (2008).

CHRIS HOGERTY

12/03/2008 Prefiled

01/07/2009 S First Read--SB 92-Green, et al (S15-16)

01/22/2009 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S170)

EFFECTIVE: August 28, 2009

*** SB 93 *** HCS SCS SB 93

0397L.04C

SENATE SPONSOR: Green

HOUSE HANDLER: Deeken

HCS/SCS/SB 93 - This act modifies various provisions relating to intoxication offenses.

DRUNK DRIVING RISK REDUCTION AWARENESS PROGRAM - Under this act, the Department of Transportation shall establish and administer a drunk driving risk reduction awareness program. This act shall be known as "David's Law." The signs shall be placed at or near the scene of the accident. Under the act, signs shall be attached to an existing highway sign, street light, or guard rail. The signs shall be placed upon the state highways in accordance with placement guidelines adopted by the department, and any applicable federal limitations or conditions on highway signage, including location and spacing.

The department shall adopt, by rules and regulations, program guidelines for the application for and placement of signs authorized by this section, including, but not limited to, the sign application and qualification process, the procedure for the dedication of signs, and procedures for the replacement or restoration of any signs that are damaged or stolen.

Any person may apply to the Department of Transportation to sponsor a drunk driving victim memorial sign in memory of an immediate family member who died as a result of a motor vehicle accident caused by a person who was shown to have been operating a motor vehicle in violation of an alcohol-related traffic law at the time of the accident. Upon the request of an immediate family member of the deceased victim involved in a drunk driving accident, the department shall place a sign in accordance with the provisions of the act. A person who is not a member of the victim's immediate family may also submit a request to have a sign placed under this section if that person also submits the written consent of a victim's immediate family member. The department shall charge the sponsoring party a fee to cover the department's cost in designing, constructing, placing, and maintaining the sign. Signs erected under the act shall remain in place for a period of ten years. After such date, the signs may be renewed for another 10 years after payment of appropriate maintenance fees.

The signs developed by the department shall resemble a Missouri license plate and shall feature the words "Drunk Driving Victim!", the initials of the deceased victim, the month and year in which the victim of the drunk driving accident was killed, and the phrase "Who's Next?".

Under the act, all private roadside memorials or markers commemorating the death of a drunk driving victim are prohibited. No person, other than a Department of Transportation employee or the department's designee, may erect a drunk driving victim memorial sign (section 227.295).

CONTINUOUS ALCOHOL MONITORING - This act allows the court, as a condition of probation or parole, to

require certain persons convicted of intoxication-related traffic offenses to submit to alcohol monitoring in certain circumstances instead of serving a more lengthy sentence.

The term "continuous alcohol monitoring" means automatically testing alcohol concentration levels and tampering attempts, regardless of the location of the person wearing the device, at least once each hour and regularly transmitting the data.

In addition to other terms of probation or parole, a court shall consider requiring an offender convicted of an intoxication-related traffic offense to abstain from consuming alcohol as demonstrated by continuous alcohol monitoring or verifiable breath alcohol testing performed a minimum of four times per day for a length of time established by the court. The court may require the offender to bear any costs associated with continuous alcohol monitoring or verifiable breath alcohol testing.

Under the act, a licensed physician, registered nurse, or trained medical technician, acting at the request and direction of the law enforcement officer, shall withdraw blood for the purpose of determining a person's blood alcohol level, unless such person believes that such procedure endangers the life or health of the person in custody. Blood may be withdrawn only by such medical personnel but this restriction does not apply to the taking of a breath test, saliva specimen, or urine specimen. Withdrawing blood shall only be done with an unused and sterile needle and be done in strict accord with accepted medical practices. The person in custody whose blood is being taken may request full information regarding the test from the law enforcement officer (section 577.032).

ALCOHOL BEVERAGE VAPORIZER - This act prohibits any person from possessing or using an alcoholic beverage vaporizer. Such a vaporizer is defined as "any device which, by means of heat, a vibrating element, or any other method, is capable of producing a breathable mixture containing one or more alcoholic beverages to be dispensed for inhalation into the lungs via the nose or mouth or both." Also, no person shall intentionally induce or abuse solvents or ethyl alcohol. This act does not apply to substances that are FDA-approved or administered by a medical practitioner.

These provisions shall not be construed to prohibit the legal consumption of intoxicating liquor, including wine and beer, and nonintoxicating beer (section 578.255).

This act also prohibits the inhalation, selling, or possession of certain solvents to induce intoxication (section 578.265). These provisions are contained in HCS/HB 62 (2009).

STEPHEN WITTE

12/03/2008 Prefiled
 01/07/2009 S First Read--SB 93-Green (S16)
 01/22/2009 Second Read and Referred S Transportation Committee (S170)
 02/04/2009 Hearing Conducted S Transportation Committee
 02/18/2009 SCS Voted Do Pass S Transportation Committee (0397S.02C)
 02/26/2009 Reported from S Transportation Committee to Floor w/SCS (S420)
 03/04/2009 SCS S adopted (S466)
 03/04/2009 Perfected (S466)
 03/04/2009 Reported Truly Perfected S Rules Committee (S478)
 03/09/2009 S Third Read and Passed (S543 / H517)
 03/09/2009 H First Read (H517)
 03/10/2009 H Second Read (H526)
 04/02/2009 Referred H Crime Prevention Committee (H922)
 04/15/2009 Hearing Conducted H Crime Prevention Committee
 04/22/2009 HCS Voted Do Pass H Crime Prevention Committee
 04/23/2009 HCS Reported Do Pass H Crime Prevention Committee (H1257)
 04/23/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1257)

EFFECTIVE: August 28, 2009

*** SB 94 ***

SCS SB 94

0253S.03C

SENATE SPONSOR: Justus

SS/SCS/SB 94 - This act modifies provisions relating to child care.

CHILD CARE SUBSIDIES

This act provides that the Children's Division within the Department of Social Services shall develop rules

to become effective by July 1, 2010, modifying the income eligibility criteria for any person receiving state-funded child care assistance, either through vouchers or direct reimbursement to child care providers.

Eligible child care recipients under state law and regulation may pay a fee based on gross income and family size unit based on a child care sliding scale fee established by the Children's Division, which is subject to appropriations. However, a person receiving state-funded child care assistance whose income surpasses the annual appropriation level may continue to receive reduced subsidy benefits on a scale established by the Children's Division until such person's income reaches 45 percent above such annual appropriation level, at which time such person will have assumed the full cost of the maximum base child care subsidy benefits. "Annual appropriation level" is defined as the percentage of the federal poverty level for the applicable family size necessary to be eligible for the child care subsidy as determined by annual appropriation.

The sliding scale fee may be waived for children with special needs as established by the division. The maximum payment by the division shall be the applicable rate minus the applicable fee.

These provisions are similar to SCS/SB 776 (2008) and SCS/SB 260 and 71 (2007). (SECTION 208.046)

QUALITY RATING SYSTEM FOR CHILD CARE FACILITIES

This act requires the Department of Social Services in collaboration with the Departments of Health and Senior Services, Elementary and Secondary Education, and Mental Health to develop by September 1, 2009, a quality rating system for early childhood and before-and after-school programs licensed by the Department of Health and Senior Services that operate in this state. The licensing of such facilities shall be the baseline, while the highest rating includes accreditation. The departments shall utilize the model from the existing Missouri quality rating system pilots developed by the University of Missouri Center for Family Policy and Research to establish the system. The system will allow consumers and parents to evaluate and select high quality programs and creates a system of accountability for policymakers and those who fund such programs.

By July 1, 2014, subject to appropriations, all licensed facilities receiving direct moneys or services must be rated under the system. The program shall be voluntary for other licensed facilities. The Coordinating Board of Early Childhood shall develop a plan for a tiered system of reimbursement for child care subsidies based on the quality rating system established under this act. The proposed plan shall be submitted to the General Assembly with recommendations for implementation of the reimbursement system by December 31, 2010. The plan shall only become effective upon passage of a concurrent resolution by the General Assembly authorizing the implementation of the plan.

The Quality Rating System Program Improvement Fund is established and administered by the Department of Social Services to provide grants to licensed providers to make quality improvements to comply with the rating system or to community-based organizations assisting providers with such improvements. The funds shall be administered by the department through contracts with non-governmental organizations, which will provide the quality improvement services of training and technical assistance directly to programs statewide and establish a quality improvement panel to review grant applications and determine funding. Grants must be awarded in a geographically diverse manner.

The Department of Social Services in collaboration with the Departments of Health and Senior Services, and Elementary and Secondary Education, and Mental Health shall be responsible for promoting and distributing materials to educate the public and providers about the quality rating system established under this act. By January 1, 2014, the ratings of the quality rating system shall be posted on the Missouri Child Care Resource and Referral Network web site.

This provision shall sunset in six years.

These provisions are similar to SS/SCS/SB 726 (2008) and SB 161 (2007). (SECTION 210.205)
ADRIANE CROUSE

12/03/2008	Prefiled
01/07/2009	S First Read--SB 94-Justus, et al (S16)
01/22/2009	Second Read and Referred S Education Committee (S170)
02/25/2009	Hearing Conducted S Education Committee
03/11/2009	SCS Voted Do Pass S Education Committee (0253S.03C)
03/12/2009	Reported from S Education Committee to Floor w/SCS (S620)
03/31/2009	SS for SCS S offered (Justus)--(0253S.05F) (S823)
03/31/2009	Bill Placed on Informal Calendar (S823)

04/27/2009 S Informal Calendar S Bills for Perfection--SB 94-Justus, et al, with SCS & SS for SCS (pending)

EFFECTIVE: August 28, 2009

*** SB 95 ***

0324S.011

SENATE SPONSOR: Justus

SB 95 - Currently, registered voters are allowed to vote absentee if they will be prevented from voting at the polls on election day due to certain circumstances. This act allows all registered voters to vote absentee without regard to intervening circumstances.

CHRIS HOGERTY

12/03/2008 Prefiled

01/07/2009 S First Read--SB 95-Justus (S16)

01/22/2009 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S170)

03/23/2009 Hearing Conducted S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2009

*** SB 96 ***

HCS SCS SB 96

0225L.06C

SENATE SPONSOR: Justus

HOUSE HANDLER: Davis

HCS/SCS/SB 96 – This act modifies provisions relating to the needs and rights of children.

FOSTER PUPIL RIGHTS TO EDUCATION: Each school district must perform the following actions as they relate to foster care pupils: ensure and facilitate proper educational placements, assist in transfers between schools, ensure transfer of grades and credits, request school records, and submit school records that have been requested.

A child placing agency will promote educational stability for foster care children when making placements. A foster care child may continue to attend his or her school of origin pending resolution of a dispute. Each school district must accept for credit any full or partial course work satisfactorily completed by a pupil while attending certain schools. A pupil who completes the graduation requirements of his or her school district of residence while under the jurisdiction of the juvenile court will receive a diploma

If a foster care pupil is absent from school because of a change in placement by the court or child placing agency, or because of a verified court appearance or related court-ordered activity, the pupil's grades and credits will be calculated as of the date the pupil left school. Such absence will not result in a lowering of the pupil's grades.

Subject to federal law, school districts are authorized to permit access of pupil school records to a child placing agency for the purpose of fulfilling educational case management responsibilities required by the juvenile officer or by law and to assist with the school transfer or placement of a pupil.

These provisions are similar to SB 1000 (2008) and SB 630 (2007). (SECTIONS 167.018 & 167.019)

EDUCATIONAL PLACEMENT OF FOSTER CHILDREN WITH SIBLINGS: Foster children must be placed in the same educational setting as their siblings to the degree possible. Any foster parent licensed by the Department of Social Services may make educational choices for a foster child in his or her care as long the educational program of choice is permitted under Missouri law, compliments the educational experience of any sibling groups, and is not unduly disruptive as described in the act. Only a court may prohibit a licensed foster parent from exercising discretion with educational placement of foster children. (Section 167.021)

FUNDAMENTAL RIGHT OF PARENTS AND GUARDIANS TO DIRECT THE UPBRINGING OF THEIR CHILDREN: Children who are not declared wards of the state are recognized as under the authority, control, and responsibility of their parents or legal guardians. Parents and legal guardians have a natural and fundamental right to direct the care, education, and upbringing of their children. No government action must burden, abridge, or hinder this fundamental right unless there is a compelling government interest that is the least restrictive means of furthering the government interest. (Section 210.005)

ADVERTISEMENTS FOR REPORTS OF POSSIBLE CHILD ABUSE OR NEGLECT: Any advertisement or promotion that is used beginning January 1, 2010 to education or encourage the public to report possible

cases of child abuse or neglect must contain the statement that a false or misleading report that is provided to the department not in good faith may be punishable as a violation of law. Materials produced by the department prior to June 1, 2009 are not subject to this requirement and may be used until they are depleted from the department's existing stock. (Section 210.131)

INVESTIGATION INVOLVING DEATH OR INJURY OF FOSTER CHILDREN: If a foster child dies or is seriously injured after a report is made, the hotline worker or workers taking reports and any division case workers assigned to the investigation of such reports will receive a preliminary evaluation to determine whether there should be an assessment of competency for the workers. If required, such an assessment must be completed within three days of the child's death.

This provision is also contained in HB 393 (2009). (Section 210.135)

CHILD ABUSE HOTLINE: Callers to the child abuse and neglect hotline must be instructed by hotline staff to call 911 in instances where the child may be in immediate danger. (Section 210.145)

EMERGENCY PLACEMENT OF CHILDREN WITH GRANDPARENTS: This act provides that when an emergency placement of a child is deemed necessary, the Children's Division within the Department of Social Services must immediately begin diligent efforts to locate, contact, and place the child with a grandparent of the child. Diligent efforts are defined in the act, and such efforts shall be made to contact the grandparent within three hours from the time the emergency placement is deemed necessary. During such three-hour period, the child may be placed in an emergency placement. If a grandparent cannot be located within the three-hour period, the child may be temporarily placed in emergency placement. However, after such placement was made, the division shall still make diligent efforts to contact the grandparent and place the child with a grandparent or another relative, with first consideration given to a grandparent. Prior to any emergency placement of the child the division shall assure that the child's physical needs are met.

Placement shall not be made with the grandparent when the division determines that the placement would not be in the best interests of the child. The placement with a grandparent shall also be subject to an emergency placement background check. The division shall document the reason why placing the child with a grandparent is deemed to not be in the interest of the child.

When a court determines that a child must be placed in a foster home, the division must make diligent efforts to locate the grandparents of the child and determine if they wish to be considered for placement of the child.

Nothing in the act shall be construed to interfere with or supercede laws related to parental rights or judicial authority.

These provisions are identical to HCS/HB 154 (2009). (Sections 210.305 & 210.565)

FULL SCHOOL DAY OF EDUCATION FOR PUPILS IN FOSTER CARE OR LICENSED RESIDENTIAL CARE FACILITIES: Each child who is in foster care or who is placed in a licensed residential care facility is entitled to a full school day of education unless the school district determines that fewer hours are warranted. A full school day is defined as six hours under the guidance and direction of teachers in the education process for children in foster care or for children placed for treatment in a licensed residential care facility by the Department of Social Services.

For children placed for treatment in a licensed residential care facility by the Department of Social Services, the Commissioner of Education, or his or her designee, will be an ombudsman to assist the family support team and school district. The ombudsman will have the final decision over discrepancies regarding school day length. A full school day of education will be provided pending the ombudsman's final decision.

These provisions are similar to SB 1000 (2008) and SB 630 (2007). (SECTION 210.1050)

TISSUE SAMPLES FROM ABORTIONS OF CHILDREN UNDER AGE 18 IN FOSTER CARE: A child under age eighteen in foster care who seeks an abortion must be afforded any services or treatments otherwise provided to a victim of a sexual offense. Any abortion obtained by such a child must have a tissue sample preserved for DNA testing purposes to determine if the pregnancy was the result of a criminal offense. Any such tissue samples must be collected by the Department of Health and Senior Services, which must perform the DNA testing. The results of any DNA testing of an aborted child's tissue sample must be provided to the prosecuting attorney of the child's county of residence or the county in which the child resided at the time

calculated to be the beginning of the pregnancy. (Section 453.330)

CHILD WITNESS PROTECTION: This act requires that a child witness, fourteen years old or under, or after written findings on the record, a person fifteen to seventeen years old, who testifies at certain types of judicial proceedings be accommodated by the court in several ways.

The judge shall ensure that any oath is administered to the child in a manner that the child may fully understand their duty to tell the truth. The judge shall ensure that questions are stated in a form which is appropriate to the age of the child, and explain to the child that if they do not understand the question they have a right to say that they do not understand the question. The judge may limit the length of a child's testimony and the time for their testimony to normal school hours. After filing a motion thirty days before the judicial proceeding, a child may have a toy or blanket with them, if all the parties agree, or if the child cannot reliably testify without the item and allowing the item is not likely to prejudice the judge/jury in evaluating the child's testimony. After filing a motion thirty days before the judicial proceeding, a child is also allowed to have a support person designated by the court in the courtroom. The court may allow the support person to be in close proximity to the child if all the parties agree, or if the child cannot reliably testify without the support person and allowing the support person is not likely to prejudice the judge/jury in evaluating the child's testimony. The judge may rephrase any question, so that the child is not intimidated. At least thirty days prior to the judicial proceeding the judge may order adjustments to the layout of the courtroom, that the proceeding be conducted outside the normal courtroom, or that the formalities of the proceedings be relaxed.

These provisions are identical to HCS/HB 863 (2009) and are similar to HB 1611 (2008). (Section 491.725)

MISSOURI STATE FOSTER CARE AND ADOPTION BOARD: This act creates the Missouri State Foster Care and Adoption Board within the Office of Administration. It will draft and provide independent review of policies and procedures of the Children's Division related to foster care and adoption. The board will consist of sixteen members, fourteen of which will be appointed by regional foster care and adoption boards to represent seven areas of the state, and two of which will be from the Statewide Foster Care and Adoption Association. Members will serve a term of at least two years and may be reappointed. The board's business must be conducted in accordance with the public meetings provisions of the Sunshine Law. The board must provide an annual report of its activities to the director of the Department of Social Services, the Governor, the Office of the Child Advocate, and upon request, to the member of the General Assembly. The board must operate independent of the Children's Division. (Section 1)

MICHAEL RUFF

12/03/2008 Prefiled
 01/07/2009 S First Read--SB 96-Justus, et al (S16)
 01/22/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S170)
 02/17/2009 Hearing Conducted S Health, Mental Health, Seniors and Families Committee
 02/24/2009 SCS Voted Do Pass S Health, Mental Health, Seniors and Families Committee (0225S.02C) - Consent
 02/25/2009 Reported from S Health, Mental Health, Seniors and Families Committee to Floor w/SCS - Consent (S383)
 03/04/2009 SCS S adopted (S469)
 03/04/2009 S Third Read and Passed - Consent (S469 / H495)
 03/05/2009 H First Read (H495)
 03/06/2009 H Second Read (H501)
 03/31/2009 Referred H Special Standing Committee on Children and Families Committee (H819)
 04/15/2009 Hearing Conducted H Special Standing Committee on Children and Families Committee
 04/22/2009 HCS Voted Do Pass H Special Standing Committee on Children and Families Committee
 04/22/2009 HCS Reported Do Pass H Special Standing Committee on Children and Families Committee (H1219)
 04/22/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1219)

EFFECTIVE: August 28, 2009

*** SB 97 ***

0215S.011

SENATE SPONSOR: Smith

SB 97 – This act requires the Department of Elementary and Secondary Education to contract with an online test preparation company to provide a customized SAT and ACT preparation program to all public high school juniors. Students may choose to participate in one but not both programs. The chosen company must have demonstrated performance as described in the act and provide a skills-based approach that

emphasizes skill development in English, reading, mathematics, and if providing skills-preparation for the ACT, science.

This act is similar to SB 1282 (2008).

MICHAEL RUFF

12/03/2008 Prefiled

01/07/2009 S First Read--SB 97-Smith (S16)

01/22/2009 Second Read and Referred S Education Committee (S170)

EFFECTIVE: August 28, 2009

*** SB 98 ***

0082S.011

SENATE SPONSOR: Smith

SB 98 - This act creates an income tax deduction for the purchase of qualified hybrid motor vehicles. Missouri taxpayers who purchase certain new hybrid motor vehicles for their own use shall be able to deduct from their Missouri adjusted gross income the lesser of either \$2,000 or 10% of the vehicle's purchase price. The tax deduction shall sunset six years after enactment unless reauthorized.

This act is similar to HB 1326 (2008).

ERIKA JAQUES

12/03/2008 Prefiled

01/07/2009 S First Read--SB 98-Smith (S16)

01/22/2009 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S170)

EFFECTIVE: August 28, 2009

*** SB 99 ***

0547S.011

SENATE SPONSOR: Cunningham

SB 99 - This act establishes the Predictable Property Tax Act which, beginning August 28, 2009, freezes the assessed valuation of real property at the 2006 assessed value or at the acquisition price of property purchased after the effective date of the act and sets the tax rate at one percent. The assessment can be adjusted for cost-of-living increases up to two percent annually. Real property tax revenues are limited to the 2006 real property tax revenues for each county, excluding new construction, improvements, and cost-of-living increases. If the market value of a home declines, the assessed valuation must decrease. The limitations will not apply to any voter-approved tax increase, bond indebtedness, or special assessment. Any taxpayer age fifty-five or older can transfer the assessed value of his or her current home to any replacement home of equal or lesser value. The act allows the transfer of property up to \$1 million in assessed value to children or grandchildren without reassessment.

The provisions of this act will only become effective upon voter approval of a constitutional amendment limiting increases in assessed value until a transfer of ownership occurs.

This act is similar to the introduced version of house bill 1471 (2008).

JASON ZAMKUS

12/03/2008 Prefiled

01/07/2009 S First Read--SB 99-Cunningham and Lembke (S16)

01/22/2009 Second Read and Referred S Ways and Means Committee (S170)

03/04/2009 Hearing Conducted S Ways and Means Committee

EFFECTIVE: Contingent

*** SB 100 ***

SCS SB 100

0521S.03P

SENATE SPONSOR: Schaefer

SCS/SB 100 - Shippers of radioactive waste in or through Missouri shall be subject to statutory fees established by the act. State-funded institutions of higher education that ship nuclear waste shall be exempt from the fees but such institutions shall reimburse the Missouri Highway Patrol for costs associated with shipment escorts. The fee structure is described in the act and the Department of Natural Resources, in

coordination with the Departments of Health and Senior Services and Public Safety, may promulgate rules necessary to carry out the provisions of the act.

Fees collected under the act shall be deposited into the Environmental Radiation Monitoring Fund for use by the Department of Natural Resources for radioactive waste-related activities, including emergency response coordination, environmental remediation oversight, and administrative costs. Any unused balance over \$300,000 in the Fund in any fiscal year shall be returned to the fee payers on a pro-rata basis. The act requires the Department of Natural Resources to prepare a report for the General Assembly beginning December 31, 2009, and every two years thereafter on all activities relating to the Environmental Radiation Monitoring Fund.

The act provides notification requirements for shippers of radioactive waste. Any shipper who fails to pay a fee or to provide notice of a shipment shall be liable for a civil penalty of an amount not to exceed ten times the amount of the original fee assessed and not paid.

The provisions of this act do not apply to radioactive waste being shipped by or for the federal government for military or national defense purposes.

The shipping fees and notification requirements, and the Department biennial report, shall sunset six years after the effective date of the section unless reauthorized by the General Assembly.

Shippers of certain radioactive waste by rail must provide dosimeters or personal radiation monitors to any railroad employee who is working in proximity to the shipment while in Missouri. The shipper must also notify each employee in writing of his or her recorded dosage of radiation within 90 days of the termination of the employee's exposure to the shipments.

This act is similar to SB 919 (2008), provisions in the perfected version of SB 761 (2008), SB 205 (2007), and SB 976 (2006).

ERIKA JAQUES

12/03/2008 Prefiled
 01/07/2009 S First Read--SB 100-Schaefer (S16)
 01/22/2009 Second Read and Referred S Transportation Committee (S170)
 01/28/2009 Hearing Conducted S Transportation Committee
 02/11/2009 SCS Voted Do Pass S Transportation Committee (0521S.03C)
 02/12/2009 Reported from S Transportation Committee to Floor w/SCS (S295)
 02/18/2009 SA 1 to SCS S offered & adopted (Shoemyer)--(0521S03.02S) (S328-329)
 02/18/2009 SCS, as amended, S adopted (S329)
 02/18/2009 Perfected (S329)
 02/18/2009 Reported Truly Perfected S Rules Committee (S330)
 02/19/2009 S Third Read and Passed (S340-341)
 02/19/2009 H First Read (H360)
 02/23/2009 H Second Read (H392)
 04/02/2009 Referred H Special Standing Committee on Infrastructure and Transportation Funding Committee (H922)
 04/07/2009 Hearing Conducted H Special Standing Committee on Infrastructure and Transportation Funding Committee
 04/22/2009 HCS Voted Do Pass H Special Standing Committee on Infrastructure and Transportation Funding Committee

EFFECTIVE: August 28, 2009

*** SB 101 ***

0248S.011

SENATE SPONSOR: Green

SB 101 - This act modifies the membership of the review panels convened by the Division of Developmental Disabilities when a resident, parent or legal guardian refuses to consent to a proposed placement or discharge from a mental health facility. Under this act, the division director shall convene a review panel composed of four members. The members of the panel shall consist of:

- the head of the facility in question;
- an employee of such facility, designated by the head of the facility, who shall be familiar with the service needs of the resident in question;
- the resident, parent or legal guardian; and

-a person designated by the resident, parent or legal guardian.

ADRIANE CROUSE

12/03/2008 Prefiled

01/07/2009 S First Read--SB 101-Green (S16)

01/22/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S171)

EFFECTIVE: August 28, 2009

*** SB 102 ***

0398S.011

SENATE SPONSOR: Green

SB 102 - This act creates the "Political Subdivision Services Bidding Standards Act". Contracts for services by any political subdivision shall be advertised and bids solicited and awarded in compliance with any federal, state, and local law specifically written for such political subdivision. If a political subdivision is not covered by a specific federal, state, or local law, it shall comply with the advertising and bidding requirements outlined in this act when soliciting bids and awarding contracts.

Contracts for services shall be advertised in advance of the acceptance of bids, once per week for four consecutive weeks, with the first ad appearing at least 30 days in advance of the stated deadline for acceptance of bids. For contracts worth over \$50,000, bids shall also be advertised by providing information to at least one organization which regularly provides information to contractors providing the service needed. Ads and solicitations must include the submission deadline.

Unless otherwise specified by law, a contract shall be awarded to the lowest qualified responsible bidder. The bidder's qualification shall be determined by his or her education and training. However, the political subdivision may reject the low bidder based on the bidder's failure to provide a performance or payment bond, nonperformance on previous contracts, or other reasons specified as to the bidder's inability to adequately perform the contract. The reason for rejection shall be provided to the bidder within five business days of the rejection.

No contract shall be awarded in violation of certain requirements, including opening bids in advance of the advertising deadline, accepting bids that are unwritten, accepting bids after the advertised deadline, and failing to hold bids confidential. A person submitting a bid, or who would have submitted a bid except for such violations, may seek equitable relief and monetary damages for monetary losses.

Electronic bidding shall be allowed if it meets the standards of confidentiality. Nothing in this act shall require acceptance of a bid which exceeds the amount estimated by the political subdivision for the contract. Nor shall the act prohibit a political subdivision from contracting without bidding if there is an immediate danger to the public; however, the political subdivision shall produce a written public record documenting the need to contract for such services without competitive bidding.

This act is similar to SB 1254 (2008).

SUSAN HENDERSON MOORE

12/03/2008 Prefiled

01/07/2009 S First Read--SB 102-Green (S16)

01/22/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S171)

02/04/2009 Hearing Scheduled But Not Heard S Jobs, Economic Development and Local Government Committee

EFFECTIVE: August 28, 2009

*** SB 103 ***

0400S.011

SENATE SPONSOR: Green

SB 103 - This act creates an income tax deduction for small businesses and farmers that provide health insurance coverage for employees. The deduction will be equal to one hundred percent of expenses related to providing employees with health insurance.

This act is similar to Senate Bill 893 (2008), Senate Bill 186 (2007), Senate Bill 622 (2006), and Senate Bill 459 (2005).

JASON ZAMKUS

12/03/2008 Prefiled
 01/07/2009 S First Read--SB 103-Green (S16)
 01/22/2009 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S171)
 02/05/2009 Hearing Conducted S Governmental Accountability and Fiscal Oversight Committee

EFFECTIVE: August 28, 2009

*** SB 104 *** SCS SB 104

0158S.02P

SENATE SPONSOR: Justus

SCS/SB 104 - This act provides that female students enrolling in sixth grade in public school may receive, at the option of a parent or guardian, an immunization for the human papillomavirus (HPV). The Department of Health and Senior Services shall directly mail age appropriate information to parents or guardians of female students entering the sixth grade regarding the connection between HPV and cervical cancer and the availability of the HPV immunization. Such information shall include the risk factors for developing cervical cancer, the connection between HPV and cervical cancer, how it is transmitted and how transmission can be prevented, the latest scientific information about the immunization's effectiveness, information about the importance of pap smears, and a statement explaining that questions from parents or guardians may be answered by a health care provider.

Each mailing shall request that the parents of female students entering grade 6 voluntarily furnish a written statement to the department, not later than 20 days after the first day of school, stating that they have received the information and that the student has received the immunization or the parents have decided not to have the student immunized. The informational mailing sent to parents shall have displayed in bold type that the request from the parent or guardian for the written statement is voluntary. The form to be returned by the parents shall not request identifying information about the student, parent or guardian. Nothing in the act shall be construed to prevent school attendance if a parent has opted not to have the student receive the HPV immunization or has not furnished the written statement.

Subject to appropriations, if a parent or guardian chooses to have the female student immunized for the HPV infection but is unable to pay, the student shall be immunized at public expense at or from the county, district, city public health center with the costs of immunization paid through the Mo HealthNet program, private insurance or in a manner to be determined by the Department of Health and Senior Services subject to state and federal appropriations.

Beginning July 1, 2010, the department shall submit to the General Assembly a report detailing the number of sixth grade female students who have and have not been immunized against the HPV infection and the number of non-responses to the request for the written statement. The information derived from the written statement shall be used for statistical purposes only and shall not be used to personally identify any parent or guardian, or any student.

This act is substantially similar to SCS/SB 514(2007) and HCS/SS/SCS/SB 778(2008).

ADRIANE CROUSE

12/03/2008 Prefiled
 01/07/2009 S First Read--SB 104-Justus, et al (S16)
 01/22/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S171)
 02/10/2009 Hearing Conducted S Health, Mental Health, Seniors and Families Committee
 02/17/2009 SCS Voted Do Pass S Health, Mental Health, Seniors and Families Committee (0158S.02C)
 02/19/2009 Reported from S Health, Mental Health, Seniors and Families Committee to Floor w/SCS (S344)
 02/24/2009 SCS S adopted (S369)
 02/24/2009 Perfected (S369)
 02/24/2009 Reported Truly Perfected S Rules Committee (S372)
 02/24/2009 Referred S Governmental Accountability and Fiscal Oversight Committee (S372)
 02/26/2009 Hearing Scheduled But Not Heard S Governmental Accountability and Fiscal Oversight Committee
 03/02/2009 Hearing Conducted S Governmental Accountability and Fiscal Oversight Committee
 03/02/2009 Voted Do Pass S Governmental Accountability and Fiscal Oversight Committee
 03/04/2009 Reported from S Governmental Accountability and Fiscal Oversight Committee to Floor (S474)
 03/04/2009 S Third Read and Passed (S478-479 / H495)
 03/05/2009 H First Read (H495)
 03/06/2009 H Second Read (H501)

04/23/2009 Referred H Health Care Policy Committee (H1256)

EFFECTIVE: August 28, 2009

*** SB 105 ***

0254S.011

SENATE SPONSOR: Justus

SB 105 - This act creates an income tax credit equal to twenty percent of the earned income credit allowed for federal income taxes under the Internal Revenue Code. The tax credit is refundable. The director of the Department of Revenue must make efforts to inform taxpayers who may be eligible for the credit every year.

This act is identical to the introduced versions of Senate Bill 548 (2007) and Senate Bill 777 (2008).

JASON ZAMKUS

12/03/2008 Prefiled

01/07/2009 S First Read--SB 105-Justus, et al (S17)

01/22/2009 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S171)

02/26/2009 Hearing Conducted S Governmental Accountability and Fiscal Oversight Committee

EFFECTIVE: August 28, 2009

*** SB 106 ***

0325S.011

SENATE SPONSOR: Justus

SB 106 - Knowingly disseminating information that encourages voters to vote at a time, place or manner other than the time, place, or manner established for lawful voting is established as a class one election offense.

CHRIS HOGERTY

12/03/2008 Prefiled

01/07/2009 S First Read--SB 106-Justus (S17)

01/22/2009 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S171)

EFFECTIVE: August 28, 2009

*** SB 107 ***

0401S.011

SENATE SPONSOR: Green

SB 107 - This act creates a deduction against a taxpayer's Missouri state income tax for qualified higher education expenses. In order to qualify, the taxpayer student or taxpayer claiming a student as a dependent, must have a federal adjusted gross income of less than two hundred thousand dollars regardless of whether the taxpayer files a joint or single return and the educational expenses must be incurred by a student registered at least half time.

This act is similar to Senate Bill 894 (2008), Senate Bill 187 (2007), and Senate Bill 670 (2006).

JASON ZAMKUS

12/03/2008 Prefiled

01/07/2009 S First Read--SB 107-Green (S17)

01/22/2009 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S171)

02/05/2009 Hearing Conducted S Governmental Accountability and Fiscal Oversight Committee

EFFECTIVE: August 28, 2009

*** SB 108 ***

0282S.011

SENATE SPONSOR: Justus

SB 108 - This act expresses the General Assembly's recognition that equality of rights under the law shall not be denied or abridged on account of the sex of any person.

ADRIANE CROUSE

12/03/2008 Prefiled
01/07/2009 S First Read--SB 108-Justus (S17)
01/22/2009 Second Read and Referred S Progress and Development Committee (S171)
02/25/2009 Hearing Conducted S Progress and Development Committee

EFFECTIVE: August 28, 2009

*** SB 109 ***

0073S.011

SENATE SPONSOR: Justus

SB 109 - This act prohibits discrimination based upon a person's sexual orientation. Such discrimination includes unlawful housing practices, denial of loans or other financial assistance, denial of membership into an organization relating to the selling or renting of dwellings, unlawful employment practices, and denial of the right to use public accommodations.

This act defines "sexual orientation" as male or female heterosexuality, homosexuality, or bisexuality by inclination, practice, identity or expression, or having a self-image or identity not traditionally associated with one's biological gender.

The act also specifies that discrimination includes cases where unfair treatment results from the guilty party's mere assumptions about the victim's characteristics of race, religion, etc., whether or not such assumptions are true or false.

This act is identical to SB 266 (2007), SB 1019 (2008), & SB 824 (2008).
SUSAN HENDERSON MOORE

12/03/2008 Prefiled
01/07/2009 S First Read--SB 109-Justus, et al (S17)
01/22/2009 Second Read and Referred S Progress and Development Committee (S171)
02/25/2009 Hearing Conducted S Progress and Development Committee

EFFECTIVE: August 28, 2009

*** SB 110 ***

0391S.021

SENATE SPONSOR: Crowell

SB 110 - This act establishes an interstate interchange designation program, to be known as the "Heroes Way Interstate Interchange Designation Program", to honor the fallen Missouri heroes who have been killed in action while performing active military duty with the armed forces in Afghanistan or Iraq on or after September 11, 2001.

Under the act, any person who is related by marriage, adoption, or consanguinity within the second degree to a member of the United States armed forces who was killed in action while performing active military duty with the armed forces in Afghanistan or Iraq on or after September 11, 2001, and who was a resident of this state at the time he or she was killed in action, may apply for an interstate interchange designation.

The family member may petition the Department of Transportation for an interstate interchange designation by submitting the following:

(1) An application in a form prescribed by the director, describing the interstate interchange for which the designation is sought and the proposed name of the interstate interchange. The application shall include the name of at least one current member of the General Assembly who will sponsor the interstate interchange designation.

(2) Proof that the family member killed in action was a member of the United States armed forces and proof that such family member was in fact killed in action while performing active military duty with the United States armed forces in Afghanistan or Iraq on or after September 11, 2001. Acceptable proof shall be a statement from the Missouri veterans commission or the United States Department of Veterans Affairs so certifying such facts;

(3) A fee to be determined by the commission to cover the costs of constructing and maintaining the proposed interstate interchange signs. The fee shall not exceed the cost of constructing and maintaining each sign.

Under the act, the Department of Transportation shall submit for approval or disapproval all applications

for interstate interchange designations to the Joint Committee on Transportation Oversight. If satisfied with the application and all its contents, the joint committee shall approve the application. The committee shall notify the Department of Transportation upon the approval or denial of an application for an interstate interchange designation. If the memorial interstate interchange designation request is not approved by the Joint Committee on Transportation Oversight, ninety-seven percent of the application fee shall be refunded to the applicant.

The act requires two signs to be erected for each interstate interchange designation processed under the act.

No interstate interchange may be named or designated after more than one member of the United States armed forces killed in action. Such person shall only be eligible for one interstate interchange designation under the provisions of this section.

Any highway signs erected for any interstate interchange designation under the provisions of this section shall be erected and maintained for a twenty-year period. After such period, the signs shall be subject to removal by the Department of Transportation and the interstate interchange may be designated to honor persons other than the current designee. An existing interstate interchange designation processed under the provisions of this act may be retained for additional twenty-year increments if, at least one year before the designation's expiration, an application to the Department of Transportation is made to retain the designation along with the required documents and all applicable fees required under the act.

STEPHEN WITTE

12/04/2008 Prefiled
01/07/2009 S First Read--SB 110-Crowell (S17)
01/22/2009 Second Read and Referred S Transportation Committee (S171)
01/28/2009 Hearing Conducted S Transportation Committee
02/18/2009 Voted Do Pass S Transportation Committee

EFFECTIVE: August 28, 2009

*** SB 111 ***

0592S.011

SENATE SPONSOR: Crowell

SB 111 - This act repeals the ten million dollar annual cap on allocations of non-resident entertainer and athlete tax revenues to the Missouri Arts Council.

JASON ZAMKUS

12/04/2008 Prefiled
01/07/2009 S First Read--SB 111-Crowell (S17)
01/22/2009 Second Read and Referred S Ways and Means Committee (S171)

EFFECTIVE: August 28, 2009

*** SB 112 ***

0085S.011

SENATE SPONSOR: Crowell

This bill has been combined with SB 36

12/04/2008 Prefiled
01/07/2009 S First Read--SB 112-Crowell (S17)
01/22/2009 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S171)
01/26/2009 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee
02/02/2009 Bill Combined w/(SCS/SBs 36 &112) (0517S.03C)

EFFECTIVE: August 28, 2009

*** SB 113 ***

0085S.011

SENATE SPONSOR: Crowell

SB 113 - This act repeals the provision of law which allows the statutory ten million dollar annual cap on issuance of development fund contribution tax credits to be exceeded upon joint agreement by the Commissioner of Administration, the Director of the Department of Economic Development and the Director of the Department of Revenue.

JASON ZAMKUS

12/04/2008 Prefiled

01/07/2009 S First Read--SB 113-Crowell (S17)

01/22/2009 Second Read and Referred S Ways and Means Committee (S171)

EFFECTIVE: August 28, 2009

*** SB 114 ***

HCS#2 SB 114

0582L.05C

SENATE SPONSOR: Crowell

HOUSE HANDLER: Tracy

HCS#2/SB 114 - Under this act, any court using a centralized violation bureau may elect to have the bureau order and verify completion of driver improvement programs or motorcycle-rider training courses. If a person has been ordered by the court to attend a driver-improvement program or a motorcycle-rider training program, the person also consents to attendance at any such program, and to verification of such attendance as directed by the bureau, when he or she pays the fines and court costs (Section 476.385).

This act requires the Department of Health and Senior Services to implement an education and awareness program regarding the financial exploitation of the elderly. This provision is similar to HB 62 (2009), HB 926 (2009) and HCS/HB 384 (2009)(Section 192.925).

Modifies the Amber Alert law by specifying redefining the term "abducted child". Under the act, an abducted child is now an individual whose whereabouts are unknown, is younger than 18 years of age, and is reasonably believed to be a victim of child kidnaping or younger than 18 years of age and at least 14 years of age and who would be reasonably believed to be a victim of child kidnaping if the person was under the age of 14 (Section 210.1012).

The judge in a criminal or municipal case that is dismissed before the defendant pleads guilty or is found guilty may assess court costs against the defendant as specified in Section 488.012 if the defendant consents to pay and is not indigent and unable to pay the costs. These provisions are similar to HB 62 (2009), HB 830 (2009)(Sections 479.260 and 488.5032).

This act specifies ten dollars of the time-payment fee shall be payable to municipal court clerks, when applicable, for improvement of the court (Section 488.5025). This provision may be found in HB 62 (2009).

This act removes the requirement that court costs be assessed to the prosecutor in trespass cases if the defendant is acquitted or the prosecution fails. These provisions are similar to provisions contained in HCS/HB 62 (2009) and HCS/HB 384 (2009)(Sections 545.050 and 550.040).

Under this act, the name of any defendant in a sexual assault, domestic assault, stalking, or forcible rape case shall not be considered identifying information of the victim and shall not be redacted from court records. This provision may be found in HCS/HB 62 (Section 566.226).

This act repeals a provision of law which currently requires property owners to cut hedge fences situated on their property next to a right-of-way or face a \$500 civil penalty (Section 229.110).

This act repeals certain provisions making prosecutors pay certain court costs. These provisions are similar to a provision of HCS/HB 62 (2009) and HB 384 (2009)(Sections 550.050, 550.070, 550.080, and 550.090).

STEPHEN JOHN WITTE

12/04/2008 Prefiled

01/07/2009 S First Read--SB 114-Crowell (S17)

01/22/2009 Second Read and Referred S Transportation Committee (S171)

02/04/2009 Hearing Conducted S Transportation Committee

02/18/2009 Voted Do Pass S Transportation Committee - Consent

02/25/2009 Reported from S Transportation Committee to Floor - Consent (S384)

03/09/2009 S Third Read and Passed - Consent (S537-538 / H517)

03/09/2009 H First Read (H517)

03/10/2009 H Second Read (H526)

03/30/2009 Referred H Crime Prevention Committee (H790)

04/01/2009 Hearing Conducted H Crime Prevention Committee

04/08/2009 HCS Voted Do Pass H Crime Prevention Committee - Consent

04/09/2009 HCS Reported Do Pass H Crime Prevention Committee - Consent (H1020)

04/09/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1020)
 04/14/2009 Hearing Conducted H Rules Committee
 04/14/2009 Voted to return to committee of origin H Rules Committee (H1041)
 04/22/2009 HCS#2 Voted Do Pass H Crime Prevention Committee
 04/23/2009 HCS#2 Reported Do Pass H (hcomm) Committee (H1257)
 04/23/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1257)

EFFECTIVE: August 28, 2009

*** SB 115 ***

0645S.011

SENATE SPONSOR: Bray

SB 115 - Under this act, petition circulators shall be Missouri residents and shall not be paid on a per signature basis. Persons who have broken laws that would constitute forgery in this state shall not qualify as petition circulators.

Currently, persons who misrepresent themselves on petitions are guilty of a misdemeanor. Under this act, those who knowingly do so are guilty of a class one election offense.

This act is similar to SB 598 (2007), SB 934 (2008), SB 1003 (2008), SB 954 (2008), SB 909 (2008), and HB 1763 (2008).

CHRIS HOGERTY

12/08/2008 Prefiled
 01/07/2009 S First Read--SB 115-Bray and Engler (S17)
 01/22/2009 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S171)
 03/23/2009 Hearing Conducted S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2009

*** SB 116 ***

0255S.021

SENATE SPONSOR: Bray

SB 116 – This act creates the Persistence to Graduation Fund.

The Department of Elementary and Secondary Education will establish a procedure for school districts to apply for grants to implement drop-out prevention strategies. Grants may be available to school districts that have at least sixty percent of students eligible for a free and reduced lunch. Grants will be awarded for one to five consecutive years. Upon expiration, a school district may apply for an extension. The Department of Elementary and Secondary Education must give preferences to school districts that propose a holistic approach to drop-out prevention as described in the act. The Department may stop payments to a district if it determines that the district is misusing funds or if the district's program is deemed ineffectual. The Department must provide written notice thirty days prior to cessation of funds. The Department must report annually to the General Assembly the recipients and amount of grants and data for the preceding five years for each recipient district. The General Assembly must annually appropriate an amount equivalent to one percent of state funding for elementary and secondary education for this program.

This act is similar to SB 1128 (2008).

MICHAEL RUFF

12/10/2008 Prefiled
 01/07/2009 S First Read--SB 116-Bray (S17)
 01/22/2009 Second Read and Referred S Education Committee (S171)
 02/25/2009 Hearing Conducted S Education Committee

EFFECTIVE: August 28, 2009

*** SB 117 ***

SCS SB 117

0395S.02P

SENATE SPONSOR: Green

SCS/SB 117 – This act requires the Department of Elementary and Secondary Education to recalculate the state school aid for the Riverview Gardens School District to correct an error by the district in placing funds received by the state for school aid for fiscal year 2006 in the incidental fund, rather than the capital

projects fund. The sum of the amounts due to the school district after recalculation for fiscal years 2007-2010 will be divided and distributed to the school district in equal amounts in fiscal years 2010-2013.

This act is similar to SB 888 (2008), SB 522 (2007) and HB 698 (2007).
MICHAEL RUFF

12/10/2008 Prefiled
01/07/2009 S First Read--SB 117-Green (S18)
01/22/2009 Second Read and Referred S Education Committee (S171)
01/28/2009 Hearing Conducted S Education Committee
03/04/2009 SCS Voted Do Pass S Education Committee (0395S.02C)
03/12/2009 Reported from S Education Committee to Floor w/SCS (S620)
03/31/2009 SA 1 to SCS S offered & withdrawn (Ridgeway)--(0395S02.04S) (S821-823)
03/31/2009 SCS S adopted (S823)
03/31/2009 Perfected (S823)
03/31/2009 Reported Truly Perfected S Rules Committee (S830)
03/31/2009 Referred S Governmental Accountability and Fiscal Oversight Committee (S830)
04/02/2009 Voted Do Pass S Governmental Accountability and Fiscal Oversight Committee
04/02/2009 Reported from S Governmental Accountability and Fiscal Oversight Committee to Floor (S882)
04/02/2009 S Third Read and Passed (S885-886 / H926)
04/02/2009 H First Read (H926)
04/06/2009 H Second Read (H933)
04/09/2009 Referred H Elementary and Secondary Education Committee (H1019)

EFFECTIVE: August 28, 2009

*** SB 118 ***

0586S.011

SENATE SPONSOR: Griesheimer

SB 118 - This act modifies duties of the Department of Natural Resources with regard to solid waste management plans.

Current law requires the department to develop a statewide solid waste management plan in cooperation with other state and local entities. This act adds the requirement that the plan be a "next generation" plan. Similarly, current law requires the department to establish criteria for awarding state solid waste management planning grants; this act requires that the grants be "next generation" planning grants. Research, demonstration projects, and investigations with applicable federal programs currently conducted by the department on solid waste management systems shall be conducted on "next generation" solid waste management systems. "Next generation" refers to innovative technology or methods.

The model solid waste management plans currently required to be prepared by the department shall be "next generation" model solid waste management plans. In developing the model plans, current law requires that the department must consider the findings of "the" resource recovery study under section 260.038, RSMo. This act simply allows the department the option of considering the findings of any such study.

Under current law, the model solid waste management plans are supposed to be designed to achieve a solid waste reduction of 40% by January 1, 1998. The act requires an additional 10% reduction by January 1, 2012, an additional 5% by January 1, 2015, and an additional 5% by January 1, 2018, bringing the total cumulative solid waste reduction to 60% over pre-1998 levels.

The act modifies, from December 1, 1991 to December 1, 2010, the date by which the model solid waste management plan must be distributed to solid waste districts and counties and cities not in districts.

Current law requires the department to utilize and develop resource recovery programs around existing enterprises; this act requires the programs to be "next generation" programs.

ERIKA JAQUES

12/11/2008 Prefiled
01/07/2009 S First Read--SB 118-Griesheimer (S18)
01/22/2009 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S171)
01/26/2009 Re-referred S Commerce, Consumer Protection, Energy and the Environment Committee (S184)
02/03/2009 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee

EFFECTIVE: August 28, 2009

*** SB 119 ***

0588S.011

SENATE SPONSOR: Griesheimer

SB 119 - Under current law, the Office of Administration is authorized to distribute funds from the wireless service provider enhanced 911 service fund to wireless service providers and public safety answering points based upon a formula established by the Office of Administration. Such formula may be based upon a variety of factors, but at least ten percent of the funds must be distributed equally to all public safety answering points in the state. This act requires the Office of Administration and the Director of the Department of Public Safety or his or her designee to establish the formula; removes the requirement that at least ten percent of the funding be distributed equally among all public safety answering points in the state; and limits the number of public safety answering points which may receive funding based upon the classification of the county in which they are located.

This act also authorizes the Office of Administration, upon voter approval, to establish a fee of up to twenty-five cents per month on every wireless telephone number to fund wireless enhanced 911 services.

Provisions of this act are similar to those contained in Senate Bill 1118 (2008).

JASON ZAMKUS

12/11/2008 Prefiled
 01/07/2009 S First Read--SB 119-Griesheimer (S18)
 01/22/2009 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S171)
 02/24/2009 Hearing Scheduled But Not Heard S Commerce, Consumer Protection, Energy and the Environment Committee
 03/03/2009 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee

EFFECTIVE: August 28, 2009

*** SB 120 ***

0723S.011

SENATE SPONSOR: Bray

SB 120 - This act allows small employers to join the Missouri Consolidated Health Care Plan. For purposes of the act, the term small employer means an employer who employed an average of at least one but not more than fifty persons during the preceding calendar year and who employs at least one person on the first day of the plan year. A small employer includes a sole proprietor and a partner of a partnership. The state health care plan shall maintain a separate benefit trust fund account for premium payments and other income received from small employers.

This act is identical to SB 741 (2008), SB 267 (2007), SB 593 (2006), SB 277 (2005) and HB 1412 (1998).

STEPHEN WITTE

12/12/2008 Prefiled
 01/07/2009 S First Read--SB 120-Bray (S18)
 01/22/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S171)
 02/24/2009 Hearing Conducted S Health, Mental Health, Seniors and Families Committee

EFFECTIVE: August 28, 2009

*** SB 121 ***

0747S.011

SENATE SPONSOR: Purgason

SB 121 - This act prohibits the issuance or redemption of any tax credit, now or hereafter authorized under Missouri law, from August 28, 2009, to August 28, 2011.

JASON ZAMKUS

12/15/2008 Prefiled
 01/07/2009 S First Read--SB 121-Purgason (S18)
 01/22/2009 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S171)

EFFECTIVE: August 28, 2009

*** SB 122 ***

0727S.01P

SENATE SPONSOR: Griesheimer

SB 122 - Under this act, each member of an ambulance district board of directors shall be subject to recall from office by the registered voters of the election district from which he or she was elected. Proceedings for the recall are commenced by the filing of a notice of intention to circulate a recall petition.

The notice must be served personally, or by certified mail, on the board member and filed with the election authority. A separate notice is needed for each member sought to be recalled and must contain information explaining the reason for the recall. It must list at least one but not more than five proponents of the recall.

Within seven days, the board member may file a statement answering the statement of the proponents. The answer must be served on at least one proponent. The statement and answer are for the voters' informational purposes only.

A member cannot be recalled if he or she: 1) has not held office during the current term for more than 180 days; 2) has 180 days or less remaining on his or her current term; or 3) has had a recall election determined in his or her favor within the current term.

The person circulating the petition must sign an affidavit verifying certain information. A recall petition must be filed with the election authority not more than 180 days after the filing of the notice of intention. The number of signatures needed shall equal at least 25% of the number of voters who voted in the most recent gubernatorial election in the election district.

The election authority has twenty days from the date of filing the petition to determine if enough voters signed the petition. It must file a certificate showing whether there are enough signatures. If the election authority certifies the petition does not have enough signatures, it may be supplemented within ten days of the date of certificate. The election authority must then certify the supplemented petition. If it is insufficient, no further action shall be taken.

If the petition is sufficient, the election authority shall submit its certificate to the board of directors and order an election within a certain amount of time. Nominations for board membership openings shall be made by filing a statement of candidacy with the election authority.

Any time prior to forty-two days before the election, the member sought to be recalled may offer his or her resignation and the recall question shall be removed from the ballot and the office declared vacant.

This act is identical to SB 978 (2008).
SUSAN HENDERSON MOORE

12/17/2008 Prefiled
01/07/2009 S First Read--SB 122-Griesheimer (S18)
01/22/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S171)
02/11/2009 Hearing Scheduled But Not Heard S Jobs, Economic Development and Local Government Committee
02/18/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee
02/25/2009 Voted Do Pass S Jobs, Economic Development and Local Government Committee - Consent
03/04/2009 Reported from S Jobs, Economic Development and Local Government Committee to Floor - Consent (S473)
03/12/2009 S Third Read and Passed - Consent (S612 / H600)
03/12/2009 H First Read (H600)
03/18/2009 H Second Read (H606)
03/30/2009 Referred H Local Government Committee (H790)
04/08/2009 Hearing Conducted H Local Government Committee
04/08/2009 Voted Do Pass H Local Government Committee

EFFECTIVE: August 28, 2009

*** SB 123 ***

SCS SB 123

0546S.02P

SENATE SPONSOR: Griesheimer

SCS/SB 123 - Currently, in counties without a charter form of government the collector collects a seven percent fee for the collection of delinquent taxes. In counties with a charter form of government and St. Louis City, the collector collects a two percent fee for the collection of such taxes. Under this act, in counties adopting a charter form of government after January 1, 2008, the collector shall collect a seven percent fee for the collection of delinquent taxes, while the collector in counties adopting a charter form of government before January 1, 2008, shall collect a two percent fee.

Currently, all counties, except counties with a charter form of government excluding St. Charles County, are required to establish a "Tax Maintenance Fund" to be used solely as a depository for funds received or collected for the purpose of funding additional costs and expenses incurred in the collector's office. Under this act, counties adopting a charter form of government after January 1, 2008, shall be required to establish such a fund as well.

In the event a county of the third or fourth classification abolishes its township organization or the county collect becomes a collector-treasurer, the collector treasurer shall assume all duties, compensation, and requirements of the collector-treasurer.

JASON ZAMKUS

12/18/2008 Prefiled
 01/07/2009 S First Read--SB 123-Griesheimer (S18)
 01/22/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S171)
 02/11/2009 Hearing Scheduled But Not Heard S Jobs, Economic Development and Local Government Committee
 02/18/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee
 03/11/2009 SCS Voted Do Pass S Jobs, Economic Development and Local Government Committee (0546S.02C) - Consent
 03/11/2009 Reported from S Jobs, Economic Development and Local Government Committee to Floor w/SCS - Consent (S594)
 03/12/2009 Removed S Consent Calendar (S631)
 04/02/2009 Reported from S Jobs, Economic Development and Local Government Committee to Floor w/SCS (S888)
 04/08/2009 SA 1 to SCS S offered & adopted (McKenna)--(0546S02.03S) (S939-940)
 04/08/2009 SCS, as amended, S adopted (S940)
 04/08/2009 Perfected (S940)
 04/08/2009 Reported Truly Perfected S Rules Committee (S947)
 04/09/2009 S Third Read and Passed (S976 / H1026)
 04/09/2009 H First Read (H1026)
 04/10/2009 H Second Read (H1031)
 04/16/2009 Referred H Local Government Committee (H1108)
 04/22/2009 Hearing Conducted H Local Government Committee

EFFECTIVE: August 28, 2009

*** SB 124 ***

0828S.011

SENATE SPONSOR: Bray

SB 124 - This act prohibits tri-vision, projection, digital, or other changeable copy technologies from being used on billboards. Under current law, tri-vision, projection, and other changeable message signs may be used subject to commission regulations.

STEPHEN WITTE

12/18/2008 Prefiled
 01/07/2009 S First Read--SB 124-Bray (S18)
 01/22/2009 Second Read and Referred S Transportation Committee (S171)

EFFECTIVE: August 28, 2009

*** SB 125 ***

0835S.011

SENATE SPONSOR: Bray

SB 125 - This act requires the Department of Transportation to embrace principles of context sensitive design and context sensitive solutions in its policies and procedures for the planning, design, construction, and operation of transportation projects.

The act further provides that context sensitive design and context sensitive solutions principles shall promote the exploration of innovative solutions, commensurate with the scope of each project, that can effectively balance safety, mobility, community, and environmental objectives in a manner that will enhance the relationship of the transportation facility with its setting. Under the terms of the act, context sensitive design and context sensitive solutions principles shall complement, but not supplant, the department of transportation's existing practical design policy. The act requires the Department of Transportation to report to the Governor and the General Assembly no later than April 1, 2010, on its efforts to develop and implement context sensitive solutions policy and context sensitive design criteria.

STEPHEN WITTE

12/18/2008 Prefiled

01/07/2009 S First Read--SB 125-Bray (S18)

01/22/2009 Second Read and Referred S Transportation Committee (S171)

EFFECTIVE: August 28, 2009

*** SB 126 ***

0844S.01P

SENATE SPONSOR: Rupp

SB 126 - Under this act, no life insurance company shall deny or refuse to accept an application for life insurance, refuse to renew, cancel, restrict, or otherwise terminate a policy of life insurance, or charge a different rate for the same life insurance coverage, based upon the applicant's or insured's past or future lawful travel destinations. Nothing in this act shall prohibit a life insurance company from denying an application for life insurance, or charging a different premium or rate for such coverage under such policy based on a specific travel destination where the denial or rate differential is based upon sound actuarial principles or is related to actual or reasonably anticipated experience. Under the act, a violation constitutes an unfair trade practice. The act provides that it shall apply to life insurance policies issued or renewed on or after August 28, 2009.

This act is similar to SB 865 (2008).

STEPHEN WITTE

12/18/2008 Prefiled

01/07/2009 S First Read--SB 126-Rupp (S18)

01/22/2009 Second Read and Referred S Small Business, Insurance and Industry Committee (S171)

02/03/2009 Hearing Conducted S Small Business, Insurance and Industry Committee

02/17/2009 Voted Do Pass S Small Business, Insurance and Industry Committee

02/19/2009 Reported from S Small Business, Insurance and Industry Committee to Floor (S345)

02/26/2009 Perfected (S422)

03/02/2009 Reported Truly Perfected S Rules Committee (S436)

03/04/2009 S Third Read and Passed (S480 / H495)

03/05/2009 H First Read (H495)

03/06/2009 H Second Read (H501)

04/02/2009 Referred H Insurance Policy Committee (H922)

04/08/2009 Hearing Conducted H Insurance Policy Committee

EFFECTIVE: August 28, 2009

*** SB 127 ***

SCS SB 127

0589S.02P

SENATE SPONSOR: Rupp

HOUSE HANDLER: Funderburk

SCS/SB 127 – This act requires the Governor to annually issue a proclamation that identifies the first week of March as "Math, Engineering, Technology & Science (METS) Week." The week may be observed through activities that will increase awareness of these areas and promote "METS" careers in Missouri. Such activities will include those which are in public schools.

MICHAEL RUFF

12/18/2008 Prefiled

01/07/2009 S First Read--SB 127-Rupp (S18)

01/22/2009 Second Read and Referred S General Laws Committee (S171)
 03/03/2009 Hearing Conducted S General Laws Committee
 03/03/2009 SCS Voted Do Pass S General Laws Committee (0589S.02C) - Consent
 03/04/2009 Reported from S General Laws Committee to Floor w/SCS - Consent (S474)
 03/12/2009 SCS S adopted (S616)
 03/12/2009 S Third Read and Passed - Consent (S616 / H601)
 03/12/2009 H First Read (H601)
 03/18/2009 H Second Read (H606)
 03/30/2009 Referred H Homeland Security Committee (H790)
 04/06/2009 Hearing Conducted H Homeland Security Committee
 04/06/2009 Voted Do Pass H Homeland Security Committee - Consent
 04/07/2009 Reported Do Pass H Homeland Security Committee - Consent
 04/07/2009 Referred to Rules Committee pursuant to Rule 25(32)(f)
 04/09/2009 Hearing Conducted H Rules Committee
 04/09/2009 Voted Do Pass H Rules Committee - Consent
 04/09/2009 Reported Do Pass H Rules Committee - Consent (H1025)
 04/27/2009 H Consent Calendar

EFFECTIVE: August 28, 2009

*** SB 128 *** SS SCS SB 128

0320S.05P

SENATE SPONSOR: Rupp

SS/SCS/SB 128 - This act modifies the current law that authorizes the state highways and transportation commission to enter into design-build highway project contracts. Under this act, the current statutory restriction that limits the commission to only entering into three design-build highway projects is removed. In lieu of a specific number of projects, the total number of highway design-build project contracts awarded by the commission in any state fiscal year shall not exceed 3% of the total number of all state highway system projects listed in the commission's approved statewide transportation improvement program for that fiscal year.

The act also amends the current bonding requirements relating to design-build highway project contracts. The act specifies the requirements for bid, performance and payment bonds, or letters of credit, must be provided by the design-builder directly to the commission in design-build highway project contracts. Under the act, a bid or proposal bond, cash or certified or cashier's check is still required, but the amount shall be determined by the commission. The performance bond or bonds must be in an amount equal to a reasonable estimate of the total cost of construction work under the design-build highway project contract. If the Commission determines that cost estimate for the project contract is expected to exceed \$250 million and performance bonds for that amount are impractical, the commission shall set the performance bond at the amount reasonably available, but not less than \$250 million and may require additional security for the balance of the estimate not covered by the performance bonds.

This act contains an emergency clause.

The provisions of this act are similar to SB 178(2009).

STEPHEN WITTE

12/18/2008 Prefiled
 01/07/2009 S First Read--SB 128-Rupp (S18)
 01/22/2009 Second Read and Referred S Transportation Committee (S171)
 01/28/2009 Hearing Conducted S Transportation Committee
 01/29/2009 SCS Voted Do Pass S Transportation Committee (0320S.02C)
 01/29/2009 Reported from S Transportation Committee to Floor w/SCS (S218)
 02/09/2009 SA 1 to SCS S offered (Rupp)--(0320S02.01S) (S268)
 02/09/2009 SA 1 to SA 1 to SCS S offered (Lager)--(0320S02.05S) (S268-269)
 02/09/2009 Bill Placed on Informal Calendar (S269)
 02/23/2009 SA 1 to SCS S withdrawn (S357)
 02/23/2009 SS for SCS S offered (Rupp)--(0320S.05F) (S357)
 02/23/2009 SA 1 to SS for SCS S offered & adopted (Rupp)--(0320S05.02S) (S357)
 02/23/2009 SA 2 to SS for SCS S offered & defeated (Bray)--(0320S05.01S) (S357-358)
 02/23/2009 SS for SCS, as amended, S adopted (S358)
 02/23/2009 Perfected (S358)
 02/24/2009 Reported Truly Perfected S Rules Committee (S370)

02/25/2009 S Third Read and Passed - EC adopted (S385-386 / H404)
 02/25/2009 H First Read w/EC (H404)
 02/26/2009 H Second Read (H410)
 04/02/2009 Referred H Special Standing Committee on Infrastructure and Transportation Funding Committee (H922)
 04/07/2009 Hearing Conducted H Special Standing Committee on Infrastructure and Transportation Funding Committee
 04/22/2009 HCS Voted Do Pass H Special Standing Committee on Infrastructure and Transportation Funding Committee

EFFECTIVE: Emergency Clause

*** SB 129 ***

0583S.011

SENATE SPONSOR: McKenna

SB 129 - This act prohibits school bus drivers from using wireless telephones or other electronic wireless communication devices while operating school buses on highways within this state. The prohibition does not apply when such devices are being used to call 9-1-1 or to contact law enforcement authorities or emergency response agencies in emergency situations. The prohibition includes talking on such a device or sending a text message on the device.

A violation of the act is a Class C misdemeanor and a moving violation for purposes of point assessment.
 STEPHEN WITTE

12/18/2008 Prefiled
 01/07/2009 S First Read--SB 129-McKenna, et al (S18-19)
 01/22/2009 Second Read and Referred S Transportation Committee (S171)
 01/28/2009 Hearing Cancelled S Transportation Committee
 02/04/2009 Hearing Conducted S Transportation Committee

EFFECTIVE: August 28, 2009

*** SB 130 ***

SCS SB 130

0584S.03P

SENATE SPONSOR: McKenna

SCS/SB 130 - This act prohibits drivers from sending, reading, or writing text messages or electronic messages while operating motor vehicles on the highways in Missouri. The text messaging prohibition does not apply to persons operating emergency vehicles. The text messaging prohibition does not apply to a person operating a motor vehicle who sends a text message to report illegal activity, summon medical or other emergency help, prevent personal or property injuries, or to relay information between a for-hire operator and a dispatcher. A violation of the act is an infraction and is considered a moving violation for purposes of point assessment. The act's provisions supercede any local law that regulates the use of electronic wireless devices by the operator of a motor vehicle.

STEPHEN WITTE

12/18/2008 Prefiled
 01/07/2009 S First Read--SB 130-McKenna, et al (S19)
 01/22/2009 Second Read and Referred S Transportation Committee (S171)
 01/28/2009 Hearing Cancelled S Transportation Committee
 02/04/2009 Hearing Conducted S Transportation Committee
 02/18/2009 SCS Voted Do Pass S Transportation Committee (0584S.03C)
 03/05/2009 Reported from S Transportation Committee to Floor w/SCS (S528)
 03/24/2009 SA 1 to SCS S offered & adopted (McKenna)--(0584S03.01S) (S680-681)
 03/24/2009 SCS, as amended, S adopted (S681)
 03/24/2009 Perfected (S681)
 03/24/2009 Reported Truly Perfected S Rules Committee (S688)
 03/26/2009 S Third Read and Passed (S772-773 / H749)
 03/26/2009 H First Read (H749)
 03/27/2009 H Second Read (H757)
 04/02/2009 Referred H Public Safety Committee (H922)

EFFECTIVE: August 28, 2009

*** SB 131 ***

0826S.011

SENATE SPONSOR: Smith

SB 131 - This act allows St. Louis City to charge a semiannual registration fee of not more than \$2,000 to property owners of certain vacant property. Currently, the registration fee cannot exceed \$200.

SUSAN HENDERSON MOORE

12/18/2008 Prefiled

01/07/2009 S First Read--SB 131-Smith (S19)

01/22/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S171)

02/04/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee

03/05/2009 SCS Voted Do Pass S Jobs, Economic Development and Local Government Committee (0826S.02C)

EFFECTIVE: August 28, 2009

*** SB 132 ***

0830S.011

SENATE SPONSOR: Smith

SB 132 – This act modifies the requirements for school anti-bullying policies. The definition of "bullying" is modified to include discrimination and to include actions that substantially interfere with a student's educational performance, opportunities, or benefits, or that substantially disrupt the orderly operation of the school. Bullying is prohibited by school employees or students on school property, at school functions, or on school buses. This act removes the requirement that school policies treat all students equally and not identify lists of protected classes of students. Instead, bullying that is based on characteristics or categories, as described in the act, is prohibited.

School district policies must contain the following: a statement prohibiting bullying, including a definition of bullying, as described in the act; a procedure for reporting an act of bullying; a procedure for prompt investigations; how a school will respond to a confirmed incident of bullying; a statement prohibiting reprisal or retaliation against a person who reports an act of bullying; a statement of how the policy will be made public; and a process for discussing the policy with students and training employees and volunteers.

The State Board of Education must develop model anti-bullying policies to assist school districts no later than September 1, 2010.

This act is substantially similar to HB 1751 (2008).

MICHAEL RUFF

12/18/2008 Prefiled

01/07/2009 S First Read--SB 132-Smith, et al (S19)

01/22/2009 Second Read and Referred S Education Committee (S171)

EFFECTIVE: August 28, 2009

*** SB 133 ***

0783S.011

SENATE SPONSOR: Smith

SB 133 – Current law provides that an alien unlawfully present in the United States shall not receive any state or local public benefit. The definition of "public benefit" currently includes postsecondary education. This act modifies the definition of "public benefit" to mean postsecondary education pursued with the status of resident. In addition, a student who is enrolled as a nonresident at a Missouri public institution of higher education will not be considered to be receiving a public benefit based solely on attendance at such institution.

MICHAEL RUFF

12/18/2008 Prefiled

01/07/2009 S First Read--SB 133-Smith (S19)

01/22/2009 Second Read and Referred S Education Committee (S172)

EFFECTIVE: August 28, 2009

*** SB 134 ***

SCS SB 134

0818S.06P

SENATE SPONSOR: Dempsey

SCS/SB 134 - This act authorizes the issuance of Brain Tumor Awareness Organization special license plates. Any person may receive special license plates bearing the organization's emblem after making an annual application and paying a \$25 emblem-use contribution to the Brain Tumor Awareness Organization. Such specialty plates shall bear the words "Brain Tumor Awareness" in lieu of the words "SHOW-ME STATE." No fees shall be charged for the personalization of such license plates. Prior to the issuance of a Brain Tumor Awareness Organization specialty plate, the department of revenue must be in receipt of an application which shall be accompanied by a list of at least 200 potential applicants who plan to purchase the specialty plate, the proposed art design for the specialty license plate, and an application fee, not to exceed \$5,000, to defray the department's cost for issuing, developing, and programming the implementation of the specialty plate. Once the plate design is approved, the director of revenue shall not authorize the manufacture of the material to produce the specialized license plates until such time as the director has received two hundred applications, the \$25 specialty plate fee per application, and emblem use statements, if applicable, and other required documents or fees for such plates.

The act also allows persons who have been awarded the Armed Forces Expeditionary Medal to receive a special license plate inscribed with the words "expeditionary service" and bearing a reproduction of the Armed Forces Expeditionary Medal. This provision was contained in SB 856 (2008).

STEPHEN WITTE

12/18/2008 Prefiled
 01/07/2009 S First Read--SB 134-Dempsey (S19)
 01/22/2009 Second Read and Referred S Transportation Committee (S172)
 02/25/2009 Hearing Cancelled S Transportation Committee
 03/04/2009 Hearing Conducted S Transportation Committee
 03/04/2009 SCS Voted Do Pass S Transportation Committee (0818S.06C) - Consent
 03/04/2009 Reported from S Transportation Committee to Floor w/SCS - Consent (S474)
 03/12/2009 SCS S adopted (S615)
 03/12/2009 S Third Read and Passed - Consent (S615 / H601)
 03/12/2009 H First Read (H601)
 03/18/2009 H Second Read (H606)
 03/31/2009 Referred H Transportation Committee (H819)
 04/07/2009 Hearing Conducted H Transportation Committee
 04/23/2009 HCS Voted Do Pass H Transportation Committee

EFFECTIVE: August 28, 2009

*** SB 135 ***

0565S.011

SENATE SPONSOR: Dempsey

SB 135 – Beginning with the 2010-2011 school year, this act requires school districts to pay registered professional school nurses on the same pay scale as teachers with equivalent work history and working hours. The salary requirements must not result in a decrease or loss of existing school funding or decrease the number of nursing positions in a district.

This act is substantially similar to HB 1374 (2008).

MICHAEL RUFF

12/18/2008 Prefiled
 01/07/2009 S First Read--SB 135-Dempsey (S19)
 01/22/2009 Second Read and Referred S Education Committee (S172)

EFFECTIVE: August 28, 2009

*** SB 136 ***

0729S.011

SENATE SPONSOR: Rupp

This bill has been combined with SB 45

12/18/2008 Prefiled
 01/07/2009 S First Read--SB 136-Rupp and Smith (S19)
 01/22/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S172)
 01/28/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee

02/11/2009 Bill Combined w/SCS/SBs 45, 212, 136, 278, 279, 285, 288

EFFECTIVE: August 28, 2009

*** SB 137 ***

0726S.011

SENATE SPONSOR: Rupp

This bill has been combined with SB 237

12/18/2008 Prefiled

01/07/2009 S First Read--SB 137-Rupp (S19)

01/22/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S172)

02/17/2009 Hearing Conducted S Health, Mental Health, Seniors and Families Committee

02/24/2009 Bill Combined (w/SCS/SBs 237 & 137)

EFFECTIVE: August 28, 2009

*** SB 138 ***

0591S.011

SENATE SPONSOR: Smith

SB 138 - This act creates an earned income tax credit to be taken against Missouri income tax liability. The tax credit is non-refundable. For taxable years beginning on or after January 1, 2010, the amount of the tax credit will be equal to five percent of the allowable federal earned income credit. Every two tax years, the amount of the credit is doubled such that for tax years beginning on or after January 1, 2014, the amount of the tax credit will equal twenty percent of the allowable federal earned income credit. The Department of Revenue is required to notify taxpayers which would qualify for the credit.

This act will automatically sunset six years after the effective date of the act unless reauthorized.

This act is similar to Senate Bill 852 (2008) and Senate Bill 608 (2007).

JASON ZAMKUS

12/18/2008 Prefiled

01/07/2009 S First Read--SB 138-Smith (S19)

01/22/2009 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S172)

EFFECTIVE: August 28, 2009

*** SB 139 ***

0510S.011

SENATE SPONSOR: Mayer

SB 139 – This act modifies the elementary and secondary education funding formula. It removes from the calculation of the state adequacy target the inclusion of the gaming revenues from the repeal of the loss limits. Instead, the gaming revenues from the repeal of the loss limits will be distributed for teacher salaries, early childhood, and transportation purposes.

This act creates the Minimum Salary for Teachers Program and establishes procedures for qualifying school districts to receive funds to pay minimum salary supplements to teachers. A minimum salary supplement is the difference between a school district's salary schedule and the minimum salary identified in the act. Beginning with the 2010-2011 school year, money from the Schools First Elementary and Secondary Education Improvement Fund will be transferred to the Minimum Salary for Teachers Fund to pay public school teacher minimum salary supplements to qualifying school districts. A participating school district is only responsible for the contracted amount of a teacher's salary. If there is insufficient money to pay the total cost of all minimum salary supplements, the minimum salary amounts will be prorated.

To qualify for funds, school districts must recognize all years of a teacher's teaching experience in accordance with the salary amounts and education levels identified in the act. A participating school district is also subject to a local effort requirement, which is based on the percentage of expenditures from the district's teachers and incidental funds attributable to base salary, retirement, and health care costs as described in the act. A district may vary from its local effort percentage based on its teacher and incidental fund balance. A district that varies more than the allowable percentage will have a deduction made from the minimum salary supplement in the next fiscal year.

Any future increases in minimum salaries are contingent on decreases in total state payments to all districts as described in the act. The value of each level of minimum salary will be increased by \$500 in the second fiscal year following the fiscal year in which the state cost of funding the minimum salaries is 85% or less of the full funding cost for the first school year of the state funding of minimum teacher salaries under the act.

This act requires that an amount of money sufficient to fund the Minimum Salary for Teachers Program be transferred from the Schools First Elementary and Secondary Education Improvement Fund to the Minimum Salary For Teachers Fund. Any remaining money will be evenly divided between and distributed to the Missouri Preschool Project and school districts for transportation costs. The transportation funds will be distributed based on a school district's weighted average daily attendance calculation in proportion to the weighted average daily attendance calculation for the entire state.

This act contains provisions similar to SB 1092 (2008).

MICHAEL RUFF

12/22/2008 Prefiled

01/07/2009 S First Read--SB 139-Mayer (S19)

01/22/2009 Second Read and Referred S Education Committee (S172)

EFFECTIVE: August 28, 2009

*** SB 140 ***

SCS SB 140

0849S.09P

SENATE SPONSOR: Smith

HOUSE HANDLER: Jones

SCS/SB 140 - Under this act, courts disposing of criminal nonsupport cases may be established by any circuit court. Such court shall have the authority to refer defendants to education, vocational or employment training, substance abuse treatment, or work programs. After successful completion of a court-ordered treatment or training program or commencement of support payments, the defendant may have the charges, petition, or penalty against him or her dismissed, reduced, or modified.

Each circuit shall establish conditions for referral to the court and each participant must be a nonviolent person. Any proceeding accepted by the court must be upon agreement of the parties. Any of the program's staff reports shall not be admissible as evidence in the underlying case; however, termination from the court program may be considered in sentencing or disposition of the case. Court staff shall be provided access to government records relevant to the participant's supervision.

An ten-member Criminal Nonsupport Courts Coordinating Commission shall be established to coordinate and allocate resources made available through the newly created Criminal Nonsupport Court Resources Fund.

Under this act, criminal nonsupport shall be a class A misdemeanor unless the total arrearage is in excess of an aggregate of twelve monthly payments, in which case, it is a class D felony. Currently, the crime is a class D felony if the person owes more than \$5,000 or has failed to pay six months of payments within the last twelve-month period.

The crime of nonsupport shall apply whether a child's paternity has been established through an administrative order or judicial order. Inability to provide support for good cause shall be an affirmative defense that must be proved by a preponderance of the evidence.

If the defendant is placed on probation or parole, he or she may be ordered to begin payment of current support as well as satisfy the arrearages. If he or she fails to pay, probation or parole may be revoked and an appropriate sentence shall be imposed.

During any period that a nonviolent defendant is incarcerated for criminal nonsupport, the court, if the defendant is ready, willing, and able to be gainfully employed, may place the defendant on work release in order to satisfy the defendant's obligation to pay support if the person meets the criteria established by the department of corrections. The arrearages shall be satisfied as outlined in the collection agreement.

Beginning August 28, 2009, every nonviolent first and second-time offender currently incarcerated for criminal nonsupport, who has not previously been placed on probation or parole, may be considered for parole or work release.

This act is similar to HB 1652 (2006).

SUSAN HENDERSON MOORE

12/22/2008 Prefiled
 01/07/2009 S First Read--SB 140-Smith and Wright-Jones (S19)
 01/22/2009 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S172)
 01/26/2009 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee
 02/09/2009 SCS Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee (0849S.09C)
 02/12/2009 Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor w/SCS (S294)
 02/17/2009 SCS S adopted (S319)
 02/17/2009 Perfected (S319)
 02/17/2009 Reported Truly Perfected S Rules Committee (S319)
 02/17/2009 Referred S Governmental Accountability and Fiscal Oversight Committee (S321)
 02/19/2009 Hearing Conducted S Governmental Accountability and Fiscal Oversight Committee
 02/23/2009 Voted Do Pass S Governmental Accountability and Fiscal Oversight Committee
 02/24/2009 Reported from S Governmental Accountability and Fiscal Oversight Committee to Floor (S370)
 02/24/2009 S Third Read and Passed (S373-374 / H404)
 02/25/2009 H First Read (H404)
 02/26/2009 H Second Read (H410)
 04/02/2009 Referred H Special Standing Committee on General Laws Committee (H922)
 04/09/2009 Hearing Conducted H Special Standing Committee on General Laws Committee
 04/21/2009 Voted Do Pass H Special Standing Committee on General Laws Committee
 04/21/2009 Reported Do Pass H Special Standing Committee on General Laws Committee (H1195)
 04/21/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1195)
 04/21/2009 Hearing Conducted H Rules Committee
 04/21/2009 Voted Do Pass H Rules Committee
 04/21/2009 Reported Do Pass H Rules Committee (H1196)
 04/27/2009 H Calendar S Bills for Third Reading

EFFECTIVE: August 28, 2009

*** SB 141 *** SS SCS SB 141

0866S.08P

SENATE SPONSOR: Smith

SS/SCS/SB 141 - This act modifies provisions relating to paternity determinations.

In an action to determine paternity of a child, a notification form shall be attached to the delivery of the petition through service of process. The notification form shall prominently state in bold face type as follows: "Important Notice. If you do not respond to this action, a judgment of paternity may be entered against you and you may be ordered to pay child support, medical support or reimburse someone for support previously paid for the child. You have the right to contest that you are the father of the named child and you have the right to request genetic testing to prove whether or not you are the father."

This act also provides that a petitioner may file a petition to challenge entry of a judgment of paternity and support upon filing an affidavit stating that evidence exists which was not considered before entry of judgment. Such petition shall also include either an allegation that genetic testing was conducted within the past 90 days using DNA methodology, was performed by an expert, and that the test results indicate the petitioner is not the child's father or a request to the court for an order of genetic paternity testing using DNA methodology. The petition to set aside the judgment may be filed at any time prior to December 31, 2011. After that, the petition shall be filed within two years of the entry of the original judgment of paternity and/or support, whichever occurs later.

The court, after a hearing where all interested parties have been given an opportunity to present evidence and be heard and upon a finding of probable cause to believe the testing may result in a determination of non-paternity, shall order the relevant parties to submit to genetic paternity testing. The petitioner shall pay for the costs of testing.

The court shall grant relief, unless the court makes written findings of fact and conclusions of law that it is not in the best interest of the parties to do so, and enter judgment setting aside the previous judgment of paternity and child support, including a previous acknowledgment of paternity, extinguish any existing child support arrearage, and order the Department of Health and Senior Services to modify the child's birth certificate accordingly upon a finding that the genetic test was properly conducted, accurate, and excludes

the petitioner as the child's father.

In addition, any petitioner may apply for expungement of criminal nonsupport records to the court in which the petitioner pled guilty or was sentenced. Such expungement shall only apply to records for criminal nonsupport of a child or children for which the petitioner was found not to be the biological father.

The provisions of this act shall not apply to grant relief to the parent of any adopted child nor shall such provisions be construed to create a cause of action to recover child support or state debt previously paid under court order. The petitioner shall not have a right for reimbursement of any monies paid previously under said order.

Beginning in 2010, the family support division shall track and report to the general assembly the number of cases known to the division in which a court, within the calendar year, set aside a previous judgment of paternity and support under the provisions of this act.

This act is similar to SB 1147 (2008) and HB 2322 (2008).

ADRIANE CROUSE

12/22/2008 Prefiled
 01/07/2009 S First Read--SB 141-Smith and Wright-Jones (S19-20)
 01/22/2009 Second Read and Referred S General Laws Committee (S172)
 02/03/2009 Hearing Conducted S General Laws Committee
 02/10/2009 SCS Voted Do Pass S General Laws Committee (0866S.06C)
 03/12/2009 Reported from S General Laws Committee to Floor w/SCS (S620)
 03/31/2009 SS for SCS S offered (Smith)--(0866S.08F) (S831)
 03/31/2009 SA 1 to SS for SCS S offered & adopted (Smith)--(0866S08.01S) (S831)
 03/31/2009 SS for SCS. as amended, S adopted (S831)
 03/31/2009 Perfected (S831)
 03/31/2009 Reported Truly Perfected S Rules Committee (S834)
 04/02/2009 S Third Read and Passed (S886 / H926)
 04/02/2009 H First Read (H926)
 04/06/2009 H Second Read (H933)
 04/07/2009 Referred H Special Standing Committee on General Laws Committee (S955)
 04/09/2009 Hearing Scheduled But Not Heard H Special Standing Committee on General Laws Committee
 04/14/2009 Hearing Conducted H Special Standing Committee on General Laws Committee
 04/21/2009 Voted Do Pass H Special Standing Committee on General Laws Committee
 04/21/2009 Reported Do Pass H Special Standing Committee on General Laws Committee (H1195)
 04/21/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1195)
 04/21/2009 Hearing Conducted H Rules Committee
 04/21/2009 Voted Do Pass H Rules Committee
 04/21/2009 Reported Do Pass H Rules Committee (H1196)
 04/27/2009 H Calendar S Bills for Third Reading

EFFECTIVE: August 28, 2009

*** SB 142 ***

0241S.011

SENATE SPONSOR: Bartle

SB 142 - Under current law, the sunset act terminates new programs six years after their effective date unless the program is reauthorized. If the program is reauthorized, the program will terminate twelve years from the date of reauthorization. This act modifies the sunset act to terminate new programs three years from their effective date and, if reauthorized, programs will terminate three years from the date of reauthorization. This act requires the Joint Committee on Tax Policy to review all state tax credit programs which are not currently subject to a sunset. The joint committee is required to report its findings to the General Assembly. Effective December 31, 2013, no tax credits, authorized under programs which are not subject to a sunset, may be issued unless the general assembly adopts a concurrent resolution approving and re-authorizing such tax credit program after it has been reviewed by the joint committee, or a general law is enacted modifying provisions of such tax credit program. Any tax credit program re-authorized in accordance with this act will be deemed a new program and thus subject to the sunset act's three year sunset provision.

This act is similar to Senate Bill 735 (2008).

JASON ZAMKUS

12/23/2008 Prefiled
 01/07/2009 S First Read--SB 142-Bartle (S20)

01/22/2009 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S172)

02/19/2009 Hearing Conducted S Governmental Accountability and Fiscal Oversight Committee

EFFECTIVE: August 28, 2009

*** SB 143 ***

0375S.011

SENATE SPONSOR: Mayer

SB 143 - Under this act, the Department of Agriculture shall require licensed grain dealers to document the cost difference between a grain's cash price and its futures price for every sales transaction of grain. The documentation must include an explanation of how the dealer determined the difference. Dealers must report this information to the Department at least monthly. Dealers shall be subject to a penalty of between \$200 and \$1,000 per violation for failure to comply with any of the requirements of the act.

ERIKA JAQUES

12/29/2008 Prefiled

01/07/2009 S First Read--SB 143-Mayer (S20)

01/22/2009 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S172)

02/18/2009 Hearing Cancelled S Agriculture, Food Production and Outdoor Resources Committee

EFFECTIVE: August 28, 2009

*** SB 144 ***

0823S.011

SENATE SPONSOR: Wright-Jones

SCS/SB 144 - This act provides that, subject to appropriations, two Prostate Cancer Pilot Programs shall be established within the Department of Health and Senior Services. One program shall be in the St. Louis area and one in either Pemiscot, New Madrid, or Dunklin counties. Once appropriated, the program shall fund prostate cancer screening and treatment services. The department shall distribute grants to local health departments and federally qualified health centers. This act also requires the program to provide cancer screening, referral services, treatment, and outreach and education activities.

The program is open to uninsured or economically challenged men who are older than 50 years of age and uninsured or economically challenged men between 35 and 50 years of age who are at high risk for prostate cancer. An uninsured man is defined as one for whom services provided by the program are not covered by private insurance, MO HealthNet, or Medicare, while an economically challenged man is one who has a gross income up to 150 percent of the federal poverty level. The department shall promulgate rules establishing guidelines regarding eligibility and for implementation of the program.

The department is required to report to the Governor and the General Assembly regarding the number of individuals screened and treated by the program and any cost savings as a result of early treatment of prostate cancer three years from the date on which the grants were first administered under the act. This act will expire six years from the effective date, unless reauthorized by the General Assembly.

This act is similar to HB 2441 (2008).

ADRIANE CROUSE

12/31/2008 Prefiled

01/07/2009 S First Read--SB 144-Wright-Jones and Smith (S20)

01/22/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S172)

02/10/2009 Hearing Conducted S Health, Mental Health, Seniors and Families Committee

02/17/2009 SCS Voted Do Pass S Health, Mental Health, Seniors and Families Committee (0823S.03C)

EFFECTIVE: August 28, 2009

*** SB 145 ***

0822S.011

SENATE SPONSOR: Wright-Jones

SB 145 - Under the act, individuals who request fifty or more voter registration applications who are not deputy registration officials must be 18 and file with the secretary of state the person's name, address, telephone number, whether the person is making the request on behalf of a group or organization, and a description of each group or organization for which the request is made. A signed affirmation that the

information submitted is true must accompany the filing.

Any person who knowingly signs a name other than his or her own to a voter registration application is guilty of a class one election offense. Such persons will be guilty of a Class B felony. Persons who provide identification to an election official to cast a ballot with the knowledge that the identification is false shall be guilty of a Class B felony. Individuals who willfully and falsely complete any certificate, affidavit or ballot of another individual in relation to absentee ballots are guilty of a Class B felony.

The Secretary of State shall provide computer-based registration training to persons making requests for voter registration applications.

This act is similar to SB 1125 (2006), SB 229 (2007), and SB 1083 (2008).

CHRIS HOGERTY

12/31/2008 Prefiled

01/07/2009 S First Read--SB 145-Wright-Jones (S20)

01/22/2009 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S172)

03/23/2009 Hearing Conducted S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2009

*** SB 146 ***

0799S.011

SENATE SPONSOR: Dempsey

SB 146 - This act increases the amount of tax credits available for taxpayers who modify their home to be accessible for seniors or disabled people who reside with such taxpayer. Under current law, up to one hundred thousand dollars in tax credits remaining unused under the rebuilding communities tax credit program are allocated for use by taxpayers who modify their homes for disabled persons residing with such taxpayers. This act increases the amount of available tax credits by allocating all unused tax credits under the rebuilding communities tax credit program for use by taxpayers who modify their homes for seniors or disabled persons residing with such taxpayers. The rebuilding communities tax credit program is capped at ten million dollars annually. Constructing additional rooms in the dwelling or a new structure on the property for the purpose of accommodating the senior or disabled person is added as a new eligible cost for which the tax credit may be claimed.

This act is substantially similar to a provision in SS/SCS/SB 1283 (2008) and to SB 717 (2008).

ADRIANE CROUSE

01/05/2009 Prefiled

01/07/2009 S First Read--SB 146-Dempsey (S20)

01/22/2009 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S172)

02/05/2009 Hearing Conducted S Governmental Accountability and Fiscal Oversight Committee

EFFECTIVE: August 28, 2009

*** SB 147 ***

HCS SB 147

0800L.04C

SENATE SPONSOR: Dempsey

HOUSE HANDLER: Zerr

HCS/SB 147 -This act requires the Governor's Council on Physical Fitness and Health to develop the Missouri Healthy Workplace Recognition Program for the purpose of granting official state recognition to employers with more than fifty employees for excellence in promoting health, wellness, and prevention. The criteria for awarding such recognition shall include at a minimum whether the employer offers workplace wellness programs, incentives for healthier lifestyles, opportunities for active community involvement and exercise, and encouragement of well visits with health care providers. This program has a six-year sunset clause.

This act is substantially similar to a provision in SS/SCS/SB 1283 (2008).

ADRIANE CROUSE

01/05/2009 Prefiled

01/07/2009 S First Read--SB 147-Dempsey (S20)

01/22/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S172)

02/03/2009 Hearing Conducted S Health, Mental Health, Seniors and Families Committee
 02/10/2009 Voted Do Pass S Health, Mental Health, Seniors and Families Committee - Consent
 02/11/2009 Reported from S Health, Mental Health, Seniors and Families Committee to Floor - Consent (S286)
 02/23/2009 S Third Read and Passed - Consent (S355-356 / H372)
 02/23/2009 H First Read (H372)
 02/24/2009 H Second Read (H381)
 03/31/2009 Referred H Health Care Policy Committee (H819)
 04/08/2009 Hearing Conducted H Health Care Policy Committee
 04/08/2009 HCS Voted Do Pass H Health Care Policy Committee - Consent
 04/08/2009 HCS Reported Do Pass H Health Care Policy Committee - Consent (H1001)
 04/08/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1001)
 04/14/2009 Hearing Conducted H Rules Committee
 04/14/2009 Voted Do Pass H Rules Committee - Consent
 04/14/2009 Reported Do Pass H Rules Committee - Consent (H1042)
 04/27/2009 H Consent Calendar w/HCS

EFFECTIVE: August 28, 2009

*** SB 148 ***

0805S.011

SENATE SPONSOR: Dempsey

SB 148 - This act provides an income tax deduction in the amount equal to 100% of the premium paid by the taxpayer during the taxable year for high deductible health plans established and used with a health savings account under the applicable provisions of the Internal Revenue Code to the extent the amount is not deducted on the taxpayer's federal income tax return for that taxable year.

This act is substantially similar to a provision in SS/SCS/SB 1283 (2008).
 ADRIANE CROUSE

01/05/2009 Prefiled
 01/07/2009 S First Read--SB 148-Dempsey (S20)
 01/22/2009 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S172)

EFFECTIVE: August 28, 2009

*** SB 149 ***

0809S.011

SENATE SPONSOR: Dempsey

SCS/SB 149 - This act enacts provisions relating to health care technology.

TRANSPARENCY OF HEALTH CARE SERVICES

This act establishes guidelines for transparency in pricing and quality of health care services. Criteria is established for insurers to use in programs that publicly assess and compare the quality and cost efficiency of health care providers.

A person who sells or distributes health care quality and cost efficiency data in a comparative format to the public is required to identify the source used to confirm the validity of the data and its analysis as an objective indicator of health care quality. This provision does not apply to articles or research studies that are published in peer-reviewed academic journals, nonprofit community-based organizations, or by state or local governments. SECTIONS 191.1005 to 191.1008

INTERNET WEB-BASED PRIMARY CARE ACCESS PILOT PROJECT

This act requires the General Assembly to appropriate 400,000 dollars from the health care technology fund to the department of social services to award a grant to implement an internet web-based primary care access pilot project designed as a collaboration between private and public sectors to connect, where appropriate, a patient with a primary care medical home, and schedule patients into available community-based appointments as an alternative to non-emergency use of the hospital emergency room as consistent with federal law and regulations. The criteria for the grant are specified in the act. SECTION 191.1200

TELEHEALTH

This act expresses the state's recognition of the delivery of health care via telehealth as a safe, practical and necessary practice in the state. By January 1, 2010, the Department of Health and Senior Services shall promulgate quality control rules to be used in removing and improving the service of telehealth practitioners. SECTIONS 191.1250 to 191.1277

This act is similar to portions of HB 497(2009) and SS/SCS/SB 1283 (2008).

ADRIANE CROUSE

01/05/2009 Prefiled
 01/07/2009 S First Read--SB 149-Dempsey (S20)
 01/22/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S172)
 03/03/2009 Hearing Conducted S Health, Mental Health, Seniors and Families Committee
 03/24/2009 SCS Voted Do Pass S Health, Mental Health, Seniors and Families Committee (0809S.03C)

EFFECTIVE: August 28, 2009

*** SB 150 ***

0941S.011

SENATE SPONSOR: Griesheimer

SB 150 - This act specifies that any money paid after June 30, 2010, as overtime or compensatory time to members of the Missouri Department of Transportation and Highway Patrol Employees' Retirement System (MPERS) shall not be included in the calculation of average compensation for the closed plan and shall not be included in the calculation of final average pay for the year 2000 plan.

EMILY KALMER

01/06/2009 Prefiled
 01/07/2009 S First Read--SB 150-Griesheimer (S20)
 01/22/2009 Second Read and Referred S Veterans' Affairs, Pensions and Urban Affairs Committee (S172)

EFFECTIVE: August 28, 2009

*** SB 151 ***

0440S.011

SENATE SPONSOR: Clemens

SB 151 – Current law requires high school students to complete a personal finance course in order to graduate. This act requires them to fulfill that requirement by completing a course offered by their school district or the virtual public school. Students will not be able to test out of the requirement.

This act is identical to SB 1232 (2008).

MICHAEL RUFF

01/06/2009 Prefiled
 01/07/2009 S First Read--SB 151-Clemens and Engler (S20)
 01/26/2009 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S182)
 02/16/2009 Hearing Conducted S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2009

*** SB 152 ***

HCS SCS SB 152

0785L.04C

SENATE SPONSOR: Clemens

HOUSE HANDLER: Loehner

HCS/SCS/SB 152 - This act modifies the definition of eligible student for the Nursing Student Loan Program to include doctoral students and to allow full time or part-time doctoral students in certain programs to be eligible for the loan program.

This act is similar to HCS/HB 247 (2009).

EMILY KALMER

01/06/2009 Prefiled
 01/07/2009 S First Read--SB 152-Clemens (S20)
 01/26/2009 Second Read and Referred S Education Committee (S182)
 02/04/2009 Hearing Conducted S Education Committee
 02/11/2009 SCS Voted Do Pass S Education Committee (0785S.03C) - Consent
 02/18/2009 Reported from S Education Committee to Floor w/SCS - Consent (S327)

02/25/2009 SCS S adopted (S388-389)
 02/25/2009 S Third Read and Passed - Consent (S389 / H422)
 02/26/2009 H First Read (H422)
 03/02/2009 H Second Read (H428)
 03/30/2009 Referred H Higher Education Committee (H790)
 04/07/2009 Hearing Conducted H Higher Education Committee
 04/09/2009 HCS Voted Do Pass H Higher Education Committee - Consent
 04/09/2009 HCS Reported Do Pass H Higher Education Committee - Consent (H1021)
 04/09/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1021)
 04/14/2009 Hearing Conducted H Rules Committee
 04/14/2009 Voted Do Pass H Rules Committee - Consent
 04/14/2009 Reported Do Pass H Rules Committee - Consent (H1042)
 04/27/2009 H Consent Calendar w/HCS

EFFECTIVE: August 28, 2009

*** SB 153 *** SCS SB 153

0122S.03P

SENATE SPONSOR: Clemens

HOUSE HANDLER: Cunningham

SCS/SB 153 - Under current law, co-op's are provided an exception to the prohibition on milk processors and distributors giving monetary incentives for the purchase of their milk products. This act re-words this exception by expressly stating that any return on savings, or any economic benefit or service, given by a co-op to its members for the purchase of milk products shall not be considered a violation.

This act is identical to HCS/HB 251 (2009).

ERIKA JAQUES

01/06/2009 Prefiled
 01/07/2009 S First Read--SB 153-Clemens (S20)
 01/26/2009 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S182)
 02/11/2009 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee
 02/18/2009 SCS Voted Do Pass S Agriculture, Food Production and Outdoor Resources Committee (0122S.03C) - Consent
 02/25/2009 Reported from S Agriculture, Food Production and Outdoor Resources Committee to Floor w/SCS - Consent (S384)
 03/04/2009 SCS S adopted (S471)
 03/04/2009 S Third Read and Passed - Consent (S471 / H495)
 03/05/2009 H First Read (H495)
 03/06/2009 H Second Read (H501)
 03/30/2009 Referred H Special Standing Committee on Emerging Issues in Animal Agriculture Committee (H790)
 04/07/2009 Hearing Conducted H Special Standing Committee on Emerging Issues in Animal Agriculture Committee
 04/07/2009 Voted Do Pass H Special Standing Committee on Emerging Issues in Animal Agriculture Committee
 04/09/2009 Reported Do Pass H Special Standing Committee on Emerging Issues in Animal Agriculture Committee (H1024)
 04/09/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1024)
 04/21/2009 Hearing Conducted H Rules Committee
 04/21/2009 Voted Do Pass H Rules Committee
 04/21/2009 Reported Do Pass H Rules Committee (H1196)
 04/27/2009 H Calendar S Bills for Third Reading

EFFECTIVE: August 28, 2009

*** SB 154 *** HCS SB 154

0965L.03C

SENATE SPONSOR: Goodman

HOUSE HANDLER: Wallace

HCS/SB 154 - This act authorizes a nonprofit sewer company to also provide domestic water services, as long as the areas served are not within the boundaries already served by a public water supply district, municipal utility, or water company.

This act is similar to SB 245 (2007).

ERIKA JAQUES

01/06/2009 Prefiled
 01/07/2009 S First Read--SB 154-Goodman (S21)
 01/26/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S183)
 02/04/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee
 02/09/2009 Voted Do Pass S Jobs, Economic Development and Local Government Committee - Consent
 02/11/2009 Reported from S Jobs, Economic Development and Local Government Committee to Floor - Consent (S286)
 02/23/2009 S Third Read and Passed - Consent (S355 / H372)
 02/23/2009 H First Read (H372)
 02/24/2009 H Second Read (H381)
 03/30/2009 Referred H Rural Community Development Committee (H790)
 04/08/2009 Hearing Conducted H Rural Community Development Committee
 04/08/2009 HCS Voted Do Pass H Rural Community Development Committee - Consent
 04/08/2009 HCS Reported Do Pass H Rural Community Development Committee - Consent (H1002)
 04/08/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1002)
 04/14/2009 Hearing Conducted H Rules Committee
 04/14/2009 Voted Do Pass H Rules Committee - Consent
 04/14/2009 Reported Do Pass H Rules Committee - Consent (H1042)
 04/27/2009 H Consent Calendar w/HCS

EFFECTIVE: August 28, 2009

*** SB 155 ***

0870S.011

SENATE SPONSOR: Goodman

SB 155 - The Office of Administration shall administer the Missouri Accountability Portal website to provide the public with information relating to state contracts and tax credit issuance. The Governor shall submit ordered and detailed information regarding state contracts as part of the state budget.

This act is similar to HB 975 (2007) and SB 1204 (2008).

CHRIS HOGERTY

01/06/2009 Prefiled
 01/07/2009 S First Read--SB 155-Goodman (S21)
 01/26/2009 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S183)
 02/05/2009 Hearing Scheduled But Not Heard S Governmental Accountability and Fiscal Oversight Committee
 02/12/2009 Hearing Conducted S Governmental Accountability and Fiscal Oversight Committee
 03/05/2009 Voted Do Pass S Governmental Accountability and Fiscal Oversight Committee - Consent
 03/12/2009 Reported from S Governmental Accountability and Fiscal Oversight Committee to Floor - Consent (S619)
 03/23/2009 Removed S Consent Calendar (S655)

EFFECTIVE: August 28, 2009

*** SB 156 ***

0871S.01P

SENATE SPONSOR: Goodman

HOUSE HANDLER: Wood

SB 156 - This act specifies that any use of travel club membership benefits during the three-day rescission period of the membership contract will not effectively waive the member's right to rescind the contract.

This act is identical to House Bill 83 (2009).

JASON ZAMKUS

01/06/2009 Prefiled
 01/07/2009 S First Read--SB 156-Goodman (S21)
 01/26/2009 Second Read and Referred S General Laws Committee (S183)
 02/03/2009 Hearing Conducted S General Laws Committee

02/10/2009 Voted Do Pass S General Laws Committee - consent
 02/11/2009 Reported from S General Laws Committee to Floor - Consent (S287)
 02/23/2009 S Third Read and Passed - Consent (S356 / H372)
 02/23/2009 H First Read (H372)
 02/24/2009 H Second Read (H381)
 03/30/2009 Referred H Small Business Committee (H790)
 04/08/2009 Hearing Conducted H Small Business Committee
 04/08/2009 Voted Do Pass H Small Business Committee - Consent
 04/08/2009 Reported Do Pass H Small Business Committee - Consent (H1002)
 04/08/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1002)
 04/14/2009 Hearing Conducted H Rules Committee
 04/14/2009 Voted Do Pass H Rules Committee - Consent
 04/14/2009 Reported Do Pass H Rules Committee - Consent (H1042)
 04/27/2009 H Consent Calendar

EFFECTIVE: August 28, 2009

*** SB 157 *** HCS SCS SB 157

0935L.06C

SENATE SPONSOR: Schmitt

HOUSE HANDLER: Scharnhorst

HCS/SCS/SB 157 - This act codifies the five regional autism projects currently serving persons with autism and their families through the Division of Developmental Disabilities within the Department of Mental Health. The regional projects may provide certain services, including assessment, advocacy, communication and language therapy, crisis intervention, life skills, and respite care. The list of services that may be provided are specified in the act.

The regional autism projects shall each have a regional parent advisory council and the division shall establish the Missouri parent advisory committee on autism. The act specifies the membership and duties of the council and advisory committee. The division shall establish such programs and services in conjunction with persons with autism, the families of persons with autism, the regional parent advisory councils, and the Missouri parent advisory committee on autism.

This act is substantially similar to HCS/HB 525 (2009).

ADRIANE CROUSE

01/06/2009 Prefiled
 01/07/2009 S First Read--SB 157-Schmitt (S21)
 01/26/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S183)
 02/10/2009 Hearing Conducted S Health, Mental Health, Seniors and Families Committee
 02/17/2009 SCS Voted Do Pass S Health, Mental Health, Seniors and Families Committee (0935S.03C) - Consent
 02/18/2009 Reported from S Health, Mental Health, Seniors and Families Committee to Floor w/SCS - Consent (S327)
 02/25/2009 SCS S adopted (S387)
 02/25/2009 S Third Read and Passed - Consent (S387 / H422)
 02/26/2009 H First Read (H422)
 03/02/2009 H Second Read (H428)
 03/30/2009 Referred H Health Care Policy Committee (H790)
 04/08/2009 Hearing Conducted H Health Care Policy Committee
 04/08/2009 HCS Voted Do Pass H Health Care Policy Committee - Consent
 04/08/2009 HCS Reported Do Pass H Health Care Policy Committee - Consent (H1001)
 04/08/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1001)
 04/14/2009 Hearing Conducted H Rules Committee
 04/14/2009 Voted Do Pass H Rules Committee - Consent
 04/14/2009 Reported Do Pass H Rules Committee - Consent (H1042)
 04/27/2009 H Consent Calendar w/HCS

EFFECTIVE: August 28, 2009

*** SB 158 ***

0784S.011

SENATE SPONSOR: Clemens

SB 158 - This act provides that the Department of Agriculture has jurisdiction over the interstate and

intrastate movement of animals as it relates to the health and management of privately-owned captive deer. Deer owners shall be responsible for costs incurred by the department for any inspections conducted under the act.

ERIKA JAQUES

01/06/2009 Prefiled

01/07/2009 S First Read--SB 158-Clemens (S21)

01/26/2009 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S183)

02/25/2009 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee

03/04/2009 Voted Do Pass S Agriculture, Food Production and Outdoor Resources Committee

EFFECTIVE: August 28, 2009

*** SB 159 ***

0444S.011

SENATE SPONSOR: Clemens

This bill has been combined with SB 261

01/06/2009 Prefiled

01/07/2009 S First Read--SB 159-Clemens and Goodman (S21)

01/26/2009 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S183)

02/02/2009 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee

02/16/2009 Bill Combined w/(SCS/SBs 261, 159, 180, &181) (1517S.04C)

EFFECTIVE: August 28, 2009

*** SB 160 ***

0665S.011

SENATE SPONSOR: Crowell

SB 160 - This act changes the scheduling of ephedrine, pseudoephedrine, and phenylpropanolamine to be Schedule III controlled substances. Such Schedule III drugs require a doctor's prescription to be obtained. However, any dietary supplements, herbs, or natural products that are not otherwise prohibited by law and that contain naturally occurring ephedrine alkaloids in a matrix or organic material such that the substances do not exceed fifteen percent of the total weight of the supplements, herbs, or natural products, shall be exempt from the Schedule III status as a controlled substance.

Also, upon written application by a manufacturer, the Department of Health may exempt by rule, any product containing ephedrine, pseudoephedrine, or phenylpropanolamine because it is formulated to effectively prevent conversion of the active ingredient into methamphetamine, from the scheduling of the substances. Upon notification of the state highway patrol that it has probable cause to believe an exempt product does not effectively prevent conversion of the active ingredient into methamphetamine, the department may issue an emergency rule revoking the exemption pending a full hearing.

Because of the scheduling change of these substances, the provisions governing the logging and storing of information regarding over-the-counter sales of such substances are no longer necessary and are repealed.

SUSAN HENDERSON MOORE

01/07/2009 S First Read--SB 160-Crowell (S22)

01/26/2009 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S183)

02/16/2009 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2009

*** SB 161 ***

0728S.01P

SENATE SPONSOR: Crowell

HOUSE HANDLER: Viebrock

SB 161 - This act removes language requiring that the board of trustees of police and firemen's pension systems invest and reinvest the pension systems' money subject to the terms, conditions, limitations or restrictions imposed by law on life insurance or casualty companies. The act also provides that the boards invest the funds of the systems as permitted by Sections 105.687 to 105.690, RSMo, which contains the "prudent investor" standard, as well as other duties for investment fiduciaries.

This act is similar to SB 997 (2008).

EMILY KALMER

01/07/2009 S First Read--SB 161-Crowell (S22)
 01/26/2009 Second Read and Referred S Veterans' Affairs, Pensions and Urban Affairs Committee (S183)
 03/05/2009 Hearing Conducted S Veterans' Affairs, Pensions and Urban Affairs Committee
 03/12/2009 Voted Do Pass S Veterans' Affairs, Pensions and Urban Affairs Committee - Consent
 03/12/2009 Reported from S Veterans' Affairs, Pensions and Urban Affairs Committee to Floor - Consent (S620)
 03/30/2009 S Third Read and Passed - Consent (S805-806 / H792)
 03/30/2009 H First Read (H792)
 03/31/2009 H Second Read (H804)
 03/31/2009 Referred H Retirement Committee (H819)
 04/09/2009 Hearing Conducted H Retirement Committee
 04/09/2009 Voted Do Pass H Retirement Committee - Consent
 04/09/2009 Reported Do Pass H Retirement Committee - Consent (H1022)
 04/09/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1022)
 04/14/2009 Hearing Conducted H Rules Committee
 04/14/2009 Voted Do Pass H Rules Committee - Consent
 04/14/2009 Reported Do Pass H Rules Committee - Consent (H1042)
 04/27/2009 H Consent Calendar

EFFECTIVE: August 28, 2009

*** SB 162 ***

0921S.011

SENATE SPONSOR: Crowell

SB 162 - The Office of Administration shall administer the Missouri Accountability Portal website to provide the public with information relating to state contracts and tax credit issuance. The Governor shall submit ordered and detailed information regarding state contracts as part of the state budget.

This act is similar to HB 975 (2007) and SB 1204 (2008).

CHRIS HOGERTY

01/07/2009 S First Read--SB 162-Crowell (S22)
 01/26/2009 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S183)
 02/19/2009 Hearing Conducted S Governmental Accountability and Fiscal Oversight Committee

EFFECTIVE: August 28, 2009

*** SB 163 ***

0543S.011

SENATE SPONSOR: Justus

SB 163 - This act authorizes an individual income tax deduction, for tax years beginning on or after January 1, 2009, for taxpayers who purchase a qualified hybrid vehicle, powered by a combination of an electric motor and gasoline engine, which is manufactured in the United States. The deduction is limited to the lesser of ten percent of the vehicle's purchase price or two thousand dollars. The provisions of the act will expire on December thirty-first six years from the effective date.

This act is similar to the perfected version of the HCS/HB 1326 (2008).

JASON ZAMKUS

01/08/2009 S First Read--SB 163-Justus (S80)
 01/26/2009 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S183)
 02/12/2009 Hearing Conducted S Governmental Accountability and Fiscal Oversight Committee

EFFECTIVE: August 28, 2009

*** SB 164 ***

1026S.011

SENATE SPONSOR: Justus

This bill has been combined with SB 165

01/08/2009 S First Read--SB 164-Justus (S80)
 01/26/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S183)
 02/11/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee
 02/18/2009 Bill Combined w/SCS/SBs 165, 164, 248, 168 S Jobs, Economic Development and Local Government Committee

EFFECTIVE: August 28, 2009

*** SB 165 *** HCS SCS SBs 165, 164, 248 & 168

0920L.03C

SENATE SPONSOR: Justus

HOUSE HANDLER: Diehl

HCS/SCS/SB's 165, 164, 248 & 168 - This act modifies provisions of law regarding political subdivisions.

SECTION 66.430, 66.431, 66.433, 66.434, 66.435

Allows the governing bodies of charter counties to create parks, trails and greenway districts, and impose a sales tax to fund the support of parks, trails, and greenways in such district. The act provides for the membership, duties and powers of board of directors of such directors.

SECTION 67.456

Currently, assessed costs on property divided into parcels within a neighborhood improvement district are recalculated and reassessed proportionally to each of the divided parcels. The bill allows the city or county that formed the district sixty days after the recordation of proof of parcel division to reallocate the costs according to the method of assessment established in the ballot question or petition forming the district, otherwise the proportional assessment method must be utilized.

SECTION 67.585

Authorizes Jefferson County, upon voter approval, to impose by order or resolution a retail sales tax of up to one-half of one percent for funding the public health and safety projects and programs of the county public health center. The tax can only be imposed in conjunction with a property tax reduction for each year in which the sales tax is imposed. The sales tax revenue must be deposited into the newly created County Public Health Center Improvement Sales Tax Fund to be used solely for the specified purposes, except that one percent of such revenue will be deposited into the General Revenue Fund for the cost of collection.

SECTION 67.1000

Current law allows any county, city which is the county seat of any county, and various other cities to impose a tax, not to exceed five percent per room per night, on charges for sleeping rooms paid by guests of hotels and motels. This act increases the maximum levy from five percent to seven percent. Such increase will become effective only upon voter approval.

This provision is similar to Senate Bill 900 (2008).

SECTION 67.1080

Authorizes counties to seek voter approval for the extension of certain taxes which, by law, are set to terminate after a term of years and provides ballot language for the submission of such question to voters.

SECTION 67.1360

Authorizes Montgomery County and the cities of Ashland, Centralia, Excelsior Springs and Sugar Creek to seek voter approval to impose a transient guest tax upon charges for all sleeping rooms paid by guests of hotels, motels, bed and breakfast inns and campgrounds for the purpose of promoting tourism. The tax must be at least two percent, but may not exceed five percent per occupied room per night.

SECTIONS 67.1401, 67.1421, 67.1451, 67.1461, 67.1521, 67.1545, 67.1551

Change the basis of the determination of ownership of property within the community improvement district to the real estate records of the recorder of deeds where the district is located. Currently, for various purposes under the community improvement district law, the determination is made from the tax records maintained by the county clerk. A district board is allowed to include up to five legally authorized representatives of any business operating within the district if there are fewer than five real property owners within a district. Currently, every district is governed by a board with five to thirty directors, who are either owners of real property or of a business operating within the district. The act specifies the manner in which a director's term will be determined when all directors receive the same number of votes regarding their term limits. The powers that the district can exercise outside the district's boundaries are expanded to include

acquiring real and personal property; abating public nuisances; constructing, maintaining, or operating a variety of public improvements, including transportation; and permissively regulating municipal traffic. Districts located in a blighted area are authorized to contract with any private property owner to acquire property owned or to be owned by a private property owner. Approval of a district sales tax may be obtained by an election within the district or, if no registered voters live within the district, by a unanimous petition of one hundred percent of the district's property owners verified by the board of directors. A district may conduct an election pursuant to the Comprehensive Election Act of 1977 under Sections 115.005 - 115.646, RSMo, or with mail-in ballots pursuant to Sections 115.650 - 115.660. Section 115.005 will not apply to these provisions.

SECTION 67.2000

The act allows real property owners in Caldwell, Clinton, Davies, and DeKalb counties to seek voter approval for the creation of exhibition center and recreational facility districts. If such a district is created, it may seek voter approval for the imposition of a one-quarter of one percent sales tax, for a period not to exceed twenty-five years, to fund the district.

SECTION 94.271

Authorizes the City of Grandview to impose, upon voter approval, a transient guest tax of up to five percent per occupied room, per night for the promotion of tourism.

SECTION 94.400

Currently, constitutional charter cities with between ten thousand and three hundred thousand inhabitants are authorized to levy property taxes for certain municipal purposes. This bill expands this authorization to include any city with a population of not less than five thousand inhabitants.

SECTIONS 94.510, 94.550, 94.557, AND 94.900

Currently, under the general city sales tax law, cities may impose a city sales tax, upon voter approval, at a rate of one-half of one percent, seven-eighths of one percent, or one percent, and the City of St. Louis may impose the tax at a rate not to exceed one and three-eighths percent, for the benefit of the city. This act specifies that the combined rate of sales taxes adopted under the city sales tax law cannot exceed two percent. This change is not to be construed as a new tax or an increase in the current levy of an existing tax for the purpose of Section 22, Article X, of the Missouri Constitution, commonly known as the Hancock Amendment, which requires voter approval; and cities that have already imposed and collected taxes under the city sales tax law can continue to do so without voter approval as a continuation of a tax previously approved by the voters of the city.

Currently, under the capital improvements city sales tax law, cities not in St. Louis County may impose a sales tax, upon voter approval, at a rate of one-eighth, one-fourth, three-eighths, or one-half of one percent for the purpose of funding, operating, and maintaining capital improvements. Municipalities in charter counties are authorized to impose a capital improvements tax under Section 94.890, RSMo. This act specifies that the combined rate of sales taxes adopted under the capital improvement city sales tax law cannot exceed one percent. This change is not to be construed as a new tax or an increase in the current levy of an existing tax for the purpose of the Hancock Amendment which requires voter approval; and cities that have already imposed and collected taxes under the city sales tax law can continue to do so without voter approval as a continuation of a tax previously approved by the voters of the city. The act also authorizes the City of Peculiar and any city in Jefferson County to impose, upon voter approval, a sales tax of up to one-half of one percent for the operation of public safety departments including compensation, pension programs, health care, and additional equipment and facilities.

SECTION 94.902

Allows the City of Grandview to seek voter approval to levy a sales tax of up to one-half percent to fund public safety improvements for the city. Such improvements may include expenditures on equipment, city employee salaries and benefits, and facilities for police, fire, and emergency medical providers.

SECTION 94.903

Authorizes the City of St. Ann to impose, upon voter approval, a sales tax of one percent for the purpose of public safety improvements including equipment expenditures, compensation for city employees, and facilities for police, fire, and emergency medical providers.

SECTION 94.1011

Authorizes the City of Waynesville to impose, upon voter approval, a transient guest tax of up to three percent on all occupied hotel and motel rooms. The tax must be used to fund the construction, maintenance,

and repair of a multipurpose conference and convention center.

SECTION 115.350

Prohibits an individual who has been found guilty of or pled guilty or nolo contendere to a felony in Missouri, to any crime committed in any other jurisdiction that would be a felony if committed in Missouri, or to any federal felony or misdemeanor from qualifying as a candidate for elective public office including any elective public office of any political subdivision. Crimes involving misconduct in public office or dishonesty whether classified as misdemeanors or felonies will also disqualify an individual.

SECTION 137.1040

The governing body of any city, town, village or county is authorized to submit a proposal to the voters of such city, town village or county allowing the municipality to impose a property tax to fund cemetery maintenance. The tax authorized under this act shall not exceed one fourth of one cent per one hundred dollars assessed valuation and shall not become effective until approved by the voters of the city, town village or county.

SECTION 141.160

Provides that the collectors in St. Louis County and Jackson County must collect an additional five percent fee for the collection of delinquent and back taxes to be paid into the county's general fund.

SECTION 144.030

Exempts sporting clays, wobble, skeet, and trap sold to any shooting range or other place of amusement for ultimate use and consumption by patrons of such range or place of amusement from state and local sales and use tax.

SECTION 182.802

Authorizes public library districts to seek voter approval for a sales tax of not more than one half of one cent to fund the operation, and maintenance of libraries within the boundaries of such library district. Public library districts are defined as any city library district, county library district, city-county library district, municipal library district, consolidated library district or urban library district.

SECTION 204.569

Authorizes sewer subdistricts that are part of a common sewer district located in the counties of Cass and Jackson to issue bonds for undertaking certain activities in the subdistrict.

SECTION 206.165

Authorizes hospital districts in certain counties, including Ripley County, upon voter approval, to abolish the hospital district property tax and impose a retail sales tax of up to one percent for the purpose of funding the hospital district. Moneys collected from the tax will be deposited into the newly created Hospital District Sales Tax Fund with one percent of such revenues retained and deposited into general revenue by the Director of the Department of Revenue for the cost of collection.

SECTION 231.444

Allows Chariton and Carroll Counties to impose a tax of one dollar per acre of agricultural and horticultural property to fund the purchase of road rock for use in the county.

SECTIONS 238.202, 238.208, 238.216, 238.220, 238.235, 238.257, AND 238.275

Defines "owner" as used in the transportation development district law. An alternative method by which property may be added to a district by the unanimous petition of the qualified voters within the area to be added, followed by public notice and a public hearing by the district board is authorized. If a written objection signed by at least ten percent of the qualified voters within the district is filed within seven days after the public hearing, the issue must be submitted to the qualified voters within the proposed limits of the district. Currently, property may be added to a district by the unanimous petition of the owners of the property to be added and the unanimous approval of the property owners within the district. The act specifies the method by which the vote of a non-individual in a director election will be cast if no mechanism for that determination is specified in its organizational or operating documents. The requirement that directors be residents of the district is repealed. The effective date of any sales tax authorized in the transportation development district law is changed to the first day of the month designated by the board. Currently, the tax becomes effective on the first day of the month following its adoption. A decrease in the number of projects a board is authorized to complete upon a majority vote of the board is permitted. Currently, if a board wants to decrease the number of projects, it must submit the issue to the voters of the district. The act authorizes a district to begin district

dissolution election proceedings after it has provided for the completion and funding of its project and has transferred ownership and control of the project to the Highways and Transportation Commission or a local transportation authority. A district is also authorized to begin district dissolution proceedings by petition to a circuit court after it has completed a project or provided for the completion and funding of its project and has transferred ownership and control of the project to the commission or a local transportation authority.

SECTION 321.227

Allows any fire protection district in St. Louis County which has property contained within its boundaries that is subject to tax abatement or a redistribution of tax revenues to impose, upon voter approval, a sales tax of up to one percent on all retail sales within the fire protection district. Revenues collected from the sales tax will be deposited into the newly created Fire Protection District Sales Tax Fund. Ninety percent of the revenue will be distributed to the fire protection district from which the sales tax was collected, and ten percent will be distributed to the fire protection districts per capita based upon the population of each distressed fire protection district. Any fire protection district imposing the sales tax must reduce the district's property tax rate by an amount sufficient to decrease property tax revenues by fifty of the previous year's revenue received from the fund.

SECTION 429.110

Requires lien notices to be recorded rather than filed and imposes a fee for recording such notices.

SECTIONS 488.012 AND 488.075

Add an additional three dollar fee to all cases to be deposited into the circuit clerk's preservation fund. Two dollars is to be retained by the clerk and used for record storage and public access to records, and one dollar will be forwarded to the Secretary of State for additional record preservation.

SECTIONS 650.396 AND 650.399

Under current law, any county which has established an emergency communications system commission may, upon voter approval, levy and collect a property tax to fund the establishment, operation, and maintenance of an emergency communications system. This act would give such counties the option to seek voter approval to impose the property tax or a sales tax not to exceed one-tenth of one percent to fund the establishment, operation, and maintenance of an emergency communications system. The Department of Revenue will collect the sales tax revenues and deposit them into the newly created county emergency communications fund for distribution to the counties from which they were collected.

This act also repeals section 115.348 which prohibited any person, who had been found guilty of or pled guilty to a felony or misdemeanor under the federal laws of the United States of America, from qualifying as a candidate for elective public office in the state.

This act contains an emergency clause for the enactment of sections 204.569 and 206.165 of the act.
JASON ZAMKUS

01/08/2009 S First Read--SB 165-Justus (S80)
01/26/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S183)
02/11/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee
02/18/2009 SCS Voted Do Pass w/SCS/SBs 165, 164, 248, 168 S Jobs, Economic Development and Local Government Committee (0920S.02C) - Consent
02/25/2009 Reported from S Jobs, Economic Development and Local Government Committee to Floor w/SCS - Consent (S383)
03/04/2009 SCS S adopted (S467)
03/04/2009 S Third Read and Passed - Consent (S467 / H496)
03/05/2009 H First Read (H496)
03/06/2009 H Second Read (H501)
03/31/2009 Referred H Local Government Committee (H819)
04/08/2009 Hearing Conducted H Local Government Committee
04/08/2009 HCS Voted Do Pass H Local Government Committee
04/14/2009 HCS Reported Do Pass H Local Government Committee (H1040)
04/14/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1040)

EFFECTIVE: Varies

SB 166 - This act authorizes trustees of irrevocable trusts to distribute trust income and principal to qualified remainder beneficiaries under certain circumstances, including a lack of distributions from the trust for a ten-year period. This act also defines the domicile of a trust's creator for the purposes of publishing notice to creditors in a local newspaper.

This act is similar to HB 2273 (2008).

EMILY KALMER

01/08/2009 S First Read--SB 166-Justus (S80)

01/26/2009 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S183)

02/23/2009 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2009

*** SB 167 *** SS SCS SB 167

0845S.10P

SENATE SPONSOR: Rupp

SS/SCS/SB 167 - Under this act, health carriers that issue or renew health benefit plans on or after January 1, 2010, must provide individuals less than 18 years of age coverage for the diagnosis and treatment of autism spectrum disorders.

The act prohibits health carriers from denying or refusing to issue coverage on, refuse to contract with, or refuse to renew or refuse to reissue or otherwise terminating or restricting coverage on an individual or their dependent solely because the individual is diagnosed with an autism spectrum disorder.

The act sets forth the coverage limits for autism spectrum disorders. Coverage under the act is limited to treatment that is ordered by the insured's treating licensed physician or licensed psychologist, in accordance with a treatment plan.

The treatment plan shall include all elements necessary for the health benefit plan or health carrier to appropriately pay claims. Such elements include, but are not limited to, a diagnosis, proposed treatment by type, frequency and duration of treatment and goals.

Except for inpatient services, if an individual is receiving treatment for an autism spectrum disorder, a health carrier shall have the right to review the treatment plan not more than once every 6 months unless the health carrier and the individual's treating physician or psychologist agree that a more frequent review is necessary.

Coverage provided by the act for applied behavior analysis is subject to a maximum benefit of \$55,000 per year for individuals under the age of 15 (no coverage for applied behavior analysis is afforded to those 15 years of age or older). The annual maximum benefits for applied behavior analysis shall not be subject to any limits on the number of visits by an individual to an autism service provider for applied behavior analysis.

Coverage under the act for services other than applied behavior analysis shall not be subject to any limits on the number of visits an individual may make to an autism service provider.

After December 31, 2010, the director of the Department of Insurance, Financial and Professional Registration shall, on an annual basis, adjust the maximum benefit (for applied behavioral analysis) for inflation using the Medical Care Component of the United States Department of Labor Consumer Price Index for All Urban Consumers.

Payments made by a health carrier on behalf of a covered individual for any care, treatment, intervention, service or item, the provision of which was for the treatment of a health condition unrelated to the covered individual's autism spectrum disorder, shall not be applied toward any maximum benefit established under the act.

The health care services required by the act shall not be subject to any greater deductible, coinsurance or co-payment than other physical health care services provided by a health benefit plan.

To the extent any payments or reimbursements are being made for applied behavior analysis, such payments or reimbursements shall be made to either:

- (1) Any autism provider;

- (2) The person who is supervising an autism service provider, who is certified as a board certified behavior analyst by the Behavior Analyst Certification Board; or
- (3) The entity or group for whom such supervising person works or is associated.

The provisions of act shall not automatically apply to health benefit plan individually underwritten, but shall be offered as an option to any such plan.

The act provides the provisions of the autism mandate shall also apply to the following types of plans that are established, extended, modified or renewed on or after January 1, 2010:

- (1) All self-insured governmental plans, as that term is defined in 29 U.S.C. Section 1002(32);
- (2) All self-insured group arrangements, to the extent not preempted by federal law;
- (3) All plans provided through a multiple employer welfare arrangement, or plans provided through another benefit arrangement, to the extent permitted by the Employee Retirement Income Security Act of 1974, or any waiver or exception to that act provided under federal law or regulation; and
- (4) All self-insured school district health plans.

The provisions of the act do not apply to various forms of supplemental insurance policies such as specified disease policies or Medicare supplement policies.

The autism mandate shall apply to any health care plans issued to employees and their dependents under the Missouri Consolidated Health Care Plan on or after January 1, 2010.

This act provides that health carriers shall not be required to provide reimbursement for services delivered through early intervention or school services.

The provisions of this act are similar to provisions contained in HB 2351 (2008), SB 1229 (2008), and SB 1122 (2008).

STEPHEN WITTE

01/08/2009 S First Read--SB 167-Rupp (S80)
 01/26/2009 Second Read and Referred S Small Business, Insurance and Industry Committee (S183)
 02/17/2009 Hearing Conducted S Small Business, Insurance and Industry Committee
 03/03/2009 SCS Voted Do Pass S Small Business, Insurance and Industry Committee (0845S.07C)
 03/05/2009 Reported from S Small Business, Insurance and Industry Committee to Floor w/SCS (S528)
 03/24/2009 SS for SCS S offered (Rupp)--(0845S.10F) (S681)
 03/24/2009 SA 1 to SS for SCS S offered & defeated (Purgason)--(0845S10.01F) (S681-682)
 03/24/2009 SS for SCS S adopted (S682)
 03/24/2009 Perfected (S682)
 03/24/2009 Reported Truly Perfected S Rules Committee (S688)
 03/24/2009 Referred S Governmental Accountability and Fiscal Oversight Committee (S689)
 04/14/2009 Hearing Scheduled But Not Heard S Governmental Accountability and Fiscal Oversight Committee
 04/23/2009 Voted Do Pass S Governmental Accountability and Fiscal Oversight Committee
 04/23/2009 Reported from S Governmental Accountability and Fiscal Oversight Committee to Floor (S1186)
 04/23/2009 S Third Read and Passed (S1186-1187 / H1260)
 04/23/2009 H First Read (H1260)
 04/24/2009 H Second Read

EFFECTIVE: August 28, 2009

*** SB 168 ***

0750S.011

SENATE SPONSOR: Shoemyer

This bill has been combined with SB 165

01/08/2009 S First Read--SB 168-Shoemyer (S80)
 01/26/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S183)
 02/18/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee
 02/18/2009 Bill Combined w/SCS/SBs 165, 164, 248, 168 S Jobs, Economic Development and Local Government Committee

EFFECTIVE: August 28, 2009

*** SB 169 ***

1001S.011

SENATE SPONSOR: Shoemyer

SB 169 - This act provides that no applicant shall be enrolled in a Medicare Advantage plan until two business days have passed since the initial personal solicitation and the applicant has signed a disclosure form. Personal solicitation includes either an on-site presentation at a facility or a home meeting with an insurance agent. The disclosure shall be signed and dated by both the applicant and the agent on the day of the initial personal solicitation and shall include:

- A statement that Medicare Advantage plans are not Medigap supplement plans;
- A statement advising the applicant to confirm with his or her health care providers whether or not the provider has contracted with the Medicare Advantage plan to provide medical services; and
- A statement advising the applicant to contact either a trusted family member, friend or the state health insurance assistance program, known as CLAIM.

The director of the Department of Insurance, Financial Institutions and Professional Registration shall prescribe the format and content of the disclosure including size, color and prominence of type. Anyone who violates the provisions of this act shall be subject to civil penalties and fines.

This act is identical to SB 773 (2008).

ADRIANE CROUSE

01/08/2009 S First Read--SB 169-Shoemyer and Engler (S80)

01/26/2009 Second Read and Referred S Small Business, Insurance and Industry Committee (S183)

02/03/2009 Hearing Conducted S Small Business, Insurance and Industry Committee

EFFECTIVE: August 28, 2009

*** SB 170 ***

0083S.021

SENATE SPONSOR: Shoemyer

SB 170 - This act modifies the membership of the MO HealthNet Oversight Committee by adding an optometrist, a nurse, a mental health professional, a licensed physical therapist, as well as representatives from a not-for-profit health network serving rural counties and providing both patient-based and provider member services, the state association representing the majority of the long-term care facilities licensed in this state, the durable medical equipment industry, a Medicaid managed care organization, a rural health clinic and a federally qualified health clinic. This act also specifies that the committee shall have three patient advocates rather than two. Of the three advocates, one advocate shall represent children, one the disabled, and one the elderly community. In addition, rather than designating two primary care physicians and two physicians, the act now references four licensed physicians, two each from rural and urban areas, and board certified in their specialty.

This act is similar to SS/SCS/SB 821 (2008).

ADRIANE CROUSE

01/08/2009 S First Read--SB 170-Shoemyer (S80)

01/26/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S183)

EFFECTIVE: August 28, 2009

*** SB 171 ***

HCS SB 171

0545L.02C

SENATE SPONSOR: Griesheimer

HOUSE HANDLER: Schlottach

HCS/SB 171 - This act modifies various provisions relating to liquor control.

This act repeals the current provisions regulating nonintoxicating beer and requires such beer to be regulated in the same manner as other intoxicating liquors.

Currently, a liquor license may not be denied, suspended, or revoked based solely on the fact that an employee has a felony conviction unrelated to the manufacture or sale of alcohol if the employee does not directly participate in retail sales. Under this act, the employee would no longer be prohibited from directly participating in retail sales.

This act defines a "wine manufacturer" as a person, partnership, association, or corporation, who has properly procured a license, and who manufactures in excess of two hundred gallons of wine per calendar year.

Currently, it is a violation for a person with a license to sell liquor to sell liquor, or offer to sell liquor, brewed, manufactured or distilled by one manufacturer in substitution for, or with the representation that any such liquor is the product of another brewer, manufacturer, or distiller. Under this act, it shall not be a violation if such licensee sells, or offers to sell, wine or brandy, as long as the manufacturer of the wine or brandy has provided the Supervisor of Alcohol and Tobacco Control with a copy of the certificate of label approval issued by the Alcohol and Tobacco Tax and Trade Bureau, and if necessary, has properly registered such label or name with the appropriate state agency.

This act allows certain charitable, fraternal, religious, service, or veterans' organizations that are exempt from federal taxes and have a license to sell intoxicating liquor by the drink on their premises to open on Sundays at 9:00 a.m. instead of 11:00 a.m.

This act allows a restaurant bar without an onsite brewery that serves 45 or more different types of draft beer to sell 32 fluid ounces or more of beer to customers for consumption off the premises.

Under this act, no person or business shall have more than five liquor licenses, rather than three.

This act repeals certain liquor control provisions pertaining to wholesalers, including exceptions to the wholesaler price regulations and provisions requiring wholesalers to file a schedule with the Supervisor of Alcohol and Tobacco Control in order to operate. Instead, wholesalers are required to make product information, including price, available to retailers no later than five days prior to the first day of the month in which the pricing will be effective. The price provided shall become effective on the first date of the next month and remain in effect until the last day of that month. Supplemental pricing information may be provided to retailers for items that were unintentionally left off the regular information listing after approval by the Division of Alcohol and Tobacco Control.

This act changes the procedure allowing wholesalers to take delivery orders for upcoming months and also changes the requirements for "delayed shipments" under the division's rules and regulations.

This act allows wholesalers to offer retailers merchandise at prices which are below the wholesaler's cost only if such merchandise is specifically designated as "close-out merchandise" when providing the monthly pricing information. The act forbids wholesalers from buying more of such "close-out merchandise". Such "close-out merchandise" shall be designated as such for not less than six consecutive months. After such time, a wholesaler may remove items from its "close-out" designation by no longer identifying them as such on its monthly pricing information.

This act is similar to SB 426 (2009), SB 396 (2009), HB 159 (2009), HB 132 (2009), HB 943 (2009), and SCS/SB 188 (2009).

SUSAN HENDERSON MOORE

01/08/2009 S First Read--SB 171-Griesheimer (S80)
 01/26/2009 Second Read and Referred S General Laws Committee (S183)
 02/03/2009 Hearing Conducted S General Laws Committee
 02/10/2009 Voted Do Pass S General Laws Committee - consent
 02/11/2009 Reported from S General Laws Committee to Floor - Consent (S287)
 02/23/2009 S Third Read and Passed - Consent (S356-357 / H373)
 02/23/2009 H First Read (H373)
 02/24/2009 H Second Read (H381)
 03/31/2009 Referred H Special Standing Committee on General Laws Committee (H819)
 04/09/2009 Hearing Conducted H Special Standing Committee on General Laws Committee
 04/09/2009 HCS Voted Do Pass H Special Standing Committee on General Laws Committee
 04/14/2009 HCS Reported Do Pass H Special Standing Committee on General Laws Committee (H1040)
 04/14/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1040)
 04/21/2009 Hearing Conducted H Rules Committee
 04/21/2009 Voted Do Pass H Rules Committee
 04/21/2009 Reported Do Pass H Rules Committee (H1196)
 04/27/2009 H Calendar S Bills for Third Reading w/HCS

EFFECTIVE: August 28, 2009

*** SB 172 *** HCS SS SB 172

0445L.06C

SENATE SPONSOR: Green

HOUSE HANDLER: Walsh

HCS/SS/SB 172 - The act provides an alternate procedure to approve the issuing of bonds for a common sewer subdistrict that is partially or completely located in Cass County. Bonds may be issued for such a subdistrict if the subdistrict receives the written assent of 75% of the political subdivisions that do business with the subdistrict. This provision contains an emergency clause.

The act prohibits the Metropolitan Sewer District (MSD) from charging any residential landowner for storm water management services if MSD does not provide sanitary sewer service to the landowner's property and any storm water runoff from the property does not drain to a sewer maintained by MSD.

This act is similar to HCS/SCS/SB 242 (2009) and HCS/HB 825 (2009).

ERIKA JAQUES

01/08/2009 S First Read--SB 172-Green and Cunningham (S80)
 01/26/2009 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S183)
 02/24/2009 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee
 03/03/2009 Voted Do Pass S Commerce, Consumer Protection, Energy and the Environment Committee
 03/12/2009 Reported from S Commerce, Consumer Protection, Energy and the Environment Committee to Floor (S621)
 04/01/2009 Bill Placed on Informal Calendar (S847)
 04/06/2009 SS S offered & adopted (Green)--(0445S.03F) (S909)
 04/06/2009 Perfected (S909)
 04/07/2009 Reported Truly Perfected S Rules Committee (S916)
 04/09/2009 Bill Placed on Informal Calendar (S976)
 04/09/2009 S Third Read and Passed (S979-980 / H1026)
 04/09/2009 H First Read (H1026)
 04/10/2009 H Second Read (H1031)
 04/16/2009 Referred H Special Standing Committee on General Laws Committee (H1108)
 04/21/2009 Hearing Conducted H Special Standing Committee on General Laws Committee
 04/22/2009 HCS Voted Do Pass H Special Standing Committee on General Laws Committee
 04/22/2009 HCS Reported Do Pass H Special Standing Committee on General Laws Committee (H1219)
 04/22/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1219)

EFFECTIVE: Varies

*** SB 173 ***

0512S.02I

SENATE SPONSOR: Green

SB 173 - This act creates the Renewable Energy Generation Grant Program, which shall be administered by the Department of Natural Resources. Subject to appropriations, grants shall be awarded to homeowners in Missouri for the purchase and installation of equipment used for generating electricity from renewable sources such as solar and wind power. Grants shall be limited to either 80% of the cost to purchase and install the equipment, or \$10,000, whichever is less. The cumulative amount of grant money awarded through the program shall not exceed \$5,000,000 per year. Inspections by licensed electricians and building inspectors shall be required. The department is authorized to promulgate rules for the program regarding eligibility and qualifying equipment. The program shall sunset in 6 years unless reauthorized. Equipment purchased for the grant program shall be exempt from sales tax.

ERIKA JAQUES

01/08/2009 S First Read--SB 173-Green (S80)
 01/26/2009 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S183)
 02/05/2009 Hearing Conducted S Governmental Accountability and Fiscal Oversight Committee

EFFECTIVE: August 28, 2009

*** SB 174 *** SCS SB 174

0966S.03C

SENATE SPONSOR: Griesheimer

SS/SCS/SB 174 - This act modifies laws regarding property taxation by requiring tax rate rollbacks by

school districts in reassessment years. For tax year 2009, political subdivisions are authorized to levy a property tax rate sufficient to generate as much revenue as was produced in the 2007 tax year excluding new construction and improvements as long as such rate does not exceed the greater of the rate in effect for the 1984 tax year or the most recent voter approved rate. The time line for the assessment, levy and appeal of property taxes is changed with regard to certain counties. The act modifies laws regarding the payment of taxes in dispute. Under current law, for the homestead preservation tax credit 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 all applications for credits filed between Dec 31, 2008, and Dec 31, 2011. This act modifies the term base year with regard to new homeowners who are approved for the first time after satisfying the three year ownership requirement so that the base year for such taxpayers will be the year following the first year in which such taxpayer acquired ownership of the homestead. The act adds two alternate members to the St. Louis City board of equalization and changes the date by which members must be appointed from the second Monday in May to the first day of July. The City of St. Louis and all charter counties are allowed to opt-out of the requirement that they must provide taxpayers with notices of projected tax liability for the 2011 reassessment year. The effective date for all other counties for the projected tax liability notice requirement is moved back to January 1, 2013. Assessors and collectors are required to submit estimates of the costs necessary to comply with the projected tax liability notice requirement to the state tax commission. The act creates a fund to receive appropriations and allocate moneys to assessors and collectors to offset the costs of implementing the projected tax liability notice requirements. The act repeals the duty of the state tax commission to develop software programs to produce projected tax liability notices.

This act contains an emergency clause.

JASON ZAMKUS

01/12/2009 S First Read--SB 174-Griesheimer and Goodman (S92)
 01/26/2009 Second Read and Referred S Ways and Means Committee (S183)
 02/11/2009 Hearing Conducted S Ways and Means Committee
 02/18/2009 SCS Voted Do Pass S Ways and Means Committee (0966S.03C)
 02/26/2009 Reported from S Ways and Means Committee to Floor w/SCS (S419)
 03/03/2009 SS for SCS S offered (Grisheimer)--(0966S.04F) (S450)
 03/03/2009 SA 1 to SS for SCS S offered (Lager)--(0966S04.05S) (S451)
 03/03/2009 Bill Placed on Informal Calendar (S451)
 03/10/2009 SS for SCS S withdrawn (S553)
 03/10/2009 SS#2 for SCS S offered (Griesheimer)--(0966S.06F) (S553)
 03/10/2009 SA 1 to SS#2 for SCS S offered (Cunningham)--(0966S04.11S) (S553-564)
 03/10/2009 SSA 1 for SA 1 to SS#2 for SCS S offered & adopted (Lager)--(0966S06.04S) (S564-565)
 03/10/2009 SA 2 to SS#2 for SCS S offered (Cunningham)--(0966S06.05S) (S565-570)
 03/10/2009 Bill Placed on Informal Calendar (S570)
 03/10/2009 Taken up for perfection (S572)
 03/10/2009 Bill Placed on Informal Calendar (S573)
 04/27/2009 S Informal Calendar S Bills for Perfection--SB 174-Griesheimer and Goodman, with SCS, SS#2 for SCS & SA 2 (pending)

EFFECTIVE: Emergency Clause

*** SB 175 ***

0939S.021

SENATE SPONSOR: Schmitt

SCS/SB 175 – This act requires the Department of Elementary and Secondary Education to produce "The Parents' Bill of Rights," to inform parents of children with an individualized education program of their educational rights under federal and state law by January 1, 2010. The publication must contain ten points of information, which are described in the act. The Department of Elementary and Secondary Education must post a copy of it on its website.

Each school district must provide a copy of "The Parents' Bill of Rights" upon initial referral for evaluation and at any such time as a school district is required under state or federal law to provide the parent or parents with notice of procedural safeguards.

MICHAEL RUFF

01/12/2009 S First Read--SB 175-Schmitt (S92)
 01/26/2009 Second Read and Referred S Education Committee (S183)
 02/11/2009 Hearing Conducted S Education Committee
 03/11/2009 SCS Voted Do Pass S Education Committee (0939S.04C)

EFFECTIVE: August 28, 2009

*** SB 176 *** HCS SCS SB 176

0824L.06C

SENATE SPONSOR: Stouffer

HOUSE HANDLER: Chappelle-Nadal

HCS/SCS/SB 176 - This act establishes in the Department of Health and Senior Services an Alzheimer's State Plan Task Force. The list of the eighteen task force members are specified in the act. The duties of the task force include assessing the current and future impact of Alzheimer's disease and related dementia on residents of the state, examine the existing services and resources for persons with dementia, their families, and caregivers, and develop recommendations to respond to the escalating public health situation regarding Alzheimer's disease. The task force shall submit a report of its findings and date-specific recommendations to the general assembly and the governor in the form of a state Alzheimer's plan no later than November 15, 2010.

The provisions of this act shall expire on November 1, 2012.

This act is substantially similar to HCS/HB 272 (2009).

ADRIANE CROUSE

01/12/2009 S First Read--SB 176-Stouffer (S92)
 01/26/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S183)
 02/10/2009 Hearing Conducted S Health, Mental Health, Seniors and Families Committee
 02/17/2009 SCS Voted Do Pass S Health, Mental Health, Seniors and Families Committee (0824S.04C)
 02/26/2009 Reported from S Health, Mental Health, Seniors and Families Committee to Floor w/SCS (S419)
 03/04/2009 Bill Placed on Informal Calendar (S464)
 03/11/2009 SCS S adopted (S589)
 03/11/2009 Perfected (S589)
 03/11/2009 Reported Truly Perfected S Rules Committee (S594)
 03/26/2009 S Third Read and Passed (S771-772 / H749)
 03/26/2009 H First Read (H749)
 03/27/2009 H Second Read (H757)
 04/02/2009 Referred H Higher Education Committee (H922)
 04/08/2009 Hearing Conducted H Higher Education Committee
 04/09/2009 HCS Voted Do Pass H Higher Education Committee - Consent
 04/08/2009 HCS Reported Do Pass H Higher Education Committee - Consent (H1001)
 04/08/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1001)
 04/14/2009 Hearing Conducted H Rules Committee

EFFECTIVE: August 28, 2009

*** SB 177 ***

0652S.011

SENATE SPONSOR: Stouffer

SCS/SB 177 - This act opens up salvage pool sales or salvage disposal sales to residents of the United States. Under current law, salvage pool sales or salvage disposal sales are only open to licensed salvage dealers and to persons from foreign countries who purchase salvage vehicles for export outside of the United States. The act also requires operators of salvage pool sales or subsequent purchasers, who sell nonrepairable vehicles to non-U.S. residents, to stamp the titles to such vehicles with the words "FOR EXPORT ONLY." The current law only assigns this duty to the seller of a nonrepairable vehicle.

The act provides that a Missouri resident not holding a current salvage or dealers license may only purchase up to 3 vehicles for rebuilding or repairing purposes in any calendar year at salvage pools or salvage disposal sales in this state. In addition, no person described in this subsection shall purchase a vehicle with a junking certificate at a salvage pool or salvage disposal sale. In order to purchase a vehicle at a salvage pool or salvage disposal sale in this state, an unlicensed person may only purchase a vehicle at a salvage pool or salvage disposal sale if such person possesses a voucher or certificate issued by the department of revenue that certifies that the holder of such certificate is authorized to purchase a vehicle at such sales. The director of the Department of Revenue shall establish a system, no later than January 1, 2010, that allows unlicensed persons to obtain three vouchers or certificates annually. Such vouchers or certificates shall be designed in a manner to allow the director of revenue to keep track of each vehicle purchased by a person described in this subsection. The Department of Revenue may charge a fee for the issuance of such vouchers or certificates and such fee shall not exceed the costs associated with the

issuance of the vouchers or certificates, the processing of such vouchers or certificates, and the administration of such system. The substitute also provides that any person who purchases a vehicle in violation of this subsection or who knowingly or intentionally produces, manufactures, sells, or otherwise uses a fraudulent document intended to serve as a voucher or certificate in order to purchase vehicles at salvage pool or salvage disposal sales in this state is guilty of a Class B misdemeanor.

STEPHEN WITTE

01/12/2009 S First Read--SB 177-Stouffer (S92)

01/26/2009 Second Read and Referred S Transportation Committee (S183)

02/18/2009 Hearing Conducted S Transportation Committee

03/11/2009 SCS Voted Do Pass S Transportation Committee (0652S.04C)

EFFECTIVE: August 28, 2009

*** SB 178 ***

1007S.011

SENATE SPONSOR: Stouffer

SB 178 - This act modifies the current law that authorizes the state Highways and Transportation Commission to enter into design-build highway project contracts. Under this act, the current statutory restriction that limits the commission to only entering into three design-build highway projects is removed. The act also removes the current statutory sunset clause which would extinguish the commission's authority to enter into design-build highway projects on July 1, 2012.

The act also amends the current bonding requirements relating to design-build highway project contracts. The act specifies the requirements for bid, performance and payment bonds, or letters of credit, must be provided by the design-builder directly to the commission in design-build highway project contracts. Under the act, a bid or proposal bond, cash or certified or cashier's check is still required, but the amount shall be determined by the commission. The performance bond or bonds must be in an amount equal to a reasonable estimate of the total cost of construction work under the design-build highway project contract, unless the commission determines in writing supporting by specific findings that a performance bond or bonds in such amount is impractical, in which case the commission shall establish the amount of the performance bond or bonds.

This act contains an emergency clause.

STEPHEN JOHN WITTE

01/12/2009 S First Read--SB 178-Stouffer (S92-93)

01/26/2009 Second Read and Referred S Transportation Committee (S183)

EFFECTIVE: Emergency Clause

*** SB 179 ***

HCS SCS SB 179

1104L.06C

SENATE SPONSOR: Wright-Jones

HOUSE HANDLER: Morris

HCS/SCS/SB 179 - This act authorizes the Governor to convey a piece of property known as the Joplin Regional Center to Missouri Southern State University.

This act authorizes the Governor to convey a parcel of real property, which is being currently used by the Department of Corrections as a minimum security correctional facility, to the Missouri Highways and Transportation Commission for the new Mississippi River Bridge project.

The act authorizes the Governor to convey a piece of property owned by the state in Greene County to the Arc of the Ozarks. The Governor is also authorized to convey a temporary construction easement over, on and under property owned by the state in Springfield to the Arc of the Ozarks.

The act authorizes the Governor to convey a piece of property owned by the state in Springfield to the City of Springfield.

The Governor is authorized to convey property owned by the state in Macon County to the owners of certain private property for the purpose of obtaining access to the private property.

The Governor is authorized to convey property owned by the state in Cape Girardeau County to the state highways and transportation commission.

The act authorizes the Governor to convey property known as the Mid-Missouri Mental Health Center to the Curators of the University of Missouri.

The act authorizes the Governor to convey property owned by the state in St. Louis to Harris-Stowe State University.

The act authorizes the Governor to convey property owned by the state in Cooper County to the City of Booneville.

The act directs the director of the Department of Natural Resources to lease property owned by the state in Clinton County to the Clinton County Public Water Supply District. No. 3 for the purpose of constructing an elevated water storage tank..

The act contains an emergency clause for some of the conveyances.

STEPHEN WITTE

01/12/2009 S First Read--SB 179-Wright-Jones (S93)
 01/26/2009 Second Read and Referred S General Laws Committee (S183)
 02/17/2009 Hearing Conducted S General Laws Committee
 02/17/2009 SCS Voted Do Pass S General Laws Committee (1104S.02C) - Consent
 02/18/2009 Reported from S General Laws Committee to Floor w/SCS - Consent (S328)
 02/25/2009 SCS S adopted (S390-391)
 02/25/2009 S Third Read and Passed - Consent (S391 / H422)
 02/26/2009 H First Read (H422)
 03/02/2009 H Second Read (H428)
 03/30/2009 Referred H Corrections & Public Institutions Committee (H790)
 04/07/2009 Hearing Conducted H Corrections & Public Institutions Committee
 04/07/2009 Voted Do Pass H Corrections & Public Institutions Committee - Consent
 04/08/2009 Reported Do Pass H Corrections & Public Institutions Committee - Consent (H1000)
 04/08/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1000)
 04/14/2009 Hearing Conducted H Rules Committee
 04/14/2009 Voted to return to committee of origin H Rules Committee (H1042)
 04/21/2009 HCS Voted Do Pass H Corrections & Public Institutions Committee
 04/23/2009 HCS Reported Do Pass H Corrections & Public Institutions Committee (H1257)
 04/23/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1257)

EFFECTIVE: Emergency Clause

*** SB 180 ***

0084S.011

SENATE SPONSOR: Bartle

This bill has been combined with SB 261

01/13/2009 S First Read--SB 180-Bartle (S113)
 01/26/2009 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S183)
 02/16/2009 Bill Combined w/(SCS/SB 261,159, 180, &181) (1517S.04C)

EFFECTIVE: August 28, 2009

*** SB 181 ***

0159S.011

SENATE SPONSOR: Bartle

This bill has been combined with SB 261

01/13/2009 S First Read--SB 181-Bartle (S113)
 01/26/2009 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S183)
 02/16/2009 Bill Combined w/(SCS/SB 261,159, 180, &181) (1517S.04C)

EFFECTIVE: August 28, 2009

*** SB 182 ***

0601S.011

SENATE SPONSOR: Bartle

SB 182 – This act prohibits a person from using or attempting to use a false or misleading diploma, as

described in the act, in connection with admission to an institution of higher education, or in connection with any business, employment, occupation, profession, trade, or public office. A violation of this act is a Class C misdemeanor.

MICHAEL RUFF

01/13/2009 S First Read--SB 182-Bartle (S113)

01/26/2009 Second Read and Referred S Education Committee (S183)

01/28/2009 Hearing Conducted S Education Committee

EFFECTIVE: August 28, 2009

*** SB 183 ***

0541S.011

SENATE SPONSOR: Bartle

SB 183 - This act requires the Department of Social Services to develop a program to test applicants or recipients of temporary assistance for needy families (TANF) benefits when a case worker believes, based on reasonable suspicion, that such person engages in illegal use of controlled substances. Any applicant or recipient who is found to have tested positive for the use of a controlled substance after an administrative hearing shall be declared ineligible for temporary assistance for needy families benefits for a period of three years from the date of the administrative hearing decision. The department shall refer an applicant or recipient who tested positive for the use of a controlled substance under this act to an appropriate substance abuse treatment program approved by the division of alcohol and drug abuse within the department of mental health. Also, if a parent is deemed ineligible for TANF benefits due to the provisions of this act, his or her dependent child's eligibility for such benefits shall not be affected and an appropriate protective payee may be established for the benefit of the child. The department shall promulgate rules to develop the screening and testing provisions of this section.

This act is identical to SB 1259 (2008).

ADRIANE CROUSE

01/13/2009 S First Read--SB 183-Bartle (S113)

01/26/2009 Second Read and Referred S Progress and Development Committee (S183)

EFFECTIVE: August 28, 2009

*** SB 184 ***

0563S.011

SENATE SPONSOR: Bartle

SB 184 - Under this act, a person has an absolute defense against civil liability or criminal prosecution for killing or injuring a dog, if such person's actions were based on the reasonable belief that he or she, or another person, was in imminent danger of being harmed by the dog. It is prima facie evidence that a person considered himself to be in "imminent danger" from a dog if the person had complained at least twice to the county sheriff or animal control authority that the dog had trespassed on his property, and on at least one of those occasions the person was in reasonable apprehension for his own safety, the safety of another person, or feared damage to livestock or property. County sheriffs and animal control authorities shall notify any dog owner about a trespassing complaint made against his or her dog. A court shall award all reasonable costs to the defendant in any such suit if evidence shows the defendant is entitled to the absolute defense as described. A person engaging in criminal activity at the time of an imminent danger dog threat shall not be entitled to the absolute defense created by this act.

The owner of a dog that bites, without substantial provocation, a person while in a public or lawful private place shall be strictly liable for damages to the bitten individual. Owners of such dogs shall also be strictly liable for any damage incurred to property or livestock by their dogs. If a dog owner is found liable by a court for such damages, the owner shall also be assessed a civil fine up to \$1,000.

When a dog that has previously bitten a person or domestic animal without provocation, subsequently bites a person again, the owner shall be guilty of a Class B misdemeanor. However, if the offense results in severe injury it shall be a Class A misdemeanor and if the previous biting episode also resulted in severe injury, it shall be a Class D felony. If the offense results in death it shall be a class C felony. Any such dog, or a dog that inflicts severe injury or death on the first biting occasion, shall be seized by the animal control authority or county sheriff who shall notify the dog's owner in writing. The dog shall be impounded for ten business days after notice has been provided to the owner, after which time the dog shall be destroyed. Appeal procedures are provided in the act.

The act's provisions do not apply to dogs that bite a person while such person is engaged in criminal activity at the time of attack. Certain instances of trespassing are not considered "criminal activity" under the act. Dogs owned or utilized by a law enforcement agency who bite in the course of their employ are exempt from the provisions of the act.

This act is similar to SB 834 (2008).

ERIKA JAQUES

01/13/2009 S First Read--SB 184-Bartle (S113)

01/26/2009 Second Read and Referred S General Laws Committee (S183)

02/10/2009 Hearing Scheduled But Not Heard S General Laws Committee

EFFECTIVE: August 28, 2009

*** SB 185 ***

0940S.011

SENATE SPONSOR: Bray

SB 185 - Currently, Section 386.266, RSMo, provides certain utilities the opportunity to apply for alternate rate schedules in several circumstances. This act removes two of these options. It removes the option for gas utilities to apply for alternate rate schedules due to a variation in weather and/or conservation and removes the option for electric, gas or water utilities to apply for alternate rate schedules due to costs related to environmental regulations.

This act is similar to SB 1080 (2008), SB 94 (2007), and SB 880 (2006).

ERIKA JAQUES

01/13/2009 S First Read--SB 185-Bray (S113)

01/26/2009 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S183)

02/03/2009 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee

EFFECTIVE: August 28, 2009

*** SB 186 ***

1008S.011

SENATE SPONSOR: Bray

SB 186 - This act creates the Healthy Pet Act.

Pet dealers are required to have their dogs and cats examined by a licensed veterinarian no greater than 30 days prior to sale. The act requires that pet dealers provide a written statement to the purchaser of any dog or cat containing certain facts about the animal's birth, breeding, physical traits, and medical history. The written statement shall also include a statement signed by both the pet dealer and the purchaser that the animal has no known disease, illness, or adverse health condition or the statement shall alternatively disclose any known disease, illness or adverse health condition.

The act requires pet dealers to maintain certain records for up to 12 months following the date of sale of any dog or cat.

Pet dealers are prohibited from selling any dog or cat with any obvious clinical sign of an infectious, contagious, parasitic, or communicable disease or with any condition for which hospitalization or nonelective surgery is required.

Individuals who unknowingly purchase a sick dog or cat are entitled to a remedy from the pet dealer when: within 20 days of the purchase, a licensed veterinarian states in writing that the animal suffers from or has died from a condition that existed on or before the date of purchase; or within 2 years of the purchase, a licensed veterinarian states in writing that the animal possesses or has died from a congenital or hereditary condition for which hospitalization or nonelective surgery was required. Available remedies to the purchaser of such a sick dog or cat are provided in the act.

In order to receive a remedy, a purchaser of a sick dog or cat must, within 10 days of receiving the veterinarian's diagnosis, notify the pet dealer and provide a written statement from the veterinarian to the pet dealer. The act lists certain information that must be included in the veterinarian's statement.

Remedies are not required to be provided by a pet dealer to a purchaser of a sick dog or cat if: the

illness or death of the pet resulted from maltreatment by the purchaser or from an event that occurred after the pet's purchase from the dealer; the purchaser did not administer veterinarian-recommended treatment for the illness (except when the cost of treatment plus the exam fee exceeds the pet's purchase price); the pet's illness or condition was disclosed at time of purchase; or if the purchaser does not return all registration documents to the pet dealer if the pet is returned for refund or exchange.

If a pet dealer disputes a purchaser's request for a remedy under this act, the pet dealer can have the animal examined by a licensed veterinarian of his or her choosing.

The act requires pet dealers to post a statement about consumers rights under this act and specifies requirements for the size and wording of the notification. Pet dealers and purchasers of dogs and cats are also required to sign a statement at the time of purchase that the purchaser was provided notification of his or her rights under this act. The act requires certain additional notification provided to purchasers of pets sold as being registered or able to be registered.

The act does not limit any authority under other laws.

Pet dealers who advertise any animal as being registered or able to be registered with an animal registering organization shall provide the purchaser of any such animal the appropriate registration documents within 120 days of the date of purchase.

The act is identical to SB 914 (2008).

ERIKA JAQUES

01/13/2009 S First Read--SB 186-Bray (S113)

01/26/2009 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S184)

EFFECTIVE: August 28, 2009

*** SB 187 ***

0600S.011

SENATE SPONSOR: Vogel

SB 187 - Current law allows any county, city which is the county seat of any county, and various other cities to impose a tax, not to exceed five percent per room per night, on charges for sleeping rooms paid by guests of hotels and motels. This act increases the maximum levy from five percent to seven percent. Such increase will become effective only upon voter approval.

This act is similar to Senate Bill 900 (2008).

JASON ZAMKUS

01/13/2009 S First Read--SB 187-Vogel (S113)

01/26/2009 Second Read and Referred S Ways and Means Committee (S184)

04/01/2009 Hearing Conducted S Ways and Means Committee

EFFECTIVE: August 28, 2009

*** SB 188 ***

HCS SCS SB 188

0544L.07C

SENATE SPONSOR: Dempsey

HOUSE HANDLER: Jones

HCS/SCS/SB 188 - This act modifies various provisions relating to liquor control.

This act repeals the current provisions regulating nonintoxicating beer and requires such beer to be regulated in the same manner as other intoxicating liquors.

Currently, a liquor license may not be denied, suspended, or revoked based solely on the fact that an employee has a felony conviction unrelated to the manufacture or sale of alcohol if the employee does not directly participate in retail sales. Under this act, the employee would no longer be prohibited from directly participating in retail sales.

This act allows certain charitable, fraternal, religious, service, or veterans' organizations that are exempt from federal taxes and have a license to sell intoxicating liquor by the drink on their premises to open on Sundays at 9:00 a.m. instead of 11:00 a.m.

This act allows a restaurant bar without an onsite brewery that serves 45 or more different types of draft beer to sell 32 fluid ounces or more of beer to customers for consumption off the premises.

Under this act, no person or business shall have more than five liquor licenses, rather than three.

This act repeals certain liquor control provisions pertaining to wholesalers, including exceptions to the wholesaler price regulations and provisions requiring wholesalers to file a schedule with the Supervisor of Alcohol and Tobacco Control in order to operate. Instead, wholesalers are required to make product information, including price, available to retailers no later than five days prior to the first day of the month in which the pricing will be effective. The price provided shall become effective on the first date of the next month and remain in effect until the last day of that month. Supplemental pricing information may be provided to retailers for items that were unintentionally left off the regular information listing after approval by the Division of Alcohol and Tobacco Control.

This act changes the procedure allowing wholesalers to take delivery orders for upcoming months and also changes the requirements for "delayed shipments" under the division's rules and regulations.

This act allows wholesalers to offer retailers merchandise at prices which are below the wholesaler's cost only if such merchandise is specifically designated as "close-out merchandise" when providing the monthly pricing information. The act forbids wholesalers from buying more of such "close-out merchandise". Such "close-out merchandise" shall be designated as such for not less than six consecutive months. After such time, a wholesaler may remove items from its "close-out" designation by no longer identifying them as such on its monthly pricing information.

This act is similar to SB 426 (2009), SB 396 (2009), HB 159 (2009), HB 132 (2009), HB 943 (2009), and HCS/SB 171 (2009).

SUSAN HENDERSON MOORE

01/13/2009 S First Read--SB 188-Dempsey, et al (S113)
 01/26/2009 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S184)
 02/17/2009 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee
 03/03/2009 SCS Voted Do Pass S Commerce, Consumer Protection, Energy and the Environment Committee (0544S.04C)
 03/05/2009 Reported from S Commerce, Consumer Protection, Energy and the Environment Committee to Floor w/SCS (S529)
 03/24/2009 SA 1 to SCS S offered & adopted (Justus)--(8115S09.01S) (S683-685)
 03/24/2009 SA 2 to SCS S offered & adopted (Cunningham)--(0544S04.02S) (S685-686)
 03/24/2009 SA 3 to SCS S offered & adopted (Callahan)--(0544S04.01S) (S686)
 03/24/2009 SCS, as amended, S adopted (S686)
 03/24/2009 Perfected (S686)
 03/25/2009 Reported Truly Perfected S Rules Committee (S702)
 03/26/2009 S Third Read and Passed (S775 / H749)
 03/26/2009 H First Read (H749)
 03/27/2009 H Second Read (H757)
 04/02/2009 Referred H Special Standing Committee on General Laws Committee (H922)
 04/07/2009 Hearing Conducted H Special Standing Committee on General Laws Committee
 04/21/2009 HCS Voted Do Pass H Special Standing Committee on General Laws Committee
 04/22/2009 HCS Reported Do Pass H Special Standing Committee on General Laws Committee (H1220)
 04/22/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1220)

EFFECTIVE: August 28, 2009

*** SB 189 *** SCS SB 189

1103S.03C

SENATE SPONSOR: Shields

SCS/SB 189 - Currently, Kansas City police officers and department employees are prohibited from belonging to a political party committee or serving as a ward committee person. Under this act, such officers and employees shall instead be prohibited from holding a partisan political office. This act repeals the provision of law which currently prohibits any Kansas City police officer or department employee from making contributions of any kind for political activity. Kansas City police officers and department employees shall be prohibited from soliciting any person to vote for or against any political candidate, party, or organization only while on duty, in uniform, or wearing clothing with any symbol, insignia, or words indicating his or her

employment with the department.

This act also repeals the provision which prohibits any person from soliciting a police officer or a member of the police board for any political purpose. Currently, officers are prohibited from allowing solicitations for contributions in police facilities. This act would also prohibit them from performing such solicitations in police facilities.

This act is similar to SB 18 (2007).

SUSAN HENDERSON MOORE

01/14/2009 S First Read--SB 189-Shields (S120)
 01/26/2009 Second Read and Referred S General Laws Committee (S184)
 02/03/2009 Hearing Conducted S General Laws Committee
 02/10/2009 SCS Voted Do Pass S General Laws Committee (1103S.03C)
 02/12/2009 Reported from S General Laws Committee to Floor w/SCS (S295)
 02/18/2009 SCS S adopted (S329)
 02/18/2009 Bill Placed on Informal Calendar (S329)
 04/27/2009 S Informal Calendar S Bills for Perfection--SCS for SB 189-Shields

EFFECTIVE: August 28, 2009

*** SB 190 ***

1000S.021

SENATE SPONSOR: Shoemyer

SB 190 – This act requires all offices occupied by elected officials in the state capitol building to be readily accessible to and usable by individuals with disabilities by December 31, 2014.

This act is similar to SB 848 (2008).

ADRIANE CROUSE

01/14/2009 S First Read--SB 190-Shoemyer (S120)
 01/26/2009 Second Read and Referred S General Laws Committee (S184)

EFFECTIVE: December 31, 2009

*** SB 191 ***

0851S.021

SENATE SPONSOR: Shoemyer

This bill has been combined with SB 274

01/14/2009 S First Read--SB 191-Shoemyer (S120)
 01/26/2009 Second Read and Referred S Ways and Means Committee (S184)
 02/16/2009 Re-referred S Governmental Accountability and Fiscal Oversight Committee
 02/19/2009 Hearing Conducted S Governmental Accountability and Fiscal Oversight Committee
 03/05/2009 Bill Combined w/SCS SBs 274 & 191

EFFECTIVE: August 28, 2009

*** SB 192 ***

0848S.011

SENATE SPONSOR: Shoemyer

SB 192 - This act redefines the term "intoxication-related traffic offense" to include certain traffic offenses involving alcohol regardless of whether the defendant was represented by or waived the right to an attorney in writing. This term is used in the provisions providing enhanced penalties for persons who commit multiple intoxication-related traffic offenses.

This act also repeals one version of Section 577.023, RSMo, which is currently doubly-enacted.

This act is similar to SB 861 (2008).

SUSAN HENDERSON MOORE

01/14/2009 S First Read--SB 192-Shoemyer (S120)
 01/26/2009 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S184)

EFFECTIVE: August 28, 2009

*** SB 193 ***

0827S.011

SENATE SPONSOR: Shoemyer

SB 193 - This act authorizes the Department of Economic Development to issue up to two million dollars in tax credits annually to encourage equity investments in qualified Missouri manufacturing businesses. Qualified Missouri businesses must be a manufacturing business, in need of venture capital, which will base its operations from an existing facility located in a distressed community. Such business must create at least fifty new jobs, offer health insurance to all of its full-time employees, and pay at least fifty percent of such health insurance premiums. Investors who contribute the first three million dollars in equity investment to a qualified Missouri business may be issued a tax credit equal to fifty percent of the investment. Tax credits authorized under this act can be carried forward for up to five years or sold. Qualified Missouri businesses, for which investment tax credits are issued, which fail to comply with the provisions of this act within seven years of tax credit issuance will be forced to repay the amount of tax credits issued to investors.

JASON ZAMKUS

01/14/2009 S First Read--SB 193-Shoemyer (S120)

01/26/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S184)

02/11/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee

EFFECTIVE: August 28, 2009

*** SB 194 ***

0564S.011

SENATE SPONSOR: Shoemyer

SB 194 - This act creates procedures that a patent holder of genetically-modified seed must follow before entering onto private farmland to take plant samples. Specifically, the patent holder must notify the farmer in writing of the suspected breach of contract or patent infringement; provide a copy of the notification to the director of the Department of Agriculture; obtain written permission from the farmer to enter the property; and inform the farmer of the required procedures described in the act.

The farmer must respond in writing to a request to take samples within 10 days of receipt of the request. The patent holder may petition a court for permission to enter the property and may also seek a protective order if the patent holder has reason to believe that a crop to be sampled may be intentionally damaged or destroyed. Once permission has been granted by either the farmer or a court, the patent holder may enter the property in order to take samples. The farmer or the patent holder may request to have the Department of Agriculture present at the sampling or actually conduct the sampling. The department may charge reasonable fees for any sampling activities it conducts, for which the patent holder is responsible for paying. The results from any sampling must be sent via registered letter to all parties involved within 30 days after the results are first reported.

A violation of the act by a patent holder is punishable by penalty of no less than \$50,000 per violation.

The act creates certain immunity from liability for farmers on whose property is found evidence of a patented genetically-modified plant when the farmer did not knowingly buy or acquire the plant, otherwise acted in good faith, and the presence of the plant is minimal.

The act requires that any contract for the purchase of patented genetically-modified seed shall comply with the provisions of the act or else the contract shall be considered in violation of state law and shall be null and void.

ERIKA JAQUES

01/14/2009 S First Read--SB 194-Shoemyer (S120)

01/26/2009 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S184)

EFFECTIVE: August 28, 2009

*** SB 195 ***

0795S.011

SENATE SPONSOR: Shoemyer

SB 195 - This act creates the Missouri Seed Availability and Competition Act. Farmers who want to retain patented seed from a current harvest for planting the following season must register with the

Department of Agriculture and pay a fee of \$7 per bushel of saved seed. The fees are to be deposited into the Genetically Engineered Seed Fund, which is created by the act. Six dollars per bushel collected are to be remitted to the patent holder of the seed on a quarterly basis. One dollar is to be retained by the Department for actual administrative costs of the fund. Any unused administrative funds are to be directed to a subaccount of the fund for use by the University of Missouri for agricultural research and development.

A farmer will only be liable for health, safety, or environmental impacts if he or she intentionally or negligently fails to significantly follow the patent holder's or manufacturer's instructions and guidelines for planting the seed.

A violation of this act is considered a crime of misappropriation of patented seed and is a Class D felony. All other legal remedies are available to the owner of the misappropriated seed.

This act is identical to SB 847 (2008) and similar to SB 68 (2007) and HB 1300 (2006).

ERIKA JAQUES

01/14/2009 S First Read--SB 195-Shoemyer (S120)

01/26/2009 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S184)

EFFECTIVE: August 28, 2009

*** SB 196 ***

HCS SB 196

1060L.02C

SENATE SPONSOR: Shoemyer

HOUSE HANDLER: Scavuzzo

HCS/SB 196 - The act modifies provisions relating to the procedure for detaching territory from a public water supply district.

When a petition for detachment is submitted to the circuit court by someone other than the district's board of directors, the district shall be named as a defendant and a copy of the petition shall be served upon the district by certified or registered mail at least 35 days before the hearing.

Current law requires notice of the petition to detach to be published in a newspaper in each county containing any portion of the proposed territory. The act instead requires that notice be published in a newspaper in the county in which the hearing will be held as well as in a newspaper with circulation in the proposed territory.

The act adds the district itself as an allowable entity to make an exception or objection to a proposed detachment. The act modifies the language required to be posted in the newspaper to mirror the statutory requirements.

This act is similar to HCS/HBs 234 & 493 (2009).

ERIKA JAQUES

01/14/2009 S First Read--SB 196-Shoemyer (S120)

01/26/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S184)

02/18/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee

02/25/2009 Voted Do Pass S Jobs, Economic Development and Local Government Committee - Consent

03/04/2009 Reported from S Jobs, Economic Development and Local Government Committee to Floor - Consent (S473)

03/12/2009 S Third Read and Passed - Consent (S611-612 / H601)

03/12/2009 H First Read (H601)

03/18/2009 H Second Read (H606)

03/30/2009 Referred H Rural Community Development Committee (H791)

04/08/2009 Hearing Conducted H Rural Community Development Committee

04/08/2009 HCS Voted Do Pass H Rural Community Development Committee - Consent

04/08/2009 HCS Reported Do Pass H Rural Community Development Committee - Consent (H1002)

04/08/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1002)

04/14/2009 Hearing Conducted H Rules Committee

04/14/2009 Voted Do Pass H Rules Committee - Consent (H1042)

04/14/2009 HCS Reported Do Pass H Rules Committee - Consent (H1042)

04/27/2009 H Consent Calendar w/HCS

EFFECTIVE: August 28, 2009

*** SB 197 *** SCS SB 197

1021S.02P

SENATE SPONSOR: Goodman

SCS/SB 197 – This act requires a physician who orders an anatomic pathology service for a patient and does not supervise or perform a component of the service to disclose in any bill presented to the patient, insurer, or other third party payor the name and address of the physician or laboratory that provided the service and the actual amount paid or to be paid for each service by the physician or laboratory that performed the service.

The disclosure is not required when the anatomic pathology service has been ordered by a hospital, nonprofit or public health clinic, or a state or federal agency on behalf of the patient. Any physician subject to the disclosure requirement shall not charge a markup, commission, or profit on the actual amount paid for each anatomic pathology service by the physician or laboratory that performed the service. However, a physician taking a patient specimen may make an acquisition charge or processing charge that is coded distinctly from the pathology service.

No patient, insurer, or third party payor is required to reimburse a licensed health care professional for charges submitted for pathology services that are not in accordance with this act. The licenses of health care professionals violating the provisions of this act may be subject to disciplinary action.

This act is similar to SB 817 (2008), SB 467 (2007) and SB 1076 (2006).
ADRIANE CROUSE

01/14/2009 S First Read--SB 197-Goodman (S120)
01/26/2009 Second Read and Referred S General Laws Committee (S184)
02/10/2009 Hearing Conducted S General Laws Committee
04/07/2009 SCS Voted Do Pass S General Laws Committee (1021S.02C)
04/09/2009 Reported from S General Laws Committee to Floor w/SCS (S984)
04/21/2009 SCS S adopted (S1107-1108)
04/21/2009 Perfected (S1108)
04/21/2009 Reported Truly Perfected S Rules Committee (S1128)
04/23/2009 S Third Read and Passed (S1189 / H1260)
04/23/2009 H First Read (H1260)
04/24/2009 H Second Read

EFFECTIVE: August 28, 2009

*** SB 198 ***

1108S.01I

SENATE SPONSOR: McKenna

SB 198 – This act modifies teacher and school employee retirement plans. Members of the Public School Retirement System (PSRS) who have retired, are age 75 or older, and have received certain cost-of-living increases totaling 80% of the retirement allowance established at retirement prior to January 1, 2010, will be made special consultants as described in the act. From January 1, 2010 through January 1, 2015, they will receive an amount equal to \$5 per month multiplied by their years of service. This amount will be added to their monthly annuity.

Members of the Public Education Employee Retirement System (PEERS) who have retired, are age 75 or older, and have received certain cost-of-living increases totaling 80% of the retirement allowance established at retirement prior to January 1, 2010, will be made special consultants as described in the act. From January 1, 2010, through January 1, 2015, they will receive an amount equal to \$3 per month multiplied by their years of service. This amount will be added to their monthly annuity.

This act is similar to SB 1042 (2008) and HCS/HB 661 (2007).
MICHAEL RUFF

01/14/2009 S First Read--SB 198-McKenna (S121)
01/26/2009 Second Read and Referred S Veterans' Affairs, Pensions and Urban Affairs Committee (S184)

EFFECTIVE: August 28, 2009

*** SB 199 ***

1116S.011

SENATE SPONSOR: McKenna

SB 199 - The act defines responsible persons for the purposes of tax liability for limited liability companies. The act eliminates certain duplicate filing requirements for articles of acceptance, articles of merger, and resignation of agents for nonprofit corporations.

If the general partners of a limited partnership withdraw and the remaining partners decide to continue the partnership, the act allows a new general partner to sign the certificate of amendment and attest to the specific event of withdrawal.

This act is identical to SB 214 (2007) and SB 940 (2008).

CHRIS HOGERTY

01/14/2009 S First Read--SB 199-McKenna (S121)

01/26/2009 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S184)

EFFECTIVE: August 28, 2009

*** SB 200 ***

0452S.011

SENATE SPONSOR: Cunningham

SB 200 - This act revises the term "stealing-related offense" as it is used in Section 570.040, RSMo, to include robbery. The act removes the requirement that a person must have received at least a 10-day jail sentence on a prior offense before a third or subsequent misdemeanor stealing-related offense can be enhanced to a Class D felony. It also specifies that a person who has previously pleaded guilty to or been found guilty of two stealing-related offenses which were committed on two separate occasions, and who subsequently pleads guilty to or is found guilty of a stealing-related offense is guilty of certain felonies depending on the nature of such stealing-related offense.

This act is identical to HB 1473 (2008).

SUSAN HENDERSON MOORE

01/14/2009 S First Read--SB 200-Cunningham (S121)

01/26/2009 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S184)

02/23/2009 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2009

*** SB 201 ***

0454S.011

SENATE SPONSOR: Cunningham

SB 201 - A person performing a lawful seizure because of a dog fighting violation, whether acting under the authority of a warrant or not, shall be given a disposition hearing within 30 days of the filing of the request in order to grant immediate disposition of the impounded dog. The person seizing the dog shall place it in the care of a veterinarian, animal shelter, or animal control authority. If such people are not available, the dog shall not be impounded unless diseased or disabled. The dog shall be humanely killed if a veterinarian determines the dog is diseased or disabled beyond recovery. No person who lawfully seizes a dog shall be liable for necessary property damage.

Owners of an impounded dog may prevent disposition of the dog by posting bond in an amount sufficient to cover the dog's care for 30 days. The authority with custody may dispose of the dog at the end of such time unless there is a court order prohibiting it. The court order shall provide for a bond or other security in an amount to cover the cost of care, keeping, or disposal of the dog.

The owner of a dog humanely killed under this act shall not be entitled to recover damages for the value of the dog if it was found by a veterinarian to be diseased or disabled or if the owner failed to post bond for its care and disposition after being notified of the impoundment.

This act is similar to HCS/HB 2416 (2008) and SB 819 (2008).

SUSAN HENDERSON MOORE

01/14/2009 S First Read--SB 201-Cunningham (S121)

01/27/2009 Second Read and Referred S General Laws Committee (S191)

02/10/2009 Hearing Conducted S General Laws Committee

EFFECTIVE: August 28, 2009

*** SB 202 *** SCS SB 202

1073S.03P

SENATE SPONSOR: Schaefer

SCS/SB 202 - This act provides that operating a motorcycle, in and of itself, shall not be considered evidence of comparative negligence. The act also provides that when investigating an accident or settling an automobile insurance policy claim, no insurer, agent, producer, or claims adjuster of an insurer shall assign a percentage of fault to a party based upon the sole fact that the party was operating a motorcycle in an otherwise legal manner. This provision is similar to SB 505 (2007).

This act also exempts persons 21 years of age or older from wearing protective headgear except when operating or riding motorcycles or motortricycles upon interstate highways. The motorcycle helmet exemption expires on August 28, 2014 (Section 302.020).

The motorcycle helmet provision of this act is substantially similar to SB 1067 (2008), SB 252 (2007), SB 635 (2006), SB 12 (2005), SB 744 (2004), SB 226 (2003), SB 646 (2002), SB 18 (2001), SB 610 (2000) and SB 294 (1999).

STEPHEN JOHN WITTE

01/14/2009 S First Read--SB 202-Schaefer (S121)
 01/27/2009 Second Read and Referred S Small Business, Insurance and Industry Committee (S191)
 02/10/2009 Hearing Conducted S Small Business, Insurance and Industry Committee
 02/17/2009 SCS Voted Do Pass S Small Business, Insurance and Industry Committee (1073S.03C) - Consent
 02/18/2009 Reported from S Small Business, Insurance and Industry Committee to Floor w/SCS - Consent (S328)
 02/24/2009 Removed S Consent Calendar (S373)
 02/26/2009 Reported from S Small Business, Insurance and Industry Committee to Floor w/SCS (S420)
 03/09/2009 SA 1 to SCS S offered & adopted (Ridgeway)--(1073S03.01S) (S540-541)
 03/09/2009 SCS, as amended, S adopted (S541)
 03/09/2009 Perfected (S541)
 03/10/2009 Reported Truly Perfected S Rules Committee (S570)
 03/12/2009 S Third Read and Passed (S626 / H608)
 03/18/2009 H First Read (H608)
 03/23/2009 H Second Read (H612)
 04/02/2009 Referred H Judiciary Committee (H922)
 04/08/2009 Hearing Conducted H Judiciary Committee
 04/08/2009 Voted Do Pass H Judiciary Committee
 04/09/2009 Reported Do Pass H Judiciary Committee (H1021)
 04/09/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1021)
 04/21/2009 Hearing Conducted H Rules Committee
 04/21/2009 Voted Do Pass H Rules Committee
 04/21/2009 Reported Do Pass H Rules Committee (H1196)
 04/27/2009 H Calendar S Bills for Third Reading

EFFECTIVE: August 28, 2009

*** SB 203 ***

1054S.011

SENATE SPONSOR: Justus

SB 203 - This act provides that upon receiving a valid, lawful prescription for a contraceptive, a pharmacy has a duty to dispense the contraceptive or a suitable alternative permitted by the health care provider who issued the prescription. The pharmacy must fill the prescription without delay and consistent with the normal time frame for filling any other prescription. If the contraceptive or suitable alternative is not in stock, the pharmacy must obtain the contraceptive under the pharmacy's standard procedures for ordering contraceptives not in stock. If the patient prefers, the prescription must either be transferred to a local pharmacy of the patient's choice or returned to the patient.

This act also provides that nothing in the provisions of this act shall interfere with a pharmacist's screening for potential drug therapy problems, contraindications, or other potential interaction problems.

A pharmacy has a duty to treat each customer in a non-judgmental manner and ensure that each customer is not subjected to indignity, humiliation, breaches of confidentiality, or pressure to fill or not fill the prescription. In addition, the duties to fill the prescription under this act shall also apply to emergency contraception sold over the counter to persons of legal age.

Violation of the provisions of this act shall subject the licensed pharmacy to disciplinary action by the Board of Pharmacy.

This act is substantially similar to SB 948 (2008) and SCS/SB 72 (2007).

ADRIANE CROUSE

01/15/2009 S First Read--SB 203-Justus (S128)

01/27/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S191)

EFFECTIVE: August 28, 2009

*** SB 204 ***

0974S.03I

SENATE SPONSOR: Goodman

SB 204 - This act licenses certain psychologists to prescribe certain medications and test blood and urine to monitor treatment. Prescribing psychologists are not authorized to order electro-convulsive therapy.

Before a psychologist is licensed as a prescribing psychologist they must:

- Complete 400 hours of didactic educational instruction or complete a postdoctoral masters degree in psychopharmacology.
- Complete a one year supervised fellowship with a full-time caseload of patients during which they provide medication management, psychological evaluations, and therapeutic services.
- Pass a national exam.
- Maintain medical liability insurance.

For the first year of licensure the prescribing psychologist shall have a collaborative practice agreement with a physician. After the first year of licensure, the prescribing psychologist must maintain a referral agreement with a physician to provide for the diagnosis and treatment of medical conditions.

This act is similar to SB 917 (2008), HB 350 (2007), and SB 701 (2007).

EMILY KALMER

01/15/2009 S First Read--SB 204-Goodman, et al (S128)

01/27/2009 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S191)

03/02/2009 Hearing Conducted S Financial and Governmental Organizations and Elections Committee

03/09/2009 Voted Do Pass S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2009

*** SB 205 ***

0999S.01I

SENATE SPONSOR: Shoemyer

SB 205 - This act prohibits the condemnation of property owned by a gun club or sportsmen's club.

This act is identical to SB 860 (2008).

SUSAN HENDERSON MOORE

01/15/2009 S First Read--SB 205-Shoemyer (S129)

01/27/2009 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S191)

EFFECTIVE: August 28, 2009

*** SB 206 ***

1088S.01I

SENATE SPONSOR: Shoemyer

SB 206 - This act requires salaries for state employees, excluding elected officials and certain other

public officials, to be annually adjusted according to the most recent percentage change in the Consumer Price Index for Missouri's region as reported by the United States Department of Labor, Bureau of Labor Statistics.

This act is similar to SB 860 (2004), SB 11 (2005), SB 733 (2006), SB 392 (2007), and SB 867 (2008).
CHRIS HOGERTY

01/15/2009 S First Read--SB 206-Shoemyer (S129)

01/27/2009 Second Read and Referred S Ways and Means Committee (S191)

EFFECTIVE: August 28, 2009

*** SB 207 ***

SCS SBs 207 & 245

0794S.04P

SENATE SPONSOR: Rupp

SCS/SBs 207 & 245 - This act requires companies that own or license personal information about Missouri residents to notify the affected individuals if the company discovers that security of the personal information has been breached. The notification must be made without unreasonable delay, but may be delayed by a law enforcement agency if the notification would compromise an investigation or homeland security.

Certain pieces of information must be included in the notification, such as the type of personal information compromised, the steps being taken to protect further breaches, and certain advice and contact information.

The act provides an exception to the notification requirements if it is determined that no risk of identity theft or other fraud to a consumer is reasonably likely to result from the breach.

Notification to affected consumers of a breach may be made in writing, via e-mail, or by telephone. In cases when the cost of notifying would exceed \$250,000, when there are over 500,000 affected people to notify, when the company does not have sufficient contact information, or if the company cannot determine which consumers are affected by a breach, the company may use alternate notification procedures as described.

Companies shall notify the Attorney General in cases where the personal information of over 1,000 Missourians has been breached.

Companies that maintain their own notification procedures for security breaches that are consistent with this act shall be deemed in compliance with this act if they follow their procedures. Similarly, if a company maintains procedures for security breaches under another state's laws or federal law, and it follows those procedures, the company shall be deemed in compliance with this act.

The Attorney General has exclusive authority to bring action for actual damages for willful and knowing violations of this act as well as may seek a civil penalty of up to \$150,000 per security breach.

ERIKA JAQUES

01/15/2009 S First Read--SB 207-Rupp (S129)

01/27/2009 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S191)

02/17/2009 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee

03/03/2009 SCS Voted Do Pass (w/SCS/SBs 207 & 245) S Commerce, Consumer Protection, Energy and the Environment Committee (0794S.04C)

03/12/2009 Reported from S Commerce, Consumer Protection, Energy and the Environment Committee to Floor w/SCS (S620-621)

04/01/2009 SCS S adopted (S846-847)

04/01/2009 Perfected (S847)

04/01/2009 Reported Truly Perfected S Rules Committee (S855)

04/01/2009 Referred S Governmental Accountability and Fiscal Oversight Committee (S855)

04/09/2009 Hearing Scheduled But Not Heard S Governmental Accountability and Fiscal Oversight Committee

04/14/2009 Hearing Conducted S Governmental Accountability and Fiscal Oversight Committee

04/14/2009 Voted Do Pass S Governmental Accountability and Fiscal Oversight Committee

04/15/2009 Reported from S Governmental Accountability and Fiscal Oversight Committee to Floor (S1023)

04/16/2009 S Third Read and Passed (S1044-1045 / H1110)

04/16/2009 H First Read (H1110)

04/20/2009 H Second Read (H1117)

EFFECTIVE: August 28, 2009

*** SB 208 ***

1025S.011

SENATE SPONSOR: Rupp

SB 208 – This act creates a method of obtaining teacher certification from the state board of education for individuals to teach no more than ten hours per week. Individuals must have a bachelor's degree or higher degree and five years of gainful employment and professional experience in that area suitable to provide a basis to teach. The certificate must be limited to the major area of study and professional experience of the holder. Certificate holders will be limited to instruction in one subject area and are exempt from the other requirements for certificate holders.

MICHAEL RUFF

01/15/2009 S First Read--SB 208-Rupp (S129)

01/27/2009 Second Read and Referred S Education Committee (S191)

EFFECTIVE: August 28, 2009

*** SB 209 ***

0561S.011

SENATE SPONSOR: Clemens

SB 209 - This act creates a central filing system in the office of the Secretary of State for filing financing statements to perfect a security interest in farm products. The Secretary of State shall operate and maintain the system and compile information from all the statements into a master list organized according to farm product and further arranged in alphabetical order by last name of the debtor, by social security number of the debtor, geographically by county, and by crop year. Individuals may register with the Secretary of State to receive the list in return for a \$30 registration fee and an annual fee, the sum of which depends on the type of list requested. Requirements relating to additional fees and electronic requests are provided and all fees collected by the Secretary of State shall be deposited in the Secretary of State's technology trust fund. The Secretary of State is given the authority to promulgate rules to implement the system.

In accordance with the Food Security Act, 7 U.S.C. 1631, the Secretary of State shall apply to the Secretary of the United States Department of Agriculture for certification of the central filing system.

Requirements for an effective filing statement are provided and such statements shall remain effective for 5 years from the date of filing, subject to extensions for additional periods of 5 years by refiling or filing a continuation statement within 6 months before the 5 year expiration.

When there is no outstanding secured obligation and no commitment to give value, the secured party shall notify the debtor of his or her right to receive a notice of lapse of the financing statement which shall lead to the removal of the name of the debtor from the files and lists compiled by the Secretary of State. In lieu of this notice, the secured party may acquire a waiver of the debtor of such right and a request by the debtor that the statement be retained on file. If the secured party does not furnish the notice or obtain the waiver, the secured party shall provide the debtor with a written notification of the debtor's right to have a notice of lapse filed within 10 days of final payment of all secured obligations.

A buyer in the ordinary course of business buying farm products covered by the central filing system shall take subject to the security interest identified under the system unless the buyer makes an inquiry into the system and the system does not correctly identify the debtor. Buyers take free of any security interest if the buyer obtains a waiver or release of the interest from the secured party.

CHRIS HOGERTY

01/15/2009 S First Read--SB 209-Clemens (S129)

01/27/2009 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S191)

EFFECTIVE: August 28, 2009

*** SB 210 ***

0877L.011

SENATE SPONSOR: Lembke

SB 210 - This act prohibits the Supreme Court from establishing or maintaining a mandatory bar

association as part of the requirements for licensing as an attorney.

EMILY KALMER

01/20/2009 S First Read--SB 210-Lembke and Cunningham (S136)

01/27/2009 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S191)

EFFECTIVE: January 1, 2010

*** SB 211 ***

0878L.011

SENATE SPONSOR: Lembke

SB 211 - This act prohibits political subdivisions from using automated photo red light enforcement systems to enforce red light violations.

STEPHEN WITTE

01/20/2009 S First Read--SB 211-Lembke (S136)

01/27/2009 Second Read and Referred S Transportation Committee (S191)

02/18/2009 Hearing Conducted S Transportation Committee

02/25/2009 Motion to vote bill do pass failed S Transportation Committee

EFFECTIVE: August 28, 2009

*** SB 212 ***

1277S.011

SENATE SPONSOR: Griesheimer

This bill has been combined with SB 45

01/20/2009 S First Read--SB 212-Griesheimer (S136)

01/27/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S191)

02/04/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee

02/11/2009 Bill Combined w/SCS/SBs 45, 212, 136, 278, 279, 285, 288

EFFECTIVE: August 28, 2009

*** SB 213 ***

1171S.011

SENATE SPONSOR: Scott

SB 213 - Currently, the minimum time for holding investments in the Missouri Higher Education Savings Program is 12 months. The act removes that requirement.

CHRIS HOGERTY

01/20/2009 S First Read--SB 213-Scott (S136)

01/27/2009 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S191)

EFFECTIVE: August 28, 2009

*** SB 214 ***

0066S.011

SENATE SPONSOR: Scott

SB 214 - This act changes the definition of "dealer" contained in Chapter 700, RSMo, back to its pre-SB 788 version. The act also changes the term "licensee" to "registrant" in subsection 4 of section 700.100.

STEPHEN WITTE

01/20/2009 S First Read--SB 214-Scott (S136)

01/27/2009 Second Read and Referred S General Laws Committee (S191)

03/03/2009 Hearing Scheduled But Not Heard S General Laws Committee

EFFECTIVE: August 28, 2009

*** SB 215 ***

0321S.03P

SENATE SPONSOR: Shields

SB 215 - This act establishes the procedure to establish a port improvement district.

ESTABLISHMENT OF A PORT IMPROVEMENT DISTRICT - This act establishes the Port Improvement District Act. Under the terms of the act, a port authority may establish a port improvement district within its boundaries for the purpose of funding qualified project costs. The port authority board must hold public hearings on whether to create port improvement district. After the public hearing, the board may approve the petition to create a district by resolution. The port authority board must file a petition in circuit court requesting the creation of a port improvement district. Within 30 days of the circuit court's certification of the petition and establishment of the district, the board must file a copy of the board's resolution approving the petition, the certified petition and the court's judgment certifying and establishing the district with the Missouri Highways and Transportation Commission.

CONTENTS OF PETITION TO CREATE A DISTRICT - The act sets forth what information the petition must contain in order to be certified by the circuit court. For example, the petition must set forth a legal description of the district, the district's name, the maximum rate and duration of any proposed real property or sales tax, and the estimated revenues projected to be generated from such taxes.

PUBLIC HEARING ON PROPOSED PETITION - The act establishes the notice requirements the port authority board must follow prior to submitting the petition to the circuit court. A public hearing must be held on the proposed projects, proposed real property or sales taxes, and the establishment of the district. The act requires notice to be provided by both publication and mailing.

CIRCUIT COURT HEARING PROCEDURE - The act establishes the procedure in which the circuit court must conduct certification hearing. A copy of the petition must be served on all of the respondents (property owners, political subdivisions, etc.). The respondents will have 30 days after receipt of service to file an answer stating agreement with or opposition to the creation of the district. The court will hear the case without a jury. The parties may appeal a circuit court's order in the same manner provided for other appeals.

NOTICE TO PUBLIC FOR CIRCUIT COURT HEARING - The act also establishes how the circuit clerk must provide notice to the public of the circuit court hearing. The statutory notice shall be published in a newspaper of general circulation once a week for four consecutive weeks.

TERMINATION OF DISTRICT - The act establishes a procedure in which a port improvement district may be terminated. The district may be terminated by a board resolution provided that there are no outstanding obligations secured by district revenues. Public hearings must be held before a district is terminated.

REAL PROPERTY TAX AUTHORIZED - SUBMISSION TO QUALIFIED VOTERS - Under the terms of the act, the port authority may levy a real property tax provided the qualified voters approve the tax by mail-in ballot. The act sets forth the sample ballot language. The act also establishes the procedure in which the real property taxes are collected and distributed.

SALES AND USE TAX AUTHORIZED - SUBMISSION TO QUALIFIED VOTERS - Under the terms of the act, the port authority may levy sales and use taxes within the district in increments of one-eighth of one percent, up to a maximum of one percent provided the sales and use tax is approved by the qualified voters in a mail-in ballot election. The act establishes a procedure for collecting and distributing the sales and use tax. Revenues generated from the sales and use tax must be deposited into a special trust fund. Port authorities may repeal by resolution any sales and use tax unless the repeal would impair the port authority's ability to repay any obligations the port authority has incurred to pay qualified project costs of the district.

ELECTION PROCEDURE FOR REAL PROPERTY AND SALES TAX - The act sets forth an election procedure that must be followed for any proposed real property tax or sales and use tax. After the board has passed a resolution approving the levying of a tax, the board must provide written notice of the resolution, along with the circuit court's certified question regarding the tax, to the election authority. After receiving the written notice of the resolution and the court's certified question, the election authority must specify a date upon which the election shall occur. In addition, the election authority must publish notice of the election in a newspaper of general circulation. The election authority must mail ballots to the qualified voters. Each qualified voter shall have one vote. The act requires the port authority to reimburse the election authority for the costs incurred to conduct an election. A port authority may propose a real property tax and a sales and use tax question to the district's qualified voters in the same election.

STATUTE OF LIMITATIONS FOR CHALLENGING VALIDITY OF DISTRICT'S CREATION OR VALIDITY OF TAXES - Under the terms of the act, no lawsuit to set aside an established district or a tax shall be brought

after the expiration of 90 days from the effective date of the resolution establishing such district in question or the effective date of the resolution levying such real property or sales tax.

ANNUAL REPORTS BY PORT AUTHORITIES - The act requires port authorities that have formed port improvement districts to file reports with the Department of Transportation and the local political subdivision in which the district was formed stating the services provided, the revenues collected and expenditures made by the district during the fiscal year. The port authority must submit an annual report of the district's financial transactions to the state auditor.

SA 1 - A petition to create a port improvement district must be signed by the property owners collectively owning more than 60% per capita of all owners of real property within the boundaries of the proposed district.

SA 2 - The act provides that the state auditor shall have the power to audit port authorities.

SA 3 - Under the act, any expenditure by a port authority that is over \$25,000 must be competitively bid.

STEPHEN WITTE

01/20/2009 S First Read--SB 215-Shields (S136)
 01/27/2009 Second Read and Referred S Ways and Means Committee (S191)
 02/11/2009 Hearing Conducted S Ways and Means Committee
 02/18/2009 Voted Do Pass S Ways and Means Committee
 02/19/2009 Reported from S Ways and Means Committee to Floor (S344)
 02/24/2009 SA 1 S offered (Callahan)--(0321S03.01F) (S368)
 02/24/2009 SA 1 to SA 1 S offered & adopted (Ridgeway)--(0321S03.02S) (S368)
 02/24/2009 SA 1, as amended, S adopted (S368)
 02/24/2009 SA 2 S offered & adopted (Callahan)--(0321S03.02F) (S368)
 02/24/2009 SA 3 S offered & adopted (Callahan)--(0321S03.03F) (S368)
 02/24/2009 Perfected, as amended (S368)
 02/24/2009 Reported Truly Perfected S Rules Committee (S372)
 02/25/2009 Motion to Third Read Bill S withdrawn
 02/25/2009 Bill Placed on Informal Calendar (S386)
 03/02/2009 S Third Read and Passed (S433-434 / H452)
 03/03/2009 H First Read (H452)
 03/04/2009 H Second Read (H459)
 04/02/2009 Referred H Job Creation and Economic Development Committee (H922)
 04/21/2009 Hearing Conducted H Job Creation and Economic Development Committee

EFFECTIVE: August 28, 2009

*** SB 216 ***

HCS SCS SB 216

1058L.04C

SENATE SPONSOR: Scott

HOUSE HANDLER: Cunningham

HCS/SCS/SB 216 - This act requires debt settlement providers only to provide debt settlement services under a debt settlement plan when performing the services for a fee.

Debt settlement services are defined as the negotiation, settlement, or alteration of the terms of payment of a consumer's debt with the consumer's creditor with or without receiving or holding money from a consumer for the purpose of distributing that money to the creditor.

Debt adjusters are exempted from the definition of "debt settlement provider" if the debt settlement service it provides to a debtor contemplates that creditors will settle debts for less than the principal amount of the debt enrolled in a debt settlement plan.

Under the plan, the provider may only charge reasonable consideration not to exceed 4% of the principal amount of the debt in enrollment fees and 20% of the principal amount of the debt in aggregate fees. The balance shall be collected in equal payments over a period determined by the provider as long as the last payment is due no sooner than the median month in the plan. Upon completion of the plan, aggregate fees shall not exceed the amount the plan reduces the principal amount of the debt originally enrolled in the plan. The debtor may voluntarily prepay fees, and the provider may collect fees on a pro rata basis once the provider obtains reasonable offers.

When debt settlement providers establish plans where the provider receives or holds the debtors money for distribution, the provider shall maintain a separate trust account for handling the funds with a depository

institution insured by the Federal Deposit Insurance Corporation.

Debt settlement providers are required to carry insurance in the amount of at least 1 million dollars.

The Attorney General is charged with the enforcement of these provisions and injunctions and orders for restitution may be issued for violations.

This act is similar to SB 1108 (2008).

CHRIS HOGERTY

01/21/2009 S First Read--SB 216-Scott (S147)
 01/27/2009 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S191)
 02/16/2009 Hearing Conducted S Financial and Governmental Organizations and Elections Committee
 03/02/2009 SCS Voted Do Pass S Financial and Governmental Organizations and Elections Committee (1058S.02C)
 03/05/2009 Reported from S Financial and Governmental Organizations and Elections Committee to Floor w/SCS (S528)
 03/10/2009 Bill Placed on Informal Calendar (S552)
 03/31/2009 SA 1 to SCS S offered & adopted (Scott)--(1058S02.02S) (S824)
 03/31/2009 SCS, as amended, S adopted (S824)
 03/31/2009 Perfected (S824)
 03/31/2009 Reported Truly Perfected S Rules Committee (S830)
 04/02/2009 S Third Read and Passed (S884-885 / H926)
 04/02/2009 H First Read (H926)
 04/06/2009 H Second Read (H933)
 04/09/2009 Referred H Financial Institutions Committee (H1019)
 04/15/2009 Hearing Conducted H Financial Institutions Committee
 04/22/2009 HCS Voted Do Pass H Financial Institutions Committee
 04/23/2009 HCS Reported Do Pass H Financial Institutions Committee (H1258)
 04/23/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1258)

EFFECTIVE: August 28, 2009

*** SB 217 ***

0997S.01P

SENATE SPONSOR: Goodman

HOUSE HANDLER: Stevenson

SB 217 - Shareholders and proxyholders may participate and vote in shareholders meetings by remote communication if authorized by the board of directors. The corporation shall attempt to reasonably verify that each remote participant is an actual shareholder or proxyholder. Remote participants shall be provided an opportunity to read or hear the proceedings of the meeting substantially concurrently with the actual proceeding, vote, and otherwise participate in the meeting. When a remote participant votes or takes other action, a record of the vote or action shall be retained by the corporation.

CHRIS HOGERTY

01/21/2009 S First Read--SB 217-Goodman (S147)
 01/27/2009 Second Read and Referred S Small Business, Insurance and Industry Committee (S191)
 02/03/2009 Hearing Conducted S Small Business, Insurance and Industry Committee
 02/17/2009 Voted Do Pass S Small Business, Insurance and Industry Committee - Consent
 02/18/2009 Reported from S Small Business, Insurance and Industry Committee to Floor - Consent (S328)
 02/25/2009 S Third Read and Passed - Consent (S392 / H422)
 02/26/2009 H First Read (H422)
 03/02/2009 H Second Read (H428)
 03/30/2009 Referred H Judiciary Committee (H791)
 04/01/2009 Hearing Conducted H Judiciary Committee
 04/08/2009 Voted Do Pass H Judiciary Committee
 04/09/2009 Reported Do Pass H Judiciary Committee (H1021)
 04/09/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1021)
 04/21/2009 Hearing Conducted H Rules Committee
 04/21/2009 Voted Do Pass H Rules Committee
 04/21/2009 Reported Do Pass H Rules Committee (H1196)
 04/27/2009 H Calendar S Bills for Third Reading

EFFECTIVE: August 28, 2009

*** SB 218 ***

0781S.021

SENATE SPONSOR: Ridgeway

SCS/SB 218 - This act provides that as of January 1, 2010, a parent may request by written demand to the juvenile court a jury trial for proceedings regarding involuntary termination of parental rights. A request for a jury trial shall be no later than 45 days following service of summons on the parent or guardian subject to the termination hearing. Failure to file the jury trial request within the 45-day period shall constitute a waiver of such right, unless a subsequent request is joined in by all parties.

By November 1, 2009, the Missouri Supreme Court shall develop appropriate jury instructions for termination of parental rights cases heard by a jury. At least one of the instructions shall direct the jury to find whether the termination of parental rights will or will not be in the best interests of the child.

ADRIANE CROUSE

01/22/2009 S First Read--SB 218-Ridgeway (S162)

01/27/2009 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S191)

03/02/2009 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee

03/30/2009 SCS Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee (0781S.05C)

EFFECTIVE: January 1, 2010

*** SB 219 ***

1243S.011

SENATE SPONSOR: Ridgeway

SB 219 - This act allows the court, as a condition of probation or parole, to require certain persons convicted of intoxication-related traffic offenses to submit to alcohol monitoring in certain circumstances instead of serving a more lengthy sentence.

The term "continuous alcohol monitoring" means automatically testing alcohol concentration levels and tampering attempts, regardless of the location of the person wearing the device, at least once each hour and regularly transmitting the data.

In addition to other terms of probation or parole, a court shall consider requiring an offender convicted of an intoxication-related traffic offense to abstain from consuming alcohol as demonstrated by continuous alcohol monitoring or verifiable breath alcohol testing performed a minimum of four times per day for a length of time established by the court.

Although an aggravated offender is not eligible for probation or parole for 60 days, the court may suspend execution of up to 30 days of such term if, as a condition of probation and parole, the person abstains from drinking alcohol as demonstrated by continuous alcohol monitoring or verifiable breath alcohol testing performed a minimum of six times per day for not less than 60 days but not more than 120 days.

A chronic offender is not eligible for probation or parole until he or she has served two years of imprisonment; however, the court may grant probation if the person qualifies for the one hundred twenty day shock treatment program and he or she, as a condition of probation, abstains from drinking alcohol as demonstrated by continuous alcohol monitoring or verifiable breath alcohol testing performed a minimum of six times per day for not less than 6 months but not more than 2 years.

SUSAN HENDERSON MOORE

01/22/2009 S First Read--SB 219-Ridgeway, et al (S162-163)

01/27/2009 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S191)

02/16/2009 Hearing Cancelled S Judiciary and Civil and Criminal Jurisprudence Committee

02/23/2009 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2009

*** SB 220 ***

1173S.011

SENATE SPONSOR: Goodman

SB 220 - This act establishes the "Fire Safety Standard and Firefighter Protection Act", which prohibits the sale of cigarettes in this state that have not been tested, certified, and marked as meeting certain performance standards. Performance standard testing shall be conducted according to certain specifications,

unless the state fire marshal determines that using such test method is impossible for a manufacturer. In such cases, the state fire marshal shall approve an equivalent testing method.

Each manufacturer shall maintain copies of testing reports for three years and must make the reports available to the State Fire Marshal and attorney general upon written request. After sixty days of failing to make the reports available, a manufacturer shall be subject to a civil penalty of up to \$60,000 for each day of the violation.

Manufacturers shall also submit written certification to the State Fire Marshal attesting to each cigarette being tested and meeting the performance standard established in this act. For each cigarette listed in a certification, a manufacturer must pay the State Fire Marshal a \$250 fee. Cigarettes must be recertified every three years.

Certified cigarettes must be marked in certain sized type and the marking must meet certain standards. Manufacturers shall only use one marking for all packages. Manufacturers must provide copies of the certifications to wholesale dealers and agents to which they sell cigarettes. Wholesale dealers, agents, and retail dealers shall permit the State Fire Marshal, Department of Revenue, and Attorney General to inspect package markings.

Manufacturers, wholesale dealers, agents, or other persons who sell cigarettes, except through retail sale, in violation of testing requirements are subject to a civil penalty not to exceed \$100 for each pack of cigarettes sold. The total penalty against any such person shall not exceed \$100,000 during any 30-day period. A retail dealer, who knowingly sells cigarettes in violation of the testing requirements, shall also be subject to a \$100 civil penalty per pack sold, but the total penalty shall not exceed \$25,000 during any 30-day period. Any person who violates other provisions of this act shall be subject to a civil penalty of not more than \$1,000 for a first violation and not more than \$5,000 for subsequent violations.

When law enforcement or the State Fire Marshal discovers cigarettes that have not been certified or marked, he or she may seize the cigarettes, which shall then be destroyed. The holder of the trademark rights shall be allowed to inspect the cigarettes prior to destruction.

The department may conduct regular inspections of cigarettes to determine if they are marked properly. If they are improperly marked, the department shall notify the State Fire Marshal. The Attorney General, department, State Fire Marshal, and law enforcement personnel are authorized to examine the records of persons possessing, controlling, or occupying premises where cigarettes are stored or sold. Such persons are required to give such people the opportunity to make the permitted examinations.

This act creates the "Cigarette Fire Safety Standard and Firefighter Protection Act Fund", which shall consist of money collected under these provisions. The State Fire Marshal will administer the fund and the money will be used to support fire safety and prevention programs.

The State Fire Marshal shall review the effectiveness of this act and report his or her findings to the General Assembly every three years, including any legislative recommendations.

This act shall become effective on September 1, 2010.

This act is similar to HB 205 (2009).

SUSAN HENDERSON MOORE

01/22/2009 S First Read--SB 220-Goodman (S163)

01/27/2009 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S191)

EFFECTIVE: August 28, 2009

*** SB 221 ***

1313S.011

SENATE SPONSOR: Goodman

SB 221 - This act expands the crime of resisting arrest, stop, or detention to include resisting an arrest for a warrant issued by a court or probation and parole officer. The crime of resisting arrest shall be Class D felony for an arrest for a warrant issued for failure to appear on a felony case or a warrant issued for a probation violation on a felony case.

This act is identical to SB 1238 (2008).

SUSAN HENDERSON MOORE

01/22/2009 S First Read--SB 221-Goodman (S163)

01/27/2009 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S191)

02/16/2009 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2009

*** SB 222 ***

1023S.011

SENATE SPONSOR: Goodman

SCS/SB 222 -This act changes requirements for the usage of Social Security numbers and certain other identification information in certain court documents.

The act also modifies the requirement that petitions, answers, and judgments in actions for divorce or legal separation and in actions for modification of maintenance or child support include the Social Security numbers of the parties and their children to require only the last four digits of the Social Security numbers on those documents. Also, in certain actions the parties must file family court information sheets which include the Social Security numbers and current employment information.

Any pleadings other than interlocutory or final judgments in divorce or legal separation cases prior to August 28, 2009 may only be inspected by the parties, or upon order of the court, or in certain circumstances by the Family Support Division of DSS. The clerk is required to redact the SSN from judgments prior to August 28, 2009, before releasing them to the public.

Any pleading, attachment, or exhibit filed with the court in any case shall not include full SSNs of parties in civil actions and of children subject to custody or support orders, or the credit card numbers and financial account numbers of parties. In certain cases a confidential case filing sheet shall be filed with the court. Except for certain cases, clerks are not required to redact any pleading, attachment, or exhibit prior to releasing the document to the public.

Information in court records that could be used to identify victims of certain crimes is no longer a closed record, but shall be redacted if the record was filed before January 1, 2010. Beginning January 1, 2010, certain identifying information shall be retained on a confidential case filing sheet. Nothing shall be construed to permit the redaction of identifying information of a perpetrator of certain crimes.

EMILY KALMER

01/22/2009 S First Read--SB 222-Goodman (S163)

01/27/2009 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S191)

02/17/2009 Hearing Cancelled S Commerce, Consumer Protection, Energy and the Environment Committee

03/31/2009 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee

04/07/2009 SCS Voted Do Pass S Commerce, Consumer Protection, Energy and the Environment Committee (1023S.03C)

EFFECTIVE: August 28, 2009

*** SB 223 *** SCS SBs 223 & 226

1331S.03C

SENATE SPONSOR: Goodman

SCS/SBs 223 & 226 - This act regulates sexually oriented businesses.

As of August 28, 2009, no person shall establish a sexually oriented business within 1000 feet of a preexisting school, house of worship, state-licensed day care, public library, public park, residence, or other sexually oriented business.

No person shall establish a sexually oriented business if a person with an influential interest in such business has been convicted of, or released from confinement, for certain crimes within the last eight years.

This act prohibits a person from knowingly appearing nude in a sexually oriented business. No employee of such a business shall knowingly appear in a semi-nude condition, unless he or she remains on a stage at least six feet from the patrons and at least eighteen inches from the floor in a room that is at least 600 square feet. Also, such employees appearing semi-nude shall not knowingly touch a patron or the clothing of a

patron.

A sexually oriented business that exhibits films, videos, or other reproductions with an emphasis on displaying specified sexual activities or specified anatomical areas must comply with the following requirements:

- 1) the operator's station must have an unobstructed view of all areas where patrons are permitted except the restroom;
- 2) the operator's station must not exceed 32 square feet;
- 3) if more than one operator's station exists, there must be an unobstructed view of each area where patrons are permitted from at least one of the operator's stations;
- 4) the view from the operator's station must be by direct line of sight;
- 5) the operator shall ensure that at least one employee is on duty in the operator's station at all times patrons are there; and
- 6) the operator and employees must ensure that view areas remain unobstructed.

Sexually oriented businesses that do not meet the requirements for stages or interior specifications on August 28, 2009, shall have 180 days to comply. During such period, any employee who appears semi-nude shall remain at least six feet from all patrons.

No sexually oriented business shall be open between the hours of midnight and 6:00 a.m and no person shall knowingly sell, use, or consume alcohol on the premises. No person shall knowingly allow a person under the age of eighteen on the premises.

In order to violate the provisions of this act, the person must have committed such acts knowingly or recklessly. An act of an employee shall be imputed to the business, only if an officer or manager knowingly or recklessly allows such act to occur on the premises. A violation of this act shall be deemed a misdemeanor punishable by a fine not to exceed \$500 or imprisonment not to exceed 90 days. Any business repeatedly operated in violation of this act shall constitute a public nuisance and shall be subject to civil abatement proceedings.

Nothing in this act shall prevent a political subdivision from enacting local ordinances regulating sexually oriented businesses.

This act contains a severability clause.

This act is similar to HB 321 (2009).

SUSAN HENDERSON MOORE

01/22/2009 S First Read--SB 223-Goodman (S163)
 01/27/2009 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S191)
 02/02/2009 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee
 02/09/2009 SCS Voted Do Pass (w/SCS/SB 223 & 226) S Judiciary and Civil and Criminal Jurisprudence Committee (1331S.03C)
 02/12/2009 Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor w/SCS (S294)
 02/17/2009 Bill Placed on Informal Calendar (S319)
 04/06/2009 SA 1 to SCS S offered (Callahan)--(1331S03.01F) (S907-909)
 04/06/2009 Bill Placed on Informal Calendar (S909)
 04/27/2009 S Informal Calendar S Bills for Perfection--SBs 223 & 226-Goodman and Nodler, with SCS & SA 1 (pending)

EFFECTIVE: August 28, 2009

*** SB 224 ***

0998S.02P

SENATE SPONSOR: Goodman

HOUSE HANDLER: Pratt

SB 224 - This act repeals a provision barring a for profit corporation from changing the name of an

incorporator in an amended articles of incorporation.

After an amendment of the articles of incorporation, the restated articles of incorporation of for profit and nonprofit corporations may omit the names of the original incorporators, the names and addresses of the initial board of directors, and any provisions contained in any amendment to the articles as were necessary to effect some change in the stock of the corporation, if the change has become effective.

CHRIS HOGERTY

01/22/2009 S First Read--SB 224-Goodman (S163)
 01/27/2009 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S191)
 03/02/2009 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee
 03/02/2009 Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee - Consent
 03/04/2009 Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor - Consent (S473)
 03/12/2009 S Third Read and Passed - Consent (S613-614 / H601)
 03/12/2009 H First Read (H601)
 03/18/2009 H Second Read (H606)
 04/01/2009 Referred H Special Standing Committee on General Laws Committee (H900)
 04/09/2009 Hearing Conducted H Special Standing Committee on General Laws Committee
 04/09/2009 Voted Do Pass H Special Standing Committee on General Laws Committee
 04/09/2009 Reported Do Pass H Special Standing Committee on General Laws Committee (H1024)
 04/09/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1024)
 04/21/2009 Hearing Conducted H Rules Committee
 04/21/2009 Voted Do Pass H Rules Committee
 04/21/2009 Reported Do Pass H Rules Committee (H1197)
 04/27/2009 H Calendar S Bills for Third Reading

EFFECTIVE: August 28, 2009

*** SB 225 ***

1312S.011

SENATE SPONSOR: Goodman

SB 225 - Under Chapter 532, RSMo, concerning writs of habeus corpus, it shall not be a prerequisite to a release on bail that a criminal charge of any kind has been filed.

This act is identical to SB 1237 (2008).

SUSAN HENDERSON MOORE

01/22/2009 S First Read--SB 225-Goodman (S163)
 01/27/2009 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S191)
 03/23/2009 Hearing Cancelled S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2009

*** SB 226 ***

1205S.011

SENATE SPONSOR: Bartle

This bill has been combined with SB 223

01/22/2009 S First Read--SB 226-Bartle (S163)
 01/27/2009 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S191)
 02/02/2009 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee
 02/09/2009 Bill Combined w/SCS/SB 223 & 226

EFFECTIVE: August 28, 2009

*** SB 227 ***

1142S.011

SENATE SPONSOR: Dempsey

SB 227 - Under current law, certain dangerous wild animals may not be kept unless they are registered with local law enforcement except if the animals are kept in a zoo, circus, scientific or educational institution, research laboratory, veterinary hospital or animal refuge. This act removes the exception for animal refuges. The act also adds the criteria that research laboratories and scientific and educational institutions must be accredited, veterinary hospitals must be permitted by the Missouri Veterinary Medical Board, and zoos must

be accredited by the Association of Zoos and Aquariums in order for the exception to apply.

The act removes the margay, jaguarundi, coyote, and certain reptiles from the list of animals for which registration is required.

The act specifies that the law enforcement agency responsible for receiving the registrations is the chief law enforcement official in each county or in the City of St. Louis, or his or her designee.

Any such dangerous wild animal shall be registered within 5 days of being acquired or moved into any county or the city of St. Louis. The act adds the requirement that registration of such animals must be renewed annually.

The chief law enforcement official in each county or in St. Louis is required to maintain the registry of dangerous wild animals and make the registry available for disaster preparedness, emergencies, and to the general public via a website. The official can charge a registration fee to cover the administrative expenses associated with maintaining the registry not to exceed \$50 for a first registration or \$25 for a renewal registration. Animal refuges that operate as non-profit organizations are exempt from the fee provisions.

The act specifies the information that must be recorded as part of the animal's registration.

Any animal required to be registered under this act shall be identifiable by a microchip or other reliable identification device.

The act prohibits the bringing of any such dangerous wild animal to a public, commercial, or retail establishment unless it is a veterinarian or veterinary clinic. The animals shall not come into contact with anyone other than the owner, possessor, handler, or veterinarian.

A violation of the act is a Class A misdemeanor.

The act is similar to SB 1032 (2008).

ERIKA JAQUES

01/22/2009 S First Read--SB 227-Dempsey (S163)

01/27/2009 Second Read and Referred S General Laws Committee (S191)

02/10/2009 Hearing Conducted S General Laws Committee

EFFECTIVE: August 28, 2009

*** SB 228 *** SCS SB 228

1109S.06C

SENATE SPONSOR: Scott

SS/SCS/SB 228 - The act creates the Missouri Clean and Renewable Energy Construction Act.

The act modifies the construction work in progress (CWIP) law to allow costs associated with the planning and construction of certain types of power plants to be recoverable by an electric company through its customer rates prior to plant start-up. Eligible power plants include plants that generate electricity from renewable sources and plants that meet certain large capacity criteria that are also intended to reduce carbon emissions.

Subsidiary corporations created by an electric company for the purpose of building or operating an eligible power plant shall be considered and treated as the electric company under the act.

No later than 30 days after August 28, 2009, the Public Service Commission (PSC) shall begin an evaluation of the relative merits of various financing methods that an electric company may use to build new power plants and shall issue a report of its findings to the Governor and General Assembly by August 28, 2010.

The PSC may include prudently incurred preconstruction costs for eligible power plants in an electric company's rate base in a general rate proceeding.

Electric companies may apply to the PSC for a project development order, which is an order issued by the PSC establishing the prudence of an electric company's decision to incur preconstruction costs for an eligible power plant. Prudently incurred preconstruction costs may be included in the company's rate base.

The PSC shall respond to an application for a project development order or amended project development order within one year of the application's date of filing. If the electric company decides not to build the power plant after a project development order has been issued, the associated preconstruction costs are still recoverable through customer rates, provided that the decision to abandon the project is reasonable and that the costs to ratepayers would be less than if the company completed the project.

The act requires an electric company to seek approval from the PSC to sell, transfer, or encumber any interest it has in an eligible power plant. If such interest involves a license issued by the U.S. Nuclear Regulatory Commission and any of the costs to acquire the license were recovered from ratepayers, then the PSC shall prescribe how any proceeds arising from the transfer of interest shall be refunded to ratepayers.

Electric companies may apply to the PSC for a facility review order, which is an order issued by the PSC that establishes the prudence of the decision to construct an eligible power plant. The act requires the PSC to develop the requirements for a facility review order application by September 1, 2010. An electric company may only apply for a facility review order after it has received all necessary licenses or permits for the proposed plant. The PSC must respond to a facility review order application no later than 11 months after its date of filing. Under a facility review order, the PSC may require quarterly expedited rate revisions or the company may request expedited rate revisions. An electric company may petition the PSC to modify a facility review order.

Provided that the electric company adheres to the construction schedule and costs listed in the facility review order, the facility review order is a binding determination of the prudence of the company's capital costs associated with construction. Such capital costs may be recovered in rates through expedited revised rate reviews or through general rate proceedings. The PSC can disallow any capital cost that it determines to have been imprudently incurred. Cost deviations caused by forces or factors beyond the company's control shall not be considered imprudence on the part of the company.

The act provides that if the Clean and Renewable Energy Construction Act is modified in the future in such a way as to limit or prohibit construction costs to be recovered through rates, any costs incurred by an electric company up to that point shall still be recoverable, even in the event that the plant is not constructed.

The act allows the PSC to require electric companies that have been issued a facility review order to file periodic reports. The PSC shall monitor the construction of and expenditure of capital associated with building a power plant under a facility review order.

The act provides procedures for an electric company to request to revise its rates in an expedited manner as it incurs additional construction costs. The PSC shall respond to an expedited rate request within 6 months of its filing. The PSC staff shall audit any revised rates for compliance with the facility review order. If the PSC finds that any previously approved rates resulted in an excess of revenue above the amount approved in the facility review order, the electric company shall credit its customers' bills over the subsequent 4 monthly billing cycles.

Electric companies shall promptly notify their customers of any increase in rates approved by the PSC in a revised rate order.

If construction of the power plant gets cancelled, the associated construction costs may still be recovered through rates, provided that the decision to cancel the construction is reasonable and the company demonstrates that the cost to ratepayers would be less than the cost of completing the project.

Once a power plant under a facility review order is constructed, the PSC shall audit the company's finances in relation to the project and its cost recovery for purposes of determining compliance with the facility review order. Any over- or under-recovery of costs shall be credited or charged, respectively, to the customers.

Procedures for re-hearing a PSC order are provided in the act. Procedural requirements for general PSC rate proceedings shall apply to rate proceedings under the act, however, form and content requirements shall only apply to proceedings that are combined with a general rate proceeding.

The act limits courts from reviewing any matter over which the act expressly gives the PSC jurisdiction except as provided under current law for appealing a re-hearing request or decision. Except for permits required by the Department of Natural Resources, the act restricts any state, regional, or local government from requiring any additional approval for the construction of an eligible power plant under the act.

If an electric company subsequently sells a license acquired for an eligible power plant or sells the eligible power plant itself after having recovered costs from ratepayers under the act, the PSC shall require the company to refund the ratepayers.

This act is similar to HB 554 (2009).

ERIKA JAQUES

01/22/2009 S First Read--SB 228-Scott, et al (S163)
 01/27/2009 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S191)
 02/10/2009 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee
 03/31/2009 SCS Voted Do Pass S Commerce, Consumer Protection, Energy and the Environment Committee (1109S.06C)
 03/31/2009 Reported from S Commerce, Consumer Protection, Energy and the Environment Committee to Floor w/SCS (S830)
 04/07/2009 SS for SCS S offered (Scott)--(1109S.09F) (S922-923)
 04/07/2009 SA 1 to SS for SCS S offered (Cunningham)--(1109S09.31S) (S923)
 04/07/2009 SA 1 to SA 1 to SS for SCS S offered & withdrawn (Days)--(1109S09.57S) (S923-924)
 04/07/2009 SA 2 to SA 1 to SS for SCS S offered & adopted (Callahan)--(1109S09.59S) (S924)
 04/07/2009 SA 1 to SS for SCS, as amended, S adopted (S924)
 04/07/2009 SA 2 to SS for SCS S offered (Mayer)--(1109S09.17S) (S924)
 04/07/2009 SA 1 to SA 2 to SS for SCS S offered & defeated (Callahan)--(1109S09.01F) (S924)
 04/07/2009 SA 2 to SS for SCS S defeated (S924)
 04/07/2009 SA 3 to SS for SCS S offered & defeated (Crowell)--(1109S09.53S) (S925-927)
 04/07/2009 SA 4 to SS for SCS S offered (Bray)--(1109S09.65S) (S927-928)
 04/07/2009 SSA 1 for SA 4 to SS for SCS S offered (Bray)--(1109S09.66S) (S928)
 04/07/2009 SA 1 to SSA 1 for SA 4 to SS for SCS S offered & defeated (Bray)--(1109S09.67S) (S928-929)
 04/07/2009 SSA 1 for SA 4 to SS for SCS S defeated (S929)
 04/07/2009 SA 4 to SS for SCS S defeated (S929)
 04/07/2009 SA 5 to SS for SCS S offered & defeated (Ridgeway)--(1109S09.69S) (S929)
 04/07/2009 SA 6 to SS for SCS S offered (Rupp)--(1109S09.70S) (S929)
 04/07/2009 SA 1 to SA 6 to SS for SCS S offered & adopted (Scott)--(1109S09.02F) (S929-930)
 04/07/2009 SA 2 to SA 6 to SS for SCS S offered & adopted (Smith)--(1109S09.74S) (S930)
 04/07/2009 SA 6 to SS for SCS, as amended, S adopted (S930)
 04/07/2009 SA 7 to SS for SCS S offered & defeated (Callahan)--(1109S09.10S) (S930)
 04/07/2009 SA 8 to SS for SCS S offered & withdrawn (Scott)--(1109S09.76S) (S930)
 04/07/2009 SA 9 to SS for SCS S offered & defeated (Mayer)--(1109S09.20S) (S930-931)
 04/07/2009 SA 10 to SS for SCS S offered & adopted (Crowell)--(1109S09.52S) (S931)
 04/07/2009 SA 11 to SS for SCS S offered (Bray)--(1109S09.03F) (S932)
 04/07/2009 SSA 1 for SA 11 to SS for SCS S offered (Callahan)--(1109S09.12S) (S932)
 04/07/2009 SA 1 to SSA 1 for SA 11 to SS for SCS S offered & defeated (Mayer)--(1109S09.81S) (S932-933)
 04/07/2009 SSA 1 for SA 11 to SS for SCS S defeated (S933)
 04/07/2009 SSA 2 for SA 11 to SS for SCS S offered & adopted (Scott)--(1109S09.04F) (S933-934)
 04/07/2009 SA 12 to SS for SCS S offered (Bray)--(1109S09.83S) (S934)
 04/07/2009 SSA 1 for SA 12 to SS for SCS S offered (Bray)--(1109S09.84S) (S934)
 04/07/2009 SA 1 to SSA 1 for SA 12 to SS for SCS S offered (Bray)--(1109S09.85S) (S934-935)
 04/07/2009 Bill Placed on Informal Calendar (S935)
 04/27/2009 S Informal Calendar S Bills for Perfection--SB 228-Scott, with SCS, SS for SCS, SA 12, SSA 1 for SA 12 & SA 1 to SSA 1 for SA 12 (pending)

EFFECTIVE: August 28, 2009

*** SB 229 ***

1112S.011

SENATE SPONSOR: Bray

SB 229 - This act requires hospitals, beginning January 1, 2010, to compile, post and make available upon request, daily staffing information in the patient care area of each unit of the hospital. The staffing information shall contain the number of registered professional nurses, licensed practical nurses, and certified nurse aides providing direct patient care in the hospital. Each hospital is also required to compile the daily information and submit a monthly staffing report to the Department of Health and Senior Services.

This act is substantially similar to SB 1113 (2008) and HB 799 (2007).

ADRIANE CROUSE

01/22/2009 S First Read--SB 229-Bray (S163)
 01/27/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S191)
 02/17/2009 Hearing Conducted S Health, Mental Health, Seniors and Families Committee
 02/24/2009 Motion to vote bill do pass failed S Health, Mental Health, Seniors and Families Committee

EFFECTIVE: August 28, 2009

*** SB 230 ***

1278S.011

SENATE SPONSOR: Bray

SB 230 - This act adopts the Uniform Planned Community Act substantially in conformance to the act drafted and approved by the National Conference of Commissioners on Uniform State Laws in 1980. The act is nearly identical to the Uniform Condominium Act, Chapter 448, RSMo, differing mainly on the nature of planned communities and condominiums. The act contains comprehensive provisions for creating, governing, managing, and terminating planned community developments.

This act is virtually identical to SB 1005 (2008) and SB 589 (2007).

STEPHEN WITTE

01/22/2009 S First Read--SB 230-Bray (S163-164)
 01/27/2009 Second Read and Referred S General Laws Committee (S191)
 03/24/2009 Hearing Conducted S General Laws Committee

EFFECTIVE: August 28, 2009

*** SB 231 ***

SCS SB 231

1201S.02P

SENATE SPONSOR: Cunningham

HOUSE HANDLER: Stevenson

SCS/SB 231 - This act provides that except for willful, wanton, or malicious acts, landlords are not liable to any tenant for any loss or damages to household goods, furnishings, fixtures, or any other personal property left at or in the dwelling by reason of the landlord's removal of the property under a court-ordered execution for possession of the premises.

If, after the sheriff completes the court-ordered execution, property is left by the tenant in or at the dwelling that is identified as the property of a third party, the landlord shall send notice to the third party by certified mail with a return receipt requested. The third party has the opportunity to recover the property within five business days of the date notice is received. If the landlord is unable to notify the third party, the landlord may dispose of the property and is not liable for the loss or damage.

This act is similar to SCS/SB 781 (2008) and SCS/SB 629 (2007).

EMILY KALMER

01/22/2009 S First Read--SB 231-Cunningham (S164)
 01/27/2009 Second Read and Referred S General Laws Committee (S191)
 02/03/2009 Hearing Conducted S General Laws Committee
 02/17/2009 SCS Voted Do Pass S General Laws Committee (1201S.02C) - Consent
 02/18/2009 Reported from S General Laws Committee to Floor w/SCS - Consent (S328)
 02/23/2009 Removed S Consent Calendar (S361)
 02/26/2009 Reported from S General Laws Committee to Floor w/SCS (S420)
 03/05/2009 SA 1 to SCS S offered (Justus)--(8082S09.01S) (S524)
 03/05/2009 Bill Placed on Informal Calendar (S524)
 03/09/2009 SA 1 to SCS S withdrawn (S539)
 03/09/2009 SCS S adopted (S540)
 03/09/2009 Perfected (S540)
 03/10/2009 Reported Truly Perfected S Rules Committee (S570)
 03/12/2009 S Third Read and Passed (S626-627 / H608)
 03/18/2009 H First Read (H608)
 03/23/2009 H Second Read (H612)
 04/02/2009 Referred H Judiciary Committee (H922)
 04/08/2009 Hearing Conducted H Judiciary Committee
 04/08/2009 Voted Do Pass H Judiciary Committee
 04/09/2009 Reported Do Pass H Judiciary Committee (H1022)

04/09/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1022)
 04/21/2009 Hearing Conducted H Rules Committee
 04/21/2009 Voted Do Pass H Rules Committee
 04/21/2009 Reported Do Pass H Rules Committee (H1197)
 04/27/2009 H Calendar S Bills for Third Reading

EFFECTIVE: August 28, 2009

*** SB 232 ***

0846S.01P

SENATE SPONSOR: Cunningham

HOUSE HANDLER: Dixon

SB 232 – This act prohibits municipal fire departments, municipal police departments, state agencies, state departments, and political subdivisions from discriminating in employment practices based on an individual's elementary or secondary education program, provided that the program is permitted under Missouri law. Employers may require individuals to have other abilities or skills applicable to their position.
 MICHAEL RUFF

01/22/2009 S First Read--SB 232-Cunningham (S164)
 01/27/2009 Second Read and Referred S Progress and Development Committee (S192)
 02/18/2009 Hearing Conducted S Progress and Development Committee
 02/25/2009 Voted Do Pass S Progress and Development Committee - Consent
 03/04/2009 Reported from S Progress and Development Committee to Floor - Consent (S474)
 03/12/2009 S Third Read and Passed - Consent (S614-615 / H601)
 03/12/2009 H First Read (H601)
 03/18/2009 H Second Read (H606)
 03/30/2009 Referred H Special Standing Committee on Children and Families Committee (H791)
 04/08/2009 Hearing Conducted H Special Standing Committee on Children and Families Committee
 04/08/2009 Voted Do Pass H Special Standing Committee on Children and Families Committee - Consent
 04/08/2009 Reported Do Pass H Special Standing Committee on Children and Families Committee - Consent (H1002)
 04/08/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1002)
 04/14/2009 Hearing Conducted H Rules Committee
 04/14/2009 Voted Do Pass H Rules Committee - Consent
 04/14/2009 Reported Do Pass H Rules Committee - Consent (H1042)
 04/27/2009 H Consent Calendar

EFFECTIVE: August 28, 2009

*** SB 233 ***

0450S.011

SENATE SPONSOR: Cunningham

SB 233 – This act creates a method of obtaining teacher certification from the State Board of Education for individuals to teach in the areas of banking or financial responsibility. Individuals must have a bachelor's degree or higher degree and professional experience suitable to provide a basis to teach in such areas. An individual must have received a passing score for the designated exit examination.

The holder of such a certificate is exempt from the Teacher Tenure Act. School districts will have decision-making authority on whether to hire individuals holding such a certificate.

If the holder of such a certificate is employed less than full-time, he or she must complete an amount of professional development in proportion to his or her time teaching in the classroom, rather than complete the standard thirty hour requirement.

This act is identical to HB 1874 (2008).

MICHAEL RUFF

01/22/2009 S First Read--SB 233-Cunningham (S164)
 01/27/2009 Second Read and Referred S Education Committee (S192)

EFFECTIVE: August 28, 2009

*** SB 234 ***

0542S.011

SENATE SPONSOR: Cunningham

SB 234 – School boards may modify teacher salary schedules based on teachers' experience and credentials, not solely limited to years of teaching experience and academic credentials. The salary schedule must be applied equitably to all teachers who are similarly qualified. A salary schedule may also include other qualifications, including classroom performance, provided the schedule applies equitably to all teachers of similar qualifications. (Section 168.110)

School districts may provide hiring incentives or salary schedule modifications as described in the act to attract and retain teachers based upon need for teachers in demonstrated shortage areas. School districts may also provide hiring incentives or salary schedule modifications to attract and retain teachers who have experience or credentials that are well-suited to a district's need for academic improvement. Teachers may be required to teach in the district for a period of up to three years. School districts will have decision-making authority on whether to provide such incentives or modifications. (Section 168.126)

This act is similar to HB 2181 (2008).

MICHAEL RUFF

01/22/2009 S First Read--SB 234-Cunningham (S164)

01/27/2009 Second Read and Referred S Education Committee (S192)

EFFECTIVE: August 28, 2009

*** SB 235 ***

HCS SB 235

0247L.13C

SENATE SPONSOR: Cunningham

HOUSE HANDLER: Jones

SB 235 - This act establishes procedures for converting manufactured homes into real property or from real property back to personal property. In order to be considered real property for conveyance purposes, the act requires a manufactured home to be permanently affixed to a permanent foundation and requires an affidavit to the affixation to be recorded with the recorder of deeds. The act sets forth what an affidavit of affixation must contain. For example, the affidavit must contain the street address and the legal description of the real estate to which the manufactured home will be permanently affixed. The affidavit of affixation shall also contain a statement as to whether or not the manufactured home is subject to security interests or liens. Additionally, the affidavit of affixation must be accompanied by a statement of whether or not the manufactured home is covered by a certificate of title.

An affidavit of affixation shall be acknowledged or proved in a manner so that the affidavit of affixation may be recorded and indexed. Once an affidavit of affixation has been recorded, the act requires a certified copy of the affidavit of affixation to be filed with the Department of Revenue. The certified copy of the affidavit of affixation must accompany the manufactured home owner's application for surrender of manufactured certificate of origin, application for surrender of title, or application for confirmation of conversion.

The act establishes a process in which a manufactured home owner, who has permanently affixed his or her home to real estate, and has recorded an affidavit of affixation with the recorder of deeds, may surrender the manufacturer's certificate of origin or certificate of title to the manufactured home to the Director of Revenue. The manufactured home owner must fill out an application to surrender the certificate of origin or certificate of title. The act specifies what information the application must contain. If the director is satisfied with the surrender of a manufacturer's certificate of origin or certificate of title, the director shall cancel the certificate of origin or certificate of title and update the department's records. The act sets forth a similar process for applying for confirmation of conversion where an owner has permanently affixed a manufactured home to real estate, but does not possess a manufacturer's certificate of origin or a certificate of title (Section 700.111.).

Once these statutory steps have been followed, the manufactured home shall be deemed to be real estate and title to such home shall be transferred by deed as other interests of real estate are transferred. Once the manufactured home is considered real estate, the laws governing real estate shall apply to such home (Section 442.015).

The act requires an affidavit of severance to be filed when a manufactured home is detached or severed from the real estate to which it had been affixed. The affidavit of severance must contain a property description and any information that could affect the validity of the title to the manufactured home or the existence of a security interest or lien. The act sets forth steps to record the affidavit of severance and establishes a process for filing the affidavit of severance with the Department of Revenue (Section 442.015.10).

The act also establishes a process for obtaining a new certificate of title after a manufactured home has been detached or severed from real estate (real property to personal property)(Section 700.111.4).

The act prohibits the director from issuing a certificate of title to a manufactured home to which there has been recorded an affidavit of affixation. The director may only issue the certificate of title once an affidavit of severance has been recorded (Section 700.320.5).

The act requires the director of the Department of Revenue to maintain records of each affidavit of affixation and each affidavit of severance filed with the department.

The act provides that a purchase money security interest in a manufactured home is perfected against the rights of judicial lien creditors and execution creditors on and after the date the purchase money security interest attaches. The act further provides that after a certificate of title has been issued to a manufactured home and is subject to a security interest, the department shall not file an affidavit of affixation, cancel the certificate of origin, nor revoke the certificate of title (Section 700.350).

This act also modifies the definition of manufactured home contained in various provisions of the Revised Statutes of Missouri to match the definition contained in Missouri's Uniform Commercial Code (§400.9-102).

The act also modifies other provisions of Article 9 of the Missouri Uniform Commercial Code. The act provides that the perfection, priority, and termination of a security interest in a manufactured home perfected under the manufactured home titling provisions are governed exclusively under such provisions and not by the UCC Article 9 provisions. The act also clarifies that UCC Article 9 does not apply to a security interest in a manufactured home once the home has become real estate in accordance with the procedures set forth in the act (Sections 400.9-303 and 400.9-311).

This act also changes the definition of "Dealer" for purposes of the "Manufactured Home Installation Act" contained in Chapter 700 back to its pre-SB 788 version so that a dealer is a person who sells 4 or more manufactured homes in any consecutive twelve-month period (Section 700.650). The act also changes the term "licensee" to "registrant" in subsection 4 of section 700.100. These provisions are also contained in SB 214 (2009).

STEPHEN WITTE

01/22/2009 S First Read--SB 235-Cunningham (S164)
 01/27/2009 Second Read and Referred S Ways and Means Committee (S192)
 02/11/2009 Hearing Conducted S Ways and Means Committee
 02/18/2009 Voted Do Pass S Ways and Means Committee - Consent
 02/25/2009 Reported from S Ways and Means Committee to Floor - Consent (S383)
 03/03/2009 Removed S Consent Calendar (S459)
 03/05/2009 Reported from S Ways and Means Committee to Floor (S528)
 03/10/2009 Perfected (S552)
 03/10/2009 Reported Truly Perfected S Rules Committee (S570)
 03/12/2009 S Third Read and Passed (S624-625 / H601)
 03/12/2009 H First Read (H601)
 03/18/2009 H Second Read (H606)
 04/02/2009 Referred H Financial Institutions Committee (H922)
 04/15/2009 Hearing Conducted H Financial Institutions Committee
 04/22/2009 HCS Voted Do Pass H Financial Institutions Committee
 04/23/2009 HCS Reported Do Pass H Financial Institutions Committee (H1258)
 04/23/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1258)

EFFECTIVE: August 28, 2009

*** SB 236 ***

1316L.01

SENATE SPONSOR: Lembke

SB 236 - This act modifies Missouri's prompt pay law. Under the proposed act, the definition of health carrier is modified to include self-insured health plans. The act also amends the definition of "request for additional information" to mean a health carrier's electronic request for additional information from a claimant which specifies what information is needed in order to process the claim for payment. The act deletes the definition of the term "suspends the claim." Under the terms of the act, a health carrier must send an electronic acknowledgment of the date of receipt of an electronically filed claim by a health or a third-party

contractor within one working day. Within 15 days (current law allows 10 working days) after receipt of a filed claim by a health carrier, the carrier must send an electronic notice of the status of the claim.

The act modifies the interest and penalty provision for failing to promptly pay a claim. Under the proposed act, if the health carrier has not paid the claimant on or before the 45th processing day from the date of the receipt of the claim, the carrier must pay the claimant 1.5% interest per month (current law is 1% per month) and a penalty in an amount equal to one-fifth of the claim per day. The interest and penalties cease to accrue on the day a petition is filed in court to recover payment on a claim. If a court determines that a health carrier has failed to pay a claim, interest, or penalty without good cause, the court shall enter judgment for attorney fees. If the court determines that a health care provider has filed suit without reasonable grounds to recover a claim, the court shall award the health carrier reasonable attorney fees related to the defense.

Under the terms of the act, any claim for which the health carrier has not communicated a specific reason for the denial shall not be considered denied under the prompt pay statutes. The act also provides that any request by a carrier for additional information shall be reasonable in scope and pertain solely to the carrier's determination of liability.

STEPHEN WITTE

01/22/2009 S First Read--SB 236-Lembke (S164)
 01/27/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S192)
 02/24/2009 Hearing Conducted S Health, Mental Health, Seniors and Families Committee
 03/03/2009 Voted Do Pass S Health, Mental Health, Seniors and Families Committee
 03/05/2009 Reported from S Health, Mental Health, Seniors and Families Committee to Floor (S528)
 03/23/2009 Bill Placed on Informal Calendar (S646)
 04/27/2009 S Informal Calendar S Bills for Perfection--SB 236-Lembke

EFFECTIVE: August 28, 2009

*** SB 237 ***

SCS SBs 237 & 137

1212S.05P

SENATE SPONSOR: Lembke

SCS/SBs 237 & 137 - This act creates a multistate nursing licensure compact for registered nurses and licensed practical/vocational nurses. This compact allows licensed registered nurses and licensed practical/vocational nurses to practice nursing in states which participate in the nurse licensure compact. All states wishing to participate in the compact must adopt articles of authorization listed by the act:

ARTICLE I - Finding and Declaration of Purpose;

ARTICLE II - Definitions;

ARTICLE III - General Provisions and Jurisdiction;

ARTICLE IV - Applications for Licensure in a Party State;

ARTICLE V - Adverse Actions;

ARTICLE VI - Additional Authorities Invested in Party State Nurse Licensing Boards;

ARTICLE VII - Coordinated Licensure Information Systems;

ARTICLE VIII - Compact Administration and Interchange of Information;

ARTICLE IX - Immunity;

ARTICLE X - Entry into Force, Withdrawal and Amendment; and

ARTICLE XI - Construction and Severability.

This compact does not relieve employers from complying with statutorily imposed obligations and does not supercede existing state labor laws.

This act is similar to SB 664 (2006) and HB 556 (2005).

EMILY KALMER

01/22/2009 S First Read--SB 237-Lembke (S164)
 01/27/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S192)
 02/17/2009 Hearing Conducted S Health, Mental Health, Seniors and Families Committee
 02/24/2009 SCS Voted Do Pass (w/SCS/SB's 237 & 137) S Health, Mental Health, Seniors and Families Committee (1212S.05C)
 02/26/2009 Reported from S Health, Mental Health, Seniors and Families Committee to Floor w/SCS (S419)
 03/04/2009 SA 1 to SCS S offered & Ruled out of order (Bray)--(1212S05.01S) (S464-465)
 03/04/2009 SCS S adopted (S465)
 03/04/2009 Perfected (S465)
 03/04/2009 Reported Truly Perfected S Rules Committee (S478)
 03/09/2009 S Third Read and Passed (S542 / H518)
 03/09/2009 H First Read (H518)
 03/10/2009 H Second Read (H526)
 04/02/2009 Referred H Special Standing Committee on Professional Registration and Licensing Committee (H922)
 04/15/2009 Hearing Conducted H Special Standing Committee on Professional Registration and Licensing Committee
 04/22/2009 Voted Do Pass H Special Standing Committee on Professional Registration and Licensing Committee

EFFECTIVE: August 28, 2009

*** SB 238 ***

1444S.011

SENATE SPONSOR: Callahan

SB 238 - This act decouples Missouri law from the Internal Revenue Code to the extent that it allows a deduction for domestic production activities. To determine Missouri adjusted gross income taxpayers must "add-back", to federal adjusted gross income, any amount deducted as qualified production activities income, in order to determine such taxpayer's Missouri adjusted gross income.

JASON ZAMKUS

01/26/2009 S First Read--SB 238-Callahan (S179)
 01/29/2009 Second Read and Referred S Ways and Means Committee (S220)
 02/11/2009 Hearing Conducted S Ways and Means Committee

EFFECTIVE: August 28, 2009

*** SB 239 ***

1106S.021

SENATE SPONSOR: Bartle

SB 239 - This act modifies the daily rate of pay for senior judges and commissioners from fifty percent to seventy-five percent of the current annual salary of the office from which they retired attributable to one day of service.

EMILY KALMER

01/26/2009 S First Read--SB 239-Bartle and Justus (S179)
 01/29/2009 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S220)

EFFECTIVE: August 28, 2009

*** SB 240 ***

1391S.011

SENATE SPONSOR: Bray

SB 240 - Under the terms of this act, drivers for contract carriers that transport railroad employees must have a valid chauffeur's license (Class E license). Each contract carrier shall procure a recent driving record from each prospective driver. The contract carrier shall also conduct a review of the driving record of each applicant prior to his or her hiring. The act also requires contract carriers to maintain a personnel file on each driver who transports railroad employees.

Under the terms of the act, a contract carrier must limit the hours of service by a driver who transports railroad employees to 16 hours of total on duty time within any 24 hour period. A contract carrier that transports railroad employees shall require a driver who has 12 hours of actual vehicle operation within any

24 hour period or 16 hours of total on duty time within any 24 hour period to have at least 8 consecutive hours off duty before operating a vehicle under their employ again.

Under the act, a contract carrier who transports railroad employees shall maintain individual daily time records for a minimum of 6 months indicating the times all for-hire motor carrier drivers employed by them reported for duty, the corresponding times of relief from duty, total time driven each day, total time on duty each day, and total time off duty for each day. All records required to maintained under this section shall be made available for inspection by the department of transportation.

The act requires each contract carrier to maintain liability insurance in an amount not less than \$1,500,000 for each vehicle used to transport railroad employees.

This act is similar in many respects to SB 1265 (2008).

STEPHEN WITTE

01/26/2009 S First Read--SB 240-Bray (S179)

01/29/2009 Second Read and Referred S Transportation Committee (S220)

03/11/2009 Hearing Conducted S Transportation Committee

EFFECTIVE: August 28, 2009

*** SB 241 ***

0232S.011

SENATE SPONSOR: Bray

SB 241 - This act makes various modifications to Missouri tax law. The act:

- (1) Decouples Missouri's income tax from the federal income tax code. The act adopts the IRC as it was written January 1, 2004 (Section 143.091);
- (2) Reinstates the decoupling from the federal accelerated depreciation and makes it permanent (Section 143.121);
- (3) Eliminates the timely filing discount for employers who withhold their employees' income tax (Sections 143.225 & 143.261);
- (4) Modifies the way losses and operating expenses are deducted among parties for various types of property, including intellectual property. Minimum standards are established regarding what connections among various corporate entities constitute related parties and affiliated groups for multi-state corporate income tax purposes. Under this provision, the entire profit of a unitary group will be aggregated and then divided among the members of the group. This allocation will be based upon the relative incomes of the members, without regard to intra-group transfers of these certain targeted operating expenses ("Geoffrey" scenario). The effect of this provision will be to eliminate income classified by the courts as "non-Missouri source income" (Sections 143.431 & 143.434);
- (5) Eliminates the filing of single factor apportionment for multi-state income tax calculations (Sections 143.431, 143.451, 143.461, & 143.471);
- (6) Restricts the current definition of "common carrier" for purposes of qualifying for a state and local sales and use tax exemption (Sections 144.010 & 144.030); and
- (7) Prohibits retailers from obtaining refunds of sales and use taxes without crediting the original purchasers. In the case of over-collections of less than \$1,000, such over-collections may be refunded without the higher burden of returning the funds to the purchaser. The \$1,000 threshold is an aggregate sum over a five-year period. In the alternative, a retailer, upon submission of an approved plan by the Director of the Department of Revenue, may offer fixed value coupons to customers to satisfy the distribution of the over-collections.

The act has an effective date of September 1, 2009.

This act is similar to Senate Bill 743 (2008), Senate Bill 642 (2007), Senate Bill 717 (2006) & Senate Bill 360 (2005).

JASON ZAMKUS

01/26/2009 S First Read--SB 241-Bray (S179)

01/29/2009 Second Read and Referred S Ways and Means Committee (S220)

EFFECTIVE: September 1, 2009

*** SB 242 ***

HCS SCS SB 242

1130L.04C

SENATE SPONSOR: Pearce

HOUSE HANDLER: Jones

HCS/SCS/SB 242 - The act prohibits the Metropolitan Sewer District (MSD) from charging any property owner a fee for stormwater services if MSD does not directly providing sanitary sewer service to the property and does not handle stormwater runoff from the property or does not plan to handle the stormwater runoff within 18 months.

The act provides an alternate procedure to approve the issuing of bonds for a common sewer subdistrict that is partially or completely located in Cass County. Bonds may be issued for such a subdistrict if the subdistrict receives the written assent of 75% of the political subdivisions that do business with the subdistrict.

The act contains an emergency clause.

ERIKA JAQUES

01/26/2009 S First Read--SB 242-Pearce (S180)
 01/29/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S220)
 02/11/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee
 02/18/2009 SCS Voted Do Pass S Jobs, Economic Development and Local Government Committee (1130S.02C) - Consent
 02/25/2009 Reported from S Jobs, Economic Development and Local Government Committee to Floor w/SCS - Consent (S383)
 03/04/2009 SCS S adopted (S468)
 03/04/2009 S Third Read and Passed - EC adopted - Consent (S468-469 / H496)
 03/05/2009 H First Read (w/EC) (H496)
 03/06/2009 H Second Read (H501)
 03/10/2009 Referred H Special Standing Committee on General Laws Committee (H533)
 03/24/2009 Hearing Scheduled But Not Heard H Special Standing Committee on General Laws Committee
 03/26/2009 Hearing Conducted H Special Standing Committee on General Laws Committee
 03/31/2009 HCS Voted Do Pass H Special Standing Committee on General Laws Committee
 04/02/2009 HCS Reported Do Pass H Special Standing Committee on General Laws Committee (H924)
 04/02/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H924)
 04/07/2009 Hearing Conducted H Rules Committee
 04/07/2009 HCS Voted Do Pass H Rules Committee
 04/07/2009 HCS Reported Do Pass H Rules Committee (H959)
 04/27/2009 H Calendar S Bills for Third Reading w/HCS

EFFECTIVE: Emergency clause

*** SB 243 *** SCS SB 243

1410S.02P

SENATE SPONSOR: Pearce

HOUSE HANDLER: Jones

SCS/SB 243 - This act provides that nothing in Chapter 408, RSMo, shall be construed to prohibit the sale of a deficiency waiver addendum, guaranteed asset protection, or a similar product purchased as part of a loan transaction with collateral and at the borrower's option, provided the cost of the product is disclosed in the loan contract. The act specifically provides that such waiver addendums or guaranteed asset protection products may also be sold in connection with certain consumer loans, second mortgage loans, and retail credit sales so long as such products are purchased as part of a loan transaction with collateral and at the borrower's option, provided the cost of the product is disclosed in the loan contract.

STEPHEN WITTE

01/26/2009 S First Read--SB 243-Pearce (S180)
 01/29/2009 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S220)
 02/09/2009 Hearing Conducted S Financial and Governmental Organizations and Elections Committee
 02/16/2009 SCS Voted Do Pass S Financial and Governmental Organizations and Elections Committee (1410S.02C) - Consent
 02/18/2009 Reported from S Financial and Governmental Organizations and Elections Committee to Floor w/SCS - Consent (S327)
 02/25/2009 SCS S adopted (S386)
 02/25/2009 S Third Read and Passed - Consent (S386-387 / H422)
 02/26/2009 H First Read (H422)
 03/02/2009 H Second Read (H428)
 03/30/2009 Referred H Special Standing Committee on General Laws Committee (H791)
 04/01/2009 Hearing Conducted H Special Standing Committee on General Laws Committee

04/07/2009 Voted Do Pass H Special Standing Committee on General Laws Committee
 04/14/2009 Reported Do Pass H Special Standing Committee on General Laws Committee (H1040)
 04/14/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1040)
 04/21/2009 Hearing Conducted H Rules Committee
 04/21/2009 Voted Do Pass H Rules Committee
 04/21/2009 Reported Do Pass H Rules Committee (H1197)
 04/27/2009 H Calendar S Bills for Third Reading

EFFECTIVE: August 28, 2009

*** SB 244 ***

1115S.011

SENATE SPONSOR: Dempsey

SB 244 - This act requires the Division of Senior and Disability Services, within the Department of Health and Senior Services, to establish, subject to appropriations, a pilot project to allow certain relative caregivers to provide personal care services for disabled adults who cannot self-direct their care. The relative caregiver will receive state assistance for personal care services in the same manner as a caregiver providing consumer-directed personal care services for disabled adults. By December 31, 2013, the division shall evaluate the effectiveness of the pilot project as it relates to quality of care, participant satisfaction, and feasibility of continuing the program state-wide. Such evaluation shall be submitted to the department, Governor, and General Assembly.

The pilot project shall expire in six years unless re-authorized by the general assembly.

This act is substantially similar to HB 2568 (2008).

ADRIANE CROUSE

01/26/2009 S First Read--SB 244-Dempsey (S180)
 01/29/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S220)
 03/10/2009 Hearing Conducted S Health, Mental Health, Seniors and Families Committee

EFFECTIVE: August 28, 2009

*** SB 245 ***

0942S.011

SENATE SPONSOR: Schaefer

This bill has been combined with SB 207

01/26/2009 S First Read--SB 245-Schaefer (S180)
 01/29/2009 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S220)
 02/17/2009 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee
 03/03/2009 Bill Combined w/SCS SBs 207 & 245

EFFECTIVE: August 28, 2009

*** SB 246 ***

1233L.011

SENATE SPONSOR: Schaefer

SB 246 - This act authorizes the a tax credit for contributions to qualifying regional economic development organizations. The credit will be equal to fifty of the contribution made. Tax credits are non-refundable, but may be carried forward five years or otherwise transferred. No more than twelve million dollars in tax credits may be issued annually and no more than thirty-six million dollars in credits may be issued over the life of the tax credit program. The provisions of this section will automatically sunset three years after the effective date of the act unless reauthorized by an act of the General Assembly.

This act is identical to House Bill 429 (2009).

JASON ZAMKUS

01/26/2009 S First Read--SB 246-Schaefer (S180)
 01/29/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S220)
 02/25/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee

EFFECTIVE: August 28, 2009

*** SB 247 ***

1338S.011

SENATE SPONSOR: Schaefer

SB 247 - This act allows counties of the first classification to adopt, by order or ordinance, regulations to control the minimum standards of occupancy for residential units rented or leased and also to develop a program for licensing and inspecting the units. The county may recover the costs to administer the program through establishing reasonable fees.

SUSAN HENDERSON MOORE

01/26/2009 S First Read--SB 247-Schaefer (S180)

01/29/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S220)

02/25/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee

EFFECTIVE: August 28, 2009

*** SB 248 ***

1339S.011

SENATE SPONSOR: Schaefer

This bill has been combined with SB 165

01/26/2009 S First Read--SB 248-Schaefer (S180)

01/29/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S220)

02/18/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee

02/18/2009 Bill Combined w/SCS/SBs 165, 164, 248, 168 S Jobs, Economic Development and Local Government Committee

EFFECTIVE: August 28, 2009

*** SB 249 ***

1211L.011

SENATE SPONSOR: Schaefer

SCS/SB 249 - The Secretary of State has the authority to establish a special handling and expedited services program. These services allow customers to purchase services that guarantee rapid processing on filings or other special handling.

A limited liability corporation may electronically file its original articles of incorporation for a fee of \$45 rather than the \$100 currently required for paper filings.

The act defines responsible persons for the purposes of tax liability for limited liability companies. The act eliminates certain duplicate filing requirements for articles of acceptance, articles of merger, and resignation of agents for nonprofit corporations.

If the general partners of a limited partnership withdraw and the remaining partners decide to continue the partnership, the act allows a new general partner to sign the certificate of amendment and attest to the specific event of withdrawal.

Currently, the Secretary of State may revoke the certificate of authority of a foreign corporation if the corporation fails to deliver its annual report within 30 after it is due. This act changes that time to 90 days after the corporate registration report is due.

This act allows a corporation to change the filing month for its corporate registration report in return for an additional \$20 filing fee. Corporations may also opt to file the corporate registration report biennially rather than annually. The filing fee for choosing this option will be twice the fee currently required for filing annually. The Secretary of State may collect an additional \$10 fee, for deposit in the Secretary of State technology fund, for each biennial report. If the corporate registration report is not filed within 90 days, the Secretary of State may proceed with corporate dissolution.

This act is similar to SB 875 (2006), SB 368 (2007), HB 1923 (2008), SB 1062 (2008), SB 214 (2007), SB 940 (2008), and SB 199 (2009).

CHRIS HOGERTY

01/26/2009 S First Read--SB 249-Schaefer (S180)
01/29/2009 Second Read and Referred S General Laws Committee (S220)
03/03/2009 Hearing Conducted S General Laws Committee
03/10/2009 SCS Voted Do Pass S General Laws Committee (1211S.03C)

EFFECTIVE: August 28, 2009

*** SB 250 ***

1208S.011

SENATE SPONSOR: Smith

SB 250 - This act requires the Department of Corrections to develop a comprehensive policy to provide HIV testing, treatment, and prevention for inmates. The policy shall include testing and counseling upon intake, pretest and post-test counseling, HIV/AIDS prevention education, HIV testing upon request, HIV testing of pregnant women, comprehensive treatment, protection of confidentiality, opt-out provisions, exposure incident testing, timely notification of test results, and testing, counseling and referral prior to reentry.

Inmates shall be allowed to obtain HIV tests upon request once per year or whenever an inmate has reason to believe he or she has been exposed to HIV.

Medical personnel shall provide inmates who test positive for HIV with timely comprehensive medical treatment, confidential counseling, and voluntary partner notification services. They shall discuss treatment options, the importance of antiretroviral therapy, and the side effects of medications. Personnel shall ensure that the facility formulary contains all FDA-approved medications necessary for comprehensive treatment and the facility is adequately supplied.

All inmates, except those who have already tested positive for HIV, shall be tested no more than three months prior to release, unless the inmate's release occurs without sufficient notice to the department to allow medical personnel time to perform such testing. Inmates shall have the right to refuse such routine HIV testing and shall be informed of such right orally and in writing. However, an inmate shall be tested, with or without consent, if there has been a possible transmission of HIV to any medical personnel, correctional staff, or other inmate.

Upon release, inmates who already tested positive shall receive confidential prerelease counseling, referrals to appropriate health care providers and social service agencies, and a thirty-day supply of necessary medications.

By February 1, 2011, the department shall provide a report annually to the governor and general assembly regarding the department's policies and procedures on testing, treatment, and prevention programs and to report statistical data on HIV/AIDS among the inmate population.

SUSAN HENDERSON MOORE

01/26/2009 S First Read--SB 250-Smith (S180)
01/29/2009 Second Read and Referred S Financial and Governmental Organizations and Elections
Committee (S220)

EFFECTIVE: August 28, 2009

*** SB 251 ***

1200S.011

SENATE SPONSOR: Smith

SB 251 - Expenditures from contributions shall not be made to the spouse, dependent child, or sibling of a candidate, former candidate, or holder of elective office for salary, wages, fringe benefits, or payroll taxes.

Individuals and committees required to file campaign disclosure reports shall provide a link to the report on the homepage of the individual or committee within 21 days of disclosure to the Ethics Commission.

CHRIS HOGERTY

01/26/2009 S First Read--SB 251-Smith (S180)
01/29/2009 Second Read and Referred S General Laws Committee (S220)

EFFECTIVE: August 28, 2009

*** SB 252 ***

0865S.011

SENATE SPONSOR: Smith

SB 252 - This act allows the department of economic development to authorize up to \$5 million in tax credits per year to encourage equity investment in technology-based early stage Missouri companies, commonly referred to as angel investments. Investors who contribute the first five hundred thousand dollars in equity investment to a qualified Missouri business may be issued a tax credit equal to forty percent of the investment. Tax credits for equity investment in technology-based early stage Missouri companies cannot be issued earlier than twelve months from the date of investment and are fully refundable. The department is prohibited from issuing more than one hundred thousand dollars in tax credits per taxpayer per year.

JASON ZAMKUS

01/26/2009 S First Read--SB 252-Smith, et al (S180)

01/29/2009 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S220)

EFFECTIVE: August 28, 2009

*** SB 253 *** HCS SCS SB 253

1242L.08C

SENATE SPONSOR: Justus

HOUSE HANDLER: Diehl

SCS/SB 253 – A vacancy that occurs on the school board of the Kansas City School District will be filled by special election instead of by appointment by board members. There will be a special election if a vacancy occurs more than six months prior to the next general municipal election. The State Board of Education is responsible for ordering a special election when a vacancy occurs. If a vacancy occurs less than six months prior to the next general municipal election, the vacancy will be filled at the next general municipal election.

MICHAEL RUFF

01/26/2009 S First Read--SB 253-Justus (S181)

01/29/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S220)

03/04/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee

03/11/2009 SCS Voted Do Pass S Jobs, Economic Development and Local Government Committee (1242S.03C) - Consent

03/11/2009 Reported from S Jobs, Economic Development and Local Government Committee to Floor w/SCS - Consent (S594)

03/30/2009 SCS S adopted (S802)

03/30/2009 S Third Read and Passed - Consent (S802-803 / H792)

03/30/2009 H First Read (H792)

03/31/2009 H Second Read (H804)

03/31/2009 Referred H Elections Committee (H819)

04/16/2009 Hearing Conducted H Elections Committee

04/23/2009 HCS Voted Do Pass H Elections Committee

04/23/2009 HCS Reported Do Pass H Elections Committee (H1257)

04/23/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1257)

EFFECTIVE: August 28, 2009

*** SB 254 ***

1393S.02I

SENATE SPONSOR: Barnitz

SS/SB 254 - This act creates a state income and corporate franchise tax credit for qualifying milk production. Beginning January 1, 2009, and the first day of each month thereafter, the Missouri agriculture and small business development authority must report and make public the announced production price of milk for the state of Missouri based upon a three factor formula. The tax credit will only be available when the announced production price for the state exceeds the average Federal Uniform Price for Missouri. The amount of the credit will be based upon the difference in the announced production price for the state and the average Federal Uniform Price per one hundred pounds of milk produced in any month the credit is available. The tax credit is non-refundable, fully transferrable and valid only against the state tax liability for the tax year of issuance. The amount of tax credits annually available to taxpayers for qualifying milk production will depend upon the amount of tax credits which remain unissued, as of a date certain each year, under certain existing tax credit programs. The milk producer tax credit sunsets two years from the effective date of the act unless re-authorized by the General Assembly.

JASON ZAMKUS

01/27/2009 S First Read--SB 254-Barnitz and Shoemyer (S190)
 01/29/2009 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S220)
 02/26/2009 Hearing Conducted S Governmental Accountability and Fiscal Oversight Committee
 03/12/2009 Voted Do Pass S Governmental Accountability and Fiscal Oversight Committee
 04/02/2009 Reported from S Governmental Accountability and Fiscal Oversight Committee to Floor (S889)
 04/09/2009 SS S offered (Barnitz)--(1393S.05F) (S978)
 04/09/2009 Bill Placed on Informal Calendar (S978)
 04/27/2009 S Informal Calendar S Bills for Perfection--SB 254-Barnitz, with SS (pending)

EFFECTIVE: August 28, 2009

*** SB 255 ***

1449S.01P

SENATE SPONSOR: Pearce

HOUSE HANDLER: Kingery

SB 255 – This act modifies the composition of the Board of Curators for the University of Missouri. Current law provides that no more than one person will be appointed to the Board from each congressional district. This act provides that at least one but no more than two persons will be appointed from each congressional district.

MICHAEL RUFF

01/27/2009 S First Read--SB 255-Pearce (S190)
 01/29/2009 Second Read and Referred S Education Committee (S220)
 02/11/2009 Hearing Conducted S Education Committee
 02/18/2009 Voted Do Pass S Education Committee
 02/19/2009 Reported from S Education Committee to Floor (S344)
 02/25/2009 SA 1 S offered (Smith)--(1449S01.01L) (S399-400)
 02/25/2009 SA 1 to SA 1 S offered (Scott)--(1449S01.01F) (S400-401)
 03/02/2009 SA 1 to SA 1 S withdrawn (S436)
 03/02/2009 SA 1 S withdrawn (S436)
 03/02/2009 SA 2 S offered & Ruled out of order (Smith)--(1449S01.04S) (S436-442)
 03/02/2009 Bill Placed on Informal Calendar (S442)
 03/04/2009 SA 3 S offered & defeated (Smith)--(1449S01.07S) (S476-478)
 03/04/2009 Perfected (S478)
 03/04/2009 Reported Truly Perfected S Rules Committee (S518)
 03/09/2009 S Third Read and Passed (S544 / H518)
 03/09/2009 H First Read (H518)
 03/10/2009 H Second Read (H526)
 04/02/2009 Referred H Higher Education Committee (H922)
 04/07/2009 Hearing Scheduled But Not Heard H Higher Education Committee
 04/08/2009 Hearing Conducted H Higher Education Committee
 04/09/2009 Voted Do Pass H Higher Education Committee
 04/09/2009 Reported Do Pass H Higher Education Committee (H1021)
 04/09/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1021)

EFFECTIVE: August 28, 2009

*** SB 256 ***

1337S.01P

SENATE SPONSOR: Schaefer

SB 256 - Under this act, a county is not required to obtain bids on purchases of \$6,000 or less. Currently, such amount is set at \$4,500.

Under current law, counties may waive competitive bidding when the County Commission determines that there is only one feasible source for the supply. This act requires counties to post notice on such proposed purchases of over \$6,000 and advertise the commission's intent to make such purchase in the newspaper at least ten days in advance. Currently, the commission must post notice for such proposed purchases of at least \$3,000 and also advertise in the newspaper for such purchases of at least \$5,000.

This act creates the "Political Subdivision Services Bidding Standards Act". Contracts for services by any political subdivision shall be advertised and bids solicited and awarded in compliance with any federal, state, and local law specifically written for such political subdivision. If a political subdivision is not covered by a

specific federal, state, or local law, it shall comply with the advertising and bidding requirements outlined in this act when soliciting bids and awarding contracts.

Contracts for services shall be advertised in advance of the acceptance of bids, once per week for four consecutive weeks, with the first ad appearing at least 30 days in advance of the stated deadline for acceptance of bids. For contracts worth over \$50,000, bids shall also be advertised by providing information to at least one organization which regularly provides information to contractors providing the service needed. Ads and solicitations must include the submission deadline.

Unless otherwise specified by law, a contract shall be awarded to the lowest qualified responsible bidder. The bidder's qualification shall be determined by his or her education and training. However, the political subdivision may reject the low bidder based on the bidder's failure to provide a performance or payment bond, nonperformance on previous contracts, or other reasons specified as to the bidder's inability to adequately perform the contract. The reason for rejection shall be provided to the bidder within five business days of the rejection.

No contract shall be awarded in violation of certain requirements, including opening bids in advance of the advertising deadline, accepting bids that are unwritten, accepting bids after the advertised deadline, and failing to hold bids confidential. A person submitting a bid, or who would have submitted a bid except for such violations, may seek equitable relief and monetary damages for monetary losses.

Electronic bidding shall be allowed if it meets the standards of confidentiality. Nothing in this act shall require acceptance of a bid which exceeds the amount estimated by the political subdivision for the contract. Nor shall the act prohibit a political subdivision from contracting without bidding if there is an immediate danger to the public; however, the political subdivision shall produce a written public record documenting the need to contract for such services without competitive bidding.

These provisions shall not apply to contract negotiations for architectural, engineering, or land surveying services, as provided under Sections 8.285 to 8.291, RSMo.

This act is similar to SB 1254 (2008) and SB 102 (2009).

SUSAN HENDERSON MOORE

01/27/2009 S First Read--SB 256-Schaefer (S190)
 01/29/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S220)
 02/18/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee
 02/25/2009 Voted Do Pass S Jobs, Economic Development and Local Government Committee - Consent
 03/04/2009 Reported from S Jobs, Economic Development and Local Government Committee to Floor - Consent (S473)
 03/04/2009 Removed S Consent Calendar (S519)
 03/12/2009 Reported from S Jobs, Economic Development and Local Government Committee to Floor (S618)
 03/24/2009 SA 1 S offered & adopted (Green)--(1337S01.01S) (S696-698)
 03/25/2009 Perfected, as amended (S698)
 03/25/2009 Reported Truly Perfected S Rules Committee (S702)
 03/26/2009 S Third Read and Passed (S776-777 / H749)
 03/26/2009 H First Read (H749)
 03/27/2009 H Second Read (H757)
 04/02/2009 Referred H Local Government Committee (H922)
 04/08/2009 Hearing Conducted H Local Government Committee

EFFECTIVE: August 28, 2009

*** SB 257 ***

1341S.011

SENATE SPONSOR: Schaefer

SB 257 - This act authorizes counties to seek voter approval for the extension of certain taxes which, by law, are set to terminate after a term of years and provides ballot language for the submission of such question to voters.

JASON ZAMKUS

01/27/2009 S First Read--SB 257-Schaefer (S190)
 01/29/2009 Second Read and Referred S Ways and Means Committee (S220)

02/11/2009 Hearing Conducted S Ways and Means Committee

02/18/2009 Motion to vote bill do pass failed S Ways and Means Committee

EFFECTIVE: August 28, 2009

*** SB 258 *** SCS SB 258

1334S.02C

SENATE SPONSOR: Schaefer

SCS/SB 258 - Under this act, the county counselor of Boone County shall receive \$15,000, payable by the state, for duties relating to mental health and mental health facilities and an additional amount not to exceed \$15,000 for investigative and clerical personnel assisting with such duties. The sums received shall be in the form of a reimbursement to county general revenue funds.

SUSAN HENDERSON MOORE

01/27/2009 S First Read--SB 258-Schaefer (S190)

01/29/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S220)

03/04/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee

03/11/2009 SCS Voted Do Pass S Jobs, Economic Development and Local Government Committee (1334S.02C) - Consent

03/11/2009 Reported from S Jobs, Economic Development and Local Government Committee to Floor w/SCS - Consent (S594)

03/23/2009 Removed S Consent Calendar (S655)

EFFECTIVE: August 28, 2009

*** SB 259 ***

1333S.011

SENATE SPONSOR: Wright-Jones

SB 259 – This act modifies the definition of weighted average daily attendance in the elementary and secondary education funding formula. Currently, the definition is computed, in part, by adding the product of .25 and the school district's free and reduced lunch pupil count that exceeds the free and reduced lunch threshold. This act changes the multiplier from .25 to 2.5.

MICHAEL RUFF

01/27/2009 S First Read--SB 259-Wright-Jones (S190)

01/29/2009 Second Read and Referred S Education Committee (S220)

EFFECTIVE: August 28, 2009

*** SB 260 ***

1369S.011

SENATE SPONSOR: Wright-Jones

SB 260 - This act establishes the Compassionate Assistance for Rape Emergencies (CARE) Act and provides that hospitals and health care facilities are required to do the following:

- provide each sexual assault victim with medically and factually accurate information about emergency contraception;
 - orally inform each victim that emergency contraception may be provided at the hospital;
 - provide the complete regimen of emergency contraception immediately to the victim who requests it;
- and
- follow the Department of Justice protocols on HIV/STI screening and prophylactic treatment.

Hospitals and health care facilities must ensure that they provide their employees with medically and factually accurate information about emergency contraception. The department shall develop, prepare, and produce informational materials relating to emergency contraception to hospitals and health care facilities. The informational materials must be medically and factually accurate, clearly written, and explain the nature of emergency contraception.

The department shall respond to complaints and shall periodically determine whether hospitals and health care facilities are in compliance. If a hospital or a health care facility is not in compliance, then the department shall impose an administrative penalty of \$5,000/per woman who is denied information or emergency contraception and a fine of \$5,000 for failure to comply with the provisions of this act. For every 30 days that a hospital or health care facility is not in compliance, an additional administrative penalty of \$5,000 shall be imposed.

This act is substantially similar to provisions in SB 1215 (2008).

ADRIANE CROUSE

01/27/2009 S First Read--SB 260-Wright-Jones (S190)

01/29/2009 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S220)

EFFECTIVE: August 28, 2009

*** SB 261 *** SCS SBs 261, 159, 180 & 181

1517S.04C

SENATE SPONSOR: Bartle

SS#3/SCS/SBs 261, 159, 180 & 181 - This act modifies provisions relating to crime.

SECTION 84.830

Currently, Kansas City police officers and department employees are prohibited from belonging to a political party committee or serving as a ward committee person. Under this section, such officers and employees shall instead be prohibited from holding a partisan political office. This section repeals the provision of law which currently prohibits any Kansas City police officer or department employee from making contributions of any kind for political activity. Kansas City police officers and department employees shall be prohibited from soliciting any person to vote for or against any political candidate, party, or organization only while on duty, in uniform, or wearing clothing with any symbol, insignia, or words indicating his or her employment with the department.

This section also repeals the provision which prohibits any person from soliciting a police officer or a member of the police board for any political purpose. Currently, officers are prohibited from allowing solicitations for contributions in police facilities. This section would also prohibit them from performing such solicitations in police facilities.

This section is similar to SB 18 (2007) and identical to SCS/SB 189 (2009).

SECTION 173.754

This section prohibits a person from using or attempting to use a false or misleading diploma, as described in the section, in connection with admission to an institution of higher education, or in connection with any business, employment, occupation, profession, trade, or public office. A violation of this section is a Class C misdemeanor.

This section is identical to SB 182 (2009).

Section 174.00

This section allows university police officers to respond to emergencies or natural disasters outside of the boundaries of the university property and provide services if requested by the law enforcement agency with jurisdiction.

SECTIONS 195.214, 195.217, 195.218, 566.147 & 566.149

These sections specify that knowledge of one's location is not necessary to commit certain criminal acts, including drug distribution near a school, park, or public housing or residence or loitering near a school by a sexual offender. Also, the definition of "resides" is removed from Section 566.147, RSMo, restricting certain sexual offenders from residing within 1,000 feet of a school or child-care facility.

SECTIONS 273.033, 273.036, 578.022, & 578.024

Under these sections, a person has an absolute defense against civil liability or criminal prosecution for killing or injuring a dog, if such person's actions were based on the reasonable belief that he or she, or another person, was in imminent danger of being harmed by the dog. It is prima facie evidence that a person considered himself to be in "imminent danger" from a dog if the person had complained at least twice to the county sheriff or animal control authority that the dog had trespassed on his property, and on at least one of those occasions the person was in reasonable apprehension for his own safety, the safety of another person, or feared damage to livestock or property. County sheriffs and animal control authorities shall notify any dog owner about a trespassing complaint made against his or her dog. A court shall award all reasonable costs to the defendant in any such suit if evidence shows the defendant is entitled to the absolute defense as described. A person engaging in criminal activity at the time of an imminent danger dog threat shall not be entitled to the absolute defense created by these sections.

The owner or possessor of a dog that bites, without substantial provocation, a person while such person is on public property or lawfully on private property shall be strictly liable for damages to the bitten individual. Owners or possessors of such dogs shall also be strictly liable for any damage incurred to property or livestock by their dogs. If it is determined that the damaged party had fault in the incident, any damages owed by the owner or possessor of the biting dog shall be reduced by the same percentage. This shall not apply to dogs killing sheep or other domestic animals. If a dog owner or possessor is found liable by a court for such damages, the owner or possessor shall also be assessed a fine up to \$1,000.

When a dog that has previously bitten a person or domestic animal without provocation, subsequently bites a person again, the owner or possessor shall be guilty of a Class B misdemeanor. However, if the offense results in serious injury it shall be a Class A misdemeanor and if the previous biting episode also resulted in serious injury, it shall be a Class D felony. If the offense results in death it shall be a class C felony. Any such dog, or a dog that inflicts serious injury or death on the first biting occasion, shall be seized by the animal control authority or county sheriff who shall notify the dog's owner in writing. The dog shall be impounded for ten business days after notice has been provided to the owner, after which time the dog shall be destroyed. Appeal procedures are provided in these sections.

These provisions do not apply to dogs that bite a person while such person is engaged in criminal activity at the time of attack. Certain instances of trespassing are not considered "criminal activity". Dogs owned or utilized by a law enforcement agency who bite in the course of their employ are exempt from these provisions.

These sections are similar to SB 184 (2009).

SECTION 306.109

This section prohibits certain activities from being committed on the rivers of this state, except for the Missouri, Mississippi, and Osage rivers.

Such activities shall include:

- 1) Possessing or using beer bong or other devices intended for rapid consumption of alcohol;
- 2) Possessing or using any large volume alcohol containers that hold more than one gallon; and
- 3) Possessing certain coolers on or within fifty feet of any such river, unless in a campground, picnic area, landing, road, or parking lot.

Violation of these provisions is a class A misdemeanor.

This section is similar to SCS/SB 2 (2009).

SECTION 556.036

This section makes the statute of limitations five years, rather than three years, for the crimes of knowingly burning or exploding, arson in the second degree, and cases of arson in the first degree when the penalty is a class B felony.

SECTION 561.021

This section provides that a person who is convicted of a felony is ineligible to qualify as a candidate for public office or hold public office.

SECTION 566.155

This section prohibits certain sexual offenders from serving as an athletic coach, manager, or trainer for any sports team in which a child younger than 17 years of age is a member. Any person violating this provision will be guilty of a class A misdemeanor for the first offense and a class D felony for a second or subsequent offense.

This section is identical to HB 106 (2009).

SECTION 566.226

Currently, any identifying information in a court record that could be used to identify the victim of sexual assault, domestic assault, stalking, or rape shall be closed and redacted prior to public disclosure. This

section gives the judge presiding in a such cases discretion to publicly disclose information regarding the defendant, which could be used to identify the victim. The victim may provide the court with a statement regarding whether he or she wishes such information to remain closed. The judge shall consider the welfare and safety of the victim and the victim's statement when deciding to disclose the information.

SECTION 570.030

This section modifies the definition of livestock in terms of what is considered a punishable offense for stealing. Under current law, it is a Class C felony to steal a horse, mule, ass, cattle, swine, sheep, or goat. This section adds calves, ratite birds (which include ostrich and emu), farm-raised fish, llamas, alpaca, buffalo, elk, and rabbits to the list of livestock for which it is a Class C felony to steal.

The section makes it a Class C felony to steal captive wildlife held under permit issued by the conservation commission, but it shall be a Class B felony in cases where there has been a similar prior conviction and if the value of the stolen animals exceeds \$3,000.

Any person who pleads guilty to or is found guilty of stealing livestock or captive wildlife held under permit issued by the conservation commission valued at over \$3,000 and who has a prior conviction for stealing such animals shall serve at least 80% of his or her prison sentence before being eligible for probation, parole, or release.

SECTIONS 570.040

This section revises the term "stealing-related offense" as it is used in Section 570.040, RSMo, to include robbery. The section removes the requirement that a person must have received at least a 10-day jail sentence on a prior offense before a third or subsequent misdemeanor stealing-related offense can be enhanced to a Class D felony. It also specifies that a person who has previously pleaded guilty to or been found guilty of two stealing-related offenses which were committed on two separate occasions, and who subsequently pleads guilty to or is found guilty of a stealing-related offense is guilty of certain felonies depending on the nature of such stealing-related offense.

This section is identical to HB 1473 (2008) and SB 200 (2009).

SECTIONS 573.020, 573.023, 573.025, 573.030, 573.035, 573.037, 573.040, 573.060, and 573.065

Currently, a person must know the contents and character of the obscene material or child pornography involved in a pornography offense in order to be found guilty. Under these sections, a person no longer needs to know the content and character of the material in order to be found guilty.

Under these sections, a person is guilty of sexual exploitation of a minor, possession of child pornography, or public display of explicit sexual material if such offenses are committed knowingly or recklessly, rather than being committed with knowledge of the content and character of the material that is the subject of the offense.

SECTION 575.150

This section expands the crime of resisting arrest, stop, or detention to include resisting an arrest for a warrant issued by a court or probation and parole officer. The crime of resisting arrest shall be Class D felony for an arrest for a warrant issued for failure to appear on a felony case or a warrant issued for a probation violation on a felony case.

This section provides that it is not a defense to prosecution of a resisting arrest, stop, or detention offense that a court later determines that the arrest was made without valid probable cause.

This section is similar to SB 1238 (2008) and SB 221 (2009).

SECTION 577.023

This section redefines the term "intoxication-related traffic offense" to include certain traffic offenses involving alcohol regardless of whether the defendant was represented by or waived the right to an attorney in writing. This term is used in the provisions providing enhanced penalties for persons who commit multiple intoxication-related traffic offenses.

This section allows the court, as a condition of probation or parole, to require certain persons convicted of intoxication-related traffic offenses to submit to alcohol monitoring in certain circumstances instead of serving a more lengthy sentence.

The term "continuous alcohol monitoring" means automatically testing alcohol concentration levels and tampering attempts, regardless of the location of the person wearing the device, at least once each hour and regularly transmitting the data.

In addition to other terms of probation or parole, a court shall consider requiring an offender convicted of an intoxication-related traffic offense to abstain from consuming alcohol as demonstrated by continuous alcohol monitoring or verifiable breath alcohol testing performed a minimum of four times per day for a length of time established by the court.

Although an aggravated offender is not eligible for probation or parole for 60 days, the court may suspend execution of up to 30 days of such term if, as a condition of probation and parole, the person abstains from drinking alcohol as demonstrated by continuous alcohol monitoring or verifiable breath alcohol testing performed a minimum of six times per day for not less than 60 days but not more than 120 days.

A chronic offender is not eligible for probation or parole until he or she has served two years of imprisonment; however, the court may grant probation if the person qualifies for the one hundred twenty day shock treatment program and he or she, as a condition of probation, abstains from drinking alcohol as demonstrated by continuous alcohol monitoring or verifiable breath alcohol testing performed a minimum of six times per day for not less than 6 months but not more than 2 years.

This section also repeals one version of Section 577.023, RSMo, which is currently doubly-enacted.

This section contains an emergency clause.

This section is similar to SB 861 (2008), SB 192 (2009) & SB 219 (2009).

SECTION 577.029

This section repeals §577.029 as it passed in HB 574 (2007) and reenacts it as all new language.

This section contains an emergency clause.

SECTIONS 578.025, 578.026, & 578.030

These sections increase the penalty for being a spectator at a dog fighting event from a Class A misdemeanor to a Class D felony for a second or subsequent offense.

A person performing a lawful seizure because of a dog fighting violation, whether acting under the authority of a warrant or not, shall be given a disposition hearing within 30 days of the filing of the request in order to grant immediate disposition of the impounded dog. The person seizing the dog shall place it in the care of a veterinarian, animal shelter, or animal control authority. If such people are not available, the dog shall not be impounded unless diseased or disabled. The dog shall be humanely killed if a veterinarian determines the dog is diseased or disabled beyond recovery. No person who lawfully seizes a dog shall be liable for necessary property damage.

Owners of an impounded dog may prevent disposition of the dog by posting bond in an amount sufficient to cover the dog's care for 30 days. The authority with custody may dispose of the dog at the end of such time unless there is a court order prohibiting it. The court order shall provide for a bond or other security in an amount to cover the cost of care, keeping, or disposal of the dog.

The owner of a dog humanely killed under these sections shall not be entitled to recover damages for the value of the dog if it was found by a veterinarian to be diseased or disabled or if the owner failed to post bond for its care and disposition after being notified of the impoundment.

These sections continue to allow highway patrol officers and other law enforcement officers making an arrest to take possession of a dog subject to a dog fighting violation; however, it repeals the provision requiring the court to order an officer to keep such dogs until the final decision of the court on the charges.

These sections are similar to SB 201 (2009) and SB 201 (2009).

SECTION 578.255

This section prohibits any person from possessing or using an alcoholic beverage vaporizer. Such a vaporizer is defined as "any device which, by means of heat, a vibrating element, or any other method, is

capable of producing a breathable mixture containing one or more alcoholic beverages to be dispensed for inhalation into the lungs via the nose or mouth or both." Also, no person shall intentionally induce or abuse solvents or ethyl alcohol. A violation of these provisions is a Class B misdemeanor.

This section does not apply to substances that are FDA-approved or administered by a medical practitioner.

These provisions shall not be construed to prohibit the legal consumption of intoxicating liquor, including wine and beer, and nonintoxicating beer.

This section is identical to SB 26 (2009).

SECTION 590.701

This section requires custodial interrogations of persons suspected of certain serious offenses to be recorded when feasible unless certain exceptions exist. Each law enforcement agency shall adopt a written policy regarding such interrogations. Law enforcement agencies are permitted to record an interrogation in any circumstance with or without knowledge or consent of the suspect.

"Custodial interrogation" means the questioning of a person under arrest, who is no longer at the scene of a crime, by a member of the law enforcement agency along with the answers and other statements of the person questioned. The term does not include: 1) situations where the person voluntarily agrees to meet with law enforcement, 2) detention by law enforcement that has not risen to the level of an arrest, 3) questioning that is routinely asked during the processing of the arrest of the suspect, 4) questioning pursuant to an alcohol influence report, and 5) questioning during the transportation of the suspect.

If a law enforcement agency fails to comply with these provisions and acts without good faith, the Governor may withhold any state funds received by the agency.

This section is identical to SB 310 (2009).

SECTIONS 595.010, 595.015, 595.020, 595.025, 595.027, 595.030, 595.035, 595.037, 595.040, 595.045, 595.060, 595.220, & 191.225

Under Executive Order 07-07 (2007), the administration of the Crime Victims' Compensation Fund was transferred from the Department of Labor and Industrial Relations to the Department of Public Safety. The act would reflect such transfer in statute.

Under this act, the Department of Public Safety may receive gifts for the benefit of crime victims, which shall be credited to the Crime Victims' Compensation Fund.

This act provides that compensation from the fund shall not be paid to a victim injured while subject to electronic monitoring in the same manner as persons who are incarcerated or under house arrest.

Upon request, pharmacists shall submit information to the department to provide verification of victims' injuries in the same manner as other medical providers.

Also, under executive order, the Department of Public Safety makes payments to medical providers to cover the charges of the forensic examinations of sexual assault victims, rather than the Department of Health. This act would reflect such transfer of responsibility in statute. This act also specifies that medical providers shall use collection procedures developed for victims who are minors when appropriate. Also, the medical provider's report of a forensic examination shall no longer be filed with the prosecuting attorney within three days.

This act provides that compensation under the crime victims' compensation fund must be for reasonable expenses, and if such expenses are medical, they must be medically necessary. It also specifies that payment for forensic examinations to medical providers must be for reasonable and medically necessary charges. Under this act, claims for forensic examination charges by medical providers must be made within 90 days. Also, for consideration of such claim by the department, the alleged sexual offense must have occurred in Missouri and the examination charges submitted must be itemized and fall within the definition of a forensic examination.

This act is similar to SB 332 (2007) and identical to SCS/SB 338 (2009).
SUSAN HENDERSON MOORE

01/28/2009 S First Read--SB 261-Bartle and Goodman (S206)
02/02/2009 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S231)
02/09/2009 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee
02/16/2009 SCS Voted Do Pass w/SCS/SBs 261, 159, 180 & 181 S Judiciary and Civil and Criminal Jurisprudence Committee (1517S.04C)
02/19/2009 Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor w/SCS (S344)
02/25/2009 SS for SCS S offered (Bartle)--(1517S.05F) (S393)
02/25/2009 SA 1 to SS for SCS S offered & adopted (Ridgeway)--(1517S05.04S) (S393-394)
02/25/2009 SA 2 to SS for SCS S offered & adopted (Ridgeway)--(1517S05.02S) (S394)
02/25/2009 SA 3 to SS for SCS S offered (Scott)--(1517S05.01S) (S395)
02/25/2009 SA 1 to SA 3 to SS for SCS S offered (Smith)--(1517S05.16S) (S395)
02/25/2009 Bill Placed on Informal Calendar (S395)
03/04/2009 SS for SCS S withdrawn (S480)
03/04/2009 SS#2 for SCS S offered (Bartle)--(1517S.07F) (S480-481)
03/04/2009 SA 1 to SS#2 for SCS S offered & defeated (Callahan)--(1517S07.01F) (S481)
03/04/2009 SA 2 to SS#2 for SCS S offered & adopted (Shields)--(8074S09.01S) (S481-482)
03/04/2009 SA 3 to SS#2 for SCS S offered & adopted (Nodler)--(1517S07.18S) (S482-483)
03/04/2009 SA 4 to SS#2 for SCS S offered & defeated (Callahan)--(1517S07.02F) (S483)
03/04/2009 SA 5 to SS#2 for SCS S offered & adopted (Rupp)--(1517S07.12S) (S483-498)
03/04/2009 SA 6 to SS#2 for SCS S offered & defeated (Crowell)--(1517S07.17S) (S498-517)
03/04/2009 SA 7 to SS#2 for SCS S offered (Goodman)--(1517S07.22S) (S517-518)
03/04/2009 Bill Placed on Informal Calendar (S518)
03/11/2009 SS#2 for SCS S withdrawn (S591)
03/11/2009 SS#3 for SCS S offered (Bartle)--(1517S.08F) (S591)
03/11/2009 SA 1 to SS#3 for SCS S offered (Goodman)--(1517S08.23S) (S592-593)
03/11/2009 Bill Placed on Informal Calendar (S593)
03/24/2009 SA 1 to SS#3 for SCS S adopted (S699)
03/25/2009 SA 2 to SS#3 for SCS S offered & defeated (Ridgeway)--(1517S08.32S) (S699-700)
03/25/2009 Bill Placed on Informal Calendar (S700)
04/27/2009 S Informal Calendar S Bills for Perfection--SBs 261, 159, 180 & 181-Bartle and Goodman, with SCS & SS#3 for SCS (pending)

EFFECTIVE: August 28, 2009

*** SB 262 ***

HCS SB 262

1516L.05C

SENATE SPONSOR: Bartle

HOUSE HANDLER: Stevenson

SB 262 - This act repeals the portion of the tolling statute that applies to former Missouri residents who have established residency in another state.

EMILY KALMER

01/28/2009 S First Read--SB 262-Bartle (S206)
02/02/2009 Second Read and Referred S General Laws Committee (S231)
02/19/2009 Re-referred S Judiciary and Civil and Criminal Jurisprudence Committee (S344)
03/02/2009 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee
03/02/2009 Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee - Consent
03/04/2009 Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor - Consent (S473)
03/12/2009 S Third Read and Passed - Consent (S613 / H602)
03/12/2009 H First Read (H602)
03/18/2009 H Second Read (H606)
03/30/2009 Referred H Judiciary Committee (H791)
04/01/2009 Hearing Conducted H Judiciary Committee
04/20/2009 HCS Voted Do Pass H Judiciary Committee
04/21/2009 HCS Reported Do Pass H Judiciary Committee (H1195)
04/21/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1195)

EFFECTIVE: August 28, 2009

*** SB 263 ***

HCS SB 263

0798L.03C

SENATE SPONSOR: Mayer

HOUSE HANDLER: Wright

HCS/SB 263 - The Second State Capitol Commission is renamed the Missouri State Capitol Commission. Currently, the commission membership includes one member of the majority and minority parties of the House and Senate. This act requires the Senate member to be appointed by the pro tem and the House member to be appointed by the speaker.

The commission's duties are expanded to include evaluating and approving capitol studies and improvement, expansion, renovation, and restoration projects to be paid out of the State Capitol Commission fund, and initiating planning efforts, subject to appropriation, for a centennial celebration of the laying of the capstone of the state capitol.

Gifts, bequests, donations, and grants may be used for the preservation, improvement, expansion, and renovation of the capitol.

During states of emergency, non-health care professional volunteers whose liability is not protected by the legal expense fund, shall be protected by the fund. The term "volunteer" in the context of liability during emergencies, shall include those employed by the state or political subdivision.

Currently, the Seismic Safety Commission is comprised of two legislative members and fifteen other members with each member representing one of fifteen different professions. This act requires that no more than two members shall represent one of the enumerated professions and adds public education as one of the professional areas from which the membership may be chosen.

Currently, a quorum shall consist of nine members. Under the act, a quorum shall consist of a majority of appointed members but not less than seven members and may be met by electronic attendance and non-voting participation of the staff of the legislative members.

This act is similar to HB 485 (2009).

CHRIS HOGERTY

01/28/2009 S First Read--SB 263-Mayer (S206)
 02/02/2009 Second Read and Referred S General Laws Committee (S231)
 02/17/2009 Hearing Conducted S General Laws Committee
 02/24/2009 Voted Do Pass S General Laws Committee - Consent
 02/25/2009 Reported from S General Laws Committee to Floor - Consent (S384)
 03/09/2009 S Third Read and Passed - Consent (S538 / H518)
 03/09/2009 H First Read (H518)
 03/10/2009 H Second Read (H526)
 03/30/2009 Referred H Public Safety Committee (H791)
 04/07/2009 Hearing Conducted H Public Safety Committee
 04/07/2009 HCS Voted Do Pass H Public Safety Committee - Consent
 04/08/2009 HCS Reported Do Pass H Public Safety Committee - Consent (H1001)
 04/08/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1001)
 04/14/2009 Hearing Conducted H Rules Committee
 04/14/2009 Voted Do Pass H Rules Committee - Consent
 04/14/2009 Reported Do Pass H Rules Committee - Consent (H1042)
 04/27/2009 H Consent Calendar w/HCS

EFFECTIVE: August 28, 2009

*** SB 264 ***

0908S.011

SENATE SPONSOR: Mayer

SB 264 - This act modifies the informed consent requirements for an abortion by adding new requirements to be obtained at least twenty-four hours prior to an abortion. Some of the new requirements include presenting to the pregnant woman various new printed materials and videos, to be developed by the Department of Health and Senior Services by November 30, 2009, detailing the risks of an abortion and the physiological characteristics of an unborn child at two-week gestational increments. The woman must also be provided with the gestational age of the unborn child at the time the abortion is to be performed and must be given an opportunity to view, at least 24 hours prior to an abortion, an active ultrasound of the unborn child and hear the heartbeat of the unborn child, if the heartbeat is audible. Prior to an abortion being performed past twenty-two weeks gestational age, the woman must be provided information regarding the possibility of

the abortion causing pain to the unborn child. The materials presented to the woman shall also prominently display a statement that no one can coerce the woman to have an abortion and that it is against the law for a husband, a boyfriend, a parent, a friend, a medical care provider, or any other person to coerce her in any way to have an abortion.

In addition to the written informed consent, the act requires the physician or a qualified professional to discuss the medical assistance and counseling resources available, advise the woman of the father's liability for child support, and provide information about the Alternatives to Abortion Program. All information required to be provided to a woman shall be presented to her individually in the physical presence of the woman. The abortion cannot be performed until the woman certifies in writing on a checklist form that she has been presented all the required information and that she has been given the opportunity to view an ultrasound, and to choose to have an anesthetic or analgesic administered to the unborn child.

This act also creates the crime of knowingly coercing a woman to seek or obtain an abortion. Such coercion includes committing or threatening to do the following against a pregnant woman or her family: assault, domestic assault, stalking or aggravated stalking, or any other criminal offense, as well as committing, attempting or threatening to: forcibly or without the pregnant woman's knowledge causing a woman to ingest a substance with the intent to cause an abortion, discharging the woman from her employment, or revoking a scholarship awarded to the woman. A violation of coercing an abortion may range from a Class A felony to a Class A misdemeanor, depending on the prescribed circumstances. This act also creates the crime of knowingly performing, inducing or assisting in an abortion on a woman who is a victim of coerced abortion. The elements of the crime are specified in the act and a violation of such crime constitutes a Class C felony.

This act is substantially similar to SB 1058 (2008) and HCS/HBs 1831 & 1472 (2008).
ADRIANE CROUSE

01/28/2009 S First Read--SB 264-Mayer (S206)
02/02/2009 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S231)
02/23/2009 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee
03/02/2009 Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee
03/05/2009 Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor (S528)
03/23/2009 SA 1 S offered & Ruled out of order (Bray)--(0908S01.11S) (S646-653)
03/23/2009 Bill Placed on Informal Calendar (S653)
04/27/2009 S Informal Calendar S Bills for Perfection--SB 264-Mayer

EFFECTIVE: August 28, 2009

*** SB 265 ***	SCS SB 265	0724S.02P
SENATE SPONSOR: Mayer		HOUSE HANDLER: Jones

SCS/SB 265 -Current law provides that the collection of the statewide court automation fee expires on September 1, 2009. This act extends the expiration date and allows the courts to continue to collect the statewide court automation fund fee until September 1, 2013.

EMILY KALMER

01/28/2009 S First Read--SB 265-Mayer, et al (S206)
02/02/2009 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S231)
02/09/2009 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee
02/16/2009 SCS Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee (0724S.02C)
-Consent
02/18/2009 Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor w/SCS -
Consent (S327)
02/24/2009 Removed S Consent Calendar (S374-375)
02/26/2009 Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor w/SCS
(S420)
03/04/2009 SCS S adopted (S466)
03/04/2009 Perfected (S466)
03/04/2009 Reported Truly Perfected S Rules Committee (S478)
03/04/2009 Referred S Governmental Accountability and Fiscal Oversight Committee (S478)
03/12/2009 Voted Do Pass S Governmental Accountability and Fiscal Oversight Committee
03/12/2009 Reported from S Governmental Accountability and Fiscal Oversight Committee to Floor (S619)
03/12/2009 S Third Read and Passed (S624 / H602)
03/12/2009 H First Read (H602)

03/18/2009 H Second Read (H606)
 04/02/2009 Referred H Special Standing Committee on General Laws Committee (H922)
 04/09/2009 Hearing Conducted H Special Standing Committee on General Laws Committee
 04/09/2009 Voted Do Pass H Special Standing Committee on General Laws Committee - Consent
 04/09/2009 Reported Do Pass H Special Standing Committee on General Laws Committee - Consent (H1024)
 04/09/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1024)
 04/14/2009 Hearing Conducted H Rules Committee
 04/14/2009 Voted Do Pass H Rules Committee - Consent
 04/14/2009 Reported Do Pass H Rules Committee - Consent (H1042)
 04/27/2009 H Consent Calendar

EFFECTIVE: August 28, 2009

*** SB 266 ***

0560S.03P

SENATE SPONSOR: Mayer

SB 266 - This act authorizes public library districts to seek voter approval for a sales tax of not more than one half of one cent to fund the operation, and maintenance of libraries within the boundaries of such library district. Public library districts are defined as any city library district, county library district, city-county library district, municipal library district, consolidated library district or urban library district.

JASON ZAMKUS

01/28/2009 S First Read--SB 266-Mayer (S206)
 02/02/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S231)
 03/04/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee
 03/11/2009 Voted Do Pass S Jobs, Economic Development and Local Government Committee - Consent
 03/11/2009 Reported from S Jobs, Economic Development and Local Government Committee to Floor (S594)
 03/30/2009 S Third Read and Passed - Consent (S801-802 / H792)
 03/30/2009 H First Read (H792)
 03/31/2009 H Second Read (H804)
 03/31/2009 Referred H Local Government Committee (H819)
 04/08/2009 Hearing Conducted H Local Government Committee

EFFECTIVE: August 28, 2009

*** SB 267 ***

1097S.011

SENATE SPONSOR: Mayer

SB 267 - This act modifies various provisions relating to real estate liens.

This act creates forms to be used to execute valid lien waivers. Forms for a conditional and unconditional waiver and release upon progress payment and a conditional and unconditional waiver and release upon final payment are established. This section governing the form of valid lien waivers becomes effective January 1, 2010.

Currently, architects, engineers, landscape architects, land surveyors, and corporations registered to do the work of these professions who perform work on buildings or land have a lien on the building or land to the extent of one acre. This act increases the lien to encompass three acres.

Attorneys' fees for actions to enforce liens shall be levied against the property charged with the lien. When the debtor has not been served a summons and not appeared but has been notified by publication a successful plaintiff in the action shall also recover interest.

If the owner of the property that is the subject of the lien conspicuously posts notice containing certain information about the owner, owner's agent, original contractor and architect, a material supplier or any subcontractor shall provide certain notice to the owner in order to have payment of its award of attorneys' fees secured by the mechanic's lien levied against the owner's property. Original contractors whose contract is with the owner of the property is not required to provide notice to the owner to secure attorneys' fees.

This act is similar to SB 1074 (2008).

CHRIS HOGERTY

01/28/2009 S First Read--SB 267-Mayer and Green (S206)
 02/02/2009 Second Read and Referred S General Laws Committee (S231)
 02/24/2009 Hearing Conducted S General Laws Committee
 03/03/2009 Hearing Conducted S General Laws Committee
 03/10/2009 Voted Do Pass S General Laws Committee
 03/12/2009 Reported from S General Laws Committee to Floor (S620)
 04/01/2009 SA 1 S offered (Callahan)--(1097S01.01L) (S846)
 04/01/2009 Bill Placed on Informal Calendar (S846)
 04/27/2009 S Informal Calendar S Bills for Perfection--SB 267-Mayer and Green, with SA 1 (pending)

EFFECTIVE: 8/28/09 & 1/1/2010

*** SB 268 ***

1053S.031

SENATE SPONSOR: Justus

SB 268 - This act modifies provisions relating to the Missouri Housing Trust Fund.

The act increases one of the fees collected by each recorder of deeds from \$3 to \$10. Nine dollars of the ten dollar fee shall be deposited into the Missouri Housing Trust Fund. Six of the nine dollars deposited into the fund may be used for any of the authorized programs except homeless shelters, with an emphasis on activities encouraging home ownership. The remaining one dollar of the ten dollar fee shall be forwarded by the recorder to the county treasurer to be deposited into the county treasury for use by the recorder's office.

This act changes the median family income requirements that families must meet to qualify for Housing Trust Fund assistance and adjusts the amount of housing trust fund money that goes to persons in certain income classifications.

SUSAN HENDERSON MOORE

01/29/2009 S First Read--SB 268-Justus (S217)
 02/02/2009 Second Read and Referred S Progress and Development Committee (S231)
 03/04/2009 Hearing Conducted S Progress and Development Committee

EFFECTIVE: August 28, 2009

*** SB 269 ***

1441S.011

SENATE SPONSOR: Rupp

SB 269 - This act modifies various provisions of Missouri's captive insurance company law. Under this act, the definition of "association" is amended to include captive insurance companies formed as reciprocal insurers. The act amends multiple sections of the captive insurance law to permit reciprocal insurers to be used to form an association captive.

This act repeals the requirement that a captive insurance company must hold at least 35% of its assets within Missouri (Section 379.1302). The act expressly provides that association captive insurance companies and industrial insured captive insurance companies may be organized as reciprocal insurers as provided by law. The act provides that the organizers of a reciprocal insurer must petition the director for its formation. The act provide that the captive insurance company statutes shall control in cases of conflict between them and the reciprocal insurance statutes. The act further modifies the law to permit a non-U.S. or alien captive to redomesticate to Missouri if approved by the director (Section 379.1310).

Under the terms of the act, the premium taxes imposed on captive insurance companies are redirected. Under the act, 90% of the taxes are deposited into the general revenue fund, while the remaining 10% are credited to the Insurance Dedicated Fund (Sections 379.1326 and 379.1332). The act contains a similar provision for the disposition of premium taxes assessed on special purpose life insurance captive companies (Section 379.1412).

Under the act, an association captive insurance company or an industrial insured captive insurance company may be converted into or merged with and into a reciprocal insurer. Under the act, any conversion or merger must provide a fair and equitable plan for purchasing the interests of the stockholders and policyholders of the stock or mutual insurer. The act sets forth the statutory steps that must be followed in order to complete a conversion or a merger (Section 379.1339).

This act reduces the number of Missouri residents required to incorporate or organize a special purpose life reinsurance captive from two to one (Section 379.1373).

The act modifies the method in which the assets of a special purpose life reinsurance captive are valued. The act allows letters of credit, financial guarantee policies and surety bonds to be recognized as assets of a special life reinsurance captive regardless of the existence of any repayment obligations imposed upon the captive (Section 379.1388).

STEPHEN WITTE

01/29/2009 S First Read--SB 269-Rupp and Cunningham (S217)
 02/02/2009 Second Read and Referred S Small Business, Insurance and Industry Committee (S231)
 02/10/2009 Hearing Conducted S Small Business, Insurance and Industry Committee
 02/17/2009 Motion to vote bill do pass failed S Small Business, Insurance and Industry Committee
 03/10/2009 Committee Vote Reconsidered
 03/10/2009 Voted Do Pass S Small Business, Insurance and Industry Committee

EFFECTIVE: August 28, 2009

*** SB 270 ***

1009S.021

SENATE SPONSOR: Bray

SB 270 - The act imposes contribution limits for individuals and committees in support of candidates running for public office. Surcharges will be imposed upon committees that accept or give contributions exceeding the limits.

The limits are as follows for contributions made by or accepted from any person other than the candidate and all committees:

- \$1,275 for Governor, Lieutenant Governor, Secretary of State, Treasurer, Auditor, or Attorney General.
- \$650 for Senators.
- \$325 for Representatives.
- \$325 any other office, including judicial office if the population of the area is under 100,000.
- \$650 any other office, including judicial office if the population of the area is between 100,000 and 250,000.
- \$1,275 any other office, including judicial office if the population of the area is over 250,000.

CHRIS HOGERTY

01/29/2009 S First Read--SB 270-Bray (S217-218)
 02/02/2009 Second Read and Referred S General Laws Committee (S231)

EFFECTIVE: August 28, 2009

*** SB 271 ***

1515S.011

SENATE SPONSOR: Bray

SB 271 - This act enables senior citizens, fifty-nine and a half years or older, and disabled persons to delay paying property taxes on their residences. The act establishes eligibility criteria for the taxpayer and the property for participating in the deferral. Taxpayers desiring deferral of property taxes must file an application with the county assessor who will forward such application to the department of revenue for a determination of eligibility. If the application is approved, the Department of Revenue must notify the county assessor who will make a notation on the tax rolls identifying the property as tax-deferred.

Each year, the Department of Revenue will allocate funds, from the newly created property tax deferral revolving account to each county with properties subject to tax deferral, in an amount equal to the taxes deferred within each such county. All deferrals of tax will result in a lien, to be held by the Department of Revenue, against the property of the taxpayer which must be recorded in the mortgage records of the county in which the property is located. The lien will be for the amount of the property tax as estimated by the Department of Revenue plus interest to accrue at six percent per annum. The taxes plus interest, must be paid when the owner dies or sells the property, moves, or the property changes ownership.

This act is similar to Senate Bill 594 (2006), Senate Bill 32 (2007), and Senate Bill 1213 (2008).

JASON ZAMKUS

01/29/2009 S First Read--SB 271-Bray (S218)
 02/02/2009 Second Read and Referred S Ways and Means Committee (S231)

EFFECTIVE: August 28, 2009

*** SB 272 ***

1489S.01P

SENATE SPONSOR: Lager

HOUSE HANDLER: Ruzicka

SB 272 - Under current law, the authority expires on December 31, 2009, for the Clean Water Commission to charge fees for construction permits, operating permits, and operator's certifications related to water pollution control. This act extends the expiration date to December 31, 2010.

This act is identical to HB 734 (2009).

ERIKA JAQUES

01/29/2009 S First Read--SB 272-Lager (S218)
 02/02/2009 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S231)
 02/17/2009 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee
 03/03/2009 Voted Do Pass S Commerce, Consumer Protection, Energy and the Environment Committee
 03/05/2009 Reported from S Commerce, Consumer Protection, Energy and the Environment Committee to Floor (S529)
 03/24/2009 SA 1 S offered & Ruled out of order (Wilson) (S686-688)
 03/24/2009 Perfected (S688)
 03/25/2009 Reported Truly Perfected S Rules Committee (S702)
 03/25/2009 Referred S Governmental Accountability and Fiscal Oversight Committee (S702)
 03/26/2009 Voted Do Pass S Governmental Accountability and Fiscal Oversight Committee
 03/26/2009 Reported from S Governmental Accountability and Fiscal Oversight Committee to Floor (S771)
 03/26/2009 S Third Read and Passed (S775-776 / H750)
 03/26/2009 H First Read (H750)
 03/27/2009 H Second Read (H757)
 04/02/2009 Referred H Conservation and Natural Resources Committee (H922)
 04/08/2009 Hearing Scheduled H Conservation and Natural Resources Committee--(9:00 am - HR 4)
 04/08/2009 Voted Do Pass H Conservation and Natural Resources Committee
 04/14/2009 Reported Do Pass H Conservation and Natural Resources Committee (H1040)
 04/14/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1040)

EFFECTIVE: August 28, 2009

*** SB 273 ***

1476S.011

SENATE SPONSOR: Engler

01/29/2009 S First Read--SB 273-Engler (S218)
 01/29/2009 Bill Withdrawn (S218)

*** SB 274 ***

1605S.011

SENATE SPONSOR: Crowell

SCS/SBs 274 & 191 - Under current law, the Missouri Development Finance Board is prohibited from issuing the greater of ten million dollars or an amount equal to five percent of growth in general revenue receipts for the preceding three years in contribution tax credits annually unless the Commissioner of Administration, the director of the Department of Economic Development, and the director of the Department of Revenue agree to exceed such limit. This act repeals the provision which allows for the annual limit on tax credit issuance to be exceeded and institutes an additional per project annual cap of ten million dollars.

JASON ZAMKUS

01/29/2009 S First Read--SB 274-Crowell (S218)
 02/02/2009 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S231)
 02/12/2009 Hearing Conducted S Governmental Accountability and Fiscal Oversight Committee
 03/05/2009 SCS Voted Do Pass (w/SCS SBs 274 & 191) S Governmental Accountability and Fiscal Oversight Committee - (1605S.02C)

EFFECTIVE: August 28, 2009

*** SB 275 ***

1543S.02I

SENATE SPONSOR: Callahan

SB 275 – Current law provides that moneys in the Lewis & Clark Discovery Fund may only be appropriated, in part, to support funding of capital projects at public colleges and universities. This act provides that moneys in the Lewis & Clark Discovery Fund may only be appropriated to support funding of capital projects at public colleges and universities for which actual construction has begun on or before January 1, 2009.

Any moneys remaining in the Lewis & Clark Discovery Fund after the completion of all projects for which construction has begun on or prior to January 1, 2009 will be transferred to the Missouri Higher Education Tuition Reduction Fund at the end of each fiscal year. The Coordinating Board for Higher Education will administer the fund. These moneys will be used for the purpose of reducing tuition rates at Missouri's public institutions of higher education. The Coordinating Board must implement a procedure for reimbursing public higher education institutions that either reduce tuition or increase tuition at a lower rate than previously designated.

MICHAEL RUFF

01/29/2009 S First Read--SB 275-Callahan (S218)

02/02/2009 Second Read and Referred S Education Committee (S231)

EFFECTIVE: August 28, 2009

*** SB 276 ***

1538S.01P

SENATE SPONSOR: Barnitz

SB 276 - This act authorizes the governing body of Montgomery County to seek voter approval for the imposition of a transient guest tax. The amount of the tax will be at least two, but not more than five percent per occupied room per night, and all revenue derived from such tax will be used by the county to promote tourism.

JASON ZAMKUS

02/02/2009 S First Read--SB 276-Barnitz (S227)

02/03/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S240)

02/25/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee

03/05/2009 Voted Do Pass S Jobs, Economic Development and Local Government Committee - Consent

03/11/2009 Reported from S Jobs, Economic Development and Local Government Committee to Floor - Consent (S587)

03/30/2009 S Third Read and Passed - Consent (S791-792 / H793)

03/30/2009 H First Read (H793)

03/31/2009 H Second Read (H804)

03/31/2009 Referred H Local Government Committee (H819)

04/08/2009 Hearing Conducted H Local Government Committee

EFFECTIVE: August 28, 2009

*** SB 277 ***

0451S.02P

SENATE SPONSOR: Cunningham

HOUSE HANDLER: Brandom

SB 277 - Banks, trust companies, savings and loan associations, and savings banks with authorized trust authority may transfer by assignment, for consideration or no consideration, some or all of its fiduciary obligations consisting only of irrevocable life insurance trusts to the Missouri trust office of an out-of-state bank with trust powers or an out-of-state trust company.

This act is similar to HB 1617 (2008).

CHRIS HOGERTY

02/02/2009 S First Read--SB 277-Cunningham (S227)

02/03/2009 Second Read and Referred S Small Business, Insurance and Industry Committee (S240)

02/10/2009 Hearing Conducted S Small Business, Insurance and Industry Committee

02/24/2009 Voted Do Pass S Small Business, Insurance and Industry Committee - Consent

02/25/2009 Reported from S Small Business, Insurance and Industry Committee to Floor - Consent (S384)

03/09/2009 S Third Read and Passed - Consent (S539 / H518)
 03/09/2009 H First Read (H518)
 03/10/2009 H Second Read (H526)
 03/30/2009 Referred H Financial Institutions Committee (H791)
 04/01/2009 Hearing Conducted H Financial Institutions Committee
 04/01/2009 Voted Do Pass H Financial Institutions Committee - Consent
 04/02/2009 Reported Do Pass H Financial Institutions Committee - Consent (H923)
 04/02/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H923)
 04/07/2009 Hearing Conducted H Rules Committee
 04/07/2009 Voted Do Pass H Rules Committee - Consent
 04/07/2009 Reported Do Pass H Rules Committee - Consent (H959)
 04/27/2009 H Consent Calendar

EFFECTIVE: August 28, 2009

*** SB 278 ***

1654S.011

SENATE SPONSOR: Cunningham

This bill has been combined with SB 45

02/02/2009 S First Read--SB 278-Cunningham (S227)
 02/03/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S240)
 02/04/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee
 02/11/2009 Bill Combined w/SCS/SBs 45, 212, 136, 278, 279, 285, 288

EFFECTIVE: August 28, 2009

*** SB 279 ***

1675S.011

SENATE SPONSOR: Schmitt

This bill has been combined with SB 45

02/02/2009 S First Read--SB 279-Schmitt (S227)
 02/03/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S240)
 02/04/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee
 02/11/2009 Bill Combined w/SCS/SBs 45, 212, 136, 278, 279, 285, 288

EFFECTIVE: August 28, 2009

*** SB 280 ***

1434S.01P

SENATE SPONSOR: Rupp

HOUSE HANDLER: Yates

SB 280 - Under current law, insurance companies which pay an annual tax on gross premium receipts are exempt from the imposition of Missouri's corporate income and franchise taxes. This act specifies that insurance companies subject to an annual tax on gross premium receipts are exempt from the imposition of Missouri's corporate income and franchise taxes.

JASON ZAMKUS

02/02/2009 S First Read--SB 280-Rupp and Cunningham (S240)
 02/03/2009 Second Read and Referred S Small Business, Insurance and Industry Committee (S227)
 02/10/2009 Hearing Conducted S Small Business, Insurance and Industry Committee
 02/17/2009 Voted Do Pass S Small Business, Insurance and Industry Committee - Consent
 02/18/2009 Reported from S Small Business, Insurance and Industry Committee to Floor - Consent (S328)
 02/24/2009 Removed S Consent Calendar (S372)
 02/25/2009 Reported from S Small Business, Insurance and Industry Committee to Floor - Consent (S384)
 03/09/2009 S Third Read and Passed - Consent (S538-539 / H518)
 03/09/2009 H First Read (H518)
 03/10/2009 H Second Read (H526)
 03/30/2009 Referred H Insurance Policy Committee (H791)
 04/01/2009 Hearing Conducted H Insurance Policy Committee
 04/08/2009 Voted Do Pass H Insurance Policy Committee - Consent
 04/09/2009 Reported Do Pass H Insurance Policy Committee - Consent (H1021)

04/09/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1021)
 04/14/2009 Hearing Conducted H Rules Committee
 04/14/2009 Voted to return to committee of origin H Rules Committee (H1042)

EFFECTIVE: August 28, 2009

*** SB 281 ***

1558L.011

SENATE SPONSOR: Bray

SB 281 - This act directs the Missouri Air Conservation Commission to develop guidelines to limit the amount of nighttime light emitted from non-natural sources near certain state parks and historic sites, national wilderness areas, Squaw Creek National Wildlife Refuge, Ozark National Scenic Riverways, and military training areas.

The guidelines shall be designed to voluntarily achieve the following standards: by 2025, no such place should have a night sky more than twice its natural brightness, by 2025, 90% of such places should not be more than 30% brighter than their natural brightness, by 2040, 90% of such places should not be more than 20% brighter, and by 2055, 90% of such places should not be more than 10% brighter.

The commission must determine each protected area's natural nighttime brightness and must forecast each area's natural brightness for 1 year, 5 years, and 10 years.

ERIKA JAQUES

02/02/2009 S First Read--SB 281-Bray (S227)
 02/03/2009 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S240)
 02/11/2009 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee

EFFECTIVE: August 28, 2009

*** SB 282 ***

1533S.011

SENATE SPONSOR: Bray

SB 282 - This act creates statutory warranties for home buyers and homeowners and also prevents home solicitors from engaging in certain deceptive practices.

This act prohibits certain unfair or deceptive practices relating to home improvement loans to the consumer. It prohibits home solicitations where a home improvement loan is made encumbering the person's home to pay the loan and where the practice violates federal law. Violation of this provision constitutes a Class A misdemeanor.

Three new-home warranties are created by this act. The first covers new homes against faulty workmanship and defective materials due to noncompliance with building standards for a three-year period. The second warranty covers new homes against faulty installation of plumbing, electrical, heating and cooling systems for a five-year period. The third warranty covers the home against major construction defects (foundation) for a ten-year period. These warranties are extended to subsequent purchasers of the home.

The act also creates three warranties for home improvement work. Home improvement contractors must warrant that the improvements made will be free from defects caused by faulty workmanship and defective materials due to noncompliance with building standards for a two-year period. Contractors must guarantee that the home improvement will be free from major construction defects for a ten-year period. Improvements involving plumbing, electrical, heating and cooling systems must be guaranteed to be free from defects for a period of two years.

Damage covered under the warranties must be reported to the home seller or home improvement contractor within 6 months of discovery of the damage. The act lists types of damage not covered under the warranties.

The warranties cannot be modified by contract, except as provided in the act.

If a home vendor or a home improvement contractor violates these implied warranties then the homeowner may bring a cause of action against the violator for actual damages. The court shall also award the homeowner court costs and reasonable attorney fees. If the breach of the warranties was willful or

deceitful, the court may also assess punitive damages.

This act is identical to SB 913 (2008) and similar to SB 123 (2007) and SB 1170 (2006).

ERIKA JAQUES

02/02/2009 S First Read--SB 282-Bray (S227)

02/03/2009 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S240)

EFFECTIVE: August 28, 2009

*** SB 283 ***

1553L.011

SENATE SPONSOR: Lembke

SCS/SB 283 - Under this act, health carriers, including preferred provider organizations, independent physician associations, and other entities that contract with health care providers, shall not impose any co-payment that exceeds 50% of the total cost of providing any single health care service to its enrollees.

STEPHEN WITTE

02/02/2009 S First Read--SB 283-Lembke (S228)

02/03/2009 Second Read and Referred S Small Business, Insurance and Industry Committee (S240)

03/03/2009 Hearing Conducted S Small Business, Insurance and Industry Committee

04/07/2009 SCS Voted Do Pass S Small Business, Insurance and Industry Committee (1553L.02C)

EFFECTIVE: August 28, 2009

*** SB 284 ***

1519L.011

SENATE SPONSOR: Lembke

SB 284 - Currently, upon approval of the board of aldermen, a fire department employee shall not be required to live within the department boundaries if the only public school district in the area has been unaccredited or provisionally accredited in the last five years of the person's employment. This act removes the need for the board of aldermen's approval.

The act removes the provision allowing the voters of St. Louis City to prevent: 1) the enactment of these provisions in the city, and 2) requiring the employees of the city to forfeit 1% of their salaries in order to reside outside of the city.

This act is identical to HB 416 (2009).

SUSAN HENDERSON MOORE

02/02/2009 S First Read--SB 284-Lembke, et al (S228)

02/03/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S240)

02/18/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee

02/25/2009 Voted Do Pass S Jobs, Economic Development and Local Government Committee

03/05/2009 Reported from S Jobs, Economic Development and Local Government Committee to Floor (S528)

03/11/2009 Bill Placed on Informal Calendar (S593)

04/15/2009 SA 1 S offered (Smith)--(1519L01.02S) (S1032)

04/15/2009 Bill Placed on Informal Calendar (S1032)

04/27/2009 S Informal Calendar S Bills for Perfection--SB 284-Lembke, et al, with SA 1 (pending)

EFFECTIVE: August 28, 2009

*** SB 285 ***

1656S.011

SENATE SPONSOR: Lembke

This bill has been combined with SB 45

02/02/2009 S First Read--SB 285-Lembke (S228)

02/03/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S240)

02/04/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee

02/11/2009 Bill Combined w/SCS/SBs 45, 212, 136, 278, 279, 285, 288

EFFECTIVE: August 28, 2009

*** SB 286 ***

1336S.021

SENATE SPONSOR: Schaefer

SB 286 - This act allows the counties of Boone, Cole, and Jefferson to adopt nuisance abatement ordinances involving land with tires or storm water runoff conditions resulting in damage to buildings.

SUSAN HENDERSON MOORE

02/02/2009 S First Read--SB 286-Schaefer (S228)

02/03/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S240)

03/04/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee

EFFECTIVE: August 28, 2009

*** SB 287 ***

1482S.011

SENATE SPONSOR: Schaefer

SB 287 – By January 1, 2010, the Department of Elementary and Secondary Education must create a central repository of information for all school districts. The repository must provide public access to a comprehensive database of school district financial and policy information. School districts must annually provide the Department with compensation information for all school employees as described in the act. The Department must establish standards for school district budget formats. The Department may contract with one or more entities to create and maintain the repository.

MICHAEL RUFF

02/02/2009 S First Read--SB 287-Schaefer (S228)

02/03/2009 Second Read and Referred S Education Committee (S240)

EFFECTIVE: August 28, 2009

*** SB 288 ***

1655S.011

SENATE SPONSOR: Schaefer

This bill has been combined with SB 45

02/02/2009 S First Read--SB 288-Schaefer (S228)

02/03/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S240)

02/04/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee

02/11/2009 Bill Combined w/SCS/SBs 45, 212, 136, 278, 279, 285, 288

EFFECTIVE: August 28, 2009

*** SB 289 ***

1653S.011

SENATE SPONSOR: Griesheimer

SB 289 - Under this act, the term "project" as it is used in the Missouri Transportation Development District Act is redefined to exclude terrace walls, berms, landscaping, parking lots, parking lot lights, awnings, canopies, marquees, building facades, storefront improvements, or other types of internal development improvements which inure to the benefit of a private commercial developer or group of developers rather than promoting the general transportation infrastructure improvements related to the interests of the public at large (section 238.202).

This provision was contained in SB 1201 (2008).

STEPHEN WITTE

02/02/2009 S First Read--SB 289-Griesheimer (S228)

02/05/2009 Second Read and Referred S Transportation Committee (S261)

02/18/2009 Hearing Scheduled But Not Heard S Transportation Committee

EFFECTIVE: August 28, 2009

*** SB 290 ***

1534S.011

SENATE SPONSOR: Crowell

SB 290 - This act makes enrollment in the state deferred compensation program automatic for those state employees eligible for the plan hired on or after September 1, 2009. Contributions shall be effective on or after the first day of the month following the date of hire and shall be at least twenty-five dollars a month. Employees who do not want to contribute to the program may opt out of automatic enrollment, and at a later date decide to participate. The contribution rate for employees who are automatically enrolled adjusts automatically based on any increase in the state contribution that occurs after automatic enrollment. Employees who are automatically enrolled can change the amount of contribution. Employees of state colleges or universities would not be automatically enrolled.

On or after September 1, 2009, if a participant in the deferred compensation plan or the 401(a) plan established in section 105.927 is married, their surviving spouse will be automatically designated as their primary beneficiary, unless the surviving spouse consented in writing to allow the participant to designate someone else as their beneficiary. This automatic beneficiary designation does not apply to designations made prior to September 1, 2009.

The deferred compensation board is also authorized to adopt and amend plan documents to change terms and conditions of the deferred compensation plan that are consistent with federal law.

The act also allows the state treasurer to credit funds through a local payroll for qualified participants who are compensated from a local payroll system.

EMILY KALMER

02/02/2009 S First Read--SB 290-Crowell (S228)
 02/05/2009 Second Read and Referred S Veterans' Affairs, Pensions and Urban Affairs Committee (S261)
 03/12/2009 Hearing Scheduled But Not Heard S Veterans' Affairs, Pensions and Urban Affairs Committee
 03/26/2009 Hearing Cancelled S Veterans' Affairs, Pensions and Urban Affairs Committee
 04/02/2009 Hearing Conducted S Veterans' Affairs, Pensions and Urban Affairs Committee

EFFECTIVE: August 28, 2009

*** SB 291 *** SS SB 291

1475S.04P

SENATE SPONSOR: Shields

SS/SB 291 – This act modifies provisions relating to education.

JOINT COMMITTEE ON EDUCATION: During the legislative interim from May 2009 and January 29, 2010, the Joint Committee on Education must study the issue of open enrollment. It must submit a report of its findings, and any recommendations for legislative action, by December 31, 2009. (Section 160.254)

MISSOURI SENIOR CADET PROGRAM: This act creates the Missouri Senior Cadet Program, which will provide opportunities for twelfth graders in public school to mentor kindergarten through eighth grade students as described in the act. Participating students must be Missouri residents attending a Missouri high school, maintain a 3.0 GPA and plan to attend college. Twelfth graders who donate ten hours per week during the academic year will receive one elective credit that may be used to fulfill graduation requirements. If a student attends a public college or university located in Missouri after participating in the program, the state will provide a reimbursement in the amount of three credit hours per semester for up to four years. The provisions of this section will expire in six years unless reauthorized.

These provisions are similar to SB 78 (2009), SB 1013 (2008) and SB 921 (2006). (Section 160.375)

CHARTER SCHOOLS: When the Department retains and remits such funds to the sponsor of a charter school, the sponsor must make an appropriate determination of the following: it must expend no less than 90% of its sponsorship funds in support of its charter school sponsorship program, or as a direct investment in the sponsored schools; have fair procedures and rigorous criteria for its application process and grant charters only to developers who show capacity for establishing and operating a quality charter school; negotiates charter school contracts that clearly articulate the rights and responsibilities of each party as described in the act; conducts contract oversight; and designs and implements a transparent and rigorous process to make merit-based renewal decisions.

Current law provides that a charter school sponsor may revoke a charter if the charter school commits certain acts. This act provides that a charter school sponsor shall revoke a charter, or take other appropriate

remedial action, which may include placing the charter school on probationary status if the charter school commits certain acts.

Current law requires charter schools to maintain a surety bond based on the school's cash flow. This act would allow charter schools to maintain an insurance policy in the amount of \$500,000 or more to provide coverage in the event of employee theft.

The Department of Elementary and Secondary Education will commission a study comparing the performance of charter school students with an equivalent group of district students representing an equivalent demographic and geographic population. The Department will also study charter schools' impact on the constituents of the district in which they serve by using a contractor through a proposal process. The Department must coordinate the request for proposal process with individuals representing charter schools and the districts in which the charter schools are located. The student performance assessment must include, but may not be limited to: MAP test performance; student re-enrollment rates; educator, parent, and student satisfaction data; graduation rates; and performance of students enrolled in the same public school for three or more consecutive years.

These provisions are similar to provisions also contained in SB 64 (2009) and SB 1078 (2009). (Sections 160.400, 160.405, 160.410)

P-20 COUNCIL: This act allows the Governor to establish the "P-20 Council" as a private-not-for profit corporation on behalf of the state. The purpose of the P-20 Council will be to create a more efficient and effective education system to more adequately prepare students for entering the workforce and will be reflected in the articles of incorporation and bylaws.

The Council's board of directors will consist of thirteen members, including the Director of the Department of Economic Development, the Commissioner of Higher Education, the Chairperson of the Coordinating Board for Higher Education, the President of the State Board of Education, the Chairperson of the Coordinating Board of Early Childhood, and the Commissioner of Education as well as seven members appointed by the Governor as described in the act.

The Council may receive and borrow money, enter into contracts, and spend money for activities appropriate to its purpose. Duties of the Council may include: studying the potential for a state-coordinated economic and educational policy; determining where obstacles make state support of certain programs difficult; creating programs; and exploring ways to better align academic content. The Council must submit an annual report to the Governor and General Assembly containing information about its operations.

Any debts incurred by the Council will not be considered debt of the state. The Council is subject to an annual audit by the State Auditor and the Council must pay for the cost.

This act allows the Department of Economic Development, the Department of Elementary and Secondary Education, and the Department of Higher Education to contract with the Council for activities described in the act.

This act repeals the statute requiring the Commissioner of Higher Education, the Chair of the Coordinating Board for Higher Education, the Commissioner of Education, the President of the State Board of Education, and the Director of the Department of Economic Development to meet and discuss ways to create a more efficient and effective education system.

These sections are identical to SB 344 (2009) and SB 1221 (2008). (Sections 160.730, 160.800, 160.805, 160.810, 160.815 & 160.820)

PERSISTENCE TO GRADUATION FUND: This act creates the Persistence to Graduation Fund. The Department of Elementary and Secondary Education will establish a procedure for school districts to apply for grants to implement drop-out prevention strategies. Grants may be available to school districts that have at least sixty percent of students eligible for a free and reduced lunch. Grants will be awarded for one to five consecutive years. Upon expiration, a school district may apply for an extension. The Department of Elementary and Secondary Education must give preferences to school districts that propose a holistic approach to drop-out prevention as described in the act. The Department may stop payments to a district if it determines that the district is misusing funds or if the district's program is deemed ineffectual. The Department must provide written notice thirty days prior to cessation of funds. The Department must report

annually to the General Assembly the recipients and amount of grants and data for the preceding five years for each recipient district.

This section is substantially similar to SB 116 (2009) and SB 1128 (2008). (Section 160.950)

PUBLIC ACCESS TO EDUCATION MATERIALS AND RECORDS: This act requires the State Board of Education to provide seven days' written notice to members of board meetings. It also changes from four, to three, the number of members needed to request a meeting of the board. Any business that comes before the board must be made available by free electronic record at least seven business days prior to any meeting. All records of decision, votes, exhibits, or outcomes must be available by free electronic media within forty-eight hours of the conclusion of a meeting. Any materials prepared for board members must be delivered to the members at least five days before the meeting. (Section 161.072)

This act requires the Commissioner of Education to study and evaluate the progress, or lack thereof, in achieving instructional goals, and make these findings available by free public electronic media. (Section 161.122)

Current law requires that public and nonpublic high schools report certain information about students age sixteen and older who drop out of school to the state literacy hotline. This act requires that records and reports based upon the school reports be made available by free electronic record on the Department of Elementary and Secondary Education's website on the first business day of each month. Identifying information of individual students must be excluded. This provision is identical to SB 576 (2009). (Section 167.275)

TEACHING STANDARDS FOR PUBLIC SCHOOLS: Each public school must develop standards for teaching by June 30, 2010, including charter schools operated by the board of a school district. The teaching standards must include: having students actively participate and be successful in the learning process; forms of assessment to monitor and manage student learning; having the teacher be prepared and knowledgeable of content and maintain students' on-task behavior; having the teacher be current on instructional knowledge and explore changes in teaching behavior; and having the teacher act as a responsible professional in the mission of the school. The Department of Elementary and Secondary Education may provide assistance to public schools in developing these standards upon request.

This provision is similar to SB 60 (2009) and SB 1273 (2008). (Section 161.380)

VOLUNTEER AND PARENTS INCENTIVE PROGRAM: This act creates the Volunteer and Parents Incentive Program, to be implemented and administered by the Department of Elementary and Secondary Education. Under the program, the Department will provide a reimbursement to parents or volunteers who donate time at certain schools. To be eligible, individuals must donate time at a school in a district that is unaccredited or provisionally accredited, or has a population of at least 50% at risk students as described in the act. For every one hundred hours donated by a volunteer or parent, the department will provide him or her with a reimbursement for the cost of three credit hours at a public institution of higher learning located in Missouri. The reimbursement cannot exceed \$500 every two years. If a participating school district becomes classified as accredited, it may continue to participate in the program for an additional two years.

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

These provisions are identical to SB 76 (2009) and are substantially similar to SB 1014 (2008).

PARENTS' BILL OF RIGHTS: This act requires the Department of Elementary and Secondary Education to produce "The Parents' Bill of Rights," to inform parents of children with an individualized education program of their educational rights under federal and state law by January 1, 2010. The publication must state it does not confer any right or rights beyond those conferred by federal or state law. In addition, the publication must state that it is only for informational purposes. The publication must contain ten points of information, which are described in the act. The Department of Elementary and Secondary Education must post a copy of it on its website.

Each school district must provide a copy of "The Parents' Bill of Rights" upon initial referral for evaluation and at any such time as a school district is required under state or federal law to provide the parent or parents with notice of procedural safeguards.

This section is substantially similar to SCS/SB 175 (2009). (Section 161.850)

OPERATION OF A SPECIAL ADMINISTRATIVE BOARD OF A LAPSED SCHOOL DISTRICT: This act modifies the law regarding the operations of a special administrative board when a school district's corporate organization has lapsed after having been classified as unaccredited. Current law provides for three members on a special administrative board, one of whom will be a professional administrator and act as chair. This act allows the State Board of Education to appoint additional members. In addition, the State Board of Education may set a final term of office for any special administrative board member, after which a successor member must be elected by the school district as described in the act. If the State Board of Education appoints a successor member to replace the special administrative board's chair, the current members of the special administrative board may appoint a superintendent of schools and contract for his or her services. The State Board of Education may set a date on which the school district will return to local governance.

This section is identical to SB 443 (2009) and HB 659 (2009). (Section 162.083)

SCHOOL DISTRICT RECORDS: This act allows school districts to maintain permanent records in a digital or electronic format. School districts must follow the manufacturer's guidelines, suggestions, and recommendations when using digital or electronic storage media and must not use them beyond the manufacturer suggested or recommended period of time.

This section is identical to SB 55 (2009) and SB 925 (2008). (Section 162.204)

REORGANIZATION OF SCHOOL DISTRICTS IN HOWELL COUNTY: This act creates three procedures by which two or more school districts that are located, or at least ninety percent located, in Howell County may reorganize or create a high school district.

Reorganization into a school district divided into subdistricts: The voters in any two or more school districts that are located, or at least ninety percent located, in Howell County may reorganize and form a new single district with subdistricts based on the preexisting school district boundary lines. The reorganization of the school districts requires a vote of the people. In order to place the question on the ballot, a petition must be submitted that is signed by the greater of ten percent of those in each school district that voted at the last election for school board members, or one hundred voters. Alternatively, a majority vote of each board of education may place the question on the ballot. If a majority of voters within each school district vote in favor of the reorganization, the school districts will be reorganized. If the proposal is successful, the Commissioner of Education will declare the new district formed as of July first following the election. All indebtedness, property, records, and money belonging to the school districts will pass to the newly reorganized district upon the effective date of the reorganization. The newly reorganized must perform all existing contracts and assume all legal obligations of the prior school districts.

After reorganization, a vote of the people will be required for the closure of facility used for student instruction if such a closure would result in a subdistrict not having a facility used for student instruction. In addition, a vote of the people will be required for the modification of a subdistrict boundary line, or for the restructuring of grade levels offered within the current attendance center within a subdistrict. In order to place these questions on the ballot, a petition must be submitted that is signed by the greater of ten percent of those in the subdistrict, or subdistricts, affected by the proposal that voted at the last election for school board members, or one hundred voters from the subdistrict, or subdistricts, that would be affected. Alternatively, a majority vote of the board of education may place these questions on the ballot. (Section 162.225)

If the voters vote in favor of reorganization, the State Board of Education must order an election for school board members for the reorganized school district. The school board of the new district will consist of seven members. Board of education members must be United States citizens, resident taxpayers of the school district, have resided in Missouri for one year prior to the election, and be at least twenty-four years old. The terms of office of the existing school board members will end on June 30 following the reorganization vote. Newly elected board members will take office on July 1.

Voters in each subdistrict will elect one member to the board of education to represent that subdistrict; that individual must be a resident of the subdistrict he or she would be representing. The remaining number of seats on the board will be filled by at-large members. Because the entire seven member board will be elected at the first election, the school board members' terms will initially be staggered. The at-large member or members will be elected to serve until the first subsequent general municipal election. The school board

members who will represent the subdistricts will serve until the second or third subsequent general municipal election, as determined by a lot drawing procedure supervised by the Commissioner of Education. The reorganizing school districts will share equally the costs of the election.

If there is insufficient time to hold an election for school board members between the reorganization vote and July 1, seven members from the reorganizing boards of education will be selected by the Commissioner of Education by a lot drawing process to serve as board members until an election can be held. (Sections 162.227, 162.228, 162.241, 162.291, 162.459)

The tax rate of the new district will be determined by the same procedure used for school district consolidation in section 162.202, RSMo. (Section 162.229)

Establishment of a high school district by two or more school districts: The voters in any two or more school districts that are located, or at least ninety percent located, in Howell County may establish a new school district to provide grades nine through twelve. The school district's boundary lines would be coterminous with the boundary lines of the school districts from which the voters established the new district. The establishment of the school district requires a vote of the people. In order to place the question on the ballot, a petition must be submitted that is signed by the greater of ten percent of those in each school district that voted at the last election for school board members, or one hundred voters. Alternatively, a majority vote of each board of education may place the question on the ballot. If a majority of voters within each school district vote in favor of the establishment of the new district, the new district will be established. If the proposal is successful, the Commissioner of Education will declare the new district formed as of July first following the election.

The act also requires that an election for school board members be held as provided under current law and grants the new school district all corporate powers as other seven director school districts have. If a new school district is formed, any affected school district that already provides grades nine through twelve must only offer grades kindergarten through eight upon the effective date of the new district. (Section 162.1200)

Establishment of a high school district by two or more k-8 school districts: The voters in any two or more K-8 school districts that are located, or at least ninety percent located, in Howell County may establish a new school district to provide grades nine through twelve. The school district's boundary lines would be coterminous with the boundary lines of the school districts from which the voters established the new district. The establishment of the school district requires a vote of the people. In order to place the question on the ballot, a petition must be submitted that is signed by the greater of ten percent of those in each school district that voted at the last election for school board members, or one hundred voters. Alternatively, a majority vote of each board of education may place the question on the ballot. If a majority of voters within each school district vote in favor of the establishment of the new district, the new district will be established. If the proposal is successful, the Commissioner of Education will declare the new district formed as of July first following the election.

The act also requires that an election for school board members be held as provided under current law and grants the new school district all corporate powers as other seven director school districts have. (Section 162.1201)

SPECIAL ELECTION FOR VACANCIES ON THE KANSAS CITY SCHOOL DISTRICT BOARD OF EDUCATION: A vacancy that occurs on the school board of the Kansas City School District will be filled by special election instead of by appointment by board members. There will be a special election if a vacancy occurs more than six months prior to the next general municipal election. The State Board of Education is responsible for ordering a special election when a vacancy occurs. If a vacancy occurs less than six months prior to the next general municipal election, the vacancy will be filled at the next general municipal election.

This provision is identical to SCS/SB 253 (2009). (Section 162.492)

USE OF SECLUSION ROOMS BY SCHOOL DISTRICTS: This act prohibits school district employees, volunteers, and independent contractors from placing a student receiving special education services in a locked box, locked closet, or locked room as a behavior management technique or discipline management practice. Exceptions include when confinement is necessary to prevent a student from causing bodily harm and when a student has a weapon. School district employees, volunteers, and independent contractors may place a student in seclusion, as described in the act, as a last resort as an emergency safety intervention. Seclusion must not be used any longer than necessary to allow for a student to regain self-control. The

school district must document the use of seclusion.

This section is similar to SB 445 (2009). (Section 162.716)

OPEN ENROLLMENT FOR FOSTER CARE CHILDREN: This act creates procedures for open enrollment across school district boundary lines for children in foster care. School districts must adopt a policy and designate appropriate class sizes for purposes of open enrollment, incorporating the minimum standard of teacher-pupil ratio promulgated by the Department of Elementary and Secondary Education. The policy may include spaces that could be filled by open enrollment. A student wishing to participate in open enrollment must declare intent by March first prior to the year in which the student would open enroll. If a receiving school has insufficient space for all students who want to enroll, it may institute an admissions process.

If a child in foster care believes that a receiving district has unreasonably disapproved an application for admittance, he or she may request that the Department of Elementary and Secondary Education review it. School districts must keep records and make them publicly available, as described in the act.

A student requiring special education services may only transfer if the receiving district verifies that it has an instructional program that is appropriate for the student and that the enrollment would not negatively affect the class size.

A student who enrolls in another district will be included in the receiving district for purposes of state school foundation aid.

The act also contains provisions for statewide assessment scores of students, intradistrict transfers, participation in school activities, and school district eligibility for small school grants.

This section is similar to SB 537 (2009). (Section 162.1033)

MISSOURI PRESCHOOL PLUS GRANT PROGRAM: This act creates the Missouri Preschool Plus Grant Program as a pilot program within the Missouri Preschool Project. The program will serve up to 1250 students with preschool services and will be administered by the Department of Elementary and Secondary Education in collaboration with the Coordinating Board for Early Childhood. School districts that are classified as unaccredited and non-sectarian community-based organizations located within such school districts may receive grants. Grants run for three years and are renewable. At least fifty percent of the placements must be offered through non-sectarian community-based organizations. Children who are one or two years away from kindergarten entry may participate in the program. Children of active duty military personnel will receive admission preference.

If a school district becomes classified as provisionally accredited or accredited, it may complete the length of an existing grant and be eligible for one additional renewal for three years. The program must comply with current early childhood standards. Community-based organization grantees may employ teachers with at least an associate's degree provided they show they are on the path to obtaining a bachelor's degree within five years. School districts and non-sectarian community-based organizations must collect short-term and long-term data about student performance where feasible. The Department must make a good faith effort to collect long-term student performance data as required in the act for students who attend non-public schools.

The Department will accept applications in a competitive bid process to begin implementing the program in the 2010-2011 school year. The program will be funded through general appropriations and will not be funded through money from the Gaming Commission Fund. The General Assembly must appropriate an amount sufficient to adequately fund the program, which shall be at least \$5 million in any fiscal year.

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

This section is identical to SB 314 (2009) and is similar to a provision contained in SS/SCS/SB 726 (2008) and is similar to SB 779 (2008) and a provision contained in SB 690 (2007). (Section 162.1168)

VIRTUAL COURSES FOR SCHOOL DISTRICTS AND CHARTER SCHOOLS: This act provides that school districts that offer virtual courses to resident students who are enrolled in the school district shall receive state school funding. School districts may offer virtual courses through technological methods as described in the act that could take place outside of the regular school district facility. In addition, school districts may develop a virtual program for any grade level. Charter schools may also offer virtual courses for students enrolled in

the charter school and receive state funding, as described in the act. Nothing in the act will preclude a private, parochial, or home school student residing within a school district offering virtual school courses from enrolling in the school district for purposes of participating in virtual school courses.

For purposes of calculation and distribution of funding, attendance of a student enrolled in a district virtual class will equal, upon course completion, ninety-four percent of the hours of attendance for such class delivered in the non-virtual program. Course completion will be calculated in two increments, fifty percent completion and one hundred percent. State funding will be distributed at the fifty percent increment and one hundred percent increment in an amount equal to forty-seven percent of hours of attendance possible for such course delivered in the non-virtual program of the school.

Any special school district must count any student's attendance in a virtual course or program in the same manner as any other course or program.

School districts and charter schools must ensure that courses purchased from outside vendors are aligned with the Show-Me curriculum standards and comply with state requirements for teacher certification. A school district or charter school that offers virtual courses or develops virtual courses or a virtual program must ensure that they comply with various standards, as described in the act. A school district or charter school may contract with multiple providers of virtual courses or virtual programs, provided they meet all criteria for virtual courses or virtual programs under this section. (Section 162.1250)

EDUCATION FUNDING: This act modifies the elementary and secondary education funding formula. It removes from the calculation of the state adequacy target the inclusion of the gaming revenues from the repeal of the loss limits. This becomes effective July 1, 2009. Beginning on July 1, 2010, the moneys derived from the passage of Proposition A will be deposited into the Classroom Trust Fund and distributed to school districts in that manner.

Current law provides that current operating expenditures shall include, in part, any increases in state funding subsequent to fiscal year 2005, not to exceed 5%, per recalculation, of state revenue, received by a district in the 2004-2005 school year. This act removes the 5% limit on increases in state funding per recalculation. This becomes effective July 1, 2010.

This act defines "Gifted Education Pupil Count" as the number of students who qualify as "gifted" under Section 162.675 and who are enrolled in a school district's gifted education program on the last Wednesday in January for the preceding school year. This number must not exceed five percent of a school district's enrollment for the immediately preceding academic year. This act modifies the definition of "weighted average daily attendance" by including in the calculation the product of .25 multiplied by the number of the district's gifted education pupil count. This becomes effective July 1, 2010.

This act provides that for the 2010-2011 school year and beyond, all proceeds a school district receives from the Classroom Trust Fund in excess of the amount it received in the 2009-2010 school year must be placed to the credit of the school district's teachers' and incidental funds. This becomes effective July 1, 2009.

This act repeals the Schools First Elementary and Secondary Education Improvement Fund on July 1, 2010 and modifies the audit that will be conducted by the State Auditor, which becomes effective July 1, 2009.

These sections contain provisions identical to SCS/SBs 453 & 24 (2009). (Sections 163.011, 163.043, 313.775, 313.778, 313.822)

RECALCULATION OF STATE AID FOR RIVERVIEW GARDENS SCHOOL DISTRICT: This act requires the Department of Elementary and Secondary Education to recalculate the state school aid for the Riverview Gardens School District to correct an error by the district in placing funds received by the state for school aid for fiscal year 2006 in the incidental fund, rather than the capital projects fund. The sum of the amounts due to the school district after recalculation for fiscal years 2007-2010 will be divided and distributed to the school district in equal amounts in fiscal years 2010-2013.

This section is identical to SCS/SB 117 (2009). (Section 163.095)

FOSTER CARE EDUCATION BILL OF RIGHTS: This act establishes the "Foster Care Education Bill of Rights." Each school district must designate a staff person to be an educational liaison for foster care children. This liaison would assist with proper educational placements, transferring between schools,

ensuring transfer of grades and credits, requesting school records, and submitting school records that have been requested.

A child placing agency will promote educational stability for foster care children when making placements. A foster care child may continue to attend his or her school of origin pending resolution of a dispute. Each school district must accept for credit any full or partial course work satisfactorily completed by a pupil while attending certain schools. A pupil who completes the graduation requirements of his or her school district of residence while under the jurisdiction of the juvenile court will receive a diploma

If a foster care pupil is absent from school because of a change in placement by the court or child placing agency, or because of a verified court appearance or related court-ordered activity, the pupil's grades and credits will be calculated as of the date the pupil left school. Such absence will not result in a lowering of the pupil's grades.

Subject to federal law, school districts are authorized to permit access of pupil school records to a child placing agency for the purpose of fulfilling educational case management responsibilities required by the juvenile officer or by law and to assist with the school transfer or placement of a pupil.

Each child who is in foster care or who is placed in a licensed residential care facility is entitled to a full school day of education unless the school district determines that fewer hours are warranted. A full school day is defined as six hours under the guidance and direction of teachers in the education process for children in foster care or for children placed for treatment in a licensed residential care facility by the Department of Social Services.

For children placed for treatment in a licensed residential care facility by the Department of Social Services, the Commissioner of Education, or his or her designee, will be an ombudsman to assist the family support team and school district. The ombudsman will have the final decision over discrepancies regarding school day length. A full school day of education will be provided pending the ombudsman's final decision.

These provisions are identical to SCS/SB 96 (2009) and are similar to SB 1000 (2008) and SB 630 (2007). (Sections 167.018, 167.019, 210.1050).

EDUCATIONAL SERVICES PROVIDED BY A SCHOOL DISTRICT OR SPECIAL SCHOOL DISTRICT: This act adds children who temporarily reside in a children's hospital for rendering health care services to children under the age of eighteen for more than three days to the children for whom a school district or special school district is responsible for making payments for services to a serving school district. (Section 167.126)

TEACHER CERTIFICATION: This act creates a method of obtaining teacher certification from the State Board of Education for individuals to teach in the areas of banking or financial responsibility. Individuals must have a bachelor's degree or higher degree and professional experience suitable to provide a basis to teach in such areas. An individual must have received a passing score for the designated exit examination.

The holder of such a certificate is exempt from the Teacher Tenure Act. School districts will have decision-making authority on whether to hire individuals holding such a certificate.

If the holder of such a certificate is employed less than full-time, he or she must complete an amount of professional development in proportion to his or her time teaching in the classroom, rather than complete the standard thirty hour requirement.

This provisions are identical to SB 233 (2009) and HB 1874 (2008). (Section 168.021)

TEACHER CHOICE COMPENSATION PACKAGE: This act creates the "Teacher Choice Compensation Package" for the St. Louis City School District to permit performance-based salary stipends, upon the decision of a teacher, to reward teachers for objectively demonstrated superior performance. It also creates the Teacher Choice Compensation Fund in the State Treasury. The General Assembly must annually appropriate \$5 million to the fund.

A teacher must give up his or her right to a permanent appointment for the duration of his or her employment with the school district to participate in the Teacher Choice Compensation Package. If a teacher chooses to no longer participate in the Compensation Package, he or she may not resume permanent teacher status with the district. Teachers will qualify annually in October.

Stipends will be offered in increments of five thousand dollars, up to fifteen thousand dollars but must not exceed fifty percent of a teacher's base salary as described in the act. The Department of Elementary and Secondary Education will make a payment to the district in the amount of the stipend, which will be delivered as a lump sum in January following the October qualification. If funds are insufficient, the Department may prorate payments.

The Teacher Choice Compensation Package will be open to every person employed by the St. Louis City School District regardless of certification status, provided the other requirements are satisfied. Stipends will be prorated for part-time employees and will be forfeited for any teacher dismissed for cause.

Beginning with the 2010-2011 school year, teachers who opt out of their permanent contract may be eligible based on the following: student scores on a value-added test instrument as described in the act, evaluations by principals or other administrators, evaluations by parents, and evaluations by students. The Department of Elementary and Secondary Education must develop or identify model instruments for use by school districts, which may also use or develop their own instruments.

The Department of Elementary and Secondary Education must develop criteria for determining eligibility for stipend increments. Test-scores will be given more weight than evaluations. The level of scores required must take into account classroom demographics.

These provisions are similar to SB 42 (2009). (Sections 168.221, 168.745, 168.747, 168.749, 168.750).

PHYSICAL EDUCATION FOR GRADES KINDERGARTEN THROUGH FIVE: This act establishes physical education requirements for school districts beginning with the 2010-2011 school year. Physical education class will be required for students in kindergarten through fifth grade and will include 150 minutes of movement each week as described in the act. Students will have the opportunity to learn individual health self-assessment skills and will be encouraged to improve and sustain healthy fitness levels. School districts will create community and business partnerships to provide resources to reward schools for improved health status. Annually, the Commissioner of Education will recognize students, schools, and school districts that have achieved improved fitness.

This section is identical to SB 520 (2009) and is similar to HB 1215 (2007). (Section 170.043)

SUPPLEMENTAL EDUCATIONAL SERVICES PROGRAMMING: Equipment and educational materials necessary for participation in supplemental educational services programming will not be deemed an incentive for purposes of compliance with the Department of Elementary and Secondary Education's rules and regulations for supplemental educational services provider certification. In addition, the Department of Elementary and Secondary Education must not prohibit providers of supplemental and educational services from allowing students to retain equipment, including computers, used by them upon successful completion of supplemental and educational services.

This provision is similar to a provision also contained in SCS/HCS/HB 1722 (2008). (Section 170.400)

SCHOOL CALENDARS: Each local school district must set its opening date, which must be at least fourteen calendar days after notification of parents as to the determination of students' eligibility for public school choice options under the federal No Child Left Behind Act and regulations promulgated under it, but no earlier than ten calendar days prior to the first Monday in September. Any school district that sets its opening date more than ten days prior to the first Monday in September must still comply with the fourteen day notification period. (Section 171.031)

SCHOOL BOARDS AND AGREEMENTS WITH CERTAIN POLITICAL SUBDIVISIONS: This act authorizes any school board to enter into an agreement with the county in which the school district is located, or a city, town, or village that is wholly or partially located within the boundaries of the school district to acquire, construct, improve, extend, repair, remodel, or finance sites, buildings, facilities, furnishings, and equipment for the school district's educational purposes. An agreement may provide for the present or future acquisition of an ownership in the facilities, including joint ventures.

This section is identical to SB 325 (2009) and similar to SB 1191 (2008) and HB 1735 (2008). (Section 177.088)

HOME SCHOOL STUDENTS AND ACTIVITIES: This act prohibits school districts from joining any organization or entity that discriminates or prohibits home school students from participating in music contests or debate contests. Home school students shall be permitted to compete in music contests and debate contests in the same manner as students of a public school district. (Section 1 from SA 28)

SCHOOL BUILDING REPAIR FUND: This act creates the School Building Repair Fund, which will be used to distribute funding to schools on a average daily attendance basis for school repairs. (Section 1 from SA 32, as amended)

This act contains different effective dates. Changes made to sections 160.534, 163.011, 163.043, 313.775, and 313.822 will become effective July 1, 2009. The repeal of section 313.778 will become effective on July 1, 2010.

MICHAEL RUFF

02/02/2009 S First Read--SB 291-Shields (S228)
 02/05/2009 Second Read and Referred S Education Committee (S261)
 02/25/2009 Hearing Conducted S Education Committee
 03/04/2009 Voted Do Pass S Education Committee
 03/05/2009 Reported from S Education Committee to Floor (S528)
 03/24/2009 SS S offered (Shields)--(1475S.04F) (S661)
 03/24/2009 SA 1 to SS S offered & Ruled out of order (Schaefer)--(1475S04.01S) (S662-663)
 03/24/2009 SA 2 to SS S offered & adopted (Green)--(1475S04.02S) (S663)
 03/24/2009 SA 3 to SS S offered & adopted (Purgason)--(8112S09.01S) (S663-671)
 03/24/2009 SA 4 to SS S offered & adopted (Days)--(1475S04.07S) (S671)
 03/24/2009 SA 5 to SS S offered & adopted (Justus)--(8113S09.01S) (S672-673)
 03/24/2009 SA 6 to SS S offered & adopted (Smith)--(1475S04.17S) (S673-675)
 03/24/2009 SA 7 to SS S offered & adopted (Shields)--(1475S04.20S) (S675-676)
 03/24/2009 SA 8 to SS S offered & adopted (Dempsey)--(1475S04.12S) (S676)
 03/24/2009 SA 9 to SS S offered (Lager)--(1475S04.04S) (S676-679)
 03/24/2009 Bill Placed on Informal Calendar (S679)
 03/24/2009 SA 1 to SA 9 to SS S offered & adopted (Rupp)--(1475S04.28S) (S710-711)
 03/25/2009 SA 2 to SA 9 to SS S offered & adopted (Cunningham)--(1475S04.29S) (S711)
 03/25/2009 SA 9 to SS, as amended, S defeated (S711)
 03/25/2009 SA 10 to SS S offered & adopted (Days)--(1475S04.41S) (S711)
 03/25/2009 SA 11 to SS S offered & adopted (Rupp)--(1475S04.42S) (S711-713)
 03/25/2009 SA 12 to SS S offered & adopted (Bray)--(1475S04.06S) (S713-715)
 03/25/2009 SA 13 to SS S offered & adopted (Days)--(1475S04.40S) (S715-716)
 03/25/2009 SA 14 to SS S offered (Smith)--(1475S04.43S) (S716-723)
 03/25/2009 SA 1 to SA 14 to SS S offered & adopted (Rupp)--(1475S04.50S) (S723-724)
 03/25/2009 SA 2 to SA 14 to SS S offered & defeated (Bray)--(1475S04.52S) (S725)
 03/25/2009 SA 14 to SS, as amended, S adopted (S725)
 03/25/2009 SA 15 to SS S offered (Bartle)--(1475S04.01F) (S725)
 03/25/2009 SSA 1 for SA 15 to SS S offered & Ruled out of order (Green)--(1475S04.02F) (S725-726)
 03/25/2009 SA 15 to SS S withdrawn (S726)
 03/25/2009 SA 16 to SS S offered & adopted (Rupp)--(1475S04.49S) (S726-727)
 03/25/2009 SA 17 to SS S offered (Cunningham)--(1475S04.32S) (S727-728)
 03/25/2009 SA 1 to SA 17 to SS S offered (Mayer)--(1475S04.27S) (S728-732)
 03/25/2009 SSA 1 for SA 1 to SA 17 to SS S offered & adopted (Shields)--(1475S04.62S) (S732-733)
 03/25/2009 SA 17 to SS, as amended, S adopted (S733)
 03/25/2009 SA 18 to SS S offered & adopted (Ridgeway)--(1475S04.08S) (S733-735)
 03/25/2009 SA 19 to SS S offered & adopted (Schmitt)--(1475S04.34S) (S736-737)
 03/25/2009 SA 20 to SS S offered & adopted (Schmitt)--(1475S04.51S) (S737-739)
 03/25/2009 SA 21 to SS S offered & adopted (Cunningham)--(1475S04.21S) (S739-742)
 03/25/2009 SA 22 to SS S offered S offered & adopted (Ridgeway)--(1475S04.47S) (S742-744)
 03/25/2009 SA 23 to SS S offered & adopted (Cunningham)--(1475S04.05S) (S744)
 03/25/2009 SA 24 to SS S offered & adopted (Wright-Jones)--(1475S04.54S) (S744)
 03/25/2009 SA 25 to SS S offered & defeated (Wright-Jones)--(1475S04.55S) (S744-745)
 03/25/2009 SA 26 to SS S offered & adopted (Champion)--(1475S04.35S) (S745-754)
 03/25/2009 SA 27 to SS S offered & adopted (Ridgeway)--(1475S04.46S) (S754)
 03/25/2009 SA 28 to SS S offered & adopted (Ridgeway)--(1475S04.56S) (S754)
 03/25/2009 Motion to reconsider SA 26 to SS S adopted (S755)
 03/25/2009 SA 26 to SS S withdrawn (S755)
 03/25/2009 SA 29 to SS S offered & adopted (Cunningham)--(1475S04.67S) (S755-759)

03/25/2009 SA 30 to SS S offered & adopted (Wilson)--(1475S04.76S) (S759-761)
 03/25/2009 SA 31 to SS S offered & adopted (Wilson)--(1475S04.77S) (S761-763)
 03/25/2009 SA 32 to SS S offered (Crowell)--(1475S04.66S) (S763)
 03/25/2009 SSA 1 for SA 32 to SS S offered & adopted (Engler)--(1475S04.79S) (S763)
 03/25/2009 SA 33 to SS S offered & adopted (Ridgeway)--(1475S04.78S) (S763-764)
 03/25/2009 SS, as amended, S adopted (S764)
 03/25/2009 Perfected (S764)
 03/30/2009 Reported Truly Perfected S Rules Committee (S809)
 03/30/2009 Referred S Governmental Accountability and Fiscal Oversight Committee (S812)
 04/02/2009 Voted Do Pass S Governmental Accountability and Fiscal Oversight Committee
 04/02/2009 Reported from S Governmental Accountability and Fiscal Oversight Committee to Floor (S882)
 04/02/2009 S Third Read and Passed - EC adopted (S882-883 / H926)
 04/02/2009 H First Read (H926)
 04/06/2009 H Second Read (H933)
 04/09/2009 Referred H Elementary and Secondary Education Committee (H1019)
 04/15/2009 Hearing Conducted H Elementary and Secondary Education Committee
 04/22/2009 HCS Voted Do Pass H Elementary and Secondary Education Committee

EFFECTIVE: Varies

*** SB 292 ***

1691S.011

SENATE SPONSOR: Justus

SB 292 - This act allows the Department of Economic Development to authorize up to \$5 million in tax credits per year to encourage equity investment in technology-based early stage Missouri companies, commonly referred to as angel investments. Investors who contribute the first five hundred thousand dollars in equity investment to a qualified Missouri business may be issued a tax credit equal to thirty percent of the investment or forty percent of the investment if the qualified business is located in a rural area or distressed community. An investor can receive a credit of up to fifty thousand dollars for an investment in a single qualified business and up to one hundred thousand dollars for investments in more than one qualified business per year. Tax credits for equity investment in technology-based early stage Missouri companies may be carried forward for up to three years or transferred. The act also removes the sixty million dollar annual limitation on tax credit issuance for the Missouri Quality Jobs Act.

This act is identical to Senate Bill 45 (2009).

JASON ZAMKUS

02/03/2009 S First Read--SB 292-Justus (S237)
 02/05/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S261)

EFFECTIVE: August 28, 2009

*** SB 293 ***

HCS SCS SB 293

1687L.05C

SENATE SPONSOR: Barnitz

HOUSE HANDLER: Dixon

SCS/SB 293 - This act exempts tractors used in tractor parades from certain width, length, height, and license plate display regulations provided the tractors are driven by licensed drivers during daylight hours only and with the approval of the superintendent of the Missouri State Highway Patrol.

This act contains an emergency clause.

STEPHEN WITTE

02/03/2009 S First Read--SB 293-Barnitz, et al (S237)
 02/05/2009 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S261)
 02/18/2009 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee
 02/18/2009 SCS Voted Do Pass S Agriculture, Food Production and Outdoor Resources Committee (1687S.02C) - Consent
 02/25/2009 Reported from S Agriculture, Food Production and Outdoor Resources Committee to Floor w/SCS - Consent (S384)
 03/04/2009 SCS S adopted (S470)
 03/04/2009 S Third Read and Passed - EC adopted - Consent (S470 / H496)
 03/05/2009 H First Read (w/EC) (H496)

03/06/2009 H Second Read (H501)
 03/30/2009 Referred H Transportation Committee (H791)
 04/07/2009 Hearing Conducted H Transportation Committee
 04/09/2009 Voted Do Pass H Transportation Committee - Consent (H1022)
 04/09/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1022)
 04/14/2009 Hearing Conducted H Rules Committee
 04/14/2009 Voted to return to committee of origin H Rules Committee (H1042)
 04/23/2009 HCS Voted Do Pass H Transportation Committee
 04/23/2009 HCS Reported Do Pass H Transportation Committee (H1258)
 04/23/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1258)

EFFECTIVE: Emergency Clause

*** SB 294 ***

1107S.01P

SENATE SPONSOR: Barnitz

HOUSE HANDLER: Smith

SB 294 - Under the act, corporate names shall only be reserved for 180 days.

This act is similar to HB 1951 (2008) and SB 1151 (2008).

CHRIS HOGERTY

02/03/2009 S First Read--SB 294-Barnitz (S237)
 02/05/2009 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S261)
 03/02/2009 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee
 03/02/2009 Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee - Consent
 03/04/2009 Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor - Consent (S473)
 03/12/2009 S Third Read and Passed - Consent (S612-613 / H602)
 03/12/2009 H First Read (H602)
 03/18/2009 H Second Read (H606)
 03/30/2009 Referred H Judiciary Committee (H791)
 04/01/2009 Hearing Conducted H Judiciary Committee
 04/08/2009 Voted Do Pass H Judiciary Committee
 04/09/2009 Reported Do Pass H Judiciary Committee (H1022)
 04/09/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1022)

EFFECTIVE: August 28, 2009

*** SB 295 ***

1094S.02I

SENATE SPONSOR: Scott

SB 295 - This act specifies that licensed professional counseling includes the diagnosis, treatment, prevention, and amelioration of mental, emotional, and behavioral disorders.

Any professional counselor who gives a diagnosis subject to this act is required to have acceptable education or training in the diagnosis of mental and emotional disorders. The type of acceptable education or training will be defined by the rules of the committee for professional counselors, based on certain statutory criteria.

A person under supervision for licensure as a professional counselor is also required to provide documentation to the committee to prove that they have been supervised in diagnosing mental and emotional disorders.

Upon request, a licensed professional counselor who diagnoses mental or emotional disorders is required to provide the committee with proof of acceptable education or training. If a licensee gives a diagnosis after the committee notifies the licensee that he or she does not have sufficient education or training to do so, then in a disciplinary proceeding against the licensee, there is a presumption the licensee was not competent to diagnose the disorder.

EMILY KALMER

02/03/2009 S First Read--SB 295-Scott (S237)
 02/05/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S261)

EFFECTIVE: August 28, 2009

*** SB 296 *** HCS SB 296

1311L.02C

SENATE SPONSOR: Scott

HOUSE HANDLER: Sater

SB 296 - This act authorizes the board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects to conduct disciplinary hearings for licensees convicted of certain felonies.

The board also has the power to automatically deny licenses to anyone who has had a license revoked or denied in another state. However, the board may establish other qualifications by which such person may be licensed.

EMILY KALMER

02/03/2009 S First Read--SB 296-Scott (S237)
 02/05/2009 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S261)
 02/23/2009 Hearing Scheduled But Not Heard S Financial and Governmental Organizations and Elections Committee
 03/02/2009 Hearing Conducted S Financial and Governmental Organizations and Elections Committee
 03/09/2009 Voted Do Pass S Financial and Governmental Organizations and Elections Committee - Consent
 03/11/2009 Reported from S Financial and Governmental Organizations and Elections Committee to Floor - Consent (S587)
 03/30/2009 S Third Read and Passed - Consent (S790-791 / H793)
 03/30/2009 H First Read (H793)
 03/31/2009 H Second Read (H804)
 03/31/2009 Referred H Special Standing Committee on Professional Registration and Licensing Committee (H819)
 04/08/2009 Hearing Conducted H Special Standing Committee on Professional Registration and Licensing Committee
 04/15/2009 HCS Voted Do Pass H Special Standing Committee on Professional Registration and Licensing Committee
 04/16/2009 HCS Reported Do Pass H Special Standing Committee on Professional Registration and Licensing Committee (H1109)
 04/16/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1109)
 04/21/2009 Hearing Conducted H Rules Committee
 04/21/2009 HCS Voted Do Pass H Rules Committee
 04/21/2009 HCS Reported Do Pass H Rules Committee (H1197)
 04/27/2009 H Calendar S Bills for Third Reading w/HCS

EFFECTIVE: August 28, 2009

*** SB 297 ***

1545S.011

SENATE SPONSOR: Scott

SB 297 - This act modifies provisions relating to the Missouri Propane Education and Research Council.

Under current law, there are three ways for the director of the Missouri Energy Center to initiate a referendum on the abolishment of the Missouri Propane Education and Research Council and the fee for odorized propane. This act removes one of these three ways, which is at the discretion of the director.

Current law allows vacancies on the council to be filled by the remaining members of the council, subject to the approval of the director. This act removes the requirement that the director must approve the appointment and instead requires the council to fill vacancies after a public nomination process.

Current law requires the council to submit a budget plan to the director at the beginning of each fiscal period and requires the director to either approve or recommend changes to the budget after a public comment period. The act removes the director's involvement in the budget approval, and instead requires the budget plan be submitted for public comment at least 30 days prior to the beginning of each fiscal period, and authorizes the council to approve or modify the budget after the public comment period.

The act removes the authority of the director to require additional reports from the council at his or her discretion beyond what is already required under current law.

Authority to establish an alternative means to collect the odorized propane fee and set late payment charges is currently given to the director. This act transfers this authority to the council. The interest rate charged for late payments may not exceed the legal rate for judgments.

The act removes provisions that allow the National Propane Education and Research Council to coordinate its operations with Missouri's council and that authorize Missouri's council to keep funds resulting from a federal rebate on propane fees.

ERIKA JAQUES

02/03/2009 S First Read--SB 297-Scott (S238)
 02/05/2009 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S261)
 02/18/2009 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee
 02/18/2009 Voted Do Pass S Agriculture, Food Production and Outdoor Resources Committee - Consent
 02/25/2009 Reported from S Agriculture, Food Production and Outdoor Resources Committee to Floor - Consent (S383-384)
 03/03/2009 Removed S Consent Calendar (S454)

EFFECTIVE: August 28, 2009

*** SB 298 ***

1310S.011

SENATE SPONSOR: Scott

SB 298 - This act allows a landscape architect to be the chairperson of the Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects. It also gives each member of the landscape architectural division of the board a vote when voting on action pending before the board. Starting August 28, 2009, the chairperson of the board will rotate sequentially among an architect, professional engineer, professional land surveyor, and landscape architect. The chairperson shall only serve one four year term as chairperson. The chairperson of the landscape architectural division will be a vice chairperson of the board and will be ranking vice chairperson when the chairperson of the board is a landscape architect.

Eight members of the board, including at least one from each division will be required for a quorum for board business. Two voting members of each division of the board will be required for a quorum for division business.

A faculty member at an accredited school with the rank of assistant professor or higher will be regarded as actively practicing landscape architecture, in order to eligible for board membership.

The act also specifies that licensees are personally responsible for the contents of all documents to which they affix their seal, whether they were prepared or drafted by another licensee, or not. Licensees are also specifically required to only perform those architectural, professional engineering, professional land surveying, and landscape architectural services as they are qualified by education, training, and experience to perform.

Also, professional land surveyors with inactive licenses may continue to use the title "professional land surveyor" or the initials "PLS" after their name.

EMILY KALMER

02/03/2009 S First Read--SB 298-Scott (S238)
 02/05/2009 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S261)
 02/23/2009 Hearing Scheduled But Not Heard S Financial and Governmental Organizations and Elections Committee
 03/02/2009 Hearing Scheduled But Not Heard S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2009

*** SB 299 ***

SCS SB 299

1608S.03C

SENATE SPONSOR: Griesheimer

SCS/SB 299 - Under current law, rate adjustments in the purchase price of natural gas that are approved by the Public Service Commission (PSC) shall be exempt from certain provisions relating to business license

taxation. The act adds a qualifying provision that any such purchased gas adjustment rates shall include the gas cost portion of net write-offs (i.e., bad debt) incurred by the gas company in providing service to customers. Any such net write-offs may only be recovered once through purchased gas adjustment rates, the act requires an annual true-up of the net write-offs, and the PSC shall annually review gas companies' debt collection efforts.

Households receiving financial assistance through the Utilicare program must make a matching payment of either \$100 or 25% of the amount of financial assistance received, whichever is more. For renters receiving assistance through Utilicare, the renter must make a matching payment equal to the amount of assistance provided.

Any attempt to pay, or actual payment of, an electric or gas utility bill shall not adversely affect the assistance that an otherwise eligible household may receive through Utilicare. The act removes the current requirement that households have had their service disconnected before being eligible for assistance.

Electric or gas companies shall allow customers who develop an arrearage during the Cold Weather Rule to pay one-third of the arrearage in each of the 3 months following the Cold Weather Rule period in order to retain service. Electric or gas companies may require payment of half of any required deposit before authorizing new service, except to a customer under the Cold Weather Rule.

This act is similar to HB 2279 (2008).

ERIKA JAQUES

02/03/2009 S First Read--SB 299-Griesheimer (S238)
 02/05/2009 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S261)
 03/03/2009 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee
 03/24/2009 SCS Voted Do Pass S Commerce, Consumer Protection, Energy and the Environment Committee (1608S.03C)
 04/02/2009 Reported from S Commerce, Consumer Protection, Energy and the Environment Committee to Floor w/SCS (S889)
 04/21/2009 SS for SCS S offered (Griesheimer)--(1608S.04F) (S1106-1107)
 04/21/2009 SA 1 to SS for SCS S offered & adopted (Justus)--(1608S04.03S) (S1107)
 04/21/2009 SA 2 to SS for SCS S offered (Bray)--(1608S04.05S) (S1107)
 04/21/2009 Bill Placed on Informal Calendar (S1107)
 04/27/2009 S Informal Calendar S Bills for Perfection--SB 299-Griesheimer, with SCS & SS for SCS (pending)

EFFECTIVE: August 28, 2009

*** SB 300 ***

1557L.011

SENATE SPONSOR: Bray

SB 300 - This act modifies state income tax rates, increases the highest effective tax rate from six percent to nine percent, and disallows the deduction for federal income taxes paid by individual taxpayers. The act creates a refundable state income tax credit which will be available to all single resident taxpayers and married resident taxpayers filing separate with adjusted gross income less than fifty thousand dollars and all married or head of household resident taxpayers with adjusted gross income less than eighty thousand dollars. The amount of credit will depend upon the taxpayer's filing status and income.

This act contains a referendum clause.

JASON ZAMKUS

02/03/2009 S First Read--SB 300-Bray (S238)
 02/05/2009 Second Read and Referred S Ways and Means Committee (S261)

EFFECTIVE: upon voter approval

*** SB 301 ***

1281S.011

SENATE SPONSOR: Pearce

SB 301 - Beginning July 1, 2010, this act requires all state, county, and municipal law enforcement agencies and officers to use only a canine team which has been certified by an association approved by the Department of Public Safety when a canine performs or assists in certain law enforcement specialties. The

department must establish the standards and criteria for canine certification and recertification including, but not limited to, obedience, aggression, and narcotics and explosives detection.

Each law enforcement canine team shall be initially certified and annually recertified in one of the following specialties: drug odor detection, explosive device odor detection, suspect apprehension, or apprehension and search skills. Such team shall be certified upon evaluation by an authorized canine judge.

Law enforcement agencies shall maintain records of canine team certifications, which shall be provided to the department of public safety upon request. A canine team that fails an evaluation may, after thirty days, repeat the evaluation. The department shall not impose a fee for certification. It may revoke or suspend the certification of a canine team or the authorization of any canine judge, who violates any state law or rule.

This act is identical to HB 149 (2009).

SUSAN HENDERSON MOORE

02/03/2009 S First Read--SB 301-Pearce (S238)

02/05/2009 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S261)

EFFECTIVE: August 28, 2009

*** SB 302 ***

1514S.011

SENATE SPONSOR: Smith

SB 302 – This act creates a tax credit against a taxpayer's state tax liability for contributions to an after school program operating in an unaccredited or provisionally accredited school district that satisfies certain conditions. A taxpayer could claim a tax credit for half the amount of his or her contribution. The tax credit would be available starting on January 1, 2010. The tax credit amount cannot exceed the taxpayer's state tax liability and cannot exceed \$50,000 per tax year. If a taxpayer cannot claim the full amount of the tax credit in one year, the tax credit may be carried over to the next four taxable years until the full amount is claimed. In addition, no more than \$2,000,000 in tax credits can be issued in a tax year. The cumulative amount of tax credits that may be redeemed by all taxpayers in one tax year cannot exceed \$2,000,000. Tax credits will be redeemed in a first to file first served based.

This act is substantially similar to SB 1086 (2008) and is similar to a provision contained in SB 690 (2007).

MICHAEL RUFF

02/03/2009 S First Read--SB 302-Smith (S238)

02/05/2009 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S261)

EFFECTIVE: August 28, 2009

*** SB 303 ***

1646S.011

SENATE SPONSOR: Smith

SB 303 - This act allows municipalities and political subdivisions to use a system of instant runoff voting their elections.

Under this system, voters rank the candidates and only a candidate with a majority of first choice rankings shall be elected or nominated. If no candidate has a majority, the lowest ranked candidate drops out and the next highest rankings on those ballots are attributed to the other candidates accordingly, until a candidate achieves a majority.

This act is similar to SB 1231 (2008) and HB 463 (2009).

CHRIS HOGERTY

02/03/2009 S First Read--SB 303-Smith (S238)

02/05/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S261)

EFFECTIVE: August 28, 2009

*** SB 304 ***

1700S.011

SENATE SPONSOR: Crowell

SB 304 – This act provides that the Commissioner of the Office of Administration shall provide each Senator and Representative with a key that accesses the dome of the state capitol.

This act is identical to HCS/SB 306 (2007).

JIM ERTLE

02/03/2009 S First Read--SB 304-Crowell (S238)
 02/05/2009 Second Read and Referred S Veterans' Affairs, Pensions and Urban Affairs Committee (S261)
 03/05/2009 Hearing Conducted S Veterans' Affairs, Pensions and Urban Affairs Committee
 03/12/2009 Voted Do Pass S Veterans' Affairs, Pensions and Urban Affairs Committee - Consent
 03/12/2009 Reported from S Veterans' Affairs, Pensions and Urban Affairs Committee to Floor - Consent (S620)
 03/23/2009 Removed S Consent Calendar (S655)

EFFECTIVE: August 28, 2009

*** SB 305 ***

1477S.02I

SENATE SPONSOR: Dempsey

SB 305 - This act creates nine "building excellence in science and technology districts" within the state to enhance the state's capacity for research, development, technology transfer, and technology commercialization. Each district will be overseen by a commission made up of four commissioners and one chairperson. The commission will receive, review, and prioritize applications for science and technology. The commissions will submit such applications to the Department of Economic Development for approval. Upon approval, the commission may enter into contracts, issue grants, and provide support to science and technology projects. Science and technology companies which meet eligibility requirements under the Missouri Quality Jobs Act may retain a maximum of five percent of new payroll and deposit it into the building excellence in science and technology fund for a period of fifteen years. Moneys placed into the fund will be distributed to the districts of the state to help fund future science and technology projects.

This act contains an emergency clause.

JASON ZAMKUS

02/04/2009 S First Read--SB 305-Dempsey, et al (S246)
 02/05/2009 Second Read and Referred S Education Committee (S261)
 02/18/2009 Hearing Conducted S Education Committee

EFFECTIVE: August 28, 2009

*** SB 306 *** SS SCS SB 306

0817S.07P

SENATE SPONSOR: Dempsey

SS/SCS/SB 306 - This act modifies provisions relating to health care services.

SHOW-ME HEALTH COVERAGE PLAN

This act establishes the Show-Me Health Coverage plan within the Department of Social Services to provide health care coverage through the private insurance market to low-income working individuals in the state. The Department of Insurance, Financial Institutions and Professional Registration shall provide oversight of the marketing practices of the plan while the Department of Social Services shall establish standards for consumer protection for the plan. The maximum enrollment of plan participants is dependent on the moneys appropriated by the General Assembly, and the eligibility for the plan is phased in incrementally based on appropriations. The plan is subject to approval by the United States Department of Health and Human Services.

The eligibility requirements and the services to be provided by the plan are specified in the act. The act provides coverage for individuals with incomes up to 50% of the federal poverty level without regard to type of income and for custodial parents with earned income up to 100% of the federal poverty level. There are caps for income disregards for child support, a child's old-age survivors or disability insurance (OASDI) benefit, and unemployment benefits for persons with earned income for those with earned income between 50% and 225% of the federal poverty level, subject to appropriation. The combined amount of earned and unearned income shall not exceed 100% of the federal poverty level. Custodial parents with earned income up to 100%

of the federal poverty level shall be eligible for the Show-Me Health Coverage benefit package under a Medicaid State Plan Amendment rather than through a Medicaid waiver.

The plan shall also provide for qualifying individuals as specified in the act a health care home. Under the plan, a health care account is established for each individual, except for the custodial parent population under the state plan amendment, and payments for his or her participation can be made by the individual, an employer, the state, or any philanthropic or other charitable contributor. An individual's health care account shall be used to pay the individual's deductible for health care services under the plan. A participant will be terminated from participation in the plan if his or her required payment is not made within 60 days after the required date, however the participant may reapply to participate in the plan six months after termination from the plan. Approved participants are eligible for a 12-month period but must file a renewal application to remain in the plan.

Subject to federal approval, participation in the plan by custodial parents with incomes up to 50 % of the federal poverty level shall not exceed 3 years, except that coverage may be extended for individuals either participating in a program to complete a GED, or enrolling for and completing at least 12 hours of credit each semester at a higher education institution. The continuation of coverage shall not exceed five years total. Such individuals receiving the continuation of coverage are required to sign a condition of participation agreement attesting to the fact that the individual understands the time limit for coverage under the plan.

The show-me health coverage plan shall be void and of no effect if there are no funds appropriated by Congress or if there are no disproportionate share hospital funds applied to the program.

The MO HealthNet division is required by December 28, 2009 to identify and report to the general assembly a strategy through which at least some portion of the individuals participating in this plan using the health care accounts are included in the Missouri consolidated health care plan (MCHCP) population using a health savings account model, or whether MCHCP could administer those individuals in this plan participating in the health care accounts using the current structure in place for MCHCP participants using such model. The department and the Board of Trustees of the MCHCP shall convene a working group to assist with the development of such strategy.

These provisions have a six-year sunset clause.

These provisions are similar to a portion of SS/SCS/SB 1283 (2008). SECTIONS 208.1300 TO 208.1345

MO HEALTHNET DATA TRANSPARENCY

This act requires the MO HealthNet Division, by August 28, 2010, to implement a program to make available through its Internet web site nonaggregated data on MO HealthNet participants collected under the federal Medicaid Statistical Information System to the extent such data has already been de-identified in accordance with federal HIPAA privacy requirements.

In implementing the program the Division shall ensure that the information made available is in a format that is easily accessible, useable, and understandable to the public, including individuals interested in improving the quality of care provided to individuals eligible for programs and services under the MO HealthNet program, researchers, health care providers, and individuals interested in reducing the prevalence of waste and fraud under the program.

By August 28, 2011, and annually thereafter, the director shall submit to the General Assembly and the MO HealthNet oversight committee, a report on the progress of the program, including the extent to which information made available through the program is accessed and the extent to which comments received on the program were used during the year to improve the utility of the program.

The Division shall also report to the General Assembly the feasibility of expanding the transparency program for the health care for uninsured children program (SCHIP).

This program has a six-year sunset clause. SECTION 208.192

These provisions are based on SB 549 (2009).

MO HEALTHNET-THIRD PARTY PAYER

This act modifies provisions relating to the MO HealthNet Division's authority to collect from third party payers and from workers' compensation beneficiaries.

Under this act any third party administrator, administrative service organization, health benefit plan and pharmacy benefits manager shall process and pay all properly submitted MO HealthNet subrogation claims for a period of three years from the date services were provided or rendered, regardless of any other timely filing requirement. The entity shall not deny such claims on the basis of the type or format of the claim form, failure to present proper documentation of coverage at the point of sale, or failure to obtain prior authorization. The MO HealthNet Division shall also enforce its rights within six years of a timely submission of a claim.

Payments made by the department to or on behalf of a MO HealthNet eligible individual as the result of any workers' compensation injury shall be presumed to be benefits incorrectly paid for purposes of Mo HealthNet estate recovery and shall be considered a debt due the state. Any settlement approved or judgment issued by the administrative law judge shall constitute a judgment of a court on account of benefits incorrectly paid for Mo HealthNet estate recovery purposes.

Any settlement approved or judgment issued by an administrative law judge shall require full repayment of all moneys paid by the department to or on behalf of a person eligible for public assistance as the result of any workers' compensation injury. All moneys repaid to the department shall be allocated as medical expenses in the settlement or judgment. The state shall have a right of subrogation to any funds for medical expenses owed to or received by the employee.

The employer and attorney for an injured worker who is eligible for public assistance as a result of a workers' compensation injury shall give the department of social services thirty days notice of any institution of a proceeding, settlement, or judgment. No such settlement or judgment may be approved or issued by the administrative law judge without the filing of a release from the MO HealthNet division evidencing full repayment of all moneys paid by the department to or on behalf of the worker for the injury. SECTIONS 208.215, 287.266

These provisions are based on your SB 552 (2009).

PREMATURE INFANTS

This act modifies provisions relating to premature infants.

The act requires the MO HealthNet program and the state children's health insurance program (SCHIP) to examine and improve hospital discharge and follow-up care procedures for premature infants born earlier than 37 weeks gestational age. The programs shall also urge hospitals serving infants eligible for MO HealthNet and SCHIP to report to the state the causes and incidence of all re-hospitalizations of premature infants. SECTION 191.1127

The Department of Health and Senior Services is required to prepare written educational materials containing information about possible complications, proper care and support associated with newborn infants who are born premature at earlier than 37 weeks gestational age. The act specifies the minimum information that shall be included in the publications and provides that the department shall distribute the publications to children's health providers, maternal care providers, hospitals, public health departments and medical organizations. SECTION 191.1130

ADRIANE CROUSE

02/04/2009 S First Read--SB 306-Dempsey, et al (S246)
 02/05/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S261)
 03/03/2009 Hearing Conducted S Health, Mental Health, Seniors and Families Committee
 03/12/2009 SCS Voted Do Pass S Health, Mental Health, Seniors and Families Committee (0817S.05C)
 03/12/2009 Reported from S Health, Mental Health, Seniors and Families Committee to Floor w/SCS (S618)
 03/30/2009 Bill Placed on Informal Calendar (S815)
 04/01/2009 SS for SCS S offered (Dempsey)--(0817S.07F) (S855)
 04/01/2009 SA 1 to SS for SCS S offered & adopted (Dempsey)--(0817S07.05S) (S855)
 04/01/2009 SA 2 to SS for SCS S offered & adopted (Crowell)--(0817S07.03S) (S855-862)
 04/01/2009 SA 3 to SS for SCS S offered & adopted (Stouffer)--(0817S07.02S) (S862-864)
 04/01/2009 SA 4 to SS for SCS S offered & adopted (Schmitt)--(8123S09.01S) (S864-865)
 04/01/2009 SS for SCS, as amended, S adopted (S865)
 04/01/2009 Perfected (S865)
 04/02/2009 Reported Truly Perfected S Rules Committee (S890)

04/07/2009 Referred S Governmental Accountability and Fiscal Oversight Committee (S916)
 04/14/2009 Hearing Conducted S Governmental Accountability and Fiscal Oversight Committee
 04/14/2009 Voted Do Pass S Governmental Accountability and Fiscal Oversight Committee
 04/15/2009 Reported from S Governmental Accountability and Fiscal Oversight Committee to Floor (S1035)
 04/16/2009 S Third Read and Passed (S1045 / H1110)
 04/16/2009 H First Read (H1110)
 04/20/2009 H Second Read (H1117)
 04/20/2009 Referred H Special Standing Committee on Health Insurance Committee (H1142)

EFFECTIVE: August 28, 2009

*** SB 307 *** HCS SS SB 307

1446L.04C

SENATE SPONSOR: Dempsey

HOUSE HANDLER: Schaaf

HCS/SCS/SB 307 - This act imposes a gross receipts tax upon certain ambulance service providers in an amount not to exceed six percent per year. The revenues derived from the tax will be deposited into the newly created ambulance service reimbursement fund to provide additional payments to ambulance service providers which have valid MO HealthNet agreements with the state. The director of the department will annually determine the amount of tax owed by each such ambulance service provider based upon gross receipts information provided to the department of social services. The act contains provisions allowing for the appeal of allowance tax liabilities imposed by the state and for the enforcement and collection of the tax. Failure to pay the tax authorized by this act will be grounds for denial, suspension, or revocation of the ambulance service's license. The provisions of the act will automatically expire on September 30, 2011.

The act provides that beginning July 1, 2009, each provider of health benefit services providing residential habilitation, individualized supported living or day habilitation services in this state shall pay a provider reimbursement based on a formula set forth in rules promulgated by the Department of Mental Health. Fee payments under this act shall be deposited in the Home and Community-Based Developmental Disabilities Waiver Reimbursement Allowance Fund. The act sets forth the procedures for providers appealing a decision regarding the fee payments and reimbursements. The provider reimbursement allowance shall expire on September 30, 2011.

This act has an emergency clause.

This act contains provisions similar to the senate committee substitute for house committee substitute for house bill 546 (2009) and senate bill 511 (2009).

JASON ZAMKUS

02/04/2009 S First Read--SB 307-Dempsey and Rupp (S246-247)
 02/05/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S261)
 02/24/2009 Hearing Conducted S Health, Mental Health, Seniors and Families Committee
 03/10/2009 Voted Do Pass S Health, Mental Health, Seniors and Families Committee
 03/12/2009 Reported from S Health, Mental Health, Seniors and Families Committee to Floor (S618)
 03/30/2009 SS S offered (Dempsey)--(1446S.03F) (S812)
 03/30/2009 SA 1 to SS S offered & withdrawn (Nodler)--(1446S03.01S) (S812-814)
 03/30/2009 SS S adopted (S815)
 03/30/2009 Perfected (S815)
 03/31/2009 Reported Truly Perfected S Rules Committee (S824)
 04/02/2009 S Third Read and Passed (S883 / H926)
 04/02/2009 H First Read (H926)
 04/06/2009 H Second Read (H903)
 04/09/2009 Referred H Healthcare Transformation Committee (H1019)
 04/14/2009 Hearing Conducted H Healthcare Transformation Committee
 04/15/2009 HCS Voted Do Pass H Healthcare Transformation Committee
 04/16/2009 HCS Reported Do Pass H Healthcare Transformation Committee (H1108)
 04/16/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1108)
 04/21/2009 Hearing Conducted H Rules Committee
 04/21/2009 Voted Do Pass H Rules Committee
 04/21/2009 Reported Do Pass H Rules Committee (H1197)
 04/27/2009 H Calendar S Bills for Third Reading w/HCS

EFFECTIVE: Emergency Clause

*** SB 308 ***

1658S.011

SENATE SPONSOR: Bray

SB 308 - This act requires the Department of Health and Senior Services to implement a health care quality program for the purpose of making available a health care quality report card to allow consumers to compare and assess the quality of health care services. The program shall be implemented in two phases.

The first phase includes making available cost and quality outcome data on its Internet website by December 31, 2010. The data on the website shall consist of quality and performance outcome and patient charge data currently collected by the department from hospitals and ambulatory surgical centers under federal and state law, as well as data submitted to the Centers for Medicare and Medicaid Services already required to be submitted under federal law. The data shall be disclosed in a manner that allows consumers to conduct an interactive search.

The second phase shall be implemented by December 31, 2012, and shall consist of the department working with the recommendations from Health Care Quality Report Card Commission, which is created in this act, on implementation of a long-range plan for making available cost and quality outcome data on the department's internet website. The first health care quality report card shall be made available on that date and shall include data on the following:

- (1) The accreditation of hospitals, as well as sanctions and other violations found by accreditation or state licensing boards;
- (2) The volume of various procedures performed;
- (3) The quality of care for various patient populations, including pediatric populations and racial and ethnic minority populations;
- (4) The availability of emergency rooms, intensive care units, obstetrical units and burn units;
- (5) The quality of care in various hospitals settings, including inpatient, outpatient, emergency, maternity, intensive care unit, ambulatory surgical center, and physician practice settings;
- (6) The use of health information technology, telemedicine, and electronic medical records;
- (7) Average staffing levels of nurses and other health professionals, patient acuity, and duty hours by nursing unit or department and staff retention rates by nursing unit or department;
- (8) Training hours completed in a quarterly basis, by category of staff and type of training;
- (9) Ongoing patient safety initiatives; and
- (10) Other measures determined by the director or commission.

The reports shall be distributed to the governor and General Assembly annually and to the general public upon request. The department shall develop and disseminate the public reports based on data compiled for a period of at least 12 months.

The department may consider such additional measures that are adopted by the Centers of Medicare and Medicaid Services, National Quality Forum, the Joint Commission on Accreditations of Healthcare Organizations, the Agency for Healthcare Research and Quality, or any other similar state or national entity that establishes standards to measure the performance of health care providers. The department shall not require the re-submission of data which has been submitted to the Department of Health and Senior Services or any other state departments under other provisions of law.

Using the recommendations of the Commission established under this act, the department shall promulgate rules regarding the standards and procedures for the collection, analysis, risk adjustment, and reporting of health care quality data and procedures to be monitored under the act.

Based on the continuing recommendations of the commission, the department shall issue an annual report card on December 31st of each year on its website and update the requirements for the submission of the data as well as include new health care facilities, entities or professionals, as appropriate.

Penalties shall be assessed for willfully impeding access to information and for violation of the provisions of the act and rules promulgated thereunder.

This act is identical to SB 1216 (2008).

ADRIANE CROUSE

02/04/2009 S First Read--SB 308-Bray (S247)

02/05/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S261)

03/10/2009 Hearing Conducted S Health, Mental Health, Seniors and Families Committee

EFFECTIVE: August 28, 2009

*** SB 309 ***

1686S.011

SENATE SPONSOR: Bray

SB 309 – This act modifies the provisions of the Missouri Indoor Clean Air Act to prohibit smoking in a public place or a public meeting or within fifteen feet of any entrance to a public place or public meeting. The definition of public place has been amended to include any building or vehicle owned, leased or operated by a governmental entity as well as bars and restaurants. The provision allowing for a designated smoking area in public places has been repealed.

This act also specifies that a person commits the crime of littering if he or she throws on the ground any cigarettes, cigarette packages, or other smoking-related items. The crime of littering is a Class A misdemeanor.

This act is identical to SB 1079 (2008).

ADRIANE CROUSE

02/04/2009 S First Read--SB 309-Bray (S247)

02/05/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S261)

EFFECTIVE: August 28, 2009

*** SB 310 ***

1689S.021

SENATE SPONSOR: Bartle

SB 310 - This act requires custodial interrogations of persons suspected of certain serious offenses to be recorded when feasible unless certain exceptions exist. Each law enforcement agency shall adopt a written policy regarding such interrogations. Law enforcement agencies are permitted to record an interrogation in any circumstance with or without knowledge or consent of the suspect.

"Custodial interrogation" means the questioning of a person under arrest, who is no longer at the scene of a crime, by a member of the law enforcement agency along with the answers and other statements of the person questioned. The term does not include: 1) situations where the person voluntarily agrees to meet with law enforcement, 2) detention by law enforcement that has not risen to the level of an arrest, 3) questioning that is routinely asked during the processing of the arrest of the suspect, 4) questioning pursuant to an alcohol influence report, and 5) questioning during the transportation of the suspect.

If a law enforcement agency fails to comply with these provisions and acts without good faith, the Governor may withhold any state funds received by the agency.

SUSAN HENDERSON MOORE

02/04/2009 S First Read--SB 310-Bartle (S247)

02/05/2009 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S261)

EFFECTIVE: August 28, 2009

*** SB 311 ***

1627S.011

SENATE SPONSOR: Goodman

SB 311 - Under current law, Section 434.100, RSMo, most indemnities for construction work are considered void and against public policy. Unless one of the statute's exceptions applies, a party to a contract for construction work cannot transfer a significant portion of its project risks to others via a broad indemnity agreement. The current statute contains nine exceptions to the general rule that these types of indemnity agreements are void.

Under this act, the general prohibition against indemnity agreements is expanded to specifically prohibit agreements to hold harmless the negligence of the party's employees, or agents. The current law only specifically prohibits agreements that hold harmless another person from that person's own negligence.

Under current law, the anti-indemnity provision does not apply to a party's own promise to hold another party harmless from the party's own negligence. This act expands the exception to include the party's officers, employees, and agents.

The act modifies the additional insured exception by providing that the anti-indemnity prohibition does not apply to a party's promise to purchase project-specific insurance policies, other types of protective liability insurance policies, or builder's risk insurance.

The act expands the definition of "construction work" and defines the terms "indemnify" or "hold harmless" as including any requirement to name the indemnified party as an additional insured in the indemnitor's insurance coverage for the purpose of providing an indemnification for any liability not otherwise allowed.

STEPHEN WITTE

02/04/2009 S First Read--SB 311-Goodman (S247)

02/05/2009 Second Read and Referred S Small Business, Insurance and Industry Committee (S261)

03/10/2009 Hearing Conducted S Small Business, Insurance and Industry Committee

EFFECTIVE: August 28, 2009

*** SB 312 ***

1703S.011

SENATE SPONSOR: Goodman

SB 312 - This act repeals the current procedures regarding criminal activity forfeiture actions and establishes new procedures. Any property used or intended to be used in the commission of a crime or the proceeds of any crime will be subject to criminal forfeiture. Property may be subject to forfeiture even though a criminal prosecution is not conducted.

This act establishes that the circuit court where the property seizure occurred has jurisdiction over any seized property. A proceeding for forfeiture may be brought in a circuit in which any part of the property is found or where a civil or criminal action could be maintained against an owner for the conduct alleged to give rise to the forfeiture. The defendant may obtain a change of venue if the prejudice against him or her is too great.

This act specifies what property may be subject to criminal forfeiture and creates certain exceptions to protect innocent parties. Real property will not be subject to forfeiture if the only conduct giving rise to forfeiture is possession of controlled substances solely for personal consumption.

Under this act, property may be seized for forfeiture under constructive or actual seizure. This act delineates the process, including notification, that must be followed in order to seize property constructively. Law enforcement may seize any property subject to forfeiture upon the issuance of a search warrant or when there is probable cause that the property is subject to forfeiture. The seizure of inhabited residential property requires an adversarial judicial determination of probable cause prior to seizure unless the prosecution can demonstrate exigent circumstances at an ex parte proceeding.

Property seized for forfeiture is not subject to alienation, conveyance, sequestration, attachment, or a motion to the return of property seized as evidence with or without a search warrant. The owner of seized property may obtain release of the property upon posting a surety bond equal to the fair market value of the property.

Upon seizing property, the prosecuting attorney may decide where the property should physically be stored or moved. The seizing agency must conduct a written inventory and estimate the value of the property seized. The court may order the seized property to be sold, leased, rented or operated to preserve the interests of any party after notifying persons with interest in the property and giving an opportunity for a hearing.

This act specifies the requirements for the commencement of a forfeiture proceeding, including the proper filings that must be made. If the prosecuting attorney fails to make certain filings the property shall be released to the owner. The owner may file for recognition of exemption from forfeiture and further procedures exist to allow such innocent parties, who have a legal claim to the property, protect their interests.

The act provides the procedures, including notification, that must be followed once a prosecuting attorney may proceed with a forfeiture. The prosecuting attorney may file a lien for the forfeiture of the property upon initiation of proceedings relating to the conduct giving rise to forfeiture, upon seizure for forfeiture, or in connection with a proceeding or forfeiture in another state. The lienor must provide notice of such lien and will create a lien in favor of the lienor. Upon entry of judgment in its favor, the state may proceed to execute on the lien.

With limited exceptions, a trustee who has notice that a forfeiture lien, pending forfeiture, or civil forfeiture has been filed must provide certain information to the seizing agency or prosecuting attorney within 15 days. A trustee who fails to do so is subject to criminal and civil penalties. Any employee of the seizing agency or prosecuting attorney who releases information obtained from the trustee is guilty of a Class A misdemeanor. A judgement or order entered pursuant to these provisions becomes a judgement lien against the property alleged to be subject to forfeiture.

This act specifies what actions, including entering an injunction or appointing conservators, the court may take before or after the filing of a notice of pending forfeiture. The court may hold a hearing regarding whether there was probable cause for the property to be seized if a judicial determination has not yet been made and the property owner files a timely application. A person charged with a criminal offense may apply to the court where the forfeiture proceeding is pending for the release of property seized to pay criminal defense expenses.

If the property owner can prove that he or she has not been able to participate in previous determinations of probable cause, the court must hold a probable cause hearing. If no probable cause is found the property shall be released. There shall be a rebuttable presumption that any money found near contraband is presumed to have been the proceeds of the conduct giving rise to forfeiture.

A person who acquires any property subject to forfeiture is a constructive trustee. If property subject to forfeiture is lost, transferred to a third party, moved beyond the jurisdiction of the court, commingled with other property, or subject to a legal claim by an innocent party exempt from forfeiture proceedings, the court may order the forfeiture of other property in the owner's possession. Under certain circumstances, the prosecuting attorney may bring a civil action against a person with knowledge who destroys, conveys, or otherwise renders property unavailable.

Under this act, a judicial in rem forfeiture proceeding may be brought by the prosecuting attorney in addition to, or in lieu of, civil in personam forfeiture proceedings. The act states what procedures must be followed during these proceedings.

A judicial in personam forfeiture proceeding brought by the prosecuting attorney under a civil action alleging conduct giving rise to forfeiture is also subject to the provisions of this act. The court may enter an order to protect the state's interest in the property, including the issuance of a temporary restraining order.

If notice of pending forfeiture is properly served in an action in rem or in personam in which personal property is seized, and no claim opposing forfeiture is filed within 30 days of notice of service, the prosecuting attorney shall prepare a written declaration of forfeiture and allocate the property. The act provides for what action may be taken by the owner or interest holder of the property following the declaration to have it set aside for failure to notify. After final disposition of all claims in an action in rem, the court shall enter an order that the state has clear title to the forfeited property interest. The state may transfer good and sufficient title to any subsequent purchaser or transferee.

The court may release or convey forfeited personal property to a regulated interest holder if certain conditions exist. If released, the property must be disposed of by a commercially reasonable public sale held by the interest holder.

When property is forfeited, the prosecuting attorney may destroy or use for investigative purposes any illegal or controlled substances or other contraband or authorize a public or other commercially reasonable sale for other property. The money from the sale shall be distributed in the following order: 1) satisfaction of exempt security interests or liens, 2) payment of proceeding expenses, and 3) payment to the schools.

A prosecuting attorney may conduct an investigation of any conduct that gives rise to forfeiture under this act. The examination of witnesses must be conducted by the prosecuting attorney, must be before an officer authorized to administer oaths, and shall be recorded and transcribed. When examined, a person must be informed of his or her right to refuse to answer any questions.

All materials, transcripts, or testimony that the prosecuting attorney possesses shall not be available for examination by any individual other than a law enforcement official without consent of the person who produced the material or transcripts prior to the filing of a forfeiture action.

Under this act, no one shall knowingly destroy material that is subject to a subpoena with the intent to avoid compliance with such a subpoena. A violation is a Class C felony.

Forfeiture proceedings must be commenced within seven years of the activity making the property subject to forfeiture being committed. However, any time during which the property or defendant is out of the state or in confinement is excluded from this time limit.

Any controlled substances included in Chapter 195, RSMo, which are contraband and those whose owners are unknown are summarily forfeited to the state.

This act is similar to SB 1208 (2008).
SUSAN HENDERSON MOORE

02/04/2009 S First Read--SB 312-Goodman (S247)

02/05/2009 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S261)

EFFECTIVE: August 28, 2009

*** SB 313 *** HCS SCS SB 313

1730L.05T

SENATE SPONSOR: Nodler

HOUSE HANDLER: Icet

HCS/SCS/SB 313 - This act creates two separate funds, the Federal Budget Stabilization Fund and the Federal Stimulus Fund, within the state treasury to receive and retain funds provided under the American Recovery and Reinvestment Act of 2009. Moneys allocable to the Unemployment Compensation and Unemployment Compensation Administration Funds and the water and wastewater loan fund are specifically exempted from inclusion in the Federal Budget Stabilization Fund and the Federal Stimulus Fund.

The State Treasurer is authorized to create additional funds as necessary to avoid conflict with federal law prohibiting commingling of certain funds derived from the American Recovery and Reinvestment Act of 2009, as enacted by the 111th United States Congress.

This act contains an emergency clause.
JASON ZAMKUS

02/04/2009 S First Read--SB 313-Nodler and Bray (S247)
02/05/2009 Second Read and Referred S Appropriations Committee (S261)
02/17/2009 Hearing Conducted S Appropriations Committee
02/17/2009 SCS Voted Do Pass S Appropriations Committee (1730S.04C)
02/17/2009 Reported from S Appropriations Committee to Floor w/SCS (S320)
02/18/2009 SA 1 to SCS S offered & adopted (Nodler)--(1730S04.01S) (S330)
02/18/2009 SCS, as amended, S adopted (S330)
02/18/2009 Perfected (S330)
02/18/2009 Reported Truly Perfected S Rules Committee (S331)
02/19/2009 S Third Read and Passed - EC adopted (S341-342)
02/19/2009 H First Read (w/EC) (H360)
02/23/2009 H Second Read (H392)
02/25/2009 Referred H Rules Committee (H400)
02/26/2009 Hearing Conducted H Rules Committee
02/26/2009 HCS Voted Do Pass H Rules Committee
02/26/2009 HCS Reported Do Pass H Rules Committee (H419)
03/09/2009 HA 1 to HCS H offered & adopted (Icet)--(1730L05.02H)
03/09/2009 HCS, as amended, H adopted
03/09/2009 H Third Read and Passed - EC adopted (H508-511 / S544-545)
03/10/2009 S concurs in HCS, as amended (S551-552)
03/10/2009 S Third Read and Passed - EC adopted (S552)
03/10/2009 Truly Agreed To and Finally Passed (w/EC) (S552 / H540)
03/10/2009 Reported Duly Enrolled S Rules Committee (S570)
03/10/2009 Signed by Senate President (S571)
03/11/2009 Signed by House Speaker (H550 / S586)
03/11/2009 Delivered to Governor (S586)
03/26/2009 Signed by Governor (S783)

EFFECTIVE: Emergency Clause

*** SB 314 ***

1720S.011

SENATE SPONSOR: Smith

SB 314 – This act creates the Missouri Preschool Plus Grant Program as a pilot program within the Missouri Preschool Project. The program will serve up to 1250 students with preschool services and will be administered by the Department of Elementary and Secondary Education in collaboration with the Coordinating Board for Early Childhood. School districts that are classified as unaccredited and non-sectarian community-based organizations located within such school districts may receive grants. Grants run for three years and are renewable. At least fifty percent of the placements must be offered through non-sectarian community-based organizations. Children who are one or two years away from kindergarten entry may participate in the program. Children of active duty military personnel will receive admission preference.

If a school district becomes classified as provisionally accredited or accredited, it may complete the length of an existing grant and be eligible for one additional renewal for three years. The program must comply with current early childhood standards. Community-based organization grantees may employ teachers with at least an associate's degree provided they show they are on the path to obtaining a bachelor's degree within five years. School districts and non-sectarian community-based organizations must collect short-term and long-term data about student performance where feasible. The Department must make a good faith effort to collect long-term student performance data as required in the act for students who attend non-public schools.

The Department will accept applications in a competitive bid process to begin implementing the program in the 2010-2011 school year. The program will be funded through general appropriations and will not be funded through money from the Gaming Commission Fund. The General Assembly must appropriate an amount sufficient to adequately fund the program, which shall be at least \$5 million in any fiscal year.

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

This act is substantially similar to a provision contained in SS/SCS/SB 726 (2008) and is similar to SB 779 (2008) and a provision contained in SB 690 (2007).

MICHAEL RUFF

02/05/2009 S First Read--SB 314-Smith (S252)

02/09/2009 Second Read and Referred S Education Committee (S270)

EFFECTIVE: August 28, 2009

*** SB 315 ***

0117S.021

SENATE SPONSOR: Smith

SB 315 - This act requires the director of the Department of Revenue to provide a list of every taxpayer with a residence address located in an assessor's county to such assessor by January first of each year. Under current law, a taxpayer must annually file a list of all tangible personal property owned or controlled by such taxpayer with the taxpayer's county assessor. This act specifically requires every taxpayer to include, in such list, all tangible personal property situated in any county other than the county in which the taxpayer resides.

JASON ZAMKUS

02/05/2009 S First Read--SB 315-Smith (S252)

02/09/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S270)

EFFECTIVE: August 28, 2009

*** SB 316 ***

0317S.031

SENATE SPONSOR: Smith

SB 316 - This act modifies provisions on human sexuality and sexually transmitted disease school education courses for school districts that chooses to teach such courses.

The act removes references in the sexual education statute allowing information to be provided on the federal abstinence education law. This act also requires instruction on the dangers of sexual predators, including online predators. The pupils shall also be taught how to behave responsibly on the internet and

how to report inappropriate behavior to a responsible adult. Prior to any human sexuality instruction, the parents shall also be notified regarding the CyberTipline and the sexual offender registry.

This act also repeals the provisions prohibiting abortion providers from providing sexual education in school and from schools providing abortion services.

This act is similar to SB 780 (2008).

ADRIANE CROUSE

02/05/2009 S First Read--SB 316-Smith (S252)

02/09/2009 Second Read and Referred S Education Committee (S270)

EFFECTIVE: August 28, 2009

*** SB 317 ***

1020S.05I

SENATE SPONSOR: Smith

SB 317 – This act allows proposed high risk or alternative charter schools to request that the Department of Elementary and Secondary Education grant alternative arrangements for students to obtain credits for satisfying graduation requirements. Alternative arrangements may include credit for off-campus instruction, embedded credit, work experience, independent studies, and performance-based credit options. The Department must approve or disapprove such a request within thirty days.

The State Board of Education must approve a charter application for a proposed high risk or alternative charter school whose educational program contains certain educational approaches, as described in the act. After three years of operation, the State Board must conduct a study of any such charter school to assess student performance, graduation rates, educational outcomes, and entry into the workforce or higher education. (Section 160.405)

This act requires charter schools whose mission includes student drop-out prevention or recovery to enroll nonresident pupils from the same or an adjacent county who are considered high-risk or are dropouts, or nonresident pupils from the same or an adjacent county who reside in residential care facilities, transitional living group homes, or independent living programs who submit a timely application. Preference will be given to resident pupils over non-resident pupils if there is insufficient capacity. Charter schools may also give an admissions preference to high-risk and dropout students. (Section 160.410)

This act contains provisions similar to SB 1027 (2008) and similar to provisions also contained in SB 64 (2009).

MICHAEL RUFF

02/05/2009 S First Read--SB 317-Smith and Rupp (S252)

02/09/2009 Second Read and Referred S Education Committee (S270)

EFFECTIVE: August 28, 2009

*** SB 318 ***

SCS SB 318

1680S.02P

SENATE SPONSOR: Lembke

SCS/SB 318 - This act requires certain licensing bodies destroy documentation of complaints made by sexually violent predators against certain licensed professionals, if the complaint does not result in discipline. Past unsubstantiated complaints by sexually violent predators against a doctor or social worker shall be destroyed upon request.

EMILY KALMER

02/05/2009 S First Read--SB 318-Lembke (S252)

02/09/2009 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S270)

03/09/2009 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee

03/09/2009 SCS Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee - Consent (1680S.02C)

03/11/2009 Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor w/SCS - Consent (S588)

03/30/2009 SCS S adopted (S794)

03/30/2009 S Third Read and Passed - Consent (S794-795 / H793)

03/30/2009 H First Read (H793)

03/31/2009 H Second Read (H804)
 03/31/2009 Referred H Special Standing Committee on Professional Registration and Licensing Committee (H819)
 04/08/2009 Hearing Conducted H Special Standing Committee on Professional Registration and Licensing Committee
 04/15/2009 Voted Do Pass H Special Standing Committee on Professional Registration and Licensing Committee

EFFECTIVE: August 28, 2009

*** SB 319 ***

1709L.011

SENATE SPONSOR: Lembke

SCS/SB 319 - This act modifies the manner in which lien titles for motor vehicles, trailers, outboard motors, aircrafts, and vessels are issued.

Currently, if the item is not redeemed within three months of the completion of labor, the lienholder may apply to the director of revenue for a certificate of ownership or certificate of title. This act changes that time period to 45 days.

Currently, if the charges are for storage or the service of towing and the item has not been redeemed three months after the charges for storage have commenced, the lienholder shall notify the owner and any lienholder of record that an application for a lien title will be made unless the owner or lienholder makes satisfactory arrangements within 45 days. This act changes those time periods to 45 days and 30 days respectively.

Lienholders may apply for a lien title if the notice has been returned "not forwardable" or "Addressee unknown".

The lienholder affidavit required to be submitted with the application shall be accompanied by a copy of the notice and a copy of the certified mail receipt evidencing the notice was sent.

Currently, the Director of Revenue is required to notify the owner and any lien holder of record of a motor vehicle, trailer, outboard motor, aircraft, or vessel, when an application is made for a lien title on such item. Lienholders or owners have 30 days to redeem the item. This act repeals these requirements and allows the director to issue a certificate of ownership immediately upon receipt of the application.

CHRIS HOGERTY

02/05/2009 S First Read--SB 319-Lembke (S252)
 02/09/2009 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S270)
 02/16/2009 Hearing Conducted S Financial and Governmental Organizations and Elections Committee
 03/02/2009 SCS Voted Do Pass S Financial and Governmental Organizations and Elections Committee (1709L.03C)

EFFECTIVE: August 28, 2009

*** SB 320 ***

1704S.011

SENATE SPONSOR: Days

SB 320 - This act requires, by January 1, 2010, health carriers to provide coverage for certain prosthetic devices and related services and supplies that meet minimum standards as provided under the federal Medicare Program. "Prosthetic device" is defined as an artificial limb, device, or appliance designed to replace in whole or in part an arm, leg, or eye.

Under the terms of the act, a health insurance carrier may require an insured to obtain prior authorization for any prosthetic device. The health carrier may impose co-payments and co-insurance requirements in accordance with Part B of the federal Medicare Fee-for-service Program. The health benefit plan must reimburse an insured for the devices at no less than the fee schedule amount under the federal Medicare reimbursement schedule.

The coverage shall include repair services and replacement of prosthetics needed to restore or maintain the daily living or essential job-related activities. Certain health and life insurance policies are exempt from

the provisions of the act.

The provisions of this act are virtually identical to HB 2100 (2008).

STEPHEN WITTE

02/05/2009 S First Read--SB 320-Days and Griesheimer (S253)

02/09/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S270)

03/03/2009 Hearing Conducted S Health, Mental Health, Seniors and Families Committee

03/10/2009 Voted Do Pass S Health, Mental Health, Seniors and Families Committee

EFFECTIVE: August 28, 2009

*** SB 321 ***

SCS SB 321

1297S.02C

SENATE SPONSOR: Days

SCS/SB 321 - This act creates a ten-member commission to study the death penalty in Missouri. It shall include two members of the House of Representatives with one from each party, two members from the Senate with one from each party, a county prosecutor appointed by the Missouri Association of Prosecuting Attorneys, a criminal defense lawyer appointed by the Missouri Association of Criminal Defense Lawyers, the state public defender, the attorney general, a murder victim's family member and a family member of a person on death row, both appointed by the department of corrections. The commission shall be comprised equally of people in favor and opposed to the death penalty and shall be appointed by December 1, 2009.

The commission is required to hold public hearings and study all aspects of the death penalty as administered in Missouri, including all cases in which the death penalty was sought. Through the use of random sampling, the commission will review a statistical representation of those cases in which charges of first degree murder, second degree murder, or voluntary manslaughter were filed after January 1, 1977. The review and analysis shall examine data concerning the facts of the offenses, the county where charges were filed, the charges originally filed, the crime for which the person was convicted, the sentence, personal information about the convicted person, evidence of mental illness, prior criminal history of the defendant, information about the legal defense team and prosecuting team, the body of evidence used to obtain a conviction, results of appellate review and post-conviction review, and costs for implementing the sentence.

In considering the experience and training of attorneys, the commission shall consider the experience and training levels required by the Missouri Supreme Court, other courts and legislatures, and recommendations of national associations.

The commission shall study whether alternatives to the death penalty exist that ensure public safety and address other social and penological interests. The findings and recommendations of the commission shall be reported to the Governor, the Missouri Supreme Court, and the General Assembly by January 1, 2012.

The commission shall recommend any proposed modifications to Missouri law necessary to ensure: 1) defendants sentenced to death are indeed guilty of first degree murder, 2) adequacy of trial and appellate legal counsel, 3) accuracy of findings of guilt of the accused, 4) race is not impermissibly a factor in determining implementation of the death penalty, 5) adequate appellate and post-conviction procedures exist to remedy errors at trial, and 5) prosecutors throughout the state use similar criteria to determine whether to seek the death penalty.

This act is similar to HB 1614 (2008) and SB 800 (2008).

SUSAN HENDERSON MOORE

02/05/2009 S First Read--SB 321-Days, et al (S253)

02/09/2009 Second Read and Referred S Progress and Development Committee (S270)

02/18/2009 Hearing Conducted S Progress and Development Committee

03/04/2009 SCS Voted Do Pass S Progress and Development Committee (1297S.02C)

03/12/2009 Reported from S Progress and Development Committee to Floor w/SCS (S619)

03/31/2009 Bill Placed on Informal Calendar (S820)

04/27/2009 S Inf Formal Calendar S Bills for Perfection--SB 321-Days, et al, with SCS (pending)

EFFECTIVE: August 28, 2009

*** SB 322 ***

1735S.011

SENATE SPONSOR: Barnitz

SB 322 - This act allows a majority of the circuit court and associate circuit judges in a circuit to appoint a drug court commissioner to also serve as a family court commissioner. The drug court commissioner would receive no additional compensation and would be required to have the same qualifications as other family court commissioners.

This act is similar to HB 546 (2009).

EMILY KALMER

02/05/2009 S First Read--SB 322-Barnitz (S253)

02/09/2009 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S270)

03/30/2009 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2009

*** SB 323 ***

1706S.011

SENATE SPONSOR: Ridgeway

SB 323 - Currently, if an employee is seriously and permanently disfigured about the head, neck, hands, or arms, additional workers' compensation benefits may be allowed. This act only authorizes such an allowance when the employee is seriously and permanently disfigured about the head or neck and the disfigurement is a hindrance to employment.

CHRIS HOGERTY

02/05/2009 S First Read--SB 323-Ridgeway (S253)

02/09/2009 Second Read and Referred S Small Business, Insurance and Industry Committee (S270)

EFFECTIVE: August 28, 2009

*** SB 324 ***

1661S.011

SENATE SPONSOR: Ridgeway

SB 324 – This act modifies the Public School Retirement System of Missouri (PSRS) and the Public Education Employee Retirement System (PEERS).

This act changes from ten percent to twenty percent the maximum percentage of increase in annual compensation from one year to the next in the final average salary period for members of PSRS. (Section 169.010)

Current law provides, in part, that a retired member of PSRS or PEERS may be employed on a part-time or temporary-substitute basis by a school district included in PSRS or PEERS for up to 550 hours in a school year without a discontinuance of his or her retirement benefits. This act provides that a retired member of PSRS or PEERS may be employed on part-time or temporary-substitute basis by a district included in PSRS or PEERS. A retired member of PSRS may earn up to the minimum starting teacher's salary. A retired member of PEERS cannot earn more than fifty percent of the minimum starting teacher's salary. The hiring school district must pay the employer's portion of the required contributions to PEERS. The limit on earnings will be applied on a pro rata basis to a retiree's earnings after the effective date of retirement during the school year that the member retires.

A retired member who works under this provision cannot accrue any benefits with PSRS or PEERS. If a retired member exceeds the limits of this section, the retired member will not be eligible to receive a retirement allowance for that month.

A member must terminate employment with an employer covered by PSRS or PEERS before being eligible to receive a benefit from PEERS. A member will not be considered to have terminated employment if he or she becomes employed by an employer covered by PSRS or PEERS within one month. The member will be required to repay any benefits if it is determined the member did not terminate employment. (Sections 169.560, 169.660)

This act contains an emergency clause.

MICHAEL RUFF

02/05/2009 S First Read--SB 324-Ridgeway (S253)

02/09/2009 Second Read and Referred S Education Committee (S270)

EFFECTIVE: Emergency Clause

*** SB 325 ***

1392S.011

SENATE SPONSOR: Ridgeway

SB 325 – This act authorizes any school board to enter into an agreement with the county in which the school district is located, or a city, town, or village that is wholly or partially located within the boundaries of the school district to acquire, construct, improve, extend, repair, remodel, or finance sites, buildings, facilities, furnishings, and equipment for the school district's educational purposes. An agreement may provide for the present or future acquisition of an ownership in the facilities, including joint ventures.

This act is similar to SB 1191 (2008), HB 1735 (2008).

MICHAEL RUFF

02/05/2009 S First Read--SB 325-Ridgeway (S253)

02/09/2009 Second Read and Referred S Education Committee (S270)

EFFECTIVE: August 28, 2009

*** SB 326 ***

1690S.011

SENATE SPONSOR: Crowell

SB 326 - This act modifies the definition of the term "affordable housing unit" contained in the neighborhood assistance act by increasing the income eligibility for owner-occupants of affordable housing units.

JASON ZAMKUS

02/05/2009 S First Read--SB 326-Crowell (S253)

02/09/2009 Second Read and Referred S Veterans' Affairs, Pensions and Urban Affairs Committee (S270)

EFFECTIVE: August 28, 2009

*** SB 327 ***

1496S.021

SENATE SPONSOR: Crowell

SB 327 – This act modifies the Public School Retirement System of Missouri (PSRS) and the Public Education Employee Retirement System (PEERS).

VENUE FOR LAWSUITS: All suits or proceedings directly or indirectly brought against the board of trustees for PSRS or PEERS, the board's members or employees, or the retirement system itself must be brought in Cole County. (Section 169.020)

INVESTMENT ACCOUNT: This act allows for the establishment and maintenance of a retirement systems investment account for investment purposes. Moneys from PSRS and PEERS may be combined in the account for investment purposes so long as the funds are accounted for and reported separately. (Sections 169.040, 169.630)

RETIREMENT SYSTEM RECORDS: Current law provides that a record of PSRS that discloses deliberations about, or a tentative decision on, investments or other financial matters is not a public record so long as its disclosure would jeopardize the ability to implement a decision or to achieve investment objectives. This act modifies this provision so that a record of the retirement system that discloses investments or other financial matters is not a public record so long as its disclosure would jeopardize the ability to implement a decision or to achieve investment objectives. (Section 169.040)

PURCHASE OF SERVICE CREDIT: For the purchase of membership service credit, this act changes the date of payment from June 30 to September 30 and the date of recalculation from July 1 to October 1. In addition, the retirement system may prohibit a purchase, impose additional requirements for making a purchase, or limit the amount of credit purchased if necessary to comply with federal law. (Sections 169.056, 169.655)

SURVIVORSHIP: This act modifies how retirement benefits may be distributed upon the death of a member prior to the member having received the specified number of monthly payments. The remainder of such payments will be paid to the surviving spouse, surviving children in equal shares, surviving parents in equal

shares, or the estate of the last person to receive a monthly allowance in a lump sum payment, in that order of precedence. In addition, if a member dies and the member's financial institution cannot accept the final payment or payments, the final payment or payments will be paid to the beneficiary, or if no beneficiary exists, to the surviving spouse, to the surviving children in equal shares, surviving parents in equal shares, or the estate of the member, in that order of precedence. This same order applies if the beneficiary to a member dies and the beneficiary's financial institution cannot accept final payment. (Sections 169.070, 169.670)

GARNISHMENT: This act allows funds belonging to the retirement systems and certain benefits to be subject to execution, garnishment, attachment in a proceeding instituted for spousal maintenance or child support. (Sections 169.090, 169.690)

ASSOCIATION ADMISSION: After June 30, 2010, no additional nonprofit educational associations or organizations will be able to have their employees become members of PSRS or PEERS. (Sections 169.130, 169.650)

INDEMNIFICATION: The board of trustees of PSRS or PEERS may indemnify and protect any trustee or employee against all claims or liabilities in his or her official or individual capacity except for gross negligence or willful misconduct. The board of trustees may obtain insurance or indemnity policies. For an employee or trustee to qualify for indemnity, he or she must provide written notice to the board of trustees within fifteen days after receiving service of process of a proceeding. (Section 169.750)

This act is identical to HB 265 (2009), is substantially similar to SCS/SBs 1153, 1154, 1155 & 1156 (2008), and contains provisions similar to HB 1972 (2008), HB 1973 (2008), and HB 2056 (2008).

MICHAEL RUFF

02/05/2009 S First Read--SB 327-Crowell (S253)

02/09/2009 Second Read and Referred S Veterans' Affairs, Pensions and Urban Affairs Committee (S270)

03/26/2009 Hearing Cancelled S Veterans' Affairs, Pensions and Urban Affairs Committee

04/02/2009 Hearing Conducted S Veterans' Affairs, Pensions and Urban Affairs Committee

EFFECTIVE: August 28, 2009

*** SB 328 ***

1282S.021

SENATE SPONSOR: Bray

SB 328 - This act creates the "Task Force on the Use of Conducted Energy Devices". The commission shall have ten members appointed by the governor, with the advice and consent of the senate: two medical experts, two scientific experts, two legal experts, two law enforcement experts, and two private citizens who have been shot by a CED or whose family member has been shot by a CED.

The task force is designed to evaluate the safety of conducted energy devices (CEDs), commonly known as tasers, and to make recommendation regarding their use by law enforcement. The task force shall hold public hearings and study all aspects of CED use in this state.

It shall determine if there are adequate studies on the use and effects of CEDs representing independent perspectives, and if other research is needed on issues such as how frequently CEDs are used, the effects of CED use on human health, typical operation of CEDs by law enforcement, possible circumstances when CED use should be limited, sufficiency of law enforcement training, and other issues of interest to the task force.

The task force shall report to its findings and recommendations to the Governor, Attorney General, and legislature by January 1, 2011. It shall make recommendations to amend the statutes which assure: 1) that CED use is banned, if necessary, because of safety or abuse concerns; 2) a suspension of CED use, if necessary, until scientific research adequately determines CED safety; or 3) there is sufficient research and an ability to set policy on CED use ensuring certain safety and abuse prevention requirements.

Until the task force report is completed and its recommendations are passed and signed into law, CED use shall be suspended in this state, except by law enforcement agencies which adopt certain policies outlined in the act.

SUSAN HENDERSON MOORE

02/05/2009 S First Read--SB 328-Bray (S254)

02/09/2009 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S270)

EFFECTIVE: August 28, 2009

*** SB 329 ***

1431S.011

SENATE SPONSOR: Bray

SB 329 - This act relates to pregnancy and sexually transmitted disease prevention and abortion.

SEXUAL EDUCATION

This act provides that any course materials relating to human sexuality shall not only be medically and factually accurate, but shall also be based on peer reviewed projects that have been demonstrated to influence healthy behavior. The course instruction shall also present abstinence from sexual activity as the preferred choice of behavior in relation to all sexual activity as the only sure way to avoid pregnancy or sexually transmitted infections. The students shall also be presented with information about the health benefits and side effects of all contraceptives and barrier methods as a means to prevent pregnancy and to reduce the risk of contracting sexually transmitted infections or other diseases and well as information regarding the vaccine for the human papillomavirus. The instruction shall also help the students gain knowledge about the physical, biological, and hormonal changes of adolescence and subsequent states of human maturation. In addition, the students shall be encouraged to communicate with their family regarding sexuality. This act also repeals the prohibition on abortion providers providing human sexuality instruction and instead provides that a school district shall make all curriculum materials and names and affiliations of presenters used in the school district available for public inspection.(SECTION 170.015).

EXPEDITED SEXUAL PARTNER THERAPY

Any licensed physician may utilize expedited partner therapy for the management of the sexual partners of persons with chlamydia or gonorrhea if such partners do not have an established physician-patient relationship with a physician. A licensed physician using such therapy may prescribe and dispense medications for the treatment of chlamydia or gonorrhea for such sexual partners. Any county health facility may use the expedited partner therapy depending on the local case rate for chlamydia and gonorrhea. The Department of Health and Senior Services and the Division of Professional Registration shall develop rules for the implementation of the act. (SECTION 191.648).

COMPASSIONATE ASSISTANCE FOR RAPE EMERGENCIES

This act provides that hospitals and health care facilities are required to do the following:

- provide each sexual assault victim with medically and factually accurate information about emergency contraception;
 - orally inform each victim that emergency contraception may be provided at the hospital;
 - provide the complete regimen of emergency contraception immediately to the victim who requests it;
- and
- follow the Department of Justice protocols on HIV/STI screening and prophylactic treatment.

Hospitals and health care facilities must ensure that they provide their employees with medically and factually accurate information about emergency contraception. The department shall develop, prepare, and produce informational materials relating to emergency contraception to hospitals and health care facilities. The informational materials must be medically and factually accurate, clearly written, and explain the nature of emergency contraception.

The department shall respond to complaints and shall periodically determine whether hospitals and health care facilities are in compliance. If a hospital or a health care facility is not in compliance, then the department shall impose an administrative penalty of \$5,000/per woman who is denied information or emergency contraception and a fine of \$5,000 for failure to comply with the provisions of this act. For every 30 days that a hospital or health care facility is not in compliance, an additional administrative penalty of \$5,000 shall be imposed. (SECTIONS 191.717 and 191.718).

BIRTH CONTROL PROTECTION

This act provides that consenting individuals have a protected interest from unreasonable governmental intrusions into their private lives in regards to obtaining and using safe and effective methods of contraception. This act also provides that the laws of this state will be interpreted to recognize these protected rights.

This act also prohibits governmental actors or entities from interfering in a consenting individual's right to the benefits, facilities, services, or information concerning safe methods of contraception. This act also

prohibits any laws, rules, ordinances, taxes, or regulations that are implemented to promote public health and safety from unreasonably hindering the public's access to contraceptives. (SECTION 191.720).

WOMEN'S HEALTH SERVICES PROGRAM

This act establishes the Women's Health Services Program. Subject to appropriation, the program shall be implemented by the department of health and senior services by July 1, 2010, and shall be initially funded with five million dollars. The goal of the program is to reduce the number of unintended pregnancies in Missouri by providing women's health services through qualified health providers, as determined by the department. This program shall sunset in six years, unless reauthorized by the General Assembly (SECTION 192.970).

PATIENT PROTECTION

Upon receipt of a valid and lawful prescription or upon a lawful request for contraception approved for over-the-counter use, a licensed pharmacy shall dispense the prescribed drug or device without delay, consistent with the normal time frame for filling any other prescription and shall fulfill the request for the over-counter drug in a timely fashion.

When the customer requests a prescribed drug or device, or contraception approved for over-the-counter use, and such drug or device is not in stock, the pharmacy shall offer the customer the option of having the pharmacy obtain the contraception under the pharmacy's standard procedures for expediting ordering of any drug or device not in stock or the pharmacy may locate another pharmacy of the customer's choice or closest pharmacy that has the drug or device in stock and transfer the customer's prescription to that pharmacy, if necessary. The pharmacy shall perform the customer's chosen option in a timely fashion.

The pharmacy shall ensure that it does not intimidate, threaten, or harass its customers in the delivery of services.

Nothing in this act shall prohibit a licensed pharmacy from refusing to dispense a prescribed drug or device in accordance with standard pharmacy practice if there is a valid medical concern or if the customer is unable to pay for the drug or device. (SECTIONS 338.012 AND 338.014).

This act is substantially similar to SB 1215 (2008) and SB 546 (2007).

ADRIANE CROUSE

02/05/2009 S First Read--SB 329-Bray, et al (S254)

02/09/2009 Second Read and Referred S Education Committee (S271)

EFFECTIVE: August 28, 2009

*** SB 330 ***

1781S.011

SENATE SPONSOR: Justus

SB 330 - This act creates the crimes of assault of a mass transit system employee in the first, second, and third degree. Mass transit employees include individuals working for a public bus or light rail company. The penalties for such crimes are a Class B felony, Class C felony, and Class B misdemeanor, respectively.

This act is identical to HB 487 (2009).

SUSAN HENDERSON MOORE

02/09/2009 S First Read--SB 330-Justus (S266)

02/11/2009 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S287)

EFFECTIVE: August 28, 2009

*** SB 331 ***

1758S.011

SENATE SPONSOR: Justus

SB 331 – This act creates the "Development, Relief, and Education for Alien Minors Act," which will be known and may be cited as the "DREAM Act."

This act requires any higher education institution that receives state funding to provide in-state tuition to any individual who meets the following conditions: the individual resided with his or her parent or guardian while attending a public or private high school in Missouri; the individual graduated from a public or private high school or received the equivalent of a high school diploma in Missouri; the individual attended school

Missouri for at least two years as of the date the individual graduated from high school or receive the equivalent of a high school diploma; the individual entered the United States prior to the enactment of this act; in the case of an individual who is not a United States citizen or permanent resident, the individual must provide the higher education institution with an affidavit stating that he or she will file an application to become a permanent resident at the earliest opportunity.

This act has an effective date of July 1, 2009.

This act is similar to SB 1109 (2004).

MICHAEL RUFF

02/09/2009 S First Read--SB 331-Justus (S266)

02/11/2009 Second Read and Referred S Progress and Development Committee (S287)

EFFECTIVE: July 1, 2009

*** SB 332 ***

1550S.011

SENATE SPONSOR: Dempsey

SCS/SB 332 - This act creates the Line of Duty Compensation Act which provides additional workers' compensation benefits in the amount of \$15,000 for firefighters, law enforcement officers, emergency medical technicians, and paramedics who are killed in the line of duty.

Coverage applies when:

- Death is caused by an accident or violence of another;
- The individual is in the active performance of his or her duties and there is a relationship between the accident or commission of the act and the performance of duty, even when off duty; the individual is traveling to or from employment; or the individual is taking a break while on duty;
- The injury is the cause of the death; and
- Death occurs within 300 weeks of the injury.

A \$15,000 death benefit shall be awarded to the surviving spouse, dependent, or estates of those killed in the line of duty.

Under the act, neither employers nor workers' compensation insurers shall have subrogation rights against compensation awarded for claims under the proposed program.

This program shall sunset in 6 years unless reauthorized.

This act is similar to SB 500 (2007), HB 551 (2007), and SB 966 (2008).

CHRIS HOGERTY

02/09/2009 S First Read--SB 332-Dempsey, et al (S266)

02/11/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S287)

02/25/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee

03/05/2009 SCS Voted Do Pass S Jobs, Economic Development and Local Government Committee (1550S.02C)

EFFECTIVE: August 28, 2009

*** SB 333 ***

1764S.011

SENATE SPONSOR: Barnitz

SCS/SB 333 - Current law allows the City of Poplar Bluff and sewer districts in Butler County to develop agreements to provide sewer service to land annexed by the City. Current law also provides procedures to develop such agreements when the City and a sewer district cannot agree on terms. This act extends the authority to develop such agreements to apply to any city and sewer districts in any county of the third classification and also makes these entities subject to the procedures for when agreement cannot be reached by both parties.

ERIKA JAQUES

02/09/2009 S First Read--SB 333-Barnitz (S266)

02/11/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S287)
 02/25/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee
 04/01/2009 SCS Voted Do Pass S Jobs, Economic Development and Local Government Committee (1744S.02C)

EFFECTIVE: August 28, 2009

*** SB 334 ***

1820S.011

SENATE SPONSOR: Pearce

SB 334 - This act authorizes an income tax deduction for 100% of any military retirement income. This deduction will be available for all tax years beginning on or after January 1, 2009.

This act is similar to HCS/HB 1788 & 1882 (2008).
 EMILY KALMER

02/09/2009 S First Read--SB 334-Pearce (S266)
 02/11/2009 Second Read and Referred S Veterans' Affairs, Pensions and Urban Affairs Committee (S287)
 03/12/2009 Hearing Conducted S Veterans' Affairs, Pensions and Urban Affairs Committee

EFFECTIVE: August 28, 2009

*** SB 335 *** SCS SBs 335 & 16

1637S.04C

SENATE SPONSOR: Rupp

SCS/SBs 335 & 16 - Under this act, any person who intentionally produces, manufactures, sells, or otherwise distributes a fraudulent document intended to serve as an insurance identification card is guilty of a Class D felony. The act further provides that any person who knowingly or intentionally possesses a fraudulent document intended to serve as an insurance identification card is guilty of a Class B misdemeanor. This provision is contained in SB 16 (2009)(Section 303.024).

STEPHEN WITTE

02/09/2009 S First Read--SB 335-Rupp (S266)
 02/11/2009 Second Read and Referred S Small Business, Insurance and Industry Committee (S287)
 02/24/2009 Hearing Scheduled But Not Heard S Small Business, Insurance and Industry Committee
 03/03/2009 Hearing Conducted S Small Business, Insurance and Industry Committee
 03/10/2009 SCS Voted Do Pass (w/SCS SBs 335 & 16) S Small Business, Insurance and Industry Committee (1637S.04C)
 03/12/2009 Reported from S Small Business, Insurance and Industry Committee to Floor w/SCS (S620)
 04/01/2009 Bill Placed on Informal Calendar (S846)
 04/21/2009 SA 1 to SCS S offered & adopted (Rupp)--(1637S04.13S) (S1119-1120)
 04/21/2009 SCS, as amended, S adopted (S1120)
 04/21/2009 Perfected (S1120)
 04/21/2009 Reported Truly Perfected S Rules Committee (S1128)
 04/23/2009 S Third Read and Passed (S1188-1189 / H1260)
 04/23/2009 H First Read (H1260)
 04/24/2009 H Second Read

EFFECTIVE: August 28, 2009

*** SB 336 ***

1777S.011

SENATE SPONSOR: Rupp

SB 336 - Under the terms of this act, if a lawsuit is filed in which an insurance company might be obligated to make payment under an insurance policy, the insurance company may contest the applicability of its coverages to the facts of the lawsuit at hand by:

(1) Denying coverage to the insured in a clear and unequivocal communication; or

(2) Notifying the insured that it contests the applicability of the policy's coverages to the facts pled in the lawsuit and that the insured may select legal counsel to defend the action at the insurer's expense until the issue of coverage is resolved.

If the insurance company elects to deny coverage by notifying the insured, then the insurer may proceed to defend the lawsuit in any manner (including entering into an agreement with the adverse party to allow a judgment to be taken in the case). This action shall not constitute a breach of any agreement to cooperate provision contained in the insurance policy.

If the insurance company elects to notify the insured that it contests the applicability of coverage to the facts at hand, the insurance company must then file a declaratory judgment action within 45 days after receiving notice of the lawsuit against its insured. The declaratory judgment action shall be filed to determine whether the insurance policy provides coverage to the facts pled in the lawsuit against the insured. The insurance company must agree to pay for the insured's reasonable legal fees for defending the declaratory judgment action.

If the insurance company files a declaratory judgment action to contest the policy's coverage, the insured may not settle the lawsuit or otherwise make other types of agreements with the adverse party unless specifically authorized by the insurance company in writing.

The institution of a declaratory judgment action under the act to contest coverage shall not constitute a breach of its insurance policy, either present or anticipatory.

STEPHEN WITTE

02/09/2009 S First Read--SB 336-Rupp (S266)

02/11/2009 Second Read and Referred S Small Business, Insurance and Industry Committee (S287)

02/24/2009 Hearing Conducted S Small Business, Insurance and Industry Committee

EFFECTIVE: August 28, 2009

*** SB 337 ***

1759S.01P

SENATE SPONSOR: Rupp

HOUSE HANDLER: Smith

SB 337 - This act provides that the current term of the director representing Subdistrict 6 of the St. Charles ambulance district shall be extended one year. At the end of such term, the district shall hold an election and the term of the new director shall be three years.

SUSAN HENDERSON MOORE

02/09/2009 S First Read--SB 337-Rupp (S266)

02/11/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S287)

02/25/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee

03/05/2009 Voted Do Pass S Jobs, Economic Development and Local Government Committee - Consent

03/11/2009 Reported from S Jobs, Economic Development and Local Government Committee to Floor - Consent (S587)

03/30/2009 S Third Read and Passed - Consent (S792 / H793)

03/30/2009 H First Read (H793)

03/31/2009 H Second Read (H804)

03/31/2009 Referred H Local Government Committee (H819)

04/08/2009 Hearing Conducted H Local Government Committee

04/08/2009 Voted Do Pass H Local Government Committee-Consent

04/09/2009 Reported Do Pass H Local Government Committee - Consent (H1022)

04/09/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1022)

04/14/2009 Hearing Conducted H Rules Committee

04/14/2009 Voted to return to committee of origin H Rules Committee (H1042)

EFFECTIVE: August 28, 2009

*** SB 338 ***

HCS SCS SB 338

1772L.07C

SENATE SPONSOR: Rupp

HOUSE HANDLER: Lipke

HCS/SCS/SB 338 - Under Executive Order 07-07 (2007), the administration of the Crime Victims' Compensation Fund was transferred from the Department of Labor and Industrial Relations to the Department of Public Safety. This act would reflect such transfer in statute.

Under this act, the Department of Public Safety may receive gifts for the benefit of crime victims, which shall be credited to the Crime Victims' Compensation Fund.

The act provides that compensation from the fund shall not be paid to a victim injured while subject to electronic monitoring in the same manner as persons who are incarcerated or under house arrest.

Also, under executive order, the Department of Public Safety makes payments to medical providers to cover the charges of the forensic examinations of sexual assault victims, rather the Department of Health. This act would reflect such transfer of responsibility in statute. This act also specifies that medical providers shall use collection procedures developed for victims who are minors when appropriate. Also, the medical provider's report of a forensic examination shall no longer be filed with the prosecuting attorney within three days.

This act provides that compensation under the crime victims' compensation fund must be for reasonable expenses, and if such expenses are medical, they must be medically necessary. It also specifies that payment for forensic examinations to medical providers must be for reasonable charges. Under this act, claims for forensic examination charges by medical providers must be made within 90 days. Also, for consideration of such claim by the department, the examination charges submitted must be itemized and fall within the definition of a forensic examination.

Upon the victim's request, a photograph shall be taken of the incarcerated individual prior to release and given to the crime victim.

This act allows victims of certain serious crimes to be represented by counsel or a representative designated by the victim instead of appearing in person during an offender's parole and probation revocation hearings.

This act is similar to SB 332 (2007).

SUSAN HENDERSON MOORE

02/09/2009 S First Read--SB 338-Rupp (S266)
 02/11/2009 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S287)
 03/09/2009 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee
 03/09/2009 SCS Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee - Consent (1772S.05C)
 03/11/2009 Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor w/SCS - Consent (S588)
 03/30/2009 SCS S adopted (S793)
 03/30/2009 S Third Read and Passed - Consent (S793-794 / H793)
 03/30/2009 H First Read (H793)
 03/31/2009 H Second Read (H804)
 03/31/2009 Referred H Crime Prevention Committee (H819)
 04/08/2009 Hearing Conducted H Crime Prevention Committee
 04/08/2009 HCS Voted Do Pass H Crime Prevention Committee - Consent
 04/09/2009 HCS Reported Do Pass H Crime Prevention Committee - Consent (H1020)
 04/09/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1020)
 04/14/2009 Hearing Conducted H Rules Committee
 04/14/2009 Voted Do Pass H Rules Committee - Consent
 04/14/2009 Reported Do Pass H Rules Committee - Consent (H1042)
 04/27/2009 H Consent Calendar w/HCS

EFFECTIVE: August 28, 2009

*** SB 339 ***

1736S.011

SENATE SPONSOR: Goodman

SB 339 - Under this act, a person commits the crime of making a false declaration by providing a verbal false statement regarding his or her identity that he or she believes or knows not to be true with the purpose of misleading a public servant. Making a false declaration is a Class B misdemeanor.

This act is identical to SB 922 (2008).

SUSAN HENDERSON MOORE

02/09/2009 S First Read--SB 339-Goodman (S267)
 02/11/2009 Second Read and Referred S General Laws Committee (S287)
 03/03/2009 Hearing Conducted S General Laws Committee
 03/10/2009 Voted Do Pass S General Laws Committee

EFFECTIVE: August 28, 2009

*** SB 340 ***

1663S.011

SENATE SPONSOR: Bray

SB 340 - This act creates the Plastic Bag Reduction Act.

Beginning January 28, 2010, supermarkets shall only provide recyclable paper bags, compostable plastic bags, or reusable cloth bags to their customers for carrying out merchandise. This sack requirement also applies to certain pharmacies beginning August 28, 2010.

The act provides compostability standards for the compostable plastic bags and labeling requirements for the plastic and paper bags.

A violation of the act shall be an infraction, punishable by a fine up to \$100 for a first violation, up to \$200 for a second violation in the same year, and up to \$500 for a third or subsequent violation in the same year. The director of the Department of Natural Resources may also impose an administrative penalty upon a violator of the act, with fines as listed.

ERIKA JAQUES

02/09/2009 S First Read--SB 340-Bray (S267)

02/11/2009 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S287)

EFFECTIVE: 1/28/2010 & 8/28/2010

*** SB 341 ***

0257S.011

SENATE SPONSOR: Bray

SB 341 - This act requires the Governor to ensure that appointive board, commission, committee, and council membership is representative of the general population of the state with respect to race and gender.

This act is identical to SB 1214 (2008).

CHRIS HOGERTY

02/09/2009 S First Read--SB 341-Bray (S267)

02/11/2009 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S287)

EFFECTIVE: August 28, 2009

*** SB 342 ***

1685S.011

SENATE SPONSOR: Stouffer

SB 342 - This act modifies numerous penalties for violations of motor vehicle licensing, registration, and equipment statutes. The act makes certain motor vehicle registration violations punishable as infractions rather than various classes of misdemeanors. These provisions can be found in SB 101 (2007), HCS/SS/SCS/SBs 239, 24 & 445 (2007), and SB 1143 (2006).

This act changes the penalty for violating Missouri's historic motor vehicle 1,000 mile personal use limitation from a Class C misdemeanor to a violation punishable by a fine of not less than five dollars or more than five hundred dollars (Section 301.131).

The act changes the penalty for fastening voided plates to a motor vehicle from a Class C misdemeanor to a violation punishable by a fine of not less than five dollars or more than five hundred dollars (Section 301.150).

The penalty for failing to surrender a mutilated or worn plate for which a duplicate has been issued is changed from a misdemeanor to a violation punishable by a fine of not less than five dollars or more than five hundred dollars (Section 301.310).

The act provides that the penalty for knowingly making a false statement in the application for the registration of a motor vehicle is a Class C misdemeanor (Section 301.420).

The act removes the imposition of a jail sentence for various motor vehicle registration violations in which no specific statutory penalty is provided and provides that such violations shall be punishable by a fine of not less than \$5 nor more than \$500. The current law provides that certain motor vehicle registration violations are punishable by imprisonment in the county jail for a term not exceeding one year or by a fine of not less than \$5 or more than \$500, or by both (Section 301.440).

Under the act, violations of Missouri's ATV titling and registration laws are punishable as infractions (Section 301.716).

Under the act, failure to secure truck load violations are punished as infractions rather than Class C misdemeanors (Section 307.010).

Under the act, the punishment for a mud flap violation is changed from a Class B misdemeanor to an infraction (Section 307.015).

Under the act, the punishment for a spotlamp violation is changed from a Class C misdemeanor to an infraction (Section 307.090).

The act further provides that violations of certain motor vehicle lighting regulations shall be punishable as infractions rather than misdemeanors (Section 307.120).

Under the act, the punishment for improperly lighting or marking an animal-driven vehicle is changed from a Class C misdemeanor to an infraction (Section 307.125).

Under the act, the punishment for certain motor vehicle safety glass violations is changed from a Class C misdemeanor to an infraction (Section 307.155).

Under the act, the punishment for altering the front or rear of a motor vehicle or operating a motor vehicle without proper bumpers is changed from a Class C misdemeanor to an infraction (Section 307.172).

Under the act, the punishment for a window tinting violation is changed from a Class C misdemeanor to an infraction (Section 307.173).

Under the act, the punishment for operating a motorized bicycle without a license or operating a motorized bicycle upon an interstate highway is changed from a Class C misdemeanor to an infraction (Section 307.195).

Under the act, the punishment for an ATV equipment violation is changed from a Class C misdemeanor to an infraction (Section 307.198).

Under the act, the punishment for violating certain motor vehicle inspection station regulations is changed from a misdemeanor to a Class C misdemeanor (Section 307.365).

Under the act, the punishment for school bus inspection violations is changed from a misdemeanor to a Class C misdemeanor (Section 307.375).

Under the act, the punishment for violating Missouri's motor vehicle safety inspection regulations is changed from a misdemeanor to an infraction (Section 307.390).

Under the act, the punishment for violating certain commercial motor vehicle regulations is changed from a Class B misdemeanor to an infraction (Section 307.400).

This act provides that for an infraction, all court costs, fees, surcharges, and other charges shall be assessed in the same manner and amount as for a misdemeanor (Section 488.006).

Under this act, an offense is an infraction if it is designated as one, or if a violation can result only in a fine, forfeiture, or other civil penalty. A determination of whether an infraction has occurred shall be made by the filing of a civil action. The action shall be filed by a person who is authorized to bring a criminal action or an action to enforce an ordinance. The action will be brought in the name of the state or the appropriate political subdivision. An infraction violation shall be proved by a preponderance of the evidence but shall not be tried by a jury. If an infraction violation is proven, judgment shall be entered for the plaintiff.

This act requires any driver to stop on signal of any law enforcement officer and to obey any reasonable signals of such officer given in the course of enforcing any infraction. Any person who fails or refuses to obey any such signal or who resists an officer while enforcing any infraction, shall be guilty of a Class A misdemeanor (Section 556.021).

STEPHEN WITTE

02/09/2009 S First Read--SB 342-Stouffer (S267)

02/11/2009 Second Read and Referred S Transportation Committee (S287)

02/18/2009 Hearing Scheduled But Not Heard S Transportation Committee

02/25/2009 Hearing Conducted S Transportation Committee

03/11/2009 Voted Do Pass S Transportation Committee

EFFECTIVE: August 28, 2009

*** SB 343 ***

1749S.011

SENATE SPONSOR: Stouffer

SB 343 - This act modifies various provisions of law relating to transportation.

TRANSPORTATION COMMISSION LEADERSHIP - Under this act, the chair and vice chair of the commission are given the option to rotate positions. The current law requires the vice chair to assume the position of chair when the one year term of the chair expires (Section 226.030).

HAZARDOUS MATERIAL DEFINITION - This act modifies the definition of hazardous materials to correspond with federal law and regulations. This provision is also contained in SB 58 (2009) (Section 302.700).

CDL MILITARY EXEMPTION - This act provides that a military member while driving a vehicle for military purposes is exempt from possessing a CDL. Current law provides that the military member must be driving a military vehicle to qualify for the exemption (Section 302.775). This provision was contained in SB 58 (2009), SS/SCS/SB 761 and 774 (2008) and SS/SCS/SB 239 et al (2007).

FARMER CDL EXEMPTION - This act clarifies the CDL exemption for persons driving farm vehicles. In order to qualify for the exemption, the farm vehicle must be controlled by a farmer or family member, be used to transport agricultural products, machinery, or supplies to or from a farm, not be used in the operations of a common or contract carrier, and be used within 150 miles of the farmer's farm (Section 302.775). This provision was contained in SB 58 (2009) and SS/SCS/SB 761 and 774 (2008).

STEPHEN WITTE

02/09/2009 S First Read--SB 343-Stouffer (S267)

02/11/2009 Second Read and Referred S Transportation Committee (S287)

02/18/2009 Hearing Conducted S Transportation Committee

EFFECTIVE: August 28, 2009

*** SB 344 ***

0867S.011

SENATE SPONSOR: Lager

SB 344 – This act allows the Governor to establish the "P-20 Council" as a private-not-for profit corporation on behalf of the state. The purpose of the P-20 Council will be to create a more efficient and effective education system to more adequately prepare students for entering the workforce and will be reflected in the articles of incorporation and bylaws.

The Council's board of directors will consist of thirteen members, including the Director of the Department of Economic Development, the Commissioner of Higher Education, the Chairperson of the Coordinating Board for Higher Education, the President of the State Board of Education, the Chairperson of the Coordinating Board of Early Childhood, and the Commissioner of Education as well as seven members appointed by the Governor as described in the act.

The Council may receive and borrow money, enter into contracts, and spend money for activities appropriate to its purpose. Duties of the Council may include: studying the potential for a state-coordinated economic and educational policy; determining where obstacles make state support of certain programs difficult; creating programs; and exploring ways to better align academic content. The Council must submit an annual report to the Governor and General Assembly containing information about its operations.

Any debts incurred by the Council will not be considered debt of the state. The Council is subject to an annual audit by the State Auditor and the Council must pay for the cost.

This act allows the Department of Economic Development, the Department of Elementary and Secondary Education, and the Department of Higher Education to contract with the Council for activities described in the act.

This act repeals the statute requiring the Commissioner of Higher Education, the Chair of the Coordinating Board for Higher Education, the Commissioner of Education, the President of the State Board of Education, and the Director of the Department of Economic Development to meet and discuss ways to create a more efficient and effective education system.

This act is identical to SB 1221 (2008).

MICHAEL RUFF

02/09/2009 S First Read--SB 344-Lager (S267)

02/11/2009 Second Read and Referred S Education Committee (S287)

03/25/2009 Hearing Conducted S Education Committee

03/25/2009 Voted Do Pass S Education Committee

EFFECTIVE: August 28, 2009

*** SB 345 ***

0956S.011

SENATE SPONSOR: Lager

SB 345 – This act allows school boards to establish a four day school week instead of a five day school week by the adoption a resolution by a majority vote of board members. Any school district that does so must file a calendar with the Department of Elementary and Secondary Education. A minimum term for a school district adopting a four day school week includes 142 days and 1044 hours of pupil attendance. A school district that adopts a four day school week may make up days lost or cancelled due to inclement weather on the weekday for which school is normally not in session.

This act is similar to HB 1534 (2008).

MICHAEL RUFF

02/09/2009 S First Read--SB 345-Lager (S267)

02/11/2009 Second Read and Referred S Education Committee (S287)

02/18/2009 Hearing Conducted S Education Committee

EFFECTIVE: August 28, 2009

*** SB 346 ***

1332S.021

SENATE SPONSOR: Schaefer

SB 346 - Current law prohibits the sale of individual packs of tobacco products unless they are sold through a vending machine, are displayed behind the check-out counter, or are within view of the clerk at the check-out counter. The act removes the exception for being within view of the clerk at the check-out counter and adds an exception for being sold through a self-service display located in a tobacco specialty store.

After January 1, 2010, self-service displays of tobacco products shall be prohibited in any location except in a tobacco specialty store. A self-service display of tobacco products is one where a consumer has access to tobacco products for sale without the assistance of a sales clerk. The penalties for violating this provision are the same as the current penalties for selling tobacco products to minors.

ERIKA JAQUES

02/10/2009 S First Read--SB 346-Schaefer (S277)

02/11/2009 Second Read and Referred S Small Business, Insurance and Industry Committee (S287)

EFFECTIVE: August 28, 2009

*** SB 347 ***

1565S.011

SENATE SPONSOR: Mayer

SB 347 - This act establishes the Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) to replace the current Uniform Child Custody Jurisdiction Act. This act limits child custody jurisdiction to one state, avoids competing orders, and provides enforcement provisions for child custody orders. This act establishes orders of priority and guidance on issues regarding establishing initial custody determinations, continuing jurisdiction, modification of custody determination, and emergency orders.

The UCCJEA establishes an order of priority for determining which state has proper jurisdiction to make an initial determination of child custody. The order of priority includes a determination of (1) the child's home state, (2) the state in which the child and at least one parent have a significant connection and substantial evidence concerning the custody determination is available or (3) the state having an appropriate connection with the child.

The child's home state is defined as the state where the child has lived with a parent for six consecutive months prior to the commencement of the proceeding, or since birth, for children younger than six months.

Once a state court has made a custody determination, the state keeps exclusive and continuing jurisdiction over all matters concerning the child until circumstances have changed regarding home state status, or there is no longer a significant connection to the state or evidence concerning the child's custody is no longer available in that state. The circumstances are specified in the act.

Also, once a custody determination has been made, a court of another state does not have authority to modify the determination unless the state with jurisdiction determines that it does not have jurisdiction or any state court determines that the child, parents, or any acting parents do not reside in the state which currently has jurisdiction.

A state which does not otherwise have jurisdiction may enter a temporary emergency order if the child is in danger and needs immediate protection. After issuing the order, the state court should determine if there is an existing custody order from another state in effect. If there is an existing order, the emergency court must allow a reasonable time period for the parties to return to the state having jurisdiction and argue the issues to the court with jurisdiction.

If there is no previous child custody order in existence, the emergency court's order will remain in effect until a determination is made in a court having home state jurisdiction over the child. If no determination is made and the emergency court's state becomes the home state of the child, the emergency order becomes a final determination of custody.

This act is substantially similar to HB 187 (2009), HB 1358 (2008), SB 495 (2007) and HB 470 (2007).
ADRIANE CROUSE

02/10/2009 S First Read--SB 347-Mayer (S277)

02/11/2009 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S287)

03/23/2009 Hearing Cancelled S Judiciary and Civil and Criminal Jurisprudence Committee

03/30/2009 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2009

*** SB 348 ***

1279S.011

SENATE SPONSOR: Mayer

SB 348 - Currently, the salary schedule in statute serves as a base salary for county sheriffs and the county salary commission is responsible for computing the salary of elected county officials. Under this act, the sheriff's salary shall not be determined by the commission, rather it shall be set as a percentage of the salary of an associate circuit judge. The percentage is based on the classification of the county in which the sheriff serves. Any sheriff receiving a salary greater than the salaries required under this act, as of August 28, 2009, shall not have his or her salary reduced and shall continue to receive his or her salary as provided on such date.

This act is similar to SB 1193 (2008).
SUSAN HENDERSON MOORE

02/10/2009 S First Read--SB 348-Mayer (S277)

02/11/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S287)

03/11/2009 Hearing Cancelled S Jobs, Economic Development and Local Government Committee

EFFECTIVE: August 28, 2009

*** SB 349 ***

1370S.02I

SENATE SPONSOR: Goodman

SB 349 - This act requires the Director of the Oversight Division of the Joint Committee on Legislative Research to seek information and advice directly from the Division of Tourism for any bill that affects the tourism industry of this state or modifies any state sales tax rate.

JIM ERTLE

02/10/2009 S First Read--SB 349-Goodman and McKenna (S277)
 02/11/2009 Second Read and Referred S General Laws Committee (S287)
 03/03/2009 Hearing Conducted S General Laws Committee
 03/03/2009 Voted Do Pass S General Laws Committee - Consent
 03/04/2009 Reported from S General Laws Committee to Floor - Consent (S474)
 03/10/2009 Removed S Consent Calendar (S580)

EFFECTIVE: August 28, 2009

*** SB 350 ***

1783S.01I

SENATE SPONSOR: Clemens

SB 350 - Hand fishing for catfish and carp during the months of June and July shall be allowable in the same waterways in the state where hook-and-line fishing for such fish is allowable. No more than five catfish may be taken annually via hand fishing. Persons taking catfish by hand must submit a report to the Department of Conservation within 10 days of the close of the hand fishing season. The act lists other requirements for hand fishing.

A violation of the act is a class A misdemeanor.

The act is similar to the perfected SB 1107 (2006).

ERIKA JAQUES

02/10/2009 S First Read--SB 350-Clemens and Shoemyer (S278)
 02/11/2009 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S287)
 02/25/2009 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee
 03/04/2009 Voted Do Pass S Agriculture, Food Production and Outdoor Resources Committee

EFFECTIVE: August 28, 2009

*** SB 351 ***

0329S.05I

SENATE SPONSOR: Shoemyer

SB 351 - Under current law, when the state makes a local sales tax refund to a taxpayer, the state makes payment, which may include interest, to the taxpayer. Then the director of the Department of Revenue deducts the amount of payment from the local government's next local sales tax remittance. This act prohibits the director of the Department of Revenue from withholding remittance of local sales tax revenues to recoup interest payments made due to a local sales tax refund and makes the payment of interest allowed in such a refund the exclusive liability of the state. Where a local sales tax refund would result in a reduction for a remittance period in excess of forty percent, the director of the Department of Revenue may limit the deduction from the local sales tax remittance to not more than fifteen percent of the total amount of the local sales tax refund per remittance period to offset a local sales tax refund. Where the director limits deductions from local sales tax remittance, the refund will be made in installment payments in an amount equal to the deductions. Any person seeking a sales tax refund must provide the department with a plan to remit the refund to the individual or customer who actually paid the tax. If the plan is approved, the a refund will be issued. Material failure to follow the provisions of the plan will result in full repayment of the refund and the imposition of a penalty equal to three times the amount of the refunded amount.

JASON ZAMKUS

02/10/2009 S First Read--SB 351-Shoemyer (S278)
 02/11/2009 Second Read and Referred S Ways and Means Committee (S287)

EFFECTIVE: August 28, 2009

*** SB 352 ***

1825S.011

SENATE SPONSOR: Bray

SB 352 – This act establishes a Commission on the Reorganization of State Health Care which shall have as its purpose the study, review and recommendation of creating a Division of State Health Care within the Office of Administration. The proposed new division would be dedicated to providing health care coverage for all state employees, dependents, retirees and those recipients of MO HealthNet and the State Children's Health Insurance Program (SCHIP) by focusing the purchasing power and streamlining the administration of the state's health care purchasing.

The commission will consist of sixteen members. Four members will come from the legislature, three will be the directors of the Department of Insurance, Financial Institutions and Professional Registration, Social Services and the MO HealthNet Division, one will be the commissioner of the Office of Administration, one will be a member of the Board of Curators of the University of Missouri and the others will be representatives or directors from the various groups that are assimilated under the new Division of State Health Care.

The commission shall submit a report to the General Assembly and governor by December 31, 2009, on the creation of the new division, which will serve through three implementation phases as the lead planning state entity for all health issues in the state.

The commission shall designate a work group to provide analysis on the recommendations required of the commission consisting of members representing any health policy center or program from the public institutions of higher education in the state.

The commission shall also investigate coordinating and purchasing health care benefit plans, during the second phase, for employees of the public schools, community colleges and political subdivisions of the state. The study shall also include the feasibility of creating and administering insurance programs in the third phase for small businesses and the uninsured in the state.

The provisions of this act shall expire on February 1, 2010. This act has an emergency clause.
ADRIANE CROUSE

02/11/2009 S First Read--SB 352-Bray (S284)

02/16/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S312)

EFFECTIVE: Emergency Clause

*** SB 353 ***

1372S.021

SENATE SPONSOR: Schmitt

SB 353 - This act modifies provisions of law which authorize a tax credit for qualified research expenses. The tax credit is limited to research expenses incurred in the research and development of agricultural biotechnology and plant genome products, and prescription pharmaceuticals consumed by animals. The act modifies the time-line for application and issuance of tax credits under the program. Under current law, no qualified research expense tax credits may be approved, awarded or issued after January 1, 2005. This act removes the prohibition on approval and issuance of tax credits and increases the annual tax credit cap from nine million seven hundred thousand to ten million dollars. The director of the Department of Economic Development may allow taxpayers to transfer, sell, or assign up to forty percent of tax credits between January 1, 2010, and December 31, 2016, provided such taxpayer files an application providing certain information regarding such transfer. In the event the amount of claims for tax credits exceed the annual cap, the act provides a method for pro rating issuance of tax credits.

This act is similar to the provision of Senate Bill 1188 (2008) and House Bill 312 (2009).
JASON ZAMKUS

02/11/2009 S First Read--SB 353-Schmitt (S284)

02/16/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S312)

EFFECTIVE: August 28, 2009

*** SB 354 ***

1844S.011

SENATE SPONSOR: Dempsey

SB 354 - This act requires the auditor of any county with a charter form of government to annually take an inventory of county property with an original value of \$2,500 or more, rather than \$250.

SUSAN HENDERSON MOORE

02/11/2009 S First Read--SB 354-Dempsey (S284)
 02/16/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S312)
 03/11/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee
 03/11/2009 Voted Do Pass S Jobs, Economic Development and Local Government Committee - Consent
 03/11/2009 Reported from S Jobs, Economic Development and Local Government Committee to Floor - Consent (S594)
 03/23/2009 Removed S Consent Calendar (S655)

EFFECTIVE: August 28, 2009

*** SB 355 ***

SCS SB 355

1861S.03T

SENATE SPONSOR: Dempsey

HOUSE HANDLER: Wasson

SCS/SB 355 - Under this act, a motor vehicle dealer, boat dealer, or powersport dealer may fill in the blanks on standardized forms in connection with the sale or lease of a new or used motor vehicle, vessel or vessel trailer if the dealer does not charge for the services of filling in the blanks or otherwise charge for preparing documents. The act allows such dealers to charge administrative fees for the storage of documents or any other administrative or clerical services and a portion of the administrative fee may result in profit to the dealer.

Under the act, no dealers that sell or lease motor vehicles, vessels, or vessel trailer and impose administrative fees of less than \$200 in the connection with the sale or lease of such vehicles shall be deemed to be engaging in the unauthorized practice of law.

If an administrative fee is charged, the administrative fee shall be charged to all retail customers, and disclosed on the retail buyer's order form as a separate itemized charge. The act requires certain paperwork provided to the purchaser to include the amount of the administrative fee and a statutory notice informing the purchaser that the administrative fee is not required by law and that no portion of the fee is for the drafting, preparation or completion of documents.

The act provides that if a court determines that the charging of an administrative fee constitutes the unauthorized practice of law, then no person who paid that administrative fee may recover the fee or treble damages and the dealer who charged that fee shall not be guilty of a misdemeanor, as provided by Missouri's unauthorized practice of law statute.

The provisions of this act are similar to those contained in HB 630 (2009).
 STEPHEN WITTE

02/11/2009 S First Read--SB 355-Dempsey (S284)
 02/16/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S312)
 03/04/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee
 03/11/2009 SCS Voted Do Pass S Jobs, Economic Development and Local Government Committee (1861S.03C)
 03/12/2009 Reported from S Jobs, Economic Development and Local Government Committee to Floor w/SCS (S618)
 03/24/2009 SA 1 to SCS S offered & adopted (Crowell)--(1861S03.01S) (S696)
 03/25/2009 SCS, as amended, S adopted (S696)
 03/25/2009 Perfected (S696)
 03/25/2009 Reported Truly Perfected S Rules Committee (S702)
 03/26/2009 S Third Read and Passed (S776 / H750)
 03/26/2009 H First Read (H750)
 03/27/2009 H Second Read (H757)
 04/02/2009 Referred H Special Standing Committee on General Laws Committee (H922)
 04/09/2009 Hearing Conducted H Special Standing Committee on General Laws Committee

04/09/2009 Voted Do Pass H Special Standing Committee on General Laws Committee
 04/09/2009 Reported Do Pass H Special Standing Committee on General Laws Committee (H1024)
 04/09/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1024)
 04/16/2009 Hearing Conducted H Rules Committee
 04/16/2009 Voted Do Pass H Rules Committee
 04/16/2009 Reported Do Pass H Rules Committee (H1109)
 04/21/2009 H Third Read and Passed (H1155 / S1092)
 04/21/2009 Truly Agreed To and Finally Passed (S1092)

EFFECTIVE: August 28, 2009

*** SB 356 ***

1544S.011

SENATE SPONSOR: Purgason

SB 356 - This act modifies the infraction of abandoning a boat dock by making the infraction apply universally to the waters of this state rather than just to lakes having at least 950 miles of aggregate shore line (Section 306.903). This act modifies the law which requires certain dock owners to display identifying information on the dock.

Under the terms of the act, persons owning boat docks on lakes having at least 950 miles of shorelines and lakes constructed or maintain by the U.S. Army Corps of Engineers must display the appropriate 911 street address near the dock. The act details how the 911 address must be displayed (lake side, visible from channel or cove, 3" lettering, etc.). The failure to display identifying dock information is an infraction (Section 306.903).

Under the terms of this act, any person who possesses expanded polystyrene or glass containers (including beverage containers) within 50 feet of a river or stream is guilty of a class C misdemeanor. This provision does not apply to developed campgrounds, picnic areas, landings, roads or parking lots within 50 feet of river or stream (Section 306.105).

STEPHEN WITTE

02/11/2009 S First Read--SB 356-Purgason (S284)
 02/16/2009 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S312)
 03/04/2009 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee
 03/11/2009 Voted Do Pass S Agriculture, Food Production and Outdoor Resources Committee

EFFECTIVE: August 28, 2009

*** SB 357 ***

HCS SB 357

1606L.02C

SENATE SPONSOR: Purgason

HOUSE HANDLER: Dethrow

HCS/SB 357 - This act exempts trailer dealers from submitting a copy of a current dealer garage policy when submitting their license application. This provision of the act is identical to HB 365 (2009).

The act also requires operators of salvage pool sales or subsequent purchasers, who sell nonrepairable vehicles to non-U.S. residents, to stamp the titles to such vehicles with the words "FOR EXPORT ONLY." The current law only assigns this duty to the seller of a nonrepairable vehicle. This provision may be found in SB 177 (2009).

STEPHEN WITTE

02/11/2009 S First Read--SB 357-Purgason (S284)
 02/16/2009 Second Read and Referred S Transportation Committee (S312)
 03/04/2009 Hearing Conducted S Transportation Committee
 03/11/2009 Voted Do Pass S Transportation Committee - Consent
 03/11/2009 Reported from S Transportation Committee to Floor - Consent (S588)
 03/30/2009 S Third Read and Passed - Consent (S795-796 / H793)
 03/30/2009 H First Read (H793)
 03/31/2009 H Second Read (H804)
 03/31/2009 Referred H Insurance Policy Committee (H819)
 04/08/2009 Hearing Conducted H Insurance Policy Committee
 04/08/2009 HCS Voted Do Pass H Insurance Policy Committee - Consent
 04/09/2009 HCS Reported Do Pass H Insurance Policy Committee - Consent (H1021)
 04/09/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1021)

04/14/2009 Hearing Conducted H Rules Committee

04/14/2009 Voted to return to committee of origin H Rules Committee (H1042)

EFFECTIVE: August 28, 2009

*** SB 358 ***

1782S.011

SENATE SPONSOR: Purgason

SB 358 - This act increases the assessed valuation a county must maintain in order to move into a higher classification. The assessed valuation for counties of the first classification is increased from \$600 million to \$750 million. The assessed valuation for counties of the second classification is increased from \$450 million to \$600 million. All counties with an assessed valuation of less than \$600 million will be counties of the third classification.

The required assessed valuation for each classification shall be increased by an amount equal to any percentage increase in the consumer price index.

SUSAN HENDERSON MOORE

02/11/2009 S First Read--SB 358-Purgason (S284)

02/16/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S312)

EFFECTIVE: August 28, 2009

*** SB 359 ***

1738S.011

SENATE SPONSOR: Purgason

SB 359 - Currently, a local government may withdraw from a regional planning commission at the end of any fiscal year by a two-thirds vote of the local government's governing body. Under this act, the governing body shall also withdraw upon voter approval.

If the governing body receives a petition, signed by 15% of the registered voters in the last gubernatorial election, calling for withdrawal, the governing body shall submit the proposal to the voters. If a majority of the votes are in favor of withdrawal, the governing body shall withdraw the local government from the regional planning commission at the end of the fiscal year.

SUSAN HENDERSON MOORE

02/11/2009 S First Read--SB 359-Purgason (S284)

02/16/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S312)

EFFECTIVE: August 28, 2009

*** SB 360 ***

1141S.021

SENATE SPONSOR: Scott

SB 360 - This act requires that individuals acting as mortgage loan originators for residential property be licensed. Mortgage loan originators must also be employed, act under the supervision of a Missouri licensed residential mortgage broker, and register with the National Mortgage Licensing System and Registry "NMLSR". These requirements are not effective until July 31, 2010.

Certain individuals are exempt from licensing, including: mortgage loan originators registered with NMLSR and employed by certain entities, individuals offering or negotiating terms of residential mortgage loans with or on behalf of an immediate family member, individuals offering or negotiating terms of residential mortgage loans secured by their own residence, and certain attorneys who negotiate the terms of a residential mortgage loan on behalf of a client.

Independent contractor loan processors or underwriters for residential real estate must also be licensed as mortgage loan originators, have a unique identifier issued by NMLSR, and certify annually to the Director of the Division of Finance that they will comply with requirements applicable to mortgage loan originators.

Non-federally insured credit unions which employ loan originators must register the loan originators with the NMLSR.

The director of the Division of Finance is authorized to establish licensing rules or regulations for mortgage loan originator licensing. The director may establish expedited procedures for licensing of individuals previously licensed in Missouri as residential mortgage loan brokers. The director is authorized to establish the application form, and enter into relationships and contracts with the NMLSR to collect and maintain records and process fees. The director is also required to establish a process for mortgage loan originators to challenge information entered into NMLSR.

An applicant for licensing as a mortgage loan originator must furnish NMLSR with their fingerprints, personal history, and authorize NMLSR to get their credit report and information related to any administrative, civil, or criminal findings by any governmental agency. Residential mortgage brokers subject to this act must also submit reports to the NMLSR.

Licensees are also required to have continuing education of at least eight hours a year in certain subjects. Provisions for the types of continuing education allowable are included.

The director shall not issue a mortgage loan originator license to anyone, unless the director finds that the applicant: has never had a mortgage loan originator license revoked in any governmental jurisdiction, has not been convicted of certain felonies, or any felony in the last seven years, has demonstrated financial responsibility, character, and fitness for licensing, has completed pre-licensing education requirements, which include at least twenty hours of NMLSR approved courses in specific areas, has passed a NMLSR written test, and met a surety bond requirement.

Standards for renewing mortgage loan originator licenses are also provided. The director is also authorized to adopt procedures for the reinstatement of expired licenses.

The director is authorized to deny licenses to applicants, discipline licensees, order restitution, impose fines, issue cease and desist orders, and order other affirmative action as the director deems necessary. Letters denying or declining to renew a license may be appealed to the residential mortgage board pursuant to the Missouri Administrative Procedure Act. All other matters presenting a contested case involving a licensee may be heard by the director pursuant to the Missouri Administrative Procedure Act. The civil penalty the director may impose is a maximum of \$25,000 per violation.

Mortgage loan originators are required to be covered by the surety bond of the licensed mortgage broker who supervises them. Residential mortgage brokers shall deliver a surety bond to the director prior to the issuance or renewal of a license. The director may promulgate rules or regulations with respect to the requirements of the surety bonds. Provisions regarding the amount of the bond and filing of the bond are also included.

Provisions for the confidentiality of certain information provided by licensees to the director and to the NMLSR are included. Information regarding the employment history and publicly adjudicated disciplinary and enforcement actions against residential mortgage brokers and mortgage originators will be accessible to the public.

The director has the authority to conduct investigations and examinations. The director's investigatory powers and certain actions which would violate the act are specified. The director is required to report violations and other relevant information to the NMLSR.

The unique identifier assigned to each person originating a residential mortgage loan and the residential mortgage loan broker license number must be on all residential mortgage loan application forms, advertisements, business cards, websites, and any other documents as established by the director.

Residential mortgage loan brokers who are licensed by the director are required to report each mortgage loan originator employed under their supervision to the director and report any apparent violations to the director within ten days of detection. The director can grant waivers of the residential mortgage loan broker licensing requirement.

Residential mortgage brokers are required to disclose a loan disclosure statement and fee agreement. Mortgage loan originators may only be compensated by the mortgage loan broker that employs them. If the mortgage broker receives fees greater than the amount they disclosed, they shall forfeit double the amount of fees and compensation to the borrower.

The requirement that a mortgage broker have annual audits is repealed.

EMILY KALMER

02/11/2009 S First Read--SB 360-Scott (S284)

02/16/2009 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S312)

EFFECTIVE: August 28, 2009

*** SB 361 ***

1721S.011

SENATE SPONSOR: Crowell

SCS/SB 361 - This act allows the Dental Board to grant volunteer licenses to retired dentists and dental hygienists. Individuals seeking volunteer licenses are required to file an affidavit stating that they have been licensed for at least ten years, that their license has not been lapsed for the four years prior to their application for a volunteer license, that they are retired, and that their license was in good standing at retirement, and to have met examination and other requirements.

Effective with the licensing period beginning on December 1, 2010, dentists and dental hygienists with limited licenses must renew the limited licenses every two years and are required to submit evidence of current certification in life support and complete certain continuing education requirements.

Dentists with limited licenses may only provide dental and preventative care without compensation to family members and at certain facilities. Dental hygienists with limited licenses may only provide dental hygiene and preventative care without compensation to family members and at certain facilities.

Dentists and dental hygienists are not required to pay any fee for volunteer licenses.

EMILY KALMER

02/11/2009 S First Read--SB 361-Crowell (S284)

02/16/2009 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S312)

02/23/2009 Hearing Conducted S Financial and Governmental Organizations and Elections Committee

03/09/2009 SCS Voted Do Pass S Financial and Governmental Organizations and Elections Committee (1721S.04C)

EFFECTIVE: August 28, 2009

*** SB 362 ***

1846S.011

SENATE SPONSOR: Griesheimer

SCS/SB 362 - This act increases certain user fees collected by county recorders from \$4 to \$7. Of the fee, three dollars, rather than two dollars, shall be deposited into the recorder's fund and two dollars, rather than one dollar, shall be used by the Secretary of State for preservation of local records. Also, two dollars instead of one dollar shall be used to support land surveying activities. All requests for records dated after December 31, 1969, shall be made to the office in which the record was originally filed.

SUSAN HENDERSON MOORE

02/11/2009 S First Read--SB 362-Griesheimer (S285)

02/16/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S312)

02/25/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee

03/05/2009 SCS Voted Do Pass S Jobs, Economic Development and Local Government Committee (1846S.02C)

EFFECTIVE: August 28, 2009

*** SB 363 ***

SS#2 SCS SB 363

1862S.05P

SENATE SPONSOR: Griesheimer

SS#2 FOR SCS/SB 363 - Under this act, beginning January 1, 2012, the Department of Revenue may appoint motor vehicle dealers to act as agents for purpose of titling and registering motor vehicles. Motor vehicle dealers are also authorized under the act to collect and remit sales taxes on motor vehicles. The motor vehicle dealer may only act as an agent for these purposes for an initial sale or lease of a motor vehicle

and not subsequent registrations (Section 32.095).

The act provides that motor vehicle dealers authorized to act as agents for the department cannot collect the fee office fees authorized by section 136.055.

Beginning July 1, 2010, any motor vehicle dealer may apply to the director of revenue for authority to collect and remit motor vehicle sales taxes on all motor vehicles sold by that motor vehicle dealer. A motor vehicle dealer who is granted the authority to collect motor vehicle sales taxes shall be subject to the sales tax law as contained in Chapter 144 (Section 144.070). Motor vehicle dealers that are authorized to collect and remit motor vehicle sales taxes are entitled to retain 2% of the motor vehicle sales tax. No monies from the general revenue fund or other state fund shall be used to compensate motor vehicle dealers for their role in collecting and remitting motor vehicle sales taxes.

Motor vehicle dealers who collect sales taxes on motor vehicles must include the amount of state and local sales taxes collected on each motor vehicle or trailer sold in its monthly sales report (Section 301.280).

The act also provides that a motor vehicle dealer's license may be suspended or revoked if such dealer violates or assists another person to violate the sales tax law (Chapter 144)(Section 301.562).

This act requires the Director of the Department of Revenue to award fee office contracts through a competitive bidding process with priority given to school districts or coalitions of school districts, charitable organizations, nonprofit organizations, and political subdivisions (Section 136.055). This portion of the act is similar to SB 561 (2009).

The act provides that no public governmental body may close a public meeting or record to the extent that such meeting or record concerns the awarding of a fee office contract (Section 610.031).

Under current law, a taxpayer who trades-in or exchanges a motor vehicle, trailer, boat or outboard motor may subtract the value of such transaction from the purchase price of another motor vehicle, trailer, boat or outboard motor if such sale is consummated within one hundred and eighty days of the sale of the original article. If the value of the original transaction equals or exceeds the sale price, no tax is owed. This act allows taxpayers who trade-in or sell a motor vehicle, trailer, boat, or outboard motor for more than the purchase price of another motor vehicle, trailer, boat or outboard motor to apply any excess to any subsequent purchase of such an article within one hundred and eighty days of the original sale of such article. The act extends the same treatment to items replaced due to theft, casualty, or loss. This portion of the act is similar to SB 49 (2009) and SB 725 (2008) (Section 144.025).

STEPHEN WITTE

02/11/2009 S First Read--SB 363-Griesheimer (S285)
 02/16/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S312)
 03/04/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee
 03/11/2009 SCS Voted Do Pass S Jobs, Economic Development and Local Government Committee (1862S.02C)
 03/12/2009 Reported from S Jobs, Economic Development and Local Government Committee to Floor w/SCS (S618)
 03/24/2009 SS for SCS S offered (Griesheimer)--(1862S.04F) (S695)
 03/25/2009 SA 1 to SS for SCS S offered (Shoemyer)--(8129S09.02S) (S695)
 03/25/2009 SA 1 to SA1 to SS for SCS S offered (Purgason)--(1862S04.01S) (S695)
 03/25/2009 Bill Placed on Informal Calendar (S695)
 03/25/2009 SA 1 to SS for SCS S Ruled out of order (S698)
 03/25/2009 SA 2 to SS for SCS S offered (Shoemyer)--(8124S09.01S) (S698-699)
 03/25/2009 Bill Placed on Informal Calendar (S699)
 04/15/2009 SS for SCS S withdrawn (S1024)
 04/15/2009 SS#2 for SCS S offered (Griesheimer)--(1862S.05F) (S1024)
 04/15/2009 SA 1 to SS#2 for SCS S offered & adopted (Green)--(1862S05.01S) (S1024-1025)
 04/15/2009 SA 2 to SS#2 for SCS S offered & adopted (Lembke)--(1862S04.02S) (S1025)
 04/15/2009 SA 3 to SS#2 for SCS S offered & adopted (Scott)--(1862S05.02S) (S1025-1027)
 04/15/2009 Bill Placed on Informal Calendar (S1027)
 04/15/2009 SA 4 to SS#2 for SCS S offered & adopted (Griesheimer)--(1862S05.06S) (S1030-1031)
 04/15/2009 SA 5 to SS#2 for SCS S offered & adopted (Bray)--(1862S05.07S) (S1031)
 04/15/2009 SA 6 to SS#2 for SCS S offered & withdrawn (Shoemyer)--(1862S05.08S) (S1031)
 04/15/2009 SS#2 for SCS, as amended, S adopted (S1031-1032)

04/15/2009 Perfected (S1032)
 04/16/2009 Reported Truly Perfected S Rules Committee (S1052)
 04/16/2009 Referred S Governmental Accountability and Fiscal Oversight Committee (S1052)
 04/23/2009 Voted Do Pass S Governmental Accountability and Fiscal Oversight Committee
 04/23/2009 Reported from S Governmental Accountability and Fiscal Oversight Committee to Floor (S1186)
 04/23/2009 S Third Read and Passed (S1187-1188 / H1261)
 04/23/2009 H First Read (H1261)
 04/24/2009 H Second Read

EFFECTIVE: August 28, 2009

*** SB 364 ***

1283S.021

SENATE SPONSOR: Clemens

SB 364 - This act creates the "Television Electronic Recycling Act".

Television manufacturers shall not sell televisions in Missouri unless the manufacturer's name and brand are affixed on the televisions. By January 1, 2011, any television manufacturer who intends to sell televisions in Missouri must register with the Department of Natural Resources and pay an initial registration fee of \$2,500. Each television manufacturer shall be required thereafter to pay a renewal fee of \$2,500 by January 1st of each year. The registration shall list all the brands used by the television manufacturer.

Beginning in 2012, each television manufacturer who sells televisions in Missouri must recycle a certain amount of discarded televisions based on that manufacturer's market share of televisions sold in Missouri during the previous year. Manufacturers may fulfill this requirement in conjunction with other manufacturers. By January 31, 2012 and on an annual basis thereafter, each television manufacturer must report to the department the amount of televisions it collected and recycled during the previous year.

Beginning January 1, 2011, retailers may only sell televisions of manufacturers who have registered with the department and only televisions labeled with the manufacturer's name and brand. Also by that date, retailers must provide information to their customers regarding television collection and recycling services, which includes the department's website and phone number.

Retailers are not liable for any information left on televisions that they collect and recycle.

The act provides procedures for the department to best determine each television manufacturer's market share and requires the department to notify each manufacturer of the amount it should recycle by March 15, 2012 and annually thereafter.

The department is required to conduct certain information/education activities for consumers.

The department and the Attorney General may enforce the provisions of the act. Any television manufacturer who fails to label its televisions or fails to recycle televisions may be assessed a penalty up to \$10,000 for a first violation, and up to \$25,000 for second or subsequent violations. Individuals or retailers who violate the act's provisions may be subject to a penalty up to \$1,000 for a first violation, and up to \$2,000 for second or subsequent violations. The department shall use the proceeds from paid penalties to offset costs incurred in administering this act and to provide grants to local governments that recycle televisions.

Any financial or proprietary information reported to the department under the act is exempt from the Sunshine Law.

The department shall annually issue a report to the General Assembly based on information reported by manufacturers. The act requires all televisions collected and recycled to be done in accordance with all other laws and requires the department to adopt the Institute of Scrap Recycling Industries, Inc.'s Electronics Recycling Operating Practices in its requirements.

State bidding procedures for televisions must ensure that the requirements of the act are met in any state purchase of televisions.

ERIKA JAQUES

02/12/2009 S First Read--SB 364-Clemens and Schaefer (S292)
 02/16/2009 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S312)

03/04/2009 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee
 03/11/2009 Voted Do Pass S Agriculture, Food Production and Outdoor Resources Committee
 03/12/2009 Reported from S Agriculture, Food Production and Outdoor Resources Committee to Floor
 (S619)
 03/31/2009 Bill Placed on Informal Calendar (S818)
 04/27/2009 S Inf Formal Calendar S Bills for Perfection--SB 364-Clemens and Schaefer

EFFECTIVE: August 28, 2009

*** SB 365 ***

1881S.011

SENATE SPONSOR: Clemens

SB 365 - This act establishes licensing standards for different types of clinical laboratory science personnel. The act licenses clinical laboratory scientists, categorical laboratory scientists, clinical laboratory technicians and clinical laboratory assistants.

The act establishes the Clinical Laboratory Science Board consisting of seven members appointed by the Governor with the advice and consent of the Senate. Among other duties, the board shall establish educational standards and continuing education requirements.

Applicants for licensing are required to be at least 18 years old, submit an application, pay a fee, submit to a background check, pass certain examinations, and meet specific educational requirements.

Temporary licenses are allowed and licensees may be placed on inactive status under certain circumstances. Procedures are established for denial and discipline of licenses and for the review of those administrative decisions.

The board is also authorized to seek injunctions against unlicensed clinical laboratory science personnel and subpoena individuals and documents.

Two years after August 28, 2009, any person who violates this act shall be guilty of a Class A misdemeanor.

This act is similar to SB 1099 (2006), SB 314 (2007), and SB 1162 (2008).

EMILY KALMER

02/12/2009 S First Read--SB 365-Clemens (S292)
 02/16/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S312)
 03/24/2009 Hearing Scheduled But Not Heard S Health, Mental Health, Seniors and Families Committee
 04/07/2009 Hearing Conducted S Health, Mental Health, Seniors and Families Committee

EFFECTIVE: August 28, 2009

*** SB 366 ***

1751S.011

SENATE SPONSOR: Schmitt

SB 366 - This act requires the Governor to annually issue a proclamation setting apart February 14th as "Epilepsy Awareness Day" in Missouri.

JIM ERTLE

02/12/2009 S First Read--SB 366-Schmitt (S293)
 02/16/2009 Second Read and Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S312)
 03/10/2009 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee

EFFECTIVE: August 28, 2009

*** SB 367 ***

1785S.011

SENATE SPONSOR: Ridgeway

SB 367 - Beginning in the 2010 taxable year, this act phases out the corporate income tax over a period of four years so that for the tax year 2014, no corporate income tax will be imposed.

This act is identical to House Bill 178 (2009).

JASON ZAMKUS

02/12/2009 S First Read--SB 367-Ridgeway (S293)
 02/16/2009 Second Read and Referred S Ways and Means Committee (S312)
 03/04/2009 Hearing Conducted S Ways and Means Committee

EFFECTIVE: August 28, 2009

*** SB 368 ***

1891S.02P

SENATE SPONSOR: Stouffer

HOUSE HANDLER: Jones

SB 368 - This act provides that a person operating a motorcycle or bicycle who enters or crosses an intersection controlled by a traffic-control signal against a red light shall have an affirmative defense to that charge if the person establishes all of the following conditions:

- (1) The motorcycle or bicycle has been brought to a complete stop;
- (2) The traffic signal continues to show a red light for an unreasonable time;
- (3) The traffic signal is apparently malfunctioning or, if programmed or engineered to change to a green light only after detecting the approach of a motor vehicle, the signal has apparently failed to detect the arrival of the motorcycle; and
- (4) No motor vehicle or person is approaching on the street or highway to be crossed or entered or is so far away from the intersection that it does not constitute an immediate hazard.

The affirmative defense applies only to a violation for entering or crossing an intersection controlled by a traffic-control signal against a red light and does not provide a defense to any other civil or criminal action.

A similar provision was contained in SB 614 (2007) and SCS/SB 969 (2006).

This provision is also contained in SS/SCS/SB 239 et al (2007).

STEPHEN WITTE

02/12/2009 S First Read--SB 368-Stouffer (S293)
 02/16/2009 Second Read and Referred S Transportation Committee (S313)
 02/25/2009 Hearing Conducted S Transportation Committee
 02/25/2009 Voted Do Pass S Transportation Committee - Consent
 02/25/2009 Reported from S Transportation Committee to Floor - Consent (S384)
 03/09/2009 S Third Read and Passed - Consent (S536-537 / H518)
 03/09/2009 H First Read (H518)
 03/10/2009 H Second Read (H526)
 03/30/2009 Referred H Crime Prevention Committee (H791)
 04/01/2009 Hearing Conducted H Crime Prevention Committee
 04/08/2009 Voted Do Pass H Crime Prevention Committee
 04/23/2009 Reported Do Pass H Crime Prevention Committee (H1257)
 04/23/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1257)

EFFECTIVE: August 28, 2009

*** SB 369 ***

1893S.011

SENATE SPONSOR: Stouffer

SCS/SB 369 - This act changes provisions regarding pharmacy. It allows pharmacists to administer pneumonia, shingles, and meningitis vaccines under certain circumstances and provides that permits are not required for pharmacists to perform nondispensing activities outside of pharmacies.

Pharmacy technicians may assist a pharmacist after they have applied for registration, until the board refuses to issue a certificate of registration. Pharmacy technicians' registration will lapse and become null and void thirty days after the expiration date.

The \$10 filing fee for out-of-state drug distributors is changed to a fee in an amount established by the board.

This act is similar to HB 513 (2009).

EMILY KALMER

02/12/2009 S First Read--SB 369-Stouffer (S293)
 02/16/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S313)

03/24/2009 Hearing Conducted S Health, Mental Health, Seniors and Families Committee

03/31/2009 SCS Voted Do Pass S Health, Mental Health, Seniors and Families Committee (1893S.04C)

EFFECTIVE: August 28, 2009

***** SB 370 *****

1412S.021

SENATE SPONSOR: Bray

SB 370 - This act places a moratorium on foreclosures of real property for one year from its enactment.

Before foreclosure, a creditor shall notify defaulted debtors that they are in default no earlier than 60 days after default and that they have the right to participate in free mediation services administered by the Division of Finance, whereby the division will meet with the creditor and debtor in an attempt to restructure the loan payment schedule or otherwise agree upon a method to cure the default.

Creditors may commence foreclosure 60 days after notice of default and right to seek mediation service or 30 days after the debtor and creditor first meet in mediation, whichever is later.

CHRIS HOGERTY

02/12/2009 S First Read--SB 370-Bray (S293)

02/16/2009 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S313)

EFFECTIVE: Emergency Clause

***** SB 371 *****

1833S.011

SENATE SPONSOR: Bray

SB 371 - This act prohibits the use of expiration dates or service fees on gift certificates. Abandoned or unused gift certificates shall not be subject to state unclaimed property provisions and shall not become the property of the State Treasurer. Violations of the act shall be considered unfair marketing practices subject to certain unlawful merchandising practice penalties.

This act is similar to SB 76 (2007) and SB 685 (2006).

ERIKA JAQUES

02/12/2009 S First Read--SB 371-Bray (S293)

02/16/2009 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S313)

EFFECTIVE: August 28, 2009

***** SB 372 *****

0483S.021

SENATE SPONSOR: Dempsey

SB 372 - Current law gives the Conservation Commission the authority to suspend or revoke hunting permits and privileges for up to 5 years for anyone who accidentally injures another person while hunting. This act gives authority to the Commission to permanently revoke the hunter's permit or privileges if the accident results in another's death.

ERIKA JAQUES

02/12/2009 S First Read--SB 372-Dempsey (S293)

02/16/2009 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S313)

02/25/2009 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee

EFFECTIVE: August 28, 2009

***** SB 373 *****

0782S.021

SENATE SPONSOR: Mayer

SB 373 – For the school year beginning July 1, 2010, students currently enrolled in a public school may enroll in a public school in another school district. The student's parent or guardian must notify the child's school district of residence and the receiving district by January 15 of the preceding school year of the intent

to change the child's enrollment on an application prescribed the Department of Elementary and Secondary Education. If a parent fails to provide notification by January 15, he or she may do so until the third Friday in July of that calendar year provided that the parent has good cause to do so, as described in the act. An application for enrollment may be granted at any time with the approval of the child's school district of residence and the receiving district.

Each school district must adopt a policy outlining appropriate class size and teacher-pupil ratios for all grade levels. No school district is required to admit students if doing so would violate its class size and teacher-pupil ratio. If a school district denies entry to any student, it must state grounds for such denial. School districts must maintain records on the number of transfers requested into and out of the district, the number of pupils it accepts, and the number of pupils it denies.

A parent who enrolls his or her child in another school district under this act may return the child to the school district of residence at a later time. If the parent returns the child to the school district of residence, the parent cannot reenroll the child in the other school district. However, the parent may request enrollment in a different school district by following the procedures in this act.

For students receiving special education services, a request to enroll in another district will only be approved if the receiving district maintains a special education program appropriate for the child. Also, the child's enrollment in the receiving district must not exceed the maximum class size. In addition, a member of the IEP team in the school district of residence must be part of the IEP team in the receiving district for any initial planning sessions. The board of education of the school district of residence must pay the receiving district the actual costs incurred in providing the special education.

Any students who enroll in other school districts under this act will counted, for state school foundation aid purposes, in the student's school district of residence. The school district of residence must pay the receiving district for the student's attendance as described in the act. If a student enrolled in another school district under this act moves to a different school district during the academic year, the first school district of residence must continue paying the receiving district for the remainder of the school year. The new school district of residence must pay for any subsequent years.

The parent is responsible for providing transportation. A school district may provide transportation to a student to and from a point on an existing bus route provided the parent transports the child to that point.

Participation in interscholastic athletics will be governed by the requirements and eligibility standards of the Missouri State High School Activities Association (MSHSAA).

This act is similar to HB 2482 (2008).

MICHAEL RUFF

02/12/2009 S First Read--SB 373-Mayer (S293)

02/16/2009 Second Read and Referred S Education Committee (S313)

03/11/2009 Hearing Cancelled S Education Committee

03/25/2009 Hearing Conducted S Education Committee

EFFECTIVE: August 28, 2009

*** SB 374 ***

1897S.011

SENATE SPONSOR: Mayer

SB 374 - Under this act, the employment-at-will doctrine shall not control when elements of a whistle-blower cause of action for wrongful discharge are established. This cause of action is established if an employee proves by a preponderance of the evidence that the employee reported to the proper authorities conduct that the employee had a good faith and reasonable belief violated a statute, constitutional provision, or regulation and a clearly mandated public policy; the employee was discharged; and the act of reporting was the exclusive factor in the discharge.

Similarly, the employment-at-will doctrine shall not control when elements of a refusal to commit an illegal act cause of action for wrongful discharge in violation of public policy are established. This cause of action is established if an employee proves by a preponderance of the evidence that the employer directed the employee to perform conduct that would, if completed, violate a statute, constitutional provision, or regulation and a clearly mandated public policy; the employee specifically refused to perform the act; the employee was discharged; and the refusal to perform the act was the exclusive factor in the discharge.

This act is similar to HB 1456 (2006), SB 168 (2007), and SB 1046 (2008).
CHRIS HOGERTY

02/12/2009 S First Read--SB 374-Mayer (S293)

02/16/2009 Second Read and Referred S General Laws Committee (S313)

EFFECTIVE: August 28, 2009

*** SB 375 ***

1815S.011

SENATE SPONSOR: Mayer

SB 375 – This act requires health insurance companies to provide coverage for routine patient care costs incurred as the result of phase I clinical trials undertaken to treat cancer. Currently, Section 376.429, RSMo, requires coverage for phases II, III, or IV only. This act also removes any of the additional prerequisites for coverage for phase II trials that do not apply to phase III or IV trials.

ADRIANE CROUSE

02/12/2009 S First Read--SB 375-Mayer, et al (S293)

02/16/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S313)

03/24/2009 Hearing Conducted S Health, Mental Health, Seniors and Families Committee

03/31/2009 Voted Do Pass S Health, Mental Health, Seniors and Families Committee

EFFECTIVE: August 28, 2009

*** SB 376 *** SS SCS SB 376

1744S.05P

SENATE SPONSOR: Lager

SS/SCS/SB 376 - This act creates the Missouri Energy Efficiency Investment Act.

The Public Service Commission (PSC) must allow electric companies to implement and recover costs related to PSC-approved energy efficiency programs. Cost recovery shall only occur when the program has been approved by the PSC, the program results in energy savings, and the program is beneficial to all customers in the class for which the program is proposed. In determining recovery of costs, the PSC shall use a cost-effectiveness test as described. The act allows the electric companies to implement certain programs that are paid for through alternate measures even if the programs do not meet the cost-effectiveness test.

The PSC may develop cost recovery methods to encourage further investments in energy efficiency programs, which may include capitalization of investments, rate design modifications, accelerated depreciation, and allowing the company to retain a portion of the net benefits for its shareholders. The PSC shall fairly apportion the costs and benefits of energy efficiency programs to each customer class except that it may reduce or exempt costs to low-income classes.

Customers may elect not to participate in an electric company's energy efficiency program and not be charged for the associated costs provided the customer meets certain criteria. Customers who elect not to participate will not be eligible to participate in the programs in the future, except as provided by rule by the PSC. Customers who participate in programs starting after August 1, 2009 must participate in the funding recovery for a certain period of time as established by rule by the PSC.

Electric companies must annually report on their energy efficiency activities under the act, with requirements as listed.

Electric companies must list out separately on its customers' bills the cost associated with its energy efficiency programs.

The act prohibits any customer from participating in a company's energy efficiency program that offers a monetary reward for participating if the customer has received a tax credit through the low-income housing or historic preservation tax credit programs. The PSC shall develop rules to prescribe documentation to be provided to the electric company by the customer to prove that he or she did not receive either such tax credit. It shall be a Class A misdemeanor for providing false documentation.

The PSC must develop rules that provide for public disclosure of all the recipients of monetary rewards through energy efficiency programs offered by electric companies under the act.

The act requires any appliance purchased by the state until August 28, 2011 to be an Energy Star rated appliance, unless it is cost-prohibitive.

The act removes the requirement that commissioners of the PSC must live within 45 miles of Jefferson City.

This act is similar to HB 882 (2009).

ERIKA JAQUES

02/16/2009 S First Read--SB 376-Lager and Callahan (S310)
 02/19/2009 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S345)
 03/03/2009 Hearing Cancelled S Commerce, Consumer Protection, Energy and the Environment Committee
 03/24/2009 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee
 03/31/2009 SCS Voted Do Pass S Commerce, Consumer Protection, Energy and the Environment Committee (1744S.04C)
 04/02/2009 Reported from S Commerce, Consumer Protection, Energy and the Environment Committee to Floor w/SCS (S889)
 04/09/2009 SA 1 to SCS S offered (Ridgeway)--(1744S04.03S) (S979)
 04/09/2009 Bill Placed on Informal Calendar (S979)
 04/15/2009 SA 1 to SCS S withdrawn (S1028)
 04/15/2009 SS for SCS S offered (Lager)--(1744S.05F) (S1028)
 04/15/2009 SA 1 to SS for SCS S offered & adopted (Ridgeway)--(1744S05.08S) (S1028)
 04/15/2009 SA 2 to SS for SCS S offered (Ridgeway)--(1744S05.09S) (S1028-1029)
 04/15/2009 SA 1 to SA 2 to SS for SCS S offered & adopted (Lager) (S1029)
 04/15/2009 SA 2 to SS for SCS, as amended, S adopted (S1029)
 04/15/2009 SA 3 to SS for SCS S offered & adopted (Smith)--(1744S05.12S) (S1029)
 04/15/2009 SA 4 to SS for SCS S offered & adopted (Shields)--(1744S05.10S) (S1030)
 04/15/2009 SS for SCS, as amended, S adopted (S1030)
 04/15/2009 Perfected (S1030)
 04/16/2009 Reported Truly Perfected S Rules Committee (S1052)
 04/16/2009 S Third Read and Passed (S1075-1076 / H1145)
 04/20/2009 H First Read (H1145)
 04/21/2009 H Second Read (H1154)
 04/21/2009 Referred H Energy and Environment Committee (H1195)
 04/28/2009 Hearing Scheduled H Energy and Environment Committee--(8:15 am - HR 1)

EFFECTIVE: August 28, 2009

*** SB 377 *** HCS SB 377

1961L.05C

SENATE SPONSOR: Rupp

HOUSE HANDLER: Flook

HCS/SB 377 - This act modifies various provisions relating to business incentives.

SECTION 67.2050

This act allows municipalities to engage in projects involving a technology business facility which is a facility located in an underground mine with at least 2 million square feet of space used for data processing, hosting, Internet publishing and broadcasting, or web search portals. The governing body of any county, city, incorporated town, or village is authorized to: (1) Carry out technology business facility projects for economic development; (2) Accept grants from the federal and state governments for the project's purposes and enter into agreements which may be required by the grantor if the agreements are not contrary to Missouri laws; (3) Receive any gifts and donations from private sources to be used for the project's purposes; and (4) Enter into loan agreements, sell, lease, or mortgage to individuals, partnerships, or corporations any component of a technology business facility. Transactions involving the lease or rental of any project component are exempt from local sales taxes. Leasehold interests will not be subject to property taxes. If an individual or corporation transfers property for a project free of charge to the governing body of any municipality, it will retain the right to have the governing body transfer the donated property back at no cost.

This provision is identical to HB 702 (2009).

SECTION 71.275

The governing body of a municipality may annex a research park that is compact and contiguous to the

existing municipal boundaries if the property has not been sold within the previous six months and the municipality receives the written consent of all the property owners. A "research park" is defined as an area developed by a university to be used by technology-intensive and research-based companies as a business location.

SECTION 99.865

Tax increments for any project of a municipality which fails to provide the statutorily required report to the department of economic development will be returned to the taxing authorities as if no TIF were in effect. The State Auditor is required to make information on municipal tax increment finance projects available to the public in a searchable database on the Auditor's website.

This provision is identical to a provision of HCS/SB 386 (2009).

SECTIONS 99.1082, 99.1088, 99.1090, AND 99.1092

The act defines "other net new revenues" as it relates to the Downtown Revitalization Preservation Program, commonly referred to as MODESA-Lite, as the amount of state sales tax increment or state income tax increment, or the sum of both, as determined under Section 99.918, RSMo; and defines "state income tax increment" as it relates to the Downtown Revitalization Preservation Program, commonly referred to as MODESA-Lite, as an estimate of the income tax due the state for salaries and wages paid to new employees in new jobs in the redevelopment area and created by the redevelopment project. Such estimate will be a percentage of gross payroll based upon analysis done by the Department of Revenue which cannot exceed two percent.

This act allows contributions to a downtown revitalization preservation development project from any private not-for-profit organization or local contributions from tax abatement or other sources to be substituted on a dollar-for-dollar basis for the local match of 100% of payments in lieu of taxes and economic activity taxes from the development's fund.

These provisions are identical to SB 479 (2009) and HCS/SB 386 (2009).

SECTION 100.286

Under current law, the Missouri Development Finance Board is prohibited from issuing the greater of ten million dollars or an amount equal to five percent of growth in general revenue receipts for the preceding three years in Missouri Development Finance Board Infrastructure Development Fund Contribution Tax Credits annually unless the Commissioner of Administration, the director of the Department of Economic Development, and the director of the Department of Revenue agree to exceed such limit. This act limits the authorization or approval of infrastructure and development contribution credits in fiscal year 2010 to no more than ten million dollars. The authorization or approval of infrastructure development contribution fund tax credits after June 30, 2010, is prohibited unless an allocation is made. Such allocation cannot exceed ten million dollars per fiscal year. The limitation on authorization and approval of infrastructure development fund contribution tax credits may only be exceeded by a signed and notarized letter evidencing mutual agreement by the Commissioner of Administration, the director of the Department of Economic Development, the director of the Department of Revenue, the Chairman of the House Budget Committee, and the Chairman of the Senate Appropriations Committee, provided that in such case no more than twenty-five million dollars in tax credits may be authorized for such fiscal year. Taxpayers must file an application with the department of economic development for infrastructure development contribution tax credits. If the amount of eligible applications exceeds the allocation for tax credits, tax credits will be awarded on a first-to-file, first-to-arrive basis. The authorization or approval of infrastructure development fund contribution tax credits is prohibited after June 30, 2013.

SECTION 100.297

For fiscal year 2010, the Missouri Development Finance Board is barred from issuing more than ten million dollars in revenue bonds or notes for which tax credits are available under the bond guarantee program. Beginning July 1, 2010, the issuance of revenue bonds or notes under the Missouri Development Finance Board bond guarantee program will be prohibited, unless an allocation is made for the fiscal year of issuance. Such allocation cannot exceed ten million dollars in bond or note issuance. Bond guarantee tax credits are prohibited from being authorized after June 30, 2011.

SECTIONS 100.710, 100.720, 100.750, 100.760, 100.770

Currently, an eligible industry with an economic development project that is an office industry must create a minimum of 500 new jobs for the purposes of the Business Use Incentives for Large-Scale Development

(BUILD) Program. This act reduces the minimum number of new jobs to 350. Currently, in order to approve an application, the board must find that there is at least one other state that the applicant verifies is being considered for the BUILD project and there is a significant disparity in the project's costs based on the incentives offered by the competing state. The act removes these requirements.

This act also authorizes the Missouri Development Finance Board within the Department of Economic Development to allow the program to temporarily suspend or waive its requirements if market or economic conditions are such that an eligible industry is unable to meet the program's requirements.

These provisions are similar to HCS/HB 575 (2009).

SECTIONS 105.145, 238.207, 238.212, and 238.235

The act requires the circuit court to order a public hearing on the creation and funding of a proposed transportation development district, if the petition to create such district was filed by the owners of all real property within the proposed district. The director of the department of revenue will perform all functions incident to the administration, collection, enforcement, and operation of transportation development district sales taxes. The board of directors of every transportation development district is required to annually submit a report of financial transactions to the state auditor. Failure to timely file such a report by a transportation development district will result in the imposition of a fine not to exceed five hundred dollars. Petitions to create transportation development districts must include details of the budgeted expenditures, including estimated expenditures for real physical improvements, estimated land acquisition expenses, estimated expenses for professional services, and estimated interest charges.

SECTION 135.155

This act allows business headquarters to receive tax credits for new or expanding businesses. Expansions at headquarter facilities will be considered separate business facilities and entitled to the credits if at least 25 new employees and at least \$1 million of new investment are attributed to the expansion. Buildings on multiple noncontiguous properties will be considered one facility if they are in the same county or within the same municipality. No headquarters will receive the credits for facilities commencing or expanding operations after January 1, 2020.

This provision is similar to HCS/HB 313 (2009).

Section 135.680

This act increases the tax credit cap on New Market tax credits to \$27.5 million and extends the date for reauthorization from 2010 to 2012.

This provision is similar to HCS/HB 575 (2009).

SECTION 135.1160

Beginning January 1, 2010, this bill authorizes an income tax credit for costs associated with a taxpayer's renovation of a rented residence. The rental property must be a multi-family dwelling with at least two units, one of which must be occupied by the taxpayer. The credit will be equal to 20% of the renovation's costs, up to \$2,500 per taxpayer. The tax credit will be issued on a first-come, first-served basis and is not refundable or transferable but can be carried forward for three years. No more than \$5 million of these tax credits can be issued in any fiscal year. The provisions of this section will expire December 31 six years from the effective date.

This provision is similar to HB 1019 (2009).

SECTION 144.022

Beginning January 1, 2009, this bill allows airports to retain all revenues received from enplanement sales taxes collected from passengers. The revenues must be used solely for marketing expenses incurred by the airport. The provisions of the bill will expire December 31, 2015.

This provision is similar to HB 1140 (2009).

SECTIONS 144.055

This act authorizes a sales and use tax exemption for machinery, equipment, & computers used by certain data center and server farm facilities.

These provisions are similar to HB 1199 (2009).

SECTION 147.010

Beginning January 1, 2010, this bill increases the outstanding shares and surplus threshold amount used to calculate a corporation's annual franchise tax from \$1 million to \$10 million.

SECTION 208.770

For fiscal years ending on or before June 30, 2010, the total tax credits authorized under the Family Development Account Program shall not exceed \$4 million. For fiscal years beginning on or after July 1, 2010, the total tax credits authorized under this program shall not exceed \$300,000.

SECTION 253.550

No more than \$165 million dollars in historic preservation tax credits may be authorized in fiscal year 2010. The limit shall not apply to tax credits authorized for applicants requesting less than \$350,000 in tax credits for one project. Beginning fiscal year 2011, the amount of tax credits available shall be increased by a percentage equal to the increase in the CPI for All Urban Consumers.

SECTION 253.559

This act creates new requirements that applications for a historic preservation tax credit application must include, such as proof of ownership, floor plans of the existing structure, estimated costs of rehabilitation, proof that the property qualifies as a historic structure, and other information the department requires to a determination. This act provides the procedure that will be followed when an application is denied or when all tax credits for the year are authorized. All projects receiving tax credits must begin rehabilitation within two years and evidence of compliance must be submitted. Failure to comply shall result in rescinding the tax credit.

SECTION 338.337

This act specifies that, under certain conditions, an out-of-state wholesale drug distributor that is a drug manufacturer which produces and distributes from a facility inspected and approved by the federal Food and Drug Administration will not be required to be licensed but must register its business name and address with the Board of Pharmacy within the Department of Insurance, Financial Institutions and Professional Registration and pay a \$10 filing fee. This applies to wholesale drug distributors located in a foreign country, too, so long as they are authorized and in good standing to operate as drug manufacturers within that jurisdiction.

This provision is similar to HCS/HB 575 (2009).

SECTIONS 348.273 & 348.274

Subject to allocation, the Department of Economic Development will be allowed to authorize tax credits to encourage equity investment in technology-based early stage Missouri companies, commonly referred to as angel investments. Investors who contribute the first five hundred thousand dollars in equity investment to a qualified Missouri business may be issued a tax credit equal to thirty percent of the investment or forty percent of the investment if the qualified business is located in a rural area or distressed community. An investor can receive a credit of up to fifty thousand dollars for an investment in a single qualified business and up to one hundred thousand dollars for investments in more than one qualified business per year. Tax credits for equity investment in technology-based early stage Missouri companies may be carried forward for up to three years or transferred.

SECTION 393.110

This act removes the provision prohibiting the Missouri Public Service Commission from having jurisdiction over the rates, financing, accounting, or management of any electrical corporation operating as a not-for-profit cooperative.

This provision is identical to HB 599 (2009).

SECTION 447.708

This act modifies the brownfield redevelopment tax credit to include costs incurred due to environmental insurance premiums and the backfill of areas where contaminated soil excavation occurs. The act allows for the release of a prorated amount of tax credits upon receipt of a letter of completion, for a portion of a project, from the department of natural resources. It limits the tax credits to \$60 million per year.

SECTIONS 620.1039

Currently, no tax credits for qualified research expenses can be approved, awarded, or issued. The act removes these restrictions and allows a tax credit equal to no more than 6.5% of a taxpayer's qualified research expenses. The department is prohibited from issuing more than ten million dollars in tax credits for qualified research expenses annually. Qualified research expenses will be limited to those incurred in the research and development of agricultural biotechnology, plant genomics products, diagnostic and therapeutic medical devices, prescription pharmaceuticals consumed by humans or animals, and electronic patient health record technology. Expenses incurred in the research, development, or manufacturing of power system technology for aerospace, space, defense, or implantable or wearable medical devices or qualified research expenses incurred in the research, development, or manufacturing of gears, speed changers, and industrial high speed drivers utilized in the wind turbine industry are also permitted. The director of the department may allow a taxpayer to transfer up to forty percent of tax credits issued, but not yet claimed, between January 1, 2010, and December 31, 2016. The act requires the director to act between August 1 and August 15 on tax credit applications filed between January 1 and July 1 for claims from the previous year. The formula is specified by which tax credits will be issued if the eligible claims for the credits exceed the annual cap. No one taxpayer can be issued more than thirty percent of the total amount of tax credits authorized in any calendar year.

SECTION 620.1878

This act establishes an energy efficiency project as a new project type under the Quality Jobs Program. Such project is defined as a qualified company that creates at least 50 new jobs and is engaged in the development of new energy efficiency technologies or manufacturing energy efficient products or components. Qualified company with a green jobs project may retain 4% of the withholding tax from its new payroll for five years if the average wage of the new payroll equals or exceeds the county average wage. Five percent can be retained if local incentives equal between 10% and 24% of the new direct local revenue; 6% if local incentives equal between 25% and 49%; or 7% if local incentives equal 50% or more of the new direct local revenue. If the qualified company creates at least 100 new jobs, it may retain this amount for six years or for seven years if it creates at least 500 new jobs. If the withholding tax is not sufficient to provide the entire benefit due the qualified company, the Department of Economic Development will issue a refundable tax credit for the difference. If the qualified company demonstrates to the department that another company expands or commences operations in Missouri or moves to Missouri from another state as a result of its relationship to the qualified company, the qualified company may be eligible for a jobs benefit. The other company must be a direct supplier or a direct purchaser of the qualifying company and must create at least 10 new jobs within a two-year period. The jobs benefit is a tax credit issued to the qualified company for three years and will be equal to 50% of the withholding for the supplier/purchaser company's new jobs if the average wage for these new jobs equals or exceeds the county average wage for the county in which the supplier/purchaser company is located.

Currently, any company which has filed for bankruptcy or has publicly announced its intention to file for bankruptcy protection is prohibited from being deemed a qualifying company for the purposes of the Quality Jobs Program. This bill allows a company which has filed or announced its intention to file for bankruptcy on or after January 1, 2009, to be a qualifying company for the program if it: (1) Certifies to the Department of Economic Development that it plans to reorganize and not to liquidate; and (2) Produces proof after its bankruptcy petition has been filed that it is not delinquent in filing any tax returns or making any payments due to the state including, but not limited to, all tax payments due after the filing of the bankruptcy petition and under the terms of the plan of reorganization.

This act establishes a premium employment project as a new project type under the Quality Jobs Program. A qualified company must, within two years of commencement of operations, create at least 100 new jobs, offer new employees health insurance and pay at least 80% of the premiums, and the wage for at least 100 of the new jobs is equal to or greater than 180% of the county average wage.

A qualified company with a premium employment project may retain 4% of withholding taxes for five years if the average wage of the new payroll equals or exceeds 180% of the county average wage. Five percent may be retained if local incentives equal between 10% and 24% of new direct local revenue; 6% may be retained if the local incentives are between 25% and 49% of new direct local revenue; 8% may be retained if local incentives equal 50% or more of new direct local revenue. If the withholding taxes are not sufficient to provide the entire benefit due to the company, the department will issue a refundable tax credit for the difference. Tax credits issued for premium employment projects will not be considered when issuing tax credits for technology business projects or high-impact projects, nor will they be counted toward the total amount of tax credits issued for the act as a whole. If the qualified company does not pay at least 100 new

employees wages equal to at least 180% of the county average wage, the qualified company will not receive tax credits for the balance of the benefit period but may continue to keep the withholding taxes if it otherwise meets the requirements of a quality jobs small and expanding business or a high-impact project.

The definition of "project facility" under the Quality Jobs Act to include separate buildings located within 15 miles of each other. Currently, the buildings must be within one mile of each other.

This act also revises the definition of "technology business project" to include certain clinical molecular diagnostic laboratories.

It specifies how the department must apply the definition of "project facility" when a business that has already received an approved notice of intent later files another notice of intent. For high impact projects, where such facilities are located within two adjacent counties, the new payroll must equal or exceed the higher county wage of the two counties.

This act removes the per project caps for technology business projects and high impact projects under the Quality Jobs Act.

This act increase the annual cap on the amount of Quality Jobs Act tax credits that can be issued from \$60 million to \$100 million. The cap will not include tax credits issued for premium employment projects.

These provisions are similar to HB 1111 (2009), HCS/HB 575 (2009), & HB 1035 (2009).

SECTION 620.1895

This act allows a county or municipality to establish a "Missouri jobs for technology and science district" (MO-JTS) by adopting a MO-JTS plan and passing an ordinance to create the district. This act describes what must be included in such a plan and the powers of the municipality within such district. It also outlines the procedure that must be followed to establish a MO-JTS.

Under this act, "MO-JTS revenues" is defined as 1) half of the incremental increase in the general revenue portion of state sales tax revenues, excluding sales tax dedicated to the schools, sales and use taxes on motor vehicles, trailers, boats, and outboard motors and futures sales taxes earmarked by law; and 2) up to 100% of the state income tax withheld on behalf of new employees by employers at the businesses located within the project identified in the MO-JTS plan. The amount of MO-JTS revenues generated within a project area shall be available for appropriation by the general assembly from the general revenue fund to the department of economic development (DED). The treasurer shall deposit MO-JTS revenues from DED into the newly created "MO-JTS Projects Financing Fund". Revenues in the fund shall be used to pay for eligible project costs and make payments on obligations whose proceeds were used to pay the project costs.

SECTIONS 620.2050, 620.2053, 620.2056, 620.2059, 620.2062, 620.2065, 620.2068, 620.2071, 620.2074, and 620.2077

This act creates the "Missouri Advantage Act".

Applicants may qualify for benefits in one of five tiers that are based on the investment in qualified property and the hiring of a certain number of new employees. A taxpayer who qualifies under a tier one, two, three, or four project shall be entitled to a credit equal to 3% times the average wage of new employees times the number of new employees if the average wage of the new employees equals at least 60% of the Missouri average annual wage for the year of application. The credit increases when the average wage of the new employee equals an increasingly greater percent of the Missouri average annual wage for the year. Any taxpayer who has met the required levels of employment and investment for a tier two or four project shall receive a credit equal to 10% of the investment made in qualified property at the project. Any taxpayer who has met the required levels of investment and employment for a tier one project shall receive a credit equal to 3% of the investment made in qualified property.

A taxpayer who has a project for an Internet web portal and who has met the required level of investment for a tier five project shall receive an incentive for certain computer systems. Taxpayers qualifying for tier four projects shall receive such incentive.

Applicants must apply with the department of economic development and provide certain information, including the plan of employment and investment, sufficient documentation of the plan and specifications,

evidence to show that employment and investment at different locations are interdependent parts of the plan and a timetable showing the expected sales tax refunds and what year they are expected to be claimed. A nonrefundable application fee must be provided, with the amount varying with the level of the project. The required levels of employment and investment for a project must be met within a certain amount of time depending on the level of the project. After approval, the taxpayer and department shall enter into a written agreement. The required contents of such agreement are described in the act. A taxpayer receiving an incentive under these provisions cannot simultaneously receive benefits under the Quality Jobs Act. A taxpayer and the department may enter into agreements for more than one project and include more than one project in an agreement.

This act describes how the credit may be used by the taxpayer and the provisions for refund claims. The incentives under this program are not transferable except in limited circumstances.

This act creates the "Missouri Incentives Fund" and shall consist of moneys collected under these provisions.

Under this act, the department must submit an annual report to the general assembly regarding the program. The information that must be included is described in the act.

These provisions are identical to HB 1199 (2009).

SUSAN HENDERSON MOORE

02/16/2009 S First Read--SB 377-Rupp (S310)
 02/19/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S345)
 03/04/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee
 03/11/2009 Voted Do Pass S Jobs, Economic Development and Local Government Committee - Consent
 03/11/2009 Reported from S Jobs, Economic Development and Local Government Committee to Floor - Consent (S593)
 03/30/2009 S Third Read and Passed - Consent (S801 / H794)
 03/30/2009 H First Read (H794)
 03/31/2009 H Second Read (H804)
 03/31/2009 Referred H Job Creation and Economic Development Committee (H819)
 04/07/2009 Hearing Conducted H Job Creation and Economic Development Committee
 04/09/2009 HCS Voted Do Pass H Job Creation and Economic Development Committee
 04/14/2009 Motion to Do Pass Bill Reconsidered H Job Creation and Economic Development Committee - adopted
 04/14/2009 Motion to adopt HCS Reconsidered H Job Creation and Economic Development Committee - adopted
 04/16/2009 HCS Voted Do Pass H Job Creation and Economic Development Committee
 04/20/2009 HCS Reported Do Pass H Job Creation and Economic Development Committee (H1143)
 04/21/2009 Hearing Conducted H Rules Committee
 04/21/2009 Voted Do Pass H Rules Committee
 04/21/2009 Reported Do Pass H Rules Committee (H1197)
 04/27/2009 H Calendar S Bills for Third Reading w/HCS

EFFECTIVE: Varies

*** SB 378 ***

1935S.011

SENATE SPONSOR: Nodler

SB 378 - This act extends the sunsets for the Medicaid Managed Care Organization reimbursement allowance, the Pharmacy Tax, and the intermediate care facility for the mentally retarded assessment from June 30, 2009 to September 30, 2011. The sunsets for the Federal Reimbursement Allowance assessment and Nursing Facility Reimbursement Allowance are extended from September 30, 2009 to September 30, 2011.

This act contains an emergency clause.

JASON ZAMKUS

02/16/2009 S First Read--SB 378-Nodler (S310)
 02/19/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S345)
 03/03/2009 Hearing Conducted S Health, Mental Health, Seniors and Families Committee
 03/10/2009 Voted Do Pass S Health, Mental Health, Seniors and Families Committee - Consent

03/11/2009 Reported from S Health, Mental Health, Seniors and Families Committee to Floor - Consent (S588)
 03/12/2009 Removed S Consent Calendar (S631)
 03/26/2009 Reported from S Health, Mental Health, Seniors and Families Committee to Floor (S771)
 04/01/2009 Perfected (S847)
 04/01/2009 Reported Truly Perfected S Rules Committee (S855)
 04/02/2009 S Third Read and Passed (S886-887 / H927)
 04/02/2009 H First Read (H927)
 04/06/2009 H Second Read (H933)
 04/09/2009 Referred H Budget Committee (H1019)

EFFECTIVE: Emergency Clause

*** SB 379 ***

1895S.011

SENATE SPONSOR: McKenna

SB 379 - Beginning July 1, 2009, there shall be minimum salary requirements established for all corrections officers and supervisors.

This act is similar to HB 211 (2009).

SUSAN HENDERSON MOORE

02/16/2009 S First Read--SB 379-McKenna (S310)
 02/19/2009 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S345)

EFFECTIVE: August 28, 2009

*** SB 380 ***

1041S.011

SENATE SPONSOR: Stouffer

SB 380 - This act creates a state and local sales tax exemption for sales of farm products made at farmers' markets.

JASON ZAMKUS

02/16/2009 S First Read--SB 380-Stouffer (S310)
 02/19/2009 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S345)
 03/05/2009 Hearing Conducted S Governmental Accountability and Fiscal Oversight Committee

EFFECTIVE: August 28, 2009

*** SB 381 ***

1853S.011

SENATE SPONSOR: Schaefer

SB 381 - Governmental bodies authorized to own land and charitable organizations or trusts can hold a conservation easement, which is an easement designed to protect or preserve natural or cultural resources on land. A conservation easement can be created in the same manner as provided in law for other types of easements.

ERIKA JAQUES

02/16/2009 S First Read--SB 381-Schaefer (S310)
 02/19/2009 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S345)
 03/04/2009 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee

EFFECTIVE: August 28, 2009

*** SB 382 ***

1864S.011

SENATE SPONSOR: Schaefer

SB 382 - This act requires hospitals to report whenever they have a "serious reportable event in health care," as identified by the National Quality Forum. Such events include wrong-site surgery, retention of a foreign object in a patient after surgery, and death or serious disability associated with medication error.

The procedure for hospitals reporting such events to a patient safety organization are prescribed in the act. The requirements for a patient safety organization are also prescribed in the act. The patient-identifying data shall be redacted from information provided to the patient safety organization. The initial report of the event shall be reported to the patient safety organization no later than the close of business on the next business day following discovery of the incident. The initial report shall include a description of immediate actions taken by the hospital to minimize the risk of harm to patients and prevent reoccurrence. Within 45 days after the event occurred, the hospital shall submit to the patient safety organization a root cause analysis and a prevention plan.

The patient safety organization shall assess the information provided from the hospital and furnish the hospital with findings and recommendations as to how to prevent future incidents.

The patient safety organization shall publish an annual report to the public on reportable incidents. The report shall show the number and rate per patient encounter by region and by category of reportable incident and may identify reportable incidents by type of facility. For purposes of the report, the state shall be divided into no fewer than three regions, with the St. Louis metropolitan statistical area being one of the regions.

This act provides for certain legal protections of patient safety organization documents. The proceedings and records of the organization shall not be subject to discovery or introduction into evidence in any civil action against a provider. However, information otherwise available from original sources shall not be immune from discovery or use in any civil action if they were presented during a patient safety organization meeting. Patient safety work product shall be privileged and confidential pursuant to the federal Patient Safety and Quality Improvement Act of 2005.

This act is similar to HB 497 (2009), SB 916 (2008), and SB 578 (2007).
ADRIANE CROUSE

02/16/2009 S First Read--SB 382-Schaefer (S310)

02/19/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S345)

04/21/2009 Hearing Cancelled S Health, Mental Health, Seniors and Families Committee

EFFECTIVE: August 28, 2009

*** SB 383 ***

SCS SB 383

1834S.04P

SENATE SPONSOR: Dempsey

SCS/SB 383 – This act establishes the Joint Interim Committee on the Public School Retirement System of Missouri to function during the legislative interim after the first regular session of the 95th General Assembly until January 29, 2010. The committee will consist of five members of the Senate and five members of the House of Representatives. The President Pro Tem of the Senate and the Speaker of the House of Representatives will each appoint three members. The minority leaders of the Senate and the House of Representatives will each appoint two members.

The Joint Interim Committee will study issues, including, but not limited to, contribution rates by employers and members, long-term solvency of the Public School Retirement System of Missouri (PSRS), and issues affecting other state retirement systems that may similarly impact PSRS.

The Joint Interim Committee must prepare a final report and recommendations and submit it to the General Assembly by January 29, 2010.

MICHAEL RUFF

02/17/2009 S First Read--SB 383-Dempsey (S317)

02/19/2009 Second Read and Referred S Veterans' Affairs, Pensions and Urban Affairs Committee (S345)

03/12/2009 Hearing Conducted S Veterans' Affairs, Pensions and Urban Affairs Committee

04/02/2009 SCS Voted Do Pass S Veterans' Affairs, Pensions and Urban Affairs Committee (1834S.04C)

04/02/2009 Reported from S Veterans' Affairs, Pensions and Urban Affairs Committee to Floor, with SCS (S889)

04/09/2009 SCS S adopted (S978)

04/09/2009 Perfected (S978)

04/09/2009 Reported Truly Perfected S Rules Committee (S984)

04/16/2009 S Third Read and Passed (S1047 / H1110)

04/16/2009 H First Read (H1110)

04/20/2009 H Second Read (H1117)

EFFECTIVE: August 28, 2009

*** SB 384 ***

1752S.03I

SENATE SPONSOR: Lager

SCS/SB 384 - This act requires the office of the land surveyor in the department of natural resources to promulgate rules and regulations establishing minimum standards for digital cadastral parcel mapping. Any map designed and used to reflect legal property descriptions or boundaries for use in a digital cadastral mapping system must comply with such rules, unless the party requesting the map specifies otherwise in writing, the map was designed and in use prior to the promulgation of the rules, or the parties requesting and designing the map already agreed to their contractual terms on the effective date of the rules promulgation.

The practice of land surveying shall include working with positions of the United States Public Land Survey System. It shall also include creating, preparing or modifying electronic or computerized data relative to the performance of certain other surveying activities; however, such acts shall not be exclusive to professional land surveyors unless they affect real property rights.

SUSAN HENDERSON MOORE

02/17/2009 S First Read--SB 384-Lager (S318)

02/19/2009 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S345)

03/04/2009 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee

04/08/2009 SCS Voted Do Pass S Agriculture, Food Production and Outdoor Resources Committee (1752S.05C)

EFFECTIVE: August 28, 2009

*** SB 385 ***

1497S.01I

SENATE SPONSOR: Lager

SB 385 - Under this act, the county commission of any county without a charter form of government shall have the power to adopt ordinances requiring property owners to control brush on county right-of-ways or county maintenance easements that are part of the property owner's land that is adjacent to the county road.

Before charging a person with an ordinance violation, the county commission shall notify the property owner of the ordinance requirements, return receipt requested. The commission shall allow the owner thirty days from the date of return receipt or refusal of acceptance of delivery to control the brush. The property owner shall be granted an automatic thirty-day extension for hardship if the owner notifies the commission within the first thirty-day period of such reasons. The property owner may be granted a second thirty-day extension upon a vote of the commission.

Any property owner in violation of such a county ordinance may be ordered to pay a civil fine of not more than ten dollars per day. If the owner is found to be in violation of the ordinance, the county shall take action to control the brush as provided under Section 263.245, RSMo, not more than thirty-days after the fine was initially imposed.

SUSAN HENDERSON MOORE

02/17/2009 S First Read--SB 385-Lager (S318)

02/19/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S345)

EFFECTIVE: August 28, 2009

*** SB 386 ***

HCS SB 386

1531L.02C

SENATE SPONSOR: Lager

HOUSE HANDLER: Brown

HCS/SB 386 - This act modifies various provisions relating to political subdivisions.

SECTION 48.020

This act changes the assessed valuation that counties must obtain for different classifications.

SECTION 48.030

This act allows Lincoln County, after meeting the required assessed valuation, to become a second class

county upon a vote of the governing body to change classifications. Currently, a county can only change classifications by a vote of the governing body if it is becoming a first class county; otherwise, the county must be at the required assessed valuation for five years before changing classifications. The effective date of the change in classification shall be at the beginning of the county fiscal year following the election by the governing body.

This provision is similar to SB 574 (2009).

SECTION 48.050

Under this act, when a county changes classification, the salary established for each county official at the time of the change shall not be reduced until such person holding office at the time of the change leaves office.

This provision is identical to SB 557 (2009).

SECTIONS 49.082 & 50.343

This act modifies the continuing education requirements for county officers.

SECTION 49.310

This act allows Caldwell County to establish a jail or holding facility outside of the county seat.

This provision is identical to SB 457 (2009).

SECTIONS 50.660 & 50.783

Under this act, a county is not required to obtain bids on purchases of \$6,000 or less. Currently, such amount is set at \$4,500.

Under current law, counties may waive competitive bidding when the County Commission determines that there is only one feasible source for the supply. This act requires counties to post notice on such proposed purchases of over \$6,000 and advertise the commission's intent to make such purchase in the newspaper at least ten days in advance. Currently, the commission must post notice for such proposed purchases of at least \$3,000 and also advertise in the newspaper for such purchases of at least \$5,000.

These provisions are identical to SB 256 (2009) & HB 376 (2009).

SECTION 52.230

Under current law, the collectors of revenue for every county must mail property tax due notices thirty days prior to the delinquent date to all resident taxpayers. This act requires collectors of revenue in first class counties to provide such notices forty-five days prior to the delinquency date while all other county collectors will be subject to the thirty day requirement, unless a collector is prevented from mailing the notices by circumstances out of the control of such collector. In such a case, the collector must report the reason for delayed mailing to the county commission.

SECTIONS 52.290, 52.312, and 54.010

Currently, in counties without a charter form of government the collector collects a seven percent fee for the collection of delinquent taxes. In counties with a charter form of government and St. Louis City, the collector collects a two percent fee for the collection of such taxes. Under this act, in counties adopting a charter form of government after January 1, 2008, the collector shall collect a seven percent fee for the collection of delinquent taxes, while the collector in counties adopting a charter form of government before January 1, 2008, shall collect a two percent fee.

Currently, all counties, except counties with a charter form of government excluding St. Charles County, are required to establish a "Tax Maintenance Fund" to be used solely as a depository for funds received or collected for the purpose of funding additional costs and expenses incurred in the collector's office. Under this act, counties adopting a charter form of government after January 1, 2008, shall be required to establish such a fund as well.

In the event a county of the third or fourth classification abolishes its township organization, the county collector shall assume all duties, compensation, and requirements of the collector-treasurer.

SECTION 55.030

Current law requires auditors of charter counties to keep an inventory of all county property under the control and management of the county which has an original value of two hundred fifty dollars or more. This act requires the auditor only inventory property with an original value of one thousand dollars or more.

SECTION 55.140

The act grants auditors of first and second class counties access to all records, collections, and settlements for licenses issued by the county and requires county offices to provide the auditor with a monthly listing of the names of the parties to whom such licenses were issued.

SECTION 55.190

This act requires the collectors of counties of the first and second classification to provide the county auditor with daily reports of receipts and a deposit slip showing such day's deposit. Collectors will be required to provide taxpayers a numbered receipt upon collection of taxes.

SECTIONS 60.670 AND 327.272

This act requires the office of the land surveyor in the department of natural resources to promulgate rules and regulations establishing minimum standards for digital cadastral parcel mapping. Any map designed and used to reflect legal property descriptions or boundaries for use in a digital cadastral mapping system must comply with such rules, unless the party requesting the map specifies otherwise in writing, the map was designed and in use prior to the promulgation of the rules, or the parties requesting and designing the map already agreed to their contractual terms on the effective date of the rules promulgation.

The practice of land surveying shall include working with positions of the United States Public Land Survey System. It shall also include creating, preparing or modifying electronic or computerized data relative to the performance of certain other surveying activities; however, such acts shall not be exclusive to professional land surveyors unless they affect real property rights.

SECTION 64.170

This act allows Boone County to adopt, by order or ordinance, regulations to control the minimum standards of occupancy for residential units rented or leased and also to develop a program for licensing and inspecting the units. The county may recover the costs to administer the program through establishing reasonable fees.

SECTION 67.456

Specifies the manner in which each parcel of property in a neighborhood improvement district will be assessed if a single parcel within the district is divided into additional parcels within five years of the final costs of the improvement's assessment.

SECTION 65.610

This section allows the county commission, upon a majority vote, to put the issue of abolishing the county's township organization to a vote of the people. Currently, it requires a petition by ten percent of the voters to submit the issue to a vote.

SECTION 67.280

This section requires communities to file one copy of any technical code adopted with the clerk's office to be available to the public, rather than three copies.

SECTION 67.281

A builder of family residences or multi-unit dwellings with no more than four units must offer purchasers to install fire sprinklers in the residence. No purchaser of such residences shall be denied the right to choose to install the fire sprinkler or decline the offer by the political subdivision's code, ordinance, rule, regulation, order or resolution. Such provisions must provide the mandatory option for purchasers to choose and the requirement that builders offer to purchasers such option.

SECTION 67.304

Currently, a municipality or county has discretion to allow organizations to solicit charitable contributions in its roads. Under this act, a municipality or county is required to authorize organizations to make such solicitations if public safety officers will be making the solicitations. The organization must file a written application providing certain information, including proof of a valid liability insurance policy in an amount of at least one million dollars, in order to receive authorization.

SECTION 67.2000

This act allows real property owners in Caldwell, Clinton, Davies, and DeKalb counties to seek voter approval for the creation of exhibition center and recreational facility districts. If such a district is created, it may seek voter approval for the imposition of a one-quarter of one percent sales tax, for a period not to exceed twenty-five years, to fund the district.

SECTION 67.3000

It shall be lawful for Caldwell County to enter into a contract with private corporations engaged in delivering water at wholesale for domestic consumption. The county may also acquire, own, and hold, with private corporations, water mains.

SECTION 71.275

The governing body of a municipality may annex a research park that is compact and contiguous to the existing municipal boundaries if the property has not been sold within the previous six months and the municipality receives the written consent of all the property owners. The municipality and county shall adopt reciprocal ordinances authorizing the annexation. A "research park" is defined as an area developed by a university to be used by technology-intensive and research-based companies as a business location.

SECTION 82.1026

Under this act, Kansas City may enact ordinances to allow the city building official to petition the circuit court in the county where a vacant nuisance building is located for the appointment of a receiver to rehabilitate the building, demolish it, or sell it to a qualified buyer.

SECTION 84.830

This act repeals provisions of law which currently prohibit any Kansas City police officer from:

- (1) Belonging to a political party committee;
- (2) Soliciting any person to vote for or against any political candidate, party, or organization;
- (3) Making contributions of any kind for political activity; or
- (4) Allowing any solicitation of contributions to take place on police department property.

This act also repeals the provision which prohibits any person from soliciting a police officer or a member of the police board for any political purpose.

This provision is identical to SB 18 (2007).

SECTION 86.362

Beginning August 28, 2009, this act allows any member of the Police Retirement System of St. Louis who has accumulated up to 30 years of creditable service to use accumulated sick leave for vesting purposes or for the Deferred Retirement Option Plan (DROP). For members participating in the DROP, the member can have placed in his or her DROP account a dollar amount equal to his or her accumulated number of sick leave hours multiplied by his or her hourly rate of pay at the time of retirement or a member has the option to place one-half of this dollar amount in his or her account, to have one-fourth of the amount added to his or her average final compensation, and to have the remaining one-fourth of this dollar amount remain as time and added to his or her creditable service.

SECTION 88.832

Third class cities are prohibited from imposing storm water usage fees on property owned by any church, public school, nonprofit organization, or political subdivision.

SECTION 99.710

Under current law, the statement of total assessed valuation for all real property contained in a land clearance for redevelopment project must remain on file in the assessor's office for ten years. This act requires the statement remain on file for at least five years but not more than ten years in the assessor's office.

SECTIONS 99.1082, 99.1088, 99.1090, AND 99.1092

The act defines "other net new revenues" as it relates to the Downtown Revitalization Preservation Program, commonly referred to as MODESA-Lite, as the amount of state sales tax increment or state income

tax increment, or the sum of both, as determined under Section 99.918, RSMo; and defines "state income tax increment" as it relates to the Downtown Revitalization Preservation Program, commonly referred to as MODESA-Lite, as an estimate of the income tax due the state for salaries and wages paid to new employees in new jobs in the redevelopment area and created by the redevelopment project. Such estimate will be a percentage of gross payroll based upon analysis done by the Department of Revenue which cannot exceed two percent.

SECTION 115.607

The act changes the procedures for the election of county political party committee members in Prairie Township outside Kansas City in Jackson County.

SECTION 138.431

Provides that in St. Charles County, the assignment of a hearing officer, for appeals of assessments to the state tax commission, will be deemed to have been made when the scheduling order is first issued and signed by the hearing officer, unless another hearing officer is assigned to the case by other provisions in said order. In St. Charles County, a change of hearing officer of request to have the appeal heard by the full commission or a quorum thereof, must be granted by the commission upon an application filed by a party within thirty days of the assignment of a hearing officer. Such request need not show cause for the change, but no more than one such request will be allowed for each party in an appeal.

SECTION 139.031

Modifies provisions of law regarding the payment of taxes under protest and prohibits the dismissal of an appeal of property taxes due to a failure to file a written statement when paying taxes based upon a disputed statement.

SECTIONS 139.140, 139.150, 139.210, AND 139.220

Modifies provisions of law regarding the duties of the various city and county collectors of the state.

SECTION 140.150

The act requires county collectors to send up to three notices prior to a tax sale to the publicly recorded owner of record of the real property. The first notice is by first class mail, the second by certified mail, and a third notice is sent if the certified mail is returned unsigned to both the owner of record and the occupant of the real property at least fifteen days before the fourth Monday in August.

SECTION 140.160

Removes the requirement that the county auditor provide a list of all delinquent and back taxes and unpaid special assessments when conducting annual audits of county collectors. Under current law, a copy of such audits may be provided to the city collectors, within the county, at the discretion of the county collector. This act allows a copy of such audit to be provided to all applicable taxing entities, within the county, at the discretion of the county collector.

SECTIONS 140.190, 140.250, 140.290

The purchase price of the property at a third offering must be at least equal to the sum of the delinquent taxes, interest, penalties, and costs. The certificate of purchase will be issued to an agent if the purchaser is a nonresident. The purchaser is required to pay a fee to the collector to record the certificate of purchase. After the third offering, the collector's deed or trustee's deed will have priority over all the other liens or encumbrances on the property sold except for real property taxes or federal liens.

SECTIONS 140.230, 140.260

If a land sale for satisfaction of delinquent or back taxes results in an amount greater than the amount of debt, taxes, interest, and costs; the excess proceeds must be held in trust in the county treasury for three years for the publicly recorded owner or owners of the property sold or their legal representatives. After three years, any amount not called for will be deposited into the county's school fund.

SECTIONS 140.310, 140.340, 140.420

The redemption periods for the owner of record to redeem tax sale property are revised; and the owner must reimburse the purchaser for all costs of sale, including the cost for recording the certificate of purchase, the fee to record the release of the certificate, the cost of the title search, the cost of the required certified mail notifications, interest at the rate specified on the certificate, and any taxes paid by the purchaser plus eight percent interest.

SECTION 165.071

Requires county collectors to perform the same duties as collector-treasurers with regard to monthly payments to school districts.

SECTION 182.647

Currently, the librarian of a consolidated public library district is required to submit an annual status report to the district board by August thirty-first, and the board is required to submit this report and an independent audit to the county commission and the State Library Commission by September thirtieth of each year. This bill changes the due dates to September thirtieth and October thirty-first, respectively.

SECTIONS 221.360, 221.365, 221.370, 221.375, 221.380, 221.385, 221.390

Authorizes County Sheriffs to require prisoners, to perform labor in county work programs upon the roads, bridges, or other public works of the county or any other projects for which public funds could be expended. Sheriffs may hire such prisoners out to other counties to perform similar labor, but may not lease such prisoners to work for any private interests except nonprofit organizations. Sheriffs must provide food, clothing and medical attention as well as other necessities for such prisoners and are prohibited from requiring prisoners from working more than eight hours a day with no more than two additional hours for travel to and from the work site. Sheriffs are prohibited from compelling prisoners with legitimate physical, mental, or health problems from such labor, or requiring prisoners to perform labor which would be detrimental to a prisoner's physical or mental health. Any sheriff or employee of the sheriff who treats of a prisoner in a cruel or inhuman manner will be guilty of a class A misdemeanor. The sheriff must protect prisoners from insult by others, persistence of a person to insult or annoy prisoners after being commanded to cease by the sheriff will result in such person being found guilty of a class C misdemeanor. Prisoners will be entitled to a credit of one dollar per day for labor performed against any fines and costs imposed against such prisoner.

SECTION 300.349

Allows licensed drivers to operate off-highway vehicles on gravel or dirt roads located in any charter county in certain situations. Anyone violating these provisions will be guilty of a class C misdemeanor and may be subject to a civil penalty of up to one thousand dollars per day of violation.

SECTIONS 304.287, 304.288, 304.289, 304.290

The act establishes the Missouri Universal Red Light Enforcement Act which allows various political entities to establish automated photo red light enforcement systems to detect red light signal violations. Prior to installation, all systems must be registered with the Department of Transportation. At the time of registration, a one-time, five hundred dollar-per-light fee will be collected and deposited into the Red Light Enforcement Fund for conducting audits to ensure entity compliance with the provisions of the act. The roadway must be clearly marked with a white stripe indicating the stop line and the perimeter of the intersection prior to activation of the system. The entity must also install warning signs within five hundred feet of the white stripe indicating the stop line and have the signal phase timings at the intersection certified by the department. Prior to installing the automated enforcement system, the entity must give notice of the intersection where the system will be located and the date on which the system will begin to monitor the intersection. The entity must give the notice at least 14 days prior to the installation of the system in a newspaper of general circulation throughout the area served by the entity.

The act requires entities implementing a system to submit an annual report to the department regarding:

- (1) The number of intersections enforced by an active system;
- (2) The number of notices of violation mailed;
- (3) The number of notices of violation paid;
- (4) The number of hearings; and
- (5) The total revenue collected as a result of the system.

Any entity failing to complete the annual report within 45 days of its due date will be fined \$50,000 and must remove all automated photo red light enforcement systems. Entities that establish an automated photo red light enforcement system may contract with a private vendor to perform operational and administrative tasks associated with the use of the system but not the issuance of the notice of violation. Any compensation paid to a private vendor must not be based upon the number of violations mailed, the number of citations issued, the number of violations paid, or the amount of revenue collected by the entity.

Before a notice of violation may be issued, all images produced by a system must be reviewed and

approved by a law enforcement officer employed by the entity in which the alleged violation occurred. Based on inspection of recorded images, a signed notice of violation or copy of the notice alleging that the violation occurred will be evidence of the facts and will be admissible in any proceeding. The act specifies what the notice of violation is to contain including a copy of two recorded images and a zoomed and cropped image of the vehicle's license plate and an image of the driver as well as information on how he or she can review the alleged violation and contest it. Any issued notice of violation must be mailed no later than three business days after the violation was recorded by the automated system.

The penalties and court costs imposed for a violation must not exceed an amount that would have been imposed if the violation had been detected by a law enforcement officer present when the violation occurred. A person who commits a red light violation will be guilty of a moving violation as specified in Section 302.302. A person charged with committing a red light violation may rebut the violation by filing an affidavit with the court that he or she was not the operator of the vehicle at the time of the alleged violation. Entities must issue warning notices for the first 30 days after a system is installed, and no entity may use a photo radar system to enforce speeding violations. Entities will also be required to maintain photographic and other recorded evidence for at least three years. Photographic and recorded evidence will not be subject to disclosure under the Open Meetings and Records Law, commonly known as the Sunshine Law.

SECTION 311.060

Currently, a liquor license may not be denied, suspended, or revoked based solely on the fact that an employee has a felony conviction unrelated to the manufacture or sale of alcohol if the employee does not directly participate in retail sales. Under this act, the employee may not directly participate in retail sales at any establishment where less than fifty percent of the gross income is derived from the sale of prepared meals or food consumed on the premises.

SECTION 319.015

Modifies the definition of the term "approximate location" to a strip of land not wider than the width of the underground facility plus eighteen inches rather than two feet, for purposes of the Underground Facility Safety and Damage Prevention Act.

SECTION 429.015

Currently, architects, engineers, landscape architects, land surveyors, and corporations registered to do the work of these professions who perform work on buildings or land have a lien on the building or land to the extent of one acre. This act increases the lien to encompass three acres.

SECTION 431.210

Specifies that the automatic renewal of contracts for service, maintenance, or repair to or for any residential real property intended for personal, family, or household use will be invalid unless a written notice by certified mail or email is given to the customer thirty to ninety days prior to the contract being renewed.

SECTION 447.708

Modifies the brownfield redevelopment tax credit to include costs incurred due to environmental insurance premiums and the backfill of areas where contaminated soil excavation occurs. The act allows for the release of a prorated amount of tax credits upon receipt of a letter of completion, for a portion of a project, from the department of natural resources.

SECTION 473.745

The act requires the City of St. Louis to provide suitable furnishings and to purchase all necessary supplies for the public administrator. All necessary expenses of the public administrator must be approved by the comptroller and paid out of the city treasury. Upon approval of a majority of the circuit court judges of the city, the public administrator is authorized to employ as many deputies and assistants as the public administrator deems necessary and to set their compensation up to a certain limit established by the board of aldermen. When appointed by the probate division or the circuit court, the public administrator must act as trustee or successor trustee for any additional duties imposed.

SECTION 490.240

Allows electronic versions of ordinances, resolutions, rules, orders, or bylaws of cities and towns to be submitted as evidence in court.

SECTION 701.355

Allows the Elevator Safety Board within the Department of Insurance, Financial Institutions and

Professional Registration to adopt a code of rules and regulations governing licenses of elevator mechanics and elevator contractors.

SECTION 1

Allows first class counties to establish curfews for persons under the age of seventeen. Any minor and who violates such curfew will be guilty of a class C misdemeanor. If such minor's legal guardian has knowledge of such violation he or she will also be guilty of a class C misdemeanor.

SECTION 2

Requires political subdivisions to revise property tax rates for each subclass of real and personal property, exclusive of new construction and improvements, to produce the same amount of revenue as was produced in the previous year for each subclass of property provided such rate does not exceed the greater of the rate in effect for the 1984 tax year or the most recently voter-approved rate.

SECTION 3

Requires every person seeking election to the position of county executive or presiding commission for any charter county with an assessed valuation of fifteen billion dollars or more to hold a bachelor's degree from an accredited four-year university.

JASON ZAMKUS

02/17/2009 S First Read--SB 386-Lager (S318)
 02/19/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S345)
 03/04/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee
 03/11/2009 Voted Do Pass S Jobs, Economic Development and Local Government Committee - Consent
 03/11/2009 Reported from S Jobs, Economic Development and Local Government Committee to Floor - Consent (S593)
 03/30/2009 S Third Read and Passed - Consent (S800-801 / H794)
 03/30/2009 H First Read (H794)
 03/31/2009 H Second Read (H804)
 03/31/2009 Referred H Local Government Committee (H819)
 04/15/2009 Hearing Conducted H Local Government Committee
 04/15/2009 HCS Voted Do Pass H Local Government Committee
 04/16/2009 HCS Reported Do Pass H Local Government Committee (H1109)
 04/16/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1109)

EFFECTIVE: August 28, 2009

*** SB 387 ***

0820S.01P

SENATE SPONSOR: Barnitz

SB 387 - This act authorizes the City of Waynesville, upon voter approval, to impose a transient guest tax of up to three percent per occupied hotel and motel room per night. The revenues derived from the tax must be used to fund the construction, maintenance, and repair of a multipurpose conference and convention center.

This act is identical to House Bill 1967 (2008) and House Bill 28 (2009).

JASON ZAMKUS

02/17/2009 S First Read--SB 387-Barnitz (S318)
 02/19/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S345)
 03/04/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee
 03/11/2009 Voted Do Pass S Jobs, Economic Development and Local Government Committee - Consent
 03/11/2009 Reported from S Jobs, Economic Development and Local Government Committee to Floor - Consent (S593)
 03/30/2009 S Third Read and Passed - Consent (S800 / H794)
 03/30/2009 H First Read (H794)
 03/31/2009 H Second Read (H804)
 03/31/2009 Referred H Local Government Committee (H819)
 04/08/2009 Hearing Conducted H Local Government Committee

EFFECTIVE: August 28, 2009

*** SB 388 ***

0825S.011

SENATE SPONSOR: Barnitz

SB 388 - This act modifies various provisions relating to foster care and adoption.

This act provides that any employee of the Children's Division of the Department of Social Services may choose to become qualified or licensed as an emergency placement provider, a respite care provider, or a licensed foster home. Any employee who becomes qualified or licensed shall not provide care for any child in his or her caseload, but may, upon supervisory approval, choose to transfer the case to another employee in order to be able to provide such care. Sections 210.482, 210.486.7, and 210.545.

Also, the Children's Division is required to establish procedures and promulgate rules to provide applications to become a licensed foster or preadoptive home, and approximately one half of all training, education, or other coursework to become licensed shall be available and able to be completed on an Internet web site created and maintained by the division. Section 210.486.8.

This act requires the guardian ad litem to ascertain the child's wishes and feelings about potential foster care placement or adoption by conducting an interview or interviews with the child, if appropriate based on the child's age and maturity level. The child's wishes and feelings shall be considered as a factor when the children's division makes decisions and recommendations regarding foster care placement, and shall be considered by the court as a factor in determining if adoption is in the child's best interests. Such consideration shall not supersede the preference for placement with relatives. Section 210.565 and 453.030.

This act also provides that if an employee or agent of the children's division knowingly provides incorrect information to a foster parent or prospective adoptive parent in order to secure placement of a child, or knowingly fails to provide information that is pertinent to the care of the child or the protection of the foster family, the action shall result in three days suspension without pay, and shall be recorded and kept on record by the division. If an employee or agent of a licensed child placing agency knowingly provides such incorrect information or fails to provide such pertinent information to a foster or prospective adoptive parent, the action shall also result in three days suspension without pay, shall be recorded and kept on record by the licensing division or department following consideration as to whether such action constitutes a basis for suspension or revocation of the agency's license. Sections 210.566 and 453.026.

This is identical to SB 1242 (2008).

ADRIANE CROUSE

02/17/2009 S First Read--SB 388-Barnitz (S318)

02/19/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S345)

EFFECTIVE: August 28, 2009

*** SB 389 ***

0252S.011

SENATE SPONSOR: Bray

SB 389 - This act modifies provisions regarding public officials, lobbyists and campaign finance.

Under this act, the per diem for Senators and Representatives is raised from 80% to 100%.

The act imposes certain disclosure and reporting requirements for certain public servants who are offered bribes.

Public officials and state employees are barred from lobbying while in an elected position or employed in the state and are further barred from lobbying for two years after leaving their respective office or employment.

Members of the General Assembly are barred from accepting meals, food, beverages, and other gifts from lobbyists but they may reimburse the lobbyist within 30 days of receiving knowledge of the indiscretion.

Lobbyists shall file supplemental reports documenting the name and address of each of their clients and the monetary value of all payments paid to the lobbyist. Lobbyists shall supply copies of all reports required by the ethics commission to each new client. Lobbyists shall notify clients when they enter a contract to represent a client with materially adverse interests.

Appeals for ethics complaints are directed to the circuit court of Cole County instead of the Administrative Hearing Commission.

Treasurers of committees may only act as such for one committee at a time.

This act reinstates the campaign contribution limits that were repealed in the previous legislative session. The limits are \$325 for candidates for the House of Representatives, \$650 for Senate candidates and \$1,275 for candidates for statewide office. Previously, candidate committees, exploratory committees, campaign committees, and continuing committees which were not political party committees were subject to the same contribution limits while political party committees are allowed to contribute a greater amount. This act holds political party committees to the same limits as all other committees.

Continuing committees may not make contributions to any other committee.

Currently, reports for noncommittee expenditures and expenditures for internal dissemination of certain information relating to candidates and ballot issues when made 14 days prior to the election must be filed within 48 hours of the expenditure. Under this act, such expenditures must be made within 24 hours of the expenditure when made 12 days prior to the election.

This act is similar to SB 1102 (2008).

CHRIS HOGERTY

02/17/2009 S First Read--SB 389-Bray (S318)

02/19/2009 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S345)

03/05/2009 Hearing Conducted S Governmental Accountability and Fiscal Oversight Committee

EFFECTIVE: August 28, 2009

*** SB 390 ***

1919S.011

SENATE SPONSOR: Schaefer

SB 390 – This act modifies the financial assistance amounts provided through the Access Missouri Financial Assistance Program. The financial assistance amounts currently in existence will be applicable only for the 2009-2010 academic year. In addition, this act adds new financial assistance amounts for the 2010-2011 academic year and beyond. A student attending an institution classified as part of the public two-year sector will be eligible for \$1,000 maximum and \$300 minimum. A student attending an institution classified as part of the public four-year sector, including Linn State Technical College, or approved private institutions will be eligible for \$2,850 maximum and \$1,500 minimum.

MICHAEL RUFF

02/17/2009 S First Read--SB 390-Schaefer, et al (S318)

02/19/2009 Second Read and Referred S Education Committee (S345)

04/01/2009 Hearing Conducted S Education Committee

04/08/2009 Hearing Conducted S Education Committee

EFFECTIVE: August 28, 2009

*** SB 391 ***

1921S.011

SENATE SPONSOR: Schaefer

SCS/SB 391 - The act limits liability to no more than \$2 million total, and no more than \$300,000 per individual, in cases of personal injury or death related to geologic sequestration of carbon dioxide or other gases from a single site. The limits do not apply to worker's compensation cases. The act prohibits the inclusion of punitive damages in any such award for personal injury or death from geologic sequestration activities. In cases involving an award to multiple claimants, an individual claimant may ask the court to apportion his or her share of the total award. The provisions of the act apply only to sites located in Greene County.

ERIKA JAQUES

02/17/2009 S First Read--SB 391-Schaefer (S318)

02/19/2009 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S345)

03/10/2009 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee

03/31/2009 SCS Voted Do Pass S Commerce, Consumer Protection, Energy and the Environment
Committee (1921S.04C)

EFFECTIVE: August 28, 2009

*** SB 392 ***

2014S.011

SENATE SPONSOR: Shields

SB 392 - Under current law, taxable income of corporations is taxed annually at a rate of six and one-fourth percent. Beginning tax year 2011, this act gradually reduces the rate of tax on corporate income by twenty percent per year such that by tax year 2015, no tax will be imposed upon corporate income.

This act is similar to Senate Bill 367 (2009) and House Bill 178 (2009).

JASON ZAMKUS

02/18/2009 S First Read--SB 392-Shields (S326)
02/19/2009 Second Read and Referred S Ways and Means Committee (S345)
03/04/2009 Hearing Conducted S Ways and Means Committee

EFFECTIVE: August 28, 2009

*** SB 393 ***

1335S.011

SENATE SPONSOR: Green

SB 393 - This act repeals the provisions of the Missouri Development Finance Board Act including the creation of the board itself and the loan and tax credit programs administered by the board.

JASON ZAMKUS

02/18/2009 S First Read--SB 393-Green and Bartle (S326)
02/19/2009 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee
(S345)

EFFECTIVE: August 28, 2009

*** SB 394 ***

SCS SB 394

1809S.03P

SENATE SPONSOR: Ridgeway

HOUSE HANDLER: Ervin

SCS/SB 394 - This act allows businesses to use terms like drug store or apothecary in their business name. As long as a person is not engaged in the practice of pharmacy, a person can use a historical name in reference to their business without violating the pharmacy laws. The Board of Pharmacy still has the authority to enforce the restrictions on the use of terms such as "drug store" against sellers of naturopathic or homeopathic services or any herbal, nutritional, vitamin, dietary, mineral, or other supplement intended for human application, absorption, or consumption.

EMILY KALMER

02/18/2009 S First Read--SB 394-Ridgeway (S326)
02/19/2009 Second Read and Referred S Small Business, Insurance and Industry Committee (S345)
03/03/2009 Hearing Conducted S Small Business, Insurance and Industry Committee
03/10/2009 SCS Voted Do Pass S Small Business, Insurance and Industry Committee - Consent
(1809S.03C)
03/11/2009 Reported from S Small Business, Insurance and Industry Committee to Floor w/SCS - Conent
(S589)
03/30/2009 SCS S adopted (S797)
03/30/2009 S Third Read and Passed - Consent (S797-798 / H794)
03/30/2009 H First Read (H794)
03/31/2009 H Second Read (H804)
03/31/2009 Referred H Special Standing Committee on General Laws Committee (H819)
04/07/2009 Hearing Conducted H Special Standing Committee on General Laws Committee
04/07/2009 Voted Do Pass H Special Standing Committee on General Laws Committee - Consent
04/07/2009 Reported Do Pass H Special Standing Committee on General Laws Committee - Consent
04/07/2009 Referred to Rules Committee pursuant to Rule 25(32)(f)
04/09/2009 Hearing Conducted H Rules Committee
04/09/2009 Voted Do Pass H Rules Committee - Consent
04/09/2009 Reported Do Pass H Rules Committee - Consent (H1025)

04/27/2009 H Consent Calendar

EFFECTIVE: August 28, 2009

*** SB 395 ***

1726S.011

SENATE SPONSOR: Ridgeway

SB 395 – This act makes it a Class C felony for any school district employee or school board member to knowingly make a false statement or provide false information in conjunction with a school district employee's application for retirement benefits with the Public School Retirement System of Missouri (PSRS) or with any certification made regarding the employee's employment status to PSRS.

This act makes it a Class C felony for any school board member to knowingly vote to approve an employment contract for a certified teacher or administrator that contains provisions designed to evade the 550 hour limitation and 50% pay limitation for retired members who seek to work on a part-time or substitute basis.

This act makes it a Class C felony for any school board member to knowingly vote to approve an employment contract for a certified teacher or administrator that contains provisions to reemploy that individual after the waiting period following retirement, which is specified in rule and is currently sixty days.

MICHAEL RUFF

02/18/2009 S First Read--SB 395-Ridgeway (S326)

02/19/2009 Second Read and Referred S Veterans' Affairs, Pensions and Urban Affairs Committee (S345)

EFFECTIVE: August 28, 2009

*** SB 396 ***

HCS SB 396

2015L.03C

SENATE SPONSOR: Justus

HOUSE HANDLER: Nance

HCS/SB 396 - This act modifies various provisions relating to liquor control.

This act repeals the current provisions regulating nonintoxicating beer and requires such beer to be regulated in the same manner as other intoxicating liquors.

Currently, a liquor license may not be denied, suspended, or revoked based solely on the fact that an employee has a felony conviction unrelated to the manufacture or sale of alcohol if the employee does not directly participate in retail sales. Under this act, the employee would no longer be prohibited from directly participating in retail sales.

This act allows certain charitable, fraternal, religious, service, or veterans' organizations that are exempt from federal taxes and have a license to sell intoxicating liquor by the drink on their premises to open on Sundays at 9:00 a.m. instead of 11:00 a.m.

This act allows a restaurant bar without an onsite brewery that serves 45 or more different types of draft beer to sell 32 fluid ounces or more of beer to customers for consumption off the premises.

This act repeals certain liquor control provisions pertaining to wholesalers, including exceptions to the wholesaler price regulations and provisions requiring wholesalers to file a schedule with the Supervisor of Alcohol and Tobacco Control in order to operate. Instead, wholesalers are required to make product information, including price, available to retailers no later than five days prior to the first day of the month in which the pricing will be effective. The price provided shall become effective on the first date of the next month and remain in effect until the last day of that month. Supplemental pricing information may be provided to retailers for items that were unintentionally left off the regular information listing after approval by the Division of Alcohol and Tobacco Control.

This act changes the procedure allowing wholesalers to take delivery orders for upcoming months and also changes the requirements for "delayed shipments" under the division's rules and regulations.

This act allows wholesalers to offer retailers merchandise at prices which are below the wholesaler's cost only if such merchandise is specifically designated as "close-out merchandise" when providing the monthly pricing information. The act forbids wholesalers from buying more of such "close-out merchandise". Such "close-out merchandise" shall be designated as such for not less than six consecutive months. After such

time, a wholesaler may remove items from its "close-out" designation by no longer identifying them as such on its monthly pricing information.

This act is similar to SB 426 (2009), HB 159 (2009), HB 132 (2009), HB 943 (2009), HCS/SB 171 (2009) and SCS/SB 188 (2009).

SUSAN HENDERSON MOORE

02/18/2009 S First Read--SB 396-Justus (S326)
 02/19/2009 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S346)
 03/09/2009 Hearing Conducted S Financial and Governmental Organizations and Elections Committee
 03/09/2009 Voted Do Pass S Financial and Governmental Organizations and Elections Committee - Consent
 03/11/2009 Reported from S Financial and Governmental Organizations and Elections Committee to Floor - Consent (S587)
 03/26/2009 S Third Read and Passed - Consent (S779-780 / H750)
 03/26/2009 H First Read (H750)
 03/27/2009 H Second Read (H757)
 03/30/2009 Referred H Special Standing Committee on General Laws Committee (H791)
 04/07/2009 Hearing Conducted H Special Standing Committee on General Laws Committee
 04/07/2009 HCS Voted Do Pass H Special Standing Committee on General Laws Committee
 04/14/2009 HCS Reported Do Pass H Special Standing Committee on General Laws Committee (H1040)
 04/14/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1040)

EFFECTIVE: August 28, 2009

*** SB 397 ***

1123S.041

SENATE SPONSOR: Shoemyer

SB 397 - This act creates the Board of Auto Body Repair and sets out the requirements for membership on the board. This board would license auto body repair facilities, excluding those who specialize in certain services, and license physical damage appraisers.

AUTO BODY REPAIR FACILITIES

As requirements for licensing, auto body repair facilities must submit an application to the board, pay a licensing fee of \$250 annually, have all required state and federal licenses, permits, and registrations, provide proof of insurance, provide proof of compliance with EPA and OSHA training requirements, provide proof that employees have completed current National Institute for Automotive Service Excellence (ASE) for the type of work being performed, possess or have access to proper equipment, possess an enclosed area for spray painting refinish operations, and possess an acceptable current reference source for estimating the cost of repairs. To renew their license the facility must prove completion of continuing education.

Facilities may apply for temporary licenses for up to ninety days to have time to come into compliance with licensing requirements. Facilities that have operated for a certain time period can obtain a provisional license to allow them one calendar year to meet these requirements, except the continuing education requirements must be commenced within ninety days. Facilities must post their license and their retail labor rates.

Temporary paintless dent repair businesses are required to pay licensing fees and comply with other requirements.

A vehicle owner who signs a repair order with a auto body repair facility will be deemed to have a contract with that facility. The facility will be entitled to recover the cost and expenses from the vehicle owner if the owner cancels the contract before the repair work is complete. Costs are payable before the vehicle is removed from the facility's premises.

The board is authorized to file complaints with the Administrative Hearing Commission for specific violations and to discipline the facility license. The board may also seek an injunction against anyone who operates an auto body facility without a license. Among other powers, the board has the power to inspect the facility, issue rules and regulations to administer this act, investigate complaints, and impose civil penalties.

AUTO BODY PHYSICAL DAMAGE APPRAISERS

Among other requirements, to be licensed as a physical damage appraiser an individual must submit an application, have certification from the National Institute for Automotive Service Excellence in Damage

Analysis and Estimating, comply with continuing education requirements, pay a licensing fee, and provide evidence that any entity on whose behalf they prepare or alter estimates is licensed as a corporation in Missouri.

Applicants who have been employed as appraisers for a certain time period can obtain a provisional license. Appraisers licensed in other states shall have their license recognized in Missouri in the case of catastrophic losses, after submitting information as required by the board, and paying a temporary permit fee.

The board is authorized to file complaints with the Administrative Hearing Commission for specific violations and to discipline the appraiser's license. Among other powers, the board has the power to issue rules and regulations to administer this act, impose civil penalties, and seek injunctions.

Estimates of damage must be prepared using accepted manuals or systems. Estimates prepared by a facility with a certain appraisal system that are questioned by an insurer are only subject to audit by the same appraisal system. A physical inspection of the vehicle is required when the extent of damage is in dispute. The retail labor rates of auto body repair facilities must be used to determine any prevailing labor rate.

Physical damage appraisers, insurers, and other individuals are prohibited from engaging in certain behavior with regard to motor vehicles with damage. All estimates for physical damage claims written on behalf of an insurer must include a notice that vehicle owners have the right to choose the repair facility of their choice and that no one shall use intimidation to change the owner's choice.

EMILY KALMER

02/18/2009 S First Read--SB 397-Shoemyer and Griesheimer (S326)

02/19/2009 Second Read and Referred S Small Business, Insurance and Industry Committee (S346)

EFFECTIVE: August 28, 2009

*** SB 398 ***

1993S.01P

SENATE SPONSOR: Barnitz

HOUSE HANDLER: Loehner

SB 398 - Currently, property owners may post purple marks on trees or posts around an area to prohibit trespassers. This act allows the marks to be a post capped or marked on at least its top two inches if certain specifications are met. Prior to applying a cap or mark on a fence between the land of different owners, all such owners shall agree to such decision.

This act is identical to SB 1178 (2008), HB 1026 (2007) & SB 632 (2007).

SUSAN HENDERSON MOORE

02/18/2009 S First Read--SB 398-Barnitz (S326)

02/19/2009 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S346)

03/04/2009 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee

03/04/2009 Voted Do Pass S Agriculture, Food Production and Outdoor Resources Committee - Consent

03/11/2009 Reported from S Agriculture, Food Production and Outdoor Resources Committee to Floor (S588)

03/30/2009 S Third Read and Passed - Consent (S795 / H794)

03/30/2009 H First Read (H794)

03/31/2009 H Second Read (H804)

03/31/2009 Referred H Agriculture Policy Committee (H819)

04/09/2009 Hearing Conducted H Agriculture Policy Committee

04/09/2009 Voted Do Pass H Agriculture Policy Committee - Consent

04/09/2009 Reported Do Pass H Agriculture Policy Committee - Consent (H1020)

04/09/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1020)

04/14/2009 Hearing Conducted H Rules Committee

04/14/2009 Voted Do Pass H Rules Committee - Consent

04/14/2009 Reported Do Pass H Rules Committee - Consent (H1043)

04/27/2009 H Consent Calendar

EFFECTIVE: August 28, 2009

*** SB 399 ***

2016S.01P

SENATE SPONSOR: Justus

SB 399 - In Jackson County, the court shall stay the sale of any tax parcel to be sold under execution of a tax foreclosure judgment, which is the subject of an action filed under the provisions governing nonprofit organizations taking possession of certain abandoned property, if the party which brought such action has paid into the court the principal amount of all land taxes due under the tax foreclosure judgment prior to the date of any proposed sale under execution. The party bringing such action shall provide written notice of the filing to the court administrator and file with the court a certificate that such notice has been provided to the administrator.

Upon the court granting temporary possession of the abandoned property to the nonprofit organization, and also upon approval of the sheriff's deed for such property, the circuit court shall direct payment to the county collector of all principal land taxes already paid to the court. When granting a sheriff's deed, the court shall also order the permanent extinguishment of liability against the grantee of the sheriff's deed and all successors in interest, except for any defendant in such action. The funds paid to the court for land taxes shall then be paid to the county collector. If the owner of the abandoned property moves the court for restoration of the property, he or she must pay all land taxes due, including penalties, interest, fees, and costs.

If the party which brings such an action, dismisses its action prior to gaining temporary possession, it shall recover the money paid to the court prior to the date for principal land taxes. If the owner of the tax parcel regains possession, the party bringing the action shall recover from the owner an amount equal to that paid by the party.

SUSAN HENDERSON MOORE

02/19/2009 S First Read--SB 399-Justus (S337)
 02/25/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S401)
 03/11/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee
 03/11/2009 Voted Do Pass S Jobs, Economic Development and Local Government Committee - Consent
 03/11/2009 Reported from S Jobs, Economic Development and Local Government Committee to Floor - Consent (S593)
 03/30/2009 S Third Read and Passed - Consent (S799-800 / H794)
 03/30/2009 H First Read (H794)
 03/31/2009 H Second Read (H804)
 03/31/2009 Referred H Local Government Committee (H819)
 04/08/2009 Hearing Conducted H Local Government Committee

EFFECTIVE: August 28, 2009

*** SB 400 ***

1757S.011

SENATE SPONSOR: Dempsey

SB 400 - This act creates the Board of Auto Body Repair and sets out the requirements for membership on the board. This board would license auto body repair facilities, excluding those who specialize in certain auto body repair services, and license physical damage appraisers.

AUTO BODY REPAIR FACILITIES

As requirements for licensing, auto body repair facilities must submit an application to the board, pay a licensing fee of \$250 annually, have all required state and federal licenses, permits, and registrations, provide proof of insurance, provide proof of compliance with EPA and OSHA training requirements, provide proof that at least one employee or eighty percent of the employees performing repairs, whichever is greater, have completed ASE certification, possess proper equipment, possess specified equipment for spray painting refinish operations, and possess an acceptable current reference source for estimating the cost of repairs. For license renewal, at least one employee or eighty percent of the employees performing repairs, whichever is greater, must also complete eight hours of approved continuing education each year.

Facilities may obtain temporary licenses for up to ninety days to have time to come into compliance with licensing requirements. Facilities that have operated for a certain time period can obtain a provisional license to allow them one calendar year to meet these requirements, except the continuing education requirements must be commenced within ninety days. Facilities must post their license and their retail labor rates.

The board is authorized to file complaints with the Administrative Hearing Commission for specific violations and discipline the facility license. The board may also seek an injunction against anyone who

operates an auto body facility without a license. Among other powers, the board has the power to inspect the facility, issue rules and regulations to administer this act, investigate complaints, and impose civil penalties.

AUTO BODY PHYSICAL DAMAGE APPRAISERS

Among other requirements, to be licensed as a physical damage appraiser an individual must submit an application, have certification from the National Institute for Automotive Service Excellence in Damage Analysis and Estimating, pay a licensing fee, and provide evidence that any entity attempting to alter an estimate is licensed as a corporation in Missouri. For license renewal, the appraiser must also comply with continuing education requirements.

Applicants who have been employed as appraisers for a certain time period can obtain a provisional license. Appraisers licensed in other states shall have their license recognized in Missouri in the case of catastrophic losses, after submitting information as required by the board and paying a temporary permit fee.

The board is authorized to file complaints with the Administrative Hearing Commission for specific violations and discipline the appraiser's license. Among other powers, the board has the power to issue rules and regulations to administer this act, impose civil penalties, and seek injunctions.

Estimates of damage must be prepared using accepted manuals or systems. Estimates prepared by a facility with a certain appraisal system are only subject to audit by the same system. A physical inspection of the vehicle is required when then the extent of damages is in dispute.

EMILY KALMER

02/19/2009 S First Read--SB 400-Dempsey (S337)

02/25/2009 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S401)

EFFECTIVE: August 28, 2009

*** SB 401 ***

0868S.03I

SENATE SPONSOR: Goodman

SB 401 - This act adds one circuit court judge to the thirty-eighth circuit, one circuit judge to the thirty-ninth circuit, and one circuit judge to the fortieth judicial circuit, effective January 1, 2011. In each circuit the two judges will sit in divisions numbered one and two. The judge who sits in the circuit on December 31, 2010 will sit in division one. The judge who will sit in division two will be elected at the 2010 election, with the next election for division two being held in 2016.

EMILY KALMER

02/19/2009 S First Read--SB 401-Goodman (S338)

02/25/2009 Second Read and Referred S General Laws Committee (S401)

EFFECTIVE: August 28, 2009

*** SB 402 ***

1994S.01I

SENATE SPONSOR: Goodman

SB 402 - Currently, a person commits the crime of tampering with a judicial officer if he or she threatens or commits certain acts for the purpose of harassing, intimidating, or influencing a judicial officer. Judicial officers include judges, arbitrators, special masters, juvenile court commissioners, probation or parole officers, and referees. This crime is a Class C felony.

This act would expand the crime of tampering with a judicial officer to prohibit such acts against prosecutors and assistant prosecutors.

This act is identical to SB 415 (2007).

SUSAN HENDERSON MOORE

02/19/2009 S First Read--SB 402-Goodman (S338)

02/25/2009 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S401)

03/30/2009 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2009

*** SB 403 ***

1822S.01I

SENATE SPONSOR: Vogel

SB 403 - This act requires that certain state officials engaged in military service only receive their state salary to the same extent as other state employees who are engaged in military service.

EMILY KALMER

02/19/2009 S First Read--SB 403-Vogel (S338)

02/25/2009 Second Read and Referred S Ways and Means Committee (S401)

EFFECTIVE: August 28, 2009

*** SB 404 ***

1988S.011

SENATE SPONSOR: Mayer

SB 404 - This act repeals the two percent gross receipts tax on suppliers of pull-tab cards and the two-tenths of one cent per bingo card or progressive bingo card tax imposed on suppliers of such cards.

This act is identical to House Bill 620 (2009).

JASON ZAMKUS

02/19/2009 S First Read--SB 404-Mayer (S338)

02/25/2009 Second Read and Referred S Ways and Means Committee (S401)

04/01/2009 Hearing Conducted S Ways and Means Committee

EFFECTIVE: August 28, 2009

*** SB 405 ***

1702S.011

SENATE SPONSOR: Scott

SB 405 - This act revises several provisions relating to manufactured homes. Most notably, the law revises the procedure for obtaining a title to an abandoned manufactured home.

NOTICE TO BUYER OF USED HOME SETUPS - Under this act, a manufactured home dealer may have his or her license suspended or revoked for failing to provide notice to a purchaser of a used manufactured home that the Public Service Commission does not regulate setup of used manufactured homes (Section 700.100.3(7)).

MANUFACTURED HOME BENEFICIARY TITLES - This act allows owners of manufactured homes who own the home as joint tenants with the right of survivorship or as tenants by the entirety to receive a certificate of ownership in beneficiary form from the Director of the Department of Revenue. The certificate of ownership shall direct the director to transfer the certificate on the death of the owners to the beneficiaries. A certificate of ownership in beneficiary form shall not be issued to persons who hold their interest in a manufactured home as tenants in common.

During the lifetime of the owners, the signature of the beneficiary shall not be required for transactions relating to the manufactured home. The owner may revoke the certificate of ownership or change beneficiaries before the death of the owner under certain conditions. For instance, the certificate of ownership may be revoked by the sale of the home with proper assignment of certificate of ownership. The certificate of ownership in beneficiary form may also be revoked by filing an application to reissue the certificate of ownership with no designation of a beneficiary or with the designation of a different beneficiary.

A beneficiary's interest in the home shall be subject to contracts of sale, assignments of ownership, or security interests which to which the owner or owners were subject to during their lifetime. A beneficiary interest in a certificate of ownership may not be changed or revoked by will or other instruments.

The director shall issue a new certificate of ownership to the surviving owners or beneficiaries upon proof of death (Section 700.330).

RELEASE OF LIEN ON ELECTRONIC CERTIFICATE OF OWNERSHIP - This act requires a lienholder to notify the director within 10 business days of any release of a lien if an electronic certificate is being held by the director. The director shall note the release on the electronic certificate and deliver the certificate free of any lien to the owner if no other lien exists (Section 700.370).

This act requires persons who hold security interests in manufactured homes to verify to the Department of Revenue that he or she has paid the landowner in which the manufactured home was repossessed from all past due rent that the holder is obligated to pay under this act (Section 700.385).

ABANDONED MANUFACTURED HOME - Under this act, a manufactured home situated upon land of another person pursuant to a rental agreement shall be deemed abandoned if:

- (1) The property owner reasonably believes the homeowner has vacated the premises and does not intend to return;
- (2) The rent is past due for 30 days; and
- (3) The homeowner has failed to respond to the landowner's notice or has failed to contest a petition regarding the issue of abandonment (Section 700.526).

LIEN AGAINST MANUFACTURED HOME FOR UNPAID RENT - Under this act, a landowner shall have a lien for unpaid rent against a manufactured home if the home is abandoned on the landowner's land and is not subject to a lien perfected Sections 700.350 to 700.380.

The process for enforcing the lien on unpaid rent is modified under the act. The landowner must provide the manufactured home owner notice before enforcing the lien. The landowner must give the manufactured home owner opportunity to redeem the manufactured home by paying all unpaid rent. The notice must also advise the home owner of his or her legal rights and that the manufactured home owner may contest the lien filing by filing a petition to that effect in the county circuit court in which the manufactured home is located. If the manufactured home owner does not redeem the home within 30 days from the date of the mailing, and no petition has been filed in circuit court, the real property owner may apply for a certificate of title.

If the Director of the Department of Revenue is satisfied with the contents of the application, a certificate of ownership or certificate of title shall be issued to the land owner (captioned "lien title")(Section 700.527.8).

Upon receipt of the lien title, the holder shall within 30 days begin proceedings to sell the home. The real property owner may recover actual and necessary expenses incurred in obtaining the lien title (including reasonable attorney's fees and advertising costs).

The owner of the home must be given at least 20 days notice of the sale of the home.

The owner of the manufactured home may redeem the home by paying all past due rent and expenses. If not redeemed, the landowner may sell the home.

The act sets forth how the proceeds of the sale are to be distributed. Any excess proceeds shall be paid to the homeowner. If the homeowner cannot be located within 30 days of the sale, the excess proceeds shall be deposited with the county treasurer. The county treasurer shall credit the excess to the county's general revenue fund, subject to the right of the homeowner to reclaim the excess within three years of its deposit. The act provides that a person who fails to deposit the excess proceeds with the county treasurer shall be liable for double the amount of the proceeds.

A landowner who follows the requirements of this section shall be absolved from any liability resulting from the taking of possession of the home (Section 700.527).

MANUFACTURED HOMEOWNER'S RIGHT TO CONTEST LIEN - The manufactured homeowner may, within 10 days of the mailing of the notice, may contest the real property owner's lien in the home. If the owner contests the lien in circuit court, he or she will have to post a cash or surety bond for the unpaid rent in order to have the home released. Once the bond is posted, the court will direct the land owner to release the home to the home owner. The court will also determine whether unpaid rent is due. The court may direct that the rent be paid from the posted bond or grant the landowner a security interest in the home (Section 700.528).

LIEN FOR REAL PROPERTY OWNER ON AN ABANDONED MANUFACTURED HOME WHERE ANOTHER LIEN EXISTS - If a person abandons a manufactured home on real property of a person who is leasing the land to the manufactured homeowner and there is an existing lien on the home and is in default, the real property owner shall have a lien for unpaid rent against the manufactured home provided the real

property owner gives notice to the manufactured home owner and the party holding the lien in the manner set forth by the act.

The notice must contain a statement that if the rent is not paid within 30 days from the mailing of the notice and the lien is not contested, the real property owner will have a lien against the manufactured home which will superior to the other party's perfected lien. The homeowner and the perfected lienholder shall not remove the manufactured home from the property until the landlord is paid for past due rent. The perfected lienholder is not entitled to a certificate of title from the Department of Revenue until the lienholder has paid all rent it is obligated to pay to the real property owner. The owner of the abandoned home or the perfected lienholder may file a petition, within 10 days of the mailing of the notice, to contest the real property owner's lien. If the court determines that the homeowner or the perfected lienholder owe unpaid rent, the court shall declare a lien in the real property owner's favor (Section 700.529).

The act also repeals several provisions of law relating to Missouri's current procedure for obtaining title to an abandoned manufactured home.

STEPHEN WITTE

02/19/2009 S First Read--SB 405-Scott (S338)

02/25/2009 Second Read and Referred S General Laws Committee (S401)

EFFECTIVE: August 28, 2009

*** SB 406 *** SS SCS SB 406

1787S.06P

SENATE SPONSOR: Scott

SS/SCS/SB 406 - This act authorizes physician assistants who meet certain requirements to prescribe Schedule III, IV, or V controlled substances. No physician shall be required to delegate controlled substance prescribing authority to a physician assistant.

Pharmacists are also required to list the name of the physician assistant and the physician assistant's supervising physician on the prescription label.

This act also modifies the requirements for collaborative practice arrangements between advanced practice registered nurses and collaborating physicians. Advanced practice registered nurses are required to submit a minimum of ten percent of the documentation of their prescribing practices to the physician for review every fourteen days. The collaborating physician shall review twenty percent of the charts in which the advanced practice registered nurse wrote a prescription for controlled substances every fourteen days. The charts reviewed for prescription of controlled substances may be counted in the number of charts required to be reviewed for prescribing practices.

EMILY KALMER

02/19/2009 S First Read--SB 406-Scott (S338)

02/25/2009 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S401)

03/09/2009 Hearing Conducted S Financial and Governmental Organizations and Elections Committee

03/23/2009 SCS Voted Do Pass S Financial and Governmental Organizations and Elections Committee (1787S.04C)

03/26/2009 Reported from S Financial and Governmental Organizations and Elections Committee to Floor w/SCS (S770)

04/01/2009 SS for SCS S offered & adopted (Scott)--(1787S.06F) (S847)

04/01/2009 Perfected (S847)

04/01/2009 Reported Truly Perfected S Rules Committee (S855)

04/02/2009 S Third Read and Passed (S887-888 / H927)

04/02/2009 H First Read (H927)

04/06/2009 H Second Read (H933)

04/09/2009 Referred H Special Standing Committee on Professional Registration and Licensing Committee (H1019)

04/15/2009 Hearing Conducted H Special Standing Committee on Professional Registration and Licensing Committee

EFFECTIVE: August 28, 2009

*** SB 407 ***

1986S.011

SENATE SPONSOR: Scott

SB 407 - This act requires the Board of Trustees of the Missouri Consolidated Health Care Plan to commission a comprehensive study regarding how other states administer their state employee health care plans. The act delineates the issues to be examined by the board including if the state health care plan is self-funded, whether the plan offers stop-loss coverage, reinsurance, or assumes all financial risks related to the administration of the plan. The board shall issue the report to the General Assembly by January 1, 2010. The report shall include recommendations to the General Assembly on how the state can improve the Missouri Consolidated Health Care Plan based upon the board's survey of other state plans.

ADRIANE CROUSE

02/19/2009 S First Read--SB 407-Scott (S338)

02/25/2009 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S401)

04/20/2009 Hearing Conducted S Financial and Governmental Organizations and Elections Committee

04/20/2009 Voted Do Pass S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2009

*** SB 408 ***

0651S.02I

SENATE SPONSOR: Scott

SB 408 - This act grants the Attorney General concurrent jurisdiction with prosecuting attorneys to prosecute persons who have passed a bad check when the face amount of such check is at least \$1,000.

SUSAN HENDERSON MOORE

02/19/2009 S First Read--SB 408-Scott (S338)

02/25/2009 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S401)

EFFECTIVE: August 28, 2009

*** SB 409 ***

SCS SB 409

2034S.02C

SENATE SPONSOR: Stouffer

SCS/SB 409 - The current authorization to collect a fee from retailers that sell new tires in Missouri expires on January 1, 2010. This act extends the authorization until January 1, 2020.

The act provides that any unexpended balance in the Solid Waste Management Fund shall not be swept into the General Revenue Fund, and interest earned by the Solid Waste Management Fund shall remain in the Fund.

Under current law, the Department of Natural Resources may use up to 5% of its portion of the tire fees collected for the purpose of educational programs and curricula. The act specifies that the educational programs must be environmentally-related and assist the Department implement the solid waste laws.

Current law allows the Department to use up to 25% of its portion of the tire fees collected to remove tires from illegal tire dumps and address nuisances created by illegal tire dumps. The act increases the percentage of funding that may be used for these purposes to 50%. Similarly, the act increases from 5% to 45%, the amount of its fee revenue that the Department may spend on grants to people who will use products made from scrap tires.

The act allows charitable, fraternal, and other non-profit organizations to be eligible for reimbursement of costs associated with disposal costs of scrap tires collected during a voluntary land or river cleanup event. Local governments may also be eligible for similar reimbursement, provided their costs are not part of their normal operating costs.

ERIKA JAQUES

02/23/2009 S First Read--SB 409-Stouffer (S351)

02/25/2009 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S401)

03/11/2009 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee

03/11/2009 SCS Voted Do Pass S Agriculture, Food Production and Outdoor Resources Committee (2034S.02C)

03/12/2009 Reported from S Agriculture, Food Production and Outdoor Resources Committee to Floor w/SCS (S619)

03/31/2009 Bill Placed on Informal Calendar (S818)

04/27/2009 S Inf Formal Calendar S Bills for Perfection--SB 409-Stouffer, with SCS (pending)

EFFECTIVE: August 28, 2009

*** SB 410 ***

1203S.031

SENATE SPONSOR: Stouffer

SB 410 - This act modifies various provisions relating to the laws governing medical malpractice insurance.

This act provides a definition for the term "claim" as it is used in the medical malpractice insurance claims reporting provisions. The act also provides a definition for the term "self-insurer" for those provisions as the act subjects persons and other entities that assume liability for the payment of medical malpractice claims to the data and claims reporting provisions of Sections 383.100 to 383.125 (Section 383.100).

Under the act, the director must submit certain information to appropriate health care licensing boards. The director must also submit a report containing certain medical malpractice claims information to the Department of Social Services so that it can determine whether the injured party was concurrently enrolled in Mo HealthNet when the alleged malpractice occurred.

The act institutes new confidentiality rules related to the disclosure of data related to the medical malpractice claim information submitted to the director. All medical malpractice claims data submitted to the director shall be considered confidential and immune from Sunshine Law requests.

Medical malpractice claims data that is the subject of a filed lawsuit may only be released after the claims are closed and in a prescribed format outlined by the act. All data elements that reasonably could reveal any parties involved, either directly or indirectly, to a malpractice actions or claims, shall be removed prior to making any such data public. Any references to a county or smaller geographic unit shall be suppressed, though county-level data may be released in aggregate form. No records that include any indemnity payments or expense amounts that identify a particular medical specialty may be released on an individual record basis unless there are a minimum of four additional claims during an annual period against practitioners of the same medical specialty for each identifiable unit of geography. All dates shall be anonymized prior to public release. Specific dates shall not be released in any form more precise than the year corresponding to the date. Data that reasonably could identify an insurer shall be anonymized prior to the public release of the individual claim records. The name and any identifying codes of an insurer shall not be made public (Section 383.105).

The act implements new rules regarding the reporting of medical malpractice premium, loss and exposure data. Under the act, insurers and self-insurers must annually report the following:

- (1) Aggregate premium;
- (2) Written and earned premium;
- (3) Aggregate exposure;
- (4) Written and earned exposures; and
- (5) Aggregated indemnity paid and aggregate indemnity incurred by not paid.

The act specifically provides that the medical malpractice claims data and premium data shall be shared with the Health Care Stabilization Fund Feasibility Board in a confidential manner.

The medical malpractice premium, loss and exposure data reported to the director is deemed confidential information under the act and is not discoverable or admissible as evidence in any legal action in any civil, criminal, or administrative proceeding, nor shall any of the data be released by the director to the public.

The act also deems the data collected by the department to be a trade secret. As a trade secret, the submitted data is immune from Sunshine Law requests. The act also deems the data collected by the department to be proprietary and confidential (Section 383.106).

This act provides the directors of the Medical Malpractice Joint Underwriting Association may provide medical malpractice insurance coverage as determined by the directors. The policies may provide coverage

on a claims-made, an occurrence, or a prior-acts basis. Under the current law, the association may only issue occurrence-based policies (Section 383.160).

The act also modifies the law with respect to the surcharge paid by association members during their first year of medical malpractice coverage. Under the act, an association member must pay a surcharge in an amount equal to 25% of the member's premium payment (Section 383.165).

This act extends the sunset provision on the Health Care Stabilization Fund Feasibility Board from December 31, 2010, to December 31, 2012 (Section 383.250).

Under current law, a physician or surgeon that practices in a hospital located in a county with a population greater than 75,000 must furnish evidence of a medical malpractice insurance policy of at least \$500,000. This act provides that no hospital shall require a medical malpractice insurance policy in an amount greater than \$500,000 in order to be admitted or retained in the medical staff. Under current law, other hospitals within the state can require their physicians to carry minimum levels of medical malpractice insurance as a condition of membership on a hospital medical staff. This act provides that the maximum level that a hospital may require is \$500,000 (Section 383.500).

STEPHEN WITTE

02/23/2009 S First Read--SB 410-Stouffer (S351)

02/25/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S401)

03/31/2009 Hearing Conducted S Health, Mental Health, Seniors and Families Committee

EFFECTIVE: August 28, 2009

*** SB 411 ***

HCS SCS SB 411

2069L.03C

SENATE SPONSOR: Crowell

HOUSE HANDLER: Viebrock

HCS/SCS/SB 411 -This act modifies laws regarding certain public employee retirement systems.

MISSOURI DEVELOPMENT FINANCE BOARD EMPLOYEES

Certain employees of the Missouri Development Finance Board are made members of the Missouri State Employee's Retirement System (MOSERS). These employees may purchase credited service for any period of employment as an employee of the board prior to August 28, 2009. Employees may decide whether to transfer their individual account balance under the board's plan to MOSERS. The board must certify to MOSERS that any amount transferred to MOSERS is attributable to such contributions by the board for such employee, plus earnings thereon. MOSERS shall be immune from lawsuits and not subject to liability arising out of or associated with the proper source or nature of the amount of funds transferred. If necessary to pay for the employee's credited service, the board will be required to pay contributions to MOSERS. (Section 100.273)

PUBLIC SCHOOL RETIREMENT SYSTEM OF MISSOURI (PSRS) & THE PUBLIC EDUCATION EMPLOYEE RETIREMENT SYSTEM (PEERS)

VENUE FOR LAWSUITS: All suits or proceedings directly or indirectly brought against the board of trustees for PSRS or PEERS, the board's members or employees, or the retirement system itself must be brought in Cole County. (Section 169.020)

INVESTMENT ACCOUNT: This act allows for the establishment and maintenance of a retirement systems investment account for investment purposes. Moneys from PSRS and PEERS may be combined in the account for investment purposes so long as the funds are accounted for and reported separately. (Sections 169.040, 169.630)

PURCHASE OF SERVICE CREDIT: For the purchase of membership service credit, this act changes the date of payment from June 30 to September 30 and the date of recalculation from July 1 to October 1. In addition, the retirement system may prohibit a purchase, impose additional requirements for making a purchase, or limit the amount of credit purchased if necessary to comply with federal law. (Sections 169.056, 169.655)

DISTRIBUTION OF BENEFITS UPON DEATH OF A MEMBER: This act modifies how retirement benefits may be distributed upon the death of a member prior to the member having received the specified number of monthly payments. The remainder of such payments will be paid to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or the estate of the last person to receive a monthly

allowance in a lump sum payment, in that order of precedence. In addition, if a member dies and the member's financial institution cannot accept the final payment or payments, the final payment or payments will be paid to the beneficiary, or if no beneficiary exists, to the surviving spouse, to the surviving children in equal shares, surviving parents in equal shares, or the estate of the member, in that order of precedence. This same order applies if the beneficiary to a member dies and the beneficiary's financial institution cannot accept final payment. (Sections 169.070, 169.073, 169.075, 169.670)

GARNISHMENT: This act allows funds belonging to the retirement systems and certain benefits to be subject to execution, garnishment, attachment in a proceeding instituted for spousal maintenance or child support. (Sections 169.090, 169.690)

ASSOCIATION ADMISSION: After June 30, 2010, no additional nonprofit educational associations or organizations will be able to have their employees become members of PSRS or PEERS. (Sections 169.130, 169.650)

INDEMNIFICATION: The board of trustees of PSRS or PEERS may indemnify and protect any trustee or employee against all claims or liabilities in his or her official or individual capacity except for gross negligence or willful misconduct. The board of trustees may obtain insurance or indemnity policies. For an employee or trustee to qualify for indemnity, he or she must provide written notice to the board of trustees within fifteen days after receiving service of process of a proceeding. (Section 169.750)

This act is similar to SB 327 (2009), HB 265 (2009), and SCS/SBs 1153, 1154, 1155 & 1156 (2008), and contains provisions similar to HB 1972 (2008), HB 1973 (2008), and HB 2056 (2008).

EMILY KALMER

02/23/2009 S First Read--SB 411-Crowell (S351)
 02/25/2009 Second Read and Referred S Veterans' Affairs, Pensions and Urban Affairs Committee (S401)
 03/05/2009 Hearing Conducted S Veterans' Affairs, Pensions and Urban Affairs Committee
 03/12/2009 SCS Voted Do Pass S Veterans' Affairs, Pensions and Urban Affairs Committee (2069S.02C) - Consent
 03/12/2009 Reported from S Veterans' Affairs, Pensions and Urban Affairs Committee to Floor w/SCS - Consent (S619-620)
 03/30/2009 SCS S adopted (S805)
 03/30/2009 S Third Read and Passed - Consent (S805 / H795)
 03/30/2009 H First Read (H795)
 03/31/2009 H Second Read (H804)
 03/31/2009 Referred H Retirement Committee (H819)
 04/09/2009 Hearing Conducted H Retirement Committee
 04/09/2009 HCS Voted Do Pass H Retirement Committee - Consent
 04/09/2009 HCS Reported Do Pass H Retirement Committee - Consent (H1022)
 04/09/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1022)
 04/14/2009 Hearing Conducted H Rules Committee
 04/14/2009 Voted Do Pass H Rules Committee - Consent
 04/14/2009 Reported Do Pass H Rules Committee - Consent (H1043)
 04/27/2009 H Consent Calendar w/HCS

EFFECTIVE: August 28, 2009

*** SB 412 ***

2031S.011

SENATE SPONSOR: Dempsey

SB 412 - The Department of Social Services shall administer a grant in the amount of \$350,000 to a local government entity, local health department, or nonprofit entity to be used for the establishment of a study to assess the feasibility of a pilot project in the greater St. Charles area. Any grant awarded shall be matched in equal value by the grant recipient. The grant proposal shall include a plan for a pilot project that will have the involvement of the local community health coalition to establish new approaches to expand coverage for the uninsured population in the community and to create healthier populations through a single comprehensive health care plan. The grant recipient shall submit a feasibility study to the department by December 2010 that identifies the infrastructure and resources needed for the implementation of the proposed pilot project and that analyzes the feasibility of extending the project or expanding it statewide.

This act is similar to a provision in SB 1283 (2008).
 ADRIANE CROUSE

02/23/2009 S First Read--SB 412-Dempsey (S351)

02/25/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S401)

EFFECTIVE: August 28, 2009

*** SB 413 ***

2066S.011

SENATE SPONSOR: Dempsey

SB 413 - The Department of Social Services shall administer a grant for use by clinics in the Missouri free clinics association to increase their infrastructure and bolster their sustainability in order to serve a greater number of people in a more effective manner. For a one-time funding appropriation of \$500,000 from the General Assembly, the Department shall disburse funds to the association, to be equitably and evenly distributed to all free clinics in this state, in accordance with applicable guidelines, policies, and requirements established by the department.

This act is similar to a provision in SB 1283 (2008).

ADRIANE CROUSE

02/23/2009 S First Read--SB 413-Dempsey (S351)

02/25/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S401)

EFFECTIVE: August 28, 2009

*** SB 414 ***

2043S.011

SENATE SPONSOR: Dempsey

SB 414 - Beginning July 1, 2010, any hospital that reports a reportable incident shall not charge for or bill any entity for all services related to the reportable incident, as such incidents are identified by the National Quality Forum. Such events include wrong-site surgery, retention of a foreign object in a patient after surgery, and death or serious disability associated with medication error.

This act is similar to a provision in HB 497 (2009) and to a provision in SB 1283 (2008).

ADRIANE CROUSE

02/23/2009 S First Read--SB 414-Dempsey (S352)

02/25/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S401)

EFFECTIVE: July 1, 2010

*** SB 415 ***

1376S.101

SENATE SPONSOR: Dempsey

SCS/SBs 415 & 547 - This act modifies several provisions of law relating to laws governing health insurance.

TAX CREDIT FOR SMALL EMPLOYEES ENROLLED IN QUALIFIED HSA PLANS - Under this act, small employers who employ less than 50 persons are allowed a tax credit in the amount of \$250 for each employee enrolled in a qualified health insurance plan. Under the act, a qualified health insurance plan is a health savings account eligible health plan (high deductible plan) that is combined with a health savings account in a manner provided by federal law. Under the act, the tax credit may be carried forward to the next 4 succeeding years (Section 135.349).

EXEMPTION FROM STATE AND LOCAL PREMIUM TAXES FOR QUALIFIED HSA HEALTH INSURANCE PLANS - This act provide an exemption from state and local insurance premium taxes for premiums paid on health savings account eligible plans (high deductible plans) that are sold in Missouri (Section 148.372).

STUDY TO IDENTIFY ADMINISTRATIVE AND REGULATORY BARRIERS FOR NEW INSURANCE PRODUCTS - By January 1, 2010, the Director of the Department of Insurance, Financial Institutions and Professional Registration must provide recommendations to the General Assembly of changes to remove any unnecessary barriers that limit the entry of new health insurance products into the Missouri insurance market. The director must also examine proposals adopted in other states that streamline the regulatory processes to allow insurance companies to market new and existing products more easily (Section 376.1618). This section is contained in HB 229 (2009).

HRA ONLY PLANS - Under this act, employees are allowed to use funds from one or more employer health reimbursement arrangement (HRA) only plans to help pay for individual health insurance coverage. HRAs are employee benefit plans provided by an employer which establish an account funded solely by the employer to reimburse the employee for qualified medical expenses incurred by the employee or his or her family. HRAs allow the employee to carry forward any unused funds at the end of the coverage period to subsequent coverage periods (Section 376.1600). A similar provision is contained in HB 229 (2009).

COINSURANCE AMOUNTS FOR NON-NETWORK SERVICES UNDER A HSA PLAN - Under this act, a health carrier may offer HSA qualified health plans with coinsurance percentage thresholds of 50% or greater for non-network services (Section 376.1606).

PROMOTION AND APPROVAL OF HSA HEALTH PLANS - Under the act, the Director of the Department of Insurance is expressly authorized to adopt policies to promote, approve, and encourage health savings account eligible high deductible plans in Missouri. The act directs the director to conduct a national study of health savings account eligible high deductible health plans available in other states and determine if and how these plans serve the uninsured. The act also directs the Director to develop a fast track approval process for health savings account eligible high deductible plans (Section 376.1603).

HEALTH MANAGEMENT AND DISEASE MANAGEMENT PROGRAMS IN QUALIFIED HSA PLANS - This act expressly allows health carriers to include wellness and health promotion programs, condition or disease management programs, health risk appraisal programs, and similar provisions in high deductible plans that comport with federal law. The programs must be approved by the department. Health carriers that include such programs in high deductible plan shall not be considered to be in engaging in unfair trade practices (Section 376.1609).

MISSOURI MINI-COBRA LAW TO MIRROR FEDERAL COBRA LAW - This act requires group health insurance policies issued by health carriers to employers not covered by the federal COBRA law (employers with 2 to 19 employees) to provide terminated employees with group insurance coverage continuation rights in the same manner as provided by the federal COBRA law (Section 376.428). This provision is contained in HB 231 (2009).

CONTINUATION OF HEALTH INSURANCE COVERAGE FROM AGE 55 - Under this act, every group health insurance policy issued or renewed on or after January 1, 2010, must contain a provision that allows an employee or group member, whose continuation coverage under the federal COBRA law or state's continuation law has expired, to continue coverage under that group policy provided the employee or group member was 55 years or older when coverage under COBRA or the state continuation law expired. The extended continuation coverage provided by this act will terminate upon the earliest of the following:

- (1) The date the employee or group member fails to pay premiums;
- (2) The date the group policy is terminated as to all group members;
- (3) The date on which the employee or group member becomes insured under another group policy;
- (4) The date on which the employee or group member becomes eligible for coverage under the federal Medicare program; or
- (5) The date on which the employee or group member turns 65 (Section 376.437).

RATING OF MISSOURI CONTINUATION COVERAGE POLICIES - This act requires health insurance policies that are issued to individuals eligible for continuation coverage under state law to be pooled across all fully insured group business in Missouri. The experience of all persons covered by a continuation of coverage provision shall be pooled and spread over all fully insured premiums in Missouri on an equal percentage basis (Section 376.439).

CONTINUATION OF COVERAGE RIGHTS THROUGH A HSA ELIGIBLE HIGH DEDUCTIBLE HEALTH PLAN - This act requires health carriers who provide group insurance policies to persons who are exercising their continuation of coverage rights under COBRA or the state continuation of coverage law (Section 376.428) to offer such persons the option of continuation of coverage through a HSA eligible high deductible plan rather than the underlying group policy. The premiums for the HSA eligible high deductible plans shall

be consistent with the underlying group plans rated relative to the standard or manual rates for the benefits provided (Section 376.443).

DEPENDENT COVERAGE - Under current law, proof that a dependent child is incapable of maintaining employment due to a mental or physical handicap and is dependent upon the insured for support and maintenance must be furnished to the health insurer at least 31 days after the dependent child has attained the age when coverage would normally be terminated in order to continue receiving the extended coverage provided by the statutes. This act requires the proof of incapacity and dependency to be furnished within 31 days after the child's attainment of the limiting age. This modification applies to group policies, individual policies and health maintenance organization policies (sections 354.536, 376.426, and 376.776). These provisions are contained in HB 229 (2009).

The definition of "dependent" is changed in the Small Employer Health Insurance Availability Act to mirror the definition of dependent contained in the HMO, individual and group policy statutes. The definition of "dependent" is revised to be a person that is a spouse, an unmarried child who is financially dependent upon the parent, resides in Missouri, is younger than 25 years of age, and is not covered by any group or individual health benefit plan or entitled to federal Social Security assistance benefits, or an unmarried child of any age who is disabled and dependent upon his or her parent (Section 379.930.2).

HIGH RISK POOL LEGISLATIVE STUDY COMMITTEE - This act creates a legislative study committee to research new plan designs and options for the state high risk pool to include rewards and incentives, use of biometrics, wellness, prevention, early intervention, and condition management. The committee shall be comprised of the director of the Department of Insurance, Financial Institutions and Professional Registration, the high risk pool board members, 2 Missouri Senators and 2 Missouri House of Representatives members. The committee must submit a report to the General Assembly by March 1, 2010 (Section 376.991).

HIGH RISK POOL ELIGIBILITY (WAIVER OF COBRA EXHAUSTION) - Under this act, a person's eligibility for COBRA or continuation rights under state law shall not render the person ineligible for coverage under the high risk pool (Section 376.966).

GUARANTEED ISSUE HSA ELIGIBLE PLANS - This act requires the high risk pool to offer high-deductible health plans, offered in conjunction with health savings accounts, to be offered on a guaranteed-issue basis (Section 376.987)

STEPHEN WITTE

02/23/2009 S First Read--SB 415-Dempsey (S352)

02/25/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S401)

03/31/2009 Hearing Conducted S Health, Mental Health, Seniors and Families Committee

04/07/2009 SCS Voted Do Pass (w/SCS SBs 415 & 547) S Health, Mental Health, Seniors and Families Committee - (1376S.12C)

EFFECTIVE: August 28, 2009

*** SB 416 ***

1863S.011

SENATE SPONSOR: Dempsey

SCS/SB 416 - This act allows the governing body of a city, town, village or county to submit a proposal to the voters of such city, town village or county allowing the municipality to impose a property tax to fund cemetery maintenance. The tax authorized under this act shall not exceed one fourth of one cent per one hundred dollars assessed valuation and shall not become effective until approved by the voters of the city, town village or county.

This act also modifies certain laws regarding cemeteries.

Current law allows the division of professional registration to seek an injunction against certain unlicensed cemetery operators in the county in which the conduct occurred or in which the defendant resides. This act allows the division to also bring suit in Cole County.

Each contract sold by a cemetery operator for cemetery services and items such as grave lots, markers, and tombstones shall meet certain requirements. If these requirements are not met, the contract is voidable by the purchaser.

Except for family burial grounds, individuals and public and private entities are required to notify the office of endowed care cemeteries of the name, location, and address of real estate used for the burial of human

bodies.

Cemetery operators are exempted from the prearranged contract requirements of Chapter 436, RSMo.

Currently, cemetery operators are required to correct deficiencies in the funding of endowed care trust funds. This act also requires them to include interest of ten percent of the deficiency and specifies that deficiencies do not include deficiencies caused by the fluctuating value of investments.

The requirements of endowed care trust funds and escrow accounts are modified in several ways. Among other changes, the requirement that a financial institution who serves as the trustee of an endowed care trust be located in Missouri is removed. Cemetery operators have to provide the office of endowed care cemeteries with the name and address of the trustee and records custodian and update the office with any changes. The trust records shall be maintained in Missouri, or electronically accessible. Missouri law shall control all endowed care trust funds and such funds will be administered as charitable trusts and operated in accordance with certain trust requirements. Endowed care cemetery funds may also be held in an escrow account in Missouri. However, if the funds in the escrow account are over 350,000 dollars, in most cases they must be in an endowed care trust fund. Trustees and escrow agents shall consent in writing to Missouri jurisdiction and the supervision of the office of endowed care cemeteries.

Cemetery operators are required to notify the division of professional registration at least thirty days prior to ceasing to do business as a cemetery, selling the business assets of the cemetery, or selling a majority of its stock. If the division does not disapprove, the cemetery operator can continue to take such action. Anyone who sells a cemetery is required to put 15% of the money in escrow for at least six months, so that it can be determined whether any trust fund or escrow account of the former cemetery operator is deficient. If there are deficiencies, the buyer or the division may demand payment from the amount in escrow.

Cemetery operators who sell prearranged burial merchandise and services are required to deposit a portion of the purchase price in an escrow or trust account. These funds are maintained in this account until delivery of the property, performance of the services, or the contract is cancelled. These escrow arrangements and trusts must each meet certain requirements. Cemetery prearranged contracts entered into after August 28, 2009 can be cancelled within thirty days of receiving the executed contract for a full refund and at any time before the services or merchandise are provided, with exceptions, for the net amount of all payments made into the escrow account or trust.

The division is allowed to direct a trustee, financial institution, or escrow agent to suspend distributions from endowed care trust funds or escrow accounts, if the cemetery operator is not licensed or does not meet certain other requirements. The cemetery operator may appeal this suspension.

The act creates a crime for destroying, mutilating, disfiguring, defacing, injuring, or removing without authorization any human remains from a cemetery or burial ground.

Several provisions that previously applied to the city of St. Louis and allowed the sale of certain cemeteries owned by the city and applied to cemetery operators who purchased cemeteries from the city are now applied to all cities.

This act is similar to the Perfected version of Senate Bill 822 (2008).

EMILY KALMER

02/23/2009 S First Read--SB 416-Dempsey and Days (S352)

02/25/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S401)

03/11/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee

03/25/2009 SCS Voted Do Pass S Jobs, Economic Development and Local Government Committee (1863S.02C)

EFFECTIVE: August 28, 2009

*** SB 417 ***

2083S.011

SENATE SPONSOR: Goodman

SB 417 - This act allows law enforcement agencies to hold a suspect arrested without a warrant for up to 48 hours before charging the person with a crime. Currently, suspects can be held for 24 hours.

SUSAN HENDERSON MOORE

02/23/2009 S First Read--SB 417-Goodman (S352)
02/25/2009 Second Read and Referred S General Laws Committee (S401)

EFFECTIVE: August 28, 2009

*** SB 418 ***

0960S.02I

SENATE SPONSOR: Goodman

SB 418 - This act provides that any health plan that provides health care services to low income individuals on a prepaid basis and that meets certain conditions shall not be considered engaging in the business of insurance and shall not be subject to health insurance laws. The plan shall be subject to the following conditions:

- Eligibility for the plan is limited to persons who earn less than two hundred percent of the federal poverty level and are not covered under any other group insurance arrangement;
- The plan is operated on a nonprofit basis;
- Covered primary care services are provided to enrollees either by providers on staff of the sponsoring organization or by volunteers recruited from a local medical society who have, in both instances, agreed to provide their services for free or for nominal reimbursement for out-of-pocket expenses or expendable supplies directly related to, and incurred as a result of, the service provided to the enrollee;
- Payments to outside contractors for marketing, claims administration and similar services total no more than ten percent of the total charges;
- The plan has received the approval and endorsement of the local medical society in consultation with the Missouri State Medical Association;
- The sponsoring nonprofit organization files an annual report with the secretary of state.

This act also provides that any volunteer or retired volunteer licensed physician, dentist, optometrist, pharmacist, registered nurse or licensed practical nurse who provides medical treatment to a patient at a nonprofit faith-based community health center providing health care services for a nominal fee shall not be liable for any civil damages for acts or omissions unless the damages were occasioned by gross negligence or by willful or wanton acts or omissions by such health care provider.

ADRIANE CROUSE

02/23/2009 S First Read--SB 418-Goodman (S352)
02/25/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S401)
04/21/2009 Hearing Conducted S Health, Mental Health, Seniors and Families Committee

EFFECTIVE: August 28, 2009

*** SB 419 ***

1832S.01I

SENATE SPONSOR: Purgason

SB 419 - Current law requires each city with a population over 500 in a solid waste management district to appoint a representative to the district's council. This act removes the population requirement and instead requires each city within the district, regardless of size, to appoint a representative.

ERIKA JAQUES

02/23/2009 S First Read--SB 419-Purgason (S352)
02/25/2009 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S402)

EFFECTIVE: August 28, 2009

*** SB 420 ***

2102S.01I

SENATE SPONSOR: Pearce

SB 420 - This act creates a state income tax credit for the purchase of processed biomass engineered fiber fuel. The credit is non-transferrable and non-refundable, but may be carried forward up to four years. The credit will be based upon a percentage of the purchase price of the biomass. In the first year biomass is purchased and used, the tax credit will be equal to thirty percent of the purchase price. Each subsequent year in which biomass is purchased and used the tax credit will be equal to five percent less than the preceding year's credit such that by the sixth year in which biomass is purchased and used, no credit will be issued.

This act is identical to House Bill 809 (2009).

JASON ZAMKUS

02/23/2009 S First Read--SB 420-Pearce (S352)

02/25/2009 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S402)

EFFECTIVE: August 28, 2009

*** SB 421 ***

HCS SB 421

2092L.02C

SENATE SPONSOR: Pearce

HOUSE HANDLER: Cunningham

HCS/SB 421 - This act removes a provision requiring the circuit court to approve the Director of Finance appointment of a liquidating agent for a failed bank.

This act contains an emergency clause.

This act is similar to HB 914 (2009).

CHRIS HOGERTY

02/23/2009 S First Read--SB 421-Pearce (S352)

02/25/2009 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S402)

03/09/2009 Hearing Conducted S Financial and Governmental Organizations and Elections Committee

03/09/2009 Voted Do Pass S Financial and Governmental Organizations and Elections Committee - Consent

03/11/2009 Reported from S Financial and Governmental Organizations and Elections Committee to Floor - Consent (S587)

03/26/2009 S Third Read and Passed - Consent (S780 / H750)

03/26/2009 H First Read (H750)

03/27/2009 H Second Read (H757)

03/30/2009 Referred H Financial Institutions Committee (H791)

04/01/2009 Hearing Conducted H Financial Institutions Committee

04/01/2009 HCS Voted Do Pass H Financial Institutions Committee - Consent

04/02/2009 HCS Reported Do Pass H Financial Institutions Committee - Consent (H923)

04/02/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H923)

04/07/2009 Hearing Conducted H Rules Committee

04/07/2009 HCS Voted Do Pass H Rules Committee - Consent

04/07/2009 HCS Reported Do Pass H Rules Committee - Consent (H959)

04/27/2009 H Consent Calendar w/HCS

EFFECTIVE: Emergency Clause

*** SB 422 ***

1784S.011

SENATE SPONSOR: Pearce

SB 422 – This act provides local school boards the authority to identify a designee to bind the school district in a settlement agreement reached during the resolution session of a special education due process hearing.

Current law requires a five business day notice for the introduction of evidence at a special education due process hearing, with the exception of an expedited hearing. This act removes the exception for expedited hearings and applies the five-day notice period to expedited hearings as well.

This act will bring Missouri into compliance with the federal regulations implementing the Individuals with Disabilities Education Act (IDEA).

This act is identical to SCS/SBs 1225 & 1226 (2008) and HCS/HBS 1876 & 1877 (2008) and contains provisions identical to HB 265 (2007), HB 267 (2007), SB 133 (2007), SB 140 (2007), SB 147 (2007), and SB 148 (2007).

MICHAEL RUFF

02/23/2009 S First Read--SB 422-Pearce (S352)

02/25/2009 Second Read and Referred S Education Committee (S402)

EFFECTIVE: August 28, 2009

*** SB 423 ***

2103S.011

SENATE SPONSOR: Pearce

SB 423 - Beginning January 1, 2010, this act adds a third judge to the seventeenth judicial circuit, which consists of Cass and Johnson counties. This judge will sit in division three and will be elected in 2010.

This act is similar to HB 184 (2009).

EMILY KALMER

02/23/2009 S First Read--SB 423-Pearce (S352)

02/25/2009 Second Read and Referred S General Laws Committee (S402)

EFFECTIVE: August 28, 2009

*** SB 424 ***

1209S.011

SENATE SPONSOR: Justus

SB 424 - Under this act, Kansas City may enact ordinances to allow the city building official to petition the circuit court in the county where a vacant nuisance building is located for the appointment of a receiver to rehabilitate the building, demolish it, or sell it to a qualified buyer.

SUSAN HENDERSON MOORE

02/23/2009 S First Read--SB 424-Justus (S352)

02/25/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S402)

04/01/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee

EFFECTIVE: August 28, 2009

*** SB 425 ***

2084S.011

SENATE SPONSOR: Justus

SB 425 - This act requires health carriers to provide coverage to pregnant women for dental care services delivered by licensed dentists. Under the act, dental care services shall also include services related to the treatment of periodontal disease and dental care disease. The dental care services shall not be subject to greater deductibles or co-payments than other similar health care services provided under a health benefit plan.

STEPHEN WITTE

02/23/2009 S First Read--SB 425-Justus (S353)

02/25/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S402)

04/21/2009 Hearing Conducted S Health, Mental Health, Seniors and Families Committee

EFFECTIVE: August 28, 2009

*** SB 426 ***

2004S.011

SENATE SPONSOR: Griesheimer

SB 426 - This act repeals the current provisions regulating nonintoxicating beer and requires such beer to be regulated in the same manner as other intoxicating liquors.

SUSAN HENDERSON MOORE

02/23/2009 S First Read--SB 426-Griesheimer (S353)

02/25/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S402)

03/11/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee

03/25/2009 Voted Do Pass S Jobs, Economic Development and Local Government Committee

EFFECTIVE: August 28, 2009

*** SB 427 ***

2182S.011

SENATE SPONSOR: Griesheimer

SB 427 - This act modifies the organizational structure of the Missouri One Call System from a

not-for-profit organization to a public governmental body. The Missouri One Call System shall be subject to the Sunshine Law.

ERIKA JAQUES

02/23/2009 S First Read--SB 427-Griesheimer (S353)

02/25/2009 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S402)

EFFECTIVE: August 28, 2009

*** SB 428 ***

1813S.011

SENATE SPONSOR: Griesheimer

SB 428 - This act repeals the Underground Facility Safety and Damage Prevention Act, which authorized the creation of the Missouri One Call system.

ERIKA JAQUES

02/23/2009 S First Read--SB 428-Griesheimer (S353)

02/25/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S402)

EFFECTIVE: August 28, 2009

*** SB 429 ***

0634S.031

SENATE SPONSOR: Smith

SB 429 – This act requires the Department of Elementary and Secondary Education to designate comprehensive and performance-based teacher assessment programs for use by all school districts and charter schools by July 1, 2010. The assessments may include the Praxis Examination, the National Teacher Examination, or other existing assessment tools. Multiple assessments must be developed to assess teachers according to the subject areas they teach.

Beginning August 28, 2010, any unaccredited school district must require each teacher to be assessed every five years to determine competency in his or her subject areas. The district must use one or more of the assessments developed by the Department. If a teacher fails to demonstrate a minimum level of competency, he or she may retake the assessment no more than one time within three months after receiving notification of failure. A teacher who demonstrates a high level of competency is exempt from assessment for the next five-year period.

This act is similar to provisions contained in SB 690 (2007).

MICHAEL RUFF

02/23/2009 S First Read--SB 429-Smith (S353)

02/25/2009 Second Read and Referred S Education Committee (S402)

EFFECTIVE: August 28, 2009

*** SB 430 ***

0081S.031

SENATE SPONSOR: Smith

SCS/SB 430 - This act creates and modifies provisions pertaining to environmentally sustainable practices.

SECTION 8.305 - Energy-Efficient Appliances

Any appliance purchased with any portion of state funding shall be an Energy Star appliance under the Energy Star program of the U.S. Department of Energy and the Environmental Protection Agency.

SECTION 8.824 - State Green Building Requirement

Any state building built or substantially renovated after August 28, 2009 must be certified by the U.S. Green Building Council as meeting the silver rating under the Leadership in Energy and Environmental Design (LEED) green building rating system, or must meet at least a three globes rating under the Green Globes building rating system. Public colleges and universities are exempt from the state green building requirement and the Commissioner of the Office of Administration may exempt certain other buildings from this requirement for safety or cost reasons.

SECTION 143.114 and 143.121 - Income Tax Deductions

The act creates an income tax deduction for the purchase of qualified hybrid motor vehicles. Missouri taxpayers who purchase certain new hybrid motor vehicles for their own use may deduct from their Missouri adjusted gross income the lesser of either \$2,000 or 10% of the vehicle's purchase price. The tax deduction sunsets in 6 years unless reauthorized.

The act creates an income tax deduction of up to one hundred percent of the purchase price paid for Energy Star labeled products, up to \$1,000 per taxpayer per year.

SECTION 161.360 - Green School Grants

The Department of Elementary and Secondary Education shall provide grants to public school districts after January 1, 2010 to assist schools comply with the state green building requirement for new building construction or substantial renovation projects. Preference for the grants shall be given to schools that are designed to function as community centers of learning. The total amount of grants that may be awarded per year shall not exceed \$500,000 except if there are federal economic stimulus funds available in excess of that amount.

Provisions of this act are similar to provisions in HB 31 (2009), SB 1117 (2008), and HB 1326 (2008).

ERIKA JAQUES

02/23/2009 S First Read--SB 430-Smith (S353)

02/25/2009 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S402)

03/25/2009 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee

04/08/2009 SCS Voted Do Pass S Agriculture, Food Production and Outdoor Resources Committee (0081S.07C)

EFFECTIVE: August 28, 2009

*** SB 431 ***

1701S.011

SENATE SPONSOR: Smith

SB 431 - This act allows a tax credit for taxpayers who construct a green building or modify an existing structure into a green building. A green building is defined as a building that is designed to achieve integrated systems design and construction so as to significantly reduce or eliminate the negative impact of the built environment in a number of different ways including water conservation, energy efficiency, renewable energy, and indoor environmental quality and human health.

The tax credit consists of three components: the green whole building component; the green base building component; and the green tenant space component. An applicant may receive a tax credit for each eligible component satisfied by the applicant's project.

Prior to construction, a taxpayer must apply for a preliminary certification for a green building tax credit from the Department of Natural Resources. If the director of the Department determines that the construction or renovation meets the requirements of the tax credit program, the director may issue a final certification upon completion of construction.

The green building tax credit has a per taxpayer cap of \$50,000 per year and an aggregate cap of \$1 million per year. Green building tax credits are refundable and fully transferable. The Department must promulgate rules 120 days after the effective date of this act to determine the amount of green building tax credits available to any one taxpayer based upon the size of the building, the level of green rating achieved by the building (either through the Leadership in Energy and Environmental Design (LEED) or the Green Globes rating systems) and whether the project is located in an economic development area. The tax credit sunsets in 5 years unless reauthorized.

This act is similar to a provision in SB 1117 (2008).

ERIKA JAQUES

02/23/2009 S First Read--SB 431-Smith (S353)

02/25/2009 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S402)

EFFECTIVE: August 28, 2009

*** SB 432 ***

2018S.011

SENATE SPONSOR: Vogel

SB 432 - Each school district shall provide to the parent or guardian of each student enrolled in sixth grade and every year thereafter up to twelfth grade information concerning meningococcal (bacterial meningitis) disease and the availability of a vaccine.

The Department of Health and Senior Services shall no later than January 1, 2010, develop information about the disease as prescribed under the act and make such information available to each school district.

Nothing in this section shall be construed to require a student to obtain the vaccination against the disease, a school district to provide or pay for the vaccine, or prohibit an institution from establishing additional requirements concerning the vaccination.

ADRIANE CROUSE

02/23/2009 S First Read--SB 432-Vogel (S353)

02/25/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S402)

EFFECTIVE: August 28, 2009

*** SB 433 ***

2033S.011

SENATE SPONSOR: Bray

SB 433 - Under current law, the Director of the Department of Natural Resources is required to develop minimum energy efficiency standards for two types of appliances and consumer electronics: those that have earned the federal Energy Star designation and those that have federally-required minimum energy efficiency standards. This act instead requires the director to establish the standards only for appliances and consumer electronics that do not have federally-required minimum standards. In cases where an appliance or consumer electronic is eligible for the Energy Star designation, the minimum standards set by the director shall not exceed the Energy Star requirements.

ERIKA JAQUES

02/23/2009 S First Read--SB 433-Bray (S353)

02/25/2009 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S402)

04/07/2009 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee

EFFECTIVE: August 28, 2009

*** SB 434 ***

2032S.011

SENATE SPONSOR: Green

SB 434 - Candidates nominated by a political caucus, shall file financial interest statements within 10 days of the nomination.

Currently, financial interest statements and disclosure reports are timely filed if postmarked not later than midnight of the day previous to the last day designated for filing. This act changes this requirement to midnight of the day designated for filing.

Candidates who are delinquent in paying any fees assessed by the Ethics Commission are disqualified.

Currently, committees filing campaign disclosure reports are subject to a late filing fee of \$10 a day. This penalty is changed to \$50 dollars a day. Notice shall be sent within 7 business days after the due date to the candidate and treasurer of the committee failing to file.

Currently, candidate committees filing campaign disclosure reports for the period closing the 12th day before the election are subject to a late filing fee of \$100 a day not to exceed \$6,000. This penalty is modified to apply to all types of committees. Notice shall be sent within 7 business days after the due date to the candidate and treasurer of the committee failing to file. Unpaid late fees may be collected through garnishment and execution against a committee's official depository account after a 30 day delinquency.

Candidates are barred from forming candidate committees or serving as a treasurer or deputy treasurer

until all reports are filed and fees are paid to the Ethics Commission.

Currently, continuing committees who contribute over \$15,000 in a calendar year must electronically file disclosure reports. This act modifies this provision to require all committees who receive or contribute over \$2,000 to electronically file.

Candidates delinquent in filing any campaign finance disclosure reports shall be disqualified from participating in the election.

CHRIS HOGERTY

02/23/2009 S First Read--SB 434-Green (S354)

02/25/2009 Second Read and Referred S General Laws Committee (S402)

EFFECTIVE: August 28, 2009

*** SB 435 *** HCS SB 435

2065L.02C

SENATE SPONSOR: Lembke

HOUSE HANDLER: Brown

HCS/SB 435 - The Department of Mental Health is authorized to enter into a contract agreement with one or more county jails for the confinement of sexually violent predators. Such persons confined in a county jail shall be housed separately from other offenders.

This act also allows the Department of Mental Health to detain persons, after a probable cause hearing, at a county jail prior to their commitment to the Department of Mental Health as sexually violent predators.

This act allows the Division of Developmental Disabilities to contract directly with providers of targeted case management services for clients of the division with developmental disabilities in a defined region.

This act is similar to HB 826 (2009) & SB 460 (2009).

SUSAN HENDERSON MOORE

02/23/2009 S First Read--SB 435-Lembke (S354)

02/25/2009 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S402)

03/09/2009 Hearing Conducted S Financial and Governmental Organizations and Elections Committee

03/09/2009 Voted Do Pass S Financial and Governmental Organizations and Elections Committee - Consent

03/11/2009 Reported from S Financial and Governmental Organizations and Elections Committee to Floor - Consent (S587)

03/26/2009 S Third Read and Passed - Consent (S780-781 / H750)

03/26/2009 H First Read (H750)

03/27/2009 H Second Read (H757)

03/30/2009 Referred H Corrections & Public Institutions Committee (H791)

04/07/2009 Hearing Conducted H Corrections & Public Institutions Committee

04/07/2009 HCS Voted Do Pass H Corrections & Public Institutions Committee - Consent

04/08/2009 HCS Reported Do Pass H Corrections & Public Institutions Committee - Consent (H1000)

04/08/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1000)

04/14/2009 Hearing Conducted H Rules Committee

04/14/2009 Voted Do Pass H Rules Committee - Consent

04/14/2009 Reported Do Pass H Rules Committee - Consent (H1043)

04/27/2009 H Consent Calendar w/HCS

EFFECTIVE: August 28, 2009

*** SB 436 ***

2117S.011

SENATE SPONSOR: Ridgeway

SB 436 - This act exempts unemployment benefits received by taxpayers from income tax for the 2009 and 2010 tax years.

JASON ZAMKUS

02/23/2009 S First Read--SB 436-Ridgeway, et al (S354)

02/25/2009 Second Read and Referred S Ways and Means Committee (S402)

EFFECTIVE: August 28, 2009

*** SB 437 ***

2116S.011

SENATE SPONSOR: Lager

SB 437 - This act specifies that renewable energy resource property will be considered tangible personal property for property tax purposes. Renewable energy resource property includes: solar energy equipment; biomass property; and wind energy conversion property. The act provides a mechanism for determining the true value in money for renewable energy resource property and creates a separate subclass of tangible personal property for such property which will be taxed at fifteen percent of true value. The act will not apply to property placed into service before January 1, 2010.

JASON ZAMKUS

02/23/2009 S First Read--SB 437-Lager (S354)

02/25/2009 Second Read and Referred S Ways and Means Committee (S402)

EFFECTIVE: August 28, 2009

*** SB 438 ***

2070S.011

SENATE SPONSOR: Callahan

SB 438 – This act modifies the elementary and secondary education funding formula. It removes from the calculation of the state adequacy target the inclusion of the gaming revenues from the repeal of the loss limits.

Current law provides that the funding formula will be phased in through the 2011-2012 school year. This act phases the formula in through the 2009-2010 school year.

Current law provides that current operating expenditures shall include, in part, any increases in state funding subsequent to fiscal year 2005, not to exceed 5%, per recalculation, of state revenue, received by a district in the 2004-2005 school year. This act removes the 5% limit on increases in state funding per recalculation.

This act contains provisions that are also contained in SB 24 (2009), SB 25 (2009), and SB 831 (2008).

MICHAEL RUFF

02/23/2009 S First Read--SB 438-Callahan (S354)

02/25/2009 Second Read and Referred S Education Committee (S402)

03/11/2009 Hearing Cancelled S Education Committee

EFFECTIVE: August 28, 2009

*** SB 439 ***

2079S.011

SENATE SPONSOR: Lembke

SB 439 – This act prohibits a board of education or the special administrative board of a school district from placing a restrictive covenant in a deed that prohibits the use of real property as a school providing instruction for grades kindergarten through twelve. In addition, any restrictive covenant on real property previously operated as a public school in any deed that has been filed in the office of the recorder of deeds will be void and unenforceable.

MICHAEL RUFF

02/23/2009 S First Read--SB 439-Lembke (S359)

02/25/2009 Second Read and Referred S Education Committee (S402)

EFFECTIVE: August 28, 2009

*** SB 440 ***

1981S.011

SENATE SPONSOR: Schaefer

SB 440 - This act requires all court orders regarding child custody or visitation or regarding ex parte orders of protection issued or modified while either party is in active military service and deployed out-of-state to be temporary in nature. Such orders regarding custody or visitation which are issued as part of an entry of decree of dissolution shall also be temporary in nature. Upon return from deployment, the party will be given an opportunity to be heard on the child custody and visitation order before a permanent order is entered. If the party in active military service knowingly and voluntarily signs a written waiver to the right to have such a

hearing upon the party's return from out-of-state military deployment, the court may issue a permanent order on the issues under this section.

This act is similar to HB 504 (2009).

ADRIANE CROUSE

02/24/2009 S First Read--SB 440-Schaefer (S366)

02/26/2009 Second Read and Referred S Veterans' Affairs, Pensions and Urban Affairs Committee (S424)

EFFECTIVE: August 28, 2009

*** SB 441 ***

1985S.011

SENATE SPONSOR: Schaefer

SB 441 – This act modifies tenure procedures for teachers statewide.

Current law allows local school districts to dismiss tenured teachers for certain causes after following certain administrative procedures. This act amends such procedures to allow teachers the right to request a preliminary hearing about the dismissal before an impartial hearing officer prior to a hearing before the board of education; however, the board of education would retain the authority to make the final decision as to whether the teacher is dismissed.

Boards of education or superintendents must notify teachers at least sixty days before formal notice is served, rather than the current thirty day notice requirement. If the teacher requests a preliminary hearing, the superintendent must contact the Labor and Industrial Relations Commission, which must follow procedures described in the act for the selection of a hearing officer and for the hearing itself. The act directs the Labor and Industrial Relations Commission to promulgate rules for the hearings. The school district must pay the costs of the preliminary hearing, except for the teacher's counsel. The hearing will be open to the public unless the teacher requests that the hearing be closed.

If a teacher chooses to have a preliminary hearing before a hearing officer, the hearing officer must provide an advisory opinion as to whether the teacher should be dismissed within thirty days of the hearing. Within thirty days of the receipt of this opinion, the school board must provide notice to the teacher as to the board's intention.

If a school district suspends a teacher until a final decision is rendered, the teacher is entitled to receive salary and benefits during the suspension. Currently, teachers are only guaranteed salary. If the hearing officer's opinion is in favor of dismissal, the teacher's benefits and salary may be suspended; however, such benefits will be repaid if the board reverses the decision of the hearing officer.

After the preliminary hearing, the teacher is entitled to a hearing before the board of education, which will be open to the public unless the teacher requests that it be closed. The record of the preliminary hearing shall be part of the records of the board meeting. The teacher may appeal the final decision of the school board to the circuit court of the county or city not within a county where the employing school district is located as described in the act.

This act repeals the current teacher tenure law for the St. Louis City School District and brings it under the same teacher tenure law as the rest of the state.

This act is similar to SB 1060 (2008), SB 561 (2007), SB 1088 (2006), and SB 118 (2005).

MICHAEL RUFF

02/24/2009 S First Read--SB 441-Schaefer (S366)

02/26/2009 Second Read and Referred S Education Committee (S424)

EFFECTIVE: August 28, 2009

*** SB 442 ***

2119S.011

SENATE SPONSOR: Callahan

SB 442 - This act prohibits any person or business from having more than five liquor licenses, rather than three.

SUSAN HENDERSON MOORE

02/24/2009 S First Read--SB 442-Callahan (S366)
02/26/2009 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment
Committee (S424)
04/07/2009 Hearing Scheduled But Not Heard S Commerce, Consumer Protection, Energy and the
Environment Committee

EFFECTIVE: August 28, 2009

*** SB 443 ***

1796S.011

SENATE SPONSOR: Days

SB 443 – This act modifies the law regarding the operations of a special administrative board when a school district's corporate organization has lapsed after having been classified as unaccredited. Current law provides for three members on a special administrative board, one of whom will be a professional administrator and act as chair. This act allows the State Board of Education to appoint additional members. In addition, the State Board of Education may set a final term of office for any special administrative board member, after which a successor member must be elected by the school district as described in the act. If the State Board of Education appoints a successor member to replace the special administrative board's chair, the current members of the special administrative board may appoint a superintendent of schools and contract for his or her services. The State Board of Education may set a date on which the school district will return to local governance.

MICHAEL RUFF

02/24/2009 S First Read--SB 443-Days and Mayer (S366)
02/26/2009 Second Read and Referred S Education Committee (S424)

EFFECTIVE: August 28, 2009

*** SB 444 ***

0847S.021

SENATE SPONSOR: Wilson

SB 444 - This act creates standards for the use of mediation to resolve disputes. These standards apply to all mediation conducted in disputes for which mediation is authorized by statute, regulation, or by contract.

The act allows participants to select their own mediator, or apply to a court for appointment of a qualified mediator. If the court appoints a mediator, they must consider any potential bias or conflicts of interest the mediator might have. Additionally, state agencies that establish mediation programs must adopt rules to assure the impartiality of mediators.

The act also sets forth the duties of the mediator and requires that no mediator provide subsequent representation, counseling, or treatment to a party to the mediation, unless it is distinct from the issues raised in mediation.

Finally, communications in mediation proceedings shall be confidential and are not admissible as evidence in court. No mediator may be subpoenaed or compelled to disclose information disclosed in the process of setting up or conducting the mediation. However, the act does not prohibit mediators who are mandated by state law from reporting child or elder abuse, and allows mediators to be called to testify in an action to enforce a written settlement agreement for the limited purpose of describing the events that followed the mediation.

EMILY KALMER

02/24/2009 S First Read--SB 444-Wilson (S366)
02/26/2009 Second Read and Referred S General Laws Committee (S424)

EFFECTIVE: August 28, 2009

*** SB 445 ***

2109S.011

SENATE SPONSOR: Rupp

SB 445 – This act prohibits school district employees, volunteers, and independent contractors from placing a student receiving special education services into seclusion, which is defined as confinement in a locked box, locked closet, or locked room as a behavior management technique or discipline management practice. Exceptions to the prohibition on seclusion include a court-ordered placement, situations that fall

under the federal Children's Health Act of 2000, and when a student has a weapon and confinement is necessary to prevent bodily harm.

MICHAEL RUFF

02/24/2009 S First Read--SB 445-Rupp (S366)

02/26/2009 Second Read and Referred S Education Committee (S424)

EFFECTIVE: August 28, 2009

*** SB 446 ***

2100S.011

SENATE SPONSOR: Rupp

SB 446 – This act modifies the elementary and secondary education funding formula. It removes from the calculation of the state adequacy target the inclusion of the gaming revenues from the repeal of the loss limits.

This act contains a provision also contained in SB 24 (2009) and SB 25 (2009).

MICHAEL RUFF

02/24/2009 S First Read--SB 446-Rupp (S366)

02/26/2009 Second Read and Referred S Education Committee (S424)

EFFECTIVE: August 28, 2009

*** SB 447 ***

1674S.01P

SENATE SPONSOR: Pearce

SB 447 - This act authorizes the governing body of the City of Peculiar to seek voter approval for the imposition of a sales tax to fund public safety improvements. The amount of the tax cannot exceed one-half of one percent and will be in addition to all other sales taxes authorized by law.

JASON ZAMKUS

02/24/2009 S First Read--SB 447-Pearce (S366-367)

02/26/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S424)

03/11/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee

03/11/2009 Voted Do Pass S Jobs, Economic Development and Local Government Committee - Consent

03/11/2009 Reported from S Jobs, Economic Development and Local Government Committee to Floor - Consent (S593)

03/30/2009 S Third Read and Passed - Consent (S798-799 / H795)

03/30/2009 H First Read (H795)

03/31/2009 H Second Read (H804)

03/31/2009 Referred H Local Government Committee (H819)

04/08/2009 Hearing Conducted H Local Government Committee

EFFECTIVE: August 28, 2009

*** SB 448 ***

2105S.011

SENATE SPONSOR: Pearce

SB 448 – This act authorizes school districts to enter into design-build contracts for design-build projects costing more than \$1,000,000. A school district must establish written procedures for pre-qualifying design-build contractors before any such contractor may make a proposal on the project. In addition, a school board must adopt various procedures as described in the act, including procedures for requesting proposals and evaluating and awarding contracts from up to five pre-qualified contractors. A school district must publicly advertise for two consecutive weeks in a newspaper, as described in the act, the design-build proposal. If a school district does not receive at least two responsive submissions, it must readvertise the project. A school district may reject any and all submissions and proposals. Any proposals from pre-qualified design-build contractors must be opened publicly. A school district must award the contract to the design-build contractor whose proposal represents the best overall value in terms of quality, skill, schedule, and cost. For any pre-qualified responsive design-build contractor who submits a proposal but is not awarded a contract, the school district must pay a reasonable stipend.

Payment bond requirements will apply to any design-build project. However, the performance bond for

the design-build contractor does not need to cover the design services as long as the contractor or subcontractors have professional liability insurance in the amount specified by the school district.

Any person or firm providing services for a design-build contract must be licensed in Missouri. In addition, a school district planning a design-build project must retain an architect or engineer, as described in the act, unless it already retains one. The architect or engineer is prohibited from acting as the design-build contractor or participating as part of the design-build contractor's team.

This act is substantially similar to HB 596 (2009) and HCS/HB 1707 (2008).

MICHAEL RUFF

02/24/2009 S First Read--SB 448-Pearce (S367)

02/26/2009 Second Read and Referred S Education Committee (S424)

EFFECTIVE: August 28, 2009

*** SB 449 ***

2129S.011

SENATE SPONSOR: Purgason

SB 449 - Under current law, business district advisory boards must enter into an agreement with the county collector for the county in which a business district is located to collect transient guest tax revenues. This act requires business district advisory boards to enter into an agreement with the director of the department of revenue for the collection of the transient guest tax revenues. Such agreement will supersede any previously existing agreement with county collectors.

JASON ZAMKUS

02/24/2009 S First Read--SB 449-Purgason (S367)

02/26/2009 Second Read and Referred S Ways and Means Committee (S424)

EFFECTIVE: August 28, 2009

*** SB 450 ***

0511S.021

SENATE SPONSOR: Cunningham

SB 450 – This act requires public libraries, by January 1, 2010, to adopt written policies, consistent with contemporary community standards, on the placement of books and other materials to restrict minors from gaining access to material that is obscene or pornographic for minors. Exempted books and materials include those in collections that require the written permission of a parent or guardian of an unemancipated minor. Policies must also contain procedures for members of the public to challenge the placement of such books and other materials and provide comments and guidance on the library policies.

As an alternative, any library that does not adopt written policies must prominently display a statement that the library may contain uncensored materials that may be objectionable and offensive to minors.

Libraries must include in their annual report the number of complaints about placement of books and their resolution. Library policies must be recorded with the city or county and made available to the public at the library and city or county government office.

A violation of this section is subject to a misdemeanor.

MICHAEL RUFF

02/24/2009 S First Read--SB 450-Cunningham (S367)

02/26/2009 Second Read and Referred S General Laws Committee (S424)

04/28/2009 Hearing Scheduled S General Laws Committee

EFFECTIVE: August 28, 2009

*** SB 451 ***

2101S.011

SENATE SPONSOR: Cunningham

SB 451 - Currently, any winery, distiller, manufacturer, wholesaler or brewer may provide beverage samples off a licensed retail premises as long as no sales transactions take place. This act would allow such entities to provide tasting samples on a licensed retail premises if they have certain permits and no money is given to retailers for the tasting.

This act is similar to HB 81 (2007).

SUSAN HENDERSON MOORE

02/24/2009 S First Read--SB 451-Cunningham (S367)

02/26/2009 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S424)

03/25/2009 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee

EFFECTIVE: August 28, 2009

*** SB 452 ***

2090S.011

SENATE SPONSOR: Cunningham

SB 452 - This act allows qualified companies receiving benefits under the Missouri Quality Jobs Act to continue to receive benefits after filing for, or publically announcing an intention to seek, bankruptcy protection, provided certain conditions are met.

This act is similar to provisions contained in the SCS/SB 45 (2009) and SCS/HCS/HB 191 (2009).

JASON ZAMKUS

02/24/2009 S First Read--SB 452-Cunningham (S367)

02/26/2009 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S424)

EFFECTIVE: August 28, 2009

*** SB 453 ***

SCS SBs 453 & 24

1962S.03P

SENATE SPONSOR: Mayer

SCS/SBs 453 & 24 – This act modifies the elementary and secondary education funding formula. It removes from the calculation of the state adequacy target the inclusion of the gaming revenues from the repeal of the loss limits. This becomes effective July 1, 2009. Beginning on July 1, 2010, the moneys derived from the passage of Proposition A will be deposited into the Classroom Trust Fund and distributed to school districts in that manner.

Current law provides that current operating expenditures shall include, in part, any increases in state funding subsequent to fiscal year 2005, not to exceed 5%, per recalculation, of state revenue, received by a district in the 2004-2005 school year. This act removes the 5% limit on increases in state funding per recalculation. This becomes effective July 1, 2010.

This act defines "Gifted Education Pupil Count" as the number of students who qualify as "gifted" under Section 162.675 and who are enrolled in a school district's gifted education program on the last Wednesday in January for the preceding school year. This number must not exceed five percent of a school district's enrollment for the immediately preceding academic year. This act modifies the definition of "weighted average daily attendance" by including in the calculation the product of .25 multiplied by the number of the district's gifted education pupil count. This becomes effective July 1, 2010.

This act provides that for the 2010-2011 school year and beyond, all proceeds a school district receives from the Classroom Trust Fund in excess of the amount it received in the 2009-2010 school year must be placed to the credit of the school district's teachers' and incidental funds. This becomes effective July 1, 2009.

This act repeals the Schools First Elementary and Secondary Education Improvement Fund on July 1, 2010 and modifies the audit that will be conducted by the State Auditor. This becomes effective July 1, 2009.

This act contains an emergency clause and a delayed effective date. Certain portions will become effective July 1, 2009 and the remainder will become effective July 1, 2010.

This act contains provisions similar to those contained in SB 831 (2008).

MICHAEL RUFF

02/24/2009 S First Read--SB 453-Mayer (S367)

02/26/2009 Second Read and Referred S Education Committee (S424)

03/11/2009 Hearing Conducted S Education Committee
 03/25/2009 SCS Voted Do Pass (w/SCS & SBs 453 & 24) S Education Committee (1962S.03C)
 04/02/2009 Reported from S Education Committee to Floor w/SCS (S889)
 04/09/2009 SCS S adopted (S978)
 04/09/2009 Perfected (S978)
 04/09/2009 Reported Truly Perfected S Rules Committee (S984)
 04/14/2009 Referred S Governmental Accountability and Fiscal Oversight Committee
 04/16/2009 Hearing Conducted S Governmental Accountability and Fiscal Oversight Committee
 04/16/2009 Voted Do Pass S Governmental Accountability and Fiscal Oversight Committee
 04/16/2009 Reported from S Governmental Accountability and Fiscal Oversight Committee to Floor (S1048)
 04/16/2009 S Third Read and Passed - EC adopted (S1048-1049 / H1111)
 04/16/2009 H First Read (H1111)
 04/20/2009 H Second Read (H1117)

EFFECTIVE: August 28, 2009

*** SB 454 ***

1829S.011

SENATE SPONSOR: Mayer

SB 454 - This act waives the waiting week that must be served before becoming eligible to receive unemployment insurance for unemployed workers who were employed in or a resident of the counties of Barry, Bollinger, Butler, Cape Girardeau, Carter, Douglas, Dunklin, Howell, Madison, Mississippi, New Madrid, Oregon, Ozark, Pemiscot, Reynolds, Ripley, Scott, Shannon, Stoddard, Stone, Taney, and Wayne that were adversely affected by the winter storm in January of 2009. Workers shall have been employed in or been a resident of one of the aforementioned counties between January 26, 2009 and April 1, 2009 to be eligible for the waiver. The section, if enacted, shall expire April 1, 2009.

CHRIS HOGERTY

02/24/2009 S First Read--SB 454-Mayer (S367)
 02/26/2009 Second Read and Referred S Small Business, Insurance and Industry Committee (S424)
 03/10/2009 Hearing Scheduled But Not Heard S Small Business, Insurance and Industry Committee

EFFECTIVE: Emergency Clause

*** SB 455 ***

2017S.011

SENATE SPONSOR: Mayer

SB 455 - This act increases the assessed valuation a county must maintain in order to move into a higher classification. The assessed valuation for counties of the first classification is increased from \$600 million to \$1 billion. The assessed valuation for counties of the second classification is increased from \$450 million to \$750 million. All counties with an assessed valuation of less than \$750 million will be counties of the third classification.

SUSAN HENDERSON MOORE

02/24/2009 S First Read--SB 455-Mayer (S367)
 02/26/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S424)
 03/25/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee

EFFECTIVE: August 28, 2009

*** SB 456 ***

1494S.011

SENATE SPONSOR: Lager

SB 456 - It shall be lawful for Caldwell County to enter into a contract with private corporations engaged in delivering water at wholesale for domestic consumption. The county may also acquire, own, and hold, with private corporations, water mains.

SUSAN HENDERSON MOORE

02/24/2009 S First Read--SB 456-Lager (S367)
 02/26/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S424)

EFFECTIVE: August 28, 2009

*** SB 457 ***

1495S.011

SENATE SPONSOR: Lager

SB 457 - This act allows Caldwell County to establish a jail or holding facility outside of the county seat.
SUSAN HENDERSON MOORE

02/24/2009 S First Read--SB 457-Lager (S367)

02/26/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S424)

EFFECTIVE: August 28, 2009

*** SB 458 ***

2049S.01P

SENATE SPONSOR: Lager

SB 458 - This act requires every employee of the oversight division of the committee on legislative research to take an oath to support the Missouri Constitution, to faithfully demean himself or herself in office, to not disclose confidential information, and to not accept any gifts or emoluments for discharging their official duties, other than their official compensation. Any employee who violates this act is guilty of a Class A misdemeanor.

JIM ERTLE

02/24/2009 S First Read--SB 458-Lager (S367)

02/26/2009 Second Read and Referred S General Laws Committee (S424)

03/03/2009 Hearing Conducted S General Laws Committee

03/10/2009 Voted Do Pass S General Laws Committee

04/16/2009 Reported from S General Laws Committee to Floor (S1052)

04/21/2009 Perfected (S1108)

04/21/2009 Reported Truly Perfected S Rules Committee (S1128)

04/23/2009 S Third Read and Passed (S1189-1190 / H1261)

04/23/2009 H First Read (H1261)

04/24/2009 H Second Read

EFFECTIVE: August 28, 2009

*** SB 459 ***

1826S.011

SENATE SPONSOR: Lager

SB 459 - This act allows criminal charges to be filed against a mother for any harm to an unborn child resulting from the mother's intentional and unlawful ingestion or use of controlled substances.

This act is identical to SB 1219 (2008).

ADRIANE CROUSE

02/24/2009 S First Read--SB 459-Lager (S367-368)

02/26/2009 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S424)

03/23/2009 Hearing Cancelled S Judiciary and Civil and Criminal Jurisprudence Committee

03/30/2009 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2009

*** SB 460 ***

2113S.011

SENATE SPONSOR: Nodler

SB 460 - This act allows the Division of Developmental Disabilities to contract directly with providers of targeted case management services for clients of the division with developmental disabilities in a defined region.

ADRIANE CROUSE

02/24/2009 S First Read--SB 460-Nodler (S371)

02/26/2009 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S424)

03/09/2009 Hearing Conducted S Financial and Governmental Organizations and Elections Committee

03/23/2009 Voted Do Pass S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2009

*** SB 461 ***

2130S.011

SENATE SPONSOR: Callahan

SB 461 - The state is barred from entering into any contract with a financial institution for the purposes of issuing electronic payment cards for the disbursement of unemployment insurance benefits when the bank charges any fees for the use of such card or the administration of the account of the cardholder.

CHRIS HOGERTY

02/24/2009 S First Read--SB 461-Callahan (S371)

02/26/2009 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S425)

EFFECTIVE: August 28, 2009

*** SB 462 ***

2128S.011

SENATE SPONSOR: Crowell

SB 462 - Under current law, when more than 50 gallons of petroleum, natural gas, natural gas liquids, liquified natural gas, or synthetic gas are spilled or released, it is considered a hazardous substance emergency. This act changes the minimum threshold to 3,000 gallons.

Under current law, if a political subdivision or volunteer fire protection district provides services in response to a hazardous substance emergency, the person who controls the hazardous substance is liable for reasonable and necessary costs incurred by the political subdivision or fire protection district. This act limits the person's liability to 25% of the reasonable and necessary costs.

ERIKA JAQUES

02/24/2009 S First Read--SB 462-Crowell (S371)

02/26/2009 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S425)

03/25/2009 Hearing Cancelled S Agriculture, Food Production and Outdoor Resources Committee

04/08/2009 Hearing Scheduled S Agriculture, Food Production and Outdoor Resources Committee

04/08/2009 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee

EFFECTIVE: August 28, 2009

*** SB 463 ***

1745S.011

SENATE SPONSOR: Days

SB 463 - This act requires health carriers to provide coverage for the treatment and diagnosis of eating disorders. The coverage shall apply to health benefit plans issued, continued or renewed on or after January 1, 2010. Under the act, a health carrier offering group health insurance coverage shall not cancel or refuse to renew an individual's coverage for the purpose of avoiding the eating disorder mandate. The carrier shall not deny coverage for the treatment of eating disorders, including coverage for residential treatment of eating disorders, if such treatment is medically necessary in accordance with certain national standards. Under this act, a health carrier shall not provide payments or other benefits to individuals to encourage them to accept less coverage than is provided by the act. A health carrier shall not penalize, reduce or limit the reimbursement to a provider because the provider provided care to a beneficiary in accordance with the act.

Under the act, the mandated coverage shall include access to psychiatric and medical treatment. The health benefit plan shall also provide coverage for integrated care and treatments as prescribed by medical and psychiatric health care professionals.

The coverage mandated by the act for treating and diagnosing eating disorders does not include coverage for mental illness.

The coverage required by the act shall not be subject to any greater deductible or co-payment than other health care services provided by the plan.

The act requires the Department of Health and Senior Services, in collaboration with the Department of Social Services, to provide diagnosis and treatment services for Missouri residents who do not have

insurance coverage for eating disorders. The eating disorder care shall be provided at eating disorder units, private facilities, and state-operated facilities that have licensed eating disorder specialists on staff.

This act is identical to HB 519 (2009).

STEPHEN WITTE

02/24/2009 S First Read--SB 463-Days, et al (S371)

02/26/2009 Second Read and Referred S Small Business, Insurance and Industry Committee (S425)

03/24/2009 Hearing Conducted S Small Business, Insurance and Industry Committee

EFFECTIVE: August 28, 2009

*** SB 464 ***	HCS SB 464	2158L.05C
SENATE SPONSOR: Stouffer		HOUSE HANDLER: Yates

HCS/SB 464 - This act modifies numerous provisions relating to the regulation of insurance.

TAXATION OF INSURANCE COMPANIES - Under current law, insurance companies which pay an annual tax on gross premium receipts are exempt from the imposition of Missouri's corporate income and franchise taxes. This act specifies that insurance companies subject to an annual tax on gross premium receipts are exempt from the imposition of Missouri's corporate income and franchise taxes. These provisions can be found in SB 280 (2009)(Sections 143.441, 147.010, and 148.370).

MOTOR VEHICLE LIABILITY INSURANCE CARD FRAUD - Under this act, any person who intentionally produces, manufactures, sells, or otherwise distributes a fraudulent document intended to serve as an insurance identification card is guilty of a Class D felony. The act further provides that any person who knowingly or intentionally possesses a fraudulent document intended to serve as an insurance identification card is guilty of a Class B misdemeanor. This provision is contained in SB 16 (2009)(Section 303.024).

BAIL BOND AGENTS - Under this act, a person licensed as an active bail bond agent must hold that license for at least 4 years prior to becoming a general bail bond agent or being an officer of a corporation that is authorized as surety on a bail bond (Section 374.702). When applying for license renewal, a general bail bond agent licensed prior to August 28, 2009, must have completed at least two years as a bail bond agent and possess at least \$10,000 in liquid assets along with an executed assignment of \$10,000 to the state. For a general bail bond agent licensed on or after August 28, 2009, he or she must have completed four years as a bail bond agent and possess \$50,000 in liquid assets along with an executed assignment of \$50,000 to the state. In addition, the general bail bond agent must execute an assignment of \$5,000 for each bail bond agent licensed under his or her authority on or after August 28, 2009 (Sections 374.715 and 374.740). The act modifies a provision which allows the department to file a complaint against a bail bond agent who has had a final adjudication or a plea of guilty or nolo contendere with the past 15 years in a criminal prosecution for a felony or a crime of moral turpitude, whether or not a sentence is imposed, prior to issuance of license date. This act removes the 15 year limitation currently in the statute and repeals the language regarding the imposition of sentence prior to licensure. The act also provides that a suspended imposition of sentence is not required to be disclosed for licensing or renewal purposes and shall not serve as a basis for denial of a license (Section 374.755).

CONTINUING EDUCATION COURSES FOR PRODUCERS - This act clarifies the continuing educational requirement statute for insurance producers. Under the act, a course of instruction sponsored by an entity engaged in the business of providing education courses to producers is recognized as a qualified continuing education course (Section 375.020).

FINANCIAL REPORTING MODEL REGULATION - This act amends Missouri's annual financial reporting laws to correspond with the NAIC Annual Financial Reporting Model Regulation. In the act's main provisions, the legislative proposal requires insurers to be governed by an audit committee with respect to annual audit reports; prohibits certain CPA non-audit services; requires CPA audit partner rotation every 5 years; requires a "cooling off" period before CPA auditors can be hired by insurance clients; requires audit committee preapproval of all audit and nonaudit services provided by CPA firms; and institutes certain internal control requirements over financial reporting to ensure the reliability of financial statements that are reported to the Department of Insurance.

The act exempts insurers having direct premiums written in this state less than \$1,000,000 in any calendar year and less than 1,000 policyholders of direct written policies nationwide at the end of the calendar year from the purview of the act. The exemption does not apply if the director makes a finding that

compliance with the act is necessary to carry out statutory responsibilities. The exemption also does not apply to insurers having assumed premiums pursuant to contracts of reinsurance of \$1,000,000 or more (Section 375.1028).

Foreign or alien insurers that are required to file management's reports of internal control over financial reporting in another state are exempt from filing such reports in Missouri if the other state has similar reporting requirements as Missouri and such reports are filed with their departments of insurance.

The act requires requests for extensions for filing an annual audit report to be submitted in writing not less than 10 days prior to its filing due date. The current law allows requests to be made within 20 days of the due date. The act also provides for an extension for filing a management's report of internal control over financial reporting.

Every insurer required to file an audited financial report shall also be required to have an audit committee that is directly responsible for the appointment, oversight and compensation of any accountant the auditor (Section 375.1030).

Under the act, the director shall not recognize any person or firm as a qualified independent certified public accountant if that person or firm has either directly or indirectly entered into an indemnification with respect to the audit of the insurer. The lead or coordinating audit partner having primary responsibility over an audit may not act in that capacity for more than 5 consecutive years and may not rejoin in that capacity for a period more than five years. Under current law, the requirement is 7 and 2 years respectively. Under the act, a qualified independent certified public accountant may enter into an agreement with an insurer to have disputes relating to an audit resolved by mediation or arbitration.

Under the act, the director shall not accept an annual audited financial report, prepared in whole or in part by an accountant who functions in the role of management, audits his or her own work, or serves in an advocacy role for the insurer. The act also prohibits the director from recognizing as qualified independent certified public accountants or accepting annual audited financial reports prepared by accountants who provide to insurers, contemporaneously with the audits, certain non-audit services, such as bookkeeping services, appraisal or valuation services, human resources services, internal audit outsourcing services, investment services, legal services unrelated to the audit, or other impermissible services determined by the director. Insurers with less than \$100,000,000 in direct and assumed premiums may request a waiver from this requirement based on financial or organizational hardship.

A qualified independent certified public accountant who performs the audit may engage in other nonaudit services, including tax services, that do not conflict with the previously described services, only if the activity is approved in advance by the audit committee, in accordance with the act.

All auditing and nonaudit services provided to an insurer by the qualified independent certified public accountant must be preapproved by the audit committee. The preapproval requirement is waived for nonaudit services if the insurer is a SOX compliant entity or meets other requirements outlined in the act.

Partners and senior managers of the audit engagement may not serve as a member of the board of directors, president, chief executive officer, controller, chief financial officer or other similar position of the insurer if employed by the independent public accounting firm that audited the insurer during the one-year period which preceded the most current statutory opinion (Section 375.1037).

The act repeals the requirement that an accountant provide an insurer evidence that the accountant has liability insurance in the lesser amount of \$1,000,000 or 10% of the insurer's admitted assets (Section 375.1040).

The act requires insurers to furnish the director with written communication as to any unremediated material weaknesses in its internal control over financial reporting noted during the audit. The act outlines the procedure the accountant must follow in preparing the written communication. The insurer must also provide with its annual audited financial report a description of the remedial actions taken or proposed to correct unremediated material weaknesses (Section 375.1047).

The act requires audit committees to be directly responsible for the appointment, compensation, and oversight of the work of any accountant for the purpose of preparing or issuing the audited financial report required by the act. The act sets forth membership requirements for the audit committee and establishes

certain conflict of interest and independence requirements so that the member of the audit committee may be considered independent. Under the act, based on various premium thresholds, a certain percentage of the audit committee members must be independent from the insurer. However, if domiciliary law requires board participation by otherwise non-independent members, such law shall prevail and such members may participate in the audit committee (subsection 8 of Section 375.1053). Under the act, insurers with less than \$500 million in direct and assumed premiums may apply for a waiver from the audit committee requirements based on hardship (subsection 9 of Section 375.1053).

Under the terms of the act, no director or officer of an insurer shall make false or misleading statements to an accountant in connection with any audit, review or communication required under the act. In addition, no officer or director of an insurer, or any other person acting under the direction thereof, shall take any action to coerce, manipulate, mislead, or fraudulently influence any accountant engaged in the performance of an audit if that person knew or should have known that the action, if successful, could result in rendering the insurer's financial statements materially misleading (Section 375.1054).

Under the act, the management of insurance companies with \$500,000,000 or more in direct or assumed annual premiums must file a report with the Department of Insurance regarding its assessment of internal control over financial reporting (known as a management's report of internal control over financial reporting). The report shall include a statement by management officials whether these controls are effective to provide reasonable assurance regarding the reliability of the statutory financial statements and disclosure of any unremediated material weaknesses in internal control over financial reporting. The act establishes what the management's report of internal control over financial reporting must include (Section 375.1056).

UNCLAIMED FUNDS IN INSURER LIQUIDATION PROCEEDINGS - This act repeals a current provision of law which requires all unclaimed funds subject to distribution remaining in the liquidator's hands to be deposited with the department of economic development to be held and disposed of as unclaimed property. The act provides that these unclaimed funds shall be distributed to claims holders in the order of priority established in section 375.1218 (section 375.1224).

MINI-COBRA - This act requires group health insurance policies issued by health carriers to employers not covered by the federal COBRA law (employers with 2 to 19 employees) to provide terminated employees with group insurance coverage continuation rights in the same manner as provided by the federal COBRA law (Section 376.428). A similar provision may be found in HB 231, SB 415 and SB 547 (2009). This provision contains an emergency clause.

TRAVEL DISCRIMINATION UNDER LIFE INSURANCE POLICIES - Under this act, no life insurance company shall deny or refuse to accept an application for life insurance, refuse to renew, cancel, restrict, or otherwise terminate a policy of life insurance, or charge a different rate for the same life insurance coverage, based upon the applicant's or insured's past or future lawful travel destinations. Nothing in this act shall prohibit a life insurance company from denying an application for life insurance, or charging a different premium or rate for such coverage under such policy based on a specific travel destination where the denial or rate differential is based upon sound actuarial principles or is related to actual or reasonably anticipated experience. Under the act, a violation constitutes an unfair trade practice. The act provides that it shall apply to life insurance policies issued or renewed on or after August 28, 2009. This provision of the act is similar to SB 126 (2009) and SB 865 (2008) (Section 376.502).

CAPTIVE INSURANCE COMPANIES - This act modifies various provisions of Missouri's captive insurance company law. Under this act, the definition of "association" is amended to include captive insurance companies formed as reciprocal insurers. The act amends multiple sections of the captive insurance law to permit reciprocal insurers to be used to form an association captive.

This act repeals the requirement that a captive insurance company must hold at least 35% of its assets within Missouri (Section 379.1302). The act expressly provides that association captive insurance companies and industrial insured captive insurance companies may be organized as reciprocal insurers as provided by law. The act provides that the organizers of a reciprocal insurer must petition the director for its formation. The act provide that the captive insurance company statutes shall control in cases of conflict between them and the reciprocal insurance statutes. The act further modifies the law to permit a non-U.S. or alien captive to redomesticate to Missouri if approved by the director (Section 379.1310).

Under the terms of the act, the premium taxes imposed on captive insurance companies are redirected. Under the act, 10% of the taxes are credited to the Insurance Dedicated Fund, subject to a maximum of 3%

of the current fiscal year's appropriation from such fund, with the remainder to be deposited in the general revenue fund (Sections 379.1326 and 379.1332). The act contains a similar provision for the disposition of premium taxes assessed on special purpose life insurance captive companies (Section 379.1412).

Under the act, an association captive insurance company or an industrial insured captive insurance company may be converted into or merged with and into a reciprocal insurer. Under the act, any conversion or merger must provide a fair and equitable plan for purchasing the interests of the stockholders and policyholders of the stock or mutual insurer. The act sets forth the statutory steps that must be followed in order to complete a conversion or a merger (Section 379.1339).

This act reduces the number of Missouri residents required to incorporate or organize a special purpose life reinsurance captive from two to one (Section 379.1373).

The act modifies the method in which the assets of a special purpose life reinsurance captive are valued. The act allows letters of credit, financial guarantee policies and surety bonds to be recognized as assets of a special life reinsurance captive regardless of the existence of any repayment obligations imposed upon the captive (Section 379.1388).

The captive insurance provisions may be found in SB 269 (2009).

INSURANCE HOLDING COMPANIES - This act amends the terminology of the state's holding company law in Chapter 382, to use the term "producer" rather than the term "broker" (Sections 382.400 to 382.409).

SURPLUS LINES INSURANCE - This act allows the department to publish notices regarding surplus lines insurance companies on a website rather than mailing notices to each surplus lines licensee (Section 384.025). The act requires the biennial renewal of a surplus lines license rather than having it renewed on an annual basis. The biennial renewal fee is \$100 (currently the renewal fee is \$50 for an annual license) (Section 384.043). This act transfers the collection of surplus lines taxes directly to the Department of Revenue in order to comply with Executive Order 07-06. Current law reflects a system in which tax funds are collected by DFIP and then are remitted to the Department of Revenue (Section 384.051). Under this act, surplus lines brokers are required to report the gross amounts charged for surplus lines insurance with respect to risks located within this state, exclusive of sums collected for the payment of federal, state, or local taxes and the amount of net premiums with respect to the insurance (Section 384.057). The act repeals a provision of law that requires the director of the Department of Insurance to personally report to certain legislative committees of all actions initiated, maintained and concluded by the director (Section 374.456). Under current law, each surplus lines licensee must file a written report with the director within 30 days of placing surplus lines insurance describing the surplus lines insurance transaction. This act repeals this provision (Section 384.031).

TRAVEL CLUBS - Under this act, any travel club offering vacation benefits for sale must demonstrate that it possesses liquid assets of at least \$250,000 by posting a certificate of deposit, a letter of credit, or an executed assignment if posted with the department of insurance rather than the attorney general. The liquid assets shall be available to the attorney general. Interest on the described financial instruments shall accrue to the travel club (Section 407.1243).

STEPHEN WITTE

02/24/2009 S First Read--SB 464-Stouffer (S371)
 02/26/2009 Second Read and Referred S Small Business, Insurance and Industry Committee (S425)
 03/03/2009 Hearing Conducted S Small Business, Insurance and Industry Committee
 03/10/2009 Voted Do Pass S Small Business, Insurance and Industry Committee - Consent
 03/11/2009 Reported from S Small Business, Insurance and Industry Committee to Floor - Consent (S589)
 03/30/2009 S Third Read and Passed - Consent (S798 / H795)
 03/30/2009 H First Read (H795)
 03/31/2009 H Second Read (H804)
 03/31/2009 Referred H Insurance Policy Committee (H819)
 04/08/2009 Hearing Conducted H Insurance Policy Committee
 04/16/2009 HCS Reported Do Pass H Insurance Policy Committee
 04/20/2009 HCS Reported Do Pass H Insurance Policy Committee (H1143)
 04/20/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1143)

EFFECTIVE: August 28, 2009

SENATE SPONSOR: Pearce

SB 465 - This act creates the Division of Job Development and Training within the Division of Employment Security. All of the powers, duties, functions, records, personnel, property, matters pending and other pertinent vestiges relating to the administration of free public employment offices, employment assistance programs, and job development training and placement currently vested in the division of workforce development within the department of economic development are transferred to the division of job development and training.

Currently, in order to qualify for unemployment benefits, claimants shall report every 4 weeks. Under this act, claimants may report by phone or email and the 4 week reporting requirement is waived when the state unemployment rate is 6% or greater.

CHRIS HOGERTY

02/24/2009 S First Read--SB 465-Pearce (S371)

02/26/2009 Second Read and Referred S Small Business, Insurance and Industry Committee (S425)

03/10/2009 Hearing Conducted S Small Business, Insurance and Industry Committee

EFFECTIVE: August 28, 2009

*** SB 466 ***

2112S.011

SENATE SPONSOR: Smith

SB 466 - Committees shall disclose contributions every forty-eight hours within thirty days of the election when making any contribution in support of or in opposition to any candidate for state representative, state senator, or statewide elected office.

This act creates a method for publicly financing election campaigns for legislative and statewide candidates.

Candidates certified as clean election candidates are eligible to receive public funding for their respective campaigns by raising qualifying contributions, in the sum of \$5 per voter, from a specified number of individuals, during a specified qualifying period. The candidates may, before certification, raise and spend seed money contributions of no more than \$100 per contribution, up to \$50,000 for candidates for Governor, \$10,000 for nongubernatorial statewide candidates, \$1,500 for candidates for the Senate, and \$500 for candidates for the House of Representatives. Any individual may contribute to the fund at any time without limitation.

The Ethics Commission shall disburse funds from the Clean Election Fund to certified candidates to match the funds raised and spent by any non-certified opponent. The fund is comprised of \$2,000,000 appropriated from the general revenue fund that shall be deposited into the fund yearly, all qualifying contributions, unspent funds, reallocations, certain fines, and other donations.

The amounts of funds to be distributed to certified candidates are based on average expenditures of previous campaigns and whether or not the race is contested. Once certified, participating candidates may only receive and spend moneys allocated to the candidate from the fund. All unspent revenues originating from the fund must be returned by participating candidates defeated in primaries and all participating candidates after applicable general elections.

A process for challenging the certification of a candidate is included in the act. Fines may be imposed upon candidates in violation of the act and certain acts constitute a class A misdemeanor.

A Joint Committee on Clean Elections is also established to study and recommend legislation relating to the administration, implementation, and enforcement of the act.

This act is similar to SB 1071 (2008).

CHRIS HOGERTY

02/24/2009 S First Read--SB 466-Smith (S371)

02/26/2009 Second Read and Referred S General Laws Committee (S425)

EFFECTIVE: August 28, 2009

*** SB 467 ***

2160S.011

SENATE SPONSOR: Justus

SB 467 - This act requires nursing home facilities to carry liability insurance with limits of no less than \$1 million per occurrence to compensate residents for damages caused by care received by the facility.

STEPHEN WITTE

02/24/2009 S First Read--SB 467-Justus (S371)

02/26/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S425)

03/31/2009 Hearing Conducted S Health, Mental Health, Seniors and Families Committee

EFFECTIVE: August 28, 2009

*** SB 468 ***

HCS SCS SB 468

2161L.05C

SENATE SPONSOR: Justus

HOUSE HANDLER: Dusenberg

HCS/SCS/SB 468 - This act modifies the definition of "adult" for the purposes of adult abuse statutes by modifying the age of an adult from eighteen years old to seventeen years old. local law enforcement agencies or other government agencies to enter information regarding the service of ex parte orders of protection into the Missouri Uniform Law Enforcement system within twenty-four hours after the ex parte order is served. Law enforcement agencies must also enter information regarding the expiration, termination, or denial of an ex parte order within twenty-four hours of receiving information evidencing such expiration, termination, or denial.

EMILY KALMER

02/24/2009 S First Read--SB 468-Justus (S371)

02/26/2009 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S425)

03/09/2009 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee

03/09/2009 SCS Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee - Consent (2161S.02C)

03/11/2009 Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor w/SCS - Consent (S588)

03/30/2009 SCS S adopted (S792)

03/30/2009 S Third Read and Passed - Consent (S793 / H795)

03/30/2009 H First Read (H795)

03/31/2009 H Second Read (H804)

03/31/2009 Referred H Public Safety Committee (H819)

04/07/2009 Hearing Conducted H Public Safety Committee

04/07/2009 HCS Voted Do Pass H Public Safety Committee - Consent

04/08/2009 HCS Reported Do Pass H Public Safety Committee - Consent (H1001)

04/08/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1001)

04/14/2009 Hearing Conducted H Rules Committee

04/14/2009 Voted to return to committee of origin H Rules Committee (H1043)

EFFECTIVE: August 28, 2009

*** SB 469 ***

2123S.011

SENATE SPONSOR: Justus

SB 469 - This act requires that at least twenty days notice of foreclosure sales be given to mortgagors of the property (i.e. borrowers) and any tenants residing on the property. The lender must mail notice to the tenant of the foreclosure sale. The act provides the language of the notice to the tenant. When the lender or trustee does not know the name of the tenant they do not have to send the notice by certified or registered mail. The lender or trustee must record an affidavit of service as proof they notified the tenant.

In cases where a foreclosed property is lawfully occupied by a residential tenant who is not in violation of any lease agreement, no unlawful detainer (i.e. eviction) action may begin against the tenant until 45 days after the date the tenant is given notice that the foreclosure sale occurred. A tenant is not guilty of unlawful detainer until they have received written notice that the foreclosure sale has occurred and they are either in violation of any lease agreement or it has been at least 45 days after the date of the foreclosure sale.

EMILY KALMER

02/24/2009 S First Read--SB 469-Justus (S371)

02/26/2009 Second Read and Referred S General Laws Committee (S425)

EFFECTIVE: August 28, 2009

*** SB 470 ***

2118S.011

SENATE SPONSOR: Ridgeway

SB 470 - Under current law, any amount of individual taxable income above nine thousand dollars is taxed at a rate of six percent. This act modifies the tax table by lowering the highest rate of tax to four percent of taxable income in excess of five thousand dollars.

JASON ZAMKUS

02/24/2009 S First Read--SB 470-Ridgeway (S371-372)

02/26/2009 Second Read and Referred S Ways and Means Committee (S425)

EFFECTIVE: August 28, 2009

*** SB 471 ***

1808S.011

SENATE SPONSOR: Ridgeway

SB 471 - This act creates an administrative procedure in which a towing company may seek to recoup reasonable towing and storage fees associated with towing an abandoned vehicle from public property. The towing company may submit an affidavit within 30 days, but no more than 45 days of the tow to recoup the towing company's towing and storage fees. In addition to the affidavit, the towing company must submit an application which shall include an itemized accounting of the towing and storage fees. The application shall also be accompanied by a copy of the crime and inquiry inspection report (the DOR 4569 Form) and the applicant shall attest that the towing company has complied with all the statutory procedural requirements related to the towing of abandoned vehicles.

Within 5 business days of receiving the application, the Department of Revenue shall send notice to the registered owner of the abandoned motor vehicle that a claim for reasonable towing and storage charges has been filed with the department. The notice shall state that if the registered owner does not provide proof to the department that such charges have been paid within 30 days of receiving the notice, the department shall suspend the owner's license and any motor vehicle registrations registered in the owner's name. The notice of suspension shall be mailed to the registered owner at the last known address shown on the department's records. The notice of suspension is deemed received three days after mailing. The notice of suspension shall clearly specify the reason and statutory grounds for the suspension and the effective date of the suspension, the right of the person to request a hearing, the procedure for requesting a hearing, and the date by which that request for a hearing must be made. If the request for a hearing is received by the department prior to the effective date of the suspension, the effective date of the suspension will be stayed until a final order is issued following the hearing. The suspension shall become effective 30 days after the registered owner is deemed to have received the notice. The period of the suspension shall continue until the owner submits proof that he or she has satisfied all reasonable towing and storage charges.

Under this act, "reasonable storage charges" shall not exceed the charges for motor vehicles which have been towed with the consent of the owner on a negotiated basis. Reasonable storage charges shall not exceed 90 days.

This portion of the act is identical to HB 360 (2009) and similar to SB 1284 (2006) and SB 606 (2006).

Under this act, the highway patrol may use a rotation list when requesting towing services for the removal of abandoned vehicles and property.

The act allows any vehicle responding to an emergency or critical situation on the state highway system to use amber lights instead of red or blue lights when there is a threat of serious physical injury or death.

STEPHEN WITTE

02/24/2009 S First Read--SB 471-Ridgeway (S372)

02/26/2009 Second Read and Referred S Transportation Committee (S425)

EFFECTIVE: August 28, 2009

*** SB 472 ***

2064S.011

SENATE SPONSOR: Ridgeway

SB 472 - The Office of Administration shall administer the Missouri Accountability Portal website to provide the public with information relating to state contracts and tax credit issuance. The Governor shall submit ordered and detailed information regarding state contracts as part of the state budget.

Political subdivisions and special districts shall provide a detailed accounting of their monthly expenditures on the web, if they administer web sites and use electronic accounting systems.

This act is similar to HB 975 (2007), SB 1204 (2008), HB 174 (2009), SB 155 (2009), and SB 162 (2009).
CHRIS HOGERTY

02/24/2009 S First Read--SB 472-Ridgeway (S372)

02/26/2009 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S425)

EFFECTIVE: August 28, 2009

*** SB 473 ***

2124S.011

SENATE SPONSOR: Bray

SB 473 - This act requires that the public body and the exclusive bargaining representative shall bargain in good faith to reach an amicable agreement. Tentative bargaining agreements shall be ratified pursuant to the ratification process established by the exclusive bargaining representative.

If an agreement is not reached, disputes are resolved pursuant to the impasse resolution process agreed to by the parties. If no such process is agreed to, upon application of either party, the state board of mediation may hold a conference with the parties and assist in negotiating or drafting a settlement agreement or submitting the dispute to binding arbitration.

CHRIS HOGERTY

02/24/2009 S First Read--SB 473-Bray (S372)

02/26/2009 Second Read and Referred S General Laws Committee (S425)

EFFECTIVE: August 28, 2009

*** SB 474 ***

1830S.021

SENATE SPONSOR: Wright-Jones

SB 474 - Gas, electric, water, heating, sewer and telephone companies are prohibited from requiring a deposit or other guarantee for new residential service except for: customers who have wrongly interfered with or diverted the utility's service within the past five years, or for customers who do not meet the acceptable credit rating.

These utilities are prohibited from requiring a deposit or other guarantee for continued service unless: the service has been shut off due to the customer's delinquency in payment, or the customer wrongly interfered with or diverted the utility's service. No deposit or other guarantee shall be required for any customer who has consistently paid at least a portion of his or her monthly utility bill and when the outstanding balance owed is \$500 or less.

This act is similar to HB 2587 (2008).
ERIKA JAQUES

02/24/2009 S First Read--SB 474-Wright-Jones (S372)

02/26/2009 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S425)

04/14/2009 Hearing Scheduled But Not Heard S Commerce, Consumer Protection, Energy and the Environment Committee

04/28/2009 Hearing Scheduled S Commerce, Consumer Protection, Energy and the Environment Committee

EFFECTIVE: August 28, 2009

*** SB 475 ***

1102S.011

SENATE SPONSOR: Wright-Jones

SB 475 - This act requires all health carriers of at least 50,000 people to expend at least 90% of their total annual Missouri-associated revenues on health care services in any given calendar year (non-health expenditures must not exceed 10% of their Missouri-associated revenue). This percentage is known as the Missouri care share under the act. The act also requires health carriers of at 25,000 persons but less than 50,000 persons to expend at least 85% of their total annual Missouri-associated revenues on health care services in any given calendar year.

The act requires health carriers to submit an annual report to the director of the Department of Insurance, Financial Institutions and Professional Registration. The health carrier shall report its total revenues, Missouri-associated revenue, total premiums, Missouri premiums, total health expenditures, Missouri-associated health expenditures, total non-health expenditures, care share, and Missouri care share.

The director shall publish annually the care share and the Missouri care share of each health carrier doing business in the state of Missouri. All written materials used for advertising and marketing health benefit plans to prospective insured persons or groups shall include a statement of the health carrier's care share and its Missouri care share.

Under the terms of the act, any health carrier that fails to comply with the act shall refund to the persons insured by it a percentage of its Missouri-associated revenues equal to the Missouri care share required by the act for the calendar year less the Missouri care share actually expended for the calendar year. An insurer that reports a shortfall in its Missouri care share may pay the refund by reducing the total premiums payable by its insureds or enrollees for the calendar year in which the shortfall is reported by an amount equal to the total shortfall.

The act requires the director to audit the books and records of a random sample of 10% of health carriers that have more than 25,000 persons insured under health benefit plans. The director may appoint an independent auditor to conduct the audit and shall assess each health carrier a fee to pay the reasonable costs of the audit.

STEPHEN WITTE

02/24/2009 S First Read--SB 475-Wright-Jones (S372)

02/26/2009 Second Read and Referred S Progress and Development Committee (S425)

03/11/2009 Hearing Cancelled S Progress and Development Committee

04/01/2009 Hearing Cancelled S Progress and Development Committee

04/08/2009 Hearing Scheduled But Not Heard S Progress and Development Committee

EFFECTIVE: August 28, 2009

*** SB 476 ***

1831S.011

SENATE SPONSOR: Wright-Jones

SB 476 - This act allows elected officials to be excused from jury duty during their term of office.

This act is similar to HB 1091 (2006).

EMILY KALMER

02/24/2009 S First Read--SB 476-Wright-Jones (S372)

02/26/2009 Second Read and Referred S General Laws Committee (S425)

EFFECTIVE: August 28, 2009

*** SB 477 ***

2104S.01P

SENATE SPONSOR: Wright-Jones

SB 477 - This act amends the Missouri Transportation Development District Act to include public mass transportation systems as transportation development district projects.

Under current law, owners of property adjacent to a TDD may petition the court to add their property to the district and such property shall be added if the property owners within the district unanimously approve of its addition. Under this act, unanimous approval is not needed to add adjacent property to a TDD formed by a local transportation authority for the purpose of operating a public mass transportation system. Instead, adjacent property listed in the petition shall be added upon approval of the district's board of directors.

Under the act, the board of directors for a district formed by local transportation authorities for the purpose of operating a public mass transportation system shall consist of not less than 3 nor more than 5 persons appointed by the chief executive officers of each local transportation authority. The directors appointed by the chief executive officers may be removed by such officers at any time with or without cause. Under the act, the state highways and transportation commission is prohibited from appointing advisers to the boards of directors of these types of transportation development districts.

Under the act, districts formed by local transportation authorities for the purpose of operating a public mass transportation system do not have to submit their project plans to the state highways and transportation commission.

The act provides that the sales tax for a district formed by a local transportation authority for the purpose of operating a public mass transportation system shall not be considered economic activity taxes as used in the TIF statutes and that the tax revenues are not subject to allocation by the TIF statutes. The act also creates a special fund known as the "Transportation Development District Sales Tax Trust Fund" to deposit the sales tax revenues generated by these types of transportation development districts.

STEPHEN WITTE

02/24/2009 S First Read--SB 477-Wright-Jones (S372)
 02/26/2009 Second Read and Referred S Transportation Committee (S425)
 03/04/2009 Hearing Conducted S Transportation Committee
 03/04/2009 Voted Do Pass S Transportation Committee
 03/12/2009 Reported from S Transportation Committee to Floor (S620)
 03/31/2009 Bill Placed on Informal Calendar (S830)
 04/01/2009 SS S offered (Wright-Jones)--(2104S.02F) (S839)
 04/01/2009 SA 1 to SS S offered & adopted (Wright-Jones) (S839)
 04/01/2009 SA 2 to SS S offered & adopted (Rupp)--(2104S02.01S) (S839-846)
 04/01/2009 Bill Placed on Informal Calendar (S846)
 04/27/2009 S Informal Calendar S Bills for Perfection--SB 477-Wright-Jones, with SS (pending)

EFFECTIVE: August 28, 2009

*** SB 478 ***

2063S.011

SENATE SPONSOR: Shoemyer

SB 478 - This act prohibits contracts between health carriers and health care providers from containing provisions that require health care providers to disclose their reimbursement rates with other health carriers. Under the act, such provisions are void and unenforceable.

STEPHEN WITTE

02/25/2009 S First Read--SB 478-Shoemyer (S380)
 03/02/2009 Second Read and Referred S Small Business, Insurance and Industry Committee (S442)

EFFECTIVE: August 28, 2009

*** SB 479 ***

2173S.011

SENATE SPONSOR: Shoemyer

SB 479 - This act allows contributions to a downtown revitalization preservation development project from any private not-for-profit organization or local contributions from tax abatement or other sources to be substituted on a dollar-for-dollar basis for the local match of 100% of payments in lieu of taxes and economic activity taxes from the development's fund.

This act is identical to House Bill 746 (2009).

JASON ZAMKUS

02/25/2009 S First Read--SB 479-Shoemyer (S380)
 03/02/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S442)
 03/25/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee

EFFECTIVE: August 28, 2009

*** SB 480 ***

HCS SB 480

2181L.02C

SENATE SPONSOR: Shoemyer

HOUSE HANDLER: Quinn

HCS/SB 480 - The Second State Capitol Commission is renamed the Missouri State Capitol Commission. Currently, the commission membership includes one member of the majority and minority parties of the House and Senate. This act requires the Senate member to be appointed by the pro tem and the House member to be appointed by the speaker.

The commission's duties are expanded to include evaluating and approving capitol studies and improvement, expansion, renovation, and restoration projects to be paid out of the State Capitol Commission fund, and initiating planning efforts, subject to appropriation, for a centennial celebration of the laying of the capstone of the state capitol.

Gifts, bequests, donations, and grants may be used for the preservation, improvement, expansion, and renovation of the capitol.

This act creates the Missouri Board on Geographic Names within the office of the Secretary of State charged with the following duties:

- Evaluate proposals for changes in names of geographical features and places.
- Make official recommendations to and cooperate with the United States Board on Geographic names.
- Maintain a list of advisers who have special interest and knowledge in Missouri history, geography or culture and consult with such advisers.
- Develop and revise state priorities for geographic records projects.
- Report annually to the General Assembly.

CHRIS HOGERTY

02/25/2009 S First Read--SB 480-Shoemyer (S380)
 03/02/2009 Second Read and Referred S General Laws Committee (S442)
 03/10/2009 Hearing Conducted S General Laws Committee
 03/10/2009 Voted Do Pass S General Laws Committee - Consent
 03/11/2009 Reported from S General Laws Committee to Floor - Consent (S588-589)
 03/30/2009 S Third Read and Passed - Consent (S796-797 / H795)
 03/30/2009 H First Read (H795)
 03/31/2009 H Second Read (H804)
 03/31/2009 Referred H Special Standing Committee on General Laws Committee (H819)
 04/09/2009 Hearing Conducted H Special Standing Committee on General Laws Committee
 04/09/2009 Voted Do Pass H Special Standing Committee on General Laws Committee - Consent
 04/09/2009 Reported Do Pass H Special Standing Committee on General Laws Committee - Consent (H1024)
 04/09/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1024)
 04/14/2009 Hearing Conducted H Rules Committee
 04/14/2009 Voted to return to committee of origin H Rules Committee (H1043)
 04/21/2009 HCS Voted Do Pass H Special Standing Committee on General Laws Committee
 04/21/2009 HCS Reported Do Pass H Special Standing Committee on General Laws Committee (H1195)
 04/21/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1195)

EFFECTIVE: August 28, 2009

*** SB 481 ***

2174S.011

SENATE SPONSOR: Ridgeway

SB 481 - Beginning January 1, 2010, this act authorizes a corporate income tax exemption for corporations that do not receive funds from any program administered by the Department of Economic Development. To be eligible for the exemption, the corporation must annually file a request form with the Department of Revenue indicating that the corporation is not receiving funds from a Department of Economic Development program and will not receive funds for five taxable years following the request. A corresponding individual income tax exemption is provided for taxpayer income received from business entities with flow-through tax treatment.

The provisions authorizing the corporate income tax exemption will expire December 31 six years from the effective date.

This act is similar to House Bill 432 (2009).
 JASON ZAMKUS

02/25/2009 S First Read--SB 481-Ridgeway (S381)

03/02/2009 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S442)

EFFECTIVE: August 28, 2009

*** SB 482 ***

1934S.011

SENATE SPONSOR: Ridgeway

SB 482 - This act requires that tanning facilities be licensed by the Department of Health and Senior Services. Tanning facilities are also required to provide written warnings to customers, post warning signs, have an operator present to assist customers in the proper use of the tanning devices, provide customers with protective eyewear, show customers how to use physical aids at the facility, use accurate timers on all devices, maintain remote control timers, maintain a manual control that allows the customer to terminate the lamps, limit a customer's time to the maximum recommended by the manufacturer, and ensure the facility's temperature does not exceed 100 degrees Fahrenheit.

Every person who uses a tanning facility is required to sign a written statement that they have read and understand all the required warnings and agree to wear the protective eyewear.

Individuals under the age of sixteen are prohibited from using a tanning device. Individuals under the age of eighteen must have a signed written statement from their parent or guardian before they can use a tanning device.

The director of the Department of Health and Senior Services has the authority to establish rules regarding tanning facility licenses. These rules shall include standards of hygiene, procedures to grant, deny, discipline, or reinstate licenses, and rules for inspections of facilities.

The department is authorized to collect fees from tanning facilities. The fees will be deposited in the newly created Tanning Facility Fund.

A person who violates this act is guilty of a class C misdemeanor.

This act is similar to HB 352 (2009).

EMILY KALMER

02/25/2009 S First Read--SB 482-Ridgeway (S381)

03/02/2009 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S442)

EFFECTIVE: August 28, 2009

*** SB 483 ***

2099S.011

SENATE SPONSOR: Rupp

SB 483 - This act amends Missouri's annual financial reporting laws to correspond with the NAIC Annual Financial Reporting Model Regulation. In the act's main provisions, the legislative proposal requires insurers to be governed by an audit committee with respect to annual audit reports; prohibits certain CPA non-audit services; requires CPA audit partner rotation every 5 years; requires a "cooling off" period before CPA auditors can be hired by insurance clients; requires audit committee preapproval of all audit and nonaudit services provided by CPA firms; and institutes certain internal control requirements over financial reporting to ensure the reliability of financial statements that are reported to the Department of Insurance.

The act exempts insurers having direct premiums written in this state less than \$1,000,00 in any calendar year and less than 1,000 policyholders of direct written policies nationwide at the end of the calendar year from the purview of the act. The exemption does not apply if the director makes a finding that compliance with the act is necessary to carry out statutory responsibilities. The exemption also does not apply to insurers having assumed premiums pursuant to contracts of reinsurance of \$1,000,000 or more (Section 375.1028).

Foreign or alien insurers that are required to file management's reports of internal control over financial reporting in another state are exempt from filing such reports in Missouri if the other state has similar reporting requirements as Missouri and such reports are filed with their departments of insurance.

The act requires requests for extensions for filing an annual audit report to be submitted in writing not less than 10 days prior to its filing due date. The current law allows requests to be made within 20 days of the due date. The act also provides for an extension for filing a management's report of internal control over financial reporting.

Every insurer required to file an audited financial report shall also be required to have an audit committee that is directly responsible for the appointment, oversight and compensation of any accountant the auditor (Section 375.1030).

Under the act, the director shall not recognize any person or firm as a qualified independent certified public accountant if that person or firm has either directly or indirectly entered into an indemnification with respect to the audit of the insurer. The lead or coordinating audit partner having primary responsibility over an audit may not act in that capacity for more than 5 consecutive years and may not rejoin in that capacity for a period more than five years. Under current law, the requirement is 7 and 2 years respectively. Under the act, a qualified independent certified public accountant may enter into an agreement with an insurer to have disputes relating to an audit resolved by mediation or arbitration.

Under the act, the director shall not accept an annual audited financial report, prepared in whole or in part by an accountant who functions in the role of management, audits his or her own work, or serves in an advocacy role for the insurer. The act also prohibits the director from recognizing as qualified independent certified public accountants or accepting annual audited financial reports prepared by accountants who provide to insurers, contemporaneously with the audits, certain non-audit services, such as bookkeeping services, appraisal or valuation services, human resources services, internal audit outsourcing services, investment services, legal services unrelated to the audit, or other impermissible services determined by the director. Insurers with less than \$100,000,000 in direct and assumed premiums may request a waiver from this requirement based on financial or organizational hardship.

A qualified independent certified public accountant who performs the audit may engage in other nonaudit services, including tax services, that do not conflict with the previously described services, only if the activity is approved in advance by the audit committee, in accordance with the act.

All auditing and nonaudit services provided to an insurer by the qualified independent certified public accountant must be preapproved by the audit committee. The preapproval requirement is waived for nonaudit services if the insurer is a SOX compliant entity or meets other requirements outlined in the act.

Partners and senior managers of the audit engagement may not serve as a member of the board of directors, president, chief executive officer, controller, chief financial officer or other similar position of the insurer if employed by the independent public accounting firm that audited the insurer during the one-year period which preceded the most current statutory opinion (Section 375.1037).

The act repeals the requirement that an accountant provide an insurer evidence that the accountant has liability insurance in the lesser amount of \$1,000,000 or 10% of the insurer's admitted assets (Section 375.1040).

The act requires insurers to furnish the director with written communication as to any unremediated material weaknesses in its internal control over financial reporting noted during the audit. The act outlines the procedure the accountant must follow in preparing the written communication. The insurer must also provide with its annual audited financial report a description of the remedial actions taken or proposed to correct unremediated material weaknesses (section 375.1047).

The act requires audit committees to be directly responsible for the appointment, compensation, and oversight of the work of any accountant for the purpose of preparing or issuing the audited financial report required by the act. The act sets forth membership requirements for the audit committee and establishes certain conflict of interest and independence requirements so that the member of the audit committee may be considered independent. Under the act, based on various premium thresholds, a certain percentage of the audit committee members must be independent from the insurer. However, if domiciliary law requires board participation by otherwise non-independent members, such law shall prevail and such members may participate in the audit committee (subsection 8 of Section 375.1053). Under the act, insurers with less than \$500 million in direct and assumed premiums may apply for a waiver from the audit committee requirements based on hardship (subsection 9 of Section 375.1053).

Under the terms of the act, no director or officer of an insurer shall make false or misleading statements to an accountant in connection with any audit, review or communication required under the act. In addition, no officer or director of an insurer, or any other person acting under the direction thereof, shall take any action to coerce, manipulate, mislead, or fraudulently influence any accountant engaged in the performance of an audit if that person knew or should have known that the action, if successful, could result in rendering the insurer's financial statements materially misleading (Section 375.1054).

Under the act, the management of insurance companies with \$500,000,000 or more in direct or assumed annual premiums must file a report with the Department of Insurance regarding its assessment of internal control over financial reporting (known as a management's report of internal control over financial reporting). The report shall include a statement by management officials whether these controls are effective to provide reasonable assurance regarding the reliability of the statutory financial statements and disclosure of any unremediated material weaknesses in internal control over financial reporting. The act establishes what the management's report of internal control over financial reporting must include (Section 375.1055).

STEPHEN WITTE

02/25/2009 S First Read--SB 483-Rupp (S381)

03/02/2009 Second Read and Referred S Small Business, Insurance and Industry Committee (S442)

03/10/2009 Hearing Conducted S Small Business, Insurance and Industry Committee

EFFECTIVE: August 28, 2009

*** SB 484 ***

2184S.011

SENATE SPONSOR: Rupp

SB 484 - This act provides that any federal highway and bridge funds received by the Missouri Highways and Transportation Commission shall be distributed to the various transportation districts, with the St. Louis region transportation district receiving a minimum of 33% of such funds.

STEPHEN WITTE

02/25/2009 S First Read--SB 484-Rupp (S381)

03/02/2009 Second Read and Referred S Transportation Committee (S442)

EFFECTIVE: August 28, 2009

*** SB 485 ***

HCS SB 485

2185L.04C

SENATE SPONSOR: Pearce

HOUSE HANDLER: Diehl

HCS/SB 485 - Modifies laws relating to elections, campaign finance and voter approved taxation.

County assessors shall have resided in the county in which they are elected or appointed for 6 months prior to the election or appointment.

Currently, the county commission of third and fourth class counties may appoint a county land surveyor following a general election in which the office of surveyor is on the ballot if no candidate seeks the office. Under this act, such commissions may appoint a county land surveyor following the deadline for filing for the office if no candidate files for the office provided that the election authority publishes the required notice of the date for filing for the office in at least one newspaper of general circulation in the county.

Certain third class cities are allowed to eliminate primary elections for mayor and councilman by ordinance. The requirements to be adopted in the ordinance relating to filing for candidacy and printing of ballots are included in the act.

The act repeals a provision allowing the Ethics Commission to file a petition in the circuit court of Cole County to request additional time for completing investigations.

The Secretary of State shall establish a program to allow overseas voters to receive and cast a ballot using the Internet.

Currently, candidates for special district, city, town, and village offices and township offices in township organization counties are exempt from the provisions of Section 115.342 that disqualify candidates from running for office when they are delinquent in the payment of any state income taxes, personal property taxes, or real property taxes. This amendment removes the exemption for those offices.

Candidates shall not qualify for public office when they have been found guilty of or pled guilty to any crime in any other jurisdiction that involves misconduct in public office or would constitute a felony in Missouri. Federal felons are also disqualified.

Candidates who tie in the number of votes cast for an office have the right to a recount.

Using an electronic recording device to record, photograph, copy, or transmit the content of a voted ballot to those not designated to receive such information shall constitute a class 3 election offense.

Currently, treasurers and deputy treasurers of all committees shall reside in the district or county in which the committee sits. This amendment only applies that requirement to political party committee treasurers and deputy treasurers.

The Ethics Commission is required to redact the bank account number contained on a committee's statement of organization before it makes the statement public.

The act modifies laws regarding property taxation by requiring tax rate rollbacks by school districts in reassessment years. For tax year 2009, political subdivisions are authorized to levy a property tax rate sufficient to generate as much revenue as was produced in the 2007 tax year excluding new construction and improvements as long as such rate does not exceed the greater of the rate in effect for the 1984 tax year or the most recent voter approved rate. Under current law, if a political subdivision experiences a decrease in assessed value, such political subdivision may roll-up its tax rate to the most recent voter-approved rate in order to receive the same amount of revenue as was received in the previous year. This act would allow a political subdivision which experiences a decrease in assessed value to roll-up its tax rate to the greater of the most recent voter-approved rate or the highest rate in effect since the 1984 tax year in order to collect the same amount of tax revenue from the previous year. If such political subdivision is a school district which experiences a decrease in assessed value, such school district will be allowed to roll-up its tax rate, provided such rate does not exceed the highest tax rate in effect since the 1980 tax year.

The act requires the governing body of any taxing authority to submit a proposal to the voters to lower tax rates at the next regular election upon the submission of a petition signed by at least 33% of the registered voters within the taxing authority's boundaries. If at least 66% of the votes are in favor, the lowered tax rate shall become effective. If more than 33% oppose the decrease, the rate shall not change. The required forms and content of the petition and the ballot language are included in the act.

The fractional requirement for passing tax measures by popular vote is satisfied when the vote percentage is greater than or equal to a 4 decimal percentage equivalent of the fraction with the last decimal in the ten thousandths position increased by adding 1.

This act contains an emergency clause.

This act is similar to HB 228 (2009), SB 253 (2009), HB 1039 (2009), HB 739 (2009), HB 613 (2009), HB 427 (2009), SB 14 (2009), HB 997 (2009), SB 165 (2009), and HB 421 (2009).

CHRIS HOGERTY

02/25/2009 S First Read--SB 485-Pearce (S381)
 03/02/2009 Second Read and Referred S General Laws Committee (S442)
 03/10/2009 Hearing Conducted S General Laws Committee
 03/10/2009 Voted Do Pass S General Laws Committee - Consent
 03/11/2009 Reported from S General Laws Committee to Floor - Consent (S588)
 03/30/2009 S Third Read and Passed - Consent (S796 / H795)
 03/30/2009 H First Read (H795)
 03/31/2009 H Second Read (H804)
 03/31/2009 Referred H Elections Committee (H819)
 04/21/2009 Hearing Conducted H Elections Committee
 04/23/2009 HCS Voted Do Pass H Elections Committee
 04/23/2009 HCS Reported Do Pass H Elections Committee (H1258)
 04/23/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1258)

EFFECTIVE: Emergency Clause

SB 486 – Current law prohibits police, deputy sheriffs, Missouri State Highway Patrolmen, Missouri National Guard, all teachers of all Missouri schools, colleges and universities from forming and joining labor organizations. This act repeals that prohibition and grants employees of any public body the right to form and join organizations and to present proposals to any public body for salaries and other conditions of employment.

MICHAEL RUFF

02/25/2009 S First Read--SB 486-Green, et al (S381)

03/02/2009 Second Read and Referred S Small Business, Insurance and Industry Committee (S442)

03/31/2009 Hearing Conducted S Small Business, Insurance and Industry Committee

EFFECTIVE: August 28, 2009

*** SB 487 ***

2159S.011

SENATE SPONSOR: Stouffer

SB 487 – This act changes the name of the Missouri Head Injury Advisory Council to the Missouri Brain Injury Advisory Council and codifies the executive order transferring the Missouri Brain Injury Advisory Council to the Department of Health and Senior Services. The act provides for the decrease of members of the council from the present twenty-five to eighteen. Meetings of the full council shall be held four times a year or at the call of the council chairperson.

This act prescribes some additional duties for the department, including promulgating rules to prescribe polices or standards which affect charging and funding of adult brain injury rehabilitation services and reasonable rules relative to the implementation of participant rights for those using rehabilitation services. The department shall also promulgate rules to create a reasonable standard means test to be applied to all programs and services funded by the department. The department may also receive federal grants and aids for brain injury prevention, brain injury and brain injury rehabilitation. The administration of the Brain Injury Fund is also transferred to the department.

This act also provides that services provided by the department shall be directed toward preparation for education or vocational achievement, independent living, and community participation.

This act is similar to SB 333 (2007).

ADRIANE CROUSE

02/25/2009 S First Read--SB 487-Stouffer (S381)

03/02/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S442)

EFFECTIVE: August 28, 2009

*** SB 488 ***

2172S.011

SENATE SPONSOR: Vogel

SB 488 - This act allows the governing body of the city of Lake Ozark to withdraw from any special road district located in Camden and Miller County and form a new road district with boundaries identical to the boundaries of the city. The act also authorizes the issue of a special road district tax to be placed on the same ballot as the withdrawal and formation of the new road district.

This act is identical to HB 573 (2009).

STEPHEN WITTE

02/25/2009 S First Read--SB 488-Vogel (S381)

03/02/2009 Second Read and Referred S Transportation Committee (S442)

EFFECTIVE: August 28, 2009

*** SB 489 ***

2095S.031

SENATE SPONSOR: Dempsey

SCS/SB 489 - This act repeals specific authorization for the Cities of Edmundson, Woodson Terrace and St. Peters to impose hotel and motel license taxes and authorizes the mayor or board of alderman of any city to impose a license tax on the gross revenues of hotels and motels not to exceed two and one half percent.

JASON ZAMKUS

02/25/2009 S First Read--SB 489-Dempsey (S381)

03/02/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S442)

03/25/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee

04/08/2009 SCS Voted Do Pass S Jobs, Economic Development and Local Government Committee (2095S.05C)

EFFECTIVE: August 28, 2009

*** SB 490 ***

2087S.011

SENATE SPONSOR: Wilson

SB 490 - This act incorporates provisions of the model complementary enforcement legislation for the master settlement agreement by establishing certain requirements for participating tobacco manufacturers and nonparticipating tobacco manufacturers relating to the agreement between various tobacco companies, the State of Missouri, 45 other states, the District of Columbia, and five U. S. territories.

All tobacco manufacturers whose cigarettes are sold in Missouri are required to report and certify to the attorney general's office by April 30th of each year that they are in compliance with the Tobacco Settlement Model Statute currently in Missouri law. In addition to the certification, participating manufacturers must also provide a list of "brand families" of cigarette types.

Nonparticipating manufacturers must submit their brand families, the number of units sold for each family at any time during the preceding year, the name and address of any other manufacturer of their brand families for the preceding or current calendar year, as well as other information required to verify compliance with the model statute. Each nonparticipating manufacturer must further certify it is registered to do business in the state or maintains an agent within the state for the purpose of service of process relating to the enforcement of the act.

All tobacco manufacturers must update their lists thirty days prior to any addition to, or modification of, its brand families through a supplemental certification to the attorney general. Tobacco product manufactures must maintain all invoices and documentation of sales and other such information relied upon for certification for a period of five years, unless otherwise required by law to maintain such records for a longer period of time.

By July 1, 2010, the Director of the Department of Revenue must make available for public inspection, or publish on the department's web site, a list of all tobacco product manufacturers that have satisfied the certification requirements established in the act.

Stamping agents (persons authorized to affix cigarette tax stamps to cigarette packages) are required to submit to the director an e-mail address for the receipt of notifications as required by the bill and to submit various reports and documents as required by the department.

Various penalties and actions for failure to comply with the requirements of the act are included. The act contains an emergency clause.

This act is similar to the senate committee substitute for Senate Bill 242 (2007).

JASON ZAMKUS

02/25/2009 S First Read--SB 490-Wilson and Nodler (S381)

03/02/2009 Second Read and Referred S General Laws Committee (S442)

03/10/2009 Hearing Conducted S General Laws Committee

EFFECTIVE: Upon passage and approval

*** SB 491 ***

1786S.011

SENATE SPONSOR: Mayer

SB 491 – This act modifies procedures for the lapse of a school district that has been classified as unaccredited by the State Board of Education for two successive school years. Current law provides that the corporate organization of a school district classified as unaccredited will lapse on June 30 of the second full school year of unaccredited classification. This act allows the State Board of Education to set a date for a

school district's lapse. However, the school district cannot lapse prior to June 30 of the second full school year of unaccredited classification.

When a school district lapses, current law requires the Department of Elementary and Secondary Education to conduct a public hearing in the school district to review the district's plans to return to accredited status or to offer technical assistance to the district. This act changes the focus of the public hearing to be the accreditation status of the school district in general.

When a school district lapses, the State Board of Education may allow the school board to continue governing the district under terms and conditions established by the State Board of Education.

MICHAEL RUFF

02/25/2009 S First Read--SB 491-Mayer (S381)

03/02/2009 Second Read and Referred S Education Committee (S442)

EFFECTIVE: August 28, 2009

*** SB 492 ***

1824S.011

SENATE SPONSOR: Mayer

SB 492 – This act creates the GED Revolving Fund, which will be administered by the Commissioner of Elementary and Secondary Education. The Fund will consist of moneys appropriated by the General Assembly whose source are fees charged to GED test applicants and examinees. Moneys in the fund will be available for the payment of the costs and expenses for GED test administration.

MICHAEL RUFF

02/25/2009 S First Read--SB 492-Mayer (S382)

03/02/2009 Second Read and Referred S Education Committee (S442)

EFFECTIVE: August 28, 2009

*** SB 493 ***

1803S.011

SENATE SPONSOR: Mayer

SB 493 – Current law provides the same requirements and qualifications to participate in the A+ Schools Program for private career-technical schools and public career-technical schools. This act removes public career-technical schools from those requirements.

MICHAEL RUFF

02/25/2009 S First Read--SB 493-Mayer (S382)

03/02/2009 Second Read and Referred S Education Committee (S442)

EFFECTIVE: August 28, 2009

*** SB 494 ***

2120S.011

SENATE SPONSOR: Griesheimer

SB 494 - Under current law, any county which has established an emergency communications system commission may, upon voter approval, levy and collect a property tax to fund the establishment, operation, and maintenance of an emergency communications system. This act would give such counties the option to seek voter approval to impose the property tax or a sales tax not to exceed one-tenth of one percent to fund the establishment, operation, and maintenance of an emergency communications system. The Department of Revenue will collect the sales tax revenues and deposit them into the newly created county emergency communications fund for distribution to the counties from which they were collected.

JASON ZAMKUS

02/25/2009 S First Read--SB 494-Griesheimer (S382)

03/02/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S442)

EFFECTIVE: August 28, 2009

*** SB 495 ***

SCS SB 495

2121S.02P

SENATE SPONSOR: Griesheimer

SCS/SB 495 - Currently, the unpaid principal amount of outstanding credit instruments, combined with the unpaid principal amount of any financing agreement authorized and issued by the Board of Unemployment Fund Financing shall not exceed \$450 million at any one time. This act removes this provision.

Similarly, the current total amount of outstanding obligations under all financial agreements entered into by the board shall not exceed the difference of \$450 million and the principal amount of outstanding credit instruments. This provision is also removed.

CHRIS HOGERTY

02/25/2009 S First Read--SB 495-Griesheimer (S382)
 03/02/2009 Second Read and Referred S Small Business, Insurance and Industry Committee (S442)
 03/24/2009 Hearing Conducted S Small Business, Insurance and Industry Committee
 03/31/2009 SCS Voted Do Pass S Small Business, Insurance and Industry Committee (2121S.02C)
 04/02/2009 Reported from S Small Business, Insurance and Industry Committee to Floor w/SCS (S889)
 04/09/2009 SCS S adopted (S978-979)
 04/09/2009 Perfected (S979)
 04/09/2009 Reported Truly Perfected S Rules Committee (S984)
 04/16/2009 S Third Read and Passed (S1045-1046 / H1111)
 04/16/2009 H First Read (H1111)
 04/20/2009 H Second Read (H1117)

EFFECTIVE: Varies

*** SB 496 ***

2149S.011

SENATE SPONSOR: Cunningham

SB 496 – This act allows the Department of Elementary and Secondary Education, at the discretion of the State Board of Education, to provide oversight and administration for all public schools that choose to participate in extracurricular competitive activities, beginning in the 2010-2011 school year. Private schools may choose to have the Department of Elementary and Secondary Education provide oversight and administration as well. The Department may charge a fee and participate in a licensing arrangement to generate revenue for the cost of administration.

No public school can participate in an association that regulates extracurricular competitive activities unless the association submits its proposed rules and regulations to the Joint Committee on Administrative Rules.

This act is substantially similar to HB 1232 (2007).

MICHAEL RUFF

02/25/2009 S First Read--SB 496-Cunningham (S382)
 03/02/2009 Second Read and Referred S Education Committee (S442)

EFFECTIVE: August 28, 2009

*** SB 497 ***

2142S.011

SENATE SPONSOR: Cunningham

SB 497 – Current law provides that school districts that do not maintain an accredited school must pay tuition and provide transportation for resident students to attend an accredited school in another district. This act provides that if the sending district is delinquent in tuition payments, the Department of Elementary and Secondary Education may, upon request of the receiving district, withhold an amount equal to the delinquent tuition from the sending district's state aid.

This act is substantially similar to HB 1875 (2008).

MICHAEL RUFF

02/25/2009 S First Read--SB 497-Cunningham (S382)
 03/02/2009 Second Read and Referred S Education Committee (S442)

EFFECTIVE: August 28, 2009

*** SB 498 ***

2150S.011

SENATE SPONSOR: Cunningham

SB 498 – School districts must include in their annual school accountability report card whether the school district currently has a state-approved gifted education program. The school district must also indicate if it has had a state-approved gifted education program within the last three years.

This act is substantially similar to HB 2542 (2008).

MICHAEL RUFF

02/25/2009 S First Read--SB 498-Cunningham (S382)

03/02/2009 Second Read and Referred S Education Committee (S442)

EFFECTIVE: August 28, 2009

*** SB 499 ***

2132S.011

SENATE SPONSOR: Cunningham

SB 499 – This act creates the Emily Brooker Higher Education Sunshine Act, which defines intellectual diversity for reporting purposes at public institutions of higher education. By December 31, 2010, the Coordinating Board for Higher Education will require each public institution of higher education to annually report to the General Assembly on steps taken to ensure intellectual diversity and the free exchange of ideas. The institution must post its annual report on its website. Each institution must ensure that students are notified of measures to promote intellectual diversity and how to report alleged violations.

This act is substantially similar to HB 1315 (2008), SB 983 (2008) and is similar to HB 213 (2007).

MICHAEL RUFF

02/25/2009 S First Read--SB 499-Cunningham (S382)

03/02/2009 Second Read and Referred S Education Committee (S442)

EFFECTIVE: August 28, 2009

*** SB 500 ***

2131S.011

SENATE SPONSOR: Cunningham

SB 500 – This act requires each school district to adopt policies for annually notifying parents or legal guardians of students of school-sponsored clubs and extracurricular activities and allowing them an opportunity to withhold permission for their child to participate. The annual notification must include a description of the club or activity, the name of the club's faculty advisor, and a description of past or planned activities. The school district may use the student handbook for such notification. Beginning with the 2009-2010 school year, students must receive written permission from their parents or legal guardians to participate in school-sponsored clubs and extracurricular activities.

This act is identical to HB 35 (2007).

MICHAEL RUFF

02/25/2009 S First Read--SB 500-Cunningham (S382)

03/02/2009 Second Read and Referred S Education Committee (S442)

EFFECTIVE: August 28, 2009

*** SB 501 ***

2111S.011

SENATE SPONSOR: Cunningham

SB 501 - This act limits increases in assessed value of residential real property, not subject to transfers of ownership, during reassessment years to the lesser of the percentage increase in the consumer price index for the Midwest Region or two percent. Residential real property will only be subject to reassessment upon a transfer of ownership. Certain transfers between family members and transfers made by people age fifty-five and older will not trigger reassessment. Every county and the City of St. Louis is required to impose a split-rate property tax for each subclass of property.

Taxpayers may dispute assessed values by hiring appraisers who meet certain accreditation requirements. Appraisals provided by such appraisers will form the basis for determining assessed value. This act subjects all school districts in the state to the property tax rate roll-back requirements created by the

enactment of Senate Bill 711 (2008). The state tax commission is required to create informational pamphlets, to be included in assessment increase notices provided by assessors, which will provide taxpayers with information regarding the process and time-line for appealing assessments.

The provisions of this act will only become effective upon passage of a constitutional amendment limiting increases in assessed value of residential real property, due to reassessment, until a transfer of ownership occurs.

JASON ZAMKUS

02/25/2009 S First Read--SB 501-Cunningham (S382)

03/02/2009 Second Read and Referred S Ways and Means Committee (S442)

EFFECTIVE: Contingent

*** SB 502 ***

2154S.011

SENATE SPONSOR: Cunningham

SB 502 – This act creates procedures for evaluation of credits when a student transfers to a public school from another educational setting, including an unaccredited public school, a nonpublic school, and a home school. The school district must provide the student and parent or guardian with a written explanation of enrollment, credit issuance, grade placement and an appeal process if the parent or guardian disagrees with the school's evaluation of the student's credits. The school district must review the student's work and other materials, as described in the act, to determine the issuance of course credits and grade level placement. If the district cannot make a determination, it may have the student take a placement test under district policy. Incoming students will be judged by the same criteria for passing as current students. Board policies must be reasonable and nondiscriminatory. If the coursework does not fulfill a district's curricular objectives, elective credit may be awarded if the course is sufficiently documented.

This act is substantially similar to HB 38 (2007).

MICHAEL RUFF

02/25/2009 S First Read--SB 502-Cunningham (S382)

03/02/2009 Second Read and Referred S Education Committee (S442)

EFFECTIVE: August 28, 2009

*** SB 503 ***

2140S.011

SENATE SPONSOR: Cunningham

SB 503 – This act allows two or more adjacent school districts to share a superintendent who possesses a valid Missouri superintendent's license when at least one of the school districts is classified as accredited or provisionally accredited by the State Board of Education.

This act is identical to HB 2537 (2008).

MICHAEL RUFF

02/25/2009 S First Read--SB 503-Cunningham (S383)

03/02/2009 Second Read and Referred S Education Committee (S442)

EFFECTIVE: August 28, 2009

*** SB 504 ***

2147S.011

SENATE SPONSOR: Cunningham

SB 504 – Beginning in the fall term of academic year 2010-2011, this act prohibits a student from taking the same undergraduate course more than twice unless the student pays tuition at one hundred percent of the full cost of instruction, based on the institution's cost of courses. Exceptions exist for hardship and extenuating circumstances, as described in the act.

This act is identical to HB 2280 (2008).

MICHAEL RUFF

02/25/2009 S First Read--SB 504-Cunningham (S383)

03/02/2009 Second Read and Referred S Education Committee (S442)

EFFECTIVE: August 28, 2009

*** SB 505 ***

2152S.011

SENATE SPONSOR: Cunningham

SB 505 – This act prohibits the superintendent of an unaccredited or provisionally accredited school district from transferring a teacher, per the teacher's request, to another school if the principal of the receiving school refuses the transfer. School boards in unaccredited or provisionally accredited school districts cannot adopt a policy that assigns priority for transfers to teachers who request a transfer after April 15th in the year prior to the year the transfer would become effective.

This act is substantially similar to 1047 (2007).

MICHAEL RUFF

02/25/2009 S First Read--SB 505-Cunningham (S383)

03/02/2009 Second Read and Referred S Education Committee (S442)

EFFECTIVE: August 28, 2009

*** SB 506 ***

2153S.011

SENATE SPONSOR: Callahan

SB 506 - The state Fire Marshal shall promulgate rules controlling the registration of persons and entities engaged in the fire sprinkler system business and the requirements for planning, installing and servicing such systems.

This act requires contractors to be registered with the state fire marshal in order to plan, sell, install, or service a fire sprinkler system. The application and issuance fees for unlimited or residential certificates of registration shall not exceed \$100. Unlimited certificates of registration apply to those working on all fire sprinkler systems, while residential certificates of registration apply to those working on systems for one or two family residential dwellings.

Each contractor must employ at least one licensed "responsible managing employee" on a full-time basis to assure that systems are installed and serviced according to standards. Such employee may only work for one contractor at a time. This act outlines the requirements that a "responsible managing employee" must meet in order to obtain an unlimited or residential license. The state Fire Marshal may assess an examination fee not to exceed \$100 for applicants who are required to take a written technical examination and a written practical examination. The state Fire Marshal must notify applicants of the results within a certain time period. The state Fire Marshal may adopt procedures to certify continuing education programs.

Certificates of registration and licenses shall be valid for one year and must be displayed in the contractor's place of business. The certificate of registration number must also be displayed on all plans, bids, offers, installation drawings, and contractor vehicles displaying the firm's name or logo. The fees collected from licensed contractors and "responsible managing employees" shall be deposited into the state general revenue fund to be used only by the state Fire Marshal to administer these provisions.

This act sets out the process for renewing a license or certificate of registration that is unexpired or expired and the required fee for such renewals. This act also establishes the required general liability insurance for applicants, but allows the state fire marshal to increase or decrease the amounts pursuant to rule.

Failure to maintain liability insurance as required shall constitute grounds for denial, suspension, or revocation of a certificate of registration after notice and the opportunity of a hearing is provided.

This act creates the "Fire Sprinkler System Advisory Council" consisting of seven members appointed by the state Fire Marshal. The advisory council shall advise the state Fire Marshal about standards of practice in the fire sprinkler industry and the rules necessary to implement this act. It shall also make recommendations regarding forms and procedures for certificates of registration and licenses. Three of the members shall have worked in fire sprinkler business management for at least five years and be qualified to have an unlimited license and, one shall be a qualified fire or building official, one shall be an engineer, one shall have certain fire protection certification, and one shall be a representative of the state Fire Marshal's office.

A person or organization shall not participate in the fire sprinkler business without a valid certificate of registration, act as a contractor without the necessary "responsible managing employee", act as a

"responsible managing employee" without a valid license, obtain a certificate or license by fraudulent misrepresentation, or conduct fire sprinkler business in violation of this act. Such violations shall be a Class A misdemeanor. The state Fire Marshal may also apply for injunctive relief to stop a violation of this act.

The state Fire Marshal may refuse to issue or renew, or may suspend or revoke, a certificate of registration or license if a person violates this act or the rules adopted by the state Fire Marshal, or makes misrepresentations in connection with the sale of products or services rendered. The appeals process shall be conducted by the Administrative Hearing Commission.

SUSAN HENDERSON MOORE

02/25/2009 S First Read--SB 506-Callahan (S396)

03/02/2009 Second Read and Referred S Small Business, Insurance and Industry Committee (S443)

03/24/2009 Hearing Cancelled S Small Business, Insurance and Industry Committee

EFFECTIVE: August 28, 2009

*** SB 507 ***

1671S.01P

SENATE SPONSOR: Callahan

SB 507 - This act authorizes the City of Sugar Creek, upon voter approval, to impose a transient guest tax upon charges for all sleeping rooms paid by guests of hotels, motels, bed and breakfast inns and campgrounds for the purpose of promoting tourism. The tax must be at least two percent, but may not exceed five percent per occupied room per night.

This act is identical to Senate Bill 1209 (2009).

JASON ZAMKUS

02/25/2009 S First Read--SB 507-Callahan (S396)

03/02/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S443)

03/12/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee

03/12/2009 Voted Do Pass S Jobs, Economic Development and Local Government Committee - Consent

03/12/2009 Reported from S Jobs, Economic Development and Local Government Committee to Floor - Consent (S618)

03/30/2009 S Third Read and Passed - Consent (S803-804 / H796)

03/30/2009 H First Read (H796)

03/31/2009 H Second Read (H804)

03/31/2009 Referred H Local Government Committee (H819)

04/08/2009 Hearing Conducted H Local Government Committee

EFFECTIVE: August 28, 2009

*** SB 508 ***

2222S.011

SENATE SPONSOR: Bray

SB 508 - This act allows institutions of metropolitan zoological park and museum districts to impose admission fees on nonresidents of the district. Any county in the state may, upon voter approval, join an existing metropolitan zoological park and museum district and impose a property tax to fund such district.

JASON ZAMKUS

02/25/2009 S First Read--SB 508-Bray, et al (S396)

03/02/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S443)

04/15/2009 Hearing Scheduled But Not Heard S Jobs, Economic Development and Local Government Committee

04/22/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee

EFFECTIVE: August 28, 2009

*** SB 509 ***

SCS SB 509

2179S.02C

SENATE SPONSOR: Scott

SCS/SB 509 - This act modifies the requirements for collaborative practice arrangements between advanced practice registered nurses and collaborating physicians. Advanced practice registered nurses are

required to submit a minimum of ten percent of the documentation of their delivery of health care services to the physician for review every fourteen days. If the advanced practice registered nurse's practice includes the prescription of controlled substances, the charts reviewed shall include as part of the minimum ten percent of health care services reviewed by the physician a minimum of twenty percent of the cases in which the advanced practice registered nurse wrote a prescription for controlled substances.

EMILY KALMER

02/25/2009 S First Read--SB 509-Scott (S397)
 03/02/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S443)
 03/10/2009 Hearing Conducted S Health, Mental Health, Seniors and Families Committee
 03/10/2009 SCS Voted Do Pass S Health, Mental Health, Seniors and Families Committee (2179S.02C)
 Consent
 03/11/2009 Reported from S Health, Mental Health, Seniors and Families Committee to Floor w/SCS -
 Consent (S588)
 03/12/2009 Removed S Consent Calendar (S631)

EFFECTIVE: August 28, 2009

*** SB 510 ***

1055S.011

SENATE SPONSOR: Lager

SB 510 - This act mandates that, no later than August 28, 2014, the cities of St. Louis, Kansas City and St. Joseph adopt plans to repeal the imposition of their city earnings taxes on nonresidents. Effective January 1, 2019, provisions of law authorizing the imposition and collection of earnings taxes on nonresidents for the cities of St. Louis, Kansas City and St. Joseph will expire.

This act is similar to Senate Bill 1256 (2008).

JASON ZAMKUS

02/25/2009 S First Read--SB 510-Lager (S397)
 03/02/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee
 (S443)

EFFECTIVE: August 28, 2009

*** SB 511 ***

2114S.011

SENATE SPONSOR: Nodler

SB 511 - This act provides that beginning July 1, 2009, each provider of health benefit services providing residential habilitation, individualized supported living or day habilitation services in this state shall pay a provider reimbursement based on a formula set forth in rules promulgated by the Department of Mental Health. Fee payments under this act shall be deposited in the Home and Community-Based Developmental Disabilities Waiver Reimbursement Allowance Fund. The act sets forth the procedures for providers appealing a decision regarding the fee payments and reimbursements. The provider reimbursement allowance shall expire on September 30, 2011.

This act has an emergency clause.

ADRIANE CROUSE

02/25/2009 S First Read--SB 511-Nodler (S397)
 03/03/2009 Second Read and Referred S Ways and Means Committee (S447)
 04/01/2009 Hearing Conducted S Ways and Means Committee

EFFECTIVE: Contingent

*** SB 512 ***

2171S.011

SENATE SPONSOR: Dempsey

SB 512 - This act modifies laws regarding the Missouri Local Government Employees' Retirement System (LAGERS).

Currently, if a retiree elects to receive a partial lump sum distribution their monthly benefit is reduced or increased based on their age at retirement. This act requires at least a 10% reduction if the retiree elects a partial lump sum distribution.

This act creates a retirement benefit payment option D plan. Under the option D plan the retiree would receive a reduced monthly benefit (80% of the monthly amount), but upon the retiree's death their beneficiary would receive the same amount the retiree was receiving, rather than a percentage of the retiree's amount.

Except for the retiree's spouse, a surviving beneficiary under retirement benefit payment options plans A, B, or D must, in addition to the current age and financial dependency requirements, be a lineal descendant of the retiree or related to the retiree up to the third degree of kinship.

Retirees may authorize LAGERS to deduct payments for health insurance or long-term care insurance premiums from their retirement allowance.

Funding provisions are modified to provide for benefits when a member dies as the result of a duty-related injury or illness. The employer's contribution for pensions that result from duty-related deaths shall be determined once a year.

This act is similar to HB 214 (2009) and HB 1490 (2008).
EMILY KALMER

02/25/2009 S First Read--SB 512-Dempsey (S397)
03/03/2009 Second Read and Referred S Veterans' Affairs, Pensions and Urban Affairs Committee (S447)
03/12/2009 Hearing Conducted S Veterans' Affairs, Pensions and Urban Affairs Committee
03/12/2009 Voted Do Pass S Veterans' Affairs, Pensions and Urban Affairs Committee - Consent
03/12/2009 Reported from S Veterans' Affairs, Pensions and Urban Affairs Committee to Floor - Consent (S620)
03/23/2009 Removed S Consent Calendar (S655-656)
EFFECTIVE: August 28, 2009

*** SB 513 ***

2221S.01P

SENATE SPONSOR: Dempsey

HOUSE HANDLER: Diehl

SB 513 - Currently, in the case of a lease for real property, a real estate broker shall record a lien within 90 days after the tenant takes possession of the leased property in order for the lien to attach. This act requires the broker to record within 90 days after the date of occupancy or the date of rent commencement as stipulated in the lease, whichever is later.

CHRIS HOGERTY

02/25/2009 S First Read--SB 513-Dempsey (S397)
03/03/2009 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S447)
03/09/2009 Hearing Conducted S Financial and Governmental Organizations and Elections Committee
03/09/2009 Voted Do Pass S Financial and Governmental Organizations and Elections Committee (Consent)
03/11/2009 Reported from S Financial and Governmental Organizations and Elections Committee to Floor - Consent (S587)
03/26/2009 S Third Read and Passed - Consent (S778-779 / H750)
03/26/2009 H First Read (H750)
03/27/2009 H Second Read (H757)
03/30/2009 Referred H Judiciary Committee (H791)
04/01/2009 Hearing Conducted H Judiciary Committee
04/08/2009 Voted Do Pass H Judiciary Committee
04/09/2009 Reported Do Pass H Judiciary Committee (H1022)
04/09/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1022)
04/21/2009 Hearing Conducted H Rules Committee
04/21/2009 Voted Do Pass H Rules Committee
04/21/2009 Reported Do Pass H Rules Committee (H1197)
04/27/2009 H Calendar S Bills for Third Reading

EFFECTIVE: August 28, 2009

*** SB 514 ***

2156S.01I

SENATE SPONSOR: Dempsey

SB 514 - This act modifies provisions regarding the duties of certain committees of the General

Assembly.

Currently, the director of the Committee on Legislative Research provides administrative and legal support to the Joint Committee on Corrections. This act provides that house research and appropriations staff and senate research and appropriations staff shall alternately provide such support depending on whether the chair of the committee is a senator or representative.

This act establishes the Legislative Budget Office within the Committee on Legislative Research. The Office shall provide budgetary information to members of the General Assembly. The Office shall be responsible for providing a continuing study of the fiscal condition of the state, as well as other issues regarding budgetary and fiscal matters.

Current law requires the Oversight Division to conduct management audits and program audits. The act repeals provisions regarding management audits and renames program audits as "program evaluations" and modifies the requirements for program evaluations.

This act requires every employee of the Oversight Division of the Committee on Legislative Research to take an oath to support the Missouri Constitution, to faithfully demean himself or herself in office, to not disclose confidential information, and to not accept any gifts or emoluments for discharging their official duties, other than their official compensation. Any employee who violates this act is guilty of a class A misdemeanor.

This act is similar to provisions in SB 739 (2008).

JIM ERTLE

02/25/2009 S First Read--SB 514-Dempsey (S397)

03/03/2009 Second Read and Referred S General Laws Committee (S447)

03/24/2009 Hearing Conducted S General Laws Committee

EFFECTIVE: August 28, 2009

*** SB 515 ***

2180S.011

SENATE SPONSOR: Cunningham

SB 515 – Current law provides that a school district with a graduation rate below sixty-five percent has the authority to suspend or terminate the contract of teachers and administrators and to reconstitute the school with new personnel. This act revises the conditions under which school districts may suspend or terminate teacher and administrator contracts, regardless of whether the State Board of Education has made a formal determination on the district's accreditation classification. This act specifies conditions for when a teacher or administrator's termination may be rescinded. In addition, school districts must develop a plan of staff incentives, which may include pay for performance.

This act is substantially similar to HB 1223 (2007).

MICHAEL RUFF

02/25/2009 S First Read--SB 515-Cunningham (S397)

03/03/2009 Second Read and Referred S Education Committee (S447)

EFFECTIVE: August 28, 2009

*** SB 516 ***

2151S.011

SENATE SPONSOR: Cunningham

SB 516 – This act modifies provisions relating to education personnel.

SCHOOL ADMINISTRATOR COMPENSATION: The school board for each school district is required to annually provide a detailed financial statement to the Department of Elementary and Secondary Education containing names, total compensation packages, and any expenses made on behalf of the districts' superintendents and any assistant superintendents whose compensation package exceeds \$100,000 per academic year. The school board must also publish the total compensation package for any consultant hired for administrative duties. Such information shall be published on the Department's website. The Department of Elementary and Secondary Education must create a central repository of information for all districts, which will include public access to school district financial and policy information. The Department must establish clear standards to ensure that all school district submissions contain all necessary information. In addition,

the Department must maintain the information online and update it. The Department may contract with one or more entities to create and maintain the repository. (Section 165.111)

SHARING OF SUPERINTENDENTS: Two or more adjacent school districts may share a superintendent who possesses a valid Missouri superintendent's license when at least one of the school districts is classified as accredited or provisionally accredited by the State Board of Education.

FINAL AVERAGE SALARY FOR PSRS MEMBERS: This act changes from ten percent to twenty percent the maximum percentage of increase in annual compensation from one year to the next in the final average salary period for members of the Public School Retirement System of Missouri other than a superintendent of schools or other certified central office personnel of a school district. (Section 169.010)

CONFIDENTIALITY OF PUBLIC SCHOOL RETIREMENT SYSTEM OF MISSOURI MEMBER ACCOUNT INFORMATION: This act provides that individually identifiable information pertaining to Public School Retirement System of Missouri members, retirees, beneficiaries and survivors will be confidential unless the individual is post-retirement, employed as a part-time employee, consultant, or independent contractor directly or indirectly with a public school or college. (Section 169.020)

Section 169.010 contains an emergency clause.

This act contains provisions similar to or also contained in HB 2281 (2008), HCS/SB 768 (2008), SCS/SB 994 (2008), HCS/HB 1774 (2008), HB 2537 (2008).

MICHAEL RUFF

02/25/2009 S First Read--SB 516-Cunningham (S397)

03/03/2009 Second Read and Referred S Education Committee (S447)

EFFECTIVE: Varies

*** SB 517 ***

2186L.01

SENATE SPONSOR: Lembke

SB 517 – This act modifies provisions relating to health care transparency.

This act provides that a health carrier and any other entity in the business of offering health care coverage, to the extent allowed under federal law, shall provide data regarding quality of patient care, access to care, enrollee health status and patient satisfaction to the Department of Insurance, Financial Institutions and Professional Registration. The data submission shall be consistent with and more expansive than the requirements already required of health maintenance organizations. This raw data obtained by the department shall not be public information but may be disclosed to the Department of Health and Senior Services. Reports and studies prepared by the Department of Health and Senior Services based upon such information shall be public information and may identify individual health care or coverage providers. However, the department shall not release data in a form which could be used to identify a patient. Any disclosure violation is a Class B misdemeanor.

The department shall also collect and make publicly available data on such entities medical loss ratios, administrative costs as a percentage of total premium and incidence of grievances.

This act establishes guidelines for transparency in quality of health care services. A contract between a health carrier and a health care provider cannot require the provider to submit quality of care data to the health carrier as a condition of payment for medical services, unless such data is included in the set of quality of care indicators as selected by the federal Centers for Medicare and Medicaid Services for disclosure in comparative format to the public. The act prescribes what measures the health carrier may make as to data collected and disclosed. The act also prescribes what information and disclaimers shall be disseminated if any person sells or otherwise distributes to the public quality of care data.

Criteria is established for insurers to use in programs that publicly assess and compare the quality and cost efficiency of health care providers. The Department of Health and Senior Services is required to investigate complaints of alleged violations and is authorized to impose a penalty of up to \$1,000. Alleged violations by health insurers will be investigated and enforced by the Department of Insurance, Financial Institutions, and Professional Registration.

This act also prescribes requirements for electronic claims transport, which is the accepting and digitizing

of claims or accepting of claims already digitized and placing such claims into a format that complies with the electronic transaction standards issued by the federal Department of Health and Human Services under HIPAA law. The act outlines procedures for when such claims are electronically transmitted to the appropriate contracting entity, payer, or third-party administrator.

ADRIANE CROUSE

02/25/2009 S First Read--SB 517-Lembke (S397)

03/03/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S447)

EFFECTIVE: August 28, 2009

*** SB 518 ***

2237S.011

SENATE SPONSOR: Lembke

SB 518 - This act requires the Joint Committee on Public Employee retirement to study the issue of allowing members of the Police Retirement System of St. Louis to credit unused sick leave to their retirement.

EMILY KALMER

02/25/2009 S First Read--SB 518-Lembke (S397)

03/03/2009 Second Read and Referred S Veterans' Affairs, Pensions and Urban Affairs Committee (S447)

EFFECTIVE: August 28, 2009

*** SB 519 ***

2094S.011

SENATE SPONSOR: Shields

SB 519 - This act repeals the following boards, commissions and committees: the Joint Committee on Wetlands, the Joint Committee on County Salaries, the Multistate Tax Compact Advisory Committee, the Thomas Hart Benton Homestead Memorial Commission, the Low-Level Radioactive Waste Compact Advisory Committee, the Transportation Development Commission, the Workers Memorial Committee, the Joint Committee on Urban Voluntary School Transfer Programs, and the joint committee to study fee restructuring for hazardous waste generators.

The act eliminates legislative members from the Missouri Head Injury Advisory Council, the Video Instructional Development and Education Opportunity Commission, the board of directors for the "Missouri Access to Higher Education Trust", the Coordinating Council on Special Transportation, and the board of trustees to oversee the Missouri Fire Education Trust Fund.

The act removes the \$50 per diem for members of the Seismic Safety Commission.

The act provides that the following committees and commissions shall expire on December 31, 2010: the Seismic Safety Commission, the Video Instructional Development and Education Opportunity Commission, and the Missouri Head Injury Advisory Council, the Coordinating Council on Special Transportation.

This act is similar to SCS/SB 385 (2007) and SCS/SB 1187 (2006).

JIM ERTLE

02/25/2009 S First Read--SB 519-Shields (S397-398)

03/03/2009 Second Read and Referred S General Laws Committee (S447)

03/10/2009 Hearing Conducted S General Laws Committee

03/24/2009 Voted Do Pass S General Laws Committee

EFFECTIVE: August 28, 2009

*** SB 520 ***

2215S.011

SENATE SPONSOR: Wright-Jones

SB 520 – This act establishes physical education requirements for school districts beginning with the 2010-2011 school year. Physical education class will be required for students in kindergarten through fifth grade and will include 150 minutes of movement each week as described in the act. Students will have the opportunity to learn individual health self-assessment skills and will be encouraged to improve and sustain healthy fitness levels. School districts will create community and business partnerships to provide resources to reward schools for improved health status. Annually, the Commissioner of Education will recognize students, schools, and school districts that have achieved improved fitness.

This act is similar to HB 1215 (2007).

MICHAEL RUFF

02/25/2009 S First Read--SB 520-Wright-Jones (S398)

03/03/2009 Second Read and Referred S Education Committee (S447)

EFFECTIVE: August 28, 2009

*** SB 521 ***

2211S.011

SENATE SPONSOR: Wright-Jones

SB 521 – This act establishes physical education requirements for school districts beginning with the 2010-2011 school year. Physical education class will be required for students in sixth through twelfth grade and will include 225 minutes of movement each week as described in the act. Students will have the opportunity to learn individual health self-assessment skills and will be encouraged to improve and sustain healthy fitness levels. School districts will create community and business partnerships to provide resources to reward schools for improved health status. Annually, the Commissioner of Education will recognize students, schools, and school districts that have achieved improved fitness.

This act is similar to HB 1214 (2007).

MICHAEL RUFF

02/25/2009 S First Read--SB 521-Wright-Jones (S398)

03/03/2009 Second Read and Referred S Education Committee (S447)

EFFECTIVE: August 28, 2009

*** SB 522 ***

2214S.011

SENATE SPONSOR: Stouffer

SB 522 - This act modifies several provisions of law relating to the regulation of commercial drivers' licenses.

EXPUNGEMENT OF RECORDS OF CDL HOLDERS - This act prohibits the expungement of a minor in possession (MIP) charge for holders of commercial driver's licenses or persons operating commercial motor vehicles at the time of the violation (Section 311.326).

The act also provides that no records shall be expunged if a person is found guilty with a BAC of .04 or greater and is holding a commercial driver's license at the time of the offense (Section 302.545). This provision is also contained in SS/SCS/SB 761 and 774 (2008) and SS/SCS/SB 239 et al (2007).

FAILURE TO APPEAR - This act includes failure to appear by a commercial license holder or operator of a commercial motor vehicle as an commercial driver offense requiring indefinite suspension until compliance (Section 302.700 and 302.755). This provision is also contained in SS/SCS/SB 761 and 774 (2008) and SS/SCS/SB 239 et al (2007).

CDL MILITARY EXEMPTION - This act provides that a military member while driving a vehicle for military purposes is exempt from possessing a CDL. Current law provides that the military member must be driving a military vehicle to qualify for the exemption (Section 302.775). This provision was contained in SS/SCS/SB 761 and 774 (2008) and SS/SCS/SB 239 et al (2007).

FARMER CDL EXEMPTION - This act clarifies the CDL exemption for persons driving farm vehicles. In order to qualify for the exemption, the farm vehicle must be controlled by a farmer or family member, be used to transport agricultural products, machinery, or supplies to or from a farm, not be used in the operations of a common or contract carrier, and be used within 150 miles of the farmer's farm (Section 302.775).

HAZARDOUS MATERIAL ENDORSEMENT REVOCATION - This act requires the state to immediately revoke a hazardous material endorsement upon receipt of an Initial Determination of Threat Assessment and Immediate Revocation from the Transportation Security Administration. The state must revoke or deny a hazardous material indorsement within 15 days of receipt of a final determination (Section 302.735).

HAZARDOUS MATERIAL DEFINITION - This act modifies the definition of hazardous materials to correspond with federal law and regulations (Section 302.700).

DRIVING WHILE OUT OF SERVICE - This act provides that any person convicted for driving while out of service shall be disqualified from driving a commercial motor vehicle in a manner prescribed by the federal regulations (Section 302.755).

ALCOHOL-RELATED ENFORCEMENT CONTACTS - The act specifically provides that a person is disqualified from driving a commercial motor vehicle for a period of one year or greater if convicted for the first violation of any alcohol-related enforcement contact (Section 302.755).

Many of the provisions contained in this act can be found in SB 58 (2009).

STEPHEN WITTE

02/25/2009 S First Read--SB 522-Stouffer (S398)

03/03/2009 Second Read and Referred S Transportation Committee (S447)

03/04/2009 Hearing Conducted S Transportation Committee

03/04/2009 Voted Do Pass S Transportation Committee

EFFECTIVE: August 28, 2009

*** SB 523 ***

1274S.011

SENATE SPONSOR: Bartle

SB 523 - This act establishes advance voting for seven days prior to an election at the office of each election authority.

Voters who do not provide photo identification at the polls shall have a photograph taken of them which shall be affixed to a signed affidavit averring that the voter is the individual listed in the precinct register. All costs relating to administering the section requiring photos to be taken at the polls shall be paid by the state.
CHRIS HOGERTY

02/25/2009 S First Read--SB 523-Bartle (S398)

03/03/2009 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S447)

EFFECTIVE: 8/28/09 & 1/1/2010

*** SB 524 ***

2224S.011

SENATE SPONSOR: Griesheimer

SB 524 - This act creates a state and local sales and use tax exemption for bulk or batch sales of printed products for public distribution at no cost. The term printed products is defined to include newspapers and any other documents sold for circulation to the general public which contain commercial speech such as daily shoppers and advertising supplements.

JASON ZAMKUS

02/25/2009 S First Read--SB 524-Griesheimer (S398)

03/03/2009 Second Read and Referred S Ways and Means Committee (S447)

EFFECTIVE: August 28, 2009

*** SB 525 ***

2155S.011

SENATE SPONSOR: Griesheimer

SB 525 - This act modifies the definition of all-terrain vehicles by increasing the vehicle's unladen dry weight from 1,000 pounds to 1,500 pounds. The definition is also modified by stating that an ATV is a vehicle with four or more nonhighway tires (current law uses the term low pressure tires).

The act also provides a definition for the term "recreational off-highway vehicle" for purposes of Missouri's titling and registration laws. Under the act, a recreational off-highway vehicle is any motorized vehicle manufactured and used exclusively for off-highway use which is 60 inches or less in width, with an unladen dry weight of 1,500 pounds or less, traveling on four or more nonhighway tires, with a nonstraddle seat, and steering wheel, which are subject to the same registration requirements and trail use as all-terrain vehicles.

STEPHEN WITTE

02/25/2009 S First Read--SB 525-Griesheimer (S398)

03/03/2009 Second Read and Referred S Transportation Committee (S447)

03/11/2009 Hearing Conducted S Transportation Committee

EFFECTIVE: August 28, 2009

*** SB 526 ***

2245S.01P

SENATE SPONSOR: Clemens

HOUSE HANDLER: Brown

SB 526 - Any animal or bird under investigation by the state veterinarian for carrying a toxin must not be removed from the premises until certain conditions are met. The act gives the state veterinarian the authority to choose the method of eradication of the toxin. The state veterinarian may restrict the movement of any animal or bird under investigation for the presence of a toxin. Once an investigation is completed, the animal or bird shall either be allowed to be moved or must be permanently quarantined.

ERIKA JAQUES

02/26/2009 S First Read--SB 526-Clemens (S413)

03/03/2009 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S447)

03/11/2009 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee

03/11/2009 Voted Do Pass S Agriculture, Food Production and Outdoor Resources Committee - Consent

03/11/2009 Reported from S Agriculture, Food Production and Outdoor Resources Committee to Floor - Consent (S594)

03/30/2009 S Third Read and Passed - Consent (S803 / H796)

03/30/2009 H First Read (H796)

03/31/2009 H Second Read (H804)

03/31/2009 Referred H Special Standing Committee on Emerging Issues in Animal Agriculture Committee (H819)

04/07/2009 Hearing Conducted H Special Standing Committee on Emerging Issues in Animal Agriculture Committee

04/07/2009 Voted Do Pass H Special Standing Committee on Emerging Issues in Animal Agriculture Committee

04/09/2009 Reported Do Pass H Special Standing Committee on Emerging Issues in Animal Agriculture Committee (H1024)

04/09/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1024)

04/21/2009 Hearing Conducted H Rules Committee

04/21/2009 Voted Do Pass H Rules Committee

04/21/2009 Reported Do Pass H Rules Committee (H1197)

04/27/2009 H Calendar S Bills for Third Reading

EFFECTIVE: August 28, 2009

*** SB 527 ***

2234S.02I

SENATE SPONSOR: Nodler

SB 527 - Under this act, federal funds intended for highway or bridge purposes which are currently credited to the State Road Fund under Section 226.220, RSMo, are credited to a newly created fund within the state treasury known as the "Federal Highways and Bridge Fund." Moneys in the fund shall be available to be used by the State Highways and Transportation Commission for highway and bridge purposes upon appropriation. No payments or transfers shall ever be made from the newly created fund except for expenditures made pursuant to a lawful appropriation from the General Assembly, under the supervision of the commission, and for appropriate highway purposes.

STEPHEN WITTE

02/26/2009 S First Read--SB 527-Nodler and Bray (S413-414)

03/03/2009 Second Read and Referred S Appropriations Committee (S447)

03/09/2009 Hearing Conducted S Appropriations Committee

03/09/2009 Voted Do Pass S Appropriations Committee

03/12/2009 Reported from S Appropriations Committee to Floor (S619)

03/31/2009 Bill Placed on Informal Calendar (S818)

04/27/2009 S Inf Formal Calendar S Bills for Perfection--SB 527-Nodler and Bray

EFFECTIVE: August 28, 2009

*** SB 528 ***

2246S.01I

SENATE SPONSOR: Nodler

SB 528 - This act authorizes the Department of Economic Development to provide economic development incentives for the manufacture, assembly, design, and development of alternative energy vehicle components.

JASON ZAMKUS

02/26/2009 S First Read--SB 528-Nodler (S414)

03/03/2009 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S447)

EFFECTIVE: August 28, 2009

*** SB 529 ***

2107S.011

SENATE SPONSOR: Goodman

SB 529 - A person commits child abuse when knowing that she is pregnant and willfully, with the knowledge of the danger to her unborn child, chronically and severely exposes an unborn child at 28 weeks gestational age or older to alcohol or a controlled substance during pregnancy and such child, at birth, is demonstrably adversely affected by such exposure. Child abuse is a Class C felony.

A person commits child endangerment in the second degree when knowing that she is pregnant and willfully, with the knowledge of the danger to her unborn child, chronically and severely exposes an unborn child at 28 weeks gestational age or older to a controlled substance during pregnancy. Child endangerment is a Class A misdemeanor.

It shall be an absolute defense to prosecution for child abuse or child endangerment under this act if such person's alleged violation of the provision was discovered due to her seeking alcohol or substance treatment.

If a person pleads guilty to or is found guilty of such offenses, the court shall order a juvenile officer to take the child into protective custody immediately or as soon as reasonably possible after the birth of the child if such child is unborn at the time of the plea or finding of guilt.

This act is similar to SB 766 (2008) and SB 676 (2007).

ADRIANE CROUSE

02/26/2009 S First Read--SB 529-Goodman (S414)

03/03/2009 Second Read and Referred S General Laws Committee (S447)

EFFECTIVE: August 28, 2009

*** SB 530 ***

2238S.011

SENATE SPONSOR: Goodman

SB 530 - This act modifies provisions relating to child abuse investigations. Within forty-five days of a oral report of abuse or neglect, rather than thirty days, the local office of the Children's Division must update the information system with certain information about the report.

The Children's Division must complete all investigations of child abuse within forty-five days. If not, the division shall promptly notify all parties of the proposed extension. Any party may object to the extension by filing an objection with the Attorney General's office of the child advocate, which shall rule on the objection within 10 business days and grant the extension if there is good cause. If the extension is granted, the division must set a new deadline for completion, which can only be extended further by the division notifying all parties. If the extension is not granted, the investigation shall be deemed completed ten working days after the date of denial. No objection to an extension shall be allowed if the division is waiting to receive a medical or law enforcement report or information from another state, except on the basis that the division's grounds for extension are false.

After an investigation, the division shall make a preliminary determination by a preponderance of the evidence that the alleged perpetrator has committed child abuse. No determination of child abuse shall be entered in the central until the alleged perpetrator fails to request review by the child abuse and neglect review board within thirty days or a determination is made by such board that the alleged perpetrator has committed abuse. The alleged perpetrator has thirty days to seek reversal of the division's determination,

rather than sixty days. In cases where criminal charges are pending, the request for review shall be made within thirty days of the indictment being returned, dismissal of the charges, the information being filed, or the division's release of the report.

Currently, investigative reports are not released to the alleged perpetrator with pending criminal charges until an indictment is returned or an information is filed. Under this act, such report shall also be released after one year has passed since the division notified the prosecuting attorney and the alleged perpetrator puts his or her intent to seek further review in writing. However, the prosecuting attorney may petition the court to extend the one year period for good cause shown.

ADRIANE CROUSE

02/26/2009 S First Read--SB 530-Goodman (S414)

03/03/2009 Second Read and Referred S General Laws Committee (S447)

EFFECTIVE: August 28, 2009

*** SB 531 ***

2096S.011

SENATE SPONSOR: Goodman

SB 531 - This act allows dentists to advertise a range of prices for routine services without being subject to discipline from the Dental Board. It removes the requirement that dentists include a disclaimer in their advertising that notes which dentists are not licensed in Missouri as specialists in certain advertised dental specialties. It also eliminates the language which allows dentists to be disciplined for advertising specialties not recognized by the American Dental Association.

EMILY KALMER

02/26/2009 S First Read--SB 531-Goodman (S414)

03/03/2009 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S448)

EFFECTIVE: August 28, 2009

*** SB 532 ***

2256S.011

SENATE SPONSOR: Bray

SB 532 - All electronic voting machines shall produce a paper ballot that is verifiable by the voter. Those machines that do not produce a paper ballot may be used for disabled voters until they are replaced by voting machines that produce paper ballots that are compliant with the Help America Vote Act.

CHRIS HOGERTY

02/26/2009 S First Read--SB 532-Bray (S414)

03/03/2009 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S448)

EFFECTIVE: August 28, 2009

*** SB 533 ***

1140S.011

SENATE SPONSOR: Rupp

SB 533 - This act requires that by October 1, 2009, the Adjutant General certify that members of the Missouri National Guard are informed of the possible health risks of exposure to depleted uranium.

Also, the Missouri Veterans Commission shall assist certain veterans and members of the Missouri National Guard, who served in the Persian Gulf War, or in a combat zone during Operation Enduring Freedom or Operation Iraqi Freedom, in obtaining information on available federal treatment services for exposure to depleted uranium. No state funds shall be used for testing or treatment.

EMILY KALMER

02/26/2009 S First Read--SB 533-Rupp (S414)

03/03/2009 Second Read and Referred S Veterans' Affairs, Pensions and Urban Affairs Committee (S448)

EFFECTIVE: August 28, 2009

*** SB 534 ***

1117S.011

SENATE SPONSOR: Rupp

SB 534 - If any person dies as a result of suicide, the coroner or medical examiner shall report the death and circumstances of the suicide to the Department of Health and Senior Services in writing. The description of the circumstances of the suicide shall include any information provided by law enforcement regarding any violent acts alleged to have been committed by the person immediately prior to his or her death. Such report shall be made within five days of the conclusion of the required testing.

The coroner or medical examiner shall perform, or cause to be performed, necessary tests to determine the presence of psychotropic substances in the blood of the deceased. The results of such tests shall be included in the report to the department. The contents of the report, including any test results, shall be used by the department for statistical purposes only and the department shall not reveal the identity of the deceased.

The department shall provide an annual report to the governor compiling the information received from coroners and medical examiners throughout the state. The department shall make such report available to the public and forward it to the United State Food and Drug Administration.

SUSAN HENDERSON MOORE

02/26/2009 S First Read--SB 534-Rupp (S414)

03/03/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S448)

EFFECTIVE: August 28, 2009

*** SB 535 ***

2258S.011

SENATE SPONSOR: Days

SB 535 - A person shall be guilty of breaching airport security when he or she:

- (1) Unlawfully enters airport property that is not open to the public;
- (2) Knowingly or recklessly enters an area within the airport's buildings that is not open to the public; or
- (3) Knowingly or recklessly enters an area of an airport without the prior authorization required by airport or transportation security administration personnel to enter such area.

Breaching airport security shall be a Class D felony.

SUSAN HENDERSON MOORE

02/26/2009 S First Read--SB 535-Days (S414)

03/03/2009 Second Read and Referred S General Laws Committee (S448)

03/10/2009 Hearing Conducted S General Laws Committee

03/24/2009 Voted Do Pass S General Laws Committee

EFFECTIVE: August 28, 2009

*** SB 536 ***

2223S.011

SENATE SPONSOR: Wilson

SCS/SB 536 - This act establishes a Foster Care and Adoptive Parents Recruitment and Retention Fund. The fund shall consist of all gifts, donations, transfers, and moneys appropriated by the General Assembly. The fund shall be administered by the Department of Social Services.

Moneys in the fund shall be used for the department, either in-house or through private partnerships, to promote foster care and adoption promotion recruitment programs.

This act also creates a check-off on the Missouri individual and corporate income tax forms for contributions to the fund.

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

ADRIANE CROUSE

02/26/2009 S First Read--SB 536-Wilson (S414)

03/03/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S448)

03/24/2009 Hearing Conducted S Health, Mental Health, Seniors and Families Committee

03/31/2009 SCS Voted Do Pass S Health, Mental Health, Seniors and Families Committee (2223S.02C)

EFFECTIVE: August 28, 2009

*** SB 537 ***

2226S.011

SENATE SPONSOR: Cunningham

SB 537 – This act creates procedures for open enrollment across school district boundary lines for children in foster care and for children of parents who are employed as a firefighter, emergency medical technician, or peace officer who must live within a designated school district as part of their employment. School districts must adopt a policy and designate appropriate class sizes for purposes of open enrollment, incorporating the minimum standard of teacher-pupil ratio promulgated by the Department of Elementary and Secondary Education. The policy may include spaces that could be filled by open enrollment. A student wishing to participate in open enrollment must declare intent by March first prior to the year in which the student would open enroll. If a receiving school has insufficient space for all students who want to enroll, it may institute an admissions process.

If a parent believes that a receiving district has unreasonably disapproved an application for admittance, he or she may request that the Department of Elementary and Secondary Education review it. School districts must keep records and make them publicly available, as described in the act.

A student requiring special education services may only transfer if the receiving district verifies that it has an instructional program that is appropriate for the student and that the enrollment would not negatively affect the class size.

A student who enrolls in another district will be included in the receiving district for purposes of state school foundation aid.

The parent or guardian is responsible for transporting a child who enrolls in another school district. At the discretion of the receiving district, the parent or guardian may transport the child to a point on an existing school bus route.

The act also contains provisions for statewide assessment scores of students, intradistrict transfers, participation in school activities, and school district eligibility for small school grants.

This act is similar to HCS/HBs 807 & 690 (2007).

MICHAEL RUFF

02/26/2009 S First Read--SB 537-Cunningham (S414)

03/03/2009 Second Read and Referred S Education Committee (S448)

EFFECTIVE: August 28, 2009

*** SB 538 ***

SCS SB 538

2254S.02P

SENATE SPONSOR: Champion

SCS/SB 538 - This act codifies the current practice of granting a monthly personal needs allowance for residents in long-term care facilities, as such practice is permitted under federal law. Currently, the allowance is set annually by appropriation at thirty dollars a month.

This act creates a formula for increasing the allowance yearly, starting in January 1, 2010, by no more than five dollars a year until such time as the allowance reaches fifty dollars per month. At that time, only upon annual appropriation may the allowance be increased beyond fifty dollars a month. The formula provides that the allowance shall be increased by an amount equal to the product of the Social Security benefit cost of living adjustment and the average amount that MO HealthNet participants are required to contribute to the cost of institutionalized care.

ADRIANE CROUSE

02/26/2009 S First Read--SB 538-Champion (S414)

03/03/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S448)

03/24/2009 Hearing Conducted S Health, Mental Health, Seniors and Families Committee

03/31/2009 SCS Voted Do Pass S Health, Mental Health, Seniors and Families Committee (2254S.02C)

04/02/2009 Reported from S Health, Mental Health, Seniors and Families Committee to Floor w/SCS (S889)

04/08/2009 SCS S adopted (S946)

04/08/2009 Perfected (S946)

04/08/2009 Reported Truly Perfected S Rules Committee (S971)

04/08/2009 Referred S Governmental Accountability & Fiscal Oversight Committee (S971)
 04/16/2009 Hearing Conducted S Governmental Accountability and Fiscal Oversight Committee
 04/16/2009 Voted Do Pass S Governmental Accountability and Fiscal Oversight Committee
 04/16/2009 Reported from S Governmental Accountability and Fiscal Oversight Committee to Floor (S1048)
 04/16/2009 S Third Read and Passed (S1048 / H1111)
 04/16/2009 H Second Read (H1111)
 04/20/2009 H Second Read (H1117)

EFFECTIVE: January 1, 2010

*** SB 539 *** HCS SS SCS SB 539

2062L.10C

SENATE SPONSOR: Schaefer

HOUSE HANDLER: Ruzicka

SS/SCS/SB 539 - This act prohibits the Metropolitan Sewer District (MSD) from charging any residential landowner for storm water management services if MSD does not provide sanitary sewer service to the landowner's property.

The act allows the state to distribute federal economic stimulus funds to local governments, public water or sewer districts, and other eligible entities to assist the construction of public drinking water and water pollution control projects, as such projects are approved by the Safe Drinking Water Commission or Clean Water Commission.

The act allows the Department of Natural Resources to analyze the potential for increased utilization of landfill gas as an alternative energy source. The act also provides authority to the department to enter into cooperative agreements with other states, political subdivisions, private entities, and educational institutions in order to seek and obtain federal grants. The act allows funds appropriated to the department for energy-related activities to be used to carry out agreements, contracts, subgrants, or cooperative arrangements with other governmental and non-profit organizations.

The act creates the Energy Futures Fund. Moneys in the fund may be used for energy-related activities including energy efficiency programs, energy studies, energy resource analyses, and related departmental administration costs.

Under current law, the authority expires on December 31, 2009 for the Clean Water Commission to charge fees for construction permits, operating permits, and operator's certifications related to water pollution control. This act extends the expiration date to December 31, 2010.

The act contains an emergency clause.

ERIKA JAQUES

02/26/2009 S First Read--SB 539-Schaefer (S414-415)
 03/03/2009 Second Read and Referred S Appropriations Committee (S448)
 03/09/2009 Hearing Conducted S Appropriations Committee
 03/09/2009 SCS Voted Do Pass S Appropriations Committee (2062S.04C)
 03/12/2009 Reported from S Appropriations Committee to Floor w/SCS (S619)
 03/31/2009 SS for SCS S offered (Schaefer)--(2062S.05F) (S819)
 03/31/2009 SA 1 to SS for SCS S offered & adopted (Lager)--(2062S05.01S) (S819)
 03/31/2009 SA 2 to SS for SCS S offered & adopted (Green)--(2062S05.02S) (S820)
 03/31/2009 SA 3 to SS for SCS S offered & adopted (Schaefer)--(2062S05.01F) (S820)
 03/31/2009 SS for SCS, as amended, S adopted (S820)
 03/31/2009 Perfected (S820)
 03/31/2009 Reported Truly Perfected S Rules Committee (S830)
 03/31/2009 Referred S Governmental Accountability and Fiscal Oversight Committee (S830)
 04/02/2009 Voted Do Pass S Governmental Accountability and Fiscal Oversight Committee
 04/02/2009 Reported from S Governmental Accountability and Fiscal Oversight Committee to Floor (S882)
 04/02/2009 S Third Read and Passed - EC adopted (S883-884 / H927)
 04/02/2009 H First Read (H927)
 04/06/2009 H Second Read (H933)
 04/16/2009 Referred H Rural Community Development Committee (H1108)
 04/21/2009 Hearing Conducted H Rural Community Development Committee
 04/23/2009 HCS Voted Do Pass H Rural Community Development Committee
 04/23/2009 HCS Reported Do Pass H Rural Community Development Committee (H1258)
 04/23/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1258)

EFFECTIVE: Emergency Clause

*** SB 540 ***

2163S.011

SENATE SPONSOR: Schaefer

SB 540 - This act authorizes the Governor to convey state property in Boone County, known as the Mid-Missouri Mental Health Center, to the University of Missouri-Columbia.

This act contains an emergency clause.

SUSAN HENDERSON MOORE

02/26/2009 S First Read--SB 540-Schaefer (S415)

03/03/2009 Second Read and Referred S General Laws Committee (S448)

03/24/2009 Hearing Conducted S General Laws Committee

EFFECTIVE: August 28, 2009

*** SB 541 ***

1365S.021

SENATE SPONSOR: Pearce

SB 541 - This act institutes various provisions regulating practices involved in making residential mortgage loans.

Creditors are barred from knowingly or intentionally making a residential mortgage loan that refinances an existing residential mortgage loan when the new loan does not have reasonable, tangible benefit to the borrower. Before issuing a residential mortgage loan, the creditor shall verify the borrower's reasonable ability to pay the scheduled payments. The standards for reasonableness are enumerated.

Creditors are barred from making subprime loans containing prepayment penalties.

Creditors shall not make false, deceptive, or misleading statements or advertisements in connection with a residential mortgage loan.

Residential mortgage loans shall not finance property, life, or health insurance premiums, debt cancellation or suspension agreements, or products that are not related to the loan closing such as auto club memberships or the monitoring of credit reports.

Mortgage brokers shall act as agents of the borrower with reasonable care, in the borrower's best interest and according to the instructions of the borrower. Brokers shall have the duty to disclose all material facts relating to the transaction, and account for all of the borrower's money received by the broker.

Those in violation shall be liable for punitive, actual, and consequential damages, court costs, damages equal to two times the amount of all lender and broker fees.

CHRIS HOGERTY

02/26/2009 S First Read--SB 541-Pearce (S415)

03/03/2009 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S448)

04/06/2009 Hearing Conducted S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2009

*** SB 542 ***

SCS SB 542

2225S.02P

SENATE SPONSOR: Pearce

HOUSE HANDLER: Flook

SCS/SB 542 - This act requires the State Treasurer's asset allocation plan to set diversification limits, which shall include a requirement that the total amount of time deposits placed with any one single banking institution not exceed 10% of the amount of all time deposits held by the Treasurer. The act requires that the interest rate on time deposits placed by the State Treasurer after January 1, 2014 shall be at the market rate, which shall be set by the Treasurer's director of investments. The act provides a year-by-year schedule for interest rates for time deposits through 2014.

The act expands the list of acceptable securities that banks may use as collateral for holding state

deposits to include "other obligations" of certain political subdivisions and other states. The act modifies the total amount of certain types of securities that may be used as collateral, where U.S. Treasury securities and U.S. federal agency debentures issued by certain farm and home mortgage lenders must not exceed 105% of total time deposits and demand deposits, and all other certain securities must not exceed 115% of total time deposits and demand deposits.

The act adds two additional eligible participants in the State Treasurer's linked deposit loan program: individuals who want to produce their own energy from renewable resources; and political subdivisions seeking to finance capital improvements or other significant programs.

The act modifies criteria of several other eligible participants in the linked deposit loan program. It removes the requirement that alternative energy operations must sell fuel or power generated by their operations. It removes the requirement that farming operations must not possess more than 60% equity in the operation. The act makes an exception to the maximum loan per job requirement for job enhancement businesses that incur significant costs for equipment or capital improvements. The maximum number of employees of an eligible small business is increased from 25 to 100.

ERIKA JAQUES

02/26/2009 S First Read--SB 542-Pearce (S415)
 03/03/2009 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S447)
 03/26/2009 Hearing Conducted S Governmental Accountability and Fiscal Oversight Committee
 03/26/2009 SCS Voted Do Pass S Governmental Accountability and Fiscal Oversight Committee (2225S.02C)
 04/02/2009 Reported from S Governmental Accountability and Fiscal Oversight Committee to Floor w/SCS (S889)
 04/09/2009 SA 1 to SCS S offered & adopted (Pearce)--(2225S02.01S) (S977-978)
 04/09/2009 SCS, as amended, S adopted (S978)
 04/09/2009 Perfected (S978)
 04/09/2009 Reported Truly Perfected S Rules Committee (S984)
 04/16/2009 S Third Read and Passed (S1046-1047 / H1111)
 04/16/2009 H First Read (H1111)
 04/20/2009 H Second Read (H1117)
 04/21/2009 Referred H Financial Institutions Committee (H1195)
 04/22/2009 Hearing Conducted H Financial Institutions Committee
 04/22/2009 Voted Do Pass H Financial Institutions Committee
 04/23/2009 Reported Do Pass H Financial Institutions Committee (H1258)
 04/23/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1258)

EFFECTIVE: August 28, 2009

*** SB 543 ***

2241S.011

SENATE SPONSOR: Pearce

SB 543 - This act creates a state income tax credit for eligible costs incurred by taxpayers in making homes reach certain bench marks for green building standards. The credits will be available in amounts ranging from forty-five cents per square foot for minimum green building standard attainment to one dollar and fifteen cents for maximum standard attainment. The tax credits will be fully transferrable and non-refundable, but may be carried backward or forward. The program is capped at two million dollars of tax credit issuance per year and tax credits will be issued on a first-to-file first-to-receive basis. The provisions of this act will automatically sunset on December 31st five years after the effective date of the act unless reauthorized.

JASON ZAMKUS

02/26/2009 S First Read--SB-543-Pearce (S415)
 03/03/2009 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S448)

EFFECTIVE: August 28, 2009

*** SB 544 ***

1983S.011

SENATE SPONSOR: Schmitt

SB 544 - Currently, a municipality or county has discretion to allow organizations to solicit charitable

contributions in its roads. Under this act, a municipality or county is required to authorize organizations to make such solicitations if public safety officers will be making the solicitations. The organization must file a written application providing certain information, including proof of a valid liability insurance policy in an amount of at least one million dollars, in order to receive authorization.

SUSAN HENDERSON MOORE

02/26/2009 S First Read--SB 544-Schmitt (S415)

03/03/2009 Second Read and Referred S General Laws Committee (S448)

03/24/2009 Hearing Conducted S General Laws Committee

EFFECTIVE: August 28, 2009

*** SB 545 ***

2110S.011

SENATE SPONSOR: Schmitt

SB 545 - Under current law, electrical corporations that operate on the not-for-profit cooperative business plan are exempt from regulation under the Public Service Commission (PSC) with regard to rates. This act removes the exemption and thereby gives the PSC jurisdiction over the rates set by such cooperatives.

ERIKA JAQUES

02/26/2009 S First Read--SB 545-Schmitt (S415)

03/03/2009 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S448)

03/31/2009 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee

04/21/2009 Motion to vote bill do pass failed S Commerce, Consumer Protection, Energy and the Environment Committee

EFFECTIVE: August 28, 2009

*** SB 546 ***

2036S.011

SENATE SPONSOR: Schmitt

SB 546 - This act increases the amount of Social Security Disability Income that is disregarded for eligibility purposes in the Ticket to Work Health Assurance Program from \$50 to \$250.

This act is identical to HB 663 (2009).

ADRIANE CROUSE

02/26/2009 S First Read--SB 546-Schmitt, et al (S415)

03/03/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S448)

04/21/2009 Hearing Conducted S Health, Mental Health, Seniors and Families Committee

EFFECTIVE: August 28, 2009

*** SB 547 ***

2242S.011

SENATE SPONSOR: Schmitt

This bill has been combined with SB 415

02/26/2009 S First Read--SB 547-Schmitt (S415)

03/03/2009 Second Read and Referred S Small Business, Insurance and Industry Committee (S448)

03/04/2009 Re-referred S Health, Mental Health, Seniors and Families Committee (S475)

03/10/2009 Hearing Cancelled S Health, Mental Health, Seniors and Families Committee

03/31/2009 Hearing Conducted S Health, Mental Health, Seniors and Families Committee

04/07/2009 Bill Combined w/SCS SBs 415 & 547

EFFECTIVE: August 28, 2009

*** SB 548 ***

2264S.011

SENATE SPONSOR: Schmitt

SB 548 - This act authorizes the Department of Social Services to select and engage non-profit organizations in the Kansas City and St. Louis Metropolitan areas who have governance boards that include representatives from employer and provider groups to deploy and manage a regional health bank. Health banks are defined as a legal arrangement under the administration of a health bank operator where an

individual has consented to have his or her electronic health record maintained and stored by the health bank.

The health bank shall enable a secure, web-based health information infrastructure for the sharing of electronic health information among health care facilities, health care professionals, public and private payers, and patients. The health bank shall comply with all state and federal privacy requirements and link all components of the health care delivery system through secure and appropriate exchanges of health information for the purpose of enhancing health care quality, patient safety, communication of patient information, chronic condition management capabilities, patient and provider satisfaction, clinical and administrative cost reductions, and public health emergency preparedness. The individual shall be able to create a secure, electronic health record bank account so that he or she may be able to consolidate his or her respective health information collected during the course of the individual's lifetime.

The state shall sponsor the following accounts in an opt-out fashion for the regional health banks:

- (1) MO HealthNet recipients;
- (2) State health care for uninsured children recipients;
- (3) Missouri residents receiving Medicare benefits;
- (4) Foster care children; and
- (5) State employees.

Each non-profit organization as selected by the department to be a state-designated entity shall be authorized to submit and request funds in fiscal year 2010 to enable the creation of the health bank from the federal secretary of the Department of Health and Human Services as defined in the American Recovery and Reinvestment Act of 2009. Such organizations shall also be required to propose what state appropriations should be requested in years fiscal years 2011, 2012, and 2013 to qualify for the federal matching funds.

No personal health information of a patient which can be identified as specific to such patient shall be disclosed to any employer, public or private payor, or employee or agent of a state department or agency without the written consent of the patient and health care provider. However, such information may be disclosed to a health insurer, employer, state employee or agent in connection with the performance of such employee's official duties.

No health care provider shall be required to redact information when disclosing personal health information under this act.

ADRIANE CROUSE

02/26/2009 S First Read--SB 548-Schmitt (S415)

03/03/2009 Second Read and Referred S General Laws Committee (S448)

03/24/2009 Hearing Conducted S General Laws Committee

EFFECTIVE: August 28, 2009

*** SB 549 ***

SCS SB 549

2126S.04P

SENATE SPONSOR: Schmitt

SCS/SB 549 - This act modifies provision regarding MO HealthNet transparency.

MO HEALTHNET DATA TRANSPARENCY PROGRAM

This act requires the MO HealthNet Division, by August 28, 2010, to implement a program to make available through its Internet web site nonaggregated data on MO HealthNet participants collected under the federal Medicaid Statistical Information System to the extent such data has already been de-identified in accordance with federal HIPAA privacy requirements.

In implementing the program the Division shall ensure that the information made available is in a format that is easily accessible, useable, and understandable to the public, including individuals interested in improving the quality of care provided to individuals eligible for programs and services under the MO HealthNet program, researchers, health care providers, and individuals interested in reducing the prevalence of waste and fraud under the program.

By August 28, 2011, and annually thereafter, the director shall submit to the General Assembly and the MO HealthNet oversight committee, a report on the progress of the program, including the extent to which information made available through the program is accessed and the extent to which comments received on the program were used during the year to improve the utility of the program.

The Division shall also report to the General Assembly the feasibility of expanding the transparency program for the health care for uninsured children program (SCHIP).

This program has a six-year sunset clause.

This provision is identical to a portion of SS/SCS/SB 306 (2009).

MO HEALTHNET OVERSIGHT COMMITTEE

This act modifies the membership of the MO HealthNet Oversight Committee by adding an optometrist, a nurse, a mental health professional, a licensed physical therapist, as well as representatives from a not-for-profit health network serving rural counties and providing both patient-based and provider member services, the state association representing the majority of the long-term care facilities licensed in this state, the durable medical equipment industry, a Medicaid managed care organization, a rural health clinic and a federally qualified health clinic. This act also specifies that the committee shall have three patient advocates rather than two. Of the three advocates, one advocate shall represent children, one the disabled, and one the elderly community. In addition, rather than designating two primary care physicians and two physicians, the act now references four licensed physicians, two each from rural and urban areas, and board certified in their specialty.

This provision is identical to SB 170 (2009).

PREMATURE INFANTS

This act modifies provisions relating to premature infants.

The act requires the MO HealthNet program and the state children's health insurance program (SCHIP) to examine and improve hospital discharge and follow-up care procedures for premature infants born earlier than 37 weeks gestational age. The programs shall also urge hospitals serving infants eligible for MO HealthNet and SCHIP to report to the state the causes and incidence of all re-hospitalizations of premature infants. SECTION 191.1127

The Department of Health and Senior Services is required to prepare written educational materials containing information about possible complications, proper care and support associated with newborn infants who are born premature at earlier than 37 weeks gestational age. The act specifies the minimum information that shall be included in the publications and provides that the department shall distribute the publications to children's health providers, maternal care providers, hospitals, public health departments and medical organizations. SECTION 191.1130

This provision is similar to a portion of SS/SCS/SB 306 (2009).

ADRIANE CROUSE

02/26/2009 S First Read--SB 549-Schmitt (S415)
 03/03/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S448)
 03/10/2009 Hearing Conducted S Health, Mental Health, Seniors and Families Committee
 03/10/2009 SCS Voted Do Pass S Health, Mental Health, Seniors and Families Committee (2126S.04C)
 Consent
 03/11/2009 Reported from S Health, Mental Health, Seniors and Families Committee to Floor w/SCS -
 Consent (S588)
 03/11/2009 Removed S Consent Calendar (S605)
 04/02/2009 Reported from S Health, Mental Health, Seniors and Families Committee to Floor w/SCS (S888)
 04/08/2009 SA 1 to SCS S offered & adopted (Shoemyer)--(2126S04.01S) (S940-945)
 04/08/2009 SA 2 to SCS S offered & adopted (Stouffer)--(2126S04.02S) (S945-946)
 04/08/2009 SCS, as amended, S adopted (S946)
 04/08/2009 Perfected (S946)
 04/08/2009 Reported Truly Perfected S Rules Committee (S971)
 04/09/2009 Referred S Governmental Accountability and Fiscal Oversight Committee (S984)
 04/23/2009 Voted Do Pass S Governmental Accountability and Fiscal Oversight Committee
 04/23/2009 Reported from S Governmental Accountability and Fiscal Oversight Committee to Floor (S1186)
 04/23/2009 S Third Read and Passed (S1187 / H1261)
 04/23/2009 H First Read (H1261)
 04/24/2009 H Second Read

EFFECTIVE: August 28, 2009

*** SB 550 ***

2255S.011

SENATE SPONSOR: Crowell

SB 550 - This act requires that all state retirement systems monitor their investments on a regular basis to determine the existence of fraud or misdealing. These retirement systems shall also determine whether an action to recover any losses from fraud or misdealing is appropriate.

EMILY KALMER

02/26/2009 S First Read--SB 550-Crowell (S415)

03/03/2009 Second Read and Referred S Veterans' Affairs, Pensions and Urban Affairs Committee (S448)

EFFECTIVE: August 28, 2009

*** SB 551 ***

2235S.011

SENATE SPONSOR: Crowell

SB 551 - Currently, chronic nonviolent offenders with substance abuse addiction can receive long-term drug treatment from the Department of Corrections. This act would allow such nonviolent persons to receive such treatment when they are eligible for probation and parole, and have:

(1) Pleaded guilty to or been found guilty of two prior felonies; or

(2) Completed a one hundred twenty day treatment program for a methamphetamine offense and have either subsequently pleaded guilty to or been found guilty of a drug offense or have violated terms of probation and the substance abuse was a precipitating or contributing factor in the commission of the probation violation.

Currently, an offender's first time incarceration in the department under the long-term drug treatment program or a one hundred twenty day treatment program is not considered a previous prison commitment under the minimum sentencing requirements. The act removes these provisions from law. Also under this act, methamphetamine offenses shall be subject to the minimum sentencing requirements.

In any case when the offender has committed a distribution, unlawful purchase with a minor, manufacturing, or production of methamphetamine offense that is a Class A or B felony, he or she must serve one hundred twenty days in the Department of Corrections before being eligible for probation or parole.

SUSAN HENDERSON MOORE

02/26/2009 S First Read--SB 551-Crowell and Schaefer (S415-416)

03/04/2009 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S474)

03/23/2009 Hearing Cancelled S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2009

*** SB 552 ***

2244S.011

SENATE SPONSOR: Crowell

SB 552 - This act modifies provisions relating to the MO HealthNet Division's authority to collect from third party payers and from workers' compensation beneficiaries.

Under this act any third party administrator, administrative service organization, health benefit plan and pharmacy benefits manager shall process and pay all properly submitted MO HealthNet subrogation claims for a period of three years from the date services were provided or rendered, regardless of any other timely filing requirement. The entity shall not deny such claims on the basis of the type or format of the claim form, or a failure to present proper documentation of coverage at the point of sale.

Payments made by the department to or on behalf of a MO HealthNet eligible individual as the result of any workers' compensation injury shall be presumed to be benefits incorrectly paid for purposes of Mo HealthNet estate recovery and shall be considered a debt due the state. Any settlement approved or judgment issued by the administrative law judge shall constitute a judgment of a court on account of benefits incorrectly paid for Mo HealthNet estate recovery purposes.

Any settlement approved or judgment issued by an administrative law judge shall require full repayment of all moneys paid by the department to or on behalf of a person eligible for public assistance as the result of

any workers' compensation injury. All moneys repaid to the department shall be allocated as medical expenses in the settlement or judgment. The state shall have a right of subrogation to any funds for medical expenses owed to or received by the employee.

The employer and attorney for an injured worker who is eligible for public assistance as a result of a workers' compensation injury shall give the Department of Social Services thirty days notice of any institution of a proceeding, settlement, or judgment. No such settlement or judgment may be approved or issued by the administrative law judge without the filing of a release from the MO HealthNet division evidencing full repayment of all moneys paid by the department to or on behalf of the worker for the injury.

ADRIANE CROUSE

02/26/2009 S First Read--SB 552-Crowell (S416)

03/04/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S474)

04/07/2009 Hearing Scheduled But Not Heard S Health, Mental Health, Seniors and Families Committee

EFFECTIVE: August 28, 2009

*** SB 553 ***

0990S.03I

SENATE SPONSOR: Crowell

SB 553 - This act provides that on January 1, 2010, the health care programs of all state employees, including from the Department of Conservation and Transportation, University of Missouri employees including from state-supported colleges and universities shall be assimilated into the Missouri Consolidated Health Care Plan (MCHCP).

After July 1, 2010, the Board of Trustees of MCHCP shall investigate coordinating and purchasing health care benefit plans for employees and dependents of the public schools and community colleges as well as investigate the lack of availability of health insurance coverage and the issues associated with the uninsured population of this state. The board is also authorized to investigate the feasibility of creating and administering insurance programs for businesses and to propose cost-effective solutions to reducing the number of uninsured in the state.

After July 1, 2011, the Board shall be the lead agency in coordinating and purchasing health care benefit plans for the employees and dependents of the public schools and community colleges whenever such entities opt to join the collective purchasing power of the plan.

This act establishes the Missouri Consolidated Health Information Exchange (MCHIE). The MCHIE shall operate under the authority of the MCHCP and in collaboration with the University of Missouri. MCHIE shall provide leadership in the redesign of the health care delivery system using information technology to ensure that all citizens receive safe, effective, efficient, and quality care. It shall also serve as a forum for the exchange of ideas and consensus building in the advancement of health information technology and infrastructure. In addition, the MCHIE shall implement pilot projects to determine the impact of various health care applications using information technology. All other duties of the MCHIE are prescribed under the act.

The board of MCHCP shall appoint a committee entitled the Missouri Consolidated Health Information Exchange Committee. The members are prescribed in the act. The committee's duties include implementing and overseeing the operation of a health information exchange in the state. MCHCP shall establish and create a separate trust fund entitled the "MCHIE trust fund" to be used solely for the purposes related to the MCHIE.

This act contains an emergency clause.

ADRIANE CROUSE

02/26/2009 S First Read--SB 553-Crowell (S416)

03/04/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S474)

EFFECTIVE: Emergency Clause

*** SB 554 ***

2247S.01I

SENATE SPONSOR: Crowell

SB 554 - This act allows the Adjutant General to assign the number of assistant adjutants general that are authorized by National Guard Bureau rules and regulations rather than limiting the number to two. Such assistant adjutants general, if qualified, shall hold military rank as may be authorized and approved for the

positions by the National Guard Bureau of the United States.

This act is similar to HB 861 (2009).

EMILY KALMER

02/26/2009 S First Read--SB 554-Crowell (S416)
 03/04/2009 Second Read and Referred S Veterans' Affairs, Pensions and Urban Affairs Committee (S474)
 03/26/2009 Hearing Cancelled S Veterans' Affairs, Pensions and Urban Affairs Committee
 04/02/2009 Hearing Conducted S Veterans' Affairs, Pensions and Urban Affairs Committee

EFFECTIVE: August 28, 2009

*** SB 555 ***

SCS SB 555

1027S.04C

SENATE SPONSOR: Lager

SS/SCS/SB 555 - This act requires any incumbent local exchange carrier (ILEC) that is not a rate-of-return regulated ILEC to reduce its originating and terminating intrastate switched exchange access rates to the same amounts as its interstate switched exchange access rates by 20% increments over a 5-year period.

This act is similar to HB 898 (2009).

ERIKA JAQUES

02/26/2009 S First Read--SB 555-Lager (S416)
 03/04/2009 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S474)
 03/10/2009 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee
 03/24/2009 SCS Voted Do Pass S Commerce, Consumer Protection, Energy and the Environment Committee (1027S.04C)
 03/26/2009 Reported from S Commerce, Consumer Protection, Energy and the Environment Committee to Floor w/SCS (S771)
 04/07/2009 SS for SCS S offered (Lager)--(1027S.06F) (S915)
 04/07/2009 SA 1 to SS for SCS S offered & adopted (Lager)--(1027S06.02S) (S915-916)
 04/07/2009 SA 2 to SS for SCS S offered (Barnitz)--(1027S06.01F) (S916)
 04/07/2009 Bill Placed on Informal Calendar (S916)
 04/27/2009 S Informal Calendar S Bills for Perfection--SB 555-Lager, with SCS, SS for SCS & SA 2 (pending)

EFFECTIVE: August 28, 2009

*** SB 556 ***

1059S.02I

SENATE SPONSOR: Mayer

SB 556 - This act prohibits large users of water resources from unduly disrupting the normal irrigation activities of certain large farms. If such a disruption occurs in the Southeast Missouri Regional Water District, the Attorney General may seek an injunction.

ERIKA JAQUES

02/26/2009 S First Read--SB 556-Mayer (S416)
 03/04/2009 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S474)
 03/25/2009 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee
 04/08/2009 Voted Do Pass S Agriculture, Food Production and Outdoor Resources Committee

EFFECTIVE: August 28, 2009

*** SB 557 ***

2220S.01I

SENATE SPONSOR: Mayer

SB 557 - Under this act, when a county changes classification, the salary established for each county official at the time of the change shall not be reduced until such person holding office at the time of the change leaves office.

SUSAN HENDERSON MOORE

02/26/2009 S First Read--SB 557-Mayer (S416)

03/04/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S474)

03/25/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee

EFFECTIVE: August 28, 2009

*** SB 558 *** SCS SB 558

2236S.08P

SENATE SPONSOR: Mayer

SS/SCS/SB 558 – This act modifies the A+ Schools Program, modifies the Higher Education Academic Scholarship Program (Bright Flight) and creates the Missouri Promise Program within the Department of Higher Education, which will provide scholarships to students completing their third and fourth years of college.

A+ SCHOOLS PROGRAM - Current law provides that public high schools may receive grant awards to modify and improve their curriculum. This act eliminates these grant awards.

Currently, in order to receive reimbursements through the A+ Program, a student must attend and graduate from a high school that has been designated as an A+ school by the Department of Elementary and Secondary Education. To be an A+ school, a high school must meet various requirements, including meeting certain curricular standards, as designated in Department of Elementary and Secondary Education rules. Instead, this act shifts eligibility for students to receive reimbursements through the A+ Program from having to attend an A+ designated high school to students who meet the requirements identified in this act. Many of the requirements for A+ reimbursements that exist in rules promulgated by the Department of Elementary and Secondary Education are codified in this act.

A student must meet the following requirements to qualify for a financial incentive award: have attended a public high school in Missouri for three years prior to graduation; have graduated from high school with an overall grade point average of 2.5 on a 4.0 scale, or an equivalent; have at least a 95% attendance record overall for grades nine through twelve; have performed at least fifty hours of unpaid tutoring or mentoring; and have maintained a record of good citizenship and avoidance of the unlawful use of drugs and alcohol.

In order to maintain eligibility for the four-year period of incentive availability, a student must meet the following requirements: enroll in and attend a Missouri public community college, vocational or technical school, state technical college, or private vocational or technical school, as described in the act; maintain a grade point average of 2.5 or higher on a 4.0 scale, or its equivalent on another scale; and maintain a record of good citizenship and avoidance of the unlawful use of drugs and alcohol.

A student must make a documented good faith effort to first secure all available postsecondary student financial assistance funds that do not require repayment. The financial incentives in this act are subject to appropriation and are available only after all other postsecondary student financial assistance funds have been applied to costs. The awards will be available to reimburse the unpaid balance of the cost of tuition, general fees, and up to fifty percent of the book cost for a student, in that order.

Missouri institutions of higher education, as described in the act, must verify certain information for each student who receives a financial incentive and attends such an institution. By the end of the first semester of a student's participation, the institution of higher education must: verify that student eligibility has been received from the student's high school of graduation; the eligible student is enrolled full-time; and the student has made a good faith effort to secure all available postsecondary student financial assistance funds. During the second semester, and any subsequent semester, of a student's receipt of financial incentives, the institution of higher education must verify that: the eligible student continues to be enrolled full-time; the student continues to make good faith efforts to secure all available postsecondary student financial assistance funds; the student maintains a grade point average of 2.5 or higher on a 4.0 scale.

Current law provides the same requirements and qualifications to participate in the A+ Schools Program for private career-technical schools and public career-technical schools. This act removes public career-technical schools from those requirements. This act also adds state technical colleges to the schools that may participate in the program.

This section contains provisions similar to HB 903 (2009) and contains provisions also contained in SB 493 (2009) and HB 490 (2009). (Section 160.545)

HIGHER EDUCATION ACADEMIC SCHOLARSHIP PROGRAM - This act makes changes to the Higher Education Academic Scholarship Program (Bright Flight). It specifies that a student must be a Missouri resident in order to be eligible for a scholarship. In addition, it expands scholarship eligibility to individuals who have received a General Education Development diploma (GED) or who have completed a homeschooling program of study.

The qualifying score necessary for a student to receive a scholarship will be determined at the beginning of an eligible student's final year of secondary coursework.

Current law provides that in fiscal year 2011 and beyond, a student scoring between the top 3-5% of Missouri ACT or SAT test-takers will receive a \$1,000 scholarship. This act provides that a student scoring in the top 5% of Missouri ACT test-takers will be offered a \$1,000 scholarship, with an additional result being that a test-taker scoring in the top 3% would receive \$4,000.

Current law allows a student to receive a renewal scholarship for the second, third, and fourth academic years. This act allows a student to renew the scholarship for as long as the student is in compliance with the renewal requirements described in the act.

If a scholarship recipient cannot attend an approved institution because of military service with the United States Armed Forces, the student will receive the scholarship if he or she returns to full-time status within six months after ending military service. The student must verify to the Coordinating Board for Higher Education that the military service was satisfactorily completed.

This section is identical to SB 40 (2009) and is similar to provisions contained in SB 984 (2008). (Section 173.250)

MISSOURI PROMISE PROGRAM - The Commissioner of Higher Education will establish scholarships beginning in academic year 2009-2010 for certain public four-year institutions, as described in the act, for students who previously received a scholarship under the A+ reimbursement program and completed a designated Associate's Degree and enroll in an approved institution within nine months of completion. Additional eligibility requirements include: a good faith effort to first secure other sources of funding; maintaining full-time enrollment; maintaining a record of good citizenship and avoidance of the unlawful use of drugs and alcohol; and maintaining a 3.0 GPA on a 4.0 scale while receiving the scholarship. A student cannot receive a scholarship for more than six semesters.

If a student has a grade point average that falls below a 3.0 on a 4.0 scale, the student will be granted a one semester grace period. The student will lose eligibility if the student cannot subsequently raise his or her GPA to a 3.0.

A student's scholarship amount must be reduced by the amount of a student's award under all other sources of postsecondary student financial assistance.

Scholarships under this section will be subject to appropriation. If appropriations are insufficient to provide scholarships for all eligible students, scholarships to students attending two-year schools under the A+ reimbursement program must be fully funded before scholarships can be distributed to students attending four year schools. In addition, scholarship amounts can be prorated if necessary. Any proration or reduction must take into account the order of priority for distribution of financial incentives to students (tuition, fees, books).

The Commissioner of Higher Education must develop a procedure for evaluating the effectiveness of this program, which will be conducted every two years. The results of the evaluation must be sent to the Governor, Speaker of the House of Representatives, and the President Pro Tempore of the Senate.

This section contains provisions similar to HB 903 (2009). (Section 173.268)

MICHAEL RUFF

02/26/2009 S First Read--SB 558-Mayer, et al (S416)
 03/04/2009 Second Read and Referred S Education Committee (S474)
 03/11/2009 Hearing Conducted S Education Committee
 03/25/2009 SCS Voted Do Pass S Education Committee (2236S.03C)
 03/26/2009 Reported from S Education Committee to Floor w/SCS (S771)
 04/06/2009 SS for SCS S offered (Mayer)--(2236S.08F) (S896-897)
 04/06/2009 SA 1 to SS for SCS S offered (Schaefer)--(2236S08.03S) (S897-898)

04/06/2009 SA 1 to SA 1 to SS for SCS S offered & adopted (Crowell)--(2236S08.04S) (S898)
 04/06/2009 SA 1 to SS for SCS, as amended, S defeated (S898-899)
 04/06/2009 SA 2 to SS for SCS S offered & adopted (Stouffer)--(2236S08.02S) (S899)
 04/06/2009 SA 3 to SS for SCS S offered & adopted (Rupp)--(2236S08.01S) (S899-903)
 04/06/2009 SS for SCS, as amended, S adopted (S903)
 04/06/2009 Perfected (S903)
 04/06/2009 Reported Truly Perfected S Rules Committee (S909)
 04/07/2009 Referred S Governmental Accountability and Fiscal Oversight Committee (S916)
 04/09/2009 Hearing Scheduled But Not Heard S Governmental Accountability and Fiscal Oversight
 Committee
 04/14/2009 Hearing Scheduled But Not Heard S Governmental Accountability and Fiscal Oversight
 Committee
 04/27/2009 S Formal Calendar S Bills for Third Reading--SS for SCS for SB 558-Mayer (In Fiscal Oversight)

EFFECTIVE: August 28, 2009

*** SB 559 ***

2248S.021

SENATE SPONSOR: Schaefer

SB 559 - This act authorizes the adoption of emergency rules to carry out the American Recovery and Reinvestment Act of 2009. At the discretion of the Joint Committee on Administrative Rules, these emergency rules may be effective for up to a two year period.

EMILY KALMER

02/26/2009 S First Read--SB 559-Schaefer (S416)
 03/04/2009 Second Read and Referred S Appropriations Committee (S475)

EFFECTIVE: August 28, 2009

*** SB 560 ***

2228S.011

SENATE SPONSOR: Green

SB 560 - This act removes the requirement that commissioners of the Administrative Hearing Commission be attorneys.

EMILY KALMER

02/26/2009 S First Read--SB 560-Green (S416)
 03/04/2009 Second Read and Referred S General Laws Committee (S475)
 03/24/2009 Hearing Scheduled But Not Heard S General Laws Committee

EFFECTIVE: August 28, 2009

*** SB 561 ***

2253S.011

SENATE SPONSOR: Green

SB 561 - This act requires the Director of the Department of Revenue to award fee office contracts through a competitive bidding process with priority given to school districts or coalitions of school districts, charitable organizations, nonprofit organizations, and political subdivisions.

This act is identical to HB 598 (2009).

STEPHEN WITTE

02/26/2009 S First Read--SB 561-Green (S416)
 03/04/2009 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee
 (S475)
 03/26/2009 Hearing Scheduled But Not Heard S Governmental Accountability and Fiscal Oversight
 Committee
 04/02/2009 Hearing Conducted S Governmental Accountability and Fiscal Oversight Committee

EFFECTIVE: August 28, 2009

*** SB 562 ***

2240S.011

SENATE SPONSOR: Smith

SB 562 - Child support obligations may be terminated in the automated child support system when support is deemed terminated under state law.

This act allows child support to be terminated if the state case registry indicates that the child is twenty-one years old and the support order does not require further payment. The act also allows for a hearing regarding a child's emancipation when it is disputed by the parties, rather than treating the dispute as a motion to modify the support obligation.

This act specifies that affidavits shall be filed with the court for judicial orders and with the Family Support Division for administrative orders.

ADRIANE CROUSE

02/26/2009 S First Read--SB 562-Smith (S416)

03/04/2009 Second Read and Referred S General Laws Committee (S475)

EFFECTIVE: August 28, 2009

*** SB 563 *** HCS SCS SB 563

2227L.03C

SENATE SPONSOR: Smith

HOUSE HANDLER: Leara

HCS/SCS/SB 563 - This act modifies provisions related to certain public employee retirement systems.

POLICE RETIREMENT SYSTEM OF ST. LOUIS

The medical board that arranges for required disability-related medical examinations is eliminated and is replaced by a medical director who appoints doctors to investigate the physical and mental conditions of applicants for disability retirement. The medical director reports to the board of trustees of the police retirement system.

Any member in service or member of the Board of Police Commissioners who has ten years of creditable service and who has become permanently unable to perform the duties of a police officer as the result of an injury or illness not exclusively caused by their duties as a police officer shall be retired upon certification of the medical director and approval of the board of trustees.

Members who are permanently disabled exclusively as a result of an accident occurring within the actual performance of duty at some definite time and place shall upon application be retired upon certification of the medical director and approval of the board of trustees. These members must apply for disability within five years of the accident, unless the accident was reported within five years and the member was examined by a health care provider provided by the board of police commissioners within thirty days of the accident.

Disability retirees under the age of sixty may be required to submit to a medical examination yearly for the first five years following their retirement and at least once every three years thereafter. If the retiree refuses to submit to a medical examination their disability pension may be discontinued. If the retiree refuses for one year, then their pension may be revoked.

If the medical director certifies to the board of trustees that the disability retiree is able to perform the duties of a police officer and the board agrees, the pension shall end. If the officer returns to active service, then the period of time during which the officer received a disability pension shall not be included in his time of service.

PUBLIC SCHOOL RETIREMENT SYSTEM OF MISSOURI (PSRS) & THE PUBLIC EDUCATION EMPLOYEE RETIREMENT SYSTEM (PEERS)

VENUE FOR LAWSUITS: All suits or proceedings directly or indirectly brought against the board of trustees for PSRS or PEERS, the board's members or employees, or the retirement system itself must be brought in Cole County. (Section 169.020)

INVESTMENT ACCOUNT: This act allows for the establishment and maintenance of a retirement systems investment account for investment purposes. Moneys from PSRS and PEERS may be combined in the account for investment purposes so long as the funds are accounted for and reported separately. (Sections 169.040, 169.630)

PURCHASE OF SERVICE CREDIT: For the purchase of membership service credit, this act changes the

date of payment from June 30 to September 30 and the date of recalculation from July 1 to October 1. In addition, the retirement system may prohibit a purchase, impose additional requirements for making a purchase, or limit the amount of credit purchased if necessary to comply with federal law. (Sections 169.056, 169.655)

DISTRIBUTION OF BENEFITS UPON DEATH OF A MEMBER: This act modifies how retirement benefits may be distributed upon the death of a member prior to the member having received the specified number of monthly payments. The remainder of such payments will be paid to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or the estate of the last person to receive a monthly allowance in a lump sum payment, in that order of precedence. In addition, if a member dies and the member's financial institution cannot accept the final payment or payments, the final payment or payments will be paid to the beneficiary, or if no beneficiary exists, to the surviving spouse, to the surviving children in equal shares, surviving parents in equal shares, or the estate of the member, in that order of precedence. This same order applies if the beneficiary to a member dies and the beneficiary's financial institution cannot accept final payment. (Sections 169.070, 169.073, 169.075, 169.670)

GARNISHMENT: This act allows funds belonging to the retirement systems and certain benefits to be subject to execution, garnishment, attachment in a proceeding instituted for spousal maintenance or child support. (Sections 169.090, 169.690)

ASSOCIATION ADMISSION: After June 30, 2010, no additional nonprofit educational associations or organizations will be able to have their employees become members of PSRS or PEERS. (Sections 169.130, 169.650)

INDEMNIFICATION: The board of trustees of PSRS or PEERS may indemnify and protect any trustee or employee against all claims or liabilities in his or her official or individual capacity except for gross negligence or willful misconduct. The board of trustees may obtain insurance or indemnity policies. For an employee or trustee to qualify for indemnity, he or she must provide written notice to the board of trustees within fifteen days after receiving service of process of a proceeding. (Section 169.750)

This act is similar to HB 947 (2009), SB 327 (2009), and HB 265 (2009) and SCS/SBs 1153, 1154, 1155 & 1156 (2008), and contains provisions similar to HB 1972 (2008), HB 1973 (2008), and HB 2056 (2008).

EMILY KALMER

02/26/2009 S First Read--SB 563-Smith (S417)
 03/04/2009 Second Read and Referred S Veterans' Affairs, Pensions and Urban Affairs Committee (S475)
 03/12/2009 Hearing Conducted S Veterans' Affairs, Pensions and Urban Affairs Committee
 03/12/2009 SCS Voted Do Pass S Veterans' Affairs, Pensions and Urban Affairs Committee (2227S.02C) - Consent
 03/12/2009 Reported from S Veterans' Affairs, Pensions and Urban Affairs Committee to Floor w/SCS - Consent (S619)
 03/30/2009 SCS S adopted (S804)
 03/30/2009 S Third Read and Passed - Consent (S804-805 / H796)
 03/30/2009 H First Read (H796)
 03/31/2009 H Second Read (H804)
 03/31/2009 Referred H Retirement Committee (H819)
 04/09/2009 Hearing Conducted H Retirement Committee
 04/09/2009 HCS Voted Do Pass H Retirement Committee - Consent
 04/09/2009 HCS Reported Do Pass H Retirement Committee - Consent (H1022)
 04/09/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1022)
 04/14/2009 Hearing Conducted H Rules Committee
 04/14/2009 Voted Do Pass H Rules Committee - Consent
 04/14/2009 Reported Do Pass H Rules Committee - Consent (H1043)
 04/27/2009 H Consent Calendar w/HCS

EFFECTIVE: August 28, 2009

*** SB 564 ***

1974S.021

SENATE SPONSOR: Smith

SB 564 – This act requires the Department of Elementary and Secondary Education to compare student assessment scores of students at charter schools that use the MAP test to measure student performance. The Department will compare the average of the scores from the school's first and second years of operation

with the average of the scores from the sixth and seventh years of operation. If the later scores are worse, the Department must conduct a public hearing within sixty days, at which time the charter school may provide the Department with a compelling reason as to why it should remain open. The State Board of Education may monitor the charter school for the next two years. If student scores do not improve after two years, the State Board of Education must revoke the school's charter and close the school. In addition, the sponsor will not be able to sponsor any new charter schools.

MICHAEL RUFF

02/26/2009 S First Read--SB 564-Smith (S417)

03/04/2009 Second Read and Referred S Education Committee (S475)

EFFECTIVE: August 28, 2009

*** SB 565 ***

2259S.011

SENATE SPONSOR: Wright-Jones

SB 565 - This act defines a "reserve officer" as any member of the police reserve force, armed or unarmed, who works less than full time with or without compensation and who, by his or her assigned function or as implied by his or her uniform, performs duties associated with those of a police officer and who currently receives retirement benefits.

A reserve officer shall not be considered a member of the police retirement system for the purpose of determining creditable service, nor shall any contributions be due. A reserve officer shall not be entitled to any benefits other than those awarded upon his or her original retirement. Service as a reserve officer shall not prohibit distribution of such benefits.

EMILY KALMER

02/26/2009 S First Read--SB 565-Wright-Jones (S417)

03/04/2009 Second Read and Referred S Veterans' Affairs, Pensions and Urban Affairs Committee (S475)

EFFECTIVE: August 28, 2009

*** SB 566 ***

2250S.011

SENATE SPONSOR: Wright-Jones

SB 566 - This act requires members of the St. Louis City reserve police force to be retired officers of the city. This act also provides such reserve officers the same powers as regular officers regardless of whether they are assigned to active duty.

SUSAN HENDERSON MOORE

02/26/2009 S First Read--SB 566-Wright-Jones (S417)

03/04/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S475)

04/22/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee

EFFECTIVE: August 28, 2009

*** SB 567 ***

2249S.011

SENATE SPONSOR: Wright-Jones

SB 567 - This act allows the Board of Police Commissioners to determine the number and ranks of police officers necessary for St. Louis City. Any increase in the number of officers appointed shall no longer require approval from the municipal board of estimate and apportionment.

SUSAN HENDERSON MOORE

02/26/2009 S First Read--SB 567-Wright-Jones (S417)

03/04/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S475)

04/22/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee

EFFECTIVE: August 28, 2009

*** SB 568 ***

2262S.011

SENATE SPONSOR: Rupp

SB 568 - This act establishes the Recovery Accountability and Transparency Board within the office of administration to prevent fraud, waste, and abuse of the funds received by the state or any political subdivision from the federal American Recovery and Reinvestment Act of 2009. The board will consist of the Commissioner of the Office of Administration, two members of the Senate, and two members of the House. This board will have the power to oversee the reporting of contracts and grants using covered funds, whether competition requirements applicable to contracts and grants have been satisfied, audit covered funds, and refer matters for investigation to the Attorney General or the agency dispersing the funds. The board is required to report annually to the governor and general assembly. The board also has the power to subpoena witnesses.

The act also adopts provisions regarding the filing of fraudulent claims for payment with the government. Under these provisions anyone who files false claims with the government, or any public employee or official who commits certain prohibited acts or violates certain criminal statutes, will in most cases be subject to civil penalties of not less than \$10,000 plus three times the amount of damages to the government. With some exceptions, private person can file a lawsuit on behalf of the government. The Attorney General has the authority to intervene and continue the lawsuit, or may allow the private person to continue with the lawsuit. The government may dismiss the action or settle the action, after a hearing before the court. The court may limit the participation of the private person in the lawsuit if the government shows that it would interfere with their civil case or may postpone discovery in the case if it would interfere with a criminal prosecution or other government civil case.

The private person who brings the lawsuit will get a percentage of the money awarded in the lawsuit. If the private person who brought the lawsuit planned or initiated the violation of state law their recovery is reduced. If the private person who brought the lawsuit is criminally convicted based on their role in the violation of state law, they cannot recover any money.

Employees who are discriminated against in the terms and conditions of their employment because of participating in a false claims case are entitled to file a lawsuit to be reinstated to their job, two times the amount of back pay, interest, special damages, litigation costs, and attorneys' fees.

EMILY KALMER

02/26/2009 S First Read--SB 568-Rupp (S417)

03/04/2009 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S475)

03/26/2009 Hearing Conducted S Governmental Accountability and Fiscal Oversight Committee

EFFECTIVE: August 28, 2009

*** SB 569 *** SCS

2139S.02C

SENATE SPONSOR: Lembke

SCS/SB 569 - This act modifies various provisions relating to initiative and referendum petitions.

Only mistakes, errors, or omission by those signing petitions shall invalidate those signatures.

The text of a petition may contain strike-through font to indicate the language to be deleted and shall contain all sections that are to be explicitly repealed.

Currently, signatures of voters from counties other than the one designated on the petition are invalid. Under this act they are valid if the voter or proponent of the petition identifies the voter's county of residence and shows proof of the voter's registration within 30 days of the issuance of the certificate of sufficiency or insufficiency by the Secretary of State.

Currently, signatures collected by circulators who have not registered by the final day for filing petitions are not counted. This act allows them to be counted when proof of the authenticity of the signatures is provided within 30 days of the issuance of the certificate of sufficiency or insufficiency by the Secretary of State.

The act creates the misdemeanor crime of intentional misrepresentation of a petition which occurs when the person knowingly and fraudulently gathers signatures for a petition. The act also creates the misdemeanor crime of malicious obstruction of the signing of a petition which occurs when the person maliciously intimidates, obstructs, or attempts to or otherwise prevents a voter from signing a petition.

Signature pages for petitions shall be arranged in file folders, with no more than 100 pages in each folder, labeled to indicate the county in which the signatures were gathered and the page numbers of the signature pages in each folder.

This act repeals a provision requiring the attorney general or the circuit court of Cole county to return an unsatisfactory fiscal note summary to the auditor for revision.

Changes to the official ballot title resulting from challenges brought later than 10 days after the official ballot title is certified shall not affect the validity of the signatures collected on the petitions. When a party other than the proponent of the measure initiates a challenge to the official ballot title, the proponent shall receive copies of all communications and court documents relating to the challenge and shall be allowed to intervene in the case. The court shall decide challenges to the official ballot title within 55 days from the original certification by the Secretary of State and the appeals court shall render a decision within 30 days of the filing of the appeal. Parties may then appeal to the Supreme Court which shall render a decision within 30 days.

Currently, the Secretary of State shall refer copies of petition sheets to the attorney general and to the auditor for approval. This act requires these copies to be referred within 2 business days.

Currently, the Secretary of State shall notify those submitting petition sheets of approval or rejection within 30 days of submission. This act reduces that time to 15 days.

CHRIS HOGERTY

02/26/2009 S First Read--SB 569-Lembke (S417)
 03/04/2009 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S475)
 04/06/2009 Hearing Conducted S Financial and Governmental Organizations and Elections Committee
 04/15/2009 SCS Voted Do Pass S Financial and Governmental Organizations and Elections Committee (2139S.02C)
 04/23/2009 Reported from S Financial and Governmental Organizations and Elections Committee to Floor w/SCS (S1190)
 04/27/2009 S Formal Calendar S Bills for Perfection--SB 569-Lembke, with SCS

EFFECTIVE: August 28, 2009

*** SB 570 ***

2219S.011

SENATE SPONSOR: Lembke

SB 570 - This act repeals the June 30, 2005, eligibility date for the non-MO HealthNet eligible consumer-directed personal care services program.

ADRIANE CROUSE

02/26/2009 S First Read--SB 570-Lembke (S417)
 03/04/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S475)

EFFECTIVE: August 28, 2009

*** SB 571 ***

2217S.011

SENATE SPONSOR: Lembke

SB 571 - Under this act, no adjuster or insurer shall in collision cases:

- (1) Limit the freedom of an insured or claimant to choose the shop;
- (2) Require that an insured or claimant present the claim or the automobile for loss adjustment or inspection at a "drive-in" claim center or any other similar facility solely under the control of the insurer;
- (3) Engage in boycotts, intimidation, or coercive tactics in negotiating repairs to damaged motor vehicles which they insure or are liable to claimants to have repaired;
- (4) Attempt to secure, except in an emergency, the insured's or claimant's signature authorizing the party securing the signature to act in behalf of the insured or claimant in selection of a repair shop facility;
- (5) Adjust a damage appraisal of a repair shop when the extent of damage is in dispute without conducting a physical inspection of the vehicle;
- (6) Specify the use of a particular vendor for the procurement of parts or other materials necessary for the satisfactory repair of the vehicle; or

(7) Unilaterally and arbitrarily disregard a repair operation or cost identified by an estimating system, which an insurer and collision repair facility have agreed to utilize in determining the cost of repair.

Under the act, no motor vehicle repair shop shall in any way coerce, or intimidate a motor vehicle owner to boycott an insurer's "drive-in" claim center or similar facility.

Motor vehicle repair shops are prohibited from attempting to secure, except in an emergency, the vehicle owner's signature authorizing the party securing the signature to act in behalf of the owner in selection of a repair shop.

Insurer's representatives are prohibited from unreasonably denying access to motor vehicle repair shops during normal business hours for the purpose of inspecting or reinspecting damaged vehicles.

Under the terms of the act, when a damaged vehicle is towed to a motor vehicle repair shop, the storage and towing charges shall not exceed the usual and customary charges for the towing and storage of undamaged vehicles in the area except if the vehicle, due to its damaged condition, requires special handling in the towing or storage, an added charge may be made.

STEPHEN WITTE

02/26/2009 S First Read--SB 571-Lembke (S417)

03/04/2009 Second Read and Referred S Small Business, Insurance and Industry Committee (S475)

EFFECTIVE: August 28, 2009

*** SB 572 ***

2078S.011

SENATE SPONSOR: Dempsey

SB 572 - This act creates the Missouri science and innovation reinvestment authority to create, attract, and enhance new and existing science and innovation companies in the state and make Missouri the most attractive state for conducting, facilitating, performing, and supporting science and innovation research, development, and commercialization. The act sets out the powers, duties, and membership of the authority. The authority will have the power to allocate certain percentages of employee income tax withholdings of science and innovation companies to the newly created science and innovation fund along with other revenues derived from federal grants, loans, gifts and bond issuances to enhance Missouri's science and innovation research, development and commercialization.

JASON ZAMKUS

02/26/2009 S First Read--SB 572-Dempsey and Justus (S417)

03/04/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S475)

03/25/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee

04/01/2009 Voted Do Pass S Jobs, Economic Development and Local Government Committee

04/02/2009 Reported from S Jobs, Economic Development and Local Government Committee to Floor (S888)

04/08/2009 Bill Placed on Informal Calendar (S939)

04/27/2009 S Informal Calendar S Bills for Perfection--SB 572-Dempsey and Justus

EFFECTIVE: August 28, 2009

*** SB 573 ***

2252S.011

SENATE SPONSOR: Crowell

SB 573 - This act defines the term "maximum social security benefit available" as thirty-two thousand five hundred dollars for the tax year beginning on or after January 1, 2007. Such amount will increase annually by the percentage increase in the consumer price index. Currently, a taxpayer must be age sixty-two years or older in order to be eligible for the income tax exemption for publicly funded retirement benefits. This act removes the age requirement for the publicly funded retirement benefit income tax exemption. Under current law, taxpayers who receive both social security benefits and publicly funded retirement benefits recipient must reduce the amount of their publicly funded retirement benefit exemption by the total amount of social security benefits not included in Missouri adjusted gross income. This act would require such taxpayers to reduce their publicly funded retirement benefit exemption by the amount of social security benefits exempted due to the enactment of House Bill 444 (2007).

This act is identical to Senate Bill 1180 (2008).

JASON ZAMKUS

02/26/2009 S First Read--SB 573-Crowell (S422)
 03/04/2009 Second Read and Referred S Veterans' Affairs, Pensions and Urban Affairs Committee (S475)
 03/12/2009 Hearing Scheduled But Not Heard S Veterans' Affairs, Pensions and Urban Affairs Committee
 03/26/2009 Hearing Cancelled S Veterans' Affairs, Pensions and Urban Affairs Committee
 04/02/2009 Hearing Conducted S Veterans' Affairs, Pensions and Urban Affairs Committee

EFFECTIVE: August 28, 2009

*** SB 574 ***

2278S.011

SENATE SPONSOR: Rupp

SB 574 - This act allows Lincoln County, after meeting the required assessed valuation, to become a second class county upon a vote of the governing body to change classifications. Currently, a county can only change classifications by a vote of the governing body if it is becoming a first class county; otherwise, the county must be at the required assessed valuation for five years before changing classifications. The effective date of the change in classification shall be at the beginning of the county fiscal year following the election by the governing body.

SUSAN HENDERSON MOORE

02/26/2009 S First Read--SB 574-Rupp (S422)
 03/04/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S475)

EFFECTIVE: August 28, 2009

*** SB 575 ***

2279S.011

SENATE SPONSOR: Smith

SB 575 - This act authorizes concurrent jurisdiction between the St. Louis City Attorney or Prosecutor and any other entity authorized by law to prosecute taxpayers who file false personal property lists.

JASON ZAMKUS

02/26/2009 S First Read--SB 575-Smith (S423)
 03/04/2009 Second Read and Referred S Ways and Means Committee (S475)

EFFECTIVE: August 28, 2009

*** SB 576 ***

2280S.011

SENATE SPONSOR: Dempsey

SB 576 – Current law requires that public and nonpublic high schools report certain information about students age sixteen and older who drop out of school to the state literacy hotline. This act requires that records and reports based upon the school reports be made available by free electronic record on the Department of Elementary and Secondary Education's website on the first business day of each month. Identifying information of individual students must be excluded.

MICHAEL RUFF

02/26/2009 S First Read--SB 576-Dempsey (S423-424)
 03/04/2009 Second Read and Referred S Education Committee (S475)

EFFECTIVE: August 28, 2009

*** SRM 1 ***

1024S.011

SENATE SPONSOR: Green

SRM 1 - This Senate Remonstrance expresses opposition of the recent grant of \$25 million in tax credits by the Missouri Development Finance Board to the Kansas City Chiefs Football team as a misplaced use of essential tax incentives that would be better used for our state's education programs and job creation.

JASON ZAMKUS

01/08/2009 S First Read--SRM 1-Green (S78)
 01/20/2009 Referred S Rules, Joint Rules, Resolutions & Ethics Committee (S140)
 02/03/2009 Hearing Cancelled S Rules, Joint Rules, Resolutions and Ethics Committee

EFFECTIVE: upon approval

*** SCR 1 ***

1028S.011

SENATE SPONSOR: Shields

SCR 1 - This resolution appoints a 34-member joint committee to assist in the plans for the General Assembly to participate in the inauguration of Missouri's executive officials.

JIM ERTLE

01/07/2009 S Offered (S7)
 01/07/2009 S Adopted (S7-8)
 01/07/2009 Reported to House (H32)
 01/12/2009 H Adopted (H44-45 / S106)
 01/12/2009 Senate Inaugural Committee - Barnitz, Bray, Callahan, Champion, Days, Dempsey, Engler, Goodman, Green, Griesheimer, Justus, McKenna, Scott, Shields, Shoemyr, Stouffer, Vogel, Wright-Jones (S106)
 01/12/2009 House Inaugural Committee - Richard, Pratt, Tilley, Parson, Franz, Nieves, Ruestman, Allen, Zerr, Denison, Nance, LeVota, Kuessner, Roorda, Swinger, Curls, Lampe, Bringer (H46 / S106)

EFFECTIVE: upon approval

*** SCR 2 ***

0590S.01P

SENATE SPONSOR: Crowell

SCR 2 - This concurrent resolution recognizes October 3rd of each year as Science Day in Missouri.

This resolution is similar to SCR 20 (2007).

JIM ERTLE

01/07/2009 S First Read--SCR 2-Crowell (S22)
 01/20/2009 Referred S Rules, Joint Rules, Resolutions & Ethics Committee (S140)
 02/03/2009 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee
 02/10/2009 Voted Do Pass S Rules, Joint Rules, Resolutions and Ethics Committee
 03/03/2009 Reported from S Rules, Joint Rules, Resolutions and Ethics Committee to Floor (S454)
 03/05/2009 S Third Read and Passed (S526 / H491)
 03/05/2009 H First Read (H491)
 03/06/2009 H Second Read (H501)
 04/02/2009 Referred H Tourism Committee (H921)
 04/16/2009 Hearing Scheduled But Not Heard H Tourism Committee
 04/23/2009 Hearing Conducted H Tourism Committee

EFFECTIVE: upon approval

*** SCR 3 ***

0251S.011

SENATE SPONSOR: Justus

SCR 3 - This resolution urges ratification of the Equal Rights Amendment to the United States Constitution.

This SCR is similar to SCR 28 (2008) and SCR 30 (2008).

ADRIANE CROUSE

01/08/2009 S First Read--SCR 3-Justus (S79)
 01/20/2009 Referred S Rules, Joint Rules, Resolutions & Ethics Committee (S140)
 02/03/2009 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee

EFFECTIVE: upon approval

*** SCR 4 ***

0850S.011

SENATE SPONSOR: Wright-Jones

SCR 4 - This Senate concurrent resolution creates a Joint Interim Committee on Child Support Enforcement Reform to increase the number of noncustodial parents participating in the financial and

emotional needs of their children and expresses the General Assembly's support for the special child support dockets know as "Fathering Courts".

This resolution is identical to HCR 37 (2008).

ADRIANE CROUSE

01/12/2009 S Offered--SCR 4-Wright-Jones and Smith (S90-91)

01/20/2009 Referred S Rules, Joint Rules, Resolutions & Ethics Committee (S140)

02/10/2009 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee

EFFECTIVE: upon approval

*** SCR 5 ***

0388S.02I

SENATE SPONSOR: Stouffer

HOUSE HANDLER: Sander

SCR 5 - This resolution urges Congress to deny any request that would authorize a study of the Missouri River's congressionally authorized purposes. Under the resolution, the General Assembly also urges Missouri's Congressional delegation to actively oppose the authorization and funding of the Missouri River study proposed by the upstream states.

STEPHEN WITTE

01/12/2009 S Offered--SCR 5-Stouffer (S91-92)

01/20/2009 Referred S Rules, Joint Rules, Resolutions & Ethics Committee (S140)

02/10/2009 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee

02/17/2009 Voted Do Pass (w/SCA) S Rules, Joint Rules, Resolutions and Ethics Committee (0388S02.01S)

02/17/2009 Reported from S Rules, Joint Rules, Resolutions and Ethics Committee to Floor w/SCA 1 (S320)

03/05/2009 SCA 1 S Adopted (S525)

03/05/2009 S adopted, as amended (S525 / H491-493)

03/05/2009 Reported to the House (H491-493)

04/02/2009 Referred H Transportation Committee (H921)

04/15/2009 Hearing Conducted H Transportation Committee

04/23/2009 Voted Do Pass H Transportation Committee

04/23/2009 Reported Do Pass H Transportation Committee (H1258)

04/23/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1258)

EFFECTIVE: upon approval

*** SCR 6 ***

0520S.01I

SENATE SPONSOR: Lager

SCR 6 - This concurrent resolution rejects the salary increases for judges, legislators and statewide elected officials recommended by the Citizen's Commission on Compensation for Elected Officials.

This resolution is similar to SCR 4 (2007).

JIM ERTLE

01/13/2009 S First Read--SCR 6-Lager (S112)

01/20/2009 Referred S Rules, Joint Rules, Resolutions & Ethics Committee (S140)

EFFECTIVE: upon approval

*** SCR 7 ***

0587S.01I

SENATE SPONSOR: Pearce

SCR 7 - This concurrent resolution urges Congress to secure greater energy independence for the United States by allowing new off-shore drilling in areas where there is a high likelihood of resource recovery.

ERIKA JAQUES

01/14/2009 S Offered--SCR 7-Pearce (S119-120)

01/20/2009 Referred S Rules, Joint Rules, Resolutions & Ethics Committee (S140)

02/10/2009 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee

02/17/2009 Voted Do Pass S Rules, Joint Rules, Resolutions and Ethics Committee

02/17/2009 Reported from S Rules, Joint Rules, Resolutions and Ethics Committee to Floor (S320)

04/27/2009 Resolutions Calendar--SCR 7-Pearce

EFFECTIVE: upon approval

*** SCR 8 ***

0751S.011

SENATE SPONSOR: Shoemyer

HOUSE HANDLER: Wright

SCR 8 - This concurrent resolution urges the U.S. Congress to support the continuation of horse processing in the United States, offer incentives to help create horse processing plants throughout the country, and oppose any legislation introduced in the new session of Congress that would restrict horse processing.

This SCR is similar to SCR 35 (2008).

ERIKA JAQUES

01/15/2009 S First Read--SCR 8-Shoemyer (S127-128)
 01/20/2009 Referred S Rules, Joint Rules, Resolutions & Ethics Committee (S140)
 02/24/2009 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee
 02/24/2009 Voted Do Pass S Rules, Joint Rules, Resolutions and Ethics Committee
 02/24/2009 Reported from S Rules, Joint Rules, Resolutions and Ethics Committee to Floor (S373)
 03/05/2009 S adopted (S525-526 / H493-494)
 03/05/2009 Reported to the House (H493-494)
 04/02/2009 Referred H Special Standing Committee on Emerging Issues in Animal Agriculture Committee (H921)
 04/07/2009 Hearing Conducted H Special Standing Committee on Emerging Issues in Animal Agriculture Committee
 04/07/2009 Voted Do Pass H Special Standing Committee on Emerging Issues in Animal Agriculture Committee
 04/09/2009 Reported Do Pass H Special Standing Committee on Emerging Issues in Animal Agriculture Committee (H1023-1024)
 04/09/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1023-1024)

EFFECTIVE: upon approval

*** SCR 9 ***

0585S.011

SENATE SPONSOR: Shoemyer

SCR 9 - This concurrent resolution urges Congress to amend the federal Patent Act so that the offspring of a patented seed are not covered under the original patent and inadvertent possession of a patented seed or its offspring is not considered patent infringement.

ERIKA JAQUES

01/15/2009 S First Read--SCR 9-Shoemyer (S128)
 01/20/2009 Referred S Rules, Joint Rules, Resolutions & Ethics Committee (S140)

EFFECTIVE: upon approval

*** SCR 10 ***

1160S.011

SENATE SPONSOR: Rupp

SCR 10 - This concurrent resolution rescinds Missouri's 1983 call for a constitutional convention to adopt an amendment requiring a balanced federal budget.

JASON ZAMKUS

01/21/2009 S Offered--SCR 10-Rupp (S146-147)
 01/22/2009 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S167)
 03/03/2009 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee
 03/10/2009 Voted Do Pass S Rules, Joint Rules, Resolutions and Ethics Committee
 03/10/2009 Reported from S Rules, Joint Rules, Resolutions and Ethics Committee to Floor (S580)
 04/27/2009 Resolutions Calendar--SCR 10-Rupp

EFFECTIVE: upon approval

*** SCR 11 ***

0863S.041

SENATE SPONSOR: Bartle

SCR 11 - This Senate concurrent resolution expresses the General Assembly's opposition to the federal

Freedom of Choice Act.

ADRIANE CROUSE

01/22/2009 S offered (S161-162)

01/26/2009 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S182)

02/24/2009 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee

02/24/2009 Voted Do Pass S Rules, Joint Rules, Resolutions and Ethics Committee

02/24/2009 Reported from S Rules, Joint Rules, Resolutions and Ethics Committee to Floor (S372-373)

04/27/2009 Resolutions Calendar--SCR 11-Bartle, et al

EFFECTIVE: upon approval

*** SCR 12 ***

0258S.011

SENATE SPONSOR: Bray

SCR 12 - This resolution urges ratification of the Equal Rights Amendment to the United States Constitution.

This SCR is similar to SCR 28 (2008) and SCR 30 (2008).

ADRIANE CROUSE

01/22/2009 S First Read--SCR 12-Bray (S162)

01/26/2009 Second Read and Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S182)

EFFECTIVE: upon approval

*** SCR 13 ***

1280S.021

SENATE SPONSOR: Pearce

SCR 13 – This resolution encourages students and faculty in Missouri to promote international education as part of curricular and extracurricular life at Missouri's colleges and universities.

This resolution is identical to HCR 7 (2008).

MICHAEL RUFF

01/26/2009 S Offered (S178-179)

01/27/2009 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S190)

03/24/2009 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee

EFFECTIVE: upon approval

*** SCR 14 ***

1473S.031

SENATE SPONSOR: Schmitt

SCR 14 - This concurrent resolution creates the blue ribbon panel on job retention and economic growth. The panel will advise and make recommendations to the Governor, General Assembly, and state agencies on matters concerning the social and economic effects of loss of major corporate presence and other businesses within the state. The panel must develop a comprehensive statewide plan for job retention and economic growth. The panel must issue preliminary recommendations by February 1, 2010.

The panel's duties include: determining the impact business relocation out-of-state and job loss has upon charitable giving, the social well being of affected areas and the state and local economy; studying the impact current state and local tax incentives have on business decision-making and recommending modifications to or additional incentives necessary to facilitate job retention and economic growth; assessing the educational needs of existing and potential Missouri businesses; examining the need for infrastructure improvements necessary to attract new and retain existing businesses; developing recommendations for enhancing the attractiveness of this state to business; and assessing the impact job loss has on the state and local economy and charitable giving.

JASON ZAMKUS

01/28/2009 S Offered (S204-206)

01/29/2009 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S219)

03/03/2009 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee

03/03/2009 Voted Do Pass S Rules, Joint Rules, Resolutions and Ethics Committee

03/03/2009 Reported from S Rules, Joint Rules, Resolutions and Ethics Committee to Floor (S454)

04/27/2009 Resolutions Calendar--SCR 14-Schmitt

EFFECTIVE: upon approval

*** SCR 15 ***

1660S.02I

SENATE SPONSOR: Shoemyer

SCR 15 – This resolution urges the Governor and the Office of Administration to deposit from any moneys received from the federal government for capital improvements during the 111th Congress, first session, as part of a federal stimulus package, an amount sufficient to fully fund the capital improvement projects listed in the act into the Lewis and Clark Discovery Fund for distribution to state colleges, universities, the Coordinating Board for Higher Education, and the Department of Economic Development for capital projects as identified in the resolution.

MICHAEL RUFF

02/02/2009 S Offered--SCR 15-Shoemyer (S225-226)

02/03/2009 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S240)

03/10/2009 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee

EFFECTIVE: upon approval

*** SCR 16 ***

1645S.02I

SENATE SPONSOR: Pearce

SCR 16 - This concurrent resolution urges the Air Force to select Whiteman Air Force Base as the permanent headquarters of the new Global Strike Command, which will be responsible for all Air Force nuclear operations.

EMILY KALMER

02/02/2009 S Offered--SCR 16-Pearce (S226)

02/03/2009 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S240)

02/24/2009 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee

02/24/2009 Voted Do Pass S Rules, Joint Rules, Resolutions and Ethics Committee

02/24/2009 Reported from S Rules, Joint Rules, Resolutions and Ethics Committee to Floor (S373)

03/05/2009 S Adopted (S524-525 / H494)

03/05/2009 Reported to the House (H494)

04/02/2009 Referred H Veterans Committee (H921)

EFFECTIVE: upon approval

*** SCR 17 ***

1569S.01I

SENATE SPONSOR: Shields

SCR 17 - This concurrent resolution petitions the Council of State Governments to move the state of Missouri from the Southern Region of the Council to the Midwest Region of the Council.

JIM ERTLE

02/02/2009 S Offered--SCR 17-Shields (S226-227)

02/03/2009 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S240)

02/17/2009 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee

02/17/2009 Voted Do Pass S Rules, Joint Rules, Resolutions and Ethics Committee

02/17/2009 Reported from S Rules, Joint Rules, Resolutions and Ethics Committee to Floor (S320)

02/19/2009 S adopted (S337 / H359-360)

02/19/2009 Reported to the House (H359-360)

04/02/2009 Referred H Budget Committee (H921)

EFFECTIVE: upon approval

*** SCR 18 ***

0967S.03I

SENATE SPONSOR: Bartle

SCR 18 - This resolution condemns the federal government for passing and implementing the Emergency Economic Stabilization Act of 2008, commonly known as the "bailout plan", and urges Congress to refuse to pass any more "bailout bills". It also encourages the state to return federal money received to the taxpayers if

it is given in the form of a block grant without any specific requirements.

SUSAN HENDERSON MOORE

02/03/2009 S Offered--SCR 18-Bartle and Rupp (S236-237)
 02/04/2009 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S248)
 03/24/2009 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee
 03/24/2009 Voted Do Pass S Rules, Joint Rules, Resolutions and Ethics Committee
 03/24/2009 Reported from S Rules, Joint Rules, Resolutions and Ethics Committee to Floor (S689)
 04/27/2009 Resolutions Calendar--SCR 18-Bartle and Rupp

EFFECTIVE: upon approval

*** SCR 19 ***

1678S.011

SENATE SPONSOR: Crowell

SCR 19 – This concurrent resolution urges the Office of Administration to create a sinking fund to collect appropriated funds necessary to payoff the Series A 2003 revenue bonds at the time that the bonds are callable in fiscal year 2014. The resolution further urges the Board of Public Buildings to approve the early payoff in order to save the state approximately \$123.6 million that the state would have otherwise paid in principal and interest over the lifetime of the bonds.

JIM ERTLE

02/04/2009 S Offered--SCR 19-Crowell (S246)
 02/05/2009 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S261)
 03/24/2009 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee

EFFECTIVE: upon approval

*** SCR 20 ***

1756S.011

SENATE SPONSOR: Pearce

SCR 20 – This resolution urges the United States Congress to repeal the Government Pension Offset (GPO) and Windfall Elimination Provision (WEP) of the Social Security Act.

This resolution is substantially similar to SCR 25 (2004) and SCR 06 (2003).

MICHAEL RUFF

02/09/2009 S Offered--SCR 20-Pearce (S267-268)
 02/10/2009 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S279)

EFFECTIVE: upon approval

*** SCR 21 ***

1652S.011

SENATE SPONSOR: Clemens

SCR 21 - This concurrent resolution expresses the General Assembly's support of the "25 by 25" national renewable energy initiative, where America's farms and forests will provide 25% of the nation's energy needs by the year 2025 while continuing to produce safe and affordable food and fiber.

ERIKA JAKUES

02/11/2009 S Offered--SCR 21-Clemens (S283)
 02/12/2009 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S302)
 03/03/2009 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee
 03/03/2009 Voted Do Pass S Rules, Joint Rules, Resolutions and Ethics Committee
 03/03/2009 Reported from S Rules, Joint Rules, Resolutions and Ethics Committee to Floor (S454)
 04/27/2009 Resolutions Calendar--SCR 21-Clemens

EFFECTIVE: upon approval

*** SCR 22 ***

1894S.011

SENATE SPONSOR: Bray

SCR 22 - This resolution urges the United States Congress to enact the United States Health Insurance Act sponsored by United States Representative John Conyers.

This resolution is substantially similar to SCR 24 (2007).

ADRIANE CROUSE

02/25/2009 S Offered--SCR 22-Bray, et al (S396)

02/26/2009 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S426)

EFFECTIVE: upon approval

*** SCR 23 ***

1493S.021

SENATE SPONSOR: Schmitt

SCR 23 - This resolution calls upon the State Tax Commission and the assessors of this state to accurately reflect current market conditions in assessing property and, where appropriate, decrease assessed values.

JASON ZAMKUS

02/26/2009 S Offered--SCR 23-Schmitt (S413)

02/26/2009 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S436)

03/10/2009 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee

03/24/2009 Voted Do Pass S Rules, Joint Rules, Resolutions and Ethics Committee

03/24/2009 Reported from S Rules, Joint Rules, Resolutions and Ethics Committee to Floor (S689)

04/27/2009 Resolutions Calendar--SCR 23-Schmitt

EFFECTIVE: upon approval

*** SCR 24 ***

2239S.011

SENATE SPONSOR: Lager

SCR 24 - This concurrent resolution urges Congress to oppose the Employee Free Choice Act or similar legislation that requires employees to publicly vote for unionization.

CHRIS HOGERTY

02/26/2009 S Offered--SCR 24-Lager (S418)

02/26/2009 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S436)

04/07/2009 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee

EFFECTIVE: upon approval

*** SCR 25 ***

2352S.011

SENATE SPONSOR: Justus

SCR 25 - This concurrent resolution expresses the support of the general assembly for the Military Readiness Enhancement Act, which would replace the "don't ask don't tell" policy in the United States military with a policy of nondiscrimination on the basis of sexual orientation.

EMILY KALMER

03/12/2009 S Offered--SCR 25-Justus, et al (S610)

03/23/2009 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S655)

EFFECTIVE: upon approval

*** SCR 26 ***

2542S.011

SCR 26 - This resolution recognizes and declares that extending the flu vaccination season both earlier and later may help vaccinate and protect children, adults, and high risk groups.

ADRIANE CROUSE

04/09/2009 S Offered--SCR 26-Wilson (S939)

04/09/2009 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S984)

EFFECTIVE: upon approval

*** SCR 27 ***

2546S.021

SENATE SPONSOR: Rupp

SCR 27 - This resolution creates the Joint Committee on Oversight of Federal Stimulus and Stabilization Funds. This committee shall study ways to maximize the amount of federal funds received under the American Recovery and Reinvestment Act of 2009 and provide oversight to ensure that the funds are properly spent.

JIM ERTLE

04/16/2009 S Offered--SCR 27-Rupp (S1043-1044)

04/20/2009 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S1077)

04/27/2009 Hearing Scheduled S Rules, Joint Rules, Resolutions and Ethics Committee

EFFECTIVE: Upon approval

*** SJR 1 ***

0246S.011

SENATE SPONSOR: Bartle

SJR 1 - This constitutional amendment, if approved by voters, would create the Missouri Savings Account. The account will be comprised of funds deposited annually at a rate of 2% of the general revenue appropriations for that year. If general revenue collections do not increase by 3% or more by the end of a fiscal year, the monies deposited in the fund that year shall lapse and be used for the next year's expenditures.

In any year in which there is a budget shortfall or when the consensus revenue estimate forecasts a decrease in revenue for the upcoming year, the General Assembly may utilize 1/3 of the monies in the fund for budgetary purposes. If the balance in the account reaches 1/3 of general revenue collections for any fiscal year, the excess shall lapse to general revenue.

This act is similar to SJR 6 (2005), SJR 3 (2007) and SJR 32 (2008).

JASON ZAMKUS

12/01/2008 Prefiled

01/07/2009 S First Read--SJR 1-Bartle (S21)

01/27/2009 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S192)

02/09/2009 Hearing Conducted S Financial and Governmental Organizations and Elections Committee

02/23/2009 Voted Do Pass S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: Upon voter approval

*** SJR 2 ***

0245S.011

SENATE SPONSOR: Bartle

SJR 2 - This resolution authorizes the commission to conduct feasibility studies, fund, design, acquire, construct, maintain and operate toll facilities. The commission shall fix and collect tolls for the use of all toll facilities. The commission is authorized to issue state toll facility revenue bonds or refunding bonds authorized by the General Assembly without the consent of any other state agency or board. The commission is authorized to enter into contracts with other federal, state or local agencies to conduct its duties with respect to constructing toll facilities. Moneys obtained from toll facility revenue bonds, tolls and other fees shall be deposited in the state toll facility fund. Moneys in the fund shall stand appropriated without legislative action to be expended in the sole discretion of the commission. The commission is authorized to transfer moneys from the state road fund to the state facility fund to pay toll facility costs. Any such transfers from the state road fund shall be repaid in a time and manner determined by the commission. The commission is authorized to relocate or incorporate any public road or highway into a state toll facility project authorized by the General Assembly. Revenue generated from the toll roads shall not be included as a part of total state revenue, nor shall revenue expenditures be considered an "expense of state government" for the purposes of the Hancock Amendment.

This resolution is similar to SJR 31 (2008), SJR 1 (2007), SJR 24 (2006), SJR 11 (2005) and SJR 38 (2004)

STEPHEN WITTE

12/01/2008 Prefiled

01/07/2009 S First Read--SJR 2-Bartle (S21)

01/27/2009 Second Read and Referred S Transportation Committee (S192)

EFFECTIVE: Upon Voter Approval

*** SJR 3 ***

SS SJR 3

0079S.02P

SENATE SPONSOR: Crowell

SS/SJR 3 - Upon voter approval, this constitutional amendment creates an exception to the prohibition against laws retrospective in operation by allowing the sexual offender registry laws, any law restricting sex offenders from residing within a certain distance of a school or child-care facility, and any laws requiring persons to provide a DNA sample for analysis and inclusion in the DNA profiling system, to be applied retrospectively.

This act is similar to SS/SCS/SJR 34 & 30 (2008).

SUSAN HENDERSON MOORE

12/02/2008 Prefiled
 01/07/2009 S First Read--SJR 3-Crowell (S21)
 01/27/2009 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S192)
 03/02/2009 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee
 03/12/2009 Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee
 03/12/2009 Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor (S618-619)
 03/31/2009 SS S offered & adopted (Crowell)--(0079S.02F) (S818)
 03/31/2009 Perfected (S818)
 03/31/2009 Reported Truly Perfected S Rules Committee (S824)
 04/02/2009 S Third Read and Passed (S881-882 / H925)
 04/02/2009 H First Read (H925)
 04/06/2009 H Second Read (H933)

EFFECTIVE: Upon voter approval

*** SJR 4 ***

0548S.011

SENATE SPONSOR: Cunningham

SJR 4 - This constitutional amendment, if approved by voters, would limit increases in assessed value due to reassessment of real property to the lesser of the percentage increase in the consumer price index for the Midwest Region or two percent until a transfer of ownership occurs. Upon a transfer of ownership, such property would be reassessed at its value for the year in which the transfer occurs.

JASON ZAMKUS

12/03/2008 Prefiled
 01/07/2009 S First Read--SJR 4-Cunningham (S21)
 01/27/2009 Second Read and Referred S Ways and Means Committee (S192)
 03/04/2009 Hearing Conducted S Ways and Means Committee

EFFECTIVE: Upon voter approval

*** SJR 5 ***

SCS SJR 5

0905S.02P

SENATE SPONSOR: Schmitt

HOUSE HANDLER: Stream

SCS/SJR 5 - This constitutional amendment, if approved by voters, would require the assessors in charter counties, except Jackson County, to be elected officials.

JASON ZAMKUS

01/06/2009 Prefiled
 01/07/2009 S First Read--SJR 5-Schmitt and Lembke (S21)
 01/27/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S192)
 02/25/2009 Hearing Scheduled But Not Heard S Jobs, Economic Development and Local Government Committee
 03/04/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee
 03/11/2009 SCS Voted Do Pass S Jobs, Economic Development and Local Government Committee (0905S.02C)
 03/12/2009 Reported from S Jobs, Economic Development and Local Government Committee to Floor w/SCS (S618)

03/24/2009 SA 1 to SCS S offered & adopted (Smith)--(0905S02.01S) (S688)
 03/24/2009 SCS, as amended, S adopted (S688)
 03/24/2009 Perfected (S688)
 03/25/2009 Reported Truly Perfected S Rules Committee (S702)
 03/26/2009 S Third Read and Passed (S773-774 / H748)
 03/26/2009 H First Read (H748)
 03/27/2009 H Second Read (H757)
 04/02/2009 Referred H Special Standing Committee on General Laws Committee (H921)
 04/09/2009 Hearing Conducted H Special Standing Committee on General Laws Committee
 04/21/2009 Voted Do Pass H Special Standing Committee on General Laws Committee
 04/21/2009 Reported Do Pass H Special Standing Committee on General Laws Committee (H1195)
 04/21/2009 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1195)

EFFECTIVE: Upon voter approval

*** SJR 6 ***

0519S.01I

SENATE SPONSOR: Lager

SJR 6 - Currently, the Missouri Constitution provides that the schedule of compensation filed by the Missouri Citizens' Commission on the Compensation of Elected Officials will become effective unless disapproved by a concurrent resolution adopted by two-thirds of the General Assembly prior to February 1 of the year after the schedule is filed. This constitutional amendment, if approved by the voters, provides that any schedule of compensation filed by the commission shall be deemed ineffective unless it is approved by a majority vote of the General Assembly prior to such date. Also, the schedule of compensation for judges must be considered separate and apart from the schedule of compensation for other public officials, and shall require a separate majority vote of the General Assembly in order to be effective.

This SJR is identical to SJR 19 (2007).

JIM ERTLE

01/13/2009 S First Read--SJR 6-Lager (S113)
 01/27/2009 Second Read and Referred S General Laws Committee (S192)
 02/17/2009 Hearing Scheduled But Not Heard S General Laws Committee

EFFECTIVE: upon voter approval

*** SJR 7 ***

0821S.02I

SENATE SPONSOR: Rupp

SJR 7 - This constitutional amendment, if approved by voters, would create the Missouri Revenue Retention Fund. The fund will be comprised of moneys deposited each year in which the state realizes revenue growth in an amount equal to five percent of such growth over the preceding year. In any fiscal year where the balance of the fund exceeds ten percent of the previous years general revenue expenditures, no transfer from general revenue to the fund will occur. Moneys in the fund will be available for appropriation in any year in which the state experiences a reduction in revenue from the preceding year.

In any year in which there is a budget shortfall or when the consensus revenue estimate forecasts a decrease in revenue for the upcoming year, the General Assembly may utilize 1/3 of the moneys in the fund for budgetary purposes.

This act is similar to SJR 6 (2005), SJR 3 (2007) and SJR 32 (2008) and SJR 1 (2009).

JASON ZAMKUS

01/14/2009 S First Read--SJR 7-Rupp (S121)
 01/27/2009 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S192)
 02/12/2009 Hearing Conducted S Governmental Accountability and Fiscal Oversight Committee

EFFECTIVE: Contingent

*** SJR 8 ***

0955S.01I

SENATE SPONSOR: Shoemyer

SJR 8 - If approved by the voters, this constitutional amendment provides that the people of Missouri

shall be allowed to practice hand-fishing, also known as "hoodling," in the waters of the state.

This resolution is similar to HJR 20 (2009).

ERIKA JAQUES

01/15/2009 S First Read--SJR 8-Shoemyer and Purgason (S129)

01/27/2009 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S192)

02/25/2009 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee

EFFECTIVE: Contingent

*** SJR 9 ***

0873L.011

SENATE SPONSOR: Lembke

SCS/SJR 9 -This constitutional amendment, if approved by the voters, would modify the procedures by which the Governor selects judges. It would also modify the membership of the Appellate Judicial Commission and Circuit Judicial Commission and make appointments to both commissions subject to the approval by the majority of the Senate. Members of the Circuit Judicial Commission would serve for a four year term.

Upon passage of this amendment, the terms of all members of the Appellate Judicial Commission and Circuit Judicial Commission would automatically expire.

Also, the Governor would have the authority, within sixty days of taking office, to remove members of the commissions who were appointed by the previous Governor, except for those commission members elected by the members of the Missouri bar.

Additionally, the list of applicants for judicial appointments would be a public record and posted on the supreme court's website. Nominees submitted to the Governor would be subject to a background check, which is not a public record, but must be available to the commission and the governor.

All information available to the commission would have to be made available to the Governor. All hearings, debates and votes would be open to the public, and would require seventy-two hours public notice. Only sessions limited to certain subjects would be closed to the public.

The procedures for all elections provided for in Section 25 of the Missouri Constitution will be established by the commission.

The commission will also certify expenses to the commissioner of administration, who will approve the expenses of administering the nonpartisan court plan.

EMILY KALMER

01/20/2009 S First Read--SJR 9-Lembke and Cunningham (S136)

01/27/2009 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S192)

03/12/2009 Hearing Conducted S Governmental Accountability and Fiscal Oversight Committee

04/02/2009 SCS Voted Do Pass S Governmental Accountability and Fiscal Oversight Committee (0837S.04C)

EFFECTIVE: upon voter approval

*** SJR 10 ***

0874L.011

SENATE SPONSOR: Lembke

SJR 10 - This constitutional amendment, if approved by voters, would require that all impeachments be tried by the Missouri Senate. A two-thirds vote of all senators present would be required to convict. The chief justice of the Missouri Supreme Court would preside over any impeachment trial of the Governor.

EMILY KALMER

01/20/2009 S First Read--SJR 10-Lembke (S136)

01/27/2009 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S192)

EFFECTIVE: upon voter approval

*** SJR 11 ***

0875L.021

SENATE SPONSOR: Lembke

SJR 11 - This constitutional amendment, if approved by voters, would modify Missouri's bill of rights to include a statement that all persons have a natural right to economic freedom.

JASON ZAMKUS

01/20/2009 S First Read--SJR 11-Lembke (S137)

01/27/2009 Second Read and Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S192)

EFFECTIVE: Upon voter approval

*** SJR 12 ***

SCS SJR 12

0937S.04C

SENATE SPONSOR: Scott

SCS/SJR 12 -Upon voter approval, this constitutional amendment reaffirms a citizen's right to free expression of religion. The amendment specifies that individuals have the right to individual or group prayer in all private or public areas, as long as such prayer does not disturb the peace, disrupt a public meeting or assembly, or impede public access. Religious expression and prayer on government property is particularly allowed, so long as the expression or prayer abides within the same parameters placed upon any other free speech under similar circumstances.

The amendment also explicitly prohibits the establishment of any official state religion and any state coercion to participate in prayer or other religious activities.

The amendment specifically provides that the general assembly and other governing bodies of political subdivisions may have ministers and clergy persons offer invocations or prayers at meetings or sessions of the general assembly or other governing bodies.

The amendment also provides that students may engage in private and voluntary prayer, acknowledgment of God, or other religious expression, individually or in groups, and express their religious beliefs in school assignments without discrimination based on the religious content of their work.

This section of the constitution shall not be construed to expand the rights of prisoners in state or local custody beyond those afforded by the laws of the United States.

This act is similar to HJR 55 (2008) and HJR 19 (2007).

EMILY KALMER

01/21/2009 S First Read--SJR 12-Scott (S147)

01/27/2009 Second Read and Referred S General Laws Committee (S192)

03/03/2009 Hearing Conducted S General Laws Committee

03/10/2009 SCS Voted Do Pass S General Laws Committee (0937S.04C)

03/26/2009 Reported from S General Laws Committee to Floor w/SCS (S771)

04/06/2009 Bill Placed on Informal Calendar (S903)

04/27/2009 S Inf Formal Calendar S Bills for Perfection--SJR 12-Scott, with SCS (pending)

EFFECTIVE: Upon voter approval

*** SJR 13 ***

1057S.011

SENATE SPONSOR: Lager

SJR 13 - This constitutional amendment, if approved by voters, would limit state general revenue appropriations to the amount of appropriations made in the previous fiscal year increased by an inflationary growth factor. In any fiscal year where net general revenue collections exceed total state general revenue appropriations by more than one percent of total general revenue appropriations, the excess over one percent will be transferred to the newly created cash operating reserve fund to be used to reduce all state income tax rates. The amendment provides procedures for appropriating revenues in excess of the appropriation limitation and restoring certain expenditures of the state or any of its agencies when no other funds are available in cases of emergency.

This proposed constitutional amendment is identical to SJR 50 (2008).

JASON ZAMKUS

01/29/2009 S First Read--SJR 13-Lager (S218)

02/02/2009 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S231)

EFFECTIVE: Upon voter approval

*** SJR 14 ***

0068S.011

SENATE SPONSOR: Wilson

SJR 14 - This proposed constitutional amendment, if approved by voters, would allow for the creation of discrete tax free or reduced tax geographic zones for the purpose of promoting economic development in such zones. No such zone may maintain tax favored status for a term longer than twenty-three years.

This proposed constitutional amendment is identical to SJR 47 (2008).

JASON ZAMKUS

02/24/2009 S First Read--SJR 14-Wilson (S370)

03/12/2009 Second Read and Referred S Ways and Means Committee (S630)

04/08/2009 Hearing Conducted S Ways and Means Committee

EFFECTIVE: upon voter approval

*** SJR 15 ***

2162S.011

SENATE SPONSOR: Cunningham

SJR 15 - Upon voter approval, this constitutional amendment provides that the General Assembly shall not be required to enact legislation to comply with a court order that it raise taxes.

This act is identical to the Senate Committee Substitute for House Joint Resolution 41 (2008).

JASON ZAMKUS

02/25/2009 S First Read--SJR 15-Cunningham (S383)

03/12/2009 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S630)

EFFECTIVE: Voter approval

*** SJR 16 ***

1056S.011

SENATE SPONSOR: Lager

SJR 16 - This constitutional amendment, if approved by voters, would prohibit the state of Missouri and any political subdivision of the state from imposing any tax upon the income of residents of the state after January 1, 2024.

This constitutional amendment is similar to Senate Joint Resolution 49 (2008).

JASON ZAMKUS

02/25/2009 S First Read--SJR 16-Lager (S398)

03/12/2009 Second Read and Referred S Ways and Means Committee (S631)

EFFECTIVE: Upon voter approval

*** SJR 17 ***

2218S.011

SENATE SPONSOR: Lembke

SJR 17 - If approved by the voters, this constitutional amendment provides that it shall be unlawful to expend, pay, or grant any public funds for abortion services, human cloning, or prohibited human research, as such terms were defined in the legislation enacted by the 92nd Missouri General Assembly in HB 688 (2003).

ADRIANE CROUSE

02/25/2009 S First Read--SJR 17-Lembke (S398)

03/12/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S631)

EFFECTIVE: Contingent

*** SJR 18 ***

2251S.011

SENATE SPONSOR: Cunningham

SJR 18 - This constitutional amendment, if approved by voters, would limit increases in assessed value due to reassessment of real property to the lesser of the percentage increase in the consumer price index for the Midwest Region or two percent until a transfer of ownership occurs. Upon a transfer of ownership, such property would be reassessed at its value for the year in which the transfer occurs.

This constitutional amendment is identical to SJR 4 (2009).

JASON ZAMKUS

02/26/2009 S First Read--SJR 18-Cunningham (S417)

03/12/2009 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S631)

04/16/2009 Hearing Conducted S Governmental Accountability and Fiscal Oversight Committee

04/16/2009 Motion to vote bill do pass failed S Governmental Accountability and Fiscal Oversight Committee

EFFECTIVE: Upon voter approval

*** SR 49 ***

0901SR.01

SENATE SPONSOR: Griesheimer

SR 49 - This resolution authorizes the use of Senate Chamber by the Missouri Community College Association on Monday, February 23, 2009, from 9:00 a.m. to 11:00 a.m.

JIM ERTLE

01/15/2009 S First Read (S127)

01/15/2009 S adopted (S127)

EFFECTIVE: upon approval

*** SR 86 ***

1249S.061

SENATE SPONSOR: Shields

SR 86 - This resolution changes Senate Rules 25 and 28 relating to Senate standing committees.

JIM ERTLE

01/21/2009 S Offered--SR 86-Shields (S147-150)

01/22/2009 S adopted (S157)

EFFECTIVE: upon approval

*** SR 102 ***

1371S.011

SENATE SPONSOR: Bartle

SR 102 - This resolution authorizes the use of laptops by Senators, provided that if a senator is engaged in debate, he or she will close the screen completely during the period of debate.

JIM ERTLE

01/22/2009 S Offered--SR 102-Bartle (S156-157)

01/26/2009 Referred S Rules, Joint Rules, Resolutions and Ethics Committee

EFFECTIVE: upon approval

*** SR 103 ***

SENATE SPONSOR: Vogel

SR 103 - This resolution authorizes the use of the Senate Chamber by the Jefferson City Rotary Club on Monday, March 16, 2009.

JIM ERTLE

01/22/2009 S offered (S157)

01/22/2009 S adopted (S157)

EFFECTIVE: upon approval

*** SR 104 ***

0646S.011

SENATE SPONSOR: Bray

SR 104 - This resolution authorizes the use of Senate Chamber by Missouri Girls State on June 24, 2009.
JIM ERTLE

01/22/2009 S offered (S158)
01/22/2009 S adopted (S158)

EFFECTIVE: upon approval

*** SR 139 ***

0934S.021

SENATE SPONSOR: Engler

SR 139 - This resolution amends Senate Rule 64 by requiring the distribution of a floor substitute to the members at least one legislative day prior to its consideration by the Senate.
JIM ERTLE

01/26/2009 S Offered--SR 139-Engler (S177)
01/27/2009 SA 1 S offered & adopted (Champion)--(0934S02.02S) (S189)
01/27/2009 Motion to adopt - withdrawn (S190)
02/18/2009 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S330)

EFFECTIVE: upon approval

*** SR 140 ***

0972S.041

SENATE SPONSOR: Engler

SR 140 - Beginning with the 96th General Assembly, this resolution designates Room 319 as the office of the majority floor leader and Room 333 as the office of the minority floor leader.

Certain seats in the chamber are designated for those senators holding the positions of president pro tem, majority floor leader and minority floor leader. The remaining seats shall be determined based on seniority, rather than by assignment to the majority and minority caucuses.

JIM ERTLE

01/26/2009 S Offered (S177-178)
01/27/2009 SA 1 S offered & withdrawn (Green)--(0972S04.01F) (S189)
01/27/2009 Motion to adopt - withdrawn (S189)
01/27/2009 Second Read and Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S189)

EFFECTIVE: upon approval

*** SR 141 ***

0933S.011

SENATE SPONSOR: Engler

SR 141 - This resolution authorizes the use of laptops by Senators, provided that if a Senator is engaged in debate, he or she will close the screen completely during the period of debate.

JIM ERTLE

01/26/2009 S offered (S178)
01/26/2009 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S178)
01/27/2009 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee
01/27/2009 Voted Do Pass S Rules, Joint Rules, Resolutions and Ethics Committee
01/28/2009 Reported from S Rules, Joint Rules, Resolutions and Ethics Committee to Floor (S213)
02/02/2009 SA 1 S offered & defeated (Bray)--(0933S01.05S) (S228-229)
02/02/2009 SA 2 S offered & adopted (Scott)--(0933S01.06S) (S229)
02/02/2009 SA 3 S offered & withdrawn (Shields)--(0933S01.07S) (S229-230)
02/02/2009 SA 4 S offered & adopted (Nodler)--(0933S01.08S) (S230)
02/02/2009 SA 5 S offered & adopted (Shields)--(0933S01.09S) (S230)
02/02/2009 Point of order raised (S230)
02/02/2009 Placed on Resolutions Calendar (S230)

04/27/2009 Resolutions Calendar--SR 141-Engler, with point of order (pending)

EFFECTIVE: Upon approval

*** SR 153 ***

SENATE SPONSOR: Engler

SR 153 - This resolution establishes the rates of pay for Senate employees.

JIM ERTLE

01/28/2009 S Offered (S203-204)

02/03/2009 S adopted (S236)

EFFECTIVE: upon approval

*** SR 177 ***

1492S.011

SENATE SPONSOR: Champion

SR 177 - This resolution requires any floor substitute that is offered to be accompanied by a brief summary of the changes from the previous version of the bill.

JIM ERTLE

01/28/2009 S Offered (S213)

02/03/2009 SA 1 S offered & adopted (Shields)--(1492S01.01S) (S238-239)

02/03/2009 S adopted, as amended (S239)

02/05/2009 Motion to reconsider vote to adopt - S adopted (S253-254)

02/05/2009 Motion to adopt S withdrawn (S254)

02/05/2009 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S254)

EFFECTIVE: upon approval

*** SR 207 ***

SCS SR 207

1518S.03C

SENATE SPONSOR: Lembke

SCS/SR 207 – The St. Louis Public School District and Kansas City School District are currently attempting to sell school buildings that are no longer being used. There have been reports of discriminatory sales practices for the buildings against private, religious, and public charter schools. This resolution urges the members of the Special Administrative Board of the Transitional School District of the City of St. Louis, the superintendent and officers of the St. Louis Public School District, the Kansas City School District board members, and the superintendent and officers of the Kansas City School District to determine if any such practice is occurring and respond to the Senate at their next public meetings.

MICHAEL RUFF

02/02/2009 S Offered--SR 207-Lembke (S224)

02/03/2009 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S240)

02/17/2009 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee

02/17/2009 SCS Voted Do Pass S Rules, Joint Rules, Resolutions and Ethics Committee (1518S.03C)

02/17/2009 Reported from S Rules, Joint Rules, Resolutions and Ethics Committee to Floor w/SCS (S320-321)

02/19/2009 Motion to adopt SCS S withdrawn (S343)

02/23/2009 SS for SCS S offered (Lembke)--(1518L.04F) (S359)

02/23/2009 Motion to adopt SS for SCS withdrawn (S359)

04/27/2009 Resolutions Calendar--SR 207-Lembke and Smith, with SCS & SS for SCS (pending)

EFFECTIVE: upon approval

*** SR 210 ***

1275S.021

SENATE SPONSOR: Schaefer

SR 210 - In this resolution, the Missouri Senate urges Missourians to recycle their unwanted analog television sets instead of throwing them into the trash as television broadcasting makes the switch from analog to digital on February 17, 2009.

ERIKA JAQUES

02/03/2009 S Offered-SR 210-Schaefer (S210)

02/04/2009 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S248)

EFFECTIVE: upon approval

*** SR 211 ***

1699S.011

SENATE SPONSOR: Nodler

SR 211 - This resolution amends Senate Rule No. 28 to make certain that all bills relating to appropriations and the disbursement of money shall be assigned to the Committee on Appropriations.

JIM ERTLE

02/03/2009 S Offered--SR 211-Nodler (S234-236)

02/04/2009 SA 1 S offered & adopted (Shields)--(1699S01.01S) (S244-245)

02/04/2009 S adopted, as amended (S245)

EFFECTIVE: upon approval

*** SR 238 ***

1532S.021

SENATE SPONSOR: Bray

SR 238 - This resolution urges Congress and President Obama to maximize the investment in expanded and improved passenger train service as part of the American Recovery and Reinvestment Plan.

JIM ERTLE

SCA #1 - REMOVES THE REFERENCE URGING CONGRESS TO PROVIDE "100 PERCENT" FEDERAL SOURCES WHEN EXPANDING PASSENGER TRAIN SERVICE

02/04/2009 S Offered--SR 238-Bray, et al (S245)

02/05/2009 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S261)

02/10/2009 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee

02/10/2009 Voted Do Pass (w/SCA#1) S Rules, Joint Rules, Resolutions and Ethics Committee
(1532S02.01S)

02/10/2009 Reported from S Rules, Joint Rules, Resolutions and Ethics Committee to Floor w/SCA 1 (S279)

02/11/2009 SCA 1 S adopted (S285)

02/11/2009 SR, as amended, S adopted (S285)

EFFECTIVE: upon approval

*** SR 302 ***

1314S.041

SENATE SPONSOR: Shields

SR 302 - This resolution creates the Missouri Senate Job Creation 2020 Committee.

JIM ERTLE

02/12/2009 S Offered--SR 302-Shields (S302)

02/12/2009 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S302)

02/17/2009 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee

02/17/2009 Voted Do Pass S Rules, Joint Rules, Resolutions and Ethics Committee

02/17/2009 Reported from S Rules, Joint Rules, Resolutions and Ethics Committee to Floor (S320)

02/24/2009 S adopted (S373)

EFFECTIVE: upon approval

*** SR 303 ***

1566S.041

SENATE SPONSOR: Shields

SR 303 - This resolution creates the Missouri Senate Healthy Missourians 2020 Committee.

JIM ERTLE

02/12/2009 S Offered--SR 303-Shields (S302-303)

02/12/2009 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S302)

02/17/2009 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee

02/17/2009 Voted Do Pass S Rules, Joint Rules, Resolutions and Ethics Committee

02/17/2009 Reported from S Rules, Joint Rules, Resolutions and Ethics Committee to Floor (S320)

02/24/2009 S adopted (S373)

EFFECTIVE: upon approval

*** SR 304 ***

1641S.041

SENATE SPONSOR: Shields

SS/SR 304 - This resolution creates the Missouri Senate Educated Workforce 2020 Committee.

JIM ERTLE

02/12/2009 S Offered--SR 304-Shields (S303-304)
02/12/2009 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S303)
02/17/2009 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee
02/17/2009 Voted Do Pass S Rules, Joint Rules, Resolutions and Ethics Committee
02/17/2009 Reported from S Rules, Joint Rules, Resolutions and Ethics Committee to Floor (S320)
02/24/2009 Motion to adopt SR withdrawn (S373)
02/26/2009 SS S offered & adopted (Ridgeway)--(1641S.09F) (S425-426)
02/26/2009 S adopted (S426)

EFFECTIVE: upon approval

*** SR 361 ***

1992S.011

SENATE SPONSOR: Dempsey

SR 361 - This resolution recognizes the month of March as Kidney Month in the State of Missouri.

ADRIANE CROUSE

02/19/2009 S Offered--SR 361-Dempsey (S342)
02/23/2009 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S354)

EFFECTIVE: upon approval

*** SR 579 ***

2417S.011

SENATE SPONSOR: Justus

SR 579 - This proposed rule change requires each senator that wishes to offer a courtesy resolution that will not be read or printed to provide a draft copy of the resolution to each senator. Each senator shall have five days to object to the resolution. If one or more senators object, then the resolution shall not be shown as having been adopted by the Senate and shall only contain the signatures of those senators wishing to sign the resolution. If no senator objects, then the Secretary of the Senate shall prepare properly inscribed copies of the resolution with a notation in the journal, if the Senate is in session, that the resolution has been adopted by the Senate.

JIM ERTLE

03/24/2009 S Offered--SR 579-Justus (S661)
03/24/2009 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S679)

EFFECTIVE: upon approval

*** HB 1 ***

0001L.01P

SENATE SPONSOR: Nodler

HOUSE HANDLER: Icet

HB 1 - Public Debt

	Governor	House
GR	\$ 83,604,814	\$ 83,604,814
FEDERAL	0	0
OTHER	8,447,482	8,447,482
TOTAL	\$ 92,052,296	\$ 92,052,296

	Senate	Final
GR	\$ 83,604,814	\$ 83,604,814
FEDERAL	0	0
OTHER	8,447,482	8,447,482
TOTAL	\$ 92,052,296	\$ 92,052,296

DAN HAUG

03/02/2009 Introduced and Read First Time (H) (H433)
 03/03/2009 Read Second Time (H) (H441)
 03/05/2009 Referred: Budget (H) (H485)
 03/09/2009 Public Hearing Scheduled, Bill not Heard (H)
 03/11/2009 Public Hearing Completed (H)
 03/11/2009 Executive Session Completed (H)
 03/11/2009 Voted Do Pass (H)
 03/18/2009 Reported Do Pass (H) (H606)
 03/18/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H606)
 03/23/2009 Rules - Executive Session Completed (H)
 03/23/2009 Rules - Voted Do Pass with Time Limit (H)
 03/23/2009 Rules - Reported Do Pass with Time Limit (H) (H613)
 03/24/2009 Taken Up for Perfection (H) (H629)
 03/24/2009 Laid Over (H) (H630)
 03/25/2009 Taken Up for Perfection (H)
 03/25/2009 Perfected (H)
 03/26/2009 Third read and passed (H) (H729-731 / S784)
 03/26/2009 S First Read--HB 1-Icet (S784)
 03/30/2009 Second Read and Referred S Appropriations Committee (S812)
 04/08/2009 Hearing Conducted S Appropriations Committee
 04/08/2009 Voted Do Pass S Appropriations Committee
 04/13/2009 Reported from S Appropriations Committee to Floor (S988)
 04/14/2009 S Third Read and Passed (S998-999 / H1044)
 04/14/2009 Truly Agreed To and Finally Passed (S999 / H1044)

EFFECTIVE: July 1, 2009

*** HB 2 ***

SS SCS HCS HB 2

0002S.04F

SENATE SPONSOR: Nodler

HOUSE HANDLER: Icet

SS/SCS/HCS/HB 2 - Elementary and Secondary Education

	Governor	House
GR	\$2,993,427,805	\$2,463,311,103
FEDERAL	972,040,273	1,896,615,765
OTHER	1,442,240,651	1,464,011,134
TOTAL	\$5,407,708,729	\$5,823,938,002

	Senate	Final

GR	\$2,428,337,415
FEDERAL	1,532,189,133
OTHER	1,464,285,220

TOTAL	\$5,424,811,768
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DAN HAUG

03/02/2009 Introduced and Read First Time (H) (H433)
 03/03/2009 Read Second Time (H) (H441)
 03/05/2009 Referred: Budget (H) (H485)
 03/09/2009 Public Hearing Scheduled, Bill not Heard (H)
 03/11/2009 Public Hearing Completed (H)
 03/11/2009 Executive Session Completed (H)
 03/11/2009 HCS Voted Do Pass (H)
 03/18/2009 HCS Reported Do Pass (H) (H606)
 03/18/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H606)
 03/23/2009 Rules - Executive Session Completed (H)
 03/23/2009 Rules - Voted Do Pass with Time Limit (H)
 03/23/2009 Rules - Reported Do Pass with Time Limit (H) (H613)
 03/24/2009 Taken Up for Perfection (H) (H629)
 03/24/2009 Laid Over (H) (H634)
 03/25/2009 Taken Up for Perfection (H)
 03/25/2009 HCS Adopted (H)
 03/25/2009 Perfected with Amendments (H)
 03/26/2009 Third read and passed (H) (H731 / S784)
 03/26/2009 S First Read--HCS for HB 2 (S784)
 03/30/2009 Second Read and Referred S Appropriations Committee (S812)
 04/08/2009 Hearing Conducted S Appropriations Committee
 04/08/2009 SCS Voted Do Pass S Appropriations Committee
 04/13/2009 Reported from S Appropriations Committee to Floor, with SCS (S988)
 04/14/2009 SS for SCS S offered & adopted (Nodler)--(0002S.04F) (S999-1000 / H1044)
 04/14/2009 S Third Read and Passed (S1000 / H1044)
 04/21/2009 H refuses to concur (H1156 / S1092)
 04/21/2009 H requests S recede or grant conference (H1156 / S1092)
 04/21/2009 S refuses to recede and grants conference (S1095 / H1160)
 04/21/2009 S conferees appointed: Nodler, Mayer, Rupp, Bray, Green (S1104 / H1197)
 04/27/2009 In Conference--HCS for HB 2, with SS for SCS (Nodler)

EFFECTIVE: July 1, 2009

*** HB 3 *** SS SCS HCS HB 3

0003S.04F

SENATE SPONSOR: Nodler

HOUSE HANDLER: Icet

SS/SCS/HCS/HB 3 - Higher Education

	Governor	House
GR	\$1,084,725,547	\$ 921,470,668
FEDERAL	6,176,241	110,954,642
OTHER	254,018,791	232,096,466
TOTAL	\$1,344,920,579	\$1,264,521,776

	Senate	Final
GR	\$ 921,575,668	
FEDERAL	182,521,844	
OTHER	232,096,466	
TOTAL	\$1,336,193,978	

DAN HAUG

03/02/2009 Introduced and Read First Time (H) (H433)

03/03/2009 Read Second Time (H) (H441)
 03/05/2009 Referred: Budget (H) (H485)
 03/09/2009 Public Hearing Scheduled, Bill not Heard (H)
 03/11/2009 Public Hearing Completed (H)
 03/11/2009 Executive Session Completed (H)
 03/11/2009 HCS Voted Do Pass (H)
 03/18/2009 HCS Reported Do Pass (H) (H606)
 03/18/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H606)
 03/23/2009 Rules - Executive Session Completed (H)
 03/23/2009 Rules - Voted Do Pass with Time Limit (H)
 03/23/2009 Rules - Reported Do Pass with Time Limit (H) (H613)
 03/24/2009 Taken Up for Perfection (H) (H629)
 03/24/2009 Laid Over (H) (H634)
 03/25/2009 Taken Up for Perfection (H)
 03/25/2009 Laid Over (H)
 03/25/2009 Taken Up for Perfection (H)
 03/25/2009 HCS Adopted (H)
 03/25/2009 Perfected with Amendments (H)
 03/26/2009 Third read and passed (H) (H732-734 / S784)
 03/26/2009 S First Read--HCS for HB 3 (S784)
 03/30/2009 Second Read and Referred S Appropriations Committee (S812)
 04/08/2009 Hearing Conducted S Appropriations Committee
 04/08/2009 SCS Voted Do Pass S Appropriations Committee
 04/13/2009 Reported from S Appropriations Committee to Floor, with SCS (S988)
 04/14/2009 SS for SCS S offered & adopted (Nodler)--(0003S.04F) (S1001 / H1044)
 04/14/2009 S Third Read and Passed (S1001-1002 / H1044)
 04/21/2009 H refuses to concur (H1156 / S1092)
 04/21/2009 H requests S recede or grant conference (H1156 / S1092)
 04/21/2009 S refuses to recede and grants conference (S1095 / H1160)
 04/21/2009 S conferees appointed: Nodler, Mayer, Rupp, Bray, Green (S1104 / H1197)
 04/27/2009 In Conference--HCS for HB 3, with SS for SCS (Nodler)

EFFECTIVE: July 1, 2009

*** HB 4 *** SCS HCS HB 4

0004S.03C

SENATE SPONSOR: Nodler

HOUSE HANDLER: Icet

SCS/HCS/HB 4 - Revenue & Transportation

REVENUE		
	Governor	House
GR	\$ 83,865,389	\$ 80,474,061
FEDERAL	6,677,204	6,669,721
OTHER	346,114,192	345,649,948
TOTAL	\$ 436,656,785	\$ 432,793,730
TRANSPORTATION		
	Senate	Final
GR	\$ 62,841,496	
FEDERAL	31,672,021	
OTHER	346,018,045	
TOTAL	\$ 440,531,562	
TRANSPORTATION		
	Governor	House
GR	\$ 14,192,923	\$ 13,792,923

**MISSOURI SENATE
WEEKLY BILL STATUS REPORT**

FEDERAL	75,150,687	75,123,802
OTHER	2,184,892,444	2,177,124,609
.		
TOTAL	\$2,274,236,054	\$2,266,041,334

.	Senate	Final
GR	\$ 4,792,923	
FEDERAL	84,123,802	
OTHER	2,177,329,168	
.		
TOTAL	\$2,266,245,893	

DAN HAUG

03/02/2009 Introduced and Read First Time (H) (H433)
 03/03/2009 Read Second Time (H) (H441)
 03/05/2009 Referred: Budget (H) (H485)
 03/09/2009 Public Hearing Scheduled, Bill not Heard (H)
 03/11/2009 Public Hearing Completed (H)
 03/11/2009 Executive Session Completed (H)
 03/11/2009 HCS Voted Do Pass (H)
 03/18/2009 HCS Reported Do Pass (H) (H607)
 03/18/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H607)
 03/23/2009 Rules - Executive Session Completed (H)
 03/23/2009 Rules - Voted Do Pass with Time Limit (H)
 03/23/2009 Rules - Reported Do Pass with Time Limit (H) (H613)
 03/24/2009 Taken Up for Perfection (H) (H629)
 03/24/2009 Laid Over (H) (H629)
 03/25/2009 Taken Up for Perfection (H)
 03/25/2009 Laid Over (H)
 03/25/2009 Taken Up for Perfection (H)
 03/25/2009 HCS Adopted (H)
 03/25/2009 Perfected with Amendments (H)
 03/26/2009 Third read and passed (H) (H734-735 / S784)
 03/26/2009 S First Read--HCS for HB 4 (S784)
 03/30/2009 Second Read and Referred S Appropriations Committee (S812)
 04/08/2009 Hearing Conducted S Appropriations Committee
 04/08/2009 SCS Voted Do Pass S Appropriations Committee
 04/13/2009 Reported from S Appropriations Committee to Floor, with SCS (S988)
 04/14/2009 SCS S adopted (S1002 / H1044)
 04/14/2009 S Third Read and Passed (S1002-1003 / H1044)
 04/21/2009 H refuses to concur (H1156 / S1092)
 04/21/2009 H requests S recede or grant conference (H1156 / S1092)
 04/21/2009 S refuses to recede and grants conference (S1095 / H1160)
 04/21/2009 S conferees appointed: Nodler, Mayer, Rupp, Bray, Green (S1104 / H1197)
 04/27/2009 In Conference--HCS for HB 4, with SCS (Nodler)

EFFECTIVE: July 1, 2009

*** HB 5 *** SCS HCS HB 5

0005S.03C

SENATE SPONSOR: Nodler

HOUSE HANDLER: Icet

SCS/HCS/HB 5 - Office of Administration

OFFICE OF ADMINISTRATION

.	Governor	House
GR	\$172,735,297	\$166,880,941
FEDERAL	72,698,333	72,282,150
OTHER	62,521,367	62,231,217
.		
TOTAL	\$307,954,997	\$301,394,308

**MISSOURI SENATE
WEEKLY BILL STATUS REPORT**

	Senate	Final
GR	\$159,824,788	
FEDERAL	85,085,179	
OTHER	62,231,217	
.		
TOTAL	\$307,141,184	

EMPLOYEE BENEFITS

	Governor	House
GR	\$595,127,070	\$ 544,309,906
FEDERAL	188,926,753	183,116,021
OTHER	170,640,954	164,369,701
.		
TOTAL	\$954,694,777	\$ 891,795,628

	Senate	Final
GR	\$576,493,774	
FEDERAL	208,735,066	
OTHER	170,394,165	
.		
TOTAL	\$955,623,005	

DAN HAUG

03/04/2009 Introduced and Read First Time (H) (H465)
 03/05/2009 Read Second Time (H) (H471)
 03/05/2009 Referred: Budget (H) (H485)
 03/09/2009 Public Hearing Scheduled, Bill not Heard (H)
 03/11/2009 Public Hearing Completed (H)
 03/11/2009 Executive Session Completed (H)
 03/11/2009 HCS Voted Do Pass (H)
 03/18/2009 HCS Reported Do Pass (H) (H607)
 03/18/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H607)
 03/23/2009 Rules - Executive Session Completed (H)
 03/23/2009 Rules - Voted Do Pass with Time Limit (H)
 03/23/2009 Rules - Reported Do Pass with Time Limit (H) (H613)
 03/24/2009 Taken Up for Perfection (H) (H629)
 03/24/2009 Laid Over (H) (H629)
 03/25/2009 Taken Up for Perfection (H) (H651)
 03/25/2009 Laid Over (H) (H656)
 03/25/2009 Taken Up for Perfection (H) (H669)
 03/25/2009 HCS Adopted (H) (H712)
 03/25/2009 Perfected with Amendments (H) (H669)
 03/26/2009 Third Read and Passed (H) (H735 / S806)
 03/30/2009 S First Read--HCS for HB 5 (S806)
 03/31/2009 Second Read and Referred S Appropriations Committee (S824)
 04/08/2009 Hearing Conducted S Appropriations Committee
 04/13/2009 Reported from S Appropriations Committee to Floor, with SCS (S988)
 04/14/2009 SA 1 to SCS S offered & defeated (Crowell)--(0005S03.03S) (S1003-1004)
 04/14/2009 SA 2 to SCS S offered & defeated (Crowell)--(0005S03.04S) (S1004)
 04/14/2009 SCS S adopted (S1004 / H1044)
 04/14/2009 S Third Read and Passed (S1004-1005 / H1044)
 04/21/2009 H refuses to concur (H1156 / S1092)
 04/21/2009 H requests S recede or grant conference (H1156 / S1092)
 04/21/2009 S refuses to recede and grants conference (S1095 / H1160)
 04/21/2009 S conferees appointed: Nodler, Mayer, Rupp, Bray, Green (S1104 / H1197)
 04/27/2009 In Conference--HCS for HB 5, with SCS (Nodler)

EFFECTIVE: July 1, 2009

*** HB 6 ***

SCS HCS HB 6

0006S.03C

SENATE SPONSOR: Nodler

HOUSE HANDLER: Icet

SCS/HCS/HB 6 - Agriculture, Natural Resources & Conservation

. AGRICULTURE		
	Governor	House
GR	\$ 63,270,916	\$ 33,360,161
FEDERAL	3,638,844	3,635,234
OTHER	14,074,474	14,095,825
.		
TOTAL	<u>\$ 80,984,234</u>	<u>\$ 51,091,220</u>

	Senate	Final
GR	\$ 9,938,049	
FEDERAL	41,816,334	
OTHER	14,131,325	
.		
TOTAL	<u>\$ 65,885,708</u>	_____

. NATURAL RESOURCES		
	Governor	House
GR	\$ 13,326,399	\$ 11,995,592
FEDERAL	43,116,651	42,629,014
OTHER	263,966,160	262,445,420
.		
TOTAL	<u>\$320,409,210</u>	<u>\$317,070,026</u>

	Senate	Final
GR	\$ 10,356,068	
FEDERAL	45,405,561	
OTHER	262,547,920	
.		
TOTAL	<u>\$318,309,549</u>	_____

. CONSERVATION		
	Governor	House
GR	\$ 0	\$ 0
FEDERAL	1	0
OTHER	145,534,841	145,534,841
.		
TOTAL	<u>\$145,534,842</u>	<u>\$145,534,841</u>

	Senate	Final
GR	\$ 0	
FEDERAL	0	
OTHER	147,821,344	
.		
TOTAL	<u>\$147,821,344</u>	_____

DAN HAUG

03/03/2009 Introduced and Read First Time (H) (H450)
 03/04/2009 Read Second Time (H) (H458)
 03/05/2009 Referred: Budget (H) (H485)
 03/09/2009 Public Hearing Scheduled, Bill not Heard (H)

03/11/2009 Public Hearing Completed (H)
 03/11/2009 Executive Session Completed (H)
 03/11/2009 HCS Voted Do Pass (H)
 03/18/2009 HCS Reported Do Pass (H) (H607)
 03/18/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H607)
 03/23/2009 Rules - Executive Session Completed (H)
 03/23/2009 Rules - Voted Do Pass with Time Limit (H)
 03/23/2009 Rules - Reported Do Pass with Time Limit (H) (H613)
 03/24/2009 Taken Up for Perfection (H) (H629)
 03/24/2009 Laid Over (H) (H629)
 03/25/2009 Taken Up for Perfection (H) (H657)
 03/25/2009 Laid Over (H) (H658)
 03/25/2009 Taken Up for Perfection (H) (H659)
 03/25/2009 HCS Adopted (H) (H712)
 03/25/2009 Perfected with Amendments (H) (H659)
 03/26/2009 Third Read and Passed (H) (H736 / S806)
 03/30/2009 S First Read--HCS for HB 6 (S806-807)
 03/31/2009 Second Read and Referred S Appropriations Committee (S824)
 04/08/2009 Hearing Conducted S Appropriations Committee
 04/08/2009 SCS Voted Do Pass S Appropriations Committee
 04/13/2009 Reported from S Appropriations Committee to Floor, with SCS (S988)
 04/14/2009 SCS S adopted (S1007-1008 / H1045)
 04/14/2009 S Third Read and Passed (S1008 / H1045)
 04/21/2009 H refuses to concur (H1156 / S1092)
 04/21/2009 H requests S recede or grant conference (H1156 / S1092)
 04/21/2009 S refuses to recede and grants conference (S1095 / H1160)
 04/21/2009 S conferees appointed: Nodler, Mayer, Rupp, Bray, Green (S1104 / H1197)
 04/27/2009 In Conference--HCS for HB 6, with SCS (Nodler)

EFFECTIVE: July 1, 2009

*** HB 7 ***

SCS HCS HB 7

0007S.03C

SENATE SPONSOR: Nodler

HOUSE HANDLER: Icet

SCS/HCS/HB 7 - Economic Development, Insurance & Labor and Industrial Relations

. ECONOMIC DEVELOPMENT		
	Governor	House
GR	\$ 81,193,190	\$ 72,863,393
FEDERAL	164,755,746	163,991,112
OTHER	65,817,664	65,593,558
.		
TOTAL	<u>\$311,766,600</u>	<u>\$302,448,063</u>
. Senate Final		
GR	\$ 21,035,549	
FEDERAL	256,524,602	
OTHER	57,057,654	
.		
TOTAL	<u>\$334,617,805</u>	
. INSURANCE		
	Governor	House
GR	\$ 0	\$ 0
FEDERAL	700,000	700,000
OTHER	36,741,321	35,958,839
.		
	<u> </u>	<u> </u>

**MISSOURI SENATE
WEEKLY BILL STATUS REPORT**

TOTAL \$ 37,441,322 \$ 36,658,839

	Senate	Final
GR	\$ 0	
FEDERAL	700,000	
OTHER	35,958,839	
TOTAL	\$ 36,658,839	

. LABOR AND INDUSTRIAL RELATIONS

	Governor	House
GR	\$ 2,323,402	\$ 2,291,938
FEDERAL	48,072,806	47,167,731
OTHER	95,592,998	95,230,606
TOTAL	\$145,989,206	\$144,690,275

	Senate	Final
GR	\$ 2,254,942	
FEDERAL	47,167,731	
OTHER	81,555,533	
TOTAL	\$130,978,206	

DAN HAUG

03/03/2009 Introduced and Read First Time (H) (H451)
03/04/2009 Read Second Time (H) (H458)
03/05/2009 Referred: Budget (H) (H485)
03/09/2009 Public Hearing Scheduled, Bill not Heard (H)
03/11/2009 Public Hearing Completed (H)
03/11/2009 Executive Session Completed (H)
03/11/2009 HCS Voted Do Pass (H)
03/18/2009 HCS Reported Do Pass (H) (H607)
03/18/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H607)
03/23/2009 Rules - Executive Session Completed (H)
03/23/2009 Rules - Voted Do Pass with Time Limit (H)
03/23/2009 Rules - Reported Do Pass with Time Limit (H) (H613)
03/24/2009 Taken Up for Perfection (H) (H630)
03/24/2009 Laid Over (H) (H630)
03/25/2009 Taken Up for Perfection (H) (H658)
03/25/2009 Laid Over (H) (H658)
03/25/2009 Taken Up for Perfection (H) (H664)
03/25/2009 HCS Adopted (H) (H712)
03/25/2009 Perfected with Amendments (H) (H664)
03/26/2009 Third Read and Passed (H) (H737 / S807)
03/30/2009 S First Read--HCS for HB 7 (S807)
03/31/2009 Second Read and Referred S Appropriations Committee (S824)
04/08/2009 Hearing Conducted S Appropriations Committee
04/08/2009 SCS Voted Do Pass S Appropriations Committee
04/13/2009 Reported from S Appropriations Committee to Floor, with SCS (S989)
04/14/2009 SA 1 to SCS S offered & defeated (Crowell)--(0007S03.02S) (S1008-1009)
04/14/2009 SCS S adopted (S1009 / H1045)
04/14/2009 S Third Read and Passed (S1009-1010 / H1045)
04/21/2009 H refuses to concur (H1157 / S1093)
04/21/2009 H requests S recede or grant conference (H1157 / S1093)
04/21/2009 S refuses to recede and grants conference (S1095 / H1160)
04/21/2009 S conferees appointed: Nodler, Mayer, Rupp, Bray, Green (S1104 / H1198)
04/27/2009 In Conference--HCS for HB 7, with SCS (Nodler)

EFFECTIVE: July 1, 2009

*** HB 8 ***

SCS HCS HB 8

0008S.03C

SENATE SPONSOR: Nodler

HOUSE HANDLER: Icet

SCS/HCS/HB 8 - Public Safety

	Governor	House
GR	\$ 88,378,127	\$ 68,462,269
FEDERAL	130,661,462	130,479,901
OTHER	308,376,265	313,895,137
TOTAL	\$527,415,854	\$512,837,307

	Senate	Final
GR	\$ 66,570,523	
FEDERAL	134,051,337	
OTHER	313,978,735	
TOTAL	\$514,600,595	

DAN HAUG

03/03/2009 Introduced and Read First Time (H) (H451)
03/04/2009 Read Second Time (H) (H458)
03/05/2009 Referred: Budget (H) (H485)
03/09/2009 Public Hearing Scheduled, Bill not Heard (H)
03/11/2009 Public Hearing Completed (H)
03/11/2009 Executive Session Completed (H)
03/11/2009 HCS Voted Do Pass (H)
03/18/2009 HCS Reported Do Pass (H) (H607)
03/18/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H607)
03/23/2009 Rules - Executive Session Completed (H)
03/23/2009 Rules - Voted Do Pass with Time Limit (H)
03/23/2009 Rules - Reported Do Pass with Time Limit (H) (H613)
03/24/2009 Taken Up for Perfection (H) (H630)
03/24/2009 Laid Over (H) (H630)
03/25/2009 Taken Up for Perfection (H) (H675)
03/25/2009 HCS Adopted (H) (H713)
03/25/2009 Perfected with Amendments (H) (H675)
03/26/2009 Third Read and Passed (H) (H739 / S807)
03/30/2009 S First Read--HCS for HB 8 (S807)
03/31/2009 Second Read and Referred S Appropriations Committee (S824)
04/08/2009 Hearing Conducted S Appropriations Committee
04/08/2009 SCS Voted Do Pass S Appropriations Committee
04/13/2009 Reported from S Appropriations Committee to Floor, with SCS--HCS for HB 8, with SCS (Nodler) (S989)
04/14/2009 SCS S adopted (S1010 / H1078)
04/14/2009 S Third Read and Passed (S1010-1011 / H1078)
04/21/2009 H refuses to concur (H1157 / S1093)
04/21/2009 H requests S recede or grant conference (H1157 / S1093)
04/21/2009 S refuses to recede and grants conference (S1095 / H1160)
04/21/2009 S conferees appointed: Nodler, Mayer, Rupp, Bray, Green (S1104 / H1198)
04/27/2009 In Conference--HCS for HB 8, with SCS (Nodler)

EFFECTIVE: July 1, 2009

*** HB 9 ***

SCS HCS HB 9

0009S.03C

SENATE SPONSOR: Nodler

HOUSE HANDLER: Icet

SCS/HCS/HB 9 - Corrections

**MISSOURI SENATE
WEEKLY BILL STATUS REPORT**

	Governor	House
GR	\$618,290,370	\$588,283,014
FEDERAL	6,919,861	6,841,995
OTHER	49,368,725	53,074,396
TOTAL	\$674,578,956	\$648,199,945

	Senate	Final
GR	\$604,830,013	
FEDERAL	8,483,503	
OTHER	52,824,936	
TOTAL	\$666,138,452	

DAN HAUG

03/03/2009 Introduced and Read First Time (H) (H451)
 03/04/2009 Read Second Time (H) (H458)
 03/05/2009 Referred: Budget (H) (H485)
 03/09/2009 Public Hearing Scheduled, Bill not Heard (H)
 03/11/2009 Public Hearing Completed (H)
 03/11/2009 Executive Session Completed (H)
 03/11/2009 HCS Voted Do Pass (H)
 03/18/2009 HCS Reported Do Pass (H) (H607)
 03/18/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H607)
 03/23/2009 Rules - Executive Session Completed (H)
 03/23/2009 Rules - Voted Do Pass with Time Limit (H)
 03/23/2009 Rules - Reported Do Pass with Time Limit (H) (H613)
 03/24/2009 Taken Up for Perfection (H) (H630)
 03/24/2009 Laid Over (H) (H630)
 03/25/2009 Taken Up for Perfection (H) (H676)
 03/25/2009 HCS Adopted (H) (H713)
 03/25/2009 Perfected with Amendments (H) (H676)
 03/26/2009 Third Read and Passed (H) (H740 / S807)
 03/30/2009 S First Read--HCS for HB 9 (S807)
 03/31/2009 Second Read and Referred S Appropriations Committee (S824)
 04/08/2009 Hearing Conducted S Appropriations Committee
 04/08/2009 SCS Voted Do Pass S Appropriations Committee
 04/13/2009 Reported from S Appropriations Committee to Floor, with SCS (S989)
 04/14/2009 SCS S adopted (S1011 / H1078)
 04/14/2009 S Third Read and Passed (S1011-1012 / H1078)
 04/21/2009 H refuses to concur (H1157-1158 / S1093)
 04/21/2009 H requests S recede or grant conference (H1157-1158 / S1093)
 04/21/2009 S refuses to recede and grants conference (S1095 / H1160)
 04/21/2009 S conferees appointed: Nodler, Mayer, Rupp, Bray, Green (S1104 / H1198)
 04/27/2009 In Conference--HCS for HB 9, with SCS (Nodler)

EFFECTIVE: July 1, 2009

*** HB 10 *** SCS HCS HB 10

0010S.03C

SENATE SPONSOR: Nodler

HOUSE HANDLER: Icet

SCS/HCS/HB 10 - Mental Health & Health

	MENTAL HEALTH	
	Governor	House
GR	\$ 629,846,417	\$ 586,906,216
FEDERAL	546,612,597	553,363,695
OTHER	41,801,097	41,861,054
TOTAL		

**MISSOURI SENATE
WEEKLY BILL STATUS REPORT**

TOTAL \$1,218,260,111 \$1,182,130,965

	Senate	Final
GR	\$ 591,827,992	
FEDERAL	584,431,508	
OTHER	42,271,054	
TOTAL	\$1,218,530,554	

HEALTH

	Governor	House
GR	\$253,861,566	\$ 248,791,651
FEDERAL	619,991,896	619,002,497
OTHER	24,385,859	24,275,596
TOTAL	\$898,239,321	\$ 892,069,744

	Senate	Final
GR	\$247,299,030	
FEDERAL	623,772,223	
OTHER	24,275,597	
TOTAL	\$895,346,850	

DAN HAUG

03/05/2009 Introduced and Read First Time (H) (H488)
03/06/2009 Read Second Time (H) (H501)
03/06/2009 Referred: Budget (H) (H502)
03/09/2009 Public Hearing Scheduled, Bill not Heard (H)
03/11/2009 Public Hearing Completed (H)
03/11/2009 Executive Session Completed (H)
03/11/2009 HCS Voted Do Pass (H)
03/18/2009 HCS Reported Do Pass (H) (H607)
03/18/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H607)
03/23/2009 Rules - Executive Session Completed (H)
03/23/2009 Rules - Voted Do Pass with Time Limit (H)
03/23/2009 Rules - Reported Do Pass with Time Limit (H) (H613)
03/24/2009 Taken Up for Perfection (H) (H630)
03/24/2009 Laid Over (H) (H630)
03/25/2009 Taken Up for Perfection (H) (H649)
03/25/2009 Laid Over (H) (H658)
03/25/2009 Taken Up for Perfection (H) (H660)
03/25/2009 HCS Adopted (H) (H713)
03/25/2009 Perfected with Amendments (H) (H660)
03/26/2009 Third Read and Passed (H) (H742 / S807-808)
03/30/2009 S First Read--HCS for HB 10 (S807-808)
03/31/2009 Second Read and Referred S Appropriations Committee (S824)
04/08/2009 Hearing Conducted S Appropriations Committee
04/08/2009 SCS Voted Do Pass S Appropriations Committee
04/13/2009 Reported from S Appropriations Committee to Floor, with SCS (S989)
04/14/2009 SCS S adopted (S1012 / H1078)
04/14/2009 S Third Read and Passed (S1012-1013 / H1078)
04/21/2009 H refuses to concur (H1158-1159 / S1093)
04/21/2009 H requests S recede or grant conference (H1158-1159 / S1093)
04/21/2009 S refuses to recede and grants conference (S1095 / H1160)
04/21/2009 S conferees appointed: Nodler, Mayer, Rupp, Bray, Green (S1104 / H1198)
04/27/2009 In Conference--HCS for HB 10, with SCS (Nodler)

EFFECTIVE: July 1, 2009

*** HB 11 *** SCS HCS HB 11 0011S.03C
 SENATE SPONSOR: Nodler HOUSE HANDLER: Icet

SCS/HCS/HB 11 - Social Services

	Governor	House
GR	\$1,649,173,071	\$1,490,558,023
FEDERAL	3,920,180,903	3,717,554,050
OTHER	1,800,531,559	1,835,767,547
TOTAL	<u>\$7,369,885,533</u>	<u>\$7,043,879,620</u>

	Senate	Final
GR	\$1,563,974,595	
FEDERAL	4,019,585,348	
OTHER	1,931,206,004	
TOTAL	<u>\$7,514,765,947</u>	

DAN HAUG

03/05/2009 Introduced and Read First Time (H) (H488)
 03/06/2009 Read Second Time (H) (H501)
 03/06/2009 Referred: Budget (H) (H502)
 03/09/2009 Public Hearing Scheduled, Bill not Heard (H)
 03/11/2009 Public Hearing Completed (H)
 03/11/2009 Executive Session Completed (H)
 03/11/2009 HCS Voted Do Pass (H)
 03/18/2009 HCS Reported Do Pass (H) (H607)
 03/18/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H607)
 03/23/2009 Rules - Executive Session Completed (H)
 03/23/2009 Rules - Voted Do Pass with Time Limit (H)
 03/23/2009 Rules - Reported Do Pass with Time Limit (H) (H613)
 03/24/2009 Taken Up for Perfection (H) (H630)
 03/24/2009 Laid Over (H) (H630)
 03/25/2009 Taken Up for Perfection (H) (H656)
 03/25/2009 Laid Over (H) (H657)
 03/25/2009 Taken Up for Perfection (H) (H683)
 03/25/2009 HCS Adopted (H) (H713)
 03/25/2009 Perfected with Amendments (H) (H683)
 03/26/2009 Third Read and Passed (H) (H742 / S808)
 03/30/2009 S First Read--HCS for HB 11 (S808)
 03/31/2009 Second Read and Referred S Appropriations Committee (S824)
 04/08/2009 Hearing Conducted S Appropriations Committee
 04/08/2009 SCS Voted Do Pass S Appropriations Committee
 04/13/2009 Reported from S Appropriations Committee to Floor, with SCS (S989)
 04/14/2009 SA 1 to SCS S offered & defeated (Smith)--(0011S03.05S) (S1013-1014)
 04/14/2009 SCS S adopted (S1014 / H1078)
 04/14/2009 S Third Read and Passed (S1014 / H1078)
 04/21/2009 H refuses to concur (H1159 / S1093)
 04/21/2009 H requests S recede or grant conference (H1159 / S1093)
 04/21/2009 S refuses to recede and grants conference (S1095 / H1160)
 04/21/2009 S conferees appointed: Nodler, Mayer, Rupp, Bray, Green (S1104 / H1198)
 04/27/2009 In Conference--HCS for HB 11, with SCS (Nodler)

EFFECTIVE: July 1, 2009

*** HB 12 *** SCS HCS HB 12 0012S.03C
 SENATE SPONSOR: Nodler HOUSE HANDLER: Icet

SCS/HCS/HB 12 - Elected Officials, Judiciary, Public Defender & General

**MISSOURI SENATE
WEEKLY BILL STATUS REPORT**

Assembly

ELECTED OFFICIALS		
	Governor	House
GR	\$ 51,398,881	\$ 47,869,516
FEDERAL	23,678,481	23,548,603
OTHER	45,594,480	45,315,092
TOTAL	<u>\$120,671,842</u>	<u>\$116,733,211</u>

	Senate	Final
GR	\$ 46,829,132	
FEDERAL	26,221,404	
OTHER	45,554,692	
TOTAL	<u>\$118,605,228</u>	<hr/>

JUDICIARY		
	Governor	House
GR	\$168,228,581	\$166,409,327
FEDERAL	10,535,501	10,408,187
OTHER	10,349,833	10,292,941
TOTAL	<u>\$189,113,915</u>	<u>\$187,110,455</u>

	Senate	Final
GR	\$162,749,121	
FEDERAL	17,156,136	
OTHER	10,292,941	
TOTAL	<u>\$190,198,198</u>	<hr/>

PUBLIC DEFENDER		
	Governor	House
GR	\$35,015,969	\$34,207,100
FEDERAL	125,001	125,000
OTHER	2,984,149	2,980,263
TOTAL	<u>\$38,125,119</u>	<u>\$37,312,363</u>

	Senate	Final
GR	\$34,207,100	
FEDERAL	125,000	
OTHER	2,980,263	
TOTAL	<u>\$37,312,363</u>	<hr/>

GENERAL ASSEMBLY		
	Governor	House
GR	\$35,396,263	\$ 33,323,578
FEDERAL	0	0

**MISSOURI SENATE
WEEKLY BILL STATUS REPORT**

OTHER	294,804	280,255
TOTAL	\$35,691,067	\$ 33,603,833

	Senate	Final
GR	\$34,718,069	
FEDERAL	90,000	
OTHER	\$ 292,255	
TOTAL	\$35,100,324	

DAN HAUG

03/03/2009 Introduced and Read First Time (H) (H451)
 03/04/2009 Read Second Time (H) (H458)
 03/05/2009 Referred: Budget (H) (H485)
 03/09/2009 Public Hearing Scheduled, Bill not Heard (H)
 03/11/2009 Public Hearing Completed (H)
 03/11/2009 Executive Session Completed (H)
 03/11/2009 HCS Voted Do Pass (H)
 03/18/2009 HCS Reported Do Pass (H) (H607)
 03/18/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H607)
 03/23/2009 Rules - Executive Session Completed (H)
 03/23/2009 Rules - Voted Do Pass with Time Limit (H)
 03/23/2009 Rules - Reported Do Pass with Time Limit (H) (H614)
 03/24/2009 Taken Up for Perfection (H) (H630)
 03/24/2009 Laid Over (H) (H630)
 03/25/2009 Taken Up for Perfection (H) (H703)
 03/25/2009 HCS Adopted (H) (H713)
 03/25/2009 Perfected with Amendments (H) (H703)
 03/26/2009 Third Read and Passed (H) (H743 / S808)
 03/30/2009 S First Read--HCS for HB 12 (S808)
 03/31/2009 Second Read and Referred S Appropriations Committee (S824)
 04/08/2009 Hearing Conducted S Appropriations Committee
 04/08/2009 SCS Voted Do Pass S Appropriations Committee
 04/13/2009 Reported from S Appropriations Committee to Floor, with SCS (S989)
 04/15/2009 SCS S adopted (S1020-1021 / H1079)
 04/15/2009 S Third Read and Passed (S1021 / H1079)
 04/21/2009 H refuses to concur (H1159 / S1093)
 04/21/2009 H requests S recede or grant conference (H1159 / S1093)
 04/21/2009 S refuses to recede and grants conference (S1095 / H1161)
 04/21/2009 S conferees appointed: Nodler, Mayer, Rupp, Bray, Green (S1105 / H1198)
 04/27/2009 In Conference--HCS for HB 12, with SCS (Nodler)

EFFECTIVE: July 1, 2009

*** HB 13 ***

SCS HB 13

0013S.02C

SENATE SPONSOR: Nodler

HOUSE HANDLER: Icet

SCS/HCS/HB 13 - Statewide Leasing

	Governor	House
GR	\$112,620,526	\$101,042,468
FEDERAL	24,707,110	24,007,966
OTHER	13,404,487	13,099,628
TOTAL	\$150,732,123	\$138,150,062

	Senate	Final
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GR \$113,734,141

FEDERAL 24,660,940
OTHER 13,356,245
.
TOTAL \$151,751,326
DAN HAUG

03/04/2009 Introduced and Read First Time (H) (H465)
03/05/2009 Read Second Time (H) (H471)
03/05/2009 Referred: Budget (H) (H485)
03/09/2009 Public Hearing Scheduled, Bill not Heard (H)
03/11/2009 Public Hearing Completed (H)
03/11/2009 Executive Session Completed (H)
03/11/2009 Voted Do Pass (H)
03/18/2009 Reported Do Pass (H) (H607)
03/18/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H607)
03/23/2009 Rules - Executive Session Completed (H)
03/23/2009 Rules - Voted Do Pass with Time Limit (H)
03/23/2009 Rules - Reported Do Pass with Time Limit (H) (H614)
03/24/2009 Taken Up for Perfection (H) (H630)
03/24/2009 Laid Over (H) (H630)
03/25/2009 Taken Up for Perfection (H) (H708)
03/25/2009 Perfected with Amendments (H) (H708)
03/26/2009 Third Read and Passed (H) (H745 / S808)
03/30/2009 S First Read--HB 13-Icet (S808)
03/31/2009 Second Read and Referred S Appropriations Committee (S824)
04/08/2009 Hearing Conducted S Appropriations Committee
04/08/2009 SCS Voted Do Pass S Appropriations Committee
04/13/2009 Reported from S Appropriations Committee to Floor, with SCS (S989)
04/15/2009 SCS S adopted (S1023 / H1079)
04/15/2009 S Third Read and Passed (S1023-1024 / H1079)
04/21/2009 H refuses to concur (H1159 / S1093)
04/21/2009 H requests S recede or grant conference (H1159 / S1093)
04/21/2009 S refuses to recede and grants conference (S1095 / H1161)
04/21/2009 S conferees appointed: Nodler, Mayer, Rupp, Bray, Green (S1105 / H1198)
04/27/2009 In Conference--HB 13-Icet, with SCS (Nodler)

EFFECTIVE: July 1, 2009

*** HB 14 *** SCS HCS HB 14

0014S.03T

SENATE SPONSOR: Nodler

HOUSE HANDLER: Icet

SCS/HCS/HB 14 - Supplemental Appropriations

	Governor	House
.		
GR	\$ 35,504,247	\$ 28,413,438
FEDERAL	50,432,155	44,963,090
OTHER	60,613,748	59,687,186
.		
TOTAL	\$146,550,150	\$133,063,714

	Senate	Final
.		
GR	\$ 28,463,438	\$ 28,463,438
FEDERAL	157,863,090	157,863,090
OTHER	125,987,186	125,987,186
.		
TOTAL	\$312,313,714	\$312,313,714

DAN HAUG

02/18/2009 Introduced and Read First Time (H) (H349)
02/19/2009 Read Second Time (H) (H354)
02/19/2009 Referred: Budget (H) (H355)
02/25/2009 Public Hearing Completed (H)

02/25/2009 Executive Session Completed (H)
 02/25/2009 HCS Voted Do Pass (H)
 02/25/2009 HCS Reported Do Pass (H) (H401)
 02/25/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H401)
 03/02/2009 Rules - Executive Session Completed (H)
 03/02/2009 Rules - Voted Do Pass (H)
 03/02/2009 Rules - Reported Do Pass (H) (H432)
 03/04/2009 HCS Adopted (H) (H463)
 03/04/2009 Perfected with Amendments (H) (H459)
 03/05/2009 Third Read and Passed (H) (H478-479 / S529)
 03/05/2009 S First Read--HCS for HB 14 (S529)
 03/09/2009 Second Read and Referred S Appropriations Committee (S545)
 03/10/2009 Hearing Conducted S Appropriations Committee
 03/10/2009 SCS Voted Do Pass S Appropriations Committee (0014S.03C)
 03/10/2009 Reported from S Appropriations Committee to Floor (S580)
 03/11/2009 SCS S adopted (S586)
 03/11/2009 S Third Read and Passed (S586)
 03/12/2009 Motion to reconsider the motion to lay on table - S adopted (S621)
 03/12/2009 Motion to reconsider the vote by which the title was agreed to - S adopted (S621)
 03/12/2009 Motion to reconsider Third Reading Vote - S adopted (S621)
 03/12/2009 Motion to reconsider SCS S adopted (S621)
 03/12/2009 SA 1 to SCS S offered (Nodler)--(0014S03.05S) (S621-623)
 03/12/2009 SA 1 to SA 1 to SCS S offered & adopted (Mayer)--(0014S03.03S) (S623)
 03/12/2009 SA 1 to SCS, as amended, S adopted (S623)
 03/12/2009 SCS, as amended, S adopted (S623)
 03/12/2009 S Third Read and Passed (S623-624 / H598-600)
 03/24/2009 H concurs in SCS, as amended (H626 / S679)
 03/24/2009 H Third Read and Passed (H626-627 / S679)
 03/24/2009 Truly Agreed To and Finally Passed (S679)
 03/24/2009 Signed by House Speaker (H630)
 03/24/2009 Signed by Senate President (S681)
 03/24/2009 Delivered to Governor (H630)
 04/07/2009 Signed by Governor (H960)

EFFECTIVE: upon Governor's approval

*** HB 15 ***

0015L.01P

HOUSE HANDLER: Icet

HB0015 Icet, Allen

***** NO BILL SUMMARY *****

04/06/2009 Introduced and Read First Time (H) (H937)
 04/07/2009 Read Second Time (H) (H943)
 04/07/2009 Referred: Budget (H) (H955)
 04/08/2009 Public Hearing Completed (H)
 04/08/2009 Executive Session Completed (H)
 04/08/2009 Voted Do Pass (H)
 04/08/2009 Reported Do Pass (H) (H1000)
 04/08/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H1000)
 04/14/2009 Rules - Executive Session Completed (H)
 04/14/2009 Rules - Voted Do Pass (H)
 04/14/2009 Rules - Reported Do Pass (H) (H1041)
 04/20/2009 Perfected (H) (H1121)
 04/22/2009 Third read and passed (H) (H1217-1218 / S1175)
 04/22/2009 S First Read--HB 15-Icet (S1175)
 04/23/2009 Second Read and Referred S Appropriations Committee (S1194)

*** HB 30 ***

0103L.01P

SENATE SPONSOR: Goodman

HOUSE HANDLER: Brandom

HB 30 - This act requires the Department of Social Services to develop a program to screen and test each work-eligible applicant or work-eligible recipient of temporary assistance for needy families (TANF)

benefits when a case worker believes, based on reasonable cause from the screening, that such person engages in illegal use of controlled substances. Any applicant or recipient who is found to have tested positive for the use of a controlled substance after an administrative hearing shall be declared ineligible for temporary assistance for needy families benefits for a period of one year from the date of the administrative hearing decision. The department shall refer an applicant or recipient who tested positive for the use of a controlled substance under this act to an appropriate substance abuse treatment program approved by the division of alcohol and drug abuse within the department of mental health.

Other members of a household which includes a person who has been declared ineligible for TANF benefits shall, if otherwise eligible, continue to receive TANF benefits as protective or vendor payments to a third-party payee for the benefit of the members of the household. The department shall promulgate rules to develop the screening and testing provisions of this section.

This act is similar to SB 73 (2009), SB 86 (2009), SB 183 (2009) and SB 1259 (2008).

ADRIANE CROUSE

12/01/2008 Prefiled (H)
 01/07/2009 Read First Time (H) (H24)
 01/08/2009 Read Second Time (H) (H41)
 01/22/2009 Referred: Spec Standing Committee on Children & Families (H) (H137)
 02/18/2009 Public Hearing Completed (H)
 03/12/2009 Executive Session Completed (H)
 03/12/2009 Voted Do Pass (H)
 03/12/2009 Reported Do Pass (H) (H595)
 03/12/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H595)
 03/30/2009 Rules - Executive Session Completed (H)
 03/30/2009 Rules - Voted Do Pass (H)
 03/30/2009 Rules - Reported Do Pass (H) (H791)
 04/07/2009 Taken Up for Perfection (H) (H946)
 04/07/2009 Laid Over (H) (H946)
 04/07/2009 Taken Up for Perfection (H) (H949)
 04/07/2009 Perfected with Amendments (H) (H949)
 04/08/2009 Referred: Fiscal Review (H) (H1000)
 04/09/2009 Executive Session Completed (H)
 04/09/2009 Voted Do Pass (H)
 04/09/2009 Reported Do Pass (H) (H1007)
 04/09/2009 Third Read and Passed (H) (H1016 / S990)
 04/13/2009 S First Read--HB 30-Brandom, et al (S990)
 04/16/2009 Second Read and Referred S Progress and Development Committee (S1053)
 04/22/2009 Hearing Conducted S Progress and Development Committee

EFFECTIVE: August 28, 2009

*** HB 46 ***

HCS HB 46 & 434

0385L.02P

HOUSE HANDLER: Davis

HCS/HBs 46 & 434 - This act modifies the informed consent requirements for an abortion by adding new requirements to be obtained at least twenty-four hours prior to an abortion. Some of the new requirements include presenting to the pregnant woman various new printed materials and videos, to be developed by the Department of Health and Senior Services by November 30, 2009, detailing the risks of an abortion and the physiological characteristics of an unborn child at two-week gestational increments. The woman must also be provided with the gestational age of the unborn child at the time the abortion is to be performed and must be given an opportunity to view an active ultrasound of the unborn child and hear the heartbeat of the unborn child, if the heartbeat is audible. Prior to an abortion being performed past twenty-two weeks of gestational age, the woman must be provided information regarding the possibility of the abortion causing pain to the unborn child. The materials presented to the woman shall also prominently display a statement that no one can coerce the woman to have an abortion and that it is against the law for a husband, a boyfriend, a parent, a friend, a medical care provider, or any other person to coerce her in any way to have an abortion.

In addition to the written informed consent, the act requires the physician or a qualified professional to discuss the medical assistance and counseling resources available, advise the woman of the father's liability for child support, and provide information about the Alternatives to Abortion Program. All information required to be provided to a woman shall be presented to her individually in the physical presence of the woman. The

abortion cannot be performed until the woman certifies in writing on a checklist form that she has been presented all the required information and that she has been given the opportunity to view an ultrasound, and to choose to have an anesthetic or analgesic administered to the unborn child.

This act also provides that notwithstanding other provisions of law allowing a person to provide services relating to pregnancy, no person other than a licensed physician is authorized to perform or induce an abortion. Any person who violates this provision is guilty of a Class B felony.

This act also creates the crime of knowingly coercing a woman to seek or obtain an abortion. Such coercion includes committing or threatening to do the following against a pregnant woman or her family: assault, domestic assault, stalking or aggravated stalking, or any other offense, as well as committing, attempting or threatening to: forcibly or without the pregnant woman's knowledge causing a woman to ingest a substance with the intent to cause an abortion, discharging the woman from her employment, or revoking a scholarship awarded to the woman. A violation of coercing an abortion may range from a Class A felony to a Class A misdemeanor, depending on the prescribed circumstances. This act also creates the crime of knowingly performing, inducing or assisting in an abortion on a woman who is a victim of coerced abortion. The elements of the crime are specified in the act and there is an exception for medical emergencies. A violation of such crime constitutes a Class C felony.

This act is substantially similar to SB 264 (2009) and SB 1058 (2008) and HCS/HBs 1831 & 1472 (2008).
ADRIANE CROUSE

12/01/2008 Prefiled (H)
01/07/2009 Read First Time (H) (H25)
01/08/2009 Read Second Time (H) (H41)
02/05/2009 Referred: Spec Standing Committee on Children & Families (H) (H258)
02/11/2009 Public Hearing Completed (H)
02/18/2009 Executive Session Completed (H)
02/18/2009 HCS Voted Do Pass (H)
02/18/2009 HCS Reported Do Pass (H) (H348)
02/18/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H348)
02/24/2009 Rules - Executive Session Completed (H)
02/24/2009 Rules - Voted Do Pass (H)
02/24/2009 Rules - Reported Do Pass (H) (H389)
03/03/2009 Taken Up for Perfection (H) (H444)
03/03/2009 Laid Over (H) (H445)
03/05/2009 Taken Up for Perfection (H) (H472)
03/05/2009 HCS Adopted (H) (H476)
03/05/2009 Perfected with Amendments (H) (H472)
03/09/2009 Referred: Fiscal Review (H) (H515)
03/11/2009 Executive Session Completed (H)
03/11/2009 Voted Do Pass (H)
03/11/2009 Reported Do Pass (H)
03/11/2009 Third Read and Passed (H) (H549-550 / S589)
03/11/2009 S First Read--HCS for HBs 46 & 434 (S589)
03/25/2009 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S700)
04/27/2009 Hearing Scheduled S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2009

*** HB 62 ***

HCS HB 62

0468L.05P

HOUSE HANDLER: Lipke

HCS/HB 62 - This act modifies various provisions relating to crime.

SECTIONS 43.500, 43.503, & 43.506

This act requires local law enforcement agencies to provide the Highway Patrol central repository with photographs and other unique biometric identification collected of persons arrested, in addition to fingerprints as is currently required.

Under this act, law enforcement agencies are prohibited from fingerprinting a juvenile older than 15 years and six months of age who is alleged to have violated a municipal traffic ordinance, which does not constitute a felony, unless he or she is certified as an adult. Law enforcement agencies are required to forward a photo

and certification papers to the central repository in cases where the juvenile has been certified as an adult.

Municipal prosecuting attorneys are required to notify the central repository of his or her decision not to file criminal charges on a charged referred to him or her. Court clerks, including municipal court clerks, shall furnish the central repository with a record of all charges filed, including those added subsequent to the filing of a criminal court case and amended charges. Currently, court clerks must provide final dispositions of cases for which the repository has a record of arrest or fingerprints.

This act modifies the time when a court shall order law enforcement or the court marshal to fingerprint and photograph a defendant if it was not done at the time of arrest. The court order shall contain the offense, charge code, date of the offense, and other information needed to complete the fingerprint card.

This act adds offenses that can be enhanced to a class A misdemeanor or higher for subsequent violations, municipal ordinances that have the same elements as a statutory felony or class A misdemeanor, and all sexual offenses under Chapter 566, RSMo, to the list of offenses that are reportable to the central repository. It also specifies that only class A misdemeanor, rather than all misdemeanors are reportable, unless otherwise specified.

These provisions are similar to HB 167 (2009).

SECTION 43.540

This act requires qualified entities that provide services to children, the elderly, or disabled persons to register with the Highway Patrol before submitting requests for screening. New requirements for qualified entities include, requiring screening requests to be voluntary and conform with federal and state law, submitting a completed fingerprint card with a signed waiver, providing the necessary fee, and requiring the employee to provide the names of other qualified entities that have previously requested screening of him or her. The national criminal history data shall only be available to qualified entities to screen employees or volunteers applying with the entities. The highway patrol shall not be required to make determinations regarding whether a person's record indicates the person's fitness for employment. The qualified entity must notify in writing the person being screened of his or her right to obtain a copy of the screening report and his or her right to challenge its accuracy. A qualified entity is not liable for damages solely for failing to obtain the criminal history record information of an employee or volunteer and the state shall not be liable for damages for providing the information.

This provision is similar to HB 167 (2009).

SECTION 82.300

This act specifies that the maximum fine for all municipal ordinance violations in Kansas City shall be \$1,000, except for ordinances requiring compliance by an industrial user with a pretreatment standard or requirement.

This provision is similar to HB 334 (2009).

SECTION 192.925

This act requires the Department of Health and Senior Services to implement an education and awareness program regarding the financial exploitation of the elderly.

This provision is similar to HB 926 (2009) and HCS/HB 384 (2009).

SECTION 195.202 & 568.045

Any person who possesses controlled substances, except less than 35 grams of marijuana, shall be guilty of a class B felony if he or she is in the presence of a person less than seventeen years of age or in a residence where a person less than seventeen years of age resides.

Under endangering the welfare of a child in the first degree, a person is guilty of a class C felony if he or she possesses methamphetamine in the presence of a person less than seventeen years of age or in the residence where a person less than seventeen years of age resides.

This provision is similar to HB 160 (2009).

SECTION 217.439

Upon the victim's request, a photograph shall be taken of an incarcerated individual prior to his or her release. A copy of the photo shall be provided to the victim.

This provision is similar to a provision of HCS/SCS/SB 338 (2009).

SECTIONS 217.450 & 217.460

This act specifies that a detainer shall not be lodged against a person confined in a correctional facility until the director of the department of corrections receives a certified copy of a warrant and a written request by the issuing agency to place the detainer. Failure of the director to comply shall not be the basis for dismissing an indictment, information or complaint unless the court also finds the offender has been denied the constitutional right to a speedy trial.

SECTION 217.665

Under this act, the governor must designate one member of the Board of Probation and Parole as the vice-chairman. The vice-chair shall act as chairman upon written order of the governor or chairman.

This provision is similar to HB 1071 (2009).

SECTION 217.670

This act allows offenders to appear before the board by means of a video conference, rather than personal appearance, at the discretion of the board. Victims may testify at the site where the board is conducting the video conference or at the institution where the offender is located.

SECTION 229.110

No longer requires prosecutors to prosecute individuals who fail to trim their hedge fences.

This provision is similar to a provision of HB 384 (2009).

SECTION 302.060

This act specifies that the director of the department of revenue shall deny driving privileges to any person convicted twice within a five-year period of violating an "intoxication-related traffic offense" and shall not issue a license to such person for five years from the date of the second conviction.

SECTIONS 302.311 & 302.750

This act removes the provision that requires the prosecuting attorney to appear in behalf of the Director of the Department of Revenue in circuit court cases or hearings reviewing administrative decisions regarding alcohol-related traffic offenses.

These provisions are similar to provisions of HB 384 (2009).

SECTION 311.310

Any person who sells or otherwise provides a minor with nonintoxicating beer shall be guilty of a class B misdemeanor for a first offense and a class A misdemeanor for a second offense.

SECTION 311.325

Under this act, a minor who purchases, attempts to purchase, or possesses nonintoxicating beer shall be guilty of a misdemeanor. A minor who purchases, attempts to purchase, or possesses liquor or who is visibly intoxicated shall be deemed to have given consent for testing to determine the person's BAC. Such consent shall be limited to not more than two tests and such tests shall be conducted in a manner approved by the Department of Health and Senior Services by licensed medical personnel or a person with a permit from DHSS. DHSS shall establish standards and procedures of persons allowed to conduct such testing. The person being tested may be accompanied by a doctor, nurse or other qualified person. Failure to obtain an additional test shall not preclude admission of evidence. Full information, as described in the act, regarding the test shall be given at the request of the person being tested.

SECTION 311.326

Currently, after one year or upon turning twenty-one years of age, a person with a first-time minor in possession charge (MIP) may apply to have his or her record expunged. Under this act, the person must wait until one year after reaching the age of twenty-one to apply for expungement.

SECTIONS 409.5-508 & 409.6-604

This act specifies that any person convicted of criminal securities fraud will be fined up to \$1 million, imprisoned for up to 10 years, or both and may be ordered to pay restitution for any loss plus an interest rate of 8% per year from the date of the violation. An additional civil penalty of up to \$5,000 may be imposed for each violation against an elderly or disabled person.

SECTIONS 479.260 & 488.5032

The judge in a criminal or municipal case that is dismissed before the defendant pleads guilty or is found guilty may assess court costs against the defendant as specified in Section 488.012 if the defendant consents to pay and is not indigent and unable to pay the costs.

This provision is similar to HB 830 (2009).

SECTION 488.5025

This act specifies ten dollars of the time-payment fee shall be payable to municipal court clerks, when applicable, for improvement of the court.

SECTION 544.665

This act modifies the penalties for failure to appear. A person is guilty if he or she knowingly fails to appear before a court or judicial officer as required. The sentence varies depending on the criminal matter involved.

SECTION 545.050 & 550.040

This act removes the requirement that court costs be assessed to the prosecutor in trespass cases if the defendant is acquitted or the prosecution fails.

This provision is similar to a provision of HCS/HB 384 (2009).

SECTIONS 550.050 - 550.090

This act repeals certain provisions making prosecutors pay certain court costs.

These provisions are similar to a provision of HB 384 (2009).

SECTION 556.036

Under this act, the statute of limitations for robbery, arson, or knowingly burning or exploding is five years.

SECTION 559.106

Under this act, the court shall no longer order the Board or Probation and Parole to supervise offenders who have pled guilty to or been found guilty of forcible rape and sodomy and who are prior sex offenders, for the remainder of their natural life via electronic monitoring. Currently, offenders who commit such offenses to a child under the age of 12 are no longer be eligible for probation.

SECTION 561.031

This act removes the requirement that when using two-way audio visual communication for criminal proceedings a full record of such proceeding be made by split-screen imaging and recording of the proceedings in the courtroom and place of confinement may be required.

SECTION 565.063

This act modifies the definitions of "domestic assault offense" to include any offense committed in another state or any federal, tribal, or military offense which, if committed in Missouri, that would be considered a domestic assault offense.

SECTIONS 565.081, 565.082, & 565.083

This act expands the crime of assault of a law enforcement officer, emergency personnel, or probation and parole officer in the first, second, or third degree to include highway workers in a construction or work zone and corrections officers.

These provisions are similar to HB 268 (2009) & HB 511 (2009).

SECTION 565.084

This act expands the crime of tampering with a judicial officer to include juvenile officers and deputy juvenile officers.

This provision is similar to HB 371 (2009).

SECTION 566.093

This act specifies that a prisoner or offender who commits sexual misconduct in the second degree in the presence of an employee or person assigned to work in any jail, prison, or correctional facility is guilty of a class D felony.

SECTION 566.148

This act prohibits certain sexual offenders from being physically present or loitering within 500 feet of or approaching, contacting, or communicating with any child younger than 18 years of age in any child care facility building or the real property comprising any child care facility when children younger than 18 years of age are present in the building or on the grounds unless the person is the parent, guardian, or custodian of a child in the building or on the grounds. Any person violating this provision is guilty of a class A misdemeanor.

This provision is similar to HB 164 (2009).

SECTION 566.150

This act prohibits certain sexual offenders from knowingly being present in or loitering within 500 feet of any real property comprising any public park with playground equipment or public swimming pool. Any person violating this provision will be guilty of a class D felony for the first offense and a class C felony for any subsequent offense.

This provision is similar to HB 105 (2009).

SECTION 566.155

This act prohibits certain sexual offenders from serving as an athletic coach, manager, or trainer for any sports team of which a child younger than 17 years of age is a member. Any person violating this provision shall be guilty of a class D felony for the first offense and a class C felony for a subsequent offense.

This provision is similar to HB 106 (2009).

SECTION 566.226

The name of any defendant in a sexual assault, domestic assault, stalking, or forcible rape case shall not be considered identifying information of the victim and shall not be redacted from court records.

SECTIONS 570.030 & 570.080

A person who steals or receives a stolen firearm or an explosive weapon will be guilty of a class C felony regardless of the item's value.

These provisions are similar to HB 230 (2009).

SECTION 570.040

This act revises the term "stealing-related offense" as it is used in Section 570.040, RSMo, to include robbery. The act removes the requirement that a person must have received at least a 10-day jail sentence on a prior offense before a third or subsequent misdemeanor stealing-related offense can be enhanced to a Class D felony. It also specifies that a person who has previously pleaded guilty to or been found guilty of two stealing-related offenses which were committed on two separate occasions, and who subsequently pleads guilty to or is found guilty of a stealing-related offense is guilty of certain felonies depending on the nature of such stealing-related offense.

This provision is similar to SB 200 (2009).

SECTION 575.060

This act specifies that a person shall be guilty of the crime of making a false declaration if he or she provides any verbal false statement regarding his or her identity which the person knows to be untrue. Such crime is a class B misdemeanor.

This provision is similar to SB 339 (2009) & HB 964 (2009).

SECTION 575.080

Under this act, the penalty for the crime of making a false report is increased from a class B misdemeanor to a class A misdemeanor.

SECTION 575.082

This act specifies that a person is guilty of the crime of making a false report if he or she knowingly files a false report with the Department of Natural Resources stating a regulation or ordinance has been violated. Violating this provision is a class C misdemeanor.

This provision is similar to HB 1109 (2009).

SECTION 575.150

This act increases the penalty for the crime of resisting or interfering with arrest, detention, or stop from a class D felony to a class C felony. It expands the crime to include resisting or interfering with an arrest for a probation warrant, a parole warrant, a capias warrant, or a bench warrant where the warrant issued was related to a felony, except such violations are a class D felony.

This provision is similar to SB 221 (2009) & HB 63 (2009).

SECTION 575.153

This act creates the crime of disarming a peace or correctional officer if a person intentionally removes from or deprives the peace or correctional officer of the use of his or her firearm or other deadly weapon while the officer is acting within the scope of his or her official duties. The crime does not include situations in which the person does not know or could not reasonably have known that the person was a peace or correctional officer or if the officer was engaged in felonious conduct at the time of the disarmament. Such crime is a class C felony.

SECTION 575.260

This act expands the crime of tampering with a judicial proceeding to include influencing the official action of a state prosecuting or circuit attorney.

This provision is similar to HB 384 (2009).

SECTION 577.029

This act repeals Section 577.029 as it passed in HB 574 (2007) and reenacts it as all new language.

This provision is similar to a provision of SS/SC/SB 261 et al.

SECTIONS 578.250, 578.255, 578.260, & 578.265

This act prohibits the inhalation, selling, or possession of certain solvents to induce intoxication. Such crime is a class B misdemeanor for the first offense and a class D felony for subsequent offenses.

This act prohibits any person from possessing or using an alcoholic beverage vaporizer. Such a vaporizer is defined as "any device which, by means of heat, a vibrating element, or any other method, is capable of producing a breathable mixture containing one or more alcoholic beverages to be dispensed for inhalation into the lungs via the nose or mouth or both." Also, no person shall intentionally induce or abuse solvents or ethyl alcohol. A violation of these provisions is a Class B misdemeanor.

This act does not apply to substances that are FDA-approved or administered by a medical practitioner.

These provisions shall not be construed to prohibit the legal consumption of intoxicating liquor, including wine and beer, and nonintoxicating beer.

These provisions are similar to SB 26 (2009).

SECTIONS 595.010 - 595.220

Under Executive Order 07-07 (2007), the administration of the Crime Victims' Compensation Fund was transferred from the Department of Labor and Industrial Relations to the Department of Public Safety. This act would reflect such transfer in statute.

Compensation shall be paid to crime victims for replacement of clothing, bedding, and other personal items of the victim that are seized by law enforcement as evidence in an amount not to exceed \$250.

Under this act, the Department of Public Safety may receive gifts for the benefit of crime victims, which shall be credited to the Crime Victims' Compensation Fund.

The act provides that compensation from the fund shall not be paid to a victim injured while subject to electronic monitoring in the same manner as persons who are incarcerated or under house arrest.

Upon request, pharmacists shall submit information to the department to provide verification of victims' injuries in the same manner as other medical providers.

This act allows a victim to be represented by counsel or a representative designated by the victim instead of appearing in person during an offender's parole and probation revocation hearings and allows crime victims to receive, upon request from the Department of Corrections, a photograph taken of the defendant prior to release from incarceration.

Also, under executive order, the Department of Public Safety makes payments to medical providers to cover the charges of the forensic examinations of sexual assault victims, rather the Department of Health. This act would reflect such transfer of responsibility in statute. This act also specifies that medical providers shall use collection procedures developed for victims who are minors when appropriate. Also, the medical provider's report of a forensic examination shall no longer be filed with the prosecuting attorney within three days.

These provisions are similar to SB 338 (2009).

SECTION 650.055

The circuit courts do not have to use a reasonable doubt standard when determining if an individual is a sexually violent predator.

SECTION 650.470

This act creates the Reverend Nathaniel Cole Memorial Pursuit Reduction Grant. Any money appropriated or donated to the fund will be used to provide grants, in the amount of a 50% match, to urban police departments which purchase real-time tagging and tracking pursuit management systems. An applicant's eligibility shall be determined by the Director of the Department of Public Safety.

This provision is similar to HB 1064 (2009).

SECTION 1

This act authorizes the revisor statutes to change the term "criminal records and identification division" to "central repository".

SUSAN HENDERSON MOORE

12/01/2008 Prefiled (H)
 01/07/2009 Read First Time (H) (H26)
 01/08/2009 Read Second Time (H) (H41)
 01/22/2009 Referred: Crime Prevention (H) (H137)
 01/28/2009 Public Hearing Completed (H)
 02/25/2009 Executive Session Completed (H)
 02/25/2009 HCS Voted Do Pass (H)
 03/05/2009 HCS Reported Do Pass (H) (H487)
 03/05/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H487)
 03/12/2009 Rules - Executive Session Completed (H)
 03/12/2009 Rules - Action Postponed (H)
 04/02/2009 Rules - Executive Session Completed (H)
 04/02/2009 Rules - Voted Do Pass (H)
 04/02/2009 Rules - Reported Do Pass (H) (H924)
 04/07/2009 Taken Up for Perfection (H) (H950)
 04/07/2009 Laid Over (H) (H955)
 04/08/2009 Taken Up for Perfection (H) (H968)
 04/08/2009 Laid Over (H) (H968)
 04/08/2009 Taken Up for Perfection (H) (H968)
 04/08/2009 HCS Adopted (H) (H978)
 04/08/2009 Perfected with Amendments (H) (H968)
 04/08/2009 Referred: Fiscal Review (H) (H1000)

04/15/2009 Executive Session Completed (H)
 04/15/2009 Reported Do Pass (H) (H1052)
 04/16/2009 Third read and passed (H) (H1087-1088 / S1053)
 04/16/2009 S First Read--HCS for HB 62 (S1053-1054)
 04/21/2009 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S1091)
 04/22/2009 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2009

*** HB 65 ***

0211L.01P

HOUSE HANDLER: Wilson

HB 65 - Currently, rural empowerment zones are only allowed to exist in Hickory County, which has a population of eight thousand nine hundred twenty-five residents. The act allows these zones to exist in any county with eighteen thousand or fewer residents, which includes fifty-six counties. The act also prohibits more than two rural empowerment zones in any county.

JASON ZAMKUS

12/01/2008 Prefiled (H)
 01/07/2009 Read First Time (H) (H26)
 01/08/2009 Read Second Time (H) (H41)
 01/22/2009 Referred: Rural Community Development (H) (H137)
 02/03/2009 Public Hearing Completed (H)
 02/10/2009 Executive Session Completed (H)
 02/10/2009 Voted Do Pass (H)
 02/12/2009 Reported Do Pass (H) (H311)
 02/12/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H311)
 02/17/2009 Rules - Executive Session Completed (H)
 02/17/2009 Rules - Voted Do Pass (H)
 02/17/2009 Rules - Reported Do Pass (H) (H333)
 02/23/2009 Perfected (H) (H368)
 02/24/2009 Referred: Fiscal Review (H) (H384)
 02/26/2009 Executive Session Completed (H)
 02/26/2009 Voted Do Pass (H)
 02/26/2009 Reported Do Pass (H) (H410)
 02/26/2009 Third Read and Passed (H) (H416 / S436)
 03/02/2009 S First Read--HB 65-Wilson (119), et al (S436)
 03/25/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S700)
 04/15/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee
 04/22/2009 Voted Do Pass S Jobs, Economic Development and Local Government Committee
 04/23/2009 Reported from S Jobs, Economic Development and Local Government Committee to Floor (S1191)
 04/27/2009 S Formal Calendar H Bills for Third Reading--HB 65-Wilson (119), et al

EFFECTIVE: August 28, 2009

*** HB 69 ***

0046L.01P

HOUSE HANDLER: Storch

HB 69 - This act makes adoption resource centers qualified agencies for purposes of the children in crisis tax credit program. Tax credits which remain unissued under the special needs adoption tax credit program for non-recurring resident adoption expenses will be allocated equally among adoption resource centers and three other types of qualified agencies.

JASON ZAMKUS

12/01/2008 Prefiled (H)
 01/07/2009 Read First Time (H) (H27)
 01/08/2009 Read Second Time (H) (H41)
 01/22/2009 Referred: Ways and Means (H) (H137)
 01/29/2009 Public Hearing Completed (H)
 02/12/2009 Executive Session Completed (H)
 02/12/2009 Voted Do Pass (H)
 02/19/2009 Executive Session Completed (H)

02/19/2009 Voted Do Pass - Consent (H)
 02/19/2009 Reported Do Pass by Consent (H) (H357)
 02/19/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H357)
 03/03/2009 Rules - Executive Session Completed (H)
 03/03/2009 Rules - Voted Do Pass - Consent (H)
 03/03/2009 Rules - Reported Do Pass Consent (H) (H448)
 03/10/2009 Perfected by Consent (H) (H538)
 03/12/2009 Third read and passed (H) (H589 / S630)
 03/12/2009 S First Read--HB 69-Storch (S630)
 03/26/2009 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S781)
 04/16/2009 Hearing Conducted S Governmental Accountability and Fiscal Oversight Committee

EFFECTIVE: August 28,2009

*** HB 82 ***

SCS HCS HB 82

0269S.05C

HOUSE HANDLER: Kraus

SCS/HCS/HB 82 - This act defines the term "maximum social security benefit available" as thirty-two thousand five hundred dollars for the tax year beginning on or after January 1, 2007. Such amount will increase annually by the percentage increase in the consumer price index. Currently, a taxpayer must be age sixty-two years or older in order to be eligible for the income tax exemption for publicly funded retirement benefits. This act removes the age requirement for the publicly funded retirement benefit income tax exemption. Under current law, taxpayers who receive both social security benefits and publicly funded retirement benefits recipient must reduce the amount of their publicly funded retirement benefit exemption by the total amount of social security benefits not included in Missouri adjusted gross income. This act would require such taxpayers to reduce their publicly funded retirement benefit exemption by the amount of social security benefits exempted due to the enactment of House Bill 444 (2007).

This act also institutes a six year phased-in for an income tax exemption for military retirement income. Beginning January 1, 2010, fifteen percent of such income will be exempt from state income tax and such exemption will increase by fifteen percent each subsequent year until all such income is exempt for all tax years beginning on or after January 1, 2016.

Portions of this act are similar to Senate Bill 1180 (2008) and Senate Bill 573 (2009).

JASON ZAMKUS

12/02/2008 Prefiled (H)
 01/07/2009 Read First Time (H) (H27)
 01/08/2009 Read Second Time (H) (H41)
 02/05/2009 Referred: Veterans (H) (H258)
 02/10/2009 Public Hearing Completed (H)
 02/17/2009 Executive Session Completed (H)
 02/17/2009 HCS Voted Do Pass (H)
 02/17/2009 HCS Reported Do Pass (H) (H333)
 02/17/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H333)
 02/24/2009 Rules - Executive Session Completed (H)
 02/24/2009 Rules - Voted Do Pass (H)
 02/24/2009 Rules - Reported Do Pass (H) (H389)
 03/02/2009 HCS Adopted (H) (H430)
 03/02/2009 Perfected with Amendments (H) (H429)
 03/03/2009 Referred: Fiscal Review (H) (H446)
 03/05/2009 Executive Session Completed (H)
 03/05/2009 Voted Do Pass (H)
 03/05/2009 Reported Do Pass (H)
 03/05/2009 Third Read and Passed (H) (H481-482 / S530)
 03/05/2009 S First Read--HCS for HB 82 (S530)
 03/25/2009 Second Read and Referred S Veterans' Affairs, Pensions and Urban Affairs Committee (S700)
 04/16/2009 Hearing Conducted S Veterans' Affairs, Pensions and Urban Affairs Committee
 04/23/2009 SCS Voted Do Pass S Veterans' Affairs, Pensions and Urban Affairs Committee (0269S.05C)
 04/23/2009 Reported from S Veterans' Affairs, Pensions and Urban Affairs Committee to Floor w/SCS (S1192)
 04/27/2009 S Formal Calendar H Bills for Third Reading--HCS for HB 82, with SCS

EFFECTIVE: August 28, 2009

*** HB 83 ***

SCS HB 83

0384S.02C

SENATE SPONSOR: Goodman

HOUSE HANDLER: Wood

SCS/HB 83 - This act specifies that any use of travel club membership benefits during the three-day rescission period of the membership contract will not effectively waive the member's right to rescind the contract. Under this act, a travel club must provide information in its registration statement with the attorney general demonstrating that it possesses at least \$250,000 dollars of liquid assets in certain forms. Such requirement is also required with the renewal registration. Such assets shall be available to the attorney general if the travel club fails to meet its legal obligations to its members.

This act is similar to SB 156 (2009).

SUSAN HENDERSON MOORE

12/02/2008 Prefiled (H)
 01/07/2009 Read First Time (H) (H27)
 01/08/2009 Read Second Time (H) (H41)
 01/22/2009 Referred: Small Business (H) (H137)
 02/04/2009 Public Hearing Completed (H)
 02/18/2009 Executive Session Completed (H)
 02/18/2009 Voted Do Pass - Consent (H)
 02/24/2009 Reported Do Pass by Consent (H) (H385)
 02/24/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H385)
 03/03/2009 Rules - Executive Session Completed (H)
 03/03/2009 Rules - Voted Do Pass - Consent (H)
 03/03/2009 Rules - Reported Do Pass Consent (H) (H448)
 03/10/2009 Perfected by Consent (H) (H538)
 03/12/2009 Third Read and Passed (H) (H577 / S628)
 03/12/2009 S First Read--HB 83-Wood (Goodman) (S628)
 03/26/2009 Second Read and Referred S General Laws Committee (S781)
 04/07/2009 Hearing Conducted S General Laws Committee
 04/14/2009 SCS Voted Do Pass S General Laws Committee (0384S.02C) - Consent
 04/14/2009 Reported from S General Laws Committee to Floor w/SCS - Consent (S1005)
 04/27/2009 S Consent Calendar--HB 83-Wood, with SCS (Goodman)

EFFECTIVE: August 28, 2009

*** HB 86 ***

0109L.02P

HOUSE HANDLER: Sutherland

HB 86 - Under current law, corporations with outstanding shares and surplus in excess of one million dollars are subject to an annual franchise tax equal to one-thirtieth of one percent of its outstanding shares and surplus. This act would subject only those corporations with outstanding shares and surplus in excess of ten million dollars to the annual franchise tax.

JASON ZAMKUS

12/02/2008 Prefiled (H)
 01/07/2009 Read First Time (H) (H28)
 01/08/2009 Read Second Time (H) (H41)
 01/22/2009 Referred: Ways and Means (H) (H137)
 02/05/2009 Public Hearing Completed (H)
 02/12/2009 Executive Session Completed (H)
 02/12/2009 Voted Do Pass (H)
 02/12/2009 Reported Do Pass (H) (H311)
 02/12/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H311)
 02/17/2009 Rules - Executive Session Completed (H)
 02/17/2009 Rules - Voted Do Pass (H)
 02/17/2009 Rules - Reported Do Pass (H) (H333)
 02/25/2009 Perfected (H) (H398)
 02/25/2009 Referred: Fiscal Review (H) (H400)
 02/26/2009 Executive Session Completed (H)
 02/26/2009 Voted Do Pass (H)

02/26/2009 Reported Do Pass (H)
 02/26/2009 Third read and passed (H) (H414-415 / S424)
 02/26/2009 S First Read--HB 86-Sutherland (S424)
 03/25/2009 Second Read and Referred S Ways and Means Committee (S700)
 04/01/2009 Hearing Conducted S Ways and Means Committee

EFFECTIVE: August 28, 2009

*** HB 89 *** HCS HB 89

0471L.02P

SENATE SPONSOR: Wilson

HOUSE HANDLER: Brown

HCS/HB 89 - This act requires vehicles to yield the right-of-way to all pedestrians and bicyclists crossing in an appropriate crosswalk on a city or neighborhood street in Kansas City.

STEPHEN WITTE

12/02/2008 Prefiled (H)
 01/07/2009 Read First Time (H) (H28)
 01/08/2009 Read Second Time (H) (H41)
 02/12/2009 Referred: Special Standing Committee on Urban Issues (H) (H309)
 02/23/2009 Public Hearing Completed (H)
 03/09/2009 Executive Session - No Action Taken
 03/11/2009 Executive Session - No Action Taken
 03/12/2009 Executive Session Completed (H)
 03/12/2009 HCS Voted Do Pass - Consent (H)
 03/12/2009 HCS Reported Do Pass by Consent (H) (H595)
 03/12/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H595)
 03/24/2009 Rules - Executive Session Completed (H)
 03/24/2009 Rules - Voted Do Pass - Consent (H)
 03/24/2009 Rules - Reported Do Pass Consent (H) (H635)
 03/31/2009 Perfected by Consent (H) (H820)
 04/01/2009 Third Read and Passed (H) (H892-893 / S873)
 04/01/2009 S First Read--HCS for HB 89 (S873)
 04/02/2009 Second Read and Referred S Transportation Committee (S892)
 04/08/2009 Hearing Conducted S Transportation Committee
 04/15/2009 Voted Do Pass S Transportation Committee - Consent
 04/15/2009 Reported from S Transportation Committee to Floor - Consent (S1022)
 04/21/2009 Removed S Consent Calendar (S1097)
 04/23/2009 Reported from S Transportation Committee to Floor (S1192)
 04/27/2009 S Formal Calendar H Bills for Third Reading--HCS for HB 89 (Wilson)

EFFECTIVE: August 28, 2009

*** HB 91 *** SCS HB 91

0536S.05C

SENATE SPONSOR: Purgason

HOUSE HANDLER: Pollock

SCS/HB 91 - This act designates various highways and bridges within Missouri.

This act designates a bridge in Laclede County as the "Specialist James M. Finley Memorial Bridge" (Section 22.368). This section is also contained in SB 84 (2009).

Under this act, the Department of Transportation shall establish and administer a drunk driving risk reduction awareness program. This act shall be known as "David's Law." The signs shall be placed at or near the scene of the accident. Under the act, signs shall be attached to an existing highway sign, street light, or guard rail. The signs shall be placed upon the state highways in accordance with placement guidelines adopted by the department, and any applicable federal limitations or conditions on highway signage, including location and spacing.

The department shall adopt, by rules and regulations, program guidelines for the application for and placement of signs authorized by this section, including, but not limited to, the sign application and qualification process, the procedure for the dedication of signs, and procedures for the replacement or restoration of any signs that are damaged or stolen.

Any person may apply to the Department of Transportation to sponsor a drunk driving victim memorial

sign in memory of an immediate family member who died as a result of a motor vehicle accident caused by a person who was shown to have been operating a motor vehicle in violation of an alcohol-related traffic law at the time of the accident. Upon the request of an immediate family member of the deceased victim involved in a drunk driving accident, the department shall place a sign in accordance with the provisions of the act. A person who is not a member of the victim's immediate family may also submit a request to have a sign placed under this section if that person also submits the written consent of a victim's immediate family member. The department shall charge the sponsoring party a fee to cover the department's cost in designing, constructing, placing, and maintaining the sign. Signs erected under the act shall remain in place for a period of ten years. After such date, the signs may be renewed for another 10 years after payment of appropriate maintenance fees.

The signs developed by the department shall resemble a Missouri license plate and shall feature the words "Drunk Driving Victim!", the initials of the deceased victim, the month and year in which the victim of the drunk driving accident was killed, and the phrase "Who's Next?".

Under the act, all private roadside memorials or markers commemorating the death of a drunk driving victim are prohibited. No person, other than a Department of Transportation employee or the department's designee, may erect a drunk driving victim memorial sign. The drunk driving risk reduction awareness program provisions are contained in SB 93 (2009)(Section 227.295).

This act establishes an interstate interchange designation program, to be known as the "Heroes Way Interstate Interchange Designation Program", to honor the fallen Missouri heroes who have been killed in action while performing active military duty with the armed forces in Afghanistan or Iraq on or after September 11, 2001.

Under the act, any person who is related by marriage, adoption, or consanguinity within the second degree to a member of the United States armed forces who was killed in action while performing active military duty with the armed forces in Afghanistan or Iraq on or after September 11, 2001, and who was a resident of this state at the time he or she was killed in action, may apply for an interstate interchange designation.

The family member may petition the Department of Transportation for an interstate interchange designation by submitting the following:

(1) An application in a form prescribed by the director, describing the interstate interchange for which the designation is sought and the proposed name of the interstate interchange. The application shall include the name of at least one current member of the General Assembly who will sponsor the interstate interchange designation.

(2) Proof that the family member killed in action was a member of the United States armed forces and proof that such family member was in fact killed in action while performing active military duty with the United States armed forces in Afghanistan or Iraq on or after September 11, 2001;

(3) A fee to be determined by the commission to cover the costs of constructing and maintaining the proposed interstate interchange signs. The fee shall not exceed the cost of constructing and maintaining each sign.

Under the act, the Department of Transportation shall submit for approval or disapproval all applications for interstate interchange designations to the Joint Committee on Transportation Oversight. If satisfied with the application and all its contents, the joint committee shall approve the application. The committee shall notify the Department of Transportation upon the approval or denial of an application for an interstate interchange designation. If the memorial interstate interchange designation request is not approved by the Joint Committee on Transportation Oversight, ninety-seven percent of the application fee shall be refunded to the applicant.

The act requires two signs to be erected for each interstate interchange designation processed under the act.

No interstate interchange may be named or designated after more than one member of the United States armed forces killed in action. Such person shall only be eligible for one interstate interchange designation under the provisions of this section.

Any highway signs erected for any interstate interchange designation under the provisions of this section shall be erected and maintained for a twenty-year period. After such period, the signs shall be subject to removal by the Department of Transportation and the interstate interchange may be designated to honor persons other than the current designee. An existing interstate interchange designation processed under the provisions of this act may be retained for additional twenty-year increments if, at least one year before the designation's expiration, an application to the Department of Transportation is made to retain the designation along with the required documents and all applicable fees required under the act.

The provision establishing the "Heroes Way Interstate Interchange Designation Program" is contained in SB 84 and SB 110 (2009)(Section 227.297).

This act designates a portion of State Highway 100 located in Franklin Count as the "Veterans Memorial Highway." This provision can be found in HB 928 (2009) (Section 227.310).

This act designates the bridge over the Gasconade River on State Highway 17 in Pulaski County as the "WWII Okinawa Veterans Memorial Bridge" and designates a portion of Interstate 435 as the "Lamar Hunt Memorial Highway." This provision can be found in HB 358 (2009)(Section 227.402).

This act designates a portion of Interstate 435 as the "Lamar Hunt Memorial Highway." This provision can be found in HB 358 (Section 227.407).

This act provides that the portion of the state highway system which was designated as Highway 47 as of January 1, 2009, within the limits of the city of Washington shall be designated and known as "Franklin Street" and shall not be designated as a numbered state highway (section 227.320).

STEPHEN WITTE

12/02/2008 Prefiled (H)
 01/07/2009 Read First Time (H) (H28)
 01/08/2009 Read Second Time (H) (H41)
 01/22/2009 Referred: Transportation (H) (H137)
 02/03/2009 Public Hearing Completed (H)
 02/10/2009 Executive Session Completed (H)
 02/10/2009 Voted Do Pass - Consent (H)
 02/26/2009 Reported Do Pass by Consent (H) (H419)
 02/26/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H419)
 03/03/2009 Rules - Executive Session Completed (H)
 03/03/2009 Rules - Voted Do Pass - Consent (H)
 03/03/2009 Rules - Reported Do Pass Consent (H) (H448)
 03/10/2009 Perfected by Consent (H) (H538)
 03/12/2009 Third read and passed (H) (H571 / S617)
 03/12/2009 S First Read--HB 91-Pollock, et al (Purgason) (S617)
 03/26/2009 Second Read and Referred S Transportation Committee (S781)
 04/01/2009 Hearing Conducted S Transportation Committee
 04/08/2009 SCS Voted Do Pass S Transportation Committee (0536S.05C) - Consent
 04/09/2009 Reported from S Transportation Committee to Floor w/SCS - Consent (S984)
 04/15/2009 Removed S Consent Calendar (S1032)
 04/16/2009 Reported from S Transportation Committee to Floor w/SCS (S1052)
 04/21/2009 SCS S adopted (S1103)
 04/21/2009 S Third Read and Passed (S1103-1104 / H1198)
 04/27/2009 H Calendar H Bills with S Amendments (SCS)

EFFECTIVE: August 28, 2009

*** HB 93 ***

SCS HCS HB 93 & 216

0222S.05C

SENATE SPONSOR: Barnitz

HOUSE HANDLER: Thomson

SCS/HCS/HBs 93 & 216 - This act exempts tractors used in tractor parades from certain width, length, height and license plate display regulations provided the tractors are driven by licensed drivers during daylight hours only and with the approval of the Superintendent of the Missouri State Highway Patrol.

This act is identical to the perfected version of SB 293 (2009).

STEPHEN WITTE

12/03/2008 Prefiled (H)
 01/07/2009 Read First Time (H) (H28)
 01/08/2009 Read Second Time (H) (H41)
 01/29/2009 Referred: Transportation (H) (H194)
 02/03/2009 Public Hearing Completed (H)
 02/10/2009 Executive Session Completed (H)
 02/10/2009 HCS Voted Do Pass - Consent (H)
 02/26/2009 HCS Reported Do Pass by Consent (H) (H419)
 02/26/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H419)
 03/03/2009 Rules - Executive Session Completed (H)
 03/03/2009 Rules - Voted Do Pass - Consent (H)
 03/03/2009 Rules - Reported Do Pass Consent (H) (H449)
 03/10/2009 Perfected by Consent (H) (H538)
 03/12/2009 Third Read and Passed (H) (H572 / S627)
 03/12/2009 Emergency Clause Adopted (H) (H573 / S627)
 03/12/2009 S First Read--HCS for HBs 93 & 216 (S627)
 03/26/2009 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S781)
 04/08/2009 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee
 04/08/2009 SCS Voted Do Pass S Agriculture, Food Production and Outdoor Resources Committee (0222S.05C) - Consent
 04/09/2009 Reported from S Agriculture, Food Production and Outdoor Resources Committee to Floor w/SCS - Consent (S982)
 04/20/2009 Motion to suspend rules to offer amendment - S adopted (S1063-1064)
 04/20/2009 SA 1 to SCS S offered & adoped (Barnitz)--(0222S05.01S) (S1064)
 04/20/2009 SCS, as amended, S adopted (S1064)
 04/20/2009 S Third Read and Passed - Consent - EC adopted (S0164-1065 / H1143)
 04/27/2009 H Calendar H Bills with S Amendments (SCS, as amended)

EFFECTIVE: Emergency Clause

*** HB 96 ***

HCS HB 96

0099L.02P

SENATE SPONSOR: Mayer

HOUSE HANDLER: Wallace

HCS/HB 96 – This act modifies provisions relating to school protection measures.

SCHOOL DISCIPLINE POLICIES & REPORTING REQUIREMENTS: Currently, school discipline policies must include a requirement that school administrators report acts of school violence to teachers with a need to know. This act provides that such acts of school violence must be provided to all teachers at the attendance center. Students on suspension for acts of violence or drug-related offenses cannot be within 1,000 feet of school property or any activity of the district without the authorization of the superintendent. This act expands employee immunity from correctly following discipline policies to all policies.

Current law provides that spanking, when administered by certificated personnel in a reasonable manner, is not abuse. This act provides that the use of force to protect persons or property, when administered by school district personnel in a reasonable manner, is not abuse, as long as no allegation of sexual misconduct arises and another school employee is present as a witness in the case of spanking.

Additional reporting offenses include burglary in the second degree, harassment, and stalking. (Sections 160.261, 167.115)

SCHOOL FACILITIES AND SAFETY CRITERIA: By July 1, 2011, the State Board of Education must add to any school facilities and safety criteria developed for the Missouri School Improvement Program provisions that suggest that the drills required pursuant to the standard for safe facilities occur at least annually. All staff must receive sufficient training on the security and crisis management plan. (Section 160.660)

SCHOOL VIOLENCE PREVENTION PROGRAMS: This act removes a statutory reference to section 166.260, which was previously repealed. (Section 161.650)

SCHOOL OFFICERS: The Blue Springs school board may authorize and commission school officers to enforce laws relating to crimes committed on school premises, at school activities, and on school buses as described in the act. All school officers must be licensed peace officers. School officers must abide by

school board policies and coordinate with the superintendent, or the superintendent's designee. Any crimes involving a sexual offense or any felony involving the threat or use of force will remain under the authority of the local jurisdiction. (Section 162.215)

HOMELESS CHILDREN & TRANSFER OF SCHOOL RECORDS: The act replaces the definition of "homeless children" with the federal definition when addressing residency requirements for school districts.

Current law requires a school official who enrolls a nonresident pupil to request student transfer records within forty-eight hours. This act requires a school official to request all education records deemed necessary by the school official for enrollment within two business days, including IEPs and health records. Any school district that receives a records request from another school district, private school, or parochial school must respond to the request within five business days of its receipt. In addition, school districts may report or disclose education records to other state or local officials as described in the act. (Sections 167.020 & 167.022)

REPORTABLE OFFENSES FOR STUDENTS: When a student is found to have committed a reportable offense, the school district must provide all information relating to the reportable offense to any school district to which the student transfers or enrolls. If the student is being tried as an adult, the school district must attach notice of the reportable offense to the student's permanent record and academic transcript. If the student is under the jurisdiction of the juvenile court, the school district must attach notice to the student's permanent record and academic transcript stating only that a reportable offense has been committed. (Section 167.023)

STUDENT DRESS CODE: Currently, only the St. Louis City school district may require school uniforms. This act allows any school district to require students to wear a school uniform or restrict student dress to a particular style. (Section 167.029)

STUDENT EXPULSION: A school board may expel a student upon a finding that the student has been charged, convicted or pled guilty to the commission of a felony after notice to parents or others have custodial care and after a hearing.

Current law provides that student suspension does not relieve the state or the suspended student's parents of their responsibility to educate the child. This act includes students who have received an expulsion from a public school district to those for whom the state or parents have a responsibility to educate. (Sections 167.161 & 167.164)

ADMINISTRATION OF MEDICATION OR MEDICAL SERVICES: This act exempts unqualified employees who refuse to administer medication or medical services from disciplinary action. A school district may develop a program to train employees in CPR and other lifesaving methods. Qualified employees are exempted from liability for administering medication or medical services, including CPR, when done in good faith and according to standard medical practices. Students may self-administer medication for chronic conditions. Employees trained and supervised by the school nurse are authorized to use an epinephrine auto-syringe on a student as described in the act. Trained employees administering a prefilled auto syringe are exempted from liability when acting in good faith and according to standard medical practices. (Sections 167.621, 167.624, 167.627 & 167.630)

EMPLOYEE BACKGROUND CHECKS AND FINGERPRINT RECORDS: An employee background check and fingerprint record is good for one year and transferable from district to district or to a private or parochial school. A teacher's change in certification will not affect the transferability of records. (Section 168.133)

MISSOURI CHILDREN'S SERVICES COMMISSION: The Missouri Children's Services Commission is required to recommend best practices for sharing agency information regarding students receiving state services by July 1, 2010. (Section 210.102)

This act contains provisions that are similar to or are contained in SS/SCS/HCS/HB 1722 (2008), SB 995 (2008), HCS/HB 469 (2007), SB 399 (2007).

MICHAEL RUFF

12/08/2008 Prefiled (H)
01/07/2009 Read First Time (H) (H28)
01/08/2009 Read Second Time (H) (H41)
01/22/2009 Referred: Elementary and Secondary Education (H) (H137)
01/28/2009 Public Hearing Completed (H)

02/03/2009 Executive Session Completed (H)
 02/03/2009 HCS Voted Do Pass (H)
 02/03/2009 HCS Reported Do Pass (H) (H215)
 02/03/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H215)
 02/10/2009 Rules - Executive Session Completed (H)
 02/10/2009 Rules - Voted Do Pass (H)
 02/10/2009 Rules - Reported Do Pass (H) (H281)
 02/16/2009 HCS Adopted (H) (H321)
 02/16/2009 Perfected with Amendments (H) (H319)
 02/18/2009 Third Read and Passed (H) (H345 / S330)
 02/18/2009 S First Read--HCS for HB 96 (S330)
 03/25/2009 Second Read and Referred S Education Committee (S700)
 04/22/2009 Hearing Conducted S Education Committee

EFFECTIVE: August 28, 2009

 *** HB 103 *** SCS HB 103

0356S.03C

SENATE SPONSOR: Callahan

HOUSE HANDLER: Wildberger

SCS/HB 103 - Public safety agencies are allowed to enter into mutual-aid agreements with other public and private agencies for reciprocal emergency aid.

The mutual-aid system shall be administered by the Department of Public Safety.

Responders are deemed employees of the responding political subdivision or public safety agency and are subject to the liability and workers' compensation provisions provided to them as employees of their such subdivision or agency.

The Elevator Safety Board is given the power to adopt a code of rules and regulations governing licenses of elevator mechanics and elevator contractors.

CHRIS HOGERTY

12/07/2008 Prefiled (H)
 01/07/2009 Read First Time (H) (H29)
 01/08/2009 Read Second Time (H) (H41)
 01/29/2009 Referred: Public Safety (H) (H194)
 03/03/2009 Public Hearing Completed (H)
 03/10/2009 Executive Session Completed (H)
 03/10/2009 Voted Do Pass - Consent (H)
 03/11/2009 Reported Do Pass by Consent (H) (H556)
 03/11/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H556)
 03/24/2009 Rules - Executive Session Completed (H)
 03/24/2009 Rules - Voted Do Pass - Consent (H)
 03/24/2009 Rules - Reported Do Pass Consent (H) (H635)
 03/31/2009 Perfected by Consent (H) (H820)
 04/01/2009 Third Read and Passed (H) (H887-888 / S872)
 04/01/2009 S First Read--HB 103-Wildberger, et al (S872)
 04/02/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S891)
 04/08/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee
 04/15/2009 SCS Voted Do Pass S Jobs, Economic Development and Local Government Committee (0356S.03C)
 04/16/2009 Reported from S Jobs, Economic Development and Local Government Committee to Floor w/SCS (S1051)
 04/21/2009 SS for SCS S offered (Callahan)--(0356S.05F) (S1084-1085)
 04/21/2009 SA 1 to SS for SCS S offered & defeated (Green)--(0356S05.02S) (S1085)
 04/21/2009 Bill Placed on Informal Calendar (S1085)
 04/27/2009 S Inf Calendar H Bills for Third Reading--HB 103-Wildberger, et al, with SCS & SS for SCS (pending) (Callahan)

EFFECTIVE: August 28, 2009

 *** HB 111 *** SCS HCS HB 111

0668S.04C

SENATE SPONSOR: Crowell

HOUSE HANDLER: Day

SCS/HCS/HB 111 - This act provides funeral homes, funeral directors, embalmers, and their employees with immunity from liability in disposing of a veteran's cremated remains to a veterans' service organization. This immunity only applies if: 1)the remains have been in the possession of the funeral establishment for at least a year; 2)the establishment gives written notice to the person or other funeral establishment who contracted for the cremation, or publishes notice in a newspaper if the address of the person or other funeral establishment that contracted for the cremation is unknown; and 3) the person or other funeral establishment who contracted for the cremation does not claim the remains within thirty days of the mailing of the written notice or within four months of the date of the first publication of notice.

Veterans' service organizations who receive cremated remains of a veteran are not liable for simple negligence if they do not have reason to know that the remains do not satisfy the notice requirements of this act and if they inter the remains and do not scatter the remains. The veterans' service organization shall take all reasonable steps to inter the remains in a veterans' cemetery.

This act contains a provision that is similar to a provision in HCS/HB 427.

EMILY KALMER

12/11/2008 Prefiled (H)
 01/07/2009 Read First Time (H) (H29)
 01/08/2009 Read Second Time (H) (H41)
 01/22/2009 Referred: Veterans (H) (H137)
 01/27/2009 Public Hearing Completed (H)
 01/27/2009 Executive Session Completed (H)
 01/27/2009 HCS Voted Do Pass - Consent (H)
 01/28/2009 HCS Reported Do Pass by Consent (H) (H187)
 01/28/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H187)
 02/02/2009 Rules - Executive Session Completed (H)
 02/02/2009 Rules - Voted Do Pass - Consent (H)
 02/02/2009 Rules - Reported Do Pass Consent (H) (H207)
 02/10/2009 Perfected by Consent - Pursuant to House Rules (H) (H281)
 03/10/2009 Third Read and Passed (H) (H529 / S571)
 03/10/2009 S First Read--HCS for HB 111 (S571)
 03/25/2009 Second Read and Referred S Veterans' Affairs, Pensions and Urban Affairs Committee (S700)
 04/09/2009 Hearing Conducted S Veterans' Affairs, Pensions and Urban Affairs Committee
 04/09/2009 SCS Voted Do Pass S Veterans' Affairs, Pensions and Urban Affairs Committee (0668S.04C) - Consent
 04/09/2009 Reported from S Veterans' Affairs, Pensions and Urban Affairs Committee to Floor w/SCS - Consent (S982)
 04/20/2009 SCS S adopted (S1065)
 04/20/2009 S Third Read and Passed - Consent (S1065 / H1143)
 04/27/2009 H Calendar H Bills with S Amendments (SCS)

EFFECTIVE: August 28, 2009

*** HB 116 ***

0694L.01P

HOUSE HANDLER: Hoskins

HB 116 - This act expands the crime of assault of a law enforcement officer, emergency personnel, or probation and parole officer in the first, second, or third degree to include a transit operator or an employee of a mass transit system while on duty or in operation of his or her official vehicle.

Juvenile officers, deputy juvenile officers, drug court commissioner-judges, family court commissioner-judges, and administrative law judges are added to the list of individuals who are considered a judicial officer for the purposes of the crime of tampering with a judicial officer.

SUSAN HENDERSON MOORE

12/16/2008 Prefiled (H)
 01/07/2009 Read First Time (H) (H29)
 01/08/2009 Read Second Time (H) (H41)
 01/29/2009 Referred: Special Standing Committee on Urban Issues (H) (H195)
 02/09/2009 Public Hearing Completed (H)

02/23/2009 Executive Session Completed (H)
 02/23/2009 Voted Do Pass (H)
 02/24/2009 Reported Do Pass (H) (H386)
 02/24/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H386)
 03/12/2009 Rules - Executive Session Completed (H)
 03/12/2009 Rules - Voted Do Pass (H)
 03/12/2009 Rules - Reported Do Pass (H) (H595)
 03/31/2009 Perfected with Amendments (H) (H814)
 04/02/2009 Third Read and Passed (H) (H912-913 / S890)
 04/02/2009 S First Read--HB 116-Hoskins (S890)
 04/08/2009 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S947)
 04/14/2009 Hearing Scheduled But Not Heard S Judiciary and Civil and Criminal Jurisprudence Committee
 04/22/2009 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2009

*** HB 124 *** HCS HB 124

0220L.02P

HOUSE HANDLER: Komo

HCS/HB 124 - This act extends the expiration date of the Joint Committee on Terrorism, Bioterrorism, and Homeland Security from December 31, 2009, to December 31, 2011, and expands the scope of the committee to include making a continued study of the feasibility of compiling information relevant to immigration enforcement issues.

CHRIS HOGERTY

12/17/2008 Prefiled (H)
 01/07/2009 Read First Time (H) (H30)
 01/08/2009 Read Second Time (H) (H41)
 02/05/2009 Referred: Homeland Security (H) (H258)
 02/16/2009 Public Hearing Completed (H)
 02/23/2009 Executive Session Completed (H)
 02/23/2009 HCS Voted Do Pass - Consent (H)
 02/24/2009 HCS Reported Do Pass by Consent (H) (H385)
 02/24/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H385)
 03/03/2009 Rules - Executive Session Completed (H)
 03/03/2009 Rules - Voted Do Pass - Consent (H)
 03/03/2009 Rules - Reported Do Pass Consent (H) (H449)
 03/10/2009 Perfected by Consent (H) (H538)
 03/12/2009 Third read and passed (H) (H588 / S630)
 03/12/2009 S First Read--HCS for HB 124 (S630)
 03/26/2009 Second Read and Referred S General Laws Committee (S781)
 04/14/2009 Hearing Conducted S General Laws Committee
 04/14/2009 Voted Do Pass S General Laws Committee - Consent
 04/14/2009 Reported from S General Laws Committee to Floor - Consent (S1005)
 04/27/2009 S Consent Calendar--HCS for HB 124 (McKenna)

EFFECTIVE: August 28, 2009

*** HB 128 *** HCS HBs 128 & 340

0535L.03P

SENATE SPONSOR: Scott

HOUSE HANDLER: Cunningham

HCS/HBs 128 & 340 - This act requires any state agency, public school, public institution of higher education, or political subdivision to use the traditional name of any holiday that such public body observes or recognizes. Such holidays include, but are not limited to, "New Year's Day", "Martin Luther King, Jr. Day", "Lincoln's Birthday", "Washington's Birthday", "Easter", "Truman Day", "Columbus Day", "Veterans Day", "Thanksgiving Day", "Hanukkah", "Christmas", and "Kwanzaa".

This act also designates every December 25th to be known as "Christmas".

JIM ERTLE

12/18/2008 Prefiled (H)
 01/07/2009 Read First Time (H) (H30)
 01/08/2009 Read Second Time (H) (H41)
 02/12/2009 Referred: Tourism (H) (H309)

02/18/2009 Public Hearing Completed (H)
 03/05/2009 Executive Session Completed (H)
 03/05/2009 HCS Voted Do Pass - Consent (H)
 03/10/2009 HCS Reported Do Pass by Consent (H) (H535)
 03/10/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H535)
 03/24/2009 Rules - Executive Session Completed (H)
 03/24/2009 Rules - Voted Do Pass - Consent (H)
 03/24/2009 Rules - Reported Do Pass Consent (H) (H635)
 03/31/2009 Perfected by Consent (H) (H820)
 04/01/2009 Third read and passed (H) (H855-856 / S866)
 04/01/2009 S First Read--HCS for HBs 128 & 340 (S866)
 04/02/2009 Second Read and Referred S General Laws Committee (S891)
 04/14/2009 Hearing Conducted S General Laws Committee
 04/14/2009 Voted Do Pass S General Laws Committee - Consent
 04/14/2009 Reported from S General Laws Committee to Floor - Consent (S1005)
 04/20/2009 Removed S Consent Calendar (S1069)
 04/23/2009 Reported from S General Laws Committee to Floor (S1192)
 04/27/2009 S Formal Calendar H Bills for Third Reading--HCS for HBs 128 & 340 (Scott)

EFFECTIVE: August 28, 2009

*** HB 132 ***

0531L.01P

SENATE SPONSOR: McKenna

HOUSE HANDLER: Fallert

HB 132 - This act allows certain charitable, fraternal, religious, service, or veterans' organizations that are exempt from federal taxes and have a license to sell intoxicating liquor by the drink on their premises to open on Sundays at 9:00 a.m. instead of 11:00 a.m.

SUSAN HENDERSON MOORE

12/18/2008 Prefiled (H)
 01/07/2009 Read First Time (H) (H30)
 01/08/2009 Read Second Time (H) (H41)
 01/29/2009 Referred: Local Government (H) (H195)
 02/18/2009 Public Hearing Completed (H)
 03/04/2009 Executive Session Completed (H)
 03/04/2009 Voted Do Pass - Consent (H)
 03/04/2009 Reported Do Pass by Consent (H) (H465)
 03/04/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H465)
 03/10/2009 Rules - Executive Session Completed (H)
 03/10/2009 Rules - Voted Do Pass - Consent (H)
 03/10/2009 Rules - Reported Do Pass Consent (H) (H536)
 03/24/2009 Perfected by Consent (H) (H639)
 03/30/2009 Third Read and Passed (H) (H785 / S828)
 03/31/2009 Reported to the Senate and First Read (S) (S828)
 03/31/2009 S First Read--HB 132-Fallert, et al (S828)
 04/01/2009 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S854)
 04/14/2009 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee
 04/14/2009 Voted Do Pass S Commerce, Consumer Protection, Energy and the Environment Committee
 04/23/2009 Reported from S Commerce, Consumer Protection, Energy and the Environment Committee to Floor (S1193)
 04/27/2009 S Formal Calendar H Bills for Third Reading--HB 132-Fallert, et al (McKenna)

EFFECTIVE: August 28, 2009

*** HB 148 *** SCS#2 HCS HB 148

0386S.05C

SENATE SPONSOR: Griesheimer

HOUSE HANDLER: Franz

SCS#2/HCS/HB 148 - This act modifies laws regarding property taxation by requiring tax rate rollbacks by school districts in reassessment years. For tax year 2009, political subdivisions are authorized to levy a property tax rate sufficient to generate as much revenue as was produced in the 2007 tax year excluding new construction and improvements as long as such rate does not exceed the greater of the rate in effect for the 1984 tax year or the most recent voter approved rate. Under current law, if a political subdivision experiences

a decrease in assessed value, such political subdivision may roll-up its tax rate to the highest rate in effect since the 1984 tax year in order to collect the same amount of tax revenue from the previous year. If such a political subdivision is a school district, it may roll-up to the highest rate in effect since the 1980 tax year. After January 1, 2014, this act prohibits all political subdivisions, including school districts, which experience a decrease in assessed value will no longer be able to roll-up their tax rate beyond the most recently voter-approved tax rate.

This act allows certain counties of the first and second classification to collect property taxes using electronic records and disbursements. County collectors of these counties are required by the fifteenth day of each month to file, with the county clerk and auditor, a detailed statement of all taxes and license fees collected during the preceding month. Taxing authorities will be required to request notification of current taxes paid under protest by February 1, and county collectors must provide the information by March 1.

Currently, in counties without a charter form of government the collector collects a seven percent fee for the collection of delinquent taxes. In counties with a charter form of government and St. Louis City, the collector collects a two percent fee for the collection of such taxes. Under this act, in counties adopting a charter form of government after January 1, 2008, the collector shall collect a seven percent fee for the collection of delinquent taxes, while the collector in counties adopting a charter form of government before January 1, 2008, shall collect a two percent fee. The provisions contained in a county's charter authorizing the collection of a fee for the collection of back taxes which conflict with state law will control.

Currently, all counties, except counties with a charter form of government excluding St. Charles County, are required to establish a "Tax Maintenance Fund" to be used solely as a depository for funds received or collected for the purpose of funding additional costs and expenses incurred in the collector's office. Under this act, counties adopting a charter form of government after January 1, 2008, shall be required to establish such a fund as well.

In the event a county of the third or fourth classification abolishes its township organization or the county collect becomes a collector-treasurer, the collector treasurer shall assume all duties, compensation, and requirements of the collector-treasurer.

JASON ZAMKUS

12/18/2008 Prefiled (H)
01/07/2009 Read First Time (H) (H31)
01/08/2009 Read Second Time (H) (H41)
01/29/2009 Referred: Local Government (H) (H195)
02/04/2009 Public Hearing Completed (H)
02/25/2009 Executive Session Completed (H)
02/25/2009 HCS Voted Do Pass - Consent (H)
02/25/2009 HCS Reported Do Pass by Consent (H) (H401)
02/25/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H401)
03/03/2009 Rules - Executive Session Completed (H)
03/03/2009 Rules - Voted Do Pass - Consent (H)
03/03/2009 Rules - Reported Do Pass Consent (H) (H449)
03/10/2009 Perfected by Consent (H) (H538)
03/12/2009 Third Read and Passed (H) (H578 / S628)
03/12/2009 S First Read--HCS for HB 148 (Griesheimer) (S628)
03/26/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S781)
04/01/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee
04/08/2009 SCS Voted Do Pass S Jobs, Economic Development and Local Government Committee (0386S.04C) - Consent
04/09/2009 Reported from S Jobs, Economic Development and Local Government Committee to Floor w/SCS - Consent (S982)
04/14/2009 Removed S Consent Calendar
04/15/2009 Motion to reconsider consent vote - adopted S Jobs, Economic Development and Local Government Committee
04/15/2009 Motion to reconsider do pass vote - adopted S Jobs, Economic Development and Local Government Committee
04/15/2009 Motion to reconsider SCS vote - adopted S Jobs, Economic Development and Local Government Committee
04/15/2009 SCS#2 Voted Do Pass S Jobs, Economic Development and Local Government Committee (0386S.05C) - Consent

04/15/2009 Reported from S Jobs, Economic Development and Local Government Committee to Floor
w/SCS#2 - Consent (S1034)
04/23/2009 SCS#2 S adopted (S1181)
04/23/2009 S Third Read and Passed - Consent (S1181-1182 / H1259)
04/27/2009 H Calendar H Bills with S Amendments (SCS#2)

EFFECTIVE: August 28, 2009

*** HB 152 *** HCS HB 152

0344L.02P

SENATE SPONSOR: Bartle

HOUSE HANDLER: Ruestman

HCS/HB 152 - This act expands the DNA profiling system by requiring any person 17 years of age or older who is arrested for first degree burglary, second degree burglary, or a felony under Chapter 565, 566, or 568, RSMo. Under this act, persons required to provide a biological sample may be required to do so upon booking at a county jail or detention facility. Within 90 days of warrant refusal, the arresting agency must notify the Highway Patrol crime laboratory, which must expunge all the DNA records and destroy the sample unless the Patrol determines that the person is otherwise obligated to submit a sample.

SUSAN HENDERSON MOORE

12/19/2008 Prefiled (H)
01/07/2009 Read First Time (H) (H31)
01/08/2009 Read Second Time (H) (H41)
01/29/2009 Referred: Judiciary (H) (H195)
02/25/2009 Public Hearing Completed (H)
03/09/2009 Executive Session Completed (H)
03/09/2009 HCS Voted Do Pass (H)
03/10/2009 HCS Reported Do Pass (H) (H534)
03/10/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H534)
04/02/2009 Rules - Executive Session Completed (H)
04/02/2009 Rules - Voted Do Pass (H)
04/02/2009 Rules - Reported Do Pass (H) (H924)
04/15/2009 HCS Adopted (H)
04/15/2009 Perfected with Amendments (H)
04/15/2009 Referred: Fiscal Review (H)
04/16/2009 Executive Session Completed (H)
04/16/2009 Voted Do Pass (H)
04/16/2009 Reported Do Pass (H) (H1085)
04/16/2009 Third read and passed (H) (H1095-1096 / S1055)
04/16/2009 S First Read--HCS for HB 152 (S1055)
04/21/2009 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S1092)
04/22/2009 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2009

*** HB 154 *** HCS HB 154

0778L.04P

SENATE SPONSOR: Shields

HOUSE HANDLER: Ruestman

SS/HCS/HB 154 - EMERGENCY PLACEMENT OF GRANDCHILDREN -

This act provides that when an initial emergency placement of a child is deemed necessary by the juvenile or family court, the Children's Division within the Department of Social Services must immediately begin diligent efforts to locate, contact, and place the child with a grandparent of the child. Diligent efforts are defined in the act, and such efforts shall be made to contact the grandparent within twenty-four hours from the time the emergency placement is deemed necessary. During such twenty-four hour period, the child may be placed in an emergency placement. If a grandparent cannot be located within the twenty-four hour period, the child may be temporarily placed in emergency placement. However, after such placement was made the division shall still make diligent efforts to contact the grandparent and place the child with a grandparent or another relative, with first consideration given to a grandparent. Prior to any emergency placement of the child the division shall assure that the child's physical needs are met.

Placement shall not be made with the grandparent when the division determines that the placement would not be in the best interests of the child. The placement with a grandparent shall also be subject to an emergency placement background check. The division shall document the reason why placing the child with a grandparent is deemed to not be in the interest of the child.

If more than one grandparent requests consideration for placement, the family support team shall make recommendations to the juvenile or family court about which grandparent or grandparents should be considered for placement or joint placement.

When a court determines that a child must be placed in a foster home, the division must make diligent efforts to locate the grandparents of the child and determine if they wish to be considered for placement of the child.

A grandparent or other relative may on a case-by-case basis have standards for licensure not related to safety waived for specific children in the care that would otherwise impede licensing of the grandparent's or relative's home.

Nothing in the act shall be construed to interfere with or supercede laws related to parental rights or judicial authority. (Sections 210.305 and 210.565)

GUARDIAN AD LITEM

This act requires the guardian ad litem to ascertain the child's wishes and feelings about potential foster care placement or adoption by conducting an interview or interviews with the child, if appropriate based on the child's age and maturity level. The child's wishes and feelings shall be considered as a factor when the children's division makes decisions and recommendations regarding foster care placement, and shall be considered by the court as a factor in determining if adoption is in the child's best interests. Such consideration shall not supersede the preference for placement with relatives. (Section 210.565 and 453.030.)

PARENTS' BILL OF RIGHTS

This act requires the Department of Elementary and Secondary Education to produce "The Parents' Bill of Rights," to inform parents of children with an individualized education program of their educational rights under federal and state law by January 1, 2010. The publication must state it does not confer any right or rights beyond those conferred by federal or state law. In addition, the publication must state that it is only for informational purposes. The publication must contain ten points of information, which are described in the act. The Department of Elementary and Secondary Education must post a copy of it on its website.

Each school district must provide a copy of "The Parents' Bill of Rights" upon initial referral for evaluation and at any such time as a school district is required under state or federal law to provide the parent or parents with notice of procedural safeguards.

This section is substantially similar to SCS/SB 175 (2009) and to a provision in SS/SB 291 (2009). (Section 161.850)

STANDBY GUARDIANSHIP

This act provides that the custodial parent of a minor, or the parent of an incapacitated person who has been appointed guardian of such person, may designate a person to act as a standby guardian of the minor or the incapacitated person by a will or by a separate written instrument.

If a parent who has designated a standby guardian is or becomes seriously ill, the parent or designated standby guardian may file a petition in probate court seeking appointment of the person as the standby guardian of the minor or the incapacitated person. The petition must be filed with a copy of the will or the written instrument designating the standby guardian, with consent to act as standby guardian by the person so designated.

The petition also must contain certain identifying and contact information for the minor or incapacitated person, the custodial parent and designated standby guardian, each parent of the minor or incapacitated person, the spouse and all living children of the minor or incapacitated person, information about any adjudication of incapacity for person, and the reasons why a standby guardian is sought.

The court shall determine appointment of a standby guardian after considering whether there is a parent other than the custodial parent willing, able and fit to care for the person, the suitability of any person nominated by the minor or incapacitated person to be standby guardian if the minor or incapacitated person can communicate such, and the desirability of minimizing stress and disruption and avoiding placement of the minor or incapacitated person in foster or similar care if the parent becomes incapacitated or dies.

The act also states that the authority of the person to act as standby guardian shall take effect if the person has previously been appointed by the court as a standby guardian, or, if the person has not yet been appointed, if the consent of the parent is given in a written instrument, if an entry of an order adjudicating the parent as incapacitated has been entered, or if the custodial parent dies, whichever first occurs. The standby guardian must notify the court within ten days after he or she begins acting as standby guardian, and within sixty days, must petition the court for appointment as a standby guardian or for another qualified person to be guardian for the minor or incapacitated person.

Nothing within this act shall be construed to deprive a parent of his or her legal rights or obligations towards a minor or incapacitated person, or to supersede such rights.

These provisions are similar to SB 54 (2009), SB 596 (2006), SCS/SB 35 (2007) and SCS/SB 745 (2008).

CHILD CARE SUBSIDIES

This act provides that the Children's Division within the Department of Social Services shall develop rules to become effective by July 1, 2010, modifying the income eligibility criteria for any person receiving state-funded child care assistance, either through vouchers or direct reimbursement to child care providers.

Eligible child care recipients under state law and regulation may pay a fee based on gross income and family size unit based on a child care sliding scale fee established by the Children's Division, which is subject to appropriations. However, a person receiving state-funded child care assistance whose income surpasses the annual appropriation level may continue to receive reduced subsidy benefits on a scale established by the Children's Division until such person's income reaches 45 percent above such annual appropriation level, at which time such person will have assumed the full cost of the maximum base child care subsidy benefits. "Annual appropriation level" is defined as the percentage of the federal poverty level for the applicable family size necessary to be eligible for the child care subsidy as determined by annual appropriation.

The sliding scale fee may be waived for children with special needs as established by the division. The maximum payment by the division shall be the applicable rate minus the applicable fee.

These provisions are similar to SS/SCS/SB 94 (2009), SCS/SB 776 (2008) and SCS/SB 260 and 71 (2007). (SECTION 208.046)

ADRIANE CROUSE

12/22/2008 Prefiled (H)
01/07/2009 Read First Time (H) (H32)
01/08/2009 Read Second Time (H) (H41)
01/29/2009 Referred: Senior Citizen Advocacy (H) (H195)
02/04/2009 Public Hearing Completed (H)
02/18/2009 Executive Session Completed (H)
02/18/2009 HCS Voted Do Pass - Consent (H)
02/23/2009 HCS Reported Do Pass by Consent (H) (H370)
02/23/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H370)
03/03/2009 Rules - Executive Session Completed (H)
03/03/2009 Rules - Voted Do Pass - Consent (H)
03/03/2009 Rules - Reported Do Pass Consent (H) (H449)
03/10/2009 Perfected by Consent (H) (H538)
03/12/2009 Third Read and Passed (H) (H579 / S628)
03/12/2009 S First Read--HCS for HB 154 (S628-629)
03/26/2009 Second Read and Referred S General Laws Committee (S781)
04/07/2009 Hearing Conducted S General Laws Committee
04/14/2009 Voted Do Pass S General Laws Committee - Consent
04/14/2009 Reported from S General Laws Committee to Floor - Consent (S1005)
04/15/2009 Removed S Consent Calendar (S1037)
04/16/2009 Reported from S General Laws Committee to Floor (S1052)
04/21/2009 SS S offered (Shields)--(0778S.05F) (S1108)
04/21/2009 SA 1 to SS S offered & adopted (Barnitz)--(0778S05.04S) (S1108)
04/21/2009 SA 2 to SS S offered & adopted (Justus)--(8225S09.01S) (S1108-1110)
04/21/2009 SA 3 to SS S offered & adopted (Justus)--(0778S05.01S) (S1110-1111)
04/21/2009 SA 4 to SS S offered & adopted (Days)--(0778S05.03S) (S1111-1116)
04/21/2009 SA 5 to SS S offered & adopted (Bray)--(0778S05.08S) (S1116-1117)

04/21/2009 SA 6 to SS S offered & adopted (Barnitz)--(0778S05.05S) (S1117-1119)
 04/21/2009 SS, as amended, S adopted (S1119)
 04/21/2009 Referred S Governmental Accountability & Fiscal Oversight Committee (S1119)
 04/27/2009 S Inf Calendar H Bills for Third Reading--SS for HCS for HB 154 (Shields) (In Fiscal Oversight)

EFFECTIVE: August 28, 2009

*** HB 156 ***

0424L.01P

HOUSE HANDLER: Nance

HB0156 Nance, Bob Ruestman, Marilyn

P E R F E C T E D

HB 156 -- SUPPLEMENTAL FOOD STAMP ASSISTANCE (Nance)

COMMITTEE OF ORIGIN: Committee on Senior Citizen Advocacy

This bill authorizes the Family Support Division within the Department of Social Services to assist elderly individuals who qualify for the federal Food Stamp Program in obtaining supplemental food stamps. Subject to appropriations, households of one or two elderly individuals who are at least 65 years of age will be entitled to receive supplemental assistance.

Qualified households consisting of one eligible elderly individual will receive supplemental assistance; however, the benefit combined with the aid the individual receives under the federal program cannot exceed \$30 per month. Qualified households of two eligible elderly individuals cannot receive combined assistance exceeding \$60 per month.

The provisions of the bill will expire August 28, 2011.

FISCAL NOTE: Estimated Cost on General Revenue Fund of \$2,847,080 in FY 2010, \$2,751,120 in FY 2011, and \$458,520 in FY 2012. No impact on Other State Funds in FY 2010, FY 2011, and FY 2012.

12/22/2008 Prefiled (H)
 01/07/2009 Read First Time (H) (H32)
 01/08/2009 Read Second Time (H) (H41)
 01/29/2009 Referred: Senior Citizen Advocacy (H) (H195)
 02/18/2009 Public Hearing Completed (H)
 03/11/2009 Executive Session Completed (H)
 03/11/2009 Voted Do Pass (H)
 03/31/2009 Reported Do Pass (H) (H820)
 03/31/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H820)
 04/14/2009 Rules - Executive Session Completed (H)
 04/14/2009 Rules - Voted Do Pass (H)
 04/14/2009 Rules - Reported Do Pass (H) (H1041)
 04/21/2009 Perfected (H) (H1156)
 04/21/2009 Referred: Fiscal Review (H) (H1194)
 04/23/2009 Executive Session Completed (H)
 04/23/2009 Voted Do Pass (H)
 04/23/2009 Reported Do Pass (H)
 04/23/2009 Third Read and Passed (H) (H1239-1240 / S1195)
 04/23/2009 S First Read--HB 156-Nance and Ruestman (S1195)

*** HB 170 ***

0772L.01P

HOUSE HANDLER: Cox

HB 170 - This act creates the "Business Premises Safety Act." The act provides that business owners or operators shall not restrict any person from lawfully possessing a firearm in a motor vehicle, except for a motor vehicle owned or leased by such business.

The act also provides that business owners or operators have no duty to guard against the criminal acts of a third party, unless they know or have reason to know that the criminal acts are occurring or are about to occur on the premises, or if the same criminal acts have occurred on the premises within the prior 24 months.

A business also has no duty to implement security measure for the protection of its customers, but shall determine if such measures shall be implemented by considering the magnitude of the burden to the business and the foreseeability of the injury to be prevented. If past criminal activities have occurred, evidence of remedial action shall be inadmissible to show prior negligence.

Business owners or operators shall not be liable for injury or damage resulting from compliance with the

provisions of this act.

This act is similar to SB 3 (2009), HB 1383 (2008), and SB 1286 (2008).

EMILY KALMER

12/23/2008 Prefiled (H)
 01/07/2009 Read First Time (H) (H33)
 01/08/2009 Read Second Time (H) (H41)
 01/29/2009 Referred: Special Standing Committee on General Laws (H) (H195)
 02/10/2009 Public Hearing Completed (H)
 02/17/2009 Executive Session Completed (H)
 02/17/2009 Voted Do Pass (H)
 03/09/2009 Reported Do Pass (H) (H516)
 03/09/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H516)
 04/02/2009 Rules - Executive Session Completed (H)
 04/02/2009 Rules - Voted Do Pass (H)
 04/02/2009 Rules - Reported Do Pass (H) (H924)
 04/15/2009 Perfected (H) (H1069)
 04/16/2009 Third Read and Passed (H) (H1106 / S1076)
 04/20/2009 S First Read--HB 170-Cox, et al (S1076)
 04/23/2009 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S1194)
 04/27/2009 Hearing Scheduled S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2009

*** HB 171 *** SCS HB 171

0773S.02C

SENATE SPONSOR: Stouffer

HOUSE HANDLER: Cox

SCS/HB 171 - In the absence of a written contract to the contrary, a tenant is not liable for rent payments during the remainder of the term of a lease agreement when his or her residence is destroyed by an act of God or other natural or man-made disaster, provided the tenant was not the cause of the disaster.

STEPHEN WITTE

12/23/2008 Prefiled (H)
 01/07/2009 Read First Time (H) (H33)
 01/08/2009 Read Second Time (H) (H41)
 01/22/2009 Referred: Judiciary (H) (H137)
 02/04/2009 Public Hearing Completed (H)
 02/11/2009 Executive Session Completed (H)
 02/11/2009 HCS Voted Do Pass (H)
 02/16/2009 HCS Reported Do Pass (H) (H321)
 02/16/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H)
 02/24/2009 Rules - Executive Session Completed (H)
 02/24/2009 Rules - Voted to Return to Committee of Origin (H)
 02/24/2009 Rules - Returned to the Committee of Origin (H) (H389)
 03/09/2009 Executive Session Completed (H)
 03/09/2009 Voted Do Pass - Consent (H)
 03/10/2009 Reported Do Pass by Consent (H) (H534)
 03/10/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H534)
 03/24/2009 Rules - Executive Session Completed (H)
 03/24/2009 Rules - Voted Do Pass - Consent (H)
 03/24/2009 Rules - Reported Do Pass Consent (H) (H635)
 03/31/2009 Perfected by Consent (H) (H820)
 04/01/2009 Third Read and Passed (H) (H868-869 / S869)
 04/01/2009 S First Read--HB 171-Cox, et al (S869)
 04/02/2009 Second Read and Referred S General Laws Committee (S891)
 04/14/2009 Hearing Conducted S General Laws Committee
 04/14/2009 SCS Voted Do Pass S General Laws Committee (0773S.02C) - Consent
 04/14/2009 Reported from S General Laws Committee to Floor w/SCS - Consent (S1005)
 04/22/2009 SCS S adopted (S1153)
 04/22/2009 S Third Read and Passed - Consent (S1153 / H1220)
 04/27/2009 H Calendar H Bills with S Amendments (SCS)

EFFECTIVE: August 29, 2009

*** HB 177 ***

SCS HCS HB 177 & HCS HB 622

0599S.05C

HOUSE HANDLER: Cox

SCS/HCS/HB 177 & HCS/HB 622 - Currently, any identifying information in a court record that could be used to identify the victim of sexual assault, domestic assault, stalking, or rape shall be closed and redacted prior to public disclosure. This act gives the judge presiding in such cases discretion to publicly disclose information regarding the defendant, which could be used to identify the victim. The victim may provide the court with a statement regarding whether he or she wishes such information to remain closed. The judge shall consider the welfare and safety of the victim and the victim's statement when deciding to disclose the information.

SUSAN HENDERSON MOORE

12/23/2008 Prefiled (H)
 01/07/2009 Read First Time (H) (H33)
 01/08/2009 Read Second Time (H) (H41)
 01/29/2009 Referred: Judiciary (H) (H195)
 02/25/2009 Public Hearing Completed (H)
 03/09/2009 Executive Session Completed (H)
 03/09/2009 HCS Voted Do Pass - Consent (H)
 03/10/2009 HCS Reported Do Pass by Consent (H) (H535)
 03/10/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H535)
 03/24/2009 Rules - Executive Session Completed (H)
 03/24/2009 Rules - Voted Do Pass - Consent (H)
 03/24/2009 Rules - Reported Do Pass Consent (H) (H636)
 03/31/2009 Perfected by Consent (H) (H820)
 04/01/2009 Third Read and Passed (H) (H867-868 / S868)
 04/01/2009 S First Read--HCS for HB 177 (S868)
 04/02/2009 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S891)
 04/14/2009 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee
 04/14/2009 SCS Voted Do Pass (w/SCS/HCS/HB 177 & HCS/HB 622) S Judiciary and Civil and Criminal Jurisprudence Committee (0599S.05C) - Consent
 04/15/2009 Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor w/SCS - Consent (S1022)
 04/20/2009 Removed S Consent Calendar (S1069)
 04/23/2009 Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor w/SCS (S1191)
 04/27/2009 S Formal Calendar H Bills for Third Reading--HCS for HB 177 & HCS for HB 622, with SCS

EFFECTIVE: August 28, 2009

*** HB 187 ***

HCS HB 187 & 235

0705L.04P

SENATE SPONSOR: Bartle

HOUSE HANDLER: Flook

HCS/HB 187 & 235 - This act changes various laws regarding business filings with the Secretary of State, paternity records, landlord-tenant issues, child custody, child support, firearm possession, court fees, court reports, court organization, court costs, comparative fault, court procedures, court records, and division of developmental disabilities contracts.

SECRETARY OF STATE

(Sections 28.160, 41.950, 347.179, 347.183, 351.047, 351.120, 351.122, 351.125, 351.145, 351.155, 351.484, 351.592, 351.594, 351.598, 351.602, 351.690, 355.016, 355.021, 355.066, 355.071, 355.176, 355.688, 355.706, 355.796, 355.806, 355.811, 355.821, 355.856, 355.857, 356.211, 359.681)

The Secretary of State is given the rulemaking authority to establish fees for special handling in connection with filing documents, issuing certificates, and other services performed by the office, including expedited filing. These fees shall approximate the estimated cost of special handling, not to exceed \$300 per document. Special handling cannot disrupt or delay the process of normal handling of documents. (Section 28.160)

The Secretary of State is required to charge a \$45 fee for limited liability companies that file their original articles of organization online, rather than the \$100 fee otherwise required for filing original articles of organization. (Section 347.179)

The Secretary of State is given the power to administratively cancel articles of organization of a limited liability company(LLC) or a certificate of limited partnership (LP) when the time frame listed for the duration of the LLC or LP expires, the secretary sends notice, and the LLC or LP does not file an amendment.

The Secretary of State is allowed to administratively reinstate the LLC or LP's status. This reinstatement will relate back to the date of the administrative cancellation.

The secretary's power to administratively reinstate cancelled articles or organization for a LLC or a cancelled certificate of limited partnership for a LP will apply to any LLC or LP whose articles of organization or certificate was cancelled because the time frame listed for the duration of the LLC or LP expired after August 28, 2003. (Sections 347.183, 359.681)

Effective January 1, 2010, corporations have the option to change the month in which they file their corporate registration report. (Section 351.120).

Effective January 1, 2010, corporations also have the option of filing corporate registration reports every two years, instead of annually. (Section 351.122, 355.857).

If the corporate registration report is not filed within 90 days of its due date, the secretary of state may proceed with administrative dissolution of the corporation. (Section 351.125, 351.484, 355.706).

References to annual reports filed with the Secretary of State are changed to reflect the fact that these reports may not be required to be filed annually. (Section 41.950, 351.047, 351.145, 351.155, 351.592, 351.594, 351.598, 351.602, 351.690, 355.016, 355.021, 355.066, 355.071, 355.176, 355.688, 355.796, 355.806, 355.811, 355.821, 355.856, 356.211)

Portions of these sections are similar to HB 219 (2009), HB 292 (2009), and HCS/SB 262.

VOLUNTARY ACKNOWLEDGMENT OF PATERNITY (Section 193.087, 193.215, 454.445)

These sections specify that a voluntary acknowledgment of paternity is not a public record. Upon payment of a fee established by the department of health and senior services, a copy shall be provided by the state registrar to the child's mother, the father listed on the birth record, and an attorney representing the mother or the alleged father. The department of health and senior services is given rulemaking authority to establish a fee for making a copy of an affidavit acknowledging paternity.

This section is similar to portions of HCS/SB 262 (2009).

TENANTS LIABILITY FOR RENT (Section 441.645)

This section specifies that a tenant is not liable for rent during the remainder of the lease agreement, if a residence is destroyed by an act of God, such as a tornado or fire, or other natural or man-made disaster, as long as the tenant did not cause the disaster.

This section is identical to HB 171 (2009) and HCS/SB 262 (2009) and similar to SCS/HB 171 (2009).

FAMILY ACCESS ORDER (Section 452.400)

This section specifies that a family access order may be filed for any order relating to the establishment or modification of custody or visitation of a minor child, including any divorce order, modification order, third-party custody or visitation order, or paternity order.

This section is identical to a portion of HCS/SB 262 (2009).

COURT APPOINTED SPECIAL ADVOCATES (Section 452.423)

This section removes a provision allowing the court to appoint volunteer advocates to assist the guardian

ad litem in performing their duties for the court in proceedings for child custody, dissolution of marriage, or legal separation, where custody, visitation, or support of a child is a contested issue.

INTERNATIONAL CHILD ABDUCTION (Sections 452.426, 452.427, 452.428)

These provisions allow the court in certain proceedings to take measures to protect a child from risk of abduction by a parent if credible evidence is presented to the court indicating a potential risk of international abduction. The court is required to consider specific evidence in determining whether there is a risk of international abduction. If the court finds credible evidence of risk of abduction, the court is required to consider particular additional evidence and may consider certain other evidence to evaluate the risk. If the court finds it is necessary to take measures to protect a child from international abduction by a parent, the court is authorized to take particular steps, including appointing a person other than the parent as sole custodian, requiring supervised visitation, issuing certain injunctions, requiring the parent execute a bond, authorize law enforcement agencies to take measures to prevent the abduction of the child, and include specific provisions in the court's order.

These provisions are similar to HB 403 (2009).

UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT (Sections 452.700, 452.705, 452.710, 452.715, 452.720, 452.725, 452.730, 452.735, 452.740, 452.745, 452.747, 452.750, 452.755, 452.760, 452.762, 452.765, 452.770, 452.775, 452.780, 452.782, 452.785, 452.795, 452.800, 452.805, 452.810, 452.815, 452.820, 452.825, 452.830, 452.835, 452.840, 452.845, 452.850, 452.855, 452.865, 452.870, 452.875, 452.880, 452.885, 452.890, 452.900, 452.905, 452.910, 452.915, 452.920, 452.930)

These sections establish the Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) to replace the current Uniform Child Custody Jurisdiction Act. These sections limit child custody jurisdiction to one state, avoids competing orders, and provide enforcement provisions for child custody orders. This act establishes orders of priority and guidance on issues regarding establishing initial custody determinations, continuing jurisdiction, modification of custody determination, and emergency orders.

The UCCJEA establishes an order of priority for determining which state has proper jurisdiction to make an initial determination of child custody. The order of priority includes a determination of (1) the child's home state, (2) the state in which the child and at least one parent have a significant connection and substantial evidence concerning the custody determination is available or (3) the state having an appropriate connection with the child.

The child's home state is defined as the state where the child has lived with a parent for six consecutive months prior to the commencement of the proceeding, or since birth, for children younger than six months.

Once a state court has made a custody determination, the state keeps exclusive and continuing jurisdiction over all matters concerning the child until circumstances have changed regarding home state status, or there is no longer a significant connection to the state or evidence concerning the child's custody is no longer available in that state. The circumstances are specified in the act.

Also, once a custody determination has been made, a court of another state does not have authority to modify the determination unless the state with jurisdiction determines that it does not have jurisdiction or any state court determines that the child, parents, or any acting parents do not reside in the state which currently has jurisdiction.

A state which does not otherwise have jurisdiction may enter a temporary emergency order if the child is in danger and needs immediate protection. After issuing the order, the state court should determine if there is an existing custody order from another state in effect. If there is an existing order, the emergency court must allow a reasonable time period for the parties to return to the state having jurisdiction and argue the issues to the court with jurisdiction.

If there is no previous child custody order in existence, the emergency court's order will remain in effect until a determination is made in a court having home state jurisdiction over the child. If no determination is made and the emergency court's state becomes the home state of the child, the emergency order becomes a final determination of custody.

These provisions are similar to SB 347 (2009), HCS/SB 262 (2009), HB 1358 (2008), SB 495 (2007) and HB 470 (2007).

ADULT ABUSE (Section 455.010)

This section modifies the definition of "adult" for the purposes of adult abuse statutes by changing the age of an adult from eighteen years old to seventeen years old.

This section is similar to portions of HCS/SCS/SB 468 (2009), HCS/SB 262 (2009), and HB 325 (2009).

POSSESSION/PURCHASE/TRANSFER OF FIREARMS BY INDIVIDUALS PREVIOUSLY DECLARED INCOMPETENT OR INVOLUNTARILY COMMITTED (Section 475.375)

This section allows any individual over the age of eighteen who has previously been declared incompetent or involuntarily committed to petition the court to allow them to purchase, possess, or transfer firearms. An individual found not guilty by reason of mental defect may not petition a court for restoration. The attorney general may oppose this petition. If the petition is denied, the person may file another petition within one year of the denial. If the petition is granted, the court's order will go to the highway patrol to update the person's record with the National Instant Criminal Background Check System (NICS).

This section is identical to portions of HCS/SB 262 (2009).

STATEWIDE COURT AUTOMATION FEE (Section 476.055)

Current law provides that the collection of the statewide court automation fee expires on September 1, 2009. This section extends the expiration date and allows the courts to continue to collect the statewide court automation fund fee until September 1, 2013.

This section is identical to SCS/SB 265 (2009) and HCS/SB 262 (2009).

CONSOLIDATION OF JUDICIAL FINANCE COMMISSION REPORT (Section 477.600)

This section allows the supreme court to consolidate the annual report of the Judicial Finance Commission with the publication of any annual report prepared by the Supreme Court or the Office of State Court Administrator, as long as the consolidated report is distributed to the required parties.

This section is identical to HB 238 (2009) and portions of HCS/SB 262 (2009), and SCS/HB 237, 238, & 482 (2009).

DRUG COURT COMMISSIONERS (Sections 478.003, 487.020)

These sections allow a majority of the circuit court and associate circuit judges in a circuit to appoint a drug court commissioner to also serve as a family court commissioner. The drug court commissioner would receive no additional compensation and would be required to have the same qualifications as other family court commissioners.

These sections are identical to SB 322 (2009), HB 546 (2009), and similar to HCS/SB 262 (2009).

COURT ORGANIZATION (Sections 478.264, 478.320, 478.325, 478.464, 478.513, 478.575, 478.630, 478.713)

These sections prohibit the appointment of new state-funded probate or drug commissioners or deputy commissioners, beginning January 1, 2010. Also, beginning January 1, 2010 no new probate commissioners or deputy commissioners may be appointed in St. Louis County, St. Louis City, and Jackson County.

Probate, drug, and deputy commissioner positions are converted to elected associate circuit judge positions after the commissioners that are serving on January 1, 2010 complete their current terms. Except, the 22nd judicial circuit (St. Louis City) loses two positions, and the 12th (Audrain, Montgomery, and Warren counties), 33rd (Mississippi and Scott counties), and 35th (Dunklin and Stoddard counties) judicial circuits each lose one position. The 38th judicial circuit (Christian and Taney counties) gains a circuit judge position.

The 16th judicial circuit (Jackson County) gains one associate circuit judge to sit in division 34 in Independence. The 20th judicial circuit (Franklin, Gasconade, and Osage counties), the 31st judicial circuit (Greene County), and the 40th judicial circuit (McDonald and Newton counties) each gain one associate circuit court judge position.

These sections are similar to portions of HCS/SB 262 (2009) and portions of these sections are similar to HB 535 (2009) and HB 600 (2009).

REPORTING OF MUNICIPAL CASELOADS (Section 479.080)

This section modifies the reporting requirements for municipal judges and associate circuit judges who hear prosecutions of municipal ordinances. Currently the judge is required to provide a list of the cases heard or tried before the judge. This section requires the judge to also report the total number of cases filed and the total cases disposed of during the preceding month.

This section is identical to a portion of HCS/SB 262 (2009).

COURT COSTS IN CRIMINAL AND MUNICIPAL CASES (Sections 479.260, 488.5032)

These sections allow a circuit judge to assess court costs against a defendant in a criminal or municipal case when the case is dismissed before the defendant pleads guilty or is found guilty, if the defendant consents to pay the costs, unless the defendant is unable to pay the costs.

These sections are identical to HB 830 (2009) and portions of HB 62 (2009), HB 384 (2009), HCS/SB 262 (2009).

UNCERTIFIED COURT REPORTERS (Section 485.077)

Current law allows individuals to use depositions prepared by uncertified court reporters in court if the parties and the court reporter comply with specific requirements. This section removes the authorization for the use of these depositions.

COURT COSTS FOR INFRACTIONS (Section 488.006)

This section requires that unless otherwise provided by law, all of the court costs, fees, surcharges, and other miscellaneous charges in cases involving infractions must be assessed in the same manner and amount as in misdemeanor cases.

This section is identical to a portion of HB 815 (2009), HCS/HB 1049 (2009), HCS/SS/SCS/SB 58 (2009), HCS/SB 84 (2009), and SB 342 (2009).

COURT COSTS FOR CIRCUIT CLERK'S RECORD PRESERVATION FUND (Section 488.012, 488.075)

This section authorizes a three dollar court cost fee for the circuit clerk's record preservation fund. Two dollars of the fee will be kept by the circuit clerk and used for record storage, microfilming, preservation and public access to circuit court records. One dollar of the fee will be sent to the secretary of state's office to be used for preserving local records.

This section is identical to a portion of HCS/SCS/SB 165, 164, 248 & 168 (2009) and HCS/SB 262 (2009).

SUMMONS IN ASSOCIATE CIRCUIT COURT CASES (Section 517.041)

Current law provides that a summons may require the presence of a defendant in court in a case before

an associate circuit court judge, if the court date is less than thirty days from the service of the summons. This section would increase the time period in which the summons is effective from thirty days to sixty days.

This section is identical to HB 237 (2009).

NOTICE OF DEFAULT JUDGMENT IN ACTIONS FOR EVICTION (Section 535.030)

This section modifies the current requirement that the clerk of court send notice to a person who has had a default judgment entered against them in an eviction action by certified mail with a return receipt requested. This section requires the clerk to send the notice by ordinary mail.

This section is identical to a portion of HCS/SB 262 (2009). LANDLORD ACTIONS TO RECOVER POSSESSION (Section 535.120)

This section allows a landlord to file an action to recover possession from a tenant if the tenant is one month behind in rent, rather than a half year behind in rent as provided by current law.

This section is identical to a portion of HB 181 (2009) and HCS/SB 262 (2009).

COMPARATIVE FAULT FOR OPERATING A MOTORCYCLE (Section 537.055)

This act provides that operating a motorcycle, in and of itself, shall not be considered evidence of comparative negligence.

This section is identical to a portion of SB 202 (2009), HB 486 (2009), and HCS/SB 262 (2009).

CRIME VICTIM INFORMATION (Section 566.226)

Currently, any identifying information in a court record that could be used to identify the victim of sexual assault, domestic assault, stalking, or forcible rape shall be closed and redacted prior to public disclosure. This section requires the redaction of these records if they were filed prior to January 1, 2010. This section also expands the offenses included to cover any sex offense under Chapter 566 and any offense against the person under Chapter 568 and specifies that After January 1, 2010 the identifying information is not required to be redacted, but is required to be retained on a confidential case filing sheet. The physical characteristics of the victim are no longer required to be redacted. Nothing in this section shall be construed to permit the identifying information of a perpetrator of certain crimes to be redacted from records.

Portions of this section are similar to HB 177 (2009).

DIVISION OF DEVELOPMENTAL DISABILITIES CONTRACTS (Section 630.407)

This section allows the Division of Developmental Disabilities to contract directly with providers of targeted case management services for clients of the division with developmental disabilities in a defined region.

This section is identical to HB 953 (2009), SB 460 (2009), and HCS/SB 262 (2009).

CHILD SUPPORT MODIFICATION (Sections 1 and 2)

These sections provide that the state shall not be required to represent any party in a child support modification proceeding if the party's income equals or exceeds three hundred percent of the federal poverty level and that if the state is a party to the modification proceeding that the court may, upon motion, award court costs and reasonable attorneys fees to the state.

EMILY KALMER

12/29/2008 Prefiled (H)

01/07/2009 Read First Time (H) (H34)

01/08/2009 Read Second Time (H) (H41)
 01/22/2009 Referred: Judiciary (H) (H137)
 02/11/2009 Public Hearing Completed (H)
 02/25/2009 Executive Session Completed (H)
 02/25/2009 HCS Voted Do Pass (H)
 02/25/2009 HCS Reported Do Pass (H) (H401)
 02/25/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H401)
 03/10/2009 Rules - Executive Session Completed (H)
 03/10/2009 Rules - Voted Do Pass (H)
 03/10/2009 Rules - Reported Do Pass (H) (H536)
 04/01/2009 Taken Up for Perfection (H) (H832)
 04/01/2009 Laid Over (H) (H848)
 04/01/2009 Taken Up for Perfection (H) (H849)
 04/01/2009 HCS Adopted (H) (H851)
 04/01/2009 Perfected with Amendments (H) (H849)
 04/02/2009 Referred: Fiscal Review (H) (H921)
 04/09/2009 Executive Session Completed (H)
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 04/09/2009 Reported Do Pass (H) (H1008)
 04/09/2009 Third Read and Passed (H) (H1010-1011 / S980-981)
 04/09/2009 S First Read--HCS for HBs 187 & 235 (S980-981)
 04/16/2009 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S1053)
 04/27/2009 Hearing Scheduled S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2009

*** HB 191 ***

SCS HCS HB 191

0837S.06C

SENATE SPONSOR: Griesheimer

HOUSE HANDLER: Flook

SCS/HCS/HB 191 - The act removes the requirement that applicants for the BUILD program consider locating within another state and state the disparity in costs exist between such state and Missouri and increases the annual tax credit cap from fifteen million to twenty million dollars. The act allows an existing headquarters to receive tax credits for new or expanded business facilities for expansions done before January 1, 2015. At least twenty-five new employees and at least one million dollars in new investment must be attributed to such expansion. Buildings on multiple, non-contiguous property will be considered one facility if the buildings are within the same municipality.

Under current law, the department of economic development is required to limit the monetary amount of qualified equity investments to a level necessary to limit tax credit utilization to no more than fifteen million dollars annually. Following fiscal year 2010, no equity investments may be made unless reauthorization is provided by enactment of a general law by the general assembly.

This act would require the department to limit the monetary amount of qualified equity investments to a level necessary to limit tax credit utilization to no more than twenty-five million dollars annually. The department is required to deny any application received for certain other economic development incentives which, in addition to the benefits received under the new markets program by the entity, either directly or indirectly, would exceed the projected state benefit. The requirement for reauthorization by enactment of a general law by the General Assembly is moved back two fiscal years to fiscal years following fiscal year 2012.

The secondary mining use tax credit program is created to provide a tax credit for taxpayers, including not-for-profit insurance companies, that incur expenses for the utilization of an existing mine for secondary uses equal to the lesser of hundred percent of such costs or one hundred thousand dollars. The tax credit is fully transferrable, and non-refundable, but may be carried forward five years. The tax credit has an annual aggregate state-wide cap of one million dollars.

The Business Relocation for Secondary Mining Use Tax Credit program is created to provide a tax credit to taxpayers, including not-for-profit insurance companies, that incur expenses in relocating to an existing mine for use of the mine other than mining equal to the lesser of fifty percent of such costs or ten thousand dollars. The tax credit is fully transferrable, and non-refundable, but may be carried forward five years. The tax credit has an annual aggregate state-wide cap of one hundred thousand dollars.

The Abandoned Mine Safety Tax Credit Program is created to provide a tax credit, to taxpayers, including

not-for-profit insurance companies, that incur expenses in implementing safety measures or devices in abandoned mines, equal to the lesser of fifty percent of such expenses or fifty thousand dollars. The tax credit is fully transferrable, and non-refundable, but may be carried forward five years. The tax credit has an annual aggregate state-wide cap of five hundred thousand dollars.

The act creates a one thousand dollar refundable state income tax credit for taxpayers who purchase a new or existing home between the effective date of the act and the end of this year. The tax credit program is capped at four million dollars and expires December 31, 2010. The act creates a state and local sales and use tax exemption for utilities, machinery and equipment used or consumed by certain businesses, which after the effective date of the act, commence operations in a facility located in an underground mine which contains at least five hundred thousand square feet of space which could be used by such business. The exemption will expire for taxpayers twenty years from the date the taxpayer is approved for the exemption. The sales tax exemption created by this act and benefits available under the Missouri Quality Jobs Act are mutually exclusive of one another such that any business which receives a tax benefit under one is ineligible for receipt of the other.

Under current law, historic preservation tax credits are authorized for twenty-five percent of eligible rehabilitation costs. This act reduces the amount of the credit to twenty percent of the eligible rehabilitation costs. Tax credit recipients and the department of economic development are required to report job creation resulting from tax credit utilization.

The Department of Economic Development is allowed to authorize up to \$5 million in tax credits per year to encourage equity investment in technology-based early stage Missouri companies, commonly referred to as angel investments. Investors who contribute the first five hundred thousand dollars in equity investment to a qualified Missouri business may be issued a tax credit equal to thirty percent of the investment or forty percent of the investment if the qualified business is located in a rural area or distressed community. An investor can receive a credit of up to fifty thousand dollars for an investment in a single qualified business and up to one hundred thousand dollars for investments in more than one qualified business per year. Tax credits for equity investment in technology-based early stage Missouri companies may be carried forward for up to three years or transferred.

Records pertaining to a business project with which the Department of Economic Development, the Economic Development Export Finance Board, or a regional planning commission may be deemed closed records. The Department of Economic Development is allowed to include pre-employment training in its new or expanding industry training. The act specifies what services may be provided including development of training plans, the provision of training through qualified training staff, fees for training professionals, and transportation expenses if the training can be more effectively provided outside the community where the jobs will be located.

The aggregate cap on small business incubator tax credit authorization is increased from five hundred thousand dollars to one million per tax year. The act modifies provisions of law which authorize a tax credit for qualified research expenses. The tax credit will be equal to ten percent of qualified research expenses incurred during the taxable year unless such expenses were incurred in a distressed community, in which case the credit will be equal to twenty-five percent of such expenses. Eligibility for receipt of the tax credit is limited to taxpayers with less than two hundred twenty-five employees, seventy-five percent of which must be employed within the state. Such taxpayers must be engaged, on a for-profit basis, in the development of medical instruments and devices, medical diagnostics and therapeutics, plant science products, or pharmaceutical or veterinary products with agricultural applications in order to receive the credit. Under current law, no qualified research expense tax credits may be approved, awarded or issued after January 1, 2005. This act removes the prohibition on approval and issuance of tax credits and increases the annual tax credit cap from nine million seven hundred thousand to three million dollars provided that at least two million dollars in tax credits be authorized for qualified research expenses incurred in distressed communities. No more than five hundred thousand dollars may be allocated annually per taxpayer unless such taxpayer incurred the qualified research expenses in a distressed community in which case such taxpayer may not receive more than one million dollars in tax credits annually.

The act creates a new tax credit for qualified research expenses. The amount of the tax credit will be based upon the increase in a taxpayer's qualified research expenses over average of the three preceding year's expenses. A taxpayer can receive a tax credit equal to: three percent of the amount of increased expenses which do not exceed two million five hundred thousand dollars; five percent of the amount of increased expenses which exceed two million five hundred thousand but do not exceed five million dollars;

and seven and one half percent of the amount of increased expenses which exceed five million dollars. The Department of Economic Development is prohibited from issuing more than seven million dollars in qualified research tax credits annually. Qualified research expenses will be limited to those incurred in the research and development of agricultural biotechnology, plant genomics products, diagnostic and therapeutic medical devices, and prescription pharmaceuticals consumed by humans or animals. Expenses incurred in the research, development, or manufacturing of power system technology for aerospace, space, defense, or implantable or wearable medical devices are also permitted. The department director may allow a taxpayer to transfer up to forty percent of the tax credits issued, but not yet claimed, between January 1, 2010, and December 31, 2016. The Director of the Department of Economic Development must act between August 1 and August 15 on tax credit applications filed between January 1 and July 1 for claims from the previous year. A formula is provided by which tax credits will be issued if the eligible claims for the credits exceed the annual cap. No one taxpayer can be issued more than thirty percent of the total amount of tax credits authorized in any calendar year. Taxpayers are prohibited from simultaneously receiving benefits under this program and the other qualified research tax credit program contained in the act.

The act specifies that if the department fails to respond within thirty days of a Quality Jobs Program applicant's notice of intent, the notice is deemed a disapproval. Currently, the notice is deemed an approval if the department fails to respond within thirty days. The act specifies how the department must apply certain definitions when a business that has already received an approved notice of intent later files another notice of intent and eliminates the per-company annual cap on technology business projects. Qualified companies which file for, or publically announce intentions to seek, bankruptcy protection in the form of a reorganization will still be able to receive benefits under the quality jobs program provided certain conditions are met. The act also increases the annual limit on tax credit issuance for the Missouri Quality Jobs Act from sixty million dollars to one hundred twenty million dollars.

The Small Business and Entrepreneurial Growth Act is established to provide tax incentives for small business expansion. Beginning January 1, 2010, small business employers will be allowed to retain new employee income tax withholdings for one year, if such employer: employs more than five employees and increases payroll by at least twenty percent due to the creation of new jobs which pay at least eighty-five percent of the county average wage; or employs less than five employees and adds new employees so that the total number of employees is five or greater and such jobs pay at least eighty-five percent of the county average wage. Such employers will be allowed to retain all employee income tax withholding for two years if, in addition to the job creation and pay requirements, such employer offers health insurance and pays more than fifty percent of such premiums for all employees. No more than five million dollars in benefits will be available annually under the small business and entrepreneurial growth act.

The act contains an emergency clause.

The act is identical to the senate committee substitute for senate bill 45, 212, 136, 278, 279, 285 & 288 (2009).

JASON ZAMKUS

12/29/2008 Prefiled (H)
 01/07/2009 Read First Time (H) (H34)
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 01/22/2009 Referred: Job Creation and Economic Development (H) (H137)
 01/27/2009 Public Hearing Completed (H)
 01/27/2009 Executive Session Completed (H)
 01/27/2009 HCS Voted Do Pass (H)
 01/28/2009 HCS Reported Do Pass (H) (H187)
 01/28/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H187)
 02/02/2009 Rules - Executive Session Completed (H)
 02/02/2009 Rules - Voted Do Pass (H)
 02/02/2009 Rules - Reported Do Pass (H) (H207)
 02/04/2009 Taken Up for Perfection (H)
 02/04/2009 Laid Over (H)
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 02/04/2009 HCS Adopted (H)
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 02/04/2009 Referred: Fiscal Review (H)
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02/05/2009 Third Read and Passed (H) (H256-257 / S260)
 02/05/2009 Emergency Claus adopted (H) (H257-258 / S260)
 02/05/2009 S First Read--HCS for HB 191 (S260)
 02/09/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S271)
 02/11/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee
 02/11/2009 SCS Voted Do Pass S Jobs, Economic Development and Local Government Committee (0837S.06C)
 02/12/2009 Reported from S Jobs, Economic Development and Local Government Committee to Floor w/SCS (S294)
 02/12/2009 Referred S Governmental Accountability & Fiscal Oversight Committee (S302)
 04/02/2009 Voted Do Pass S Governmental Accountability & Fiscal Oversight Committee
 04/08/2009 Reported from S Governmental Accountability & Fiscal Oversight Committee to Floor (S947)
 04/08/2009 SS for SCS S offered (Lager)--(0837S.08F) (S949)
 04/08/2009 SA 1 to SS for SCS S offered & adopted (Lager)--(0837S08.05S) (S949)
 04/08/2009 SA 2 to SS for SCS S offered & adopted (Lager)--(0837S08.31S) (S949)
 04/08/2009 SA 3 to SS for SCS S offered & adopted (Griesheimer)--(0837S08.18S) (S949-950)
 04/08/2009 SA 4 to SS for SCS S offered & adopted (Griesheimer)--(0837S08.35S) (S950)
 04/08/2009 SA 5 to SS for SCS S offered & adopted (Griesheimer)--(0837S08.20S) (S950-953)
 04/08/2009 SA 6 to SS for SCS S offered & adopted (Rupp) (S953-954)
 04/08/2009 SA 7 to SS for SCS S offered & adopted (Lager)--(0837S08.37S) (S954-962)
 04/08/2009 SA 8 to SS for SCS S offered & adopted (Champion)--(0837S08.11S) (S962-963)
 04/08/2009 SA 9 to SS for SCS S offered (Champion)--(0837S08.40S) (S963)
 04/08/2009 SSA 1 for SA 9 to SS for SCS S offered (Smith)--(0837S08.43S) (S963)
 04/08/2009 SA 9 to SS for SCS S withdrawn (S963)
 04/08/2009 SA 10 to SS for SCS S offered & adopted (Shoemyer)--(0837S08.12S) (S963-965)
 04/08/2009 SA 11 to SS for SCS S offered & defeated (Shoemyer)--(0837S08.15S) (S965-966)
 04/08/2009 SA 12 to SS for SCS S offered & adopted (Schmitt)--(0837S08.39S) (S966-968)
 04/08/2009 SA 13 to SS for SCS S offered & withdrawn (Rupp)--(0837S08.62S) (S968)
 04/08/2009 SA 14 to SS for SCS S offered & withdrawn (Green)--(0837S08.51S) (S968)
 04/08/2009 SA 15 to SS for SCS S offered & defeated (Smith)--(0827S08.58S) (S968-969)
 04/08/2009 SA 16 to SS for SCS S offered (Crowell)--(0837S08.53S) (S969)
 04/08/2009 SSA 1 for SA 16 to SS for SCS S offered (Crowell)--(0837S08.54S) (S969-970)
 04/08/2009 SA 1 to SSA 1 for SA 16 to SS for SCS S offered & defeated (Crowell)--(0837S08.55S) (S970)
 04/08/2009 SSA 1 for SA 16 to SS for SCS S defeated (S970-971)
 04/08/2009 SA 16 to SS for SCS S defeated (S971)
 04/08/2009 Bill Placed on Informal Calendar (S971)
 04/27/2009 S Informal Calendar H Bills for Third Reading--HCS for HB 191, with SCS & SS for SCS (pending) (Griesheimer)

EFFECTIVE: Emergency Clause

*** HB 205 ***

SCS HCS HB 205

0836S.07C

SENATE SPONSOR: Goodman

HOUSE HANDLER: Parson

SCS/HCS/HB 205 - This act establishes the "Fire Safety Standard and Firefighter Protection Act", which prohibits the sale of cigarettes in this state that have not been tested, certified, and marked as meeting certain performance standards. Performance standard testing shall be conducted according to certain specifications, unless the state fire marshal determines that using such test method is impossible for a manufacturer. In such cases, the state fire marshal shall approve an equivalent testing method.

Each manufacturer shall maintain copies of testing reports for three years and must make the reports available to the State Fire Marshal and Attorney General upon written request. After sixty days of failing to make the reports available, a manufacturer shall be subject to a civil penalty of up to \$10,000 for each day of the violation.

Manufacturers shall also submit written certification to the State Fire Marshal attesting to each cigarette being tested and meeting the performance standard established in this act. For each brand family of cigarettes listed for a certification, a manufacturer shall pay a fee of \$1,000 to the state fire marshal. Cigarettes must be recertified every three years.

Certified cigarettes must be marked in certain sized type and the marking must meet certain standards.

Manufacturers shall only use one marking for all packages. Manufacturers must provide copies of the certifications to wholesale dealers and agents to which they sell cigarettes. Wholesale dealers, agents, and retail dealers shall permit the Department of Revenue and Attorney General to inspect package markings.

Manufacturers, wholesale dealers, agents, or other persons who sell cigarettes, except through retail sale, in violation of testing requirements are subject to a civil penalty not to exceed \$100 for each pack of cigarettes sold. The total penalty against any such person shall not exceed \$100,000 during any 30-day period. A retail dealer, who knowingly sells cigarettes in violation of the testing requirements, shall also be subject to a \$100 civil penalty per pack sold, but the total penalty shall not exceed \$25,000 during any 30-day period. Any person who violates other provisions of this act shall be subject to a civil penalty of not more than \$1,000 for a first violation and not more than \$5,000 for subsequent violations.

When the Department of Revenue or the Attorney General discovers cigarettes that have not been certified or marked, such cigarettes shall be sequestered by the owners and not sold for 14 days. During such time, the Attorney General may file an action for injunctive relief to enjoin the sale of the cigarettes. If the Attorney General does not file an action within such time, the owner may lawfully sell the sequestered cigarettes.

The department may conduct regular inspections of cigarettes to determine if they are marked properly. If they are improperly marked, the department shall notify the Attorney General. The Attorney General and the department are authorized to examine only the business records, pertaining to the sale and receipt of cigarettes suspected of failing to conform with the requirements, of persons possessing or controlling any premises where cigarettes are stored or sold. Such persons are required to give the Attorney General and the department the opportunity to make the permitted examinations.

This act creates the "Cigarette Fire Safety Standard and Firefighter Protection Act Fund", which shall consist of money collected under these provisions. The State Fire Marshal will administer the fund and the money will be used to support fire safety and prevention programs.

The State Fire Marshal shall review the effectiveness of this act and report his or her findings to the General Assembly every three years, including any legislative recommendations.

This act shall become effective on January 1, 2011.

This act is similar to SB 220 (2009).

SUSAN HENDERSON MOORE

01/06/2009 Prefiled (H)
 01/07/2009 Read First Time (H) (H35)
 01/08/2009 Read Second Time (H) (H41)
 01/29/2009 Referred: Special Standing Committee on General Laws (H) (H195)
 02/03/2009 Public Hearing Completed (H)
 02/24/2009 Executive Session Completed (H)
 02/24/2009 HCS Voted Do Pass (H)
 03/09/2009 HCS Reported Do Pass (H) (H516)
 03/09/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H516)
 03/10/2009 Rules - Executive Session Completed (H)
 03/10/2009 Rules - Voted Do Pass (H)
 03/10/2009 Rules - Reported Do Pass (H) (H536)
 03/30/2009 HCS Adopted (H) (H767)
 03/30/2009 Perfected (H) (H765)
 04/02/2009 Third Read and Passed (H) (H913-914 / S890)
 04/02/2009 S First Read--HCS for HB 205 (S890)
 04/08/2009 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S947)
 04/14/2009 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee
 04/16/2009 SCS Voted Do Pass S Commerce, Consumer Protection, Energy and the Environment Committee (0836S.07C)
 04/23/2009 Reported from S Commerce, Consumer Protection, Energy and the Environment Committee to Floor w/SCS (S1193)
 04/27/2009 S Formal Calendar H Bills for Third Reading--HCS for HB 205, with SCS (Goodman)

EFFECTIVE: August 28, 2009

*** HB 210 ***

0834L.01P

SENATE SPONSOR: Crowell

HOUSE HANDLER: Deeken

HB 210 - This act allows a retired state employee to make a written request that contributions to the state employees charitable campaign be withheld from their monthly benefit.

EMILY KALMER

01/06/2009 Prefiled (H)
 01/07/2009 Read First Time (H) (H35)
 01/08/2009 Read Second Time (H) (H41)
 02/05/2009 Referred: Retirement (H) (H259)
 02/26/2009 Public Hearing Completed (H)
 03/05/2009 Executive Session Completed (H)
 03/05/2009 Voted Do Pass - Consent (H)
 03/05/2009 Reported Do Pass by Consent (H) (H487)
 03/05/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H487)
 03/10/2009 Rules - Executive Session Completed (H)
 03/10/2009 Rules - Voted Do Pass - Consent (H)
 03/10/2009 Rules - Reported Do Pass Consent (H) (H536)
 03/24/2009 Perfected by Consent (H) (H639)
 03/30/2009 Third Read and Passed (H) (H780 / S827)
 03/31/2009 S First Read--HB 210-Deeken (S827)
 04/01/2009 Second Read and Referred S Veterans' Affairs, Pensions and Urban Affairs Committee (S854)
 04/09/2009 Hearing Conducted S Veterans' Affairs, Pensions and Urban Affairs Committee
 04/09/2009 Voted Do Pass S Veterans' Affairs, Pensions and Urban Affairs Committee - Consent
 04/09/2009 Reported from S Veterans' Affairs, Pensions and Urban Affairs Committee to Floor - Consent (S983)
 04/27/2009 S Consent Calendar--HB 210-Deeken (Crowell)

EFFECTIVE: August 28, 2009

*** HB 214 ***

SCS HCS HB 214

0857S.04C

SENATE SPONSOR: Dempsey

HOUSE HANDLER: Deeken

SCS/HCS/HB 214 -This act modifies laws regarding the Missouri Local Government Employees' Retirement System (LAGERS).

Currently, if a retiree elects to receive a partial lump sum distribution their monthly benefit is reduced or increased based on their age at retirement. This act requires at least a 10% reduction if the retiree elects a partial lump sum distribution.

This act creates a retirement benefit payment option D plan. Under the option D plan the retiree would receive a reduced monthly benefit (80% of the monthly amount), but upon the retiree's death their beneficiary would receive the same amount the retiree was receiving, rather than a percentage of the retiree's amount.

Except for the retiree's spouse, a surviving beneficiary under retirement benefit payment options plans A, B, or D must, in addition to the current age and financial dependency requirements, be a lineal descendant of the retiree or related to the retiree up to the third degree of kinship.

Retirees may authorize LAGERS to deduct payments for health insurance or long-term care insurance premiums from their retirement allowance.

Funding provisions are modified to provide for benefits when a member dies as the result of a duty-related injury or illness. The employer's contribution for pensions that result from duty-related deaths shall be determined once a year.

This act is identical to SB 512(2009) and similar to HB 1490 (2008).

EMILY KALMER

01/06/2009 Prefiled (H)
 01/07/2009 Read First Time (H) (H35)
 01/08/2009 Read Second Time (H) (H41)
 02/05/2009 Referred: Retirement (H) (H259)
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03/05/2009 Executive Session Completed (H)
 03/05/2009 HCS Voted Do Pass - Consent (H)
 03/09/2009 HCS Reported Do Pass by Consent (H) (H515)
 03/09/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H515)
 03/24/2009 Rules - Executive Session Completed (H)
 03/24/2009 Rules - Voted Do Pass - Consent (H)
 03/24/2009 Rules - Reported Do Pass Consent (H) (H636)
 03/31/2009 Perfected by Consent (H) (H820)
 04/01/2009 Third Read and Passed (H) (H858-859 / S867)
 04/01/2009 S First Read--HCS for HB 214 (S867)
 04/02/2009 Second Read and Referred S Veterans' Affairs, Pensions and Urban Affairs Committee (S891)
 04/09/2009 Hearing Conducted S Veterans' Affairs, Pensions and Urban Affairs Committee
 04/09/2009 SCS Voted Do Pass S Veterans' Affairs, Pensions and Urban Affairs Committee (0857S.04C) -
 Consent
 04/09/2009 Reported from S Veterans' Affairs, Pensions and Urban Affairs Committee to Floor w/SCS -
 Consent (S983)
 04/15/2009 Removed S Consent Calendar (S1032)

EFFECTIVE: August 28, 2009

*** HB 217 ***

HCS HB 217

0969L.03P

HOUSE HANDLER: Hoskins

HCS/HB 217 – Current law provides that the school board of any school district that does not maintain an accredited school must pay the tuition and provide transportation for each resident student who attends an accredited school in another district of the same or an adjoining county. This act provides, that beginning in the 2010-2011 school year, any school district that refuses to admit a nonresident student from an unaccredited school district must provide the reason for the rejection to the student's parent or guardian in writing. The school board must cite the specific element of the district's policy on admissions that permits the district to refuse admittance to the particular student. The parent or guardian may appeal the non-admittance of such a student to the State Board of Education. The provisions of this act will not apply to any school district with territory in Jackson County or Howell County.

MICHAEL RUFF

01/06/2009 Prefiled (H)
 01/07/2009 Read First Time (H) (H35)
 01/08/2009 Read Second Time (H) (H41)
 01/29/2009 Referred: Special Standing Committee on Urban Issues (H) (H195)
 02/09/2009 Public Hearing Completed (H)
 03/02/2009 Public Hearing Completed (H)
 03/02/2009 Executive Session - No Action Taken
 03/09/2009 Executive Session - No Action Taken
 03/11/2009 Executive Session Completed (H)
 03/11/2009 HCS Voted Do Pass (H)
 03/11/2009 HCS Reported Do Pass (H) (H557)
 03/11/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H557)
 04/07/2009 Rules - Executive Session Completed (H)
 04/07/2009 Rules - Voted Do Pass (H)
 04/07/2009 Rules - Reported Do Pass (H) (H958)
 04/15/2009 HCS Adopted (H) (H1069)
 04/15/2009 Perfected (H) (H1068)
 04/16/2009 Third Read and Passed (H) (H1104 / S1076)
 04/20/2009 S First Read--HCS for HB 217 (S1076)
 04/23/2009 Second Read and Referred S Education Committee (S1194)

EFFECTIVE: August 28, 2009

*** HB 218 ***

0667L.01P

HOUSE HANDLER: Ervin

HB 218 - This act the modifies the eligibility rules for health insurance coverage under the Missouri Health Insurance Pool. Under current law, persons who have or who can obtain health insurance coverage substantially similar to a pool plan are not eligible for coverage under the pool. This exclusion, however, does

not apply if the person has alternative coverage but the premiums have increased to 150 to 200% of the rates charged for standard coverage. After December 31, 2009, only persons who have their own insurance coverage can obtain pool coverage if their premiums have increased to 300% of the rates for individual standard risks. This act repeals the 300% premium increase qualifier so that persons who have had their premiums increased to 150% to 200% of the rates charged for standard coverage can still obtain pool coverage.

STEPHEN WITTE

01/07/2009 Introduced and Read First Time (H) (H35)
 01/08/2009 Read Second Time (H) (H41)
 02/05/2009 Referred: Special Standing Committee on Health Insurance (H) (H259)
 02/17/2009 Public Hearing Completed (H)
 02/17/2009 Executive Session - No Action Taken
 02/24/2009 Executive Session Completed (H)
 02/24/2009 Voted Do Pass - Consent (H)
 02/25/2009 Reported Do Pass by Consent (H) (H402)
 02/25/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H402)
 03/03/2009 Rules - Executive Session Completed (H)
 03/03/2009 Rules - Voted Do Pass - Consent (H)
 03/03/2009 Rules - Reported Do Pass Consent (H) (H449)
 03/10/2009 Perfected by Consent (H) (H538)
 03/12/2009 Third Read and Passed (H) (H582 / S629)
 03/12/2009 S First Read--HB 218-Ervin (S629)
 03/26/2009 Second Read and Referred S General Laws Committee (S781)
 04/07/2009 Hearing Conducted S General Laws Committee
 04/14/2009 Voted Do Pass S General Laws Committee - Consent
 04/14/2009 Reported from S General Laws Committee to Floor - Consent (S1005-1006)
 04/20/2009 Removed S Consent Calendar (S1069)

EFFECTIVE: August 28, 2009

*** HB 228 ***

HCS HB 228

0859L.02P

HOUSE HANDLER: Parson

HCS/HB 228 - Under this act, petition circulators shall be United States citizens, Missouri residents, and shall not be paid on a per signature basis. Persons who have broken laws that would constitute forgery in this state shall not qualify as petition circulators.

Circulators are required to register with the Secretary of State before collecting signatures. If they do not, the signatures collected shall not be counted.

Currently, persons who misrepresent themselves on petitions are guilty of a misdemeanor. Under this act, those who knowingly do so are guilty of a class one election offense.

When submitting sample petitions to the Secretary of State, individuals shall also submit a deposit of \$500 to be refunded if the proposed measure is certified.

The act requires the governing body of any taxing authority to submit a proposal to the voters to lower tax rates at the next regular election upon the submission of a petition signed by at least 33% of the registered voters within the taxing authority's boundaries. If at least 66% of the votes are in favor, the lowered tax rate shall become effective. If more than 33% oppose the decrease, the rate shall not change. The required forms and content of the petition and the ballot language are included in the act.

This act is similar to SB 598 (2007), SB 934 (2008), SB 1003 (2008), SB 954 (2008), SB 909 (2008), HB 1763 (2008), HB 837 (2009), and SB 115 (2009).

CHRIS HOGERTY

01/07/2009 Introduced and Read First Time (H) (H36)
 01/08/2009 Read Second Time (H) (H41)
 02/19/2009 Referred: Special Standing Committee on General Laws (H) (H355)
 03/24/2009 Public Hearing Completed (H)
 04/01/2009 Executive Session Completed (H)
 04/01/2009 HCS Voted Do Pass (H)
 04/02/2009 HCS Reported Do Pass (H) (H924)

04/02/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H924)
 04/07/2009 Rules - Executive Session Completed (H)
 04/07/2009 Rules - Voted Do Pass (H)
 04/07/2009 Rules - Reported Do Pass (H) (H958)
 04/21/2009 HCS Adopted (H) (H1189)
 04/21/2009 Perfected with Amendments (H) (H1186)
 04/23/2009 Third Read and Passed (H) (H1243-1244 / S1196)
 04/23/2009 S First Read--HCS for HB 228 (S1196)

EFFECTIVE: August 28, 2009

*** HB 229 ***

SCS HB 229

0666L.02C

HOUSE HANDLER: Ervin

SCS/HB 229 - This act modifies several provisions relating to the regulation of health insurance.

INCOME TAX DEDUCTIONS - The act repeals the statutory tax deduction currently given for a self-employed individual's health insurance costs (Section 143.111 and 143.113).

HMO PROVIDER LISTINGS - This act allows HMOs to provide health care provider listings electronically provided an enrollee can still obtain a paper copy upon request (section 354. 442).

DEPENDENT COVERAGE - Under current law, proof that a dependent child is incapable of maintaining employment due to a mental or physical handicap and is dependent upon the insured for support and maintenance must be furnished to the health insurer at least 31 days after the dependent child has attained the age when coverage would normally be terminated in order to continue receiving the extended coverage provided by the statutes. This act requires the proof of incapacity and dependency to be furnished within 31 days after the child's attainment of the limiting age. This modification applies to group policies, individual polices and health maintenance organization polices (Sections 354.536, 376.426, and 376.776). These provisions are contained in SB 415 (2009).

The definition of "dependent" is changed in the Small Employer Health Insurance Availability Act to mirror the definition of dependent contained in the HMO, individual and group policy statutes. The definition of "dependent" is revised to be a person that is a spouse, an unmarried child who resides in Missouri and is younger than 25 years of age and is not covered by any group or individual health benefit plan or entitled to federal Social Security assistance benefits, or an unmarried child of any age who is disabled and dependent upon his or her parent (Section 379.930.2). This provision is contained in SB 415 (2009).

GROUP HEALTH INSURANCE POLICIES - Under current law, group health insurance policies must contain a provision that specifies any exclusions and limitations to the policy in regard to a disease or physical condition that an individual was treated for during the 12 months prior to the enrollment date of an individual's policy. Under the act, the exclusion or limitation may only apply to diseases or conditions for which treatment or medical advice was recommended or received by the person during the 6 month period prior to the enrollment date of coverage. Under the terms of the act, exclusions and limitations cannot apply to a loss or disability that occurred after the end of the 12 month period following the enrollment date or during the 18-month period thereafter (reduced from 2 years) in the case of late enrollees (Section 376.426).

CREDITABLE COVERAGE AND WAITING PERIOD DEFINITIONS - The act adds the SCHIP program to the categories of insurance that qualify as "creditable coverage" for purposes of health insurance portability. The act also modifies the definition for the term "waiting period" to include late enrollees and individuals seeking coverage in the individual health insurance market. The definition for "waiting period" as it relates to the Missouri Health Insurance Portability and Accountability Act is revised to be a time period that must pass before coverage for an employee or dependent who is otherwise eligible to enroll in a group health plan becomes effective. Any time period before late or special enrollment is not considered a waiting period for late or special enrollees. A waiting period begins on the date an individual submits an application for coverage and ends when the application for coverage is approved, denied, or lapses (Section 376.450).

HEALTH REIMBURSEMENT ARRANGEMENT - The act also provides that if an employer provides health insurance to an employee and the employee pays any portion of the cost of the premium, the employer must also provide a premium-only cafeteria plan or a health reimbursement arrangement (Section 376.453). Current law only requires the provision of a premium-only cafeteria plan. This provision is contained in SB 415 (2009).

Under this act, employees are allowed to use funds from one or more employer health reimbursement arrangement only plans to help pay for individual health insurance coverage. HRAs are employee benefit plans provided by an employer which establish an account funded solely by the employer to reimburse the employee for qualified medical expenses incurred by the employee or his or her family. HRAs allow the employee to carry forward any unused funds at the end of the coverage period to subsequent coverage periods (Section 376.1600). A similar provision is contained in SB 415 (2009)(Section 376.1600).

STUDY TO IDENTIFY ADMINISTRATIVE AND REGULATORY BARRIERS FOR NEW INSURANCE PRODUCTS - By January 1, 2010, the Director of the Department of Insurance, Financial Institutions and Professional Registration must provide recommendations to the General Assembly of changes to remove any unnecessary barriers that limit the entry of new health insurance products into the Missouri insurance market. The director must also examine proposals adopted in other states that streamline the regulatory processes to allow insurance companies to market new and existing products more easily (Section 376.1618). This section is contained in SB 415 (2009).

PLACEMENT FOR ADOPTION - Health insurance issuers offering group coverage will be required to provide a special enrollment period for a dependent in the case of a placement for adoption (Section 376.450.6).

SMALL EMPLOYER HEALTH REIMBURSEMENT ARRANGEMENTS - If an eligible employee of a small employer retains his or her individually underwritten health insurance, a small employer may provide a defined contribution through the establishment of health reimbursement arrangement (Section 379.940).

HMO ENROLLEE INFORMATION - Under the terms of this act, a health maintenance organization may provide its enrollees a list of its participating providers in an electronic format unless a paper copy is requested by the enrollee (Section 354.442).

CONVERSION POLICIES - Under this act, an insurer may not refuse to renew a conversion policy because the insured person is eligible for Medicare or other similar state or federal assistance (Section 376.397). This act repeals a provision of law which allows conversion policies to reduce or terminate conversion policy coverage when the insured becomes eligible for coverage under Medicare or other similar program (Section 376.401).

GROUP HEALTH INSURANCE EXCLUSION RULES - This act repeals a provision of law which currently allows a group health insurer to exclude coverage on persons under policies insuring fewer than 10 employees as to whom there is evidence of unsatisfactory individual insurability. The act also repeals a similar rule for group health policies insuring greater than 10 employees where applications are made past 31 days after eligibility, the person voluntarily terminates coverage, or where the person fails to enroll during a period of open enrollment (Sections 376.421 and section 376.424)).

REDUCED PREMIUMS FOR NONSMOKERS - Under this act, when an insurer charges a reduced premium rate for employees who do not smoke or use tobacco, the insurer must comply with the nondiscrimination provisions of HIPAA (Section 376.421 and Section 379.952).

HIGH RISK POOL - This act adds health insurance coverage provided under the SCHIP program to the list of insurance that qualifies a creditable coverage for purposes of the high risk pool. The act also modifies the definition of "dependent" to mean a resident of Missouri who is under the age of 25 and who is not provided health insurance coverage under a group or individual policy or Medicare. The act also modifies the definition of the term "significant break in coverage" (Section 376.960). Under current law, a person who has health insurance coverage but whose premiums have increased to 150% to 200% of the rates is eligible for coverage under the high risk pool. This act repeals the 150% floor so that a person with health insurance coverage whose premiums have increased beyond the eligibility limits set by the board may still qualify for pool coverage (section 376.966). The act replaces the term "gap" in Section 376.986 with the term "break."

LIMITED MANDATE HEALTH INSURANCE POLICIES - This act repeals the current marketing restriction placed upon the sale of limited mandate health insurance policies which limits the sale of such policies to individuals that do not have health insurance or employers who certify that they will terminate their current coverage because of current cost (Section 376.995).

STEPHEN WITTE

01/08/2009 Introduced and Read First Time (H) (H41)

01/12/2009 Read Second Time (H) (H44)

02/05/2009 Referred: Special Standing Committee on Health Insurance (H) (H259)

02/17/2009 Public Hearing Completed (H)
 02/24/2009 Executive Session Completed (H)
 02/24/2009 Voted Do Pass - Consent (H)
 02/25/2009 Reported Do Pass by Consent (H) (H402)
 02/25/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H402)
 03/03/2009 Rules - Executive Session Completed (H)
 03/03/2009 Rules - Voted Do Pass - Consent (H)
 03/03/2009 Rules - Reported Do Pass Consent (H) (H449)
 03/10/2009 Perfected by Consent (H) (H538)
 03/12/2009 Taken Up for Third Reading (H) (H585)
 03/12/2009 Laid Over - Third Reading (H) (H586)
 03/24/2009 Third read and passed (H) (H628-629 / S680)
 03/24/2009 S First Read--HB 229-Ervin (S680)
 04/01/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S854)
 04/14/2009 Hearing Conducted S Health, Mental Health, Seniors and Families Committee
 04/14/2009 SCS Voted Do Pass S Health, Mental Health, Seniors and Families Committee (0666L.02C)
 04/23/2009 Reported from S Health, Mental Health, Seniors and Families Committee to Floor w/SCS (S1191)
 04/27/2009 S Formal Calendar H Bills for Third Reading--HB 229-Ervin, with SCS

EFFECTIVE: August 28, 2009

*** HB 231 *** HCS HB 231

0540L.03P

SENATE SPONSOR: Rupp

HOUSE HANDLER: Yates

HCS/HB 231 - This act requires group health insurance policies issued by health carriers to employers not covered by the federal COBRA law (employers with 2 to 19 employees) to provide terminated employees with group insurance coverage continuation rights in the same manner as provided by the federal COBRA law (Section 376.428).

A similar provision may be found in SB 415 and SB 547 (2009).

The act contains an emergency clause.

STEPHEN WITTE

01/08/2009 Introduced and Read First Time (H) (H41)
 01/12/2009 Read Second Time (H) (H44)
 01/22/2009 Referred: Insurance Policy (H) (H138)
 02/25/2009 Public Hearing Completed (H)
 03/04/2009 Executive Session Completed (H)
 03/04/2009 HCS Voted Do Pass - Consent (H)
 03/05/2009 HCS Reported Do Pass by Consent (H) (H487)
 03/05/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H487)
 03/10/2009 Rules - Executive Session Completed (H)
 03/10/2009 Rules - Voted Do Pass - Consent (H)
 03/10/2009 Rules - Reported Do Pass Consent (H) (H536)
 03/24/2009 Perfected by Consent (H) (H639)
 03/30/2009 Third Read and Passed (H) (H783 / S828)
 03/30/2009 Emergency Clause Adopted (H) (H785 / S828)
 03/31/2009 S First Read--HCS for HB 231 (S828)
 04/01/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S855)
 04/14/2009 Hearing Conducted S Health, Mental Health, Seniors and Families Committee
 04/14/2009 Voted Do Pass S Health, Mental Health, Seniors and Families Committee - Consent
 04/15/2009 Reported from S Health, Mental Health, Seniors and Families Committee to Floor - Consent (S1022)
 04/27/2009 S Consent Calendar--HCS for HB 231 (Rupp)

EFFECTIVE: Emergency Clause

*** HB 234 *** HCS HBs 234 & 493

0889L.03P

SENATE SPONSOR: Shoemyer

HOUSE HANDLER: Wood

HCS/HBs 234 & 493 - The act modifies provisions relating to the procedure for detaching territory from a public water supply district.

When a petition for detachment is submitted to the circuit court by someone other than the district's board of directors, the district shall be named as a defendant and a copy of the petition shall be served upon the district by certified or registered mail at least 35 days before the hearing.

Current law requires notice of the petition to detach to be published in a newspaper in each county containing any portion of the proposed territory. The act instead requires that notice be published in a newspaper in the county in which the hearing will be held as well as in a newspaper with circulation in the proposed territory.

The act adds the district itself as an allowable entity to make an exception or objection to a proposed detachment. The act modifies the language required to be posted in the newspaper to mirror the statutory requirements.

This act is similar to the perfected SB 196 (2009).

ERIKA JAQUES

01/08/2009 Introduced and Read First Time (H) (H41)
 01/12/2009 Read Second Time (H) (H44)
 02/05/2009 Referred: Rural Community Development (H) (H259)
 02/17/2009 Public Hearing Completed (H)
 03/03/2009 Executive Session Completed (H)
 03/03/2009 HCS Voted Do Pass - Consent (H)
 03/04/2009 HCS Reported Do Pass by Consent (H) (H465)
 03/04/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H465)
 03/10/2009 Rules - Executive Session Completed (H)
 03/10/2009 Rules - Voted Do Pass - Consent (H)
 03/10/2009 Rules - Reported Do Pass Consent (H) (H537)
 03/24/2009 Perfected by Consent (H) (H639 / S827)
 03/31/2009 S First Read--HCS for HBs 234 & 493 (S827)
 04/01/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S854)
 04/08/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee
 04/15/2009 Voted Do Pass S Jobs, Economic Development and Local Government Committee - Consent
 04/15/2009 Reported from S Jobs, Economic Development and Local Government Committee to Floor - Consent (S1034)
 04/27/2009 S Consent Calendar--HCS for HBs 234 & 493 (Shoemyer)

EFFECTIVE: August 28, 2009

*** HB 236 ***

SCS HCS HB 236

0887S.07C

SENATE SPONSOR: Crowell

HOUSE HANDLER: Lipke

SCS/HCS/HB 236 – This act creates "Kaitlyn's Law," which requires school districts that operate a high school to adopt a policy to allow students eligible under the federal Individuals with Disabilities Education Act who have completed four years of high school to participate in graduation ceremonies and related activities with the student's graduating class. The student's IEP must prescribe services, as described in the act, beyond the student's four years of high school. The student's IEP team must determine that the student is making satisfactory progress and that participation in the graduation ceremony is appropriate.

This act contains an emergency clause.

MICHAEL RUFF

01/08/2009 Introduced and Read First Time (H) (H42)
 01/12/2009 Read Second Time (H) (H44)
 01/22/2009 Referred: Elementary and Secondary Education (H) (H138)
 02/11/2009 Public Hearing Completed (H)
 02/18/2009 Executive Session Completed (H)
 02/18/2009 HCS Voted Do Pass - Consent (H)
 02/18/2009 HCS Reported Do Pass by Consent (H) (H346)
 02/18/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H346)
 03/03/2009 Rules - Executive Session Completed (H)
 03/03/2009 Rules - Voted Do Pass - Consent (H)
 03/03/2009 Rules - Reported Do Pass Consent (H) (H449)

03/10/2009 Perfected by Consent (H) (H538)
 03/12/2009 Third read and passed (H) (H569 / S617)
 03/12/2009 Emergency Clause Adopted (H) (H570)
 03/12/2009 S First Read--HCS for HB 236 (S617)
 03/26/2009 Second Read and Referred S Education Committee (S781)
 04/15/2009 Hearing Conducted S Education Committee
 04/15/2009 SCS Voted Do Pass S Education Committee (0887.07C) - Consent
 04/15/2009 Reported from S Education Committee to Floor w/SCS - Consent (S1034)
 04/23/2009 SCS S adopted (S1183)
 04/23/2009 S Third Read and Passed - Consent (S1183-1184 / H1259)
 04/27/2009 H Calendar H Bills with S Amendments (SCS)

EFFECTIVE: Emergency Clause

*** HB 237 *** SCS HCS HB 237, HB 238 & HB 482

0854S.03C

SENATE SPONSOR: Bartle

HOUSE HANDLER: Jones

SCS/HCS/HB 237 and HB 238 and HB 482 -This act modifies provisions relating to the courts.

ANNUAL JUDICIAL REPORTS

This act allows the supreme court to consolidate the annual report of the Judicial Finance Commission with the publication of any annual report prepared by the Supreme Court or the Office of State Court Administrator, as long as the consolidated report is distributed to the required parties. (Section 477.600)

COURT FEES

This act allows municipal courts to create a fund to be used to pay for appointing attorneys for certain indigent defendants. The fund shall only be used to pay court-approved reasonable fees for attorneys for indigent defendants who cannot pay for legal representation and are required to have appointed counsel by supreme court rules or the law. The money for this fund will come from the one dollar fee collected on each case that currently goes to the judicial education fund. The municipal court will decide how to allocate the dollar fee between the judicial education fund and the appointed counsel fund. The municipal court may not retain more than five thousand dollars in the appointed counsel fund. (Section 479.260)

The act also modifies the current requirement that certain court fees be applied for maintenance and upkeep of the law library to make it optional that such funds be applied to the maintenance and upkeep of the law library. (Section 488.429)

SERVICE OF SUMMONS

Current law provides that a summons may require the presence of a defendant in court in a case before an associate circuit court judge, if the court date is less than thirty days from the service of the summons. This act would increase the time period in which the summons is effective from thirty days to sixty days. (Section 517.041)

EMILY KALMER

01/08/2009 Introduced and Read First Time (H) (H42)
 01/12/2009 Read Second Time (H) (H44)
 01/22/2009 Referred: Judiciary (H) (H138)
 02/04/2009 Public Hearing Completed (H)
 02/11/2009 Executive Session Completed (H)
 02/11/2009 HCS Voted Do Pass (H)
 02/16/2009 HCS Reported Do Pass (H) (H321)
 02/16/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H)
 02/24/2009 Rules - Executive Session Completed (H)
 02/24/2009 Rules - Voted to Return to Committee of Origin (H)
 02/24/2009 Rules - Returned to the Committee of Origin (H) (H389)
 03/09/2009 Executive Session Completed (H)
 03/09/2009 HCS Voted Do Pass - Consent (H)
 03/10/2009 HCS Reported Do Pass by Consent (H) (H535)
 03/10/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H535)
 03/24/2009 Rules - Executive Session Completed (H)
 03/24/2009 Rules - Voted Do Pass - Consent (H)
 03/24/2009 Rules - Reported Do Pass Consent (H) (H636)
 03/31/2009 Perfected by Consent (H) (H820)

04/01/2009 Third Read and Passed (H) (H856-857 / S866)
 04/01/2009 S First Read--HCS for HB 237 (S866)
 04/02/2009 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S891)
 04/14/2009 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee
 04/14/2009 SCS Voted Do Pass (w/SCS/HCS/HB 237, HB 238, and HB 482) S Judiciary and Civil and Criminal Jurisprudence Committee (0854S.03C) - Consent
 04/15/2009 Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor w/SCS - Consent (S1022)
 04/22/2009 SCS S adopted (S1154-1155)
 04/22/2009 S Third Read and Passed - Consent (S1154-1155 / H1220)
 04/27/2009 H Calendar H Bills with S Amendments (SCS)

EFFECTIVE: August 28, 2009

*** HB 238 ***

0853L.01P

HOUSE HANDLER: Jones

This bill has been combined with HB 237

01/08/2009 Introduced and Read First Time (H) (H42)
 01/12/2009 Read Second Time (H) (H44)
 01/22/2009 Referred: Judiciary (H) (H138)
 02/04/2009 Public Hearing Completed (H)
 02/11/2009 Executive Session Completed (H)
 02/11/2009 HCS Voted Do Pass (H)
 02/16/2009 HCS Reported Do Pass (H) (H321)
 02/16/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H)
 02/24/2009 Rules - Executive Session Completed (H)
 02/24/2009 Rules - Voted to Return to Committee of Origin (H)
 02/24/2009 Rules - Returned to the Committee of Origin (H) (H389)
 03/09/2009 Executive Session Completed (H)
 03/09/2009 Voted Do Pass - Consent (H)
 03/10/2009 Reported Do Pass by Consent (H) (H535)
 03/10/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H535)
 03/24/2009 Rules - Executive Session Completed (H)
 03/24/2009 Rules - Voted Do Pass - Consent (H)
 03/24/2009 Rules - Reported Do Pass Consent (H) (H636)
 03/31/2009 Perfected by Consent (H) (H820)
 04/01/2009 Third Read and Passed (H) (H851-852 / S865)
 04/01/2009 S First Read--HB 238-Jones (89), et al (S865)
 04/02/2009 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S890)
 04/14/2009 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee
 04/14/2009 Bill Combined w/(SCS/HCS/HB 237, HB 238, and HB 482) (0854S.03C) - Consent

EFFECTIVE: August 28, 2009

*** HB 239 ***

SCS HB 239

0752S.04C

SENATE SPONSOR: Pearce

HOUSE HANDLER: Jones

SCS/HB 239 -This act modifies several provision related to the management of funds.

UNIVERSITY OF MISSOURI ENDOWMENT
(Section 172.290)

This section specifies that the curators of the University of Missouri may use no more than two percent of the total market value of the university's endowment to support internal endowment administration and development functions.

IRREVOCABLE LIFE INSURANCE TRUSTS
(Sections 362.333, 369.162)

Banks, trust companies, savings and loan associations, and savings banks with authorized trust authority may transfer by assignment, for consideration or no consideration, some or all of its fiduciary obligations consisting only of irrevocable life insurance trusts to the Missouri trust office of an out-of-state bank with trust powers or an out-of-state trust company.

These sections are identical to SB 277 (2009) and similar to HB 1617 (2008).

UNIFORM PRUDENT MANAGEMENT OF INSTITUTIONAL FUNDS ACT

(Sections 402.130, 402.132, 402.134, 402.136, 402.138, 402.140, 402.142, 402.144, 402.146, 402.148).

This section repeals the Uniform Management of Institutional Funds Act and enacts the Uniform Prudent Management of Institutional Funds Act. This act modifies the guidelines for management, investment, and expenditures of endowment funds of charitable institutions. It requires institutions, which include charitable organizations, governmental entities holding funds exclusively for charitable purposes, and certain trusts, to follow specific standards and consider general economic conditions, the effects of inflation or deflation, tax consequences, the role each investment plays in the overall investment portfolio, the expected total return, other resources of the institution, the needs of the institution, and an asset's special relationship to the charitable purpose of the institution in managing and investing institutional funds. It requires institutions to diversify the investments of institutional funds, rebalance their portfolio after receiving property, and make investment decisions in the context of the institutional fund's whole portfolio.

When delegating the management and investment of an institutional fund to an external agent, the institution is required to act in good faith with the care that an ordinarily prudent person in a like position would exercise in similar circumstances in selecting the agent, establishing the scope and terms of the delegation, and periodically reviewing the agent's actions. The agent has a duty of reasonable care and is subject to the jurisdiction of the courts of Missouri.

The act specifies that courts are authorized to modify restrictions imposed by donors when the restriction becomes unlawful, impracticable, impossible to achieve, or wasteful. The attorney general shall have an opportunity to be heard on the modification. If a donor's restriction is on a fund with a value of less than fifty thousand dollars and more than ten years have lapsed since the fund was established, the institution may notify the attorney general, wait sixty days, and then modify the donor restriction in a manner consistent with the charitable purposes expressed in the gift, without court approval.

These sections are similar to HB 1055 (2009).

CERTAIN IRREVOCABLE TRUSTS

(Sections 456.4-418, 456.5-505)

This act authorizes trustees of irrevocable trusts that became irrevocable on or before September 25, 1985 to distribute trust income and principal to qualified remainder beneficiaries under certain circumstances, including a lack of distributions from the trust for a ten-year period. This act also specifies those counties in which a trustee may publish notice to creditors in a local newspaper.

These sections are similar to SCS/SB 166 (2009) and HB 2273 (2008).

INVESTMENTS BY PERSONAL REPRESENTATIVES AND CONSERVATORS (Sections 472.335, 473.333, 475.130, and 475.190)

These sections modify laws regarding investments made by personal representatives and conservators of estates.

The power of the court to approve investments made by personal representatives of estates without court authorization is removed.

Unless restricted by a person's will, the personal representative of an estate is required to invest the liquid assets of the estate in accordance with Missouri's prudent investor act, except that investments in obligations guaranteed as to principal and interest by the United States and investments in interest bearing accounts and certificates of deposit insured by the FDIC are considered prudent investments. If the personal representative of the estate delegates investment and management functions, the agent must acknowledge in writing that they are acting as an investment fiduciary on the account.

These sections eliminates the conservator's statutory authority to sell or exchange investment securities of the estate that are worth less than \$1,000 without court approval. However, without court approval, the conservator is required to invest the liquid assets of the estate in accordance with Missouri's prudent investor act, except that investments in obligations guaranteed as to principal and interest by the United States and investments in interest bearing accounts and certificates of deposit insured by the FDIC are considered prudent investments. If the conservator of the estate delegates investment and management functions, the

agent must acknowledge in writing that they are acting as an investment fiduciary on the account.

EMILY KALMER

01/08/2009 Introduced and Read First Time (H) (H42)
 01/12/2009 Read Second Time (H) (H44)
 01/22/2009 Referred: Financial Institutions (H) (H138)
 02/18/2009 Public Hearing Completed (H)
 02/18/2009 Executive Session Completed (H)
 02/19/2009 Voted Do Pass - Consent (H)
 02/23/2009 Reported Do Pass by Consent (H) (H369)
 02/23/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H369)
 03/03/2009 Rules - Executive Session Completed (H)
 03/03/2009 Rules - Voted Do Pass - Consent (H)
 03/03/2009 Rules - Reported Do Pass Consent (H) (H449)
 03/10/2009 Perfected by Consent (H)
 03/11/2009 Third read and passed (H) (H553-554 / S590)
 03/11/2009 S First Read--HB 239-Jones (89), et al (S590)
 03/25/2009 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S700)
 04/06/2009 Hearing Conducted S Financial and Governmental Organizations and Elections Committee
 04/20/2009 SCS Voted Do Pass S Financial and Governmental Organizations and Elections Committee (0752S.04C)
 04/23/2009 Reported from S Financial and Governmental Organizations and Elections Committee to Floor w/SCS (S1190)
 04/27/2009 S Formal Calendar H Bills for Third Reading--HB 239-Jones (89), et al, with SCS (Pearce)

EFFECTIVE: August 28, 2009

*** HB 242 ***

HCS HB 242

0472L.02P

HOUSE HANDLER: Kingery

HCS/HB 242 – This act allows school boards to establish a four-day school week instead of a five-day school week by the adoption a resolution by a majority vote of board members. Any school district that does so must file a calendar with the Department of Elementary and Secondary Education. A minimum term for a school district adopting a four-day school week includes 142 days and 1044 hours of pupil attendance. A school district that adopts a four-day school week and subsequently meets at least two fewer performance standards on its annual performance report over a two year period must revert to a five-day school week. If the school district then meets the same number of performance standards it had met prior to adopting the four-day school week, it can resume a four-day school week.

Current law requires a school district to make up the first six days of school lost or canceled due to inclement weather and half the number of days lost of canceled in excess of six days. This act provides that such make-up will occur if necessary to ensure that the district's students will attend a minimum of 142 days and a minimum of 1044 hours for the school year. School districts that adopt a four-day school week may schedule make-up days on Friday.

This act is substantially similar to SB 345 (2009) and HB 1534 (2008).

MICHAEL RUFF

01/12/2009 Introduced and Read First Time (H) (H50)
 01/13/2009 Read Second Time (H) (H53)
 01/22/2009 Referred: Elementary and Secondary Education (H) (H138)
 01/28/2009 Public Hearing Completed (H)
 02/03/2009 Executive Session Completed (H)
 02/03/2009 HCS Voted Do Pass (H)
 02/11/2009 HCS Reported Do Pass (H) (H302)
 02/11/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H302)
 02/17/2009 Rules - Executive Session Completed (H)
 02/17/2009 Rules - Voted Do Pass (H)
 02/17/2009 Rules - Reported Do Pass (H) (H334)
 02/19/2009 Taken Up for Perfection (H) (H354)
 02/19/2009 Laid Over (H) (H354)
 02/24/2009 Taken Up for Perfection (H) (H382)
 02/24/2009 HCS Adopted (H) (H383)

02/24/2009 Perfected (H) (H382)
 02/26/2009 Third Read and Passed (H) (H415 / S435)
 03/02/2009 S First Read--HCS for HB 242 (S435)
 03/25/2009 Second Read and Referred S Education Committee (S700)

EFFECTIVE: August 28, 2009

*** HB 246 *** HCS HB 246

0712L.02P

SENATE SPONSOR: Purgason

HOUSE HANDLER: Loehner

HCS/HB 246 - The act exempts the following activities from needing a surface mining permit from the Land Reclamation Commission: 1) property owners managing seasonal gravel accumulation on sites not primarily used for commercial gravel mining; and 2) political subdivisions removing sand and gravel for use in their operations. Such gravel removal must occur solely on the landowner's or political subdivision's property and must be conducted in accordance with the Department of Natural Resources' regulations.

Exempted property owners must annually notify the Department of Natural Resources if they intend to sell any of the removed gravel. When so notified, the department must provide the property owner with relevant guidelines and regulations regarding the gravel removal.

The act limits the amount of gravel removed by exempted property owners to 3,000 tons annually, and 1,000 tons per site annually. The act provides that if an operator has removed 3,000 tons of sand and gravel at the request of a property owner within one year, the operator must have a watershed management plan approved by the Land Reclamation Commission in order to remove any additional sand or gravel within the same year. The application for a watershed management plan approval must be accompanied by a fee, which shall be equivalent to the fee associated with a gravel mining permit application from the Land Reclamation Commission.

The act prohibits gravel removal by an exempted property owner when the removal site is within a certain distance of any building, structure, highway, road, bridge, viaduct, water line, sewer line, pipeline, or other utility line. The minimum distance shall be prescribed by the Land Reclamation Commission.

The act requires certain information to be provided to the department by any person who files a complaint regarding an alleged violation of the surface mining permit requirement or exemptions under the act.

This act is similar to HB 1389 (2008).

ERIKA JAQUES

01/12/2009 Introduced and Read First Time (H) (H51)
 01/13/2009 Read Second Time (H) (H53)
 01/22/2009 Referred: Conservation and Natural Resources (H) (H138)
 02/18/2009 Public Hearing Completed (H)
 03/04/2009 Executive Session Completed (H)
 03/04/2009 HCS Voted Do Pass (H)
 03/26/2009 HCS Reported Do Pass (H) (H747)
 03/26/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H747)
 04/07/2009 Rules - Executive Session Completed (H)
 04/07/2009 Rules - Voted Do Pass (H)
 04/07/2009 Rules - Reported Do Pass (H) (H958)
 04/15/2009 HCS Adopted (H) (H1062)
 04/15/2009 Perfected (H) (H1062)
 04/16/2009 Third read and passed (H) (H1097-1098 / S1055)
 04/16/2009 S First Read--HCS for HB 246 (S1055)
 04/21/2009 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S1092)
 04/29/2009 Hearing Scheduled S Agriculture, Food Production and Outdoor Resources Committee

EFFECTIVE: August 28, 2009

*** HB 247 *** SCS HCS HB 247

0734S.05C

SENATE SPONSOR: Clemens

HOUSE HANDLER: Loehner

SCS/HCS/HB 247 - This act modifies the requirements for collaborative practice arrangements between

advanced practice registered nurses and collaborating physicians. Advanced practice registered nurses are required to submit a minimum of ten percent of the charts documenting their delivery of health care services to the physician for review every fourteen days. The collaborating physician shall review twenty percent of the charts in which the advanced practice registered nurse wrote a prescription for controlled substances every fourteen days. The charts reviewed for prescription of controlled substances may be counted in the number of charts required to be reviewed for prescribing practices.

These review requirement do not extend to collaborative practice arrangements of providers of population-based health services.

This act modifies the definition of eligible student for the nursing student loan program to include doctoral students and to allow full time or part-time doctoral students to be eligible for the loan program.

Provisions of this act are similar to SCS/SB 152 and SS/SCS/SB 406 and SCS/SB 509.

EMILY KALMER

01/12/2009 Introduced and Read First Time (H) (H51)
 01/13/2009 Read Second Time (H) (H53)
 01/22/2009 Referred: Higher Education (H) (H138)
 02/10/2009 Public Hearing Completed (H)
 02/17/2009 Executive Session Completed (H)
 02/17/2009 HCS Voted Do Pass - Consent (H)
 02/17/2009 HCS Reported Do Pass by Consent (H) (H333)
 02/17/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H333)
 03/03/2009 Rules - Executive Session Completed (H)
 03/03/2009 Rules - Voted Do Pass - Consent (H)
 03/03/2009 Rules - Reported Do Pass Consent (H) (H449)
 03/10/2009 Perfected by Consent (H) (H538)
 03/12/2009 Third Read and Passed (H) (H568 / S617)
 03/12/2009 S First Read--HCS for HB 247 (S617)
 03/26/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S781)
 04/07/2009 Hearing Conducted S Health, Mental Health, Seniors and Families Committee
 04/14/2009 SCS Voted Do Pass S Health, Mental Health, Seniors and Families Committee (0734S.05C)
 04/23/2009 Reported from S Health, Mental Health, Seniors and Families Committee to Floor w/SCS (S1191)
 04/27/2009 S Formal Calendar H Bills for Third Reading--HCS for HB 247, with SCS (Clemens)

EFFECTIVE: August 28, 2009

*** HB 248 ***

0882L.01P

HOUSE HANDLER: Funderburk

HB 248 - Beginning January 1, 2010, this act authorizes an income tax dependency exemption deduction for a taxpayer for the taxable year in which a stillborn child was born if the child would otherwise have been a member of the taxpayer's household and a certificate of birth resulting in stillbirth has been issued.

JASON ZAMKUS

01/12/2009 Introduced and Read First Time (H) (H51)
 01/13/2009 Read Second Time (H) (H53)
 02/12/2009 Referred: Tax Reform (H) (H309)
 02/18/2009 Public Hearing Completed (H)
 02/25/2009 Executive Session Completed (H)
 02/25/2009 Voted Do Pass (H)
 02/25/2009 Reported Do Pass (H) (H401)
 02/25/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H401)
 03/10/2009 Rules - Executive Session Completed (H)
 03/10/2009 Rules - Voted Do Pass (H)
 03/10/2009 Rules - Reported Do Pass (H) (H537)
 03/23/2009 Perfected (H) (H616)
 03/26/2009 Third read and passed (H) (H724 / S782)
 03/26/2009 S First Read--HB 248-Funderburk (S782)
 04/01/2009 Second Read and Referred S Ways and Means Committee (S854)

EFFECTIVE: August 28, 2009

*** HB 250 ***

HCS HB 250

0210L.05P

HOUSE HANDLER: Wilson

HCS/HB 250 - The act prohibits a person from being denied access to state-owned or state-managed public land for the purpose of riding a horse or mule when such person has lawful authority to use the land. Similarly, no person shall be denied access to trails or roads currently used by horse or mule riders on public land, except where conditions are determined not suitable due to public safety, maintenance, or conflicts with the missions of the Departments of Natural Resources or Conservation. In such cases, a sign must be posted at the trailhead stating the cause and estimated duration of the closure.

This act is similar to SB 1198 (2008), HB 1438 (2008), and HB 354 (2007).

ERIKA JAQUES

01/13/2009 Introduced and Read First Time (H) (H54)
 01/14/2009 Read Second Time (H) (H57)
 01/22/2009 Referred: State Parks and Waterways (H) (H138)
 02/19/2009 Public Hearing Completed (H)
 03/05/2009 Executive Session Completed (H)
 03/05/2009 HCS Voted Do Pass - Consent (H)
 03/09/2009 HCS Reported Do Pass by Consent (H) (H516)
 03/09/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H516)
 03/24/2009 Rules - Executive Session Completed (H)
 03/24/2009 Rules - Voted Do Pass - not Consent (H)
 03/24/2009 Rules - Reported Do Pass - not Consent (H) (H636)
 04/06/2009 HCS Adopted (H) (H936)
 04/06/2009 Perfected with Amendments (H) (H936)
 04/09/2009 Third Read and Passed (H) (H1014 / S990)
 04/13/2009 S First Read--HCS for HB 250 (S990)
 04/16/2009 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S1053)
 04/22/2009 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee

EFFECTIVE: August 28, 2009

*** HB 251 ***

HCS HB 251

1101L.03P

SENATE SPONSOR: Clemens

HOUSE HANDLER: Cunningham

HCS/HB 251 - Under current law, co-op's are provided an exception to the prohibition on milk processors and distributors giving monetary incentives for the purchase of their milk products. This act re-words this exception by expressly stating that any return on savings, or any economic benefit or service, given by a co-op to its members for the purchase of milk products shall not be considered a violation.

This act is identical to the perfected SB 153 (2009).

ERIKA JAQUES

01/13/2009 Introduced and Read First Time (H) (H54)
 01/14/2009 Read Second Time (H) (H57)
 02/05/2009 Refer: Spec Stand Com on Emerging Issues in Animal Agri (H) (H259)
 02/10/2009 Public Hearing Completed (H)
 02/17/2009 Executive Session Completed (H)
 02/17/2009 HCS Voted Do Pass (H)
 02/23/2009 HCS Reported Do Pass by Consent (H) (H371)
 02/23/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H371)
 03/03/2009 Rules - Executive Session Completed (H)
 03/03/2009 Rules - Voted Do Pass - Consent (H)
 03/03/2009 Rules - Reported Do Pass Consent (H) (H449)
 03/10/2009 Perfected by Consent (H) (H538)
 03/12/2009 Third Read and Passed (H) (H584 / S630)
 03/12/2009 S First Read--HCS for HB 251 (S630)
 03/26/2009 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S781)
 04/08/2009 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee
 04/08/2009 Voted Do Pass S Agriculture, Food Production and Outdoor Resources Committee - Consent

04/09/2009 Reported from S Agriculture, Food Production and Outdoor Resources Committee to Floor - Consent (S982)
04/27/2009 S Consent Calendar--HCS for HB 251 (Clemens)

EFFECTIVE: August 28, 2009

*** HB 253 ***

1046L.01P

SENATE SPONSOR: Stouffer

HOUSE HANDLER: Davis

HB 253 - This act allows motorcycle headlamps to be wired to modulate either the upper beam or the lower beam from its maximum intensity to a lesser intensity provided the headlight modulator meets certain standards set forth in the act.

STEPHEN WITTE

01/13/2009 Introduced and Read First Time (H) (H54)
01/14/2009 Read Second Time (H) (H57)
01/22/2009 Referred: Transportation (H) (H138)
02/10/2009 Public Hearing Completed (H)
03/03/2009 Executive Session Completed (H)
03/03/2009 Voted Do Pass - Consent (H)
03/05/2009 Reported Do Pass by Consent (H) (H487)
03/05/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H487)
03/10/2009 Rules - Executive Session Completed (H)
03/10/2009 Rules - Voted Do Pass - Consent (H)
03/10/2009 Rules - Reported Do Pass Consent (H) (H537)
03/24/2009 Perfected by Consent (H) (H639)
03/30/2009 Third Read and Passed (H) (H777 / S827)
03/31/2009 S First Read--HB 253-Davis, et al (S827)
04/01/2009 Second Read and Referred S Transportation Committee (S854)
04/08/2009 Hearing Conducted S Transportation Committee
04/15/2009 Voted Do Pass S Transportation Committee - Consent
04/15/2009 Reported from S Transportation Committee to Floor - Consent (S1022)
04/21/2009 Removed S Consent Calendar (S1129)
04/23/2009 Reported from S Transportation Committee to Floor (S1192)
04/27/2009 S Formal Calendar H Bills for Third Reading--HB 253-Davis, et al (Stouffer)

EFFECTIVE: August 28, 2009

*** HB 255 ***

1043L.01P

HOUSE HANDLER: Scharnhorst

HB 255 - This act removes the Director of the Forms Management Unit as a member of the State Records Commission and replaces him or her with the Commissioner of the Office of Administration.

JIM ERTL

01/13/2009 Introduced and Read First Time (H) (H54)
01/14/2009 Read Second Time (H) (H57)
02/05/2009 Referred: Corrections and Public Institutions (H) (H259)
03/11/2009 Public Hearing Completed (H)
03/11/2009 Executive Session Completed (H)
03/11/2009 Voted Do Pass - Consent (H)
03/12/2009 Reported Do Pass by Consent (H) (H591)
03/12/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H591)
03/24/2009 Rules - Executive Session Completed (H)
03/24/2009 Rules - Voted Do Pass - Consent (H)
03/24/2009 Rules - Reported Do Pass Consent (H) (H636)
03/31/2009 Perfected by Consent (H) (H820)
04/01/2009 Third Read and Passed (H) (H852-853 / S866)
04/01/2009 S First Read--HB 255-Scharnhorst (S866)
04/02/2009 Second Read and Referred S General Laws Committee (S890)
04/14/2009 Hearing Conducted S General Laws Committee

EFFECTIVE: August 28, 2009

*** HB 257 ***

SCS HB 257

0735S.02C

SENATE SPONSOR: Rupp

HOUSE HANDLER: Schieffer

SCS/HB 257 - This act allows Lincoln County, after meeting the required assessed valuation, to become a second class county upon a vote of the governing body to change classifications. Currently, a county can only change classifications by a vote of the governing body if it is becoming a first class county; otherwise, the county must be at the required assessed valuation for five years before changing classifications. The effective date of the change in classification shall be at the beginning of the county fiscal year following the election by the governing body.

This act is identical to SB 574 (2009).

SUSAN HENDERSON MOORE

01/13/2009 Introduced and Read First Time (H) (H54)
 01/14/2009 Read Second Time (H) (H57)
 02/12/2009 Referred: Local Government (H) (H309)
 02/18/2009 Public Hearing Completed (H)
 03/02/2009 Executive Session Completed (H)
 03/02/2009 Voted Do Pass (H)
 03/04/2009 Executive Session Completed (H)
 03/04/2009 Voted Do Pass - Consent (H)
 03/04/2009 Reported Do Pass by Consent (H) (H465)
 03/04/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H465)
 03/10/2009 Rules - Executive Session Completed (H)
 03/10/2009 Rules - Voted Do Pass - Consent (H)
 03/10/2009 Rules - Reported Do Pass Consent (H) (H537)
 03/24/2009 Perfected by Consent (H) (H639)
 03/30/2009 Third Read and Passed (H) (H786 / S828)
 03/31/2009 S First Read--HB 257-Schieffer (S828)
 04/01/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S854)
 04/08/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee
 04/15/2009 SCS Voted Do Pass S Jobs, Economic Development and Local Government Committee (0735S.02) - Consent
 04/15/2009 Reported from S Jobs, Economic Development and Local Government Committee to Floor w/SCS - Consent (S1033)
 04/21/2009 Removed S Consent Calendar (S1096)
 04/23/2009 Reported from S Jobs, Economic Development and Local Government Committee to Floor w/SCS (S1191)
 04/27/2009 S Formal Calendar H Bills for Third Reading--HB 257-Schieffer, with SCS (Rupp)

EFFECTIVE: August 28, 2009

*** HB 258 ***

0283L.01P

HOUSE HANDLER: Jones

HB 258 - The wage rate at which employers are required to pay tipped employees is frozen at \$3.525.

CHRIS HOGERTY

01/13/2009 Introduced and Read First Time (H) (H54)
 01/14/2009 Read Second Time (H) (H57)
 01/22/2009 Refer: Spec Stand Com on Workforce Dev & Workplace Safety(H) (H138)
 02/04/2009 Public Hearing Completed (H)
 02/11/2009 Executive Session Scheduled - Bill Not Heard
 02/18/2009 Executive Session Completed (H)
 02/18/2009 Voted Do Pass (H)
 02/23/2009 Reported Do Pass (H) (H371)
 02/23/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H371)
 03/10/2009 Rules - Executive Session Completed (H)
 03/10/2009 Rules - Voted Do Pass (H)
 03/10/2009 Rules - Reported Do Pass (H) (H537)
 04/08/2009 Perfected with Amendments (H) (H979)
 04/16/2009 Third read and passed (H) (H1088-1090 / S1054)

04/16/2009 S First Read--HB 258-Jones (89), et al (S1054)
 04/21/2009 Second Read and Referred S Small Business, Insurance and Industry Committee (S1091)
 04/28/2009 Hearing Scheduled S Small Business, Insurance and Industry Committee

EFFECTIVE: August 28, 2009

*** HB 259 *** SS HB 359

1014S.03F

SENATE SPONSOR: Engler

HOUSE HANDLER: Tilley

SS/HB 259 - This act modifies Missouri's prompt pay law as it pertains to the payment of health insurance claims made by a health care provider. The act provides a definition for the term "clean claim." The term "clean claim" is defined as a claim that has no defect, impropriety, lack of any required substantiating documentation, or particular circumstance requiring special treatment that prevents timely payment. Under the proposed act, the definition of health carrier is modified to include self-insured health plans, to the extent allowed by federal law. The act amends the term "processing days" to include the number of days a health carrier's agents, subsidiaries, contractors, subcontractors or third-party contractors have a claim in their possession. The act also amends the definition of "request for additional information" to mean a health carrier's electronic request for additional information from a claimant which specifies all of the information that is needed in order to process the claim for payment. The act also deletes the definition of the term "suspends the claim" and removes the use of the phrase from section 376.383.

Under the terms of the act, a health carrier must send an electronic acknowledgment of the date of receipt of an electronically filed claim by a health carrier or a third-party contractor within one working day.

Within 15 days (current law allows 10 working days) after receipt of a filed claim by a health carrier, the health carrier must send an electronic notice of the status of the claim that notifies the claimant:

- (1) Whether the claim is a clean claim; or
- (2) The claim requires additional information from the claimant.

If the claim is a clean claim, the health carrier must either pay or deny the claim. If the claim requires additional information, the notice shall include a request for additional information.

The act modifies the interest and penalty provision for failing to promptly pay a claim. Under the proposed act, if the health carrier has not paid the claimant on or before the 45th processing day from the date of the receipt of the claim, the health carrier must pay the claimant 1% interest per month and a penalty in an amount equal to one-fifth of the claim per day. The current statutory penalty provision is repealed. That provision required the health carrier to pay the claimant a daily penalty of 50% of the claim, but not to exceed \$20, for failure to pay the claim in a timely manner. Under the act, the interest and penalties cease to accrue on the day a petition is filed in court to recover payment on a claim.

If a court determines that a health carrier has failed to pay a claim, interest, or penalty without good cause, the court shall enter judgment for attorney fees. If the court determines that a health care provider has filed suit without reasonable grounds to recover a claim, the court shall award the health carrier reasonable attorney fees related to the defense.

Under the terms of the act, any claim for which the health carrier has not communicated a specific reason for the denial shall not be considered denied under the prompt pay statutes.

Under the terms of the act, requests for additional information shall specify all of the documentation and additional information that is necessary to process all of the claim, or all of the claims on a multi-claim form, as a clean claim for payment. Information requested shall be reasonable and pertain solely to the health carrier's determination of liability.

The prompt pay provision is substantially similar to the one contained in SB 236 (2009)(Section 376.383).

This act also prohibits contracts between health carriers and health care providers from containing provisions that require health care providers to disclose their reimbursement rates with other health carriers. Under the act, such provisions are void and unenforceable. This provision is substantially similar to the one contained in SB 478 (2009)(Section 376.444).

STEPHEN WITTE

01/13/2009 Introduced and Read First Time (H) (H54)
 01/14/2009 Read Second Time (H) (H57)
 01/29/2009 Referred: Special Standing Committee on Health Insurance (H) (H195)

02/03/2009 Public Hearing Completed (H)
 02/17/2009 Executive Session - No Action Taken
 02/24/2009 Executive Session Completed (H)
 02/24/2009 Voted Do Pass - Consent (H)
 02/25/2009 Reported Do Pass by Consent (H) (H402)
 02/25/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H402)
 03/03/2009 Rules - Executive Session Completed (H)
 03/03/2009 Rules - Voted Do Pass - Consent (H)
 03/03/2009 Rules - Reported Do Pass Consent (H) (H449)
 03/10/2009 Perfected by Consent (H) (H538)
 03/12/2009 Third read and passed (H) (H587 / S630)
 03/12/2009 S First Read--HB 259-Tilley (S630)
 03/26/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S781)
 03/30/2009 Re-referred S Small Business, Insurance and Industry Committee (S809)
 04/07/2009 Hearing Conducted S Small Business, Insurance and Industry Committee
 04/14/2009 Voted Do Pass S Small Business, Insurance and Industry Committee
 04/16/2009 Reported from S Small Business, Insurance and Industry Committee to Floor (S1052)
 04/21/2009 SS S offered (Lembke)--(1014S.03F) (S1120)
 04/21/2009 SA 1 to SS S offered & adopted (Shoemyer)--(8094S09.01S) (S1120-1121)
 04/21/2009 SA 2 to SS S offered & Ruled out of order (Dempsey)--(8227S09.01S) (S1121-1125)
 04/21/2009 SA 3 to SS S offered & defeated (Stouffer)--(1014S03.01F) (S1126)
 04/21/2009 SA 4 to SS S offered & Ruled out of order (Goodman)--(8224S09.01S) (S1126-1127)
 04/21/2009 SA 5 to SS S offered & adopted (Wilson)--(1014S03.04S) (S1127)
 04/21/2009 SS, as amended, S adopted (S1127)
 04/21/2009 S Third Read and Passed (S1127-1128 / H1220-1221)
 04/27/2009 H Calendar H Bills with S Amendments (SS, as amended)

EFFECTIVE: August 28, 2009

*** HB 265 ***

SCS HCS HB 265

0924S.04C

SENATE SPONSOR: Crowell

HOUSE HANDLER: Franz

SCS/HCS/HB 265 – This act modifies the Public School Retirement System of Missouri (PSRS) and the Public Education Employee Retirement System (PEERS).

VENUE FOR LAWSUITS: All suits or proceedings directly or indirectly brought against the board of trustees for PSRS or PEERS, the board's members or employees, or the retirement system itself must be brought in Cole County. (Section 169.020)

INVESTMENT ACCOUNT: This act allows for the establishment and maintenance of a retirement systems investment account for investment purposes. Moneys from PSRS and PEERS may be combined in the account for investment purposes so long as the funds are accounted for and reported separately. (Sections 169.040, 169.630)

PURCHASE OF SERVICE CREDIT: For the purchase of membership service credit, this act changes the date of payment from June 30 to September 30 and the date of recalculation from July 1 to October 1. In addition, the retirement system may prohibit a purchase, impose additional requirements for making a purchase, or limit the amount of credit purchased if necessary to comply with federal law. (Sections 169.056, 169.655)

DISTRIBUTION OF BENEFITS UPON DEATH OF A MEMBER: This act modifies how retirement benefits may be distributed upon the death of a member prior to the member having received the specified number of monthly payments. The remainder of such payments will be paid to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or the estate of the last person to receive a monthly allowance in a lump sum payment, in that order of precedence. In addition, if a member dies and the member's financial institution cannot accept the final payment or payments, the final payment or payments will be paid to the beneficiary, or if no beneficiary exists, to the surviving spouse, to the surviving children in equal shares, surviving parents in equal shares, or the estate of the member, in that order of precedence. This same order applies if the beneficiary to a member dies and the beneficiary's financial institution cannot accept final payment. (Sections 169.070, 169.073, 169.075, 169.670)

GARNISHMENT: This act allows funds belonging to the retirement systems and certain benefits to be

subject to execution, garnishment, attachment in a proceeding instituted for spousal maintenance or child support. (Sections 169.090, 169.690)

ASSOCIATION ADMISSION: After June 30, 2010, no additional nonprofit educational associations or organizations will be able to have their employees become members of PSRS or PEERS. (Sections 169.130, 169.650)

LIMITS ON THE NUMBER OF HOURS WORKED AND COMPENSATION EARNED BY A RETIRED MEMBER OF PSRS: Current law provides that a retiree receiving a retirement allowance under PSRS may be employed by a school district on a part-time or temporary-substitute basis for not more than 550 hours in any one school year without a discontinuance of the retirement allowance. The retiree may earn up to fifty percent of the annual compensation payable under the district's salary schedule. This act provides that the limits placed on retirees will be applied on a pro-rata basis to a retiree's hours of work and earnings after the retiree's effective date of retirement during the school year that the member retires. A retiree who performs such part-time or temporary-substitute work will not accrue any creditable service with the retirement system. The limits on hours and earnings will apply to any retiree currently receiving a PSRS retirement allowance, other than for disability, who receives any remuneration from any source for work performed included in the retirement system as a consultant, contractor, specialist or employee of any other employer.

If a retiree exceeds the limits on hours of work or earnings, the person will not be eligible to receive his or her retirement allowance for the remainder of that school year. If a retiree is employed in a school district capacity so that he or she would be eligible for membership in PSRS or PEERS, he or she will become a PSRS or PEERS member and make appropriate contributions.

A member must terminate employment with an employer covered by PSRS before being eligible to receive a PSRS benefit. A member will not be deemed to have terminated employment if the member is employed in any capacity by an employer covered by PSRS or PEERS or receives any remuneration from any source of work, as described in the act, within one month after his or her effective date of retirement. If it is determined that the member did not terminate employment, the member must repay any benefit payments.

This section contains an emergency clause. (Section 169.560)

LIMITS ON THE NUMBER OF HOURS WORKED BY A RETIRED MEMBER OF PEERS: Current law provides that a retired member of PEERS who is receiving a PEERS retirement allowance may be employed on a part-time basis or temporary-substitute basis by a district included in PEERS for not more than 550 hours in any one school year without a discontinuance of the retirement allowance. This act provides that the limit on the number of hours worked must be applied on a pro-rata basis to a retiree's hours of work after the retiree's effective date of retirement during the school year that the member retires. A retiree who performs such part-time or temporary-substitute work will not accrue any creditable service with the retirement system. The limit on hours worked will apply to any retiree currently receiving a PEERS retirement allowance, other than for disability, who receives any remuneration from any source for work performed included in the retirement system as a consultant, contractor, specialist or employee of any other employer.

If a retiree exceeds the limits on hours of work, he or she will not be eligible to receive his or her retirement allowance for the remainder of that school year. If a retiree is employed in a school district capacity so that he or she would be eligible for membership in PSRS or PEERS, he or she will become a PSRS or PEERS member and make appropriate contributions.

A member must terminate employment with an employer covered by PEERS before being eligible to receive a PEERS benefit. A member will not be deemed to have terminated employment if the member is employed in any capacity by an employer covered by PSRS or PEERS or receives any remuneration from any source of work, as described in the act, within one month after his or her effective date of retirement. If it is determined that the member did not terminate employment, the member must repay any benefit payments.

This section contains an emergency clause. (Section 169.660)

INDEMNIFICATION: The board of trustees of PSRS or PEERS may indemnify and protect any trustee or employee against all claims or liabilities in his or her official or individual capacity except for gross negligence or willful misconduct. The board of trustees may obtain insurance or indemnity policies. For an employee or trustee to qualify for indemnity, he or she must provide written notice to the board of trustees within fifteen days after receiving service of process of a proceeding. (Section 169.750)

This act is substantially similar to SB 327 (2009) and SCS/SBs 1153, 1154, 1155 & 1156 (2008), and contains provisions similar to HB 1972 (2008), HB 1973 (2008), and HB 2056 (2008).

MICHAEL RUFF

01/14/2009 Introduced and Read First Time (H) (H85)
 01/15/2009 Read Second Time (H) (H89)
 01/29/2009 Referred: Retirement (H) (H195)
 02/19/2009 Public Hearing Completed (H)
 02/26/2009 Executive Session Completed (H)
 02/26/2009 Voted Do Pass - Consent (H)
 03/03/2009 HCS Reported Do Pass by Consent (H) (H447)
 03/03/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H447)
 03/10/2009 Rules - Executive Session Completed (H)
 03/10/2009 Rules - Voted Do Pass - Consent (H)
 03/10/2009 Rules - Reported Do Pass Consent (H) (H537)
 03/24/2009 Perfected by Consent (H) (H639)
 03/30/2009 Third Read and Passed (H) (H776 / S826)
 03/31/2009 S First Read--HCS for HB 265 (S826)
 04/01/2009 Second Read and Referred S Veterans' Affairs, Pensions and Urban Affairs Committee (S854)
 04/09/2009 Hearing Conducted S Veterans' Affairs, Pensions and Urban Affairs Committee
 04/09/2009 SCS Voted Do Pass S Veterans' Affairs, Pensions and Urban Affairs Committee (0924S.04C) - Consent
 04/09/2009 Reported from S Veterans' Affairs, Pensions and Urban Affairs Committee to Floor w/SCS - Consent (S983)
 04/20/2009 SCS S adopted (S1067)
 04/20/2009 S Third Read and Passed - Consent - EC adopted (S1067 / H1144)
 04/27/2009 H Calendar H Bills with S Amendments (SCS)

EFFECTIVE: Varies

*** HB 269 ***

SCS HB 269

0862S.03C

SENATE SPONSOR: Scott

HOUSE HANDLER: Parson

SCS/HB 269 - This act establishes a procedure for adding or deleting names on an application for certificate of ownership for a motor vehicle or trailer that would cause it to be inconsistent with the names listed on a notice of lien. Under the act, the owner shall provide the director with documentation evidencing the lienholder's authorization to add or delete names on the application for certificate of ownership (Section 301.190). The act creates a similar procedure for outboard motors, motorboats, vessels, watercrafts and manufactured homes (Sections 306.410 and 700.320).

This act modifies the law with respect to garagekeeper liens that secure the payment for services rendered upon motor vehicles. Under the act, the time period for applying for a certificate of ownership is shortened. Currently, if a chattel item (i.e. motor vehicle) is not redeemed within three months of the completion of labor, the lienholder may apply to the director of revenue for a certificate of ownership or certificate of title. This act changes that time period to 45 days.

Currently, if the charges are for storage or the service of towing and the item has not been redeemed three months after the charges for storage have commenced, the lienholder shall notify the owner and any lienholder of record that an application for a lien title will be made unless the owner or lienholder makes satisfactory arrangements within 45 days. This act changes those time periods to 45 days and 30 days respectively.

The act requires the application for a certificate of ownership shall be accompanied by an affidavit. Such affidavit shall be accompanied by a copy of the 30 day notice provided to the owner of the chattel and any person holding a security interest in the chattel. Currently, the Director of Revenue is required to notify the owner and any lien holder of record of a motor vehicle, trailer, outboard motor, aircraft, or vessel, when an application is made for a lien title on such item. This provision is repealed (Section 430.082). A similar provision can be found in SB 319 (2009).

Under current law, when a person who is not a resident of the United States buys a nonrepairable motor vehicle or a salvage motor vehicle, the seller must stamp the words "FOR EXPORT ONLY" on the face of the title and in each unused reassignment space on the back of the title and forward it to the Department of

Revenue. This act specifies that it is the operator of the salvage pool or salvage disposal sale or the subsequent purchaser who is required to fulfill these duties. This provision is contained in HB 644 (2009) (Section 301.218)(SA 1).

Under current law, wholesale motor vehicle dealers are limited to one additional dealer plate per ten-unit qualified transactions annually. This act exempts any wholesale motor vehicle dealer operating in conjunction with a wholesale motor vehicle auction by the same owner from the dealer plate limitation. This provision is contained in HB 399 (2009)(Section 301.560)(SA 2).

STEPHEN WITTE

01/14/2009 Introduced and Read First Time (H) (H85)
 01/15/2009 Read Second Time (H) (H89)
 01/29/2009 Referred: Transportation (H) (H195)
 02/10/2009 Public Hearing Completed (H)
 02/17/2009 Executive Session Completed (H)
 02/17/2009 Voted Do Pass - Consent (H)
 02/26/2009 Reported Do Pass by Consent (H) (H419)
 02/26/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H419)
 03/03/2009 Rules - Executive Session Completed (H)
 03/03/2009 Rules - Voted Do Pass - Consent (H)
 03/03/2009 Rules - Reported Do Pass Consent (H) (H449)
 03/10/2009 Perfected by Consent (H) (H538)
 03/12/2009 Third Read and Passed (H) (H574 / S627)
 03/12/2009 S First Read--HB 269-Parson, et al (Scott) (S627-628)
 03/26/2009 Second Read and Referred S Transportation Committee (S781)
 04/01/2009 Hearing Conducted S Transportation Committee
 04/08/2009 SCS Voted Do Pass S Transportation Committee (0862S.03C) - Consent
 04/09/2009 Reported from S Transportation Committee to Floor w/SCS - Consent (S984)
 04/15/2009 Removed S Consent Calendar (S1032)
 04/16/2009 Reported from S Transportation Committee to Floor w/SCS (S1051)
 04/21/2009 SA 1 to SCS S offered & adopted (Griesheimer)--(0862S03.02S) (S1097-1098)
 04/21/2009 SA 2 to SCS S offered & adopted (Shields)--(0862S03.03S) (S1098-1103)
 04/21/2009 SCS, as amended, S adopted (S1103)
 04/21/2009 S Third Read and Passed (S1103 / H1198-1202)
 04/27/2009 H Calendar H Bills with S Amendments (SCS)

EFFECTIVE: August 28, 2009

*** HB 272 ***

SCS HCS HB 272

0954S.05C

SENATE SPONSOR: Days

HOUSE HANDLER: Chappelle-Nadal

SCS/HCS/HB 272 - This act establishes in the Department of Health and Senior Services an Alzheimer's State Plan Task Force. The list of the eighteen task force members are specified in the act. The duties of the task force include assessing the current and future impact of Alzheimer's disease and related dementia on residents of the state, examine the existing services and resources for persons with dementia, their families, and caregivers, and develop recommendations to respond to the escalating public health situation regarding Alzheimer's disease. The task force shall submit a report of its findings and date-specific recommendations to the General Assembly and the Governor in the form of a state Alzheimer's plan no later than November 15, 2010.

The provisions of this act shall expire on November 1, 2012.

This act is identical to HCS/SCS/SB 176 (2009).

ADRIANE CROUSE

01/14/2009 Introduced and Read First Time (H) (H85)
 01/15/2009 Read Second Time (H) (H89)
 01/22/2009 Referred: Health Care Policy (H) (H138)
 02/25/2009 Public Hearing Completed (H)
 03/10/2009 Executive Session Completed (H)
 03/10/2009 HCS Voted Do Pass - Consent (H)
 03/10/2009 HCS Reported Do Pass by Consent (H) (H534)
 03/10/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H534)
 03/24/2009 Rules - Executive Session Completed (H)

03/24/2009 Rules - Voted Do Pass - Consent (H)
 03/24/2009 Rules - Reported Do Pass Consent (H) (H636)
 03/31/2009 Perfected by Consent (H) (H820)
 04/01/2009 Third Read and Passed (H) (H857-858 / S867)
 04/01/2009 S First Read--HCS for HB 272 (S867)
 04/02/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S891)
 04/14/2009 Hearing Conducted S Health, Mental Health, Seniors and Families Committee
 04/14/2009 SCS Voted Do Pass S Health, Mental Health, Seniors and Families Committee (0954S.05C) - Consent
 04/15/2009 Reported from S Health, Mental Health, Seniors and Families Committee to Floor w/SCS - Consent (S1021)
 04/22/2009 SCS S adopted (S1153-1154)
 04/22/2009 S Third Read and Passed - Consent (S1154 / H1221)
 04/27/2009 H Calendar H Bills with S Amendments (SCS)

EFFECTIVE: August 28, 2009

*** HB 273 *** HCS HB 273

1095L.03P

SENATE SPONSOR: Scott

HOUSE HANDLER: Cox

HCS/HB 273 - This act allows the personal representative of an estate to submit documentation other than vouchers, such as an electronic copy of a check or bank statement, to the court as evidence of expenditures on behalf of the estate.

EMILY KALMER

01/14/2009 Introduced and Read First Time (H) (H86)
 01/15/2009 Read Second Time (H) (H89)
 01/22/2009 Referred: Financial Institutions (H) (H138)
 02/18/2009 Public Hearing Completed (H)
 03/05/2009 Executive Session Completed (H)
 03/05/2009 HCS Voted Do Pass - Consent (H)
 03/09/2009 HCS Reported Do Pass by Consent (H) (H515)
 03/09/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H515)
 03/24/2009 Rules - Executive Session Completed (H)
 03/24/2009 Rules - Voted Do Pass - Consent (H)
 03/24/2009 Rules - Reported Do Pass Consent (H) (H636)
 03/31/2009 Perfected by Consent (H) (H820)
 04/01/2009 Third Read and Passed (H) (H877 / S870)
 04/01/2009 S First Read--HCS for HB 273 (S870)
 04/02/2009 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S891)
 04/14/2009 Hearing Conducted S Financial and Governmental Organizations and Elections Committee
 04/15/2009 Voted Do Pass S Financial and Governmental Organizations and Elections Committee - Consent
 04/15/2009 Reported from S Financial and Governmental Organizations and Elections Committee to Floor - Consent (S1033)
 04/27/2009 S Consent Calendar--HCS for HB 273 (Scott)

EFFECTIVE: August 28, 2009

*** HB 278 ***

0689L.02P

HOUSE HANDLER: Meiners

HB 278 - This act allows mobility motor vehicle dealers to purchase new motor vehicles from franchised dealers and equip the motor vehicles for retail sale as a mobility motor vehicles. The mobility motor vehicle dealer may also display new motor vehicles to persons with a disability and equip such vehicles as a mobility motor vehicles for such persons. Mobility motor vehicle dealers may sell new motor vehicles that have been equipped as new mobility motor vehicles with the resale occurring through or by a franchised dealer. Under the terms of the act, a mobility motor vehicle dealer who purchases or acquires a new motor vehicle from a franchised dealer in order to equip the vehicle as a mobility motor vehicle shall not advertise the vehicle for resale until it is equipped as a mobility motor vehicle.

STEPHEN WITTE

01/14/2009 Introduced and Read First Time (H) (H86)
 01/15/2009 Read Second Time (H) (H89)

02/12/2009 Referred: Transportation (H) (H309)
 02/24/2009 Public Hearing Completed (H)
 03/03/2009 Executive Session Completed (H)
 03/03/2009 Voted Do Pass - Consent (H)
 03/05/2009 Reported Do Pass by Consent (H) (H487)
 03/05/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H487)
 03/10/2009 Rules - Executive Session Completed (H)
 03/10/2009 Rules - Voted Do Pass - Consent (H)
 03/10/2009 Rules - Reported Do Pass Consent (H) (H537)
 03/24/2009 Perfected by Consent (H) (H639)
 03/30/2009 Third Read and Passed (H) (H773 / S826)
 03/31/2009 S First Read--HB 278-Meiners, et al (S826)
 04/01/2009 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment
 Committee (S854)

EFFECTIVE: August 28, 2009

*** HB 281 ***

HCS HB 281

0229L.03P

HOUSE HANDLER: Weter

HCS/HB 281 - This act requires motor vehicle manufacturers selling new motor vehicles to allow other dealerships or motor vehicle repair facilities, which are located within 75 miles of a dealership or facility discontinuing business and are certified by the National Institute for Automotive Service Excellence, to perform warranty work and repairs when the authorized dealership or facility has discontinued business and no other authorized dealership or facility is located within 75 miles of that dealership or facility.

Any dealership or repair facility completing warranty work and repairs for the manufacturer shall use original equipment manufacturer parts if required by the manufacturer to retain the warranty unless the original equipment manufacturer parts will not arrive within 5 business days. If the original manufacturer parts will not arrive within 5 business days, aftermarket parts may be used but only if the parts would arrive prior to the original equipment parts. The use of aftermarket parts shall not void the manufacturer warranty nor shall such parts be covered by the manufacturer warranty.

STEPHEN WITTE

01/14/2009 Introduced and Read First Time (H) (H86)
 01/15/2009 Read Second Time (H) (H89)
 01/22/2009 Referred: Transportation (H) (H138)
 02/03/2009 Public Hearing Completed (H)
 02/24/2009 Executive Session Completed (H)
 02/24/2009 HCS Voted Do Pass - Consent (H)
 02/26/2009 HCS Reported Do Pass by Consent (H) (H419)
 02/26/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H419)
 03/10/2009 Rules - Executive Session Completed (H)
 03/10/2009 Rules - Voted Do Pass - Consent (H)
 03/10/2009 Rules - Reported Do Pass Consent (H) (H537)
 03/24/2009 Perfected by Consent (H) (H639)
 03/30/2009 Third Read and Passed (H) (H768)
 03/31/2009 S First Read--HCS for HB 281 (S825)
 04/01/2009 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment
 Committee (S854)
 04/21/2009 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee

EFFECTIVE: August 28, 2009

*** HB 282 ***

1049L.01P

SENATE SPONSOR: Nodler

HOUSE HANDLER: Stevenson

HB 282 - This act authorizes the Governor to convey state property in Jasper County to Missouri Southern State University. The property shall not be conveyed until the Joplin Regional Center has been relocated to different property.

This act is similar to SB 1010 (2008) and is identical to SB 15 (2009).
 SUSAN HENDERSON MOORE

01/14/2009 Introduced and Read First Time (H) (H86)
 01/15/2009 Read Second Time (H) (H89)
 01/22/2009 Referred: Corrections and Public Institutions (H) (H138)
 02/18/2009 Public Hearing Completed (H)
 02/26/2009 Executive Session Completed (H)
 02/26/2009 Voted Do Pass - Consent (H)
 03/03/2009 Reported Do Pass by Consent (H) (H446)
 03/03/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H446)
 03/10/2009 Rules - Executive Session Completed (H)
 03/10/2009 Rules - Voted Do Pass - Consent (H)
 03/10/2009 Rules - Reported Do Pass Consent (H) (H537)
 03/24/2009 Perfected by Consent (H) (H639)
 03/31/2009 S First Read--HB 282-Stevenson, et al (S827)
 04/01/2009 Second Read and Referred S General Laws Committee (S854)
 04/07/2009 Hearing Conducted S General Laws Committee
 04/14/2009 Voted Do Pass S General Laws Committee - Consent
 04/14/2009 Reported from S General Laws Committee to Floor - Consent (S1006)
 04/27/2009 S Consent Calendar--HB 282-Stevenson, et al (Nodler)

EFFECTIVE: August 28, 2009

*** HB 283 *** SCS HB 283

1090S.02C

SENATE SPONSOR: Goodman

HOUSE HANDLER: Wood

SCS/HB 283 - This act authorizes a nonprofit sewer company to also provide domestic water services, as long as the areas served are not within the boundaries of a public water supply district, municipal utility, or a water company.

This act is identical to SB 154 (2009) and similar to SB 245 (2007).

ERIKA JAQUES

01/14/2009 Introduced and Read First Time (H) (H86)
 01/15/2009 Read Second Time (H) (H89)
 01/29/2009 Referred: Rural Community Development (H) (H195)
 02/17/2009 Public Hearing Completed (H)
 03/03/2009 Executive Session Completed (H)
 03/03/2009 Voted Do Pass - Consent (H)
 03/04/2009 Reported Do Pass by Consent (H) (H465)
 03/04/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H465)
 03/10/2009 Rules - Executive Session Completed (H)
 03/10/2009 Rules - Voted Do Pass - Consent (H)
 03/10/2009 Rules - Reported Do Pass Consent (H) (H537)
 03/24/2009 Perfected by Consent (H) (H639 / S828)
 03/31/2009 S First Read--HB 283-Wood (Goodman) (S828)
 04/01/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S854)
 04/08/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee
 04/15/2009 SCS Voted Do Pass S Jobs, Economic Development and Local Government Committee (1090S.02C) - Consent
 04/15/2009 Reported from S Jobs, Economic Development and Local Government Committee to Floor w/SCS - Consent (S1033)
 04/27/2009 S Consent Calendar--HB 283-Wood, with SCS (Goodman)

EFFECTIVE: August 28, 2009

*** HB 286 *** HCS HB 286

0460L.02P

HOUSE HANDLER: Schaaf

HCS/HB 286 - This act provides that beginning January 1, 2010, the department shall require every licensed hospital to establish a methicillin-resistant staphylococcus aureus (MRSA) control program. The program shall establish procedures to isolate MRSA-infected patients or use alternative methods when private rooms are not available. In addition the program shall establish procedures to educate staff and to establish MRSA-infection control protocols.

This act also updates references to the National Healthcare Safety Network rather than the National Nosocomial Infection Surveillance System.

This act is similar to HB 1546 (2008).

ADRIANE CROUSE

01/15/2009 Introduced and Read First Time (H) (H96)
 01/20/2009 Read Second Time (H) (H124)
 01/22/2009 Referred: Healthcare Transformation (H) (H138)
 02/03/2009 Public Hearing Completed (H)
 02/10/2009 Executive Session Completed (H)
 02/10/2009 HCS Voted Do Pass - Consent (H)
 02/11/2009 HCS Reported Do Pass by Consent (H) (H302)
 02/11/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H302)
 02/17/2009 Rules - Executive Session Completed (H)
 02/17/2009 Rules - Voted Do Pass - Consent (H)
 02/17/2009 Rules - Reported Do Pass Consent (H) (H334)
 02/25/2009 Perfected by Consent - Pursuant to House Rules (H) (H402)
 03/10/2009 Third Read and Passed (H) (H5323-533 / S572)
 03/10/2009 S First Read--HCS for HB 286 (S572)
 03/25/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S700)
 04/14/2009 Hearing Conducted S Health, Mental Health, Seniors and Families Committee

EFFECTIVE: August 28, 2009

*** HB 287 ***

0860L.01P

SENATE SPONSOR: Mayer

HOUSE HANDLER: Day

HB 287 - This act classifies sawmills and planing mills as defined in the United States Department of Labor's Standard Industrial Classification Manual as agricultural and horticultural property instead of commercial property for property taxation purposes.

JASON ZAMKUS

01/15/2009 Introduced and Read First Time (H) (H96)
 01/20/2009 Read Second Time (H) (H124)
 01/22/2009 Referred: Rural Community Development (H138)
 02/03/2009 Public Hearing Completed (H)
 02/10/2009 Executive Session Completed (H)
 02/10/2009 Voted Do Pass (H)
 02/17/2009 Reported Do Pass (H) (H333)
 02/17/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H333)
 02/19/2009 Rules - Executive Session Completed (H)
 02/19/2009 Rules - Voted Do Pass (H)
 02/19/2009 Rules - Reported Do Pass (H) (H357)
 02/24/2009 Perfected (H) (H381)
 02/26/2009 Third Read and Passed (H) (H413 / S423)
 02/26/2009 S First Read--HB 287-Day, et al (Mayer) (S423)
 03/25/2009 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S700)
 04/08/2009 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee
 04/08/2009 Voted Do Pass S Agriculture, Food Production and Outdoor Resources Committee
 04/09/2009 Reported from S Agriculture, Food Production and Outdoor Resources Committee to Floor (S982)
 04/20/2009 SS S offered (Mayer)--(0860S.02F) (S1069-1070)
 04/20/2009 Bill Placed on Informal Calendar (S1070)
 04/27/2009 S Inf Calendar H Bills for Third Reading--HB 287-Day, et al, with SS (pending) (Mayer)

EFFECTIVE: August 28, 2009

*** HB 289 ***

1078L.01P

SENATE SPONSOR: Mayer

HOUSE HANDLER: Wallace

HB 289 – This act provides local school boards the authority to identify a designee to bind the school

district in a settlement agreement reached during the resolution session of a special education due process hearing.

Current law requires a five business day notice for the introduction of evidence at a special education due process hearing, with the exception of an expedited hearing. This act removes the exception for expedited hearings and applies the five-day notice period to expedited hearings as well.

This act will bring Missouri into compliance with the federal regulations implementing the Individuals with Disabilities Education Act (IDEA).

This act is identical to SB 422 (2009), SCS/SBs 1225 & 1226 (2008) and HCS/HBS 1876 & 1877 (2008) and contains provisions identical to HB 265 (2007), HB 267 (2007), SB 133 (2007), SB 140 (2007), SB 147 (2007), and SB 148 (2007).

MICHAEL RUFF

01/15/2009 Introduced and Read First Time (H) (H96)
 01/20/2009 Read Second Time (H) (H124)
 01/22/2009 Referred: Elementary and Secondary Education (H) (H138)
 02/03/2009 Public Hearing Completed (H)
 02/11/2009 Executive Session Completed (H)
 02/11/2009 Voted Do Pass - Consent (H)
 02/11/2009 Reported Do Pass by Consent (H) (H302)
 02/11/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H302)
 02/17/2009 Rules - Executive Session Completed (H)
 02/17/2009 Rules - Voted Do Pass - Consent (H)
 02/17/2009 Rules - Reported Do Pass Consent (H) (H334)
 02/25/2009 Perfected by Consent - Pursuant to House Rules (H) (H402)
 03/10/2009 Third Read and Passed (H) (H530 / S571-572)
 03/10/2009 S First Read--HB 289-Wallace (S571-572)
 03/25/2009 Second Read and Referred S Education Committee (S700)
 04/15/2009 Hearing Conducted S Education Committee
 04/15/2009 Voted Do Pass S Education Committee - Consent
 04/15/2009 Reported from S Education Committee to Floor - Consent (S1034)
 04/27/2009 S Consent Calendar--HB 289-Wallace (Mayer)

EFFECTIVE: August 28, 2009

*** HB 294 ***

HCS HB 294

0815L.03P

HOUSE HANDLER: Chappelle-Nadal

HCS/HB 294 - This act requires a courts to adopt a local court rule providing for the centralized filing of cases where a landlords sues a tenant for unpaid rent and possession of the premises. The courts are also required to record these cases and schedule the case to be heard no later than thirty day after the date of filing.

EMILY KALMER

01/15/2009 Introduced and Read First Time (H) (H97)
 01/20/2009 Read Second Time (H) (H124)
 01/29/2009 Referred: Judiciary (H) (H195)
 02/11/2009 Public Hearing Completed (H)
 03/09/2009 Executive Session Completed (H)
 03/09/2009 HCS Voted Do Pass - Consent (H)
 03/10/2009 HCS Reported Do Pass by Consent (H) (H535)
 03/10/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H535)
 03/24/2009 Rules - Executive Session Completed (H)
 03/24/2009 Rules - Voted Do Pass - Consent (H)
 03/24/2009 Rules - Reported Do Pass Consent (H) (H636)
 03/31/2009 Perfected by Consent (H) (H820)
 04/01/2009 Third Read and Passed (H) (H888-889 / S872)
 04/01/2009 S First Read--HCS for HB 294 (S872)
 04/02/2009 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S891)
 04/14/2009 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2009

*** HB 299 *** HCS HB 299

0574L.03P

HOUSE HANDLER: Wilson

HCS/HB 299 - This act removes the ten million dollar limit on fiscal year appropriations to the Missouri Arts Council from the estimate of revenues derived from the nonresident entertainer and athlete tax.

JASON ZAMKUS

01/15/2009 Introduced and Read First Time (H) (H97)
 01/20/2009 Read Second Time (H) (H124)
 01/22/2009 Referred: Ways and Means (H) (H138)
 02/12/2009 Public Hearing Completed (H)
 02/26/2009 Executive Session Completed (H)
 02/26/2009 HCS Voted Do Pass - Consent (H)
 02/26/2009 HCS Reported Do Pass by Consent (H) (H419)
 02/26/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H419)
 03/10/2009 Rules - Executive Session Completed (H)
 03/10/2009 Rules - Voted Do Pass - not Consent (H)
 03/10/2009 Rules - Reported Do Pass - not Consent (H) (H537)
 04/06/2009 HCS Adopted (H) (H935)
 04/06/2009 Perfected (H) (H935)
 04/09/2009 Third Read and Passed (H) (H1012-1013 / S981)
 04/09/2009 S First Read--HCS for HB 299 (S981)
 04/16/2009 Second Read and Referred S General Laws Committee (S1053)

EFFECTIVE: August 28, 2009

*** HB 306 *** HCS HB 306

0101L.02P

HOUSE HANDLER: Schad

HCS/HB 306 - Under current law, the board of directors of a lake area business district must enter into an agreement with the county collector where the district is located for the collection of a transient guest tax within the district. This act requires the board to enter into a agreement with the Department of Revenue to collect the tax and allow the department to retain between one to three percent of such revenue for the cost of collection. Such agreement will supersede any previously existing agreement.

JASON ZAMKUS

01/15/2009 Introduced and Read First Time (H) (H98)
 01/20/2009 Read Second Time (H) (H124)
 02/05/2009 Referred: Local Government (H) (H259)
 02/25/2009 Public Hearing Completed (H)
 03/09/2009 Executive Session Completed (H)
 03/09/2009 HCS Voted Do Pass (H)
 03/11/2009 Executive Session Completed (H)
 03/11/2009 HCS Voted Do Pass - Consent (H)
 03/11/2009 HCS Reported Do Pass by Consent (H) (H555)
 03/11/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H555)
 03/24/2009 Rules - Executive Session Completed (H)
 03/24/2009 Rules - Voted Do Pass - Consent (H)
 03/24/2009 Rules - Reported Do Pass Consent (H) (H636)
 03/31/2009 Perfected by Consent (H) (H820)
 04/01/2009 Third Read and Passed (H) (H870-871 / S869)
 04/01/2009 S First Read--HCS for HB 306 (S869)
 04/02/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S891)
 04/08/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee
 04/22/2009 Voted Do Pass S Jobs, Economic Development and Local Government Committee
 04/23/2009 Reported from S Jobs, Economic Development and Local Government Committee to Floor (S1191)
 04/27/2009 S Formal Calendar H Bills for Third Reading--HCS for HB 306

EFFECTIVE: August 28, 2009

*** HB 310 *** HCS HB 310

1033L.02P

SENATE SPONSOR: Dempsey

HOUSE HANDLER: Jones

HCS/HB 310 - This act repeals certain liquor control provisions pertaining to wholesalers, including exceptions to the wholesaler price regulations and provisions requiring wholesalers to file a schedule with the Supervisor of Alcohol and Tobacco Control in order to operate. Instead, wholesalers are required to make product information, including price, available to retailers no later than five days prior to the first day of the month in which the pricing will be effective. The price provided shall become effective on the first date of the next month and remain in effect until the last day of that month. Supplemental pricing information may be provided to retailers for items that were unintentionally left off the regular information listing after approval by the Division of Alcohol and Tobacco Control.

This act changes the procedure allowing wholesalers to take delivery orders for upcoming months and also changes the requirements for "delayed shipments" under the division's rules and regulations.

This act allows wholesalers to offer retailers merchandise at prices which are below the wholesaler's cost only if such merchandise is specifically designated as "close-out merchandise" when providing the monthly pricing information. The act forbids wholesalers from buying more of such "close-out merchandise". Such "close-out merchandise" shall be designated as such for not less than six consecutive months. After such time, a wholesaler may remove items from its "close-out" designation by no longer identifying them as such on its monthly pricing information.

This act is similar to SS/SB 1240 (2008) and identical to SCS/SB 188 (2009).
SUSAN HENDERSON MOORE

01/15/2009 Introduced and Read First Time (H) (H98)
01/20/2009 Read Second Time (H) (H124)
01/22/2009 Referred: Local Government (H) (H138)
01/26/2009 Re-referred to Committee (H) (H148)
01/26/2009 Referred: Special Standing Committee on General Laws (H) (H148)
02/03/2009 Public Hearing Completed (H)
02/10/2009 Executive Session Completed (H)
02/10/2009 HCS Voted Do Pass (H)
02/12/2009 HCS Reported Do Pass (H) (H311)
02/12/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H311)
02/17/2009 Rules - Executive Session Completed (H)
02/17/2009 Rules - Voted Do Pass (H)
02/17/2009 Rules - Reported Do Pass (H) (H334)
02/25/2009 Taken Up for Perfection (H) (H400)
02/25/2009 Laid Over (H) (H400)
03/02/2009 Taken Up for Perfection (H) (H430)
03/02/2009 HCS Adopted (H) (H431)
03/02/2009 Perfected with Amendments (H) (H430)
03/05/2009 Third read and passed (H) (H483 / S530)
03/05/2009 S First Read--HCS for HB 310 (S530)
03/25/2009 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S700)

EFFECTIVE: August 28, 2009

*** HB 316 ***

HCS HB 316

0419L.04P

HOUSE HANDLER: Jones

HCS/HB 316 - This act modifies provisions regarding access to public records and meetings, commonly known as Missouri's Sunshine Law.

All records of the Missouri Ethics Commission are required to be open records, with the exception of investigative reports prepared by Commission employees regarding complaints. Such reports shall be closed until such time as a decision is rendered as to the complaint. If the commission dismisses the complaint, such reports shall continue to be closed records. Upon motion of the subject of the complaint, and upon good cause shown, the Commission may close a hearing or any record to be introduced at the hearing. (Section 105.955).

Currently, when the Commission conducts a hearing following a decision that there are reasonable

grounds to believe that a non-criminal violation of the law has occurred, such hearing is closed to the public. This act opens such hearing to the public, but allows the Commission, upon motion of any party and good cause shown, to close a hearing or any record to be introduced at the hearing. The Commission may determine, in closed session, whether or not there is probable cause that a violation has occurred. (Section 105.961).

The act modifies the definition of "quasi-public governmental body" to include any Missouri high school athletic association that receives public funding through dues paid by a public governmental body or its members. (Section 610.010).

The act requires the minutes to include a summary of the discussions occurring during the closed meeting. For any public meeting that addresses issues regarding a fee or tax increase, eminent domain, zoning, certain types of improvement or development districts, or tax increment financing, the governing body of such county, city, town or village must give at least five days notice before the entity may vote to address such issues. Each such public meeting must include time for public comment. If proper notice is not given, any discussion on the issue must be postponed and no vote shall be taken for at least 20 days after the public meeting. (610.020).

Currently, public bodies are authorized to close meetings or records relating to causes of action involving the public body. This act defines "cause of action" to include a lawsuit that has been filed, correspondence from a party threatening a lawsuit if demands are not met and the public body agrees that such demands are unlikely to be met, or the body agrees that a substantial likelihood exists that litigation may occur. (610.021(1)).

The act creates two new bases for closing a record or meeting. First, a public body may close records regarding internal investigations by law enforcement into the fitness or conduct of a law enforcement officer for employment purposes. (610.021(22)). Second, records regarding a proposal to license intellectual property submitted to public institutions of higher education may be closed under certain circumstances. (610.021(23)).

During a closed meeting, the act provides that only members of the public body, their attorney and staff assistants, and any other person necessary to provide information needed by or requested by the public body shall be permitted in the closed meeting. (610.022).

The act requires information to be made available in an electronic format if the public body keeps records in an electronic format. Data must be available in a format accessible to the public if it is stored in a data-processing program. Hospitals will not be compelled to violate their licensing agreements involving proprietary data-processing systems. (610.023 and 610.029).

The act modifies provisions regarding the penalty for violation of the Sunshine Law. The burden shall be on the public body, or member, to prove that a meeting, record or vote may be closed to the public. The penalty for a knowing violation of the Sunshine Law shall be \$1,000, rather than up to \$1,000. The penalty for a purposeful violation is increased from \$5,000 to \$8,000. The act defines what constitutes "purposefully violated". Currently, a court may void the actions of a public body when evaluating actions in violation of the Sunshine Law that occur in a closed meeting. This act extends such court authority to open meetings as well. (610.027). With regard to criminal investigative reports, the act provides that the party seeking disclosure of the report shall have its reasonable and necessary costs and attorneys' fees paid if the decision of the law enforcement agency to not open the report was substantially unjustified. (610.100).

Any elected or appointed official, or their designated public information coordinator, who is subject to the Sunshine Law, is required to take a one to two hour course on the Sunshine Law by the Office of Attorney General at no cost. The requirements of the course are contained in the act. The course must be taken within 90 days of taking the oath of office or assuming his or her responsibilities. Individuals holding office prior to January 1, 2009 must complete the course by January 1, 2010. (Sections 610.040 to 610.050). The provisions of sections 610.040 to 610.050 are effective retroactively beginning January 1, 2009.

JIM ERTLE

01/15/2009 Introduced and Read First Time (H) (H98)
 01/20/2009 Read Second Time (H) (H124)
 01/29/2009 Referred: Special Standing Committee on General Laws (H) (H195)
 02/10/2009 Public Hearing Completed (H)
 02/24/2009 Executive Session Completed (H)
 02/24/2009 HCS Voted Do Pass (H)

02/25/2009 HCS Reported Do Pass (H) (H402)
 02/25/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H402)
 04/07/2009 Rules - Executive Session Completed (H)
 04/07/2009 Rules - Voted Do Pass (H)
 04/07/2009 Rules - Reported Do Pass (H) (H958)
 04/21/2009 HCS Adopted (H) (H1178)
 04/21/2009 Perfected with Amendments (H) (H1173)
 04/22/2009 Referred: Fiscal Review (H) (H1218)
 04/23/2009 Executive Session Completed (H)
 04/23/2009 Voted Do Pass (H)
 04/23/2009 Reported Do Pass (H)
 04/23/2009 Third Read and Passed (H) (H1237-1238 / S1195)
 04/23/2009 S First Read--HCS for HB 316 (S1195)

EFFECTIVE: Varies

*** HB 320 *** HCS HB 320, 39 & 662

0919L.02P

HOUSE HANDLER: Swinger

HCS/HBs 320, 39, & 662 - Beginning January 1, 2009, this act authorizes a one-time income tax credit to a taxpayer for fifty percent of the cost of the construction or one thousand five hundred dollars, whichever is less, of a storm shelter built in America and installed on or after January 1, 2003. The credit is not refundable or transferable. The total amount of credits, which will be issued on a first-come, first-served filing basis, cannot exceed two million dollars in any fiscal year. The provisions of the substitute will expire December 31st six years from the effective date.

JASON ZAMKUS

01/15/2009 Introduced and Read First Time (H) (H99)
 01/20/2009 Read Second Time (H) (H124)
 02/05/2009 Referred: Homeland Security (H) (H259)
 02/16/2009 Public Hearing Completed (H)
 02/23/2009 Executive Session Completed (H)
 02/23/2009 HCS Voted Do Pass (H)
 02/24/2009 HCS Reported Do Pass (H) (H385)
 02/24/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H385)
 03/10/2009 Rules - Executive Session Completed (H)
 03/10/2009 Rules - Voted Do Pass (H)
 03/10/2009 Rules - Reported Do Pass (H) (H537)
 03/23/2009 HCS Adopted (H) (H617)
 03/23/2009 Perfected (H) (H617)
 03/24/2009 Referred: Fiscal Review (H) (H635)
 03/26/2009 Executive Session Completed (H)
 03/26/2009 Voted Do Pass (H)
 03/26/2009 Reported Do Pass (H)
 03/26/2009 Third read and passed (H) (H726 / S782)
 03/26/2009 S First Read--HCS for HBs 320, 39 & 662 (S782-783)
 04/01/2009 Second Read and Referred S Ways and Means Committee (S854)
 04/08/2009 Hearing Scheduled But Not Heard S Ways and Means Committee
 04/15/2009 Hearing Conducted S Ways and Means Committee

EFFECTIVE: August 28, 2009

*** HB 326 *** SCS HB 326

1254S.03C

SENATE SPONSOR: Griesheimer

HOUSE HANDLER: Sutherland

SCS/HCS/HB 326 - This act modifies the definition of "clinical social work" to include community organization, planning, and evaluation. It also prohibits the usage of specific abbreviations, including abbreviations like "SW", "BSW", and "MSW", by public and private organizations unless the volunteers or employees meet the criteria of Chapter 337, RSMo.

This act also specifies that mental health benefits offered by insurance companies, health services corporations, and health maintenance organizations shall include, subject to contractual provisions, a licensed marital and family therapist.

EMILY KALMER

01/20/2009 Introduced and Read First Time (H) (H125)
 01/21/2009 Read Second Time (H) (H130)
 01/22/2009 Refer: Spec Stand Com on Pro. Registration & Licencing (H) (H138)
 02/25/2009 Public Hearing Completed (H)
 03/02/2009 Executive Session Completed (H)
 03/02/2009 Voted Do Pass - Consent (H)
 03/03/2009 Reported Do Pass by Consent (H) (H448)
 03/03/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H448)
 03/10/2009 Rules - Executive Session Completed (H)
 03/10/2009 Rules - Voted Do Pass - Consent (H)
 03/10/2009 Rules - Reported Do Pass Consent (H) (H537)
 03/24/2009 Perfected by Consent (H) (H639)
 03/30/2009 Third Read and Passed (H) (H776 / S826)
 03/31/2009 S First Read--HB 326-Sutherland (S826)
 04/01/2009 Second Read and Referred S Progress and Development Committee (S854)
 04/08/2009 Hearing Conducted S Progress and Development Committee
 04/15/2009 SCS Voted Do Pass S Progress and Development Committee (1254S.03C) - Consent
 04/15/2009 Reported from S Progress and Development Committee to Floor w/SCS - Consent (S1034)
 04/23/2009 SCS S adopted (S1182)
 04/23/2009 S Third Read and Passed - Consent (S1182-1183 / H1260)
 04/27/2009 H Calendar H Bills with S Amendments (SCS)

EFFECTIVE: August 28, 2009

*** HB 354 ***

1244L.01P

SENATE SPONSOR: Stouffer

HOUSE HANDLER: Schlottach

HB 354 - Under this act, all sales and purchases of tangible property, utilities, or services for use in public-private transportation projects are exempt from sales and use taxes (Section 144.054).

This act expands the types of projects that may be included in public-private partnership projects. Under current law, the public-private partnership transportation act is limited to a bridge project over the Mississippi River. This act allows public-private partnerships to be used for any project that includes any pipeline, ferry, river port, airport, railroad, light rail or other mass transit facility, and any similar or related improvement or infrastructure to be financed, developed, or operated under an agreement between the commission and a private partner (Section 227.600).

Under this act, any revenues received from a public-private project are exempt from state income tax (Section 227.646).

This act authorizes the Governor to convey a parcel of real property, which is being currently used by the Department of Corrections as a minimum security correctional facility, to the Missouri Highways and Transportation Commission for the new Mississippi River Bridge project (Section 1). This provision is contained in SB 179 (2009).

STEPHEN WITTE

01/22/2009 Introduced and Read First Time (H) (H138)
 01/26/2009 Read Second Time (H) (H146)
 02/19/2009 Referred: Spec Stand Com on Infrastructure & Trans Fund (H) (H356)
 03/03/2009 Public Hearing Completed (H)
 03/10/2009 Executive Session Completed (H)
 03/10/2009 Voted Do Pass (H)
 03/10/2009 Reported Do Pass (H) (H536)
 03/10/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H536)
 03/12/2009 Rules - Executive Session Completed (H)
 03/12/2009 Rules - Voted Do Pass (H)
 03/12/2009 Rules - Reported Do Pass (H) (H595)
 04/15/2009 Perfected with Amendments (H) (H1055-1057)
 04/16/2009 Third read and passed (H) (H1092-1093 / S1054)
 04/16/2009 S First Read--HB 354-Schlottach, et al (S1054)
 04/21/2009 Second Read and Referred S Transportation Committee (S1092)
 04/29/2009 Hearing Scheduled S Transportation Committee

EFFECTIVE: August 28, 2009

*** HB 358 ***

HCS HB 358

1252L.02P

HOUSE HANDLER: Day

HCS/HB 358 - This act designates the bridge over the Gasconade River on State Highway 17 in Pulaski County as the "WWII Okinawa Veterans Memorial Bridge". The act also designates Interstate 435 from mile marker 63.4 to mile marker 54.2 as the "Lamar Hunt Memorial Highway."

STEPHEN WITTE

01/22/2009 Introduced and Read First Time (H) (H139)
 01/26/2009 Read Second Time (H) (H146)
 01/29/2009 Referred: Transportation (H) (H196)
 02/10/2009 Public Hearing Completed (H)
 03/03/2009 Executive Session Completed (H)
 03/03/2009 HCS Voted Do Pass - Consent (H)
 03/05/2009 HCS Reported Do Pass by Consent (H) (H487)
 03/05/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H487)
 03/10/2009 Rules - Executive Session Completed (H)
 03/10/2009 Rules - Voted Do Pass - Consent (H)
 03/10/2009 Rules - Reported Do Pass Consent (H) (H537)
 03/24/2009 Perfected by Consent (H) (H639)
 03/30/2009 Third Read and Passed (H) (H772 / S826)
 03/31/2009 S First Read--HCS for HB 358 (S826)
 04/01/2009 Second Read and Referred S Transportation Committee (S854)
 04/08/2009 Hearing Conducted S Transportation Committee

EFFECTIVE: August 28, 2009

*** HB 359 ***

SS SCS HCS HB 359

1170S.06F

SENATE SPONSOR: Rupp

HOUSE HANDLER: Denison

SCS/HCS/HB 359 - This act modifies the current law that authorizes the state Highways and Transportation Commission to enter into design-build highway project contracts. Under this act, the current statutory restriction that limits the commission to only entering into three design-build highway projects is removed. In lieu of a specific number of projects, the total number of highway design-build project contracts awarded by the commission in any state fiscal year shall not exceed 2% of the total number of all state highway system projects listed in the commission's approved statewide transportation improvement program for that fiscal year.

The act also amends the current bonding requirements relating to design-build highway project contracts. The act specifies the requirements for bid, performance and payment bonds, or letters of credit, must be provided by the design-builder directly to the commission in design-build highway project contracts. Under the act, a bid or proposal bond, cash or certified or cashier's check is still required, but the amount shall be determined by the commission. Performance bonds must be in an amount equal to a reasonable estimate of the total cost of construction work under the design-build highway project contract. If the commission determines that the reasonable estimate of the total cost of construction work under the contract is expected to exceed \$250,000,000, and the performance bond in such amount is impractical, the commission shall set the amount of the performance bond or bonds at the largest amount reasonably available, but not less than \$250,000,000.

The act provides that upon the award of a design-build highway project contract, the sum of the performance bond and any additional security shall be stated and shall be a matter of public record.

Under this act, the commission must negotiate and reach agreements with railroads affected by design-build projects. The agreements must include clearance, safety, insurance and indemnification provisions, but are not required to include provisions on right of way acquisitions.

This act contains an emergency clause.

The provisions of this act are similar to SS/SCS/SB 128 and SB 178(2009).
 STEPHEN WITTE

01/22/2009 Introduced and Read First Time (H) (H139)
 01/26/2009 Read Second Time (H) (H146)
 01/29/2009 Referred: Spec Stand Com on Infrastructure & Trans Fund (H) (H196)
 02/03/2009 Public Hearing Completed (H)
 02/17/2009 Executive Session Completed (H)
 02/17/2009 HCS Voted Do Pass (H)
 02/23/2009 HCS Reported Do Pass (H) (H371)
 02/23/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H371)
 03/03/2009 Rules - Executive Session Completed (H)
 03/03/2009 Rules - Voted Do Pass (H)
 03/03/2009 Rules - Reported Do Pass (H) (H449)
 03/09/2009 HCS Adopted (H) (H514)
 03/09/2009 Perfected with Amendments (H) (H513)
 03/11/2009 Third read and passed (H) - EC adopted (H551-553 / S590)
 03/11/2009 S First Read--HCS for HB 359 (S590)
 03/25/2009 Second Read and Referred S Transportation Committee (S700)
 04/01/2009 Hearing Conducted S Transportation Committee
 04/08/2009 SCS Voted Do Pass S Transportation Committee (1170S.04C)
 04/09/2009 Reported from S Transportation Committee to Floor w/SCS (S983)
 04/16/2009 SS for SCS S offered (Rupp)--(1170S.06F) (S1070)
 04/20/2009 SA 1 to SS for SCS S offered & adopted (Ridgeway)--(1170S06.01S) (S1070)
 04/20/2009 SS for SCS, as amended, S adopted (S1070)
 04/20/2009 S Third Read and Passed - EC adopted (S1070-1071 / H1144)
 04/27/2009 H Calendar H Bills with S Amendments (SS for SCS, as amended)

EFFECTIVE: Emergency Clause

*** HB 361 ***

HCS HB 361

0637L.03P

HOUSE HANDLER: Guest

HCS/HB 361 - Under the current law, the department must verify that an applicant for a driver's license is lawfully present in the United States before accepting the application, and the license cannot be issued for a period that exceeds the applicant's lawful presence. The act requires the department to verify that an applicant for a driver's license is a Missouri resident or national of the United States or a noncitizen with lawful immigration status and a Missouri resident before accepting the application. The driver license cannot be issued for a period that exceeds the duration of the applicant's lawful immigration status.

For the renewal of a noncommercial driver's license, noncommercial instruction permit, or nondriver's license, a photocopy of an applicant's United States birth certificate along with another form of identification approved by the department of revenue, including any United States military identification or discharge papers, will be sufficient proof of Missouri citizenship.

The act specifies that an applicant for a driver's license, nondriver's license, or instruction permit cannot have his or her privacy rights violated in order to obtain or renew a driver's license.

The act provides that any data derived from a person's driver's license application shall not be sold for commercial purposes without the express permission from the applicant. Information derived from an application may be shared with law enforcement agencies, courts, prosecuting attorneys, or other states for the purpose of implementing the driver's license compact or conducting driver history checks to comply with the federal laws regarding motor carrier safety. The act provides that Missouri shall protect the privacy of its citizens when handling digital or electronic data and shall not participate in any standardized identification system using driver's and nondriver's license records.

Under the terms of the act, the Department of Revenue is prohibited from amending procedures for applying for a driver's license or identification card in order to comply with the goals or standards of the federal REAL ID Act.

Under the act, any biometric data previously collected, obtained, or retained by any state department or agency responsible for motor vehicle registration or operation or the issuance or renewal of driver's licenses or identification cards must be retrieved and deleted from all databases. The deletion mandate does not apply to data collected and retained for purposes other than complying with the federal REAL ID Act.

STEPHEN WITTE

01/22/2009 Introduced and Read First Time (H) (H139)
 01/26/2009 Read Second Time (H) (H146)
 01/29/2009 Referred: Real ID and Personal Privacy (H) (H196)
 02/10/2009 Public Hearing Completed (H)
 02/24/2009 Executive Session Completed (H)
 02/24/2009 HCS Voted Do Pass (H)
 03/04/2009 HCS Reported Do Pass (H) (H465)
 03/04/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H465)
 04/07/2009 Rules - Executive Session Completed (H)
 04/07/2009 Rules - Voted Do Pass (H)
 04/07/2009 Rules - Reported Do Pass (H) (H958)
 04/15/2009 Taken Up for Perfection (H) (H1060)
 04/15/2009 Laid Over (H) (H1061)
 04/15/2009 Taken Up for Perfection (H) (H1062)
 04/15/2009 HCS Adopted (H) (H1068)
 04/15/2009 Perfected with Amendments (H) (H1062)
 04/16/2009 Third Read and Passed (H) (H1103 / S1076)
 04/20/2009 S First Read--HCS for HB 361 (S1076)
 04/23/2009 Second Read and Referred S Progress and Development Committee (S1194)

EFFECTIVE: August 28, 2009

*** HB 373 *** SCS HB 373

1156S.02C

SENATE SPONSOR: Mayer

HOUSE HANDLER: Wallace

SCS/HB 373 – This act modifies provisions relating to education.

GED REVOLVING FUND: This act creates the GED Revolving Fund, which will be administered by the Commissioner of Elementary and Secondary Education. The Fund will consist of moneys appropriated by the General Assembly whose source are fees charged to GED test applicants and examinees. Moneys in the fund will be available for the payment of the costs and expenses for GED test administration. (Section 161.860)

VENUE FOR LAWSUITS: All suits or proceedings directly or indirectly brought against the board of trustees of the Public School Retirement System of Missouri (PSRS) or the Public Education Employee Retirement System (PEERS), the board's members or employees, or the retirement system itself must be brought in Cole County. (Section 169.020)

INVESTMENT ACCOUNT: This act allows for the establishment and maintenance of a retirement systems investment account for investment purposes. Moneys from PSRS and PEERS may be combined in the account for investment purposes so long as the funds are accounted for and reported separately. (Sections 169.040, 169.630)

PURCHASE OF SERVICE CREDIT: For the purchase of membership service credit, this act changes the date of payment from June 30 to September 30 and the date of recalculation from July 1 to October 1. In addition, the retirement system may prohibit a purchase, impose additional requirements for making a purchase, or limit the amount of credit purchased if necessary to comply with federal law. (Sections 169.056, 169.655)

DISTRIBUTION OF BENEFITS UPON DEATH OF A MEMBER: This act modifies how retirement benefits may be distributed upon the death of a member prior to the member having received the specified number of monthly payments. The remainder of such payments will be paid to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or the estate of the last person to receive a monthly allowance in a lump sum payment, in that order of precedence. In addition, if a member dies and the member's financial institution cannot accept the final payment or payments, the final payment or payments will be paid to the beneficiary, or if no beneficiary exists, to the surviving spouse, to the surviving children in equal shares, surviving parents in equal shares, or the estate of the member, in that order of precedence. This same order applies if the beneficiary to a member dies and the beneficiary's financial institution cannot accept final payment. (Sections 169.070, 169.073, 169.075, 169.670)

GARNISHMENT: This act allows funds belonging to the retirement systems and certain benefits to be subject to execution, garnishment, attachment in a proceeding instituted for spousal maintenance or child

support. (Sections 169.090, 169.690)

ASSOCIATION ADMISSION: After June 30, 2010, no additional nonprofit educational associations or organizations will be able to have their employees become members of PSRS or PEERS. (Sections 169.130, 169.650)

LIMITS ON THE NUMBER OF HOURS WORKED AND COMPENSATION EARNED BY A RETIRED MEMBER OF PSRS: Current law provides that a retiree receiving a retirement allowance under PSRS may be employed by a school district on a part-time or temporary-substitute basis for not more than 550 hours in any one school year without a discontinuance of the retirement allowance. The retiree may earn up to fifty percent of the annual compensation payable under the district's salary schedule. This act provides that the limits placed on retirees will be applied on a pro-rata basis to a retiree's hours of work and earnings after the retiree's effective date of retirement during the school year that the member retires. A retiree who performs such part-time or temporary-substitute work will not accrue any creditable service with the retirement system.

If a retiree exceeds the limits on hours of work or earnings, the person will not be eligible to receive his or her retirement allowance for the remainder of that school year. If a retiree is employed in a school district capacity so that he or she would be eligible for membership in PSRS or PEERS, he or she will become a PSRS or PEERS member and make appropriate contributions.

A member must terminate employment with an employer covered by PSRS before being eligible to receive a PSRS benefit. A member will not be deemed to have terminated employment if the member is employed in any capacity by an employer covered by PSRS or PEERS or receives any remuneration from any source of work, as described in the act, within one month after his or her effective date of retirement. If it is determined that the member did not terminate employment, the member must repay any benefit payments.

This section contains an emergency clause. (Section 169.560)

LIMITS ON THE NUMBER OF HOURS WORKED BY A RETIRED MEMBER OF PEERS: Current law provides that a retired member of PEERS who is receiving a PEERS retirement allowance may be employed on a part-time basis or temporary-substitute basis by a district included in PEERS for not more than 550 hours in any one school year without a discontinuance of the retirement allowance. This act provides that the limit on the number of hours worked must be applied on a pro-rata basis to a retiree's hours of work after the retiree's effective date of retirement during the school year that the member retires. A retiree who performs such part-time or temporary-substitute work will not accrue any creditable service with the retirement system.

If a retiree exceeds the limits on hours of work, he or she will not be eligible to receive his or her retirement allowance for the remainder of that school year. If a retiree is employed in a school district capacity so that he or she would be eligible for membership in PSRS or PEERS, he or she will become a PSRS or PEERS member and make appropriate contributions.

A member must terminate employment with an employer covered by PEERS before being eligible to receive a PEERS benefit. A member will not be deemed to have terminated employment if the member is employed in any capacity by an employer covered by PSRS or PEERS or receives any remuneration from any source of work, as described in the act, within one month after his or her effective date of retirement. If it is determined that the member did not terminate employment, the member must repay any benefit payments.

This section contains an emergency clause. (Section 169.660)

INDEMNIFICATION: The board of trustees of PSRS or PEERS may indemnify and protect any trustee or employee against all claims or liabilities in his or her official or individual capacity except for gross negligence or willful misconduct. The board of trustees may obtain insurance or indemnity policies. For an employee or trustee to qualify for indemnity, he or she must provide written notice to the board of trustees within fifteen days after receiving service of process of a proceeding. (Section 169.750)

This act is substantially similar to SCS/HCS/HB 265 (2009), SB 327 (2009) and SCS/SBs 1153, 1154, 1155 & 1156 (2008), and contains provisions similar to SB 492 (2009), HB 1972 (2008), HB 1973 (2008), and HB 2056 (2008).

MICHAEL RUFF

01/22/2009 Introduced and Read First Time (H) (H140)

01/26/2009 Read Second Time (H) (H146)

02/16/2009 Referred: Elementary and Secondary Education (H) (H321)

02/18/2009 Public Hearing Completed (H)
 02/25/2009 Executive Session Completed (H)
 02/25/2009 Voted Do Pass - Consent (H)
 02/25/2009 Reported Do Pass by Consent (H) (H401)
 02/25/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H401)
 03/10/2009 Rules - Executive Session Completed (H)
 03/10/2009 Rules - Voted Do Pass - Consent (H)
 03/10/2009 Rules - Reported Do Pass Consent (H) (H537)
 03/24/2009 Perfected by Consent (H) (H639)
 03/30/2009 Third Read and Passed (H) (H779 / S827)
 03/31/2009 S First Read--HB 373-Wallace (S827)
 04/01/2009 Second Read and Referred S Education Committee (S854)
 04/15/2009 Hearing Conducted S Education Committee
 04/15/2009 SCS Voted Do Pass S Education Committee (1156S.02C) - Consent
 04/15/2009 Reported from S Education Committee to Floor w/SCS - Consent (S1034)
 04/23/2009 Motion to adopt SCS S withdrawn (S1184)
 04/23/2009 Bill placed back on Consent Calendar (S1184)
 04/27/2009 S Consent Calendar--HB 373-Wallace, with SCS (Mayer)

EFFECTIVE: Varies

*** HB 376 *** SCS HB 376

1184S.03C

SENATE SPONSOR: Griesheimer

HOUSE HANDLER: Hobbs

SS/SCS/HB 376 - This act modifies various provisions relating to political subdivisions.

SECTION 48.020

This section increases the assessed valuation a county must maintain in order to move into a higher classification. The assessed valuation for counties of the first classification is increased from \$600 million to \$750 million. The assessed valuation for counties of the second classification is increased from \$450 million to \$600 million. All counties with an assessed valuation of less than \$600 million will be counties of the third classification.

The required assessed valuation for each classification shall be increased by an amount equal to any percentage increase in the consumer price index.

This section is identical to SB 358 (2009).

SECTION 48.030

This section allows Lincoln County, after meeting the required assessed valuation, to become a second class county upon a vote of the governing body to change classifications. Currently, a county can only change classifications by a vote of the governing body if it is becoming a first class county; otherwise, the county must be at the required assessed valuation for five years before changing classifications. The effective date of the change in classification shall be at the beginning of the county fiscal year following the election by the governing body.

This section is similar to HCS/SB 820 (2008), SB 38 (2009), and HB 257 (2009) and identical to SB 574 (2009).

SECTION 49.310

This section allows Caldwell County to establish a or holding facility outside of the county seat.

This section is identical to SB 457 (2009).

SECTION 49.710

Under this section, the county commission of any county without a charter form of government shall have the power to adopt ordinances requiring property owners to control brush on county right-of-ways or county maintenance easements that are part of the property owner's land that is adjacent to the county road.

Before charging a person with an ordinance violation, the county commission shall notify the property owner of the ordinance requirements, return receipt requested. The commission shall allow the owner thirty days from the date of return receipt or refusal of acceptance of delivery to control the brush. The property

owner shall be granted an automatic thirty-day extension for hardship if the owner notifies the commission within the first thirty-day period of such reasons. The property owner may be granted a second thirty-day extension upon a vote of the commission.

Any property owner in violation of such a county ordinance may be ordered to pay a civil fine of not more than ten dollars per day. If the owner is found to be in violation of the ordinance, the county shall take action to control the brush as provided under Section 263.245, RSMo, not more than thirty-days after the fine was initially imposed.

Such ordinances shall not govern any railroad company, telecommunications or wireless company, public utility, rural electric cooperative, or municipal utility.

This section is similar to SB 385 (2009).

SECTION 49.710

In St. Clair County, any person or entity, holding an outdoor concert, shall be required to receive prior approval from the county commission. A violation of this section will result in a civil fine of up to \$5,000.

SECTIONS 50.660 & 50.783

Under these sections, a county is not required to obtain bids on purchases of \$5,000 or less. Currently, such amount is set at \$4,500.

Under current law, counties may waive competitive bidding when the county commission determines that there is only one feasible source for the supply. These sections require counties to post notice on such proposed purchases of at least \$3,500 and advertise the commission's intent to make such purchases in the newspaper at least ten days in advance when the amount is at least \$5,500. Currently, the commission must post notice for such proposed purchases of at least \$3,000 and also advertise in the newspaper for such purchases of at least \$5,500.

These sections are similar to SB 256 (2009).

SECTIONS 52.290, 52.312, & 54.010

Currently, in counties without a charter form of government the collector collects a seven percent fee for the collection of delinquent taxes. In counties with a charter form of government and St. Louis City, the collector collects a two percent fee for the collection of such taxes. Under this act, in counties adopting a charter form of government after January 1, 2008, the collector shall collect a seven percent fee for the collection of delinquent taxes, while the collector in counties adopting a charter form of government before January 1, 2008, except Jackson County, shall collect a two percent fee.

In Jackson County, the collector shall collect a two percent fee on sums collected in the first year of delinquency, a four percent fee on sums collected in the second year, and a seven percent fee on sums collected in the third year.

Currently, all counties, except counties with a charter form of government excluding St. Charles County, are required to establish a "Tax Maintenance Fund" to be used solely as a depository for funds received or collected for the purpose of funding additional costs and expenses incurred in the collector's office. Under this act, counties adopting a charter form of government after January 1, 2008, shall be required to establish such a fund as well.

In the event a county of the third or fourth classification abolishes its township organization or the county collect becomes a collector-treasurer, the collector treasurer shall assume all duties, compensation, and requirements of the collector-treasurer.

These sections are identical to the perfected version of SCS/SB 123 (2009).

SECTIONS 52.361, 52.370, 55.140, 55.190, 139.031, 139.140, 139.150, 139.210, 139.220, 140.050, 140.070, 140.080, 140.160, and 165.071

These sections allow certain counties of the first and second classification to collect property taxes using electronic records and disbursements. County collectors of these counties are required by the fifteenth day of each month to file, with the county clerk and auditor, a detailed statement of all taxes and license fees

collected during the preceding month. These sections modify the provisions regarding the payment of taxes in dispute.

These sections are similar to HB 148 (2009).

SECTION 55.030

This section requires the auditor of any county with a charter form of government to annually take an inventory of county property with an original value of \$2,500 or more, rather than \$250.

This section is identical to SB 354 (2009).

SECTION 56.700

The county counselor of Boone County shall receive \$15,000, payable by the state, for duties relating to mental health and mental health facilities and an additional amount not to exceed \$15,000 for investigative and clerical personnel assisting with such duties. The sums received shall be in the form of a reimbursement to county general revenue funds.

This section is identical to SCS/SB 258 (2009).

SECTION 59.319

This section increases certain user fees collected by county recorders from \$4 to \$7 for three years. Of the additional fee, two dollars shall be credited to the Missouri Housing Trust Fund and one dollar shall be deposited in the state general revenue and credited to the account used by the secretary of state for additional preservation of local records. The additional one dollar going to the secretary of state shall sunset in one year. During such time, the appropriation authority provided by the local records preservation fund within the secretary of state's office shall not exceed the level established in the fiscal year ending June 30, 2010.

This section is identical to SCS/SB 362 (2009).

SECTIONS 60.670 & 327.272

These sections require the office of the land surveyor in the department of natural resources to promulgate rules and regulations establishing minimum standards for digital cadastral parcel mapping. Any map designed and used to reflect legal property descriptions or boundaries for use in a digital cadastral mapping system must comply with such rules, unless the party requesting the map specifies otherwise in writing, the map was designed and in use prior to the promulgation of the rules, or the parties requesting and designing the map already agreed to their contractual terms on the effective date of the rules promulgation.

The practice of land surveying shall include working with positions of the United States Public Land Survey System. It shall also include creating, preparing or modifying electronic or computerized data relative to the performance of certain other surveying activities; however, such acts shall not be exclusive to professional land surveyors unless they affect real property rights.

These sections are identical to SCS/SB 384 (2009).

SECTION 64.170

This section allows Boone County to adopt, by order or ordinance, regulations to control the minimum standards of occupancy for residential units rented or leased and also to develop a program for licensing and inspecting the units. The county may recover the costs to administer the program through establishing reasonable fees.

This section is similar to SB 247 (2009).

SECTION 65.610

This section allows the county commission, upon a majority vote, to put the issue of abolishing the county's township organization to a vote of the people. Currently, it requires a petition by 10% of the voters to submit the issue to a vote.

SECTIONS 67.110 & 137.073

These sections modify laws regarding property taxation by requiring tax rate rollbacks by school districts

in reassessment years. When changes in assessed valuation occur, political subdivisions shall revised the rate of levy except that the rate may not exceed the greater of the rate in effect in the 1984 tax year or the most recent voter-approved rate.

For tax year 2009, political subdivisions are authorized to levy a property tax rate sufficient to generate as much revenue as was produced in the 2007 tax year excluding new construction and improvements as long as such rate does not exceed the greater of the rate in effect for the 1984 tax year or the most recent voter approved rate.

The county collector shall include in each tax bill the current tax rate and the most recent voter-approved tax rate for each purpose for each political subdivision located at least partially within the county levying a tax on property. In the event the stated current tax rate is greater than the most recent voter-approved tax rate for such purpose, the collector shall conspicuously note such fact in the tax bill. All political subdivisions shall provide information to the county collector on or before October 15th of each tax year.

These sections contain an emergency clause.

SECTION 67.280

This section requires communities to file one copy of any technical code adopted with the clerk's office to be available to the public, rather than three copies.

SECTION 67.402

The counties of Buchanan and Andrew may adopt nuisance abatement ordinances permitted under this section. Additionally, these counties, along with the counties of Boone and Cole, may adopt nuisance abatement ordinances involving land with tires or storm water runoff conditions resulting in damage to buildings.

This section is similar to SB 286 (2009).

SECTION 67.410

If a building commissioner issues an order to demolish, secure, repair, or clean up a property found to be a public nuisance, the cost shall be certified to the city clerk or officer in charge of finance, who shall cause the certified cost to be included in a special tax bill or added to the annual real estate tax bill, at the collecting official's option, for the property. The certified cost shall be collected by the city collector or other official collecting taxes. If the certified cost is not paid, the tax bill shall be considered delinquent.

This section removes the provision allowing the taxpayer to pay such tax bill back in installments over ten years and instead the collection of such taxes shall be governed by the general laws on delinquent taxes.

SECTION 67.1000

Current law allows any county, city which is the county seat of any county, and various other cities to impose a tax, not to exceed five percent per room per night, on charges for sleeping rooms paid by guests of hotels and motels for a convention and visitors bureau. This section increases the maximum levy from five percent to seven percent for Jefferson City. Such increase will become effective only upon voter approval.

This section is similar to Senate Bill 900 (2008).

SECTION 67.1177

Under current law, business district advisory boards must enter into an agreement with the county collector for the county in which a business district is located to collect transient guest tax revenues. This section requires business district advisory boards to enter into an agreement with the director of the department of revenue for the collection of the transient guest tax revenues. Such agreement will supersede any previously existing agreement with county collectors.

This section is similar to SB 449 (2009).

SECTION 67.1360

This section authorizes the City of Ashland to seek voter approval for the imposition of a transient guest tax of not less than two percent nor more than five percent per occupies room per night. The tax authorized by this act must be separately stated from all other charges and taxes.

This section authorizes the governing body of Montgomery County to seek voter approval for the imposition of a transient guest tax. The amount of the tax will be at least two, but not more than five percent per occupied room per night, and all revenue derived from such tax will be used by the county to promote tourism.

This section is similar to SB 248 (2009) and SB 276 (2009).

SECTION 67.1361

This section allows the revenue derived from the transient guest tax for St. Joseph and Buchanan County be used for capital expenditures incurred in connection with tourism and convention facilities.

SECTION 67.2000

This section allows real property owners in Caldwell, Clinton, Daviess, and DeKalb counties to seek voter approval for the creation of exhibition center and recreational facility districts. If such a district is created, it may seek voter approval for the imposition of a one-quarter of one percent sales tax, for a period not to exceed twenty-five years, to fund the district.

This section is identical to SB 386 (2009).

SECTION 67.3000

It shall be lawful for Caldwell County to enter into a contract with private corporations engaged in delivering water at wholesale for domestic consumption. The county may also acquire, own, and hold, with private corporations, water mains.

This section is identical to SB 456 (2009).

SECTION 71.275

The governing body of a municipality may annex a research park that is compact and contiguous to the existing municipal boundaries if the property has not been sold within the previous six months and the municipality receives the written consent of all the property owners. A "research park" is defined as an area developed by a university to be used by technology-intensive and research-based companies as a business location.

This section is identical to SB 377 (2009).

SECTION 71.285

Currently, in certain cities, officials can remove weeds or trash in violation of the city ordinance at the owner's expense without additional notice if it is a repeat offense by the owner within the same year. This section allows any third class city with at least 1,000 inhabitants do so.

SECTIONS 77.110 & 79.160

These sections allow third and fourth class cities to publish their annual financial statements on their website rather than printing them in the paper. The statements must be posted for at least six months. The city or village shall also display a printed notice at city hall where other notices are displayed. If no website is available, the city may notify residents in writing or by email.

SECTION 77.300

This act allows the city council of a third class city to submit a question to a vote of the people as an advisory referendum. If a majority of the voters vote in favor of the question, it shall be used only to indicate the preference of the voters and shall not have the force and effect of law.

SECTION 80.120

This section allows villages to publish their ordinances on their website rather than printing them in the paper. They must be posted for at least six months. The city or village shall also display a printed notice at city hall where other notices are displayed. If no website is available, the village may notify residents in writing or by email.

SECTION 94.271

This section authorizes the City of Grandview to seek voter approval to levy a sales tax of up to one-half percent to fund public safety improvements for the city. Such improvements may include expenditures on equipment, city employee salaries and benefits, and facilities for police, fire, and emergency medical

providers.

This section is identical to SB 165 (2009).

SECTION 94.400

Currently, constitutional charter cities with a population between 10,000 and 300,000 are authorized to levy property taxes for certain municipal purposes, including libraries, hospitals, public health, and museum purposes. This act allows any city with a charter to do so.

This section is similar to HB 572 (2009).

SECTION 94.900

This section authorizes the governing body of the City of Peculiar to seek voter approval for the imposition of a sales tax to fund public safety improvements. The amount of the tax cannot exceed one-half of one percent and will be in addition to all other sales taxes authorized by law.

This section is identical to SB 447 (2009).

SECTION 94.902

This section authorizes the City of Grandview to seek voter approval to levy a sales tax of up to one-half percent to fund public safety improvements for the city. Such improvements may include expenditures on equipment, city employee salaries and benefits, and facilities for police, fire, and emergency medical providers.

This section is identical to SB 164 (2009).

SECTION 94.1011

This section authorizes the City of Waynesville, upon voter approval, to impose a transient guest tax of up to three percent per occupied hotel and motel room per night. The revenues derived from the tax must be used to fund the construction, maintenance, and repair of a multipurpose conference and convention center.

This section is identical to HB 1967 (2008), HB 28 (2009) and SB 387 (2009).

SECTIONS 105.145, 238.207, 238.212, and 238.235

These sections require the circuit court to order a public hearing on the creation and funding of a proposed transportation development district, if the petition to create such district was filed by the owners of all real property within the proposed district. The director of the department of revenue will perform all functions incident to the administration, collection, enforcement, and operation of transportation development district sales taxes. The board of directors of every transportation development district is required to annually submit a report of financial transactions to the state auditor. Failure to timely file such a report by a transportation development district will result in the imposition of a fine not to exceed five hundred dollars. Petitions to create transportation development districts must include details of the budgeted expenditures, including estimated expenditures for real physical improvements, estimated land acquisition expenses, estimated expenses for professional services, and estimated interest charges.

SECTION 115.127

This section allows political subdivisions and special districts to notify the public about election information on their website rather than printing them in the paper. They may also provide the information in a newsletter if one exists.

SECTION 137.1040

This section allows the governing body of a city, town, village or county to submit a proposal to the voters of such city, town village or county allowing the municipality to impose a property tax to fund cemetery maintenance. The tax authorized under this act shall not exceed one fourth of one cent per one hundred dollars assessed valuation and shall not become effective until approved by the voters of the city, town village or county.

This section is identical to the Perfected version of Senate Bill 822 (2008) and SB 168 (2009).

SECTION 138.431

Appeals of assessments to the state tax commission will be deemed to have been made when the scheduling order is first issued and signed by the hearing officer, unless another hearing officer is assigned to the case by other provisions in said order. A change of hearing officer of request to have the appeal heard by

the full commission or a quorum thereof must be granted by the commission upon an application filed by a party within thirty days of the assignment of a hearing officer. Such request need not show cause for the change, but no more than one such request will be allowed for each party in an appeal.

SECTIONS 140.150, 140.170, 140.190, 140.230, 140.250, 140.260, 140.290, 140.310, 140.340, 140.405, and 140.420

These sections change the provisions regarding the sale of real property for the collection of delinquent taxes. The collector is required to send up to two notices prior to a tax sale to the publicly recorded owner of record of the real property. The first notice is by first class mail. A second notice shall be sent by certified mail only if the assessed property valuation is \$1000 or greater. If the assessed valuation is less than \$1000, only the first notice is required.

Collectors may have a list of delinquent lands printed in the newspaper for three weeks before the sale if the assessed valuation is \$1000 or less and it has been previously advertised or is a lot in a development of twenty or more lots and such lot has an assessed value of \$1000 or less. Currently, such notice may be made if the assessed valuations are less than \$500. The sale of other delinquent lands of greater value must be printed.

The purchase price of the property at a third offering must be at least equal to the sum of the delinquent taxes, interest, penalties, and costs. The certificate of purchase will be issued to an agent if the purchaser is a nonresident. The purchaser is required to pay a fee to the collector to record the certificate of purchase. After the third offering, the collector's deed or trustee's deed will have priority over all the other liens or encumbrances on the property sold except for real property taxes or federal liens.

If the delinquent land tax sale results in an amount greater than the amount of debt, taxes, interest, and costs; the excess proceeds must be held in trust in the county treasury for three years for the publicly recorded owner or owners of the property sold or their legal representatives. After three years, any amount not called for will be deposited into the county's school fund.

The redemption periods for the owner of record to redeem tax sale property are revised; and the owner must reimburse the purchaser for all costs of sale, including the cost for recording the certificate of purchase, the fee to record the release of the certificate, the cost of the title search, the cost of the required certified mail notifications, interest at the rate specified on the certificate, and any taxes paid by the purchaser plus 8% interest.

These sections are identical to HB 261 (2009).

SECTION 141.160

In St. Louis County, the collector shall collect on behalf of the county and pay into the county general fund an additional fee for the collection of delinquent and back taxes of five percent on all sums collected to be added to the face of the tax bill and collected from the party paying the tax.

SECTION 182.802

This section authorizes public library districts to seek voter approval for a sales tax of not more than one half of one cent to fund the operation, and maintenance of libraries within the boundaries of such library district. Public library districts are defined as any city library district, county library district, city-county library district, municipal library district, consolidated library district or urban library district.

This section is identical to SB 266 (2009).

SECTION 190.054

This section provides that the current term of the director representing Subdistrict 6 of the St. Charles ambulance district shall be extended one year. At the end of such term, the district shall hold an election and the term of the new director shall be three years.

This section is identical to SB 337 (2009).

SECTION 190.056

Under this section, each member of an ambulance district board of directors shall be subject to recall from office by the registered voters of the election district from which he or she was elected. Proceedings for

the recall are commenced by the filing of a notice of intention to circulate a recall petition.

The notice must be served personally, or by certified mail, on the board member and filed with the election authority. A separate notice is needed for each member sought to be recalled and must contain information explaining the reason for the recall. It must list at least one but not more than five proponents of the recall.

Within seven days, the board member may file a statement answering the statement of the proponents. The answer must be served on at least one proponent. The statement and answer are for the voters' informational purposes only.

A member cannot be recalled if he or she: 1) has not held office during the current term for more than 180 days; 2) has 180 days or less remaining on his or her current term; or 3) has had a recall election determined in his or her favor within the current term.

The person circulating the petition must sign an affidavit verifying certain information. A recall petition must be filed with the election authority not more than 180 days after the filing of the notice of intention. The number of signatures needed shall equal at least 25% of the number of voters who voted in the most recent gubernatorial election in the election district.

The election authority has twenty days from the date of filing the petition to determine if enough voters signed the petition. It must file a certificate showing whether there are enough signatures. If the election authority certifies the petition does not have enough signatures, it may be supplemented within ten days of the date of certificate. The election authority must then certify the supplemented petition. If it is insufficient, no further action shall be taken.

If the petition is sufficient, the election authority shall submit its certificate to the board of directors and order an election within a certain amount of time. Nominations for board membership openings shall be made by filing a statement of candidacy with the election authority.

Any time prior to forty-two days before the election, the member sought to be recalled may offer his or her resignation and the recall question shall be removed from the ballot and the office declared vacant.

This section is identical to SB 978 (2008) and SB 122 (2009).

SECTION 204.569

This section provides an alternate procedure to approve the issuing of bonds for a common sewer subdistrict that is partially or completely located in Cass County. Bonds may be issued for such a subdistrict if the subdistrict receives the written assent of 75% of the political subdivisions that do business with the subdistrict.

The section contains an emergency clause.

This section is identical to SCS/SB 242 (2009).

SECTION 204.659

This section prohibits the Metropolitan Sewer District (MSD) from charging any residential landowner for storm water management services if MSD does not provide sanitary sewer service to the landowner's property and any storm water runoff from the property does not drain to a sewer maintained by MSD.

This section is similar to HB 825 (2009) and SB 172 (2009).

SECTION 221.105

This section requires the state, if it would otherwise be liable for costs, to reimburse counties for housing prisoners on its behalf regardless of the final disposition of the case. The maximum amount chargeable to the state for each day of incarcerating a prisoner, which is subject to appropriation, remains \$37.50.

SECTION 227.320

This section provides that the portion of the state highway system which was designated as Highway 47 as of January 1, 2009, within the limits of the city of Washington shall be designated and known as "Franklin Street" and shall not be designated as a numbered state highway.

SECTION 231.444

This section allows Chariton and Carroll Counties to seek voter approval to impose a tax of up to one dollar per acre on agricultural and horticultural property. The proceeds will be used to purchase road rock for county roads.

SECTION 233.104

This section modifies the amount that special road districts can spend upon roads and streets within cities in St. Clair County. Under current law, the board of a special road district can only spend 25% of its revenues on roads and streets within the boundaries of any city within the special road district. This section removes the 25% spending restriction so that any special road district in St. Clair County may spend any amount that it chooses on roads and streets within the boundaries of a city provided the city consents to such expenditures.

SECTION 247.031

The section modifies provisions relating to the procedure for detaching territory from a public water supply district.

When a petition for detachment is submitted to the circuit court by someone other than the district's board of directors, the district shall be named as a defendant and a copy of the petition shall be provided to the district at least 35 days before the hearing.

Current law requires notice of the petition to detach to be published in a newspaper in each county containing any portion of the proposed territory. The act instead requires that notice be published in a newspaper in the county in which the hearing will be held as well as in a newspaper with circulation in the proposed territory.

The section adds the district itself as an allowable entity to make an exception or objection to a proposed detachment. The act modifies the language required to be posted in the newspaper to mirror the statutory requirements.

This section is identical to HB 234 (2009) and SB 196 (2009).

SECTION 311.489

A Kansas City festival district's promotional association shall obtain a permit from the division of alcohol and tobacco control to sell alcohol and to conduct festival events at the businesses and common areas within the district upon approval by the city. The festival district must be within a community improvement district in the city. The association must provide certain information in their plan to the city, including a legal description of the district and its common areas, information about participating businesses, the specific calendar of events, and description of the festival activities, proof of adequate insurance, and a detailed security plan. There shall be no more than 25 events per year and two events per month. The events shall last no more than forty-eight hours.

Prior to approving the plan, the city shall notify all property owners in the proposed district and within 500 feet of such district's boundaries. The city shall also hold a public hearing at least 30 days after providing the notice to obtain public comment. The city shall not approve any plan unless the promotional association has obtained written approval from at least 50% of the property owners within the district and within 185 feet of its borders.

For no more than ten twenty-four hour periods in a year, such promotional association may permit customers to leave an establishment within the district after purchasing alcohol and consume the beverage in the district common areas or another establishment, but no person shall be allowed to take a alcoholic beverage outside the festival district boundaries.

Minors shall not be allowed to enter the district during a festival event that serves liquor. The permit holder is solely responsible for any alcohol violations occurring within the common areas. The promotional association may be assessed a civil fine of not more than \$5,000 for a violation. If the association is found to be responsible for violations at three separate events, its permit shall be revoked and not reissued.

SECTIONS 650.396 & 650.399

Under current law, any county which has established an emergency communications system commission may, upon voter approval, levy and collect a property tax to fund the establishment, operation, and

maintenance of an emergency communications system. Sales of food are exempted from this sales tax. These sections would give such counties the option to seek voter approval to impose the property tax or a sales tax not to exceed one-tenth of one percent to fund the establishment, operation, and maintenance of an emergency communications system. The department of revenue will collect the sales tax revenues and deposit them into the newly created county emergency communications fund for distribution to the counties from which they were collected.

These sections are similar to SB 494 (2009).

SECTION 1

All public advertisements and orders of publications required by law shall be published in a newspaper of general circulation, qualified in Section 493.050, RSMo. Persons responsible for orders of publication for foreclosure sales under Sections 443.310 and 443.320, RSMo, shall be subject to the prohibitions in Sections 493.130 and 493.140, RSMo, regarding profiting from such advertisements.

SECTIONS 2, 3, & 4

These sections authorize the Governor to convey state property in Greene County to Arc of the Ozarks and a permanent storm water easement to the City of Springfield.

These sections have an emergency clause.

SUSAN HENDERSON MOORE

01/22/2009 Introduced and Read First Time (H) (H140)
 01/26/2009 Read Second Time (H) (H146)
 01/29/2009 Referred: Local Government (H) (H196)
 02/04/2009 Public Hearing Completed (H)
 02/25/2009 Executive Session Completed (H)
 02/25/2009 Voted Do Pass - Consent (H)
 02/25/2009 Reported Do Pass by Consent (H) (H401)
 02/25/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H401)
 03/03/2009 Rules - Executive Session Completed (H)
 03/03/2009 Rules - Voted Do Pass - Consent (H)
 03/03/2009 Rules - Reported Do Pass Consent (H) (H450)
 03/10/2009 Perfected by Consent (H) (H538)
 03/12/2009 Third Read and Passed (H) (H580 / S629)
 03/12/2009 S First Read--HB 376-Hobbs, et al (S629)
 03/26/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S781)
 04/01/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee
 04/08/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee
 04/15/2009 SCS Voted Do Pass S Jobs, Economic Development and Local Government Committee (1184S.03C)
 04/16/2009 Reported from S Jobs, Economic Development and Local Government Committee to Floor w/SCS (S1051)
 04/22/2009 SS for SCS S offered (Griesheimer)--(1184S.05F) (S1135)
 04/22/2009 SA 1 to SS for SCS S offered & adopted (Rupp)--(1184S05.05S) (S1135-1142)
 04/22/2009 SA 2 to SS for SCS S offered & adopted (Rupp)--(1184S05.02S) (S1142-1143)
 04/22/2009 SA 3 to SS for SCS S offered & adopted (Pearce)--(1184S05.18S) (S1143-1145)
 04/22/2009 SA 4 to SS for SCS S offered & adopted (Schaefer)--(1184S05.08S) (S1145-1146)
 04/22/2009 SA 5 to SS for SCS S offered & adopted (Schaefer)--(1184S05.09S) (S1146-1147)
 04/22/2009 SA 6 to SS for SCS S offered & adopted (Scott)--(1184S05.19S) (S1147)
 04/22/2009 SA 7 to SS for SCS S offered & adopted (Purgason)--(0319S01.04S) (S1147-1148)
 04/22/2009 SA 8 to SS for SCS S offered (Justus)--(1184S05.24S) (S1148)
 04/22/2009 SA 1 to SA 8 to SS for SCS S offered & adopted (Crowell)--(1184S05.27S) (S1148-1149)
 04/22/2009 SA 8 to SS for SCS, as amended, S adopted (S1149)
 04/22/2009 SA 9 to SS for SCS S offered & adopted (Bray)--(1184S05.17S) (S1149-1151)
 04/22/2009 SA 10 to SS for SCS S offered & adopted (Callahan)--(1184S05.22S) (S1151-1152)
 04/22/2009 Bill Placed on Informal Calendar (S1152)
 04/22/2009 SA 11 to SS for SCS S offered & adopted (Griesheimer)--(1184S05.01F) (S1159)
 04/22/2009 SA 12 to SS for SCS S offered & adopted (Engler)--(1184S05.32S) (S1159-1160)
 04/22/2009 SA 13 to SS for SCS S offered & adopted (Bray)--(1184S05.29S) (S1160)
 04/22/2009 SA 14 to SS for SCS S offered & adopted (Purgason)--(1184S05.31S) (S1160-1162)
 04/22/2009 SA 15 to SS for SCS S offered & adopted (Callahan)--(1184S05.33S) (S1162)

04/22/2009 SA 16 to SS for SCS S offered & adopted (Shields)--(1184S05.26S) (S1162-1164)
 04/22/2009 SA 17 to SS for SCS S offered & adopted (Lager)--(1184S05.30S) (S1164-1166)
 04/22/2009 SA 18 to SS for SCS S offered & adopted (Lager)--(1184S05.35S) (S1166)
 04/22/2009 SS for SCS, as amended, S adopted (S1166)
 04/22/2009 Referred S Governmental Accountability & Fiscal Oversight Committee (S1166)
 04/23/2009 Hearing Scheduled But Not Heard S Governmental Accountability and Fiscal Oversight
 Committee
 04/27/2009 S Inf Calendar H Bills for Third Reading--SS for SCS for HB 376-Hobbs, et al (Griesheimer) (In
 Fiscal Oversight)

EFFECTIVE: Varies

*** HB 381 *** HCS HB 381

0365L.02P

HOUSE HANDLER: Silvey

HCS/HB 381 - Under this act, the Department of Revenue must develop a procedure for selecting fee office agents. The department must ensure that fee office contracts are awarded and maintained only with entities that implement procedures that are designed to reduce customer wait times to 30 minutes or less. The act requires the department to give first priority to charitable organizations and then to local political subdivisions when awarding fee office contracts. All fees collected by a charitable organization or political subdivision shall be retained and use by such organization or political subdivision. No individual or for-profit organization will be awarded a contract unless there are no priority-status entities available, and no individual who has pled guilty to or has been convicted of a felony offense or certain alcohol-related offenses will be qualified to hold a contract. No employee under a fee service contract can receive more than \$100,000 per year for his or her services. The department will provide assistance to new fee office contract holders during the transition period between switching fee offices. Under the terms of the act, the state auditor may audit fee offices in the same manner as any state agency.

STEPHEN WITTE

01/22/2009 Introduced and Read First Time (H) (H140)
 01/26/2009 Read Second Time (H) (H146)
 01/29/2009 Referred: Special Standing Committee on General Laws (H) (H196)
 02/03/2009 Public Hearing Completed (H)
 02/17/2009 Executive Session Completed (H)
 02/17/2009 HCS Voted Do Pass (H)
 03/05/2009 HCS Reported Do Pass (H) (H488)
 03/05/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H488)
 03/12/2009 Rules - Executive Session Completed (H)
 03/12/2009 Rules - Voted Do Pass (H)
 03/12/2009 Rules - Reported Do Pass (H) (H595)
 03/31/2009 HCS Adopted (H) (H812)
 03/31/2009 Perfected with Amendments (H) (H809)
 04/02/2009 Third Read and Passed (H) (H914-915 / S890)
 04/02/2009 S First Read--HCS for HB 381 (S890)
 04/08/2009 Second Read and Referred S Ways and Means Committee (S947)
 04/15/2009 Hearing Conducted S Ways and Means Committee

EFFECTIVE: August 28, 2009

*** HB 382 *** HCS HB 382

1152L.04T

SENATE SPONSOR: Scott

HOUSE HANDLER: Cox

HCS/HB 382 - This act requires that individuals acting as mortgage loan originators for residential property be licensed. Mortgage loan originators must also be employed, act under the supervision of a Missouri licensed residential mortgage broker, and register with the National Mortgage Licensing System and Registry "NMLSR". These requirements are not effective until July 31, 2010.

Certain individuals are exempt from licensing, including: mortgage loan originators registered with NMLSR and employed by certain entities, individuals offering or negotiating terms of residential mortgage loans with or on behalf of an immediate family member, individuals offering or negotiating terms of residential mortgage loans secured by their own residence, and certain attorneys who negotiate the terms of a residential mortgage loan on behalf of a client.

Independent contractor loan processors or underwriters for residential real estate must also be licensed as mortgage loan originators, have a unique identifier issued by NMLSR, and certify annually to the Director of the Division of Finance that they will comply with requirements applicable to mortgage loan originators.

Non-federally insured credit unions which employ loan originators must register the loan originators with the NMLSR.

The director of the Division of Finance is authorized to establish licensing rules for mortgage loan originator licensing. The director may establish expedited procedures for licensing of individuals previously licensed in Missouri as residential mortgage loan brokers. The director is authorized to establish the application form, enter into relationships and contracts with the NMLSR to collect and maintain records and process fees, and modify statutory requirements by rule or regulation as necessary to participate in NMLSR. The director is also required to establish a process for mortgage loan originators to challenge information entered into NMLSR.

An applicant for licensing as a mortgage loan originator must furnish NMLSR with their fingerprints, personal history, and authorize NMLSR to get their credit report and information related to any administrative, civil, or criminal findings by any governmental agency. No applicant would be denied a license solely on the basis of a credit score. Residential mortgage brokers subject to this act must also submit reports to the NMLSR.

Licenses are also required to have continuing education of at least eight hours a year in certain subjects. Provisions for the types of continuing education allowable are included.

The director shall not issue a mortgage loan originator license to anyone, unless the director finds that the applicant: has never had a mortgage loan originator license revoked in any governmental jurisdiction, has not been convicted of certain felonies, or any felony in the last seven years, has demonstrated financial responsibility, character, and fitness for licensing, has completed pre-licensing education requirements, which include at least twenty hours of NMLSR approved courses in specific areas, has passed a NMLSR written test, and met a surety bond requirement.

Standards for renewing mortgage loan originator licenses are also provided. The director is also authorized to adopt procedures for the reinstatement of expired licenses.

The director is authorized to deny licenses to applicants, discipline licensees, order restitution, impose fines, issue cease and desist orders, and order other affirmative action as the director deems necessary. Letters denying or declining to renew a license may be appealed to the residential mortgage board under the Missouri Administrative Procedure Act. All other matters presenting a contested case involving a licensee may be heard by the director under the Missouri Administrative Procedure Act. The civil penalty the director may impose is a maximum of \$25,000 per violation.

Mortgage loan originators are required to be covered by the surety bond of the licensed mortgage broker who supervises them. Residential mortgage brokers shall deliver a surety bond to the director prior to the issuance or renewal of a license. The director may promulgate rules or regulations with respect to the requirements of the surety bonds. Provisions regarding the amount of the bond and filing of the bond are also included.

Provisions for the confidentiality of certain information provided by licensees to the director and to the NMLSR are included. Information regarding the employment history and publicly adjudicated disciplinary and enforcement actions against residential mortgage brokers and mortgage originators will be accessible to the public.

The director has the authority to conduct investigations and examinations. The director's investigatory powers and certain actions which would violate the act are specified. The director is required to report violations and other relevant information to the NMLSR.

The unique identifier assigned to each person originating a residential mortgage loan and the residential mortgage loan broker license number must be on all residential mortgage loan application forms, advertisements, business cards, websites, and any other documents as established by the director.

If the U.S. Department of Housing and Urban Development disapproves of any part of the act under their

authority under the federal Secure and Fair Enforcement Mortgage Licensing Act, then the director has the rule-making authority to adopt rules necessary to continue participating in the NMLSR.

Residential mortgage loan brokers who are licensed by the director are required to report each mortgage loan originator employed under their supervision to the director and report any apparent violations to the director within thirty days of detection. The director can grant waivers of the residential mortgage loan broker licensing requirement.

Residential mortgage brokers are required to disclose a loan disclosure statement and fee agreement. Mortgage loan originators may only be compensated by the mortgage loan broker that employs them. If the mortgage broker receives fees greater than the amount they disclosed, they shall forfeit double the amount of fees and compensation to the borrower.

The requirement that a mortgage broker have annual audits is repealed.

This act contains an emergency clause.

EMILY KALMER

01/22/2009 Introduced and Read First Time (H) (H141)
 01/26/2009 Read Second Time (H) (H146)
 01/29/2009 Referred: Financial Institutions (H) (H196)
 02/18/2009 Public Hearing Completed (H)
 03/05/2009 Executive Session Completed (H)
 03/05/2009 HCS Voted Do Pass (H)
 03/09/2009 HCS Reported Do Pass (H) (H515)
 03/09/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H515)
 03/10/2009 Rules - Executive Session Completed (H)
 03/10/2009 Rules - Voted Do Pass (H)
 03/10/2009 Rules - Reported Do Pass (H) (H538)
 03/24/2009 HCS Adopted (H) (H628)
 03/24/2009 Perfected (H) (H628)
 03/26/2009 Third read and passed (H) (H727-728 / S783)
 03/26/2009 Emergency Clause Adopted (H) (H728)
 03/26/2009 S First Read--HCS for HB 382 (S783)
 04/01/2009 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S854)
 04/06/2009 Hearing Conducted S Financial and Governmental Organizations and Elections Committee
 04/15/2009 Voted Do Pass S Financial and Governmental Organizations and Elections Committee
 04/16/2009 Reported from S Financial and Governmental Organizations and Elections Committee to Floor (S1051)
 04/21/2009 S Third Read and Passed - EC adopted (S1083-1084 / H1161)
 04/21/2009 Truly Agreed To and Finally Passed (w/EC) (S1084 / H1161)

EFFECTIVE: Emergency Clause

*** HB 384 ***

HCS HB 384

1222L.04P

HOUSE HANDLER: Lipke

HCS/HB 384 - This act modifies various provisions relating to criminal offenses and criminal procedure.

SECTION 192.925

This act requires the Department of Health and Senior Services to implement an education and awareness program regarding the financial exploitation of the elderly.

This provision is similar to HB 926 (2009).

SECTION 195.202

Any person who possesses controlled substances, except less than 35 grams of marijuana, shall be guilty of a class B felony if he or she is in the presence of a person less than seventeen years of age or in a residence where a person less than seventeen years of age resides.

Persons who are found guilty of possessing less than 35 grams of marijuana shall be required to perform 10 hours of community service for the first offense and 25 hours of community service for subsequent

offenses, except in the case of extraordinary circumstances detailed by the judge.

SECTION 210.1012

This act specifies language regarding the Amber Alert System.

SECTION 211.031

This act specifies that the juvenile court does not have jurisdiction over any child fifteen years of age or older who is alleged to have violated a traffic ordinance or regulation which does not constitute a felony. Currently, the juvenile court does not have jurisdiction over juveniles age fifteen and one-half years of age.

SECTION 229.110

No longer requires prosecutors to prosecute individuals who fail to trim their hedge fences.

SECTIONS 479.260 & 488.5032

The judge in a criminal or municipal case that is dismissed before the defendant pleads guilty or is found guilty may assess court costs against the defendant as specified in Section 488.012 if the defendant consents to pay and is not indigent and unable to pay the costs.

This provision is similar to HB 830 (2009).

SECTION 488.5025

This act specifies ten dollars of the time-payment fee shall be payable to municipal court clerks, when applicable, for improvement of the court.

SECTION 545.050 & 550.040

This act removes the requirement that court costs be assessed to the prosecutor in trespass cases if the defendant is acquitted or the prosecution fails.

This provision is similar to a provision of HCS/HB 384 (2009).

SECTIONS 550.050 - 550.090

This act repeals certain provisions making prosecutors pay certain court costs.

SECTION 565.020

Under this act, a person commits murder in the first degree if he or she knowingly causes the death of a child and a heinous element is involved in the commission of the crime. The term "heinous element" is defined.

SECTION 566.145

This act specifies that in order for a person to be guilty of the crime of sexual contact with a prisoner or offender, the prisoner or offender must be confined in or being transported to a jail, prison, or correctional facility.

This provision is similar to HB 747 (2009).

SECTION 566.226

The name of any defendant in a sexual assault, domestic assault, stalking, or forcible rape case shall not be considered identifying information of the victim and shall not be redacted from court records.

SECTION 568.045

Under endangering the welfare of a child in the first degree, a person is guilty of a class C felony if he or she possesses methamphetamine in the presence of a person less than seventeen years of age or in the residence where a person less than seventeen years of age resides.

This provision is similar to HB 160 (2009).

SECTION 570.030**SECTIONS 570.030 & 570.080**

A person who steals or receives a stolen firearm or an explosive weapon will be guilty of a class C felony regardless of the item's value.

These provisions are similar to HB 230 (2009).

SECTION 589.425

This act specifies that any person who fails to register as a sexual offender will be guilty of a class C felony if the person is required to register based on having committed an offense in any other state or foreign country or under federal, tribal, or military jurisdiction which, if committed in this state, would be an offense under Chapter 566, RSMo, and has previously pled guilty to or has been found guilty of failing to register as a sexual offender.

This provision is identical to SB 260 (2009).

SUSAN HENDERSON MOORE

01/22/2009 Introduced and Read First Time (H) (H141)
 01/26/2009 Read Second Time (H) (H146)
 01/29/2009 Referred: Crime Prevention (H) (H196)
 02/04/2009 Public Hearing Completed (H)
 02/25/2009 Executive Session Completed (H)
 02/25/2009 HCS Voted Do Pass (H)
 03/12/2009 HCS Reported Do Pass (H) (H592)
 03/12/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H592)
 04/07/2009 Rules - Executive Session Completed (H)
 04/07/2009 Rules - Voted Do Pass (H)
 04/07/2009 Rules - Reported Do Pass (H) (H958)
 04/21/2009 HCS Adopted (H) (H1173)
 04/21/2009 Perfected with Amendments (H) (H1165)
 04/23/2009 Third Read and Passed (H) (H1235-1236 / S1194)
 04/23/2009 S First Read--HCS for HB 384 (S1194)

EFFECTIVE: August 28, 2009

*** HB 390 ***

HCS HB 390

0766L.02P

HOUSE HANDLER: Nolte

HCS/HB 390 - This act modifies the law relating to unauthorized aliens and employment safety programs.

Aliens unlawfully present in the United States shall not be eligible for enrollment in any university, college, or junior college. The department of higher education shall annually certify that all higher education institutions have not knowingly enrolled any unlawful aliens in the preceding year.

Education institutions awarding postsecondary aid, grants, or scholarships shall verify that the recipients are United States citizens, permanent residents, or are lawfully present in the United States. Postsecondary higher education institutions shall annually certify to the department of higher education that they have not knowingly awarded aid, grants, grants, or scholarships to a student who is unlawfully present in the United States.

Currently, under section 208.009, RSMO, aliens unlawfully present in the United States shall not receive any state or local public benefit. Applicants are required to show proof of citizenship, permanent residence, or lawful presence when applying for the benefit with the exception of state grants, and scholarships, for which proof must be provided before receipt of the benefit. This act removes postsecondary education, state grants, and scholarships from the definition of "public benefit". Subsequently, all requirements relating to postsecondary education are removed from this section.

During or immediately after a natural disaster, the requirement that business entities enroll and participate in a federal work authorization program shall be suspended for 15 working days.

If the federal government discontinues all federal work authorization programs, statutory requirements relating to such a program shall not apply.

The act exempts employees who have previously completed an approved occupational safety and health program from completing such a program on subsequent projects.

This act contains an emergency clause.

This act is similar to SB 1250 (2006), SB 626 (2007), SB 348 (2007), SB 858 (2008), HB 1655 (2008), SB 1230 (2008), HB 1549 (2008), SB 133 (2009).

CHRIS HOGERTY

01/22/2009 Introduced and Read First Time (H) (H141)
 01/26/2009 Read Second Time (H) (H146)
 01/29/2009 Referred: International Trade and Immigration (H) (H196)
 03/26/2009 Public Hearing Completed (H)
 04/01/2009 Executive Session Completed (H)
 04/01/2009 HCS Voted Do Pass (H)
 04/02/2009 HCS Reported Do Pass (H) (H923)
 04/02/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H923)
 04/07/2009 Rules - Executive Session Completed (H)
 04/07/2009 Rules - Voted Do Pass (H)
 04/07/2009 Rules - Reported Do Pass (H) (H959)
 04/21/2009 Taken Up for Perfection (H) (H1178)
 04/21/2009 Laid Over (H) (H1179)
 04/21/2009 Taken Up for Perfection (H) (H1180)
 04/21/2009 HCS Adopted (H) (H1180)
 04/21/2009 Perfected with Amendments (H) (H1180)
 04/23/2009 Third Read and Passed (H) (H1240 / S1195)
 04/23/2009 Emergency Clause Defeated (H) (H1241 / S1195)
 04/23/2009 S First Read--HCS for HB 390 (S1195)

EFFECTIVE: Emergency Clause

*** HB 395 ***

SCS HB 395

1162S.03C

SENATE SPONSOR: Stouffer

HOUSE HANDLER: Nance

SS/SCS/HB 395 - This act modifies provisions relating to long-term care facilities.

FIRE SAFETY STANDARDS

This act specifies that any section of a facility in which a major renovation has been completed on or after August 28, 2007, shall install and maintain an approved sprinkler system in accordance with National Fire Protection Association (NFPA) 13. The act also specifies when the requirements for sprinklers shall be NFPA 13R (residential) or NFPA 13 (commercial). This act removes a fire sprinkler exemption for skilled nursing and intermediate care facilities that pertains to the Chapter 33 of existing residential board and care occupancies of NFPA life safety code.

If a facility submits a plan of compliance for installation of a sprinkler system required under state law, such facility shall install a complete fire alarm system that complies with NFPA 72 upon installation of the sprinkler system. Until such time that the sprinkler system is installed in the facility which has submitted a plan of compliance, each resident room or any room designated for sleeping in the facility shall be equipped with at least one battery-powered smoke alarm installed, tested, and maintained in accordance with NFPA 72. In addition, any such facility shall be equipped with heat detectors interconnected to the fire alarm system which are installed, tested, and maintained in accordance with NFPA 72 in all areas subject to nuisances alarms, including but not limited to, kitchens, laundries, bathrooms, mechanical air handling rooms, and attic spaces.

A substantial step for obtaining a loan from the Fire Safety Standards Loan Fund shall be as specified for certain residential care and assisted living facilities and all skilled nursing and intermediate care facilities.

The Fire Safety Standards Loan Fund was modified to provide that the loans may be for implementing the sprinkler requirements for certain qualifying residential care and assisted living facilities and all types of qualifying skilled nursing and intermediate care facilities. The loan fund shall be administered by the State Treasurer's Office rather than the Department of Health and Senior Services as in current law.

This act removes the requirement that the interconnected smoke detectors be in place throughout the facility and the requirement for inspections to be conducted annually by the state fire marshal or local fire protection districts.

These provisions are substantially similar to provisions in SS/SCS/SB 89 (2009). SECTIONS 198.074 and 198.075

BONDS FOR LONG-TERM CARE RESIDENTS' PROPERTY IN TRUST

This act modifies the current provision in law regarding a bond required for holding a resident's property in trust by specifying that the bond shall be obtained and filed with the department for the preceding twelve months rather than for the preceding calendar year.

This provision is identical to a provision in SS/SCS/SB 89 (2009). SECTION 198.096

CRIMINAL BACKGROUND CHECKS

Any licensed long-term care facility may request criminal background checks of a resident in a facility.

This provision is identical to a provision in SS/SCS/SB 89 (2009). SECTION 198.187

INSPECTORS AND SURVEYORS

Under this act, the Department of Health and Senior Services shall not assign an individual to inspect or survey a long-term care facility in which the surveyor was an employee of such facility within the preceding two years.

The department shall require disclosure statements by newly hired and currently employed inspectors and surveyors of long-term care facilities regarding his or her past employment in long-term care facilities and the current or past employment of immediate family members in long-term care facilities.

Any person may notify the department if facts exist that would lead a reasonable person to conclude that any inspector or surveyor has any personal or business affiliation that would result in a conflict of interest in conducting an inspection or survey of a facility. Upon receiving that notice, the department, when assigning an inspector or surveyor to inspect or survey a facility, for any purpose, shall take steps to verify the information, and if the department has probable cause to believe that it is correct, shall not assign the inspector or surveyor to the facility in order to avoid an appearance of prejudice or favor to the facility or bias on the part of the inspector or surveyor.

These provisions are substantially similar to provisions in SS/SCS/SB 89 (2009). SECTION 198.525

DISPUTE RESOLUTION PROCESS

This act enacts the Missouri Informal Dispute Resolution Act, requiring the Department of Health and Senior Services to contract with the federally designated Medicare Quality Improvement Organization in the state to conduct informal dispute resolutions (IDR) for licensed long-term care facilities. The IDR process shall constitute an informal administrative process but cannot be a formal evidentiary hearing and must be used to determine if a cited deficiency of a facility should be upheld. Use of the IDR process under the act shall not waive the facility's right to pursue further or additional legal actions. The details and timeline for the IDR process are included in the act. SECTION 198.527 AND 198.545

These provisions are identical to provisions in HCS/HB 966 (2009).

PERSONAL NEEDS ALLOWANCE

This act codifies the current practice of granting a monthly personal needs allowance for residents in long-term care facilities, as such practice is permitted under federal law. Currently, the allowance is set annually by appropriation at thirty dollars a year.

This act creates a formula for increasing the allowance yearly, starting in January 1, 2010, by no more than five dollars a year until such time as the allowance reaches fifty dollars a year. At that time, only upon annual appropriation may the allowance be increased beyond fifty dollars a year. The formula provides that the allowance shall be increased by an amount equal to the product of the Social Security benefit cost of living adjustment and the average amount that MO HealthNet participants are required to contribute to the cost of institutionalized care.

This provision is identical to SCS/SB 538 (2009). SECTION 208.016

MO HEALTHNET AND ANNUITIES

This act specifies that in determining how the stream of income from investment in annuities shall be treated for purposes of MO HealthNet eligibility, the primary beneficiary and the annuitant shall not be the same individual. SECTION 208.212

NURSING HOME TRANSITION GRANTS

This act modifies provisions regarding the assistance provided to nursing home residents who transition back into their homes and in the community. Subject to appropriations, nursing home residents eligible for MO HealthNet benefits will receive a one-time transition grant up to \$2,400, administered by the Division of Senior and Disability Services within the Department of Health and Senior Services. The funds shall be used on initial down payments, setup costs and other expenditures associated with moving a nursing home resident back into the community. The division will work with the Department of Social Services to generate additional private and federal funding for the transition grants.

The Department of Health and Senior Services and the Department of Mental Health shall work in cooperation to develop community-based services for persons who are moving out of nursing homes and back into their communities and promulgate rules as needed.

These provisions are substantially similar to HB 1656 (2008). SECTION 208.819

HOME AND COMMUNITY-BASED CARE ASSESSMENTS

This act prescribes procedures for home and community-based services and details the reimbursement for in-home providers who provide assessments to prospective recipients of MO HealthNet-funded home and community-based care. SECTION 1

This provision is substantially similar to a provision in SCS/HCS/HB 10 (2009).

FEDERAL REIMBURSEMENT ALLOWANCE TAXES

This act extends the sunsets for the Medicaid Managed Care Organization reimbursement allowance, the Pharmacy Tax, and the intermediate care facility for the mentally retarded assessment from June 30, 2009 to September 30, 2011. The sunsets for the Federal Reimbursement Allowance assessment and Nursing Facility Reimbursement Allowance are extended from September 30, 2009 to September 30, 2011. SECTIONS 208.437; 208.480; 338.535, 338.550; AND 633.401

These provisions are identical SB 378 (2009). The federal reimbursement allowance tax provisions contains an emergency clause.

ADRIANE CROUSE

01/26/2009 Introduced and Read First Time (H) (H149)
 01/27/2009 Read Second Time (H) (H156)
 01/29/2009 Referred: Senior Citizen Advocacy (H) (H196)
 02/04/2009 Public Hearing Completed (H)
 02/18/2009 Executive Session Completed (H)
 02/18/2009 Voted Do Pass (H)
 02/23/2009 Reported Do Pass by Consent (H) (H370)
 02/23/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H370)
 03/03/2009 Rules - Executive Session Completed (H)
 03/03/2009 Rules - Voted Do Pass - Consent (H)
 03/03/2009 Rules - Reported Do Pass Consent (H) (H450)
 03/10/2009 Perfected by Consent (H) (H538)
 03/12/2009 Third Read and Passed (H) (H581 / S629)
 03/12/2009 S First Read--HB 395-Nance, et al (S629)
 03/26/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S781)
 04/07/2009 Hearing Conducted S Health, Mental Health, Seniors and Families Committee
 04/14/2009 SCS Voted Do Pass S Health, Mental Health, Seniors and Families Committee (1162S.03C)
 04/16/2009 Reported from S Health, Mental Health, Seniors and Families Committee to Floor w/SCS (S1051)
 04/21/2009 SS for SCS S offered (Stouffer)--(1162S.05F) (S1085-1086)
 04/21/2009 SA 1 to SS for SCS S offered & adopted (Nodler)--(8167S09.01S) (S1086-1089)
 04/21/2009 SA 2 to SS for SCS S offered & adopted (Rupp)--(8186S09.01S) (S1090)
 04/21/2009 SS for SCS, as amended, S adopted (S1090)
 04/21/2009 S Third Read and Passed - EC adopted (S1090-1091 / H1161-1164)
 04/27/2009 H Calendar H Bills with S Amendments (SS for SCS, as amended)

EFFECTIVE: Varies

SENATE SPONSOR: Ridgeway

HOUSE HANDLER: Flook

SCS/HCS/HB 397 & HCS/HB 947 -This act modifies provisions related to the Police Retirement System of St. Louis with regard to retirement.

The act defines a "reserve officer" as any member of the police reserve force, armed or unarmed, who works less than full time with or without compensation and who, by his or her assigned function or as implied by his or her uniform, performs duties associated with those of a police officer and who currently receives retirement benefits.

A reserve officer shall not be considered a member of the police retirement system for the purpose of determining creditable service, nor shall any contributions be due. A reserve officer shall not be entitled to any benefits other than those awarded upon his or her original retirement. Service as a reserve officer shall not prohibit distribution of such benefits.

The medical board that arranges for required disability-related medical examinations is eliminated and is replaced by a medical director who appoints doctors to investigate the physical and mental conditions of applicants for disability retirement. The medical director reports to the board of trustees of the police retirement system.

Any member in service who has ten years of creditable service and who has become permanently unable to perform the duties of a police officer as the result of an injury or illness not exclusively caused by their duties as a police officer shall be retired upon certification of the medical director and approval of the board of trustees.

Members who are permanently disabled exclusively as a result of an accident occurring within the actual performance of duty at some definite time and place shall upon application be retired upon certification of the medical director and approval of the board of trustees. These members must apply for disability within five years of the accident, unless the accident was reported within five years and the member was examined by a health care provider provided by the board of police commissioners within thirty days of the accident.

Disability retirees under the age of sixty may be required to submit to a medical examination yearly for the first five years following their retirement and at least once every three years thereafter. If the retiree refuses to submit to a medical examination their disability pension may be discontinued. If the retiree refuses for one year, then their pension may be revoked.

If the medical director certifies to the board of trustees that the disability retiree is able to perform the duties of a police officer and the board agrees, the pension shall end. If the officer returns to active service, then the period of time during which the officer received a disability pension shall not be included in his time of service.

This act is similar to SB 565 (2009) and SCS/SB 563 (2009).

EMILY KALMER

01/26/2009 Introduced and Read First Time (H) (H149)
 01/27/2009 Read Second Time (H) (H156)
 02/12/2009 Referred: Retirement (H) (H310)
 02/26/2009 Public Hearing Completed (H)
 03/05/2009 Executive Session Completed (H)
 03/05/2009 HCS Voted Do Pass - Consent (H)
 03/09/2009 HCS Reported Do Pass by Consent (H) (H515)
 03/09/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H515)
 03/24/2009 Rules - Executive Session Completed (H)
 03/24/2009 Rules - Voted Do Pass - Consent (H)
 03/24/2009 Rules - Reported Do Pass Consent (H) (H636)
 03/31/2009 Perfected by Consent (H) (H820)
 04/01/2009 Third Read and Passed (H) (H859-860 / S867)
 04/01/2009 Emergency Clause Adopted (H) (H860-861 / S867)
 04/01/2009 S First Read--HCS for HB 397 (S867)
 04/02/2009 Second Read and Referred S Veterans' Affairs, Pensions and Urban Affairs Committee (S891)
 04/09/2009 Hearing Conducted S Veterans' Affairs, Pensions and Urban Affairs Committee

04/09/2009 SCS Voted Do Pass (SCS/HCS HB 397 & HCS HB 947) S Veterans' Affairs, Pensions and Urban Affairs Committee (1227S.04C) - Consent
 04/09/2009 Reported from S Veterans' Affairs, Pensions and Urban Affairs Committee to Floor w/SCS - Consent (S983)
 04/20/2009 Motion to adopt SCS S withdrawn (S1068)
 04/22/2009 SCS S adopted (S1134)
 04/22/2009 S Third Read and Passed - Consent (S1134 / H1221)
 04/27/2009 H Calendar H Bills with S Amendments (SCS)

EFFECTIVE: August 28, 2009

*** HB 400 ***

1291L.01P

SENATE SPONSOR: Smith

HOUSE HANDLER: Nasheed

HB 400 - This act allows veterans displaying Congressional Medal of Honor, Prisoner of War, Purple Heart, or Silver Star special licenses plates, or Bronze Star placards, to park for free in metered parking spaces upon the approval of each local authority's governing body.

EMILY KALMER

01/26/2009 Introduced and Read First Time (H) (H149)
 01/27/2009 Read Second Time (H) (H156)
 01/29/2009 Referred: Veterans (H) (H196)
 02/10/2009 Public Hearing Completed (H)
 02/24/2009 Executive Session Completed (H)
 02/24/2009 Voted Do Pass - Consent (H)
 02/24/2009 Reported Do Pass by Consent (H) (H385)
 02/24/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H385)
 03/03/2009 Rules - Executive Session Completed (H)
 03/03/2009 Rules - Voted Do Pass - Consent (H)
 03/03/2009 Rules - Reported Do Pass Consent (H) (H450)
 03/10/2009 Perfected by Consent (H) (H538)
 03/12/2009 Third Read and Passed (H) (H583 / S629)
 03/12/2009 S First Read--HB 400-Nasheed, et al (S629)
 03/26/2009 Second Read and Referred S Veterans' Affairs, Pensions and Urban Affairs Committee (S781)
 04/09/2009 Hearing Conducted S Veterans' Affairs, Pensions and Urban Affairs Committee
 04/09/2009 Voted Do Pass S Veterans' Affairs, Pensions and Urban Affairs Committee - Consent
 04/09/2009 Reported from S Veterans' Affairs, Pensions and Urban Affairs Committee to Floor - Consent (S983)
 04/27/2009 S Consent Calendar--HB 400-Nasheed, et al (Smith)

EFFECTIVE: August 28, 2009

*** HB 426 ***

HCS HB 426

1012L.03P

HOUSE HANDLER: Sutherland

HCS/HB 426 - This act creates the Large Carnivore Act. Except as permitted in the act, the act prohibits the owning, breeding, possession, transferring of ownership, or transporting of "large carnivores," defined as certain non-native cats of the Felidae family or any species of non-native bear held in captivity.

Persons possessing, breeding, or transporting large carnivores on or after January 1, 2011 must apply for a permit for each such large carnivore from the Department of Agriculture. The fee for the permit shall not exceed \$2,500 and the permit shall list certain information about the location, identification, and veterinary care of the large carnivore. The veterinarian identified in the permit must: insert an identification number in the animal via subcutaneous microchip, collect a DNA sample, provide a written summary of the animal's physical exam, and provide a signed health certificate as required for transport of the animal. The department may charge up to \$500 for annual renewal of the permit. Certain individuals are ineligible for a permit.

The act provides requirements for any person who owns, possesses, breeds or sells a large carnivore, which include making the animal's permit or federal license available for inspection, posting signage on the animal's property, criteria for the animal's humane confinement and care, and limitations on the animal's physical contact with other people. Certain veterinarians as approved by the Department of Agriculture must attest to the proper care of the large carnivore on a regular basis as determined by the department and must

also be informed in the event of the animal's death.

A person may kill a large carnivore without civil liability if the person believes the carnivore is attacking or killing another person, livestock, or a mammalian pet, if such pet is being attacked outside the large carnivore's enclosure.

Any person who owns or possesses a large carnivore is liable in a civil action for the death or injury of a human or another animal and for any property damage caused by the large carnivore. If a large carnivore escapes or is released intentionally or unintentionally, the owner is required to immediately notify law enforcement and is liable for all expenses associated with the efforts to recapture the large carnivore. As a condition of being permitted to own a large carnivore, the owner is required to show proof of having liability insurance in an amount of not less than \$250,000.

Individuals who intentionally release a large carnivore shall be guilty of a class D felony. Other violations of this act shall be a class A misdemeanor. The penalty for violating the act may also include community service, loss of privilege to own or possess an animal, and civil forfeiture of any large carnivore.

The requirements of the act are in addition to any applicable state or federal laws and do not preclude any political subdivision from adopting more restrictive laws. Certain entities, law enforcement officials, animal control officers, and veterinarians are exempt from provisions of the act.

This act is similar to SB 206 (2007) and the perfected HB 1441 (2006).

ERIKA JAQUES

01/27/2009 Introduced and Read First Time (H) (H172)
 01/28/2009 Read Second Time (H) (H179)
 02/05/2009 Referred: Agriculture Policy (H) (H259)
 02/26/2009 Public Hearing Completed (H)
 04/02/2009 Executive Session Completed (H)
 04/02/2009 HCS Voted Do Pass (H)
 04/02/2009 HCS Reported Do Pass (H) (H922)
 04/02/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H922)
 04/14/2009 Rules - Executive Session Completed (H)
 04/14/2009 Rules - Voted Do Pass (H)
 04/14/2009 Rules - Reported Do Pass (H) (H1041)
 04/21/2009 HCS Adopted (H) (H1165)
 04/21/2009 Perfected (H) (H1165)
 04/23/2009 Third Read and Passed (H) (H1234-1235 / S1194)
 04/23/2009 S First Read--HCS for HB 426 (S1194)

EFFECTIVE: August 28, 2009

*** HB 427 *** SCS HCS HB 427

1350S.09C

HOUSE HANDLER: Largent

SCS/HCS/HB 427 - This act enacts provisions related to veterans, the military, and their families.

SILVER STAR FAMILIES OF AMERICA DAY
 (Section 9.074)

May first of every year is designated as Silver Star Families of America Day.

This section is identical to HB 678 (2009).

ASSISTANT ADJUTANTS GENERAL
 (Section 41.150)

This section allows the Adjutant General to assign the number of assistant adjutants general that are authorized by National Guard Bureau rules and regulations rather than limiting the number to two. Such assistant adjutants general, if qualified, shall hold military rank as may be authorized and approved for the positions by the National Guard Bureau of the United States.

This section is identical to SB 554 (2009) and SCS/HB 861 (2009)

MISSOURI VETERANS' COMMISSION

(Section 42.007)

Four members are added to the Missouri Veterans Commission, two members from the Senate and two members from the House of Representatives. The president pro tem and the minority floor leader of the senate each appoint one member of the commission and the speaker and the minority floor leader of the house of representatives each appoint one member of the commission. Members appointed from the Senate and the House of Representatives shall be appointed for a two-year term or until a successor is appointed and may be reappointed to the commission.

The commission is authorized to make rules and regulations necessary for the management and administration of its veteran service programs and cemeteries.

OVERSEAS INTERNET VOTING

(Section 115.278)

The Secretary of State is required to establish a program and procedures to allow absentee voting over the internet for members of the armed services and merchant marines, and their spouses and dependents who are temporarily residing outside of the United States.

The Secretary of State is required to consider certain open source software for the program, provide support to local election authorities participating in the program, provide voter education to overseas voters, include funding from alternate sources for the program, and ensure that any software used is secure and protects the secrecy of the ballot. The program shall be phased in beginning no later than June 30, 2010. None of the requirements for automated voting systems shall apply to this program.

This section is similar to HB 613 (2009).

VETERAN'S SURVIVOR GRANT

(Section 173.234)

This section modifies the eligibility for the veteran's survivor grant. Currently, the spouse or child of person is eligible for an educational grant if the military member served in armed combat in the military, was killed or became 80% disabled as a result of combat injuries, and was a Missouri resident when first entering the military and at the time of death or injury. Under this section, the spouse or natural, adopted, or stepchild of a qualified military member will be eligible for the educational grant if the military member served in the military after September 11, 2001, was killed or became 80% disabled as a result of combat injuries sustained in a combat action after September 11, 2001, was discharged for active duty service having served since September 11, 2001 and received a DD214 in a geographic area entitled to receive combat pay tax exclusion exemption, hazardous duty pay, or imminent danger pay, or hostile fire pay, and was a Missouri resident when first entering the military or at the time of death or injury.

IN-STATE TUITION FOR DEPENDENTS

(Section 173.1155)

This section allows a dependent of a member of the military who resides in Missouri and whose parent is assigned to a permanent duty station in Missouri to be eligible for in-state tuition at state institutions of higher education. The educational benefits of in-state tuition continue as long as the dependent is continuously enrolled in an undergraduate or graduate degree program, including transfers between Missouri institutions of higher education or transfers from an undergraduate program to a graduate program.

This section is identical to HB 666 (2009).

VETERAN'S CREMATED REMAINS

(Section 194.360)

This section provides funeral homes, funeral directors, embalmers, and their employees with immunity from liability in disposing of a veteran's cremated remains to a veterans' service organization. This immunity only applies if: 1) the remains have been in the possession of the funeral establishment for at least a year; 2) the establishment gives written notice to the person or other funeral establishment who contracted for the cremation, or publishes notice in a newspaper if the address of the person or other funeral establishment that contracted for the cremation is unknown; and 3) the person or other funeral establishment who contracted for the cremation does not claim the remains within thirty days of the mailing of the written notice or within four months of the date of the first publication of notice.

Veterans' service organizations who receive cremated remains of a veteran are not liable for simple negligence if they do not have reason to know that the remains do not satisfy the notice requirements of this section and if they inter the remains and do not scatter the remains. The veterans' service organization shall

take all reasonable steps to inter the remains in a veterans' cemetery.

This section is identical to SCS/HCS/HB 111 (2009).

INTERSTATE INTERCHANGE DESIGNATION PROGRAM (Section 227.297)

This section establishes an interstate interchange designation program, to be known as the "Heroes Way Interstate Interchange Designation Program", to honor the fallen Missouri heroes who have been killed in action while performing active military duty with the armed forces in Afghanistan or Iraq on or after September 11, 2001.

Any person who is related by marriage, adoption, or consanguinity within the second degree to a member of the United States armed forces who was killed in action while performing active military duty with the armed forces in Afghanistan or Iraq on or after September 11, 2001, and who was a resident of this state at the time he or she was killed in action, may apply for an interstate interchange designation.

The family member may petition the Department of Transportation for an interstate interchange designation by submitting the following:

(1) An application in a form prescribed by the director, describing the interstate interchange for which the designation is sought and the proposed name of the interstate interchange. The application shall include the name of at least one current member of the General Assembly who will sponsor the interstate interchange designation.

(2) Proof that the family member killed in action was a member of the United States armed forces and proof that such family member was in fact killed in action while performing active military duty with the United States armed forces in Afghanistan or Iraq on or after September 11, 2001. Acceptable proof shall be a statement from the Missouri veterans commission or the United States Department of Veterans Affairs so certifying such facts;

(3) A fee to be determined by the commission to cover the costs of constructing and maintaining the proposed interstate interchange signs. The fee shall not exceed the cost of constructing and maintaining each sign.

The Department of Transportation shall submit for approval or disapproval all applications for interstate interchange designations to the Joint Committee on Transportation Oversight. If satisfied with the application and all its contents, the joint committee shall approve the application. The committee shall notify the Department of Transportation upon the approval or denial of an application for an interstate interchange designation. If the memorial interstate interchange designation request is not approved by the Joint Committee on Transportation Oversight, ninety-seven percent of the application fee shall be refunded to the applicant.

This section requires two signs to be erected for each interstate interchange designation processed under the act.

No interstate interchange may be named or designated after more than one member of the United States armed forces killed in action. Such person shall only be eligible for one interstate interchange designation under the provisions of this section.

Any highway signs erected for any interstate interchange designation under the provisions of this section shall be erected and maintained for a twenty-year period. After such period, the signs shall be subject to removal by the Department of Transportation and the interstate interchange may be designated to honor persons other than the current designee. An existing interstate interchange designation processed under the provisions of this section may be retained for additional twenty-year increments if, at least one year before the designation's expiration, an application to the Department of Transportation is made to retain the designation along with the required documents and all applicable fees required under this section.

This section is identical to SB 110 (2009).

VETERANS MEMORIAL HIGHWAY (Section 227.311)

This section designates a portion of the Poplar Bluff bypass in Butler County as the "Veterans Memorial Highway." The cost for such designation will be paid for by private donations.

This section is identical to HB 1048 (2009).

PURPLE HEART LICENSE PLATES

(Section 301.451)

This section allows any person who has been awarded the purple heart medal to receive an initial set of "Purple Heart" license plates with no fee other than the regular registration fees. There shall be an additional fee charged for each subsequent set of purple heart license plates equal to the fee for personalized license plates, but this additional fee shall only have to be paid once, at the time of initial application for the additional set of plates.

This section is similar to HB 270 (2009).

PARKING FOR CERTAIN VETERANS

(Section 304.840)

This section allows veterans displaying Congressional Medal of Honor, Prisoner of War, Purple Heart, or Silver Star special licenses plates, or Bronze Star placards, to park for free in metered parking spaces upon the approval of each local authority's governing body.

This section is identical to HB 400 (2009).

COURT ORDERS

(Section 452.412)

This section requires all court orders regarding child custody or visitation or regarding ex parte orders of protection issued or modified while either party is in active military service and deployed out-of-state to be temporary in nature. Such orders regarding custody or visitation which are issued as part of an entry of decree of dissolution shall also be temporary in nature. Upon return from deployment, the party will be given an opportunity to be heard on the child custody and visitation order before a permanent order is entered. If the party in active military service knowingly and voluntarily signs a written waiver to the right to have such a hearing upon the party's return from out-of-state military deployment, the court may issue a permanent order on the issues under this section.

This section is identical to SB 440 (2009) and similar to HB 504 (2009).

EMILY KALMER

01/27/2009 Introduced and Read First Time (H) (H172)
 01/28/2009 Read Second Time (H) (H179)
 01/29/2009 Referred: Veterans (H) (H196)
 02/10/2009 Public Hearing Completed (H)
 03/03/2009 Executive Session Completed (H)
 03/03/2009 HCS Voted Do Pass (H)
 03/03/2009 HCS Reported Do Pass (H) (H448)
 03/03/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H448)
 03/10/2009 Rules - Executive Session Completed (H)
 03/10/2009 Rules - Voted Do Pass (H)
 03/10/2009 Rules - Reported Do Pass (H) (H538)
 03/23/2009 HCS Adopted (H) (H615)
 03/23/2009 Perfected with Amendments (H) (H615)
 03/26/2009 Third Read and Passed (H) (H722-723 / S782)
 03/26/2009 S First Read--HCS for HB 427 (S782)
 04/01/2009 Second Read and Referred S Veterans' Affairs, Pensions and Urban Affairs Committee (S854)
 04/16/2009 Hearing Conducted S Veterans' Affairs, Pensions and Urban Affairs Committee
 04/23/2009 SCS Voted Do Pass S Veterans' Affairs, Pensions and Urban Affairs Committee (1350S.09C)
 04/23/2009 Reported from S Veterans' Affairs, Pensions and Urban Affairs Committee to Floor w/SCS (S1192)
 04/27/2009 S Formal Calendar H Bills for Third Reading--HCS for HB 427, with SCS

EFFECTIVE: August 28, 2009

amount not to exceed six percent per year. The revenues derived from the tax will be deposited into the newly created ambulance service reimbursement fund to provide additional payments to ambulance service providers which have valid MO HealthNet agreements with the state. The director of the department will annually determine the amount of tax owed by each such ambulance service provider based upon gross receipts information provided to the department of social services. The act contains provisions allowing for the appeal of allowance tax liabilities imposed by the state and for the enforcement and collection of the tax. Failure to pay the tax authorized by this act will be grounds for denial, suspension, or revocation of the ambulance service's license. The provisions of the act will automatically expire on September 30, 2011.

This act is similar to the senate substitute for senate bill 307 (2009).

JASON ZAMKUS

01/28/2009 Introduced and Read First Time (H) (H188)
 01/29/2009 Read Second Time (H) (H193)
 02/05/2009 Referred: Healthcare Transformation (H) (H259)
 02/10/2009 Public Hearing Completed (H)
 02/17/2009 Executive Session Completed (H)
 02/17/2009 HCS Voted Do Pass (H)
 02/18/2009 HCS Reported Do Pass (H) (H346)
 02/18/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H346)
 02/24/2009 Rules - Executive Session Completed (H)
 02/24/2009 Rules - Voted Do Pass (H)
 02/24/2009 Rules - Reported Do Pass (H) (H389)
 03/03/2009 HCS Adopted (H) (H443)
 03/03/2009 Perfected with Amendments (H) (H442)
 03/05/2009 Third read and passed (H) (H484 / S530)
 03/05/2009 S First Read--HCS for HB 459 (S530)
 03/25/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S700)
 04/14/2009 Hearing Conducted S Health, Mental Health, Seniors and Families Committee
 04/21/2009 SCS Voted Do Pass S Health, Mental Health, Seniors and Families Committee (1223S.03C)

EFFECTIVE: August 28, 2009

*** HB 481 *** HCS HB 481

0946L.02P

SENATE SPONSOR: Lembke

HOUSE HANDLER: Jones

HCS/HB 481 - This act requires that awards for damages against public entities under certain provisions of the Missouri Human Rights Act not include punitive or exemplary damages. Nor shall punitive or exemplary damages be awarded against any officer or employee of a public entity for conduct arising out of and performed in connection with their official duties on behalf of the public entity.

Currently, the limitation on the monetary amount that can be awarded against the state and its public entities for certain claims is adjusted annually. This act specifies that the monetary limitation to be applied to a particular claim is the limitation in force at the time of the original occurrence giving rise to the claim.

EMILY KALMER

01/28/2009 Introduced and Read First Time (H) (H190)
 01/29/2009 Read Second Time (H) (H193)
 02/12/2009 Refer: Spec Stand Com on Workforce Dev & Workplace Safety(H) (H310)
 02/18/2009 Public Hearing Completed (H)
 02/25/2009 Executive Session Scheduled - Bill Not Heard
 03/03/2009 Executive Session Completed (H)
 03/03/2009 HCS Voted Do Pass (H)
 03/03/2009 HCS Reported Do Pass (H) (H448)
 03/03/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H448)
 03/12/2009 Rules - Executive Session Completed (H)
 03/12/2009 Rules - Voted Do Pass (H)
 03/12/2009 Rules - Reported Do Pass (H) (H595)
 03/31/2009 HCS Adopted (H) (H817)
 03/31/2009 Perfected with Amendments (H) (H816)
 04/02/2009 Third Read and Passed (H) (H917)
 04/06/2009 S First Read--HCS for HB 481 (S911)
 04/08/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S948)

04/15/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee
 04/22/2009 Voted Do Pass S Jobs, Economic Development and Local Government Committee
 04/23/2009 Reported from S Jobs, Economic Development and Local Government Committee to Floor
 (S1191)
 04/27/2009 S Formal Calendar H Bills for Third Reading--HCS for HB 481 (Lembke)

EFFECTIVE: August 28, 2009

*** HB 482 ***

1164L.01P

SENATE SPONSOR: Goodman

HOUSE HANDLER: Jones

This bill has been combined with HB 237

01/28/2009 Introduced and Read First Time (H) (H190)
 01/29/2009 Read Second Time (H) (H193)
 02/12/2009 Referred: Judiciary (H) (H310)
 02/25/2009 Public Hearing Scheduled, Bill not Heard (H)
 03/09/2009 Public Hearing Completed (H)
 03/09/2009 Executive Session Completed (H)
 03/09/2009 Voted Do Pass - Consent (H)
 03/10/2009 Reported Do Pass by Consent (H) (H535)
 03/10/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H535)
 03/24/2009 Rules - Executive Session Completed (H)
 03/24/2009 Rules - Voted Do Pass - Consent (H)
 03/24/2009 Rules - Reported Do Pass Consent (H) (H636)
 03/31/2009 Perfected by Consent (H) (H820)
 04/01/2009 Third Read and Passed (H) (H853-854 / S866)
 04/01/2009 S First Read--HB 482-Jones (189), et al (S866)
 04/02/2009 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S890)
 04/14/2009 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee
 04/14/2009 Bill Combined w/(SCS/HCS/HB 237, HB 238, and HB 482) (0854S.03C) - Consent

EFFECTIVE: August 28, 2009

*** HB 485 ***

HCS HB 485

1457L.03P

SENATE SPONSOR: Mayer

HOUSE HANDLER: Wright

HCS/HB 485 - Currently, the Seismic Safety Commission is comprised of two legislative members and fifteen other members with each member representing one of fifteen different professions. This act requires that no more than two members shall represent one of the enumerated professions and adds public education as one of the professional areas from which the membership may be chosen.

Currently, a quorum shall consist of nine members. Under the act, a quorum shall consist of a majority of appointed members but not less than seven members and may be met by electronic attendance and non-voting participation of the staff of the legislative members.

This act is similar to SB 263 (2009).

CHRIS HOGERTY

01/28/2009 Introduced and Read First Time (H) (H190)
 01/29/2009 Read Second Time (H) (H193)
 02/05/2009 Referred: Public Safety (H) (H260)
 03/03/2009 Public Hearing Completed (H)
 03/10/2009 Executive Session Completed (H)
 03/10/2009 HCS Voted Do Pass - Consent (H)
 03/11/2009 HCS Reported Do Pass by Consent (H) (H556)
 03/11/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H556)
 03/24/2009 Rules - Executive Session Completed (H)
 03/24/2009 Rules - Voted Do Pass - Consent (H)
 03/24/2009 Rules - Reported Do Pass Consent (H) (H636)
 03/31/2009 Perfected by Consent (H) (H820)
 04/01/2009 Third Read and Passed (H) (H877-878 / S870)
 04/01/2009 S First Read--HCS for HB 485 (S870)

04/02/2009 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S891)
 04/14/2009 Hearing Conducted S Financial and Governmental Organizations and Elections Committee
 04/15/2009 Voted Do Pass S Financial and Governmental Organizations and Elections Committee - Consent
 04/15/2009 Reported from S Financial and Governmental Organizations and Elections Committee to Floor - Consent (S1033)
 04/27/2009 S Consent Calendar--HCS for HB 485 (Mayer)

EFFECTIVE: August 28, 2009

*** HB 488 *** SCS HB 488

1081S.02C

SENATE SPONSOR: Pearce

HOUSE HANDLER: Schad

SCS/HB 488 – This act modifies procedures for the lapse of a school district that has been classified as unaccredited by the State Board of Education for two successive school years. Current law provides that the corporate organization of a school district classified as unaccredited will lapse on June 30 of the second full school year of unaccredited classification. This act allows the State Board of Education to set a date for a school district's lapse. However, the school district cannot lapse prior to June 30 of the second full school year of unaccredited classification.

When a school district lapses, current law requires the Department of Elementary and Secondary Education to conduct a public hearing in the school district to review the district's plans to return to accredited status or to offer technical assistance to the district. This act changes the focus of the public hearing to be the accreditation status of the school district in general.

When a school district lapses, the State Board of Education may allow the school board to continue governing the district under terms and conditions established by the State Board of Education.

This act is identical to SB 491 (2009).

MICHAEL RUFF

01/29/2009 Introduced and Read First Time (H) (H197)
 02/02/2009 Read Second Time (H) (H206)
 02/05/2009 Referred: Elementary and Secondary Education (H) (H260)
 02/18/2009 Public Hearing Completed (H)
 02/25/2009 Executive Session Completed (H)
 02/25/2009 Voted Do Pass - Consent (H)
 02/25/2009 Reported Do Pass by Consent (H) (H401)
 02/25/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H401)
 03/03/2009 Rules - Executive Session Completed (H)
 03/03/2009 Rules - Voted Do Pass - Consent (H)
 03/03/2009 Rules - Reported Do Pass Consent (H) (H450)
 03/10/2009 Perfected by Consent (H) (H538)
 03/12/2009 Third Read and Passed (H) (H575 / S628)
 03/12/2009 S First Read--HB 488-Schad, et al (S628)
 03/26/2009 Second Read and Referred S Education Committee (S781)
 04/15/2009 Hearing Conducted S Education Committee
 04/15/2009 SCS Voted Do Pass S Education Committee (1081S.02C) - Consent
 04/15/2009 Reported from S Education Committee to Floor w/SCS - Consent (S1034)
 04/21/2009 Removed S Consent Calendar (S1096)
 04/23/2009 Reported from S Education Committee to Floor w/SCS (S1192)
 04/27/2009 S Formal Calendar H Bills for Third Reading--HB 488-Schad, et al, with SCS (Pearce)

EFFECTIVE: August 28, 2009

*** HB 490 ***

1080L.01P

SENATE SPONSOR: Pearce

HOUSE HANDLER: Schad

HB 490 – Current law provides the same requirements and qualifications to participate in the A+ Schools Program for private career-technical schools and public career-technical schools. This act removes public career-technical schools from those requirements.

This act is substantially similar to SB 493 (2009).

MICHAEL RUFF

01/29/2009 Introduced and Read First Time (H) (H197)
 02/02/2009 Read Second Time (H) (H206)
 02/05/2009 Referred: Elementary and Secondary Education (H) (H260)
 02/18/2009 Public Hearing Completed (H)
 02/25/2009 Executive Session Completed (H)
 02/25/2009 Voted Do Pass - Consent (H)
 02/25/2009 Reported Do Pass by Consent (H) (H401)
 02/25/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H401)
 03/03/2009 Rules - Executive Session Completed (H)
 03/03/2009 Rules - Voted Do Pass - Consent (H)
 03/03/2009 Rules - Reported Do Pass Consent (H) (H450)
 03/10/2009 Perfected by Consent (H) (H538)
 03/12/2009 Third Read and Passed (H) (H576 / S628)
 03/12/2009 S First Read--HB 490-Schad, et al (S628)
 03/26/2009 Second Read and Referred S Education Committee (S781)
 04/15/2009 Hearing Conducted S Education Committee
 04/15/2009 Voted Do Pass S Education Committee - Consent
 04/15/2009 Reported from S Education Committee to Floor - Consent (S1034)
 04/27/2009 S Consent Calendar--HB 490-Schad, et al (Pearce)

EFFECTIVE: August 28, 2009

*** HB 495 ***

SCS HCS HB 495

1386S.05C

SENATE SPONSOR: Griesheimer

HOUSE HANDLER: Parson

SCS/HCS/HB 495 - This act modifies provisions relating to telecommunications.

SECTION 190.308 - EMERGENCY TELEPHONE SERVICE

The act prohibits a political subdivision from imposing a fine or penalty on the owner of a pay telephone or an owner of property on which a pay telephone is located, for any improper calls made from the pay phone to an emergency telephone service.

SECTION 392.460 - CARRIER OF LAST RESORT OBLIGATION

The act waives the carrier of last resort obligation for incumbent local exchange carriers (ILECs) in 3 situations involving an owner of newly developed property who gives certain preferential treatment to an alternative local phone service provider. Any such ILEC must notify the Public Service Commission (PSC) of the waiver within 120 days.

An ILEC that does not meet the criteria for the automatic waiver of its carrier of last resort obligation may request a waiver from the PSC. The PSC must render a decision within 90 days of any such request, but may delay a decision with cause.

Owners of newly developed property for which an ILEC's carrier of last resort obligation has been waived must inform subsequent owners and occupants of the waiver and provide certain information about the alternative phone service provider.

An ILEC's carrier of last resort obligation shall be re-instated if the criteria allowing the waiver no longer apply, no phone service is being provided to the newly developed property, and the property owner requests the ILEC to provide service to the property. In such a case, the ILEC must notify the PSC that it has assumed the obligation. The ILEC shall have a reasonable amount of time in which to install its infrastructure and may request reasonable fees from the property owner for any excess costs it incurs to provide service to the property at that time.

ILECs may request payment from property owners with multitenant structures when the ILEC provides service to such structures but it is not economically reasonable for the ILEC to do so.

The act allows an ILEC to meet its carrier of last resort obligation using any form of technology. A waiver of carrier of last resort obligation under the act does not apply to an ILEC's same obligation in other locations. The carrier of last resort obligation does not extend to any other company providing service to a newly developed property for which the ILEC's obligation has been waived.

SECTION 392.600 - INTRASTATE EXCHANGE ACCESS RATES

Any ILEC that is not a rate-of-return regulated ILEC must reduce its originating and terminating intrastate switched exchange access rates to the same amounts as its interstate switched exchange access rates in 20% increments over a 5-year period. Rate-of-return regulated ILECs may voluntarily reduce their intrastate switched exchange access rates and may file tariff revisions to increase basic service rates up to \$2 per month to compensate for the access rate reductions.

This act includes provisions similar to HB 898 (2009), HB 878 (2009), and SS/SCS/SB 555 (2009).

ERIKA JAQUES

01/29/2009 Introduced and Read First Time (H) (H197)
 02/02/2009 Read Second Time (H) (H206)
 02/12/2009 Referred: Energy and Environment (H) (H310)
 03/03/2009 Public Hearing Completed (H)
 03/10/2009 Executive Session Completed (H)
 03/10/2009 HCS Voted Do Pass (H)
 03/10/2009 HCS Reported Do Pass (H) (H534)
 03/10/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H534)
 03/12/2009 Rules - Executive Session Completed (H)
 03/12/2009 Rules - Voted Do Pass (H)
 03/12/2009 Rules - Reported Do Pass (H) (H595)
 04/06/2009 HCS Adopted (H) (H935)
 04/06/2009 Perfected with Amendments (H) (H933)
 04/09/2009 Third Read and Passed (H) (H1011-1012 / S981)
 04/09/2009 S First Read--HCS for HB 495 (S981)
 04/16/2009 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S1053)
 04/21/2009 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee
 04/23/2009 SCS Voted Do Pass S Commerce, Consumer Protection, Energy and the Environment Committee (1386S.05C)
 04/23/2009 Reported from S Commerce, Consumer Protection, Energy and the Environment Committee to Floor w/SCS (S1193)
 04/27/2009 S Formal Calendar H Bills for Third Reading--HCS for HB 495, with SCS (Griesheimer)

EFFECTIVE: August 28, 2009

*** HB 506 ***

SCS HB 506

1384S.03C

SENATE SPONSOR: Rupp

HOUSE HANDLER: Funderburk

SCS/HB 506 – This act requires the Governor to annually issue a proclamation that identifies the first week of March as "Math, Engineering, Technology & Science (METS) Week." The week may be observed through activities that will increase awareness of these areas and promote "METS" careers in Missouri. Such activities will include those which are in public schools.

This act is identical to SCS/SB 127 (2009).

MICHAEL RUFF

01/29/2009 Introduced and Read First Time (H) (H198)
 02/02/2009 Read Second Time (H) (H206)
 02/12/2009 Referred: Homeland Security (H) (H310)
 02/16/2009 Public Hearing Completed (H)
 02/23/2009 Executive Session Completed (H)
 02/23/2009 Voted Do Pass - Consent (H)
 02/24/2009 Reported Do Pass by Consent (H) (H385)
 02/24/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H385)
 03/03/2009 Rules - Executive Session Completed (H)
 03/03/2009 Rules - Voted Do Pass - Consent (H)
 03/03/2009 Rules - Reported Do Pass Consent (H) (H450)
 03/10/2009 Perfected by Consent (H) (H538)
 03/12/2009 Third Read and Passed (H) (H584 / S629)
 03/12/2009 S First Read--HB 506-Funderburk, et al (S629-630)
 03/26/2009 Second Read and Referred S Education Committee (S781)
 04/15/2009 Hearing Conducted S Education Committee
 04/15/2009 SCS Voted Do Pass S Education Committee (1384S.02C) - Consent

04/15/2009 Reported from S Education Committee to Floor w/SCS - Consent (S1034)
 04/23/2009 SCS S adopted (S1184)
 04/23/2009 S Third Read and Passed - Consent (S1184-1185 / H1260)
 04/27/2009 H Calendar H Bills with S Amendments (SCS)

EFFECTIVE: August 28, 2009

*** HB 509 ***

HCS HB 509

1506L.03P

HOUSE HANDLER: Stream

HCS/HB 509 – This act requires school districts to adopt nutritional standards and physical education programs for students.

NUTRITIONAL STANDARDS - Each school district must adopt nutritional standards for all food and beverages provided or sold to students during the school day. Food and beverages sold to students must be a component of the food-based meal pattern or must contain five percent of the daily value of at least one of eight essential nutrients, as described in the act. In addition, all snacks sold to students during the school day must contain fewer than three hundred calories per item and no more than thirty percent of calories from fat, except for nuts and seeds. Beverages must be one hundred percent juice or drinks with a minimum of twenty-five percent fruit juice, water, flavored water with zero calories, or low-fat or nonfat milk. A school cafeteria and entire school campus cannot sell snacks that are more than thirty percent by weight sugar per serving, except for fruits and vegetables. In elementary schools, competitive foods, as described in the act, can be sold during the school day in staff break rooms or areas only accessible to staff members. In secondary schools, competitive foods may only be sold to staff and students before 6 AM and after one-half hour after the last school lunch period. (Section 167.205)

School meals must limit saturated fat content to less than ten percent of calories. Total fat must be limited to thirty percent of calories. (Section 167.206)

PHYSICAL EDUCATION STANDARDS - By July 1, 2011, all school districts must require physical education for students. Every student in grades kindergarten through eight must participate in daily physical education for the entire school year, including students with disabling conditions and in alternative education programs. Elementary students must participate in at least 150 minutes of physical education each week, with an average of thirty minutes per day. Middle school students must participate in at least 250 minutes of physical education each week, as described in the act.

Schools must establish specific learning goals and objectives for physical education. Schools must design and implement a sequential and developmentally appropriate curriculum. All student must be regularly assessed at the local level for attainment of physical education learning objectives. In addition, health-related fitness testing must be integrated into the curriculum as an instructional tool.

Exemptions from physical education will not be permitted on the basis of participation on an athletic team, community recreation program, ROTC, marching band, or other school or community activity. Physical education must be taught by certified teachers, who must regularly participate in professional development activities.

School leaders must ensure the cost-efficient provision of adequate space and facilities to achieve the objectives of the physical education program. In addition, the physical education program must be closely coordinated with other components of the overall school health program.

Any certified teacher will be allowed to fulfill the new requirements if the General Assembly does not appropriate sufficient funds above the amount required for basic school aid. (Section 167.720)

MICHAEL RUFF

01/29/2009 Introduced and Read First Time (H) (H198)
 02/02/2009 Read Second Time (H) (H206)
 02/05/2009 Referred: Elementary and Secondary Education (H) (H260)
 02/25/2009 Public Hearing Completed (H)
 03/04/2009 Executive Session Completed (H)
 03/04/2009 HCS Voted Do Pass (H)
 03/09/2009 HCS Reported Do Pass (H) (H515)
 03/09/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H515)
 03/12/2009 Rules - Executive Session Completed (H)

03/12/2009 Rules - Voted Do Pass (H)
 03/12/2009 Rules - Reported Do Pass (H) (H595)
 03/30/2009 Taken Up for Perfection (H) (H767)
 03/30/2009 Laid Over (H) (H768)
 03/30/2009 Taken Up for Perfection (H) (H789)
 03/30/2009 HCS Adopted (H) (H790)
 03/30/2009 Perfected with Amendments (H) (H789)
 03/31/2009 Referred: Fiscal Review (H) (H818)
 04/02/2009 Executive Session Completed (H)
 04/02/2009 Voted Do Not Pass (H)
 04/09/2009 Executive Session Completed (H)
 04/09/2009 Voted Do Pass (H)
 04/09/2009 Reported Do Pass (H) (H1008)
 04/09/2009 Third Read and Passed (H) (H1009-1010 / S980)
 04/09/2009 S First Read--HCS for HB 509 (S980)
 04/16/2009 Second Read and Referred S Ways and Means Committee (S1052)

EFFECTIVE: August 28, 2009

*** HB 525 *** HCS HB 525

1398L.03P

SENATE SPONSOR: Schmitt

HOUSE HANDLER: Grisamore

HCS/HB 525- This act codifies the five regional Autism projects currently serving persons with autism and their families through the Division of Developmental Disabilities within the Department of Mental Health. The regional projects may provide certain services, including assessment, advocacy, communication and language therapy, crisis intervention, life skills, and respite care. The list of services that may be provided are specified in the act.

The regional Autism projects shall each have a regional parent advisory council and the division shall establish the Missouri parent advisory committee on autism. The act specifies the membership and duties of the council and advisory committee. The division shall establish such programs and services in conjunction with persons with autism, the families of persons with Autism, the regional parent advisory councils, and the Missouri Parent Advisory Committee on Autism.

This act is substantially similar to SCS/SB 157 (2009).

ADRIANE CROUSE

01/29/2009 Introduced and Read First Time (H) (H200)
 02/02/2009 Read Second Time (H) (H206)
 02/12/2009 Referred: Health Care Policy (H) (H310)
 02/24/2009 Public Hearing Completed (H)
 03/10/2009 Executive Session Completed (H)
 03/10/2009 HCS Voted Do Pass - Consent (H)
 03/10/2009 HCS Reported Do Pass by Consent (H) (H534)
 03/10/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H534)
 03/24/2009 Rules - Executive Session Completed (H)
 03/24/2009 Rules - Voted Do Pass - Consent (H)
 03/24/2009 Rules - Reported Do Pass Consent (H) (H636)
 03/31/2009 Perfected by Consent (H) (H820)
 04/01/2009 Third Read and Passed (H) (H883-884 / S871)
 04/01/2009 S First Read--HCS for HB 525 (S871)
 04/02/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S891)
 04/14/2009 Hearing Conducted S Health, Mental Health, Seniors and Families Committee
 04/14/2009 Voted Do Pass S Health, Mental Health, Seniors and Families Committee - Consent
 04/15/2009 Reported from S Health, Mental Health, Seniors and Families Committee to Floor - Consent (S1021)
 04/27/2009 S Consent Calendar--HCS for HB 525 (Schmitt)

EFFECTIVE: August 28, 2009

*** HB 537 ***

1458L.01P

SENATE SPONSOR: Wright-Jones

HOUSE HANDLER: Dixon

HB 537 - This act authorizes the Governor to convey a parcel of real property, which is being currently used by the Department of Corrections as a minimum security correctional facility, to the Missouri Highways and Transportation Commission for the new Mississippi River Bridge project.

This act is similar to SB 179 (2009).

STEPHEN WITTE

02/02/2009 Introduced and Read First Time (H) (H207)
 02/03/2009 Read Second Time (H) (H215)
 02/05/2009 Referred: Corrections and Public Institutions (H) (H260)
 02/18/2009 Public Hearing Completed (H)
 02/26/2009 Executive Session Completed (H)
 02/26/2009 Voted Do Pass - Consent (H)
 03/03/2009 Reported Do Pass by Consent (H) (H446)
 03/03/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H446)
 03/10/2009 Rules - Executive Session Completed (H)
 03/10/2009 Rules - Voted Do Pass - Consent (H)
 03/10/2009 Rules - Reported Do Pass Consent (H) (H538)
 03/24/2009 Perfected by Consent (H) (H639)
 03/30/2009 Third Read and Passed (H) (H769)
 03/31/2009 S First Read--HB 537-Dixon, et al (S825)
 04/01/2009 Second Read and Referred S Transportation Committee (S854)
 04/08/2009 Hearing Conducted S Transportation Committee
 04/08/2009 Voted Do Pass S Transportation Committee - Consent
 04/09/2009 Reported from S Transportation Committee to Floor - Consent (S983-984)
 04/27/2009 S Consent Calendar--HB 537-Dixon, et al (Wright-Jones)

EFFECTIVE: August 28, 2009

*** HB 540 *** HCS HB 540

1604L.03P

SENATE SPONSOR: Pearce

HOUSE HANDLER: Jones

HCS/HB 540 - This act modifies various provisions relating to lender institution services.

This act provides that nothing in Chapter 408, RSMo, shall be construed to prohibit the sale of a deficiency waiver addendum, guaranteed asset protection, or a similar product purchased as part of a loan transaction with collateral and at the borrower's option, provided the cost of the product is disclosed in the loan contract. The act specifically provides that such waiver addendums or guaranteed asset protection products may also be sold in connection with certain consumer loans, second mortgage loans, and retail credit sales so long as such products are purchased as part of a loan transaction with collateral and at the borrower's option, provided the cost of the product is disclosed in the loan contract.

The act also provides that lenders may offer, sell, and finance automobile club memberships, home and auto security plans, and other plans and services that provide benefits to borrowers (section 408. 052).

This act is similar, but not identical, to SB 243 (2009).

STEPHEN WITTE

02/02/2009 Introduced and Read First Time (H) (H208)
 02/03/2009 Read Second Time (H) (H215)
 02/05/2009 Referred: Special Standing Committee on General Laws (H) (H260)
 02/17/2009 Public Hearing Completed (H)
 02/24/2009 Executive Session Completed (H)
 02/24/2009 HCS Voted Do Pass (H)
 02/25/2009 HCS Reported Do Pass (H) (H402)
 02/25/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H402)
 03/10/2009 Rules - Executive Session Completed (H)
 03/10/2009 Rules - Voted Do Pass (H)
 03/10/2009 Rules - Reported Do Pass (H) (H538)
 03/23/2009 HCS Adopted (H) (H617)
 03/23/2009 Perfected (H) (H617)
 03/26/2009 Third read and passed (H) (H725 / S782)
 03/26/2009 S First Read--HCS for HB 540 (Pearce) (S782)

04/01/2009 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S854)

04/28/2009 Hearing Scheduled S Commerce, Consumer Protection, Energy and the Environment Committee

EFFECTIVE: August 28, 2009

*** HB 544 ***

SCS HB 544

0733S.02C

SENATE SPONSOR: Goodman

HOUSE HANDLER: Smith

SCS/HB 544 - The Commissioner of Administration shall maintain the web-based Missouri accountability portal which shall consist of a searchable database documenting state purchasing of goods and services and the distribution of funds for state programs. The Governor shall submit a daily report documenting all amounts withheld from the state's operating budget for the fiscal year. The report shall be posted on the portal website and be searchable by amounts withheld from each fund and by the total amount withheld from the operating budget.

The Joint Committee on Recovery Accountability and Transparency is created to prevent fraud, waste, and abuse of the funds received by the state or any political subdivision from the federal American Recovery and Reinvestment Act of 2009. The committee will consist of two members of the senate and two members of the house. This committee will have the power to oversee the reporting of contracts and grants using covered funds, review whether competition requirements applicable to contracts and grants have been satisfied, review covered funds, refer matters for investigation to the attorney general or the agency dispersing the funds, receive regular reports from the commissioner of the office of administration and the state auditor and review audits from the state Auditor and conduct reviews relating to covered funds. The committee is required to report annually to the Governor and General Assembly. The committee also has the power to subpoena witnesses.

This act is similar to HB 975 (2007), SB 1204 (2008), SB 155 (2009), SB 162 (2009), SB 568 (2009), and SB 472 (2009).

CHRIS HOGERTY

02/02/2009 Introduced and Read First Time (H) (H208)
 02/03/2009 Read Second Time (H) (H215)
 02/05/2009 Referred: Corrections and Public Institutions (H) (H260)
 02/18/2009 Public Hearing Completed (H)
 02/26/2009 Executive Session Completed (H)
 02/26/2009 Voted Do Pass - Consent (H)
 03/03/2009 Reported Do Pass by Consent (H) (H446)
 03/03/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H446)
 03/10/2009 Rules - Executive Session Completed (H)
 03/10/2009 Rules - Voted Do Pass - Consent (H)
 03/10/2009 Rules - Reported Do Pass Consent (H) (H538)
 03/24/2009 Perfected by Consent (H) (H639)
 03/30/2009 Third Read and Passed (H) (H770)
 03/31/2009 S First Read--HB 544-Smith (150), et al (Goodman) (S825)
 04/01/2009 Second Read and Referred S General Laws Committee (S854)
 04/07/2009 Hearing Conducted S General Laws Committee
 04/14/2009 SCS Voted Do Pass S General Laws Committee (0733S.02C) - Consent
 04/14/2009 Reported from S General Laws Committee to Floor w/SCS - Consent (S1006)
 04/16/2009 Removed S Consent Calendar (S1056)
 04/23/2009 Reported from S General Laws Committee to Floor w/SCS (S1192)
 04/27/2009 S Formal Calendar H Bills for Third Reading--HB 544-Smith (150), et al, with SCS (Goodman)

EFFECTIVE: August 28, 2009

*** HB 546 ***

1427L.01P

HOUSE HANDLER: Smith

HB 546 - This act allows a majority of the circuit court and associate circuit judges in a circuit to appoint a drug court commissioner to also serve as a family court commissioner. The drug court commissioner would receive no additional compensation and would be required to have the same qualifications as other family court commissioners.

This act is similar to SB 322 (2009).

EMILY KALMER

02/02/2009 Introduced and Read First Time (H) (H208)
 02/03/2009 Read Second Time (H) (H215)
 02/12/2009 Referred: Judiciary (H) (H310)
 03/09/2009 Public Hearing Completed (H)
 03/09/2009 Executive Session Completed (H)
 03/09/2009 Voted Do Pass - Consent (H)
 03/10/2009 Reported Do Pass by Consent (H) (H535)
 03/10/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H535)
 03/24/2009 Rules - Executive Session Completed (H)
 03/24/2009 Rules - Voted Do Pass - Consent (H)
 03/24/2009 Rules - Reported Do Pass Consent (H) (H637)
 03/31/2009 Perfected by Consent (H) (H820)
 04/01/2009 Third Read and Passed (H) (H861 / S867)
 04/01/2009 S First Read--HB 546-Smith (150), et al (S867)
 04/02/2009 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S891)
 04/14/2009 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2009

*** HB 553 *** HCS HB 553

1307L.02P

SENATE SPONSOR: Dempsey

HOUSE HANDLER: Spreng

HCS/HB 553 - This act creates a tax credit for all taxable years beginning on or after January 1, 2010, equal to one hundred percent of the state sales tax paid on any new motor vehicle assembled and purchased in Missouri. The tax credit is refundable and may be claimed against a taxpayer's income tax; corporate franchise tax; financial institutions tax; or bridge, express, and public utility companies tax liability. Political subdivisions may exempt such sales from local sales tax by order or ordinance.

The provisions of the act will expire on December thirty-first, six years from the effective date.

JASON ZAMKUS

02/02/2009 Introduced and Read First Time (H) (H209)
 02/03/2009 Read Second Time (H) (H215)
 02/05/2009 Referred: Job Creation and Economic Development (H) (H260)
 02/17/2009 Public Hearing Completed (H)
 02/25/2009 Executive Session Completed (H)
 02/25/2009 HCS Voted Do Pass (H)
 03/24/2009 HCS Reported Do Pass (H) (H635)
 03/24/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H635)
 04/02/2009 Rules - Executive Session Completed (H)
 04/02/2009 Rules - Voted Do Pass (H)
 04/02/2009 Rules - Reported Do Pass (H) (H924)
 04/15/2009 HCS Adopted (H)
 04/15/2009 Perfected (H)
 04/15/2009 Referred: Fiscal Review (H)
 04/16/2009 Executive Session Completed (H)
 04/16/2009 Voted Do Pass (H)
 04/16/2009 Reported Do Pass (H) (H1085)
 04/16/2009 Third read and passed (H) (H1100 / S1056)
 04/16/2009 S First Read--HCS for HB 553 (S1056)
 04/21/2009 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S1092)

EFFECTIVE: August 28, 2009

*** HB 568 *** HCS HB 568 & 534

1597L.03P

HOUSE HANDLER: Dixon

HCS/HBs 568 & 534 - The act requires voter registration forms to be made available to all persons who apply for a resident hunting or fishing permit from the Department of Conservation (MDC). The Secretary of State's office shall make voter registration application forms available to MDC for distribution to its offices and

local permit vendors. MDC offices and permit vendors may inform a person who applies for a permit via telephone that he or she may request a voter registration form be sent to him or her through the mail. The permit applicant is responsible for mailing the voter registration form to the election authority.

This act is similar to SCR 25 (2007).

ERIKA JAQUES

02/03/2009 Introduced and Read First Time (H) (H216)
 02/04/2009 Read Second Time (H) (H222)
 02/05/2009 Refer: Spec Stand Com on Emerging Issues in Animal Agri (H) (H260)
 02/10/2009 Public Hearing Completed (H)
 03/03/2009 Executive Session Completed (H)
 03/03/2009 HCS Voted Do Pass (H)
 03/05/2009 HCS Reported Do Pass (H) (H488)
 03/05/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H488)
 04/07/2009 Rules - Executive Session Completed (H)
 04/07/2009 Rules - Voted Do Pass (H)
 04/07/2009 Rules - Reported Do Pass (H) (H959)
 04/22/2009 HCS Adopted (H) (H1215)
 04/22/2009 Perfected (H) (H1214)
 04/23/2009 Third read and passed (H) (H1247-1249 / S1196-1197)
 04/23/2009 S First Read--HCS for HBs 568 & 534 (S1196-1197)

EFFECTIVE: August 28, 2009

*** HB 575 ***

HCS HB 575

1684L.03P

HOUSE HANDLER: Diehl

HCS/HB 575 - This act defines "other net new revenues" as it relates to the Downtown Revitalization Preservation Program, commonly referred to as MODESA-Lite, as the amount of state sales tax increment or state income tax increment, or the sum of both, as determined under Section 99.918, RSMo; and defines "state income tax increment" as it relates to the Downtown Revitalization Preservation Program, commonly referred to as MODESA-Lite, as an estimate of the income tax due the state for salaries and wages paid to new employees in new jobs in the redevelopment area and created by the redevelopment project. Such estimate will be a percentage of gross payroll based upon analysis done by the Department of Revenue which cannot exceed two percent.

Under current law, the department of economic development is required to limit the monetary amount of qualified equity investments to a level necessary to limit tax credit utilization to no more than fifteen million dollars annually. Following fiscal year 2010, no equity investments may be made unless re-authorization is provided by enactment of a general law by the general assembly. This act would require the department to limit the monetary amount of qualified equity investments to a level necessary to limit tax credit utilization to no more than twenty-seven million five hundred thousand dollars annually. The requirement for re-authorization by enactment of a general law by the general assembly is moved back two fiscal years to fiscal years following fiscal year 2012.

The act specifies that, under certain conditions, an out-of-state wholesale drug distributor, that is a drug manufacturer which produces and distributes from a facility inspected and approved by the federal Food and Drug Administration, will not be required to be licensed but must register its business name and address with the Board of Pharmacy within the Department of Insurance, Financial Institutions and Professional Registration and pay a ten dollar filing fee. Such requirement will also apply to wholesale drug distributors located in a foreign country, as long as they are authorized and in good standing to operate as drug manufacturers within such jurisdiction.

Currently, no tax credits for qualified research expenses can be approved, awarded, or issued. The act removes such restrictions and allows a tax credit equal to no more than six and one-half percent of a taxpayer's qualified research expenses. No more than ten million dollars in qualified research expense tax credits may be authorized annually by the department. Qualified research expenses will be limited to those incurred in the research and development of agricultural biotechnology, plant genomics products, diagnostic and therapeutic medical devices, prescription pharmaceuticals consumed by humans or animals, and electronic patient health record technology. Expenses incurred in the research, development, or manufacturing of power system technology for aerospace; space; defense; implantable or wearable medical devices; or gears, speed changers, and industrial high-speed drivers utilized in the wind turbine industry are

also permitted. The Director of the Department of Economic Development may allow a taxpayer to transfer up to forty percent of the tax credits issued, but not yet claimed, between January 1, 2010, and December 31, 2016. The act requires the department director to act between August 1 and August 15 on tax credit applications filed between January 1 and July 1 for claims from the previous year. A formula is established, by which tax credits will be issued if the eligible claims for the credits exceed the annual cap. No one taxpayer can be issued more than thirty percent of the total amount of tax credits authorized in any calendar year.

A new type of project is created within the Quality Jobs Act known as premium employment projects. Such projects are defined as a qualified company that, within two years of commencing operations, creates at least one hundred new jobs and meets all of the following requirements:

- (1) The company and project qualify for the act;
- (2) The company offers all new employees health insurance and pays at least eighty percent of the premiums; and
- (3) The wage for at least one hundred of the new jobs is equal to or greater than one hundred eighty percent of the county average wage.

A qualified company with a premium employment project may retain four percent of withholding taxes for five years if the average wage of the new payroll equals or exceeds one hundred eighty percent of the county average wage. Five percent of withholdings taxes may be retained by a qualified company, if local incentives equal between ten and twenty-four percent of new direct local revenue; six percent of such taxes may be retained if the local incentives are between twenty-five and forty-nine percent of new direct local revenue; and eight percent of such taxes may be retained if local incentives equal fifty percent or more of new direct local revenue. If the withholding taxes are not sufficient to provide the entire benefit due to the company, the department will issue a refundable tax credit for the difference. Tax credits issued for premium employment projects will not be considered when issuing tax credits for technology business projects or high-impact projects, nor will they be counted toward the total amount of tax credits issued for the act as a whole. If the qualified company does not pay at least one hundred new employees wages equal to at least one hundred eighty percent of the county average wage, the qualified company will not receive tax credits for the balance of the benefit period but may continue to keep the withholding taxes if it otherwise meets the requirements of a quality jobs small and expanding business or a high-impact project.

The Quality Jobs Act definition of "technology business project" is modified to include certain clinical molecular diagnostic laboratories. The annual cap on the amount of Quality Jobs Act tax credits that can be issued annually is increased from sixty million to one hundred million dollars. The definition of "project facility" is modified to include separate buildings located within 15 miles of each other. Currently, the buildings must be within one mile of each other. The act specifies how the department must apply certain definitions when a business that has already received an approved notice of intent later files another notice of intent.

JASON ZAMKUS

02/03/2009 Introduced and Read First Time (H) (H217)
 02/04/2009 Read Second Time (H) (H222)
 02/05/2009 Referred: Job Creation and Economic Development (H) (H260)
 02/10/2009 Public Hearing Completed (H)
 03/03/2009 Executive Session Completed (H)
 03/03/2009 Voted Do Pass - Consent (H)
 03/03/2009 Reported Do Pass by Consent (H) (H446)
 03/03/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H446)
 03/10/2009 Rules - Executive Session Completed (H)
 03/10/2009 Rules - Voted to Return to Committee of Origin (H)
 03/10/2009 Rules - Returned to the Committee of Origin (H) (H538)
 03/12/2009 Executive Session Completed (H)
 03/12/2009 HCS Voted Do Pass (H)
 03/23/2009 HCS Reported Do Pass (H) (H618)
 03/23/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H618)
 03/30/2009 Rules - Executive Session Completed (H)
 03/30/2009 Rules - Voted Do Pass (H)
 03/30/2009 Rules - Reported Do Pass (H) (H791)
 04/07/2009 Taken Up for Perfection (H) (H943)
 04/07/2009 Laid Over (H) (H946)
 04/08/2009 Taken Up for Perfection (H) (H982)
 04/08/2009 HCS Adopted (H) (H990)
 04/08/2009 Perfected with Amendments (H) (H982)

04/08/2009 Referred: Fiscal Review (H) (H1000)
 04/09/2009 Executive Session Completed (H)
 04/09/2009 Voted Do Pass (H)
 04/09/2009 Reported Do Pass (H) (H1008)
 04/16/2009 Third read and passed (H) (H1098-1099 / S1055)
 04/16/2009 S First Read--HCS for HB 575 (S1055)
 04/21/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S1092)

EFFECTIVE: Emergency Clause

*** HB 577 ***

HCS HB 577

1575L.03P

HOUSE HANDLER: Yates

HCS/HB 577 - This act modifies various provisions of Missouri's captive insurance company law. Under this act, the definition of "association" is amended to include captive insurance companies formed as reciprocal insurers. The act amends multiple sections of the captive insurance law to permit reciprocal insurers to be used to form an association captive.

This act repeals the requirement that a captive insurance company must hold at least 35% of its assets within Missouri (Section 379.1302). The act expressly provides that association captive insurance companies and industrial insured captive insurance companies may be organized as reciprocal insurers as provided by law (Section 379.1310). The act provides that the organizers of a reciprocal insurer must petition the director for its formation. The act provide that the captive insurance company statutes shall control in cases of conflict between them and the reciprocal insurance statutes. The act further modifies the law to permit a non-U.S. or alien captive to redomesticate to Missouri if approved by the director (Section 379.1310).

Under the terms of the act, the premium taxes imposed on captive insurance companies are redirected. Under the act, 90% of the taxes are deposited into the general revenue fund, while the remaining 10% are credited to the Insurance Dedicated Fund (Sections 379.1326 and 379.1332). The act contains a similar provision for the disposition of premium taxes assessed on special purpose life insurance captive companies (Section 379.1412).

Under the act, an association captive insurance company or an industrial insured captive insurance company may be converted into or merged with and into a reciprocal insurer. Under the act, any conversion or merger must provide a fair and equitable plan for purchasing the interests of the stockholders and policyholders of the stock or mutual insurer. The act sets forth the statutory steps that must be followed in order to complete a conversion or a merger (Section 379.1339).

This act reduces the number of Missouri residents required to incorporate or organize a special purpose life reinsurance captive from two to one (Section 379.1373).

The act modifies the method in which the assets of a special purpose life reinsurance captive are valued. Under the act, letters of credit, financial guarantee policies and certain surety bonds are to be valued with a priority no higher than afforded to class 7 claims under the priority of claims distribution provision contained in the "Insurers Supervision, Rehabilitation and Liquidation Act" (Section 379.1388).

The provisions of this act are virtually identical to SB 269 (2009).
 STEPHEN WITTE

02/03/2009 Introduced and Read First Time (H) (H217)
 02/04/2009 Read Second Time (H) (H222)
 02/19/2009 Referred: Insurance Policy (H) (H356)
 02/25/2009 Public Hearing Completed (H)
 03/04/2009 Executive Session Completed (H)
 03/04/2009 HCS Voted Do Pass (H)
 03/05/2009 HCS Reported Do Pass (H) (H487)
 03/05/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H487)
 04/02/2009 Rules - Executive Session Completed (H)
 04/02/2009 Rules - Voted Do Pass (H)
 04/02/2009 Rules - Reported Do Pass (H) (H925)
 04/21/2009 HCS Adopted (H) (H1173)
 04/21/2009 Perfected (H) (H1173)

04/23/2009 Third Read and Passed (H) (H1236-1237 / S1194)

04/23/2009 S First Read--HCS for HB 577 (S1194)

EFFECTIVE: August 28, 2009

*** HB 580 *** HCS HB 580

1405L.03P

HOUSE HANDLER: Bruns

SCS/HCS/HB 580 - This act creates the Line of Duty Compensation Act which provides additional workers' compensation benefits in the amount of \$25,000 for firefighters, law enforcement officers, air ambulance pilots, air ambulance registered professional nurses, and emergency medical technicians who are killed in the line of duty.

Coverage applies when:

- Death is caused by an accident or violence of another;
- The individual is in the active performance of his or her duties and there is a relationship between the accident or commission of the act and the performance of duty, even when off duty; the individual is traveling to or from employment; or the individual is taking a break while on duty;
- The injury is the cause of the death; and
- Death occurs within 300 weeks of the injury.

Subject to appropriation, a \$25,000 death benefit shall be awarded to the surviving spouse, dependent, or estates of those killed in the line of duty.

Under the act, neither employers nor workers' compensation insurers shall have subrogation rights against compensation awarded for claims under the proposed program.

This act contains an emergency clause.

This program shall sunset in 6 years unless reauthorized.

This act is similar to SB 500 (2007), HB 551 (2007), SB 966 (2008), and SB 332 (2009).

CHRIS HOGERTY

02/03/2009 Introduced and Read First Time (H) (H217)
 02/04/2009 Read Second Time (H) (H222)
 02/05/2009 Referred: Public Safety (H) (H260)
 02/10/2009 Public Hearing Completed (H)
 02/17/2009 Executive Session Completed (H)
 02/17/2009 HCS Voted Do Pass (H)
 02/18/2009 HCS Reported Do Pass (H) (H347)
 02/18/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H347)
 02/24/2009 Rules - Executive Session Completed (H)
 02/24/2009 Rules - Voted Do Pass (H)
 02/24/2009 Rules - Reported Do Pass (H) (H389)
 03/02/2009 HCS Adopted (H) (H429)
 03/02/2009 Perfected with Amendments (H) (H428)
 03/03/2009 Referred: Fiscal Review (H) (H446)
 03/05/2009 Executive Session Completed (H)
 03/05/2009 Voted Do Pass (H)
 03/05/2009 Reported Do Pass (H)
 03/05/2009 Third Read and Passed (H) (H479-480 / S529)
 03/05/2009 Emergency Clause Adopted (H) (H480-481 / S529)
 03/05/2009 S First Read--HCS for HB 580 (S529)
 03/25/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S700)
 04/15/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee
 04/22/2009 SCS Voted Do Pass S Jobs, Economic Development and Local Government Committee (1405S.04C)

EFFECTIVE: Emergency Clause

*** HB 593 ***

1133L.01P

HOUSE HANDLER: Viebrock

HB 593 - This act removes language requiring that the board of trustees of police and firemen's pension systems invest and reinvest the pension systems' money subject to the terms, conditions, limitations or restrictions imposed by law on life insurance or casualty companies. The act also provides that the boards invest the funds of the systems as permitted by Sections 105.687 to 105.690, RSMo, which contains the "prudent investor" standard, as well as other duties for investment fiduciaries.

This act is identical to SB 161 and SB 997 (2008).

EMILY KALMER

02/04/2009 Introduced and Read First Time (H) (H245)
 02/05/2009 Read Second Time (H) (H255)
 02/19/2009 Referred: Retirement (H) (H356)
 03/05/2009 Public Hearing Scheduled, Bill not Heard (H)
 03/12/2009 Public Hearing Completed (H)
 03/12/2009 Executive Session Completed (H)
 03/12/2009 Voted Do Pass - Consent (H)
 03/12/2009 Reported Do Pass by Consent (H) (H592)
 03/12/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H592)
 03/24/2009 Rules - Executive Session Completed (H)
 03/24/2009 Rules - Voted Do Pass - Consent (H)
 03/24/2009 Rules - Reported Do Pass Consent (H) (H637)
 03/31/2009 Perfected by Consent (H) (H820)
 04/01/2009 Third Read and Passed (H) (H872-873 / S869)
 04/01/2009 S First Read--HB 593-Viebrock (S869)
 04/02/2009 Second Read and Referred S Veterans' Affairs, Pensions and Urban Affairs Committee (S891)
 04/09/2009 Hearing Conducted S Veterans' Affairs, Pensions and Urban Affairs Committee
 04/09/2009 Voted Do Pass S Veterans' Affairs, Pensions and Urban Affairs Committee - Consent
 04/09/2009 Reported from S Veterans' Affairs, Pensions and Urban Affairs Committee to Floor - Consent (S983)
 04/27/2009 S Consent Calendar--HB 593-Viebrock (Crowell)

EFFECTIVE: August 28, 2009

*** HB 599 ***

1722L.01P

SENATE SPONSOR: Schmitt

HOUSE HANDLER: Diehl

HB 599 - Under current law, electrical corporations that operate on the not-for-profit cooperative business plan are exempt from regulation under the Public Service Commission (PSC) with regard to rates. This act removes the exemption and thereby gives the PSC jurisdiction over the rates set by such cooperatives.

This act is similar to SB 545 (2009).

ERIKA JAQUES

02/04/2009 Introduced and Read First Time (H) (H246)
 02/05/2009 Read Second Time (H) (H255)
 02/12/2009 Referred: Job Creation and Economic Development (H) (H310)
 02/25/2009 Public Hearing Completed (H)
 03/05/2009 Executive Session Completed (H)
 03/05/2009 Voted Do Pass (H)
 03/26/2009 Reported Do Pass (H) (H747)
 03/26/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H747)
 04/02/2009 Rules - Executive Session Completed (H)
 04/02/2009 Rules - Voted Do Pass (H)
 04/02/2009 Rules - Reported Do Pass (H) (H925)
 04/08/2009 Perfected (H) (H979)
 04/08/2009 Referred: Fiscal Review (H) (H1000)
 04/09/2009 Executive Session Completed (H)
 04/09/2009 Voted Do Pass (H)
 04/09/2009 Reported Do Pass (H) (H1008)
 04/09/2009 Third Read and Passed (H) (H1008-1009 / S980)
 04/09/2009 S First Read--HB 599-Diehl (S980)

04/16/2009 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment
Committee (S1052)

EFFECTIVE: August 28, 2009

*** HB 620 *** HCS HB 620 & 671

1304L.02P

HOUSE HANDLER: Hoskins

HCS/HB's 620 & 671 - This act modifies laws regarding bingo. Under current law, an abbreviated license is required for organizations which conduct bingo games on no more than four occasions annually at which pull-tab cards may be used. This act increases the number of occasions at which bingo games may be conducted under an abbreviated license to no more than fifteen annually. Under current law all organizations licensed to conduct bingo games to pay a \$50 annual license fee, unless they award winners of bingo games with prizes and merchandise that have an aggregate value less than five thousand dollars annually and less than one hundred dollars in a single day, in which case they must only pay a ten dollar fee. This act removes the ten dollar fee option and requires all organizations licensed to conduct bingo games to pay a fifty dollar annual license fee. The Missouri Gaming Commission is authorized to establish the daily prize amount for nonprogressive bingo games. The act removes provisions allowing licensees to require players to purchase more than a standard pack of bingo cards in order to participate in a bingo game and limiting prizes for a single special game bingo card to no more than fifty cents. Licensees will be allowed to conduct bingo games twice a week instead of once a week as provided under current law. The amount of total bingo receipts which may be used for advertising is increased from two percent to ten percent. The act repeals prohibition on advertisements by licensees which reference aggregate values of bingo prizes. Under current law, no games can be conducted between midnight and 10 a.m. This act prohibits bingo games from operating between the hours of 1 a.m. and 7 a.m. Licensees will be allowed to own or lease commission-approved pull-tab vending machines from a licensed supplier, but organizations are prohibited from sharing such machines. All licensees must to make quarterly reports to the commission. The record retention requirement for bingo and pull-tab licensees is decreased from three to two years. The two percent gross receipts sales tax on pull-tab cards and the two-tenths of one cent tax on each bingo card sold by charitable organizations conducting bingo in this state are repealed. The one-time application fee for a manufacturer's license is increased from an amount not to exceed one thousand dollars to an amount not to exceed five thousand dollars and the renewal fee is increased from an amount not to exceed five hundred dollars to an amount not to exceed one thousand dollars. Applicants for a supplier's or manufacturer's license are responsible for all investigative costs incurred by the commission.

JASON ZAMKUS

02/05/2009 Introduced and Read First Time (H) (H264)
02/09/2009 Read Second Time (H) (H270)
02/19/2009 Referred: Veterans (H) (H356)
02/24/2009 Public Hearing Completed (H)
03/11/2009 Executive Session Completed (H)
03/11/2009 HCS Voted Do Pass (H)
03/11/2009 HCS Reported Do Pass (H) (H556)
03/11/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H556)
04/02/2009 Rules - Executive Session Completed (H)
04/02/2009 Rules - Voted Do Pass (H)
04/02/2009 Rules - Reported Do Pass (H) (H925)
04/08/2009 Taken Up for Perfection (H) (H978)
04/08/2009 Laid Over (H) (H978)
04/08/2009 Taken Up for Perfection (H) (H998)
04/08/2009 HCS Adopted (H) (H998)
04/08/2009 Perfected with Amendments (H) (H998)
04/08/2009 Referred: Fiscal Review (H) (H1000)
04/09/2009 Executive Session Completed (H)
04/09/2009 Voted Do Pass (H)
04/09/2009 Reported Do Pass (H) (H1008)
04/09/2009 Taken Up for Third Reading (H) (H1016)
04/09/2009 Placed on the Informal Third Reading Calendar (H) (H1016)
04/22/2009 Taken Up for Third Reading (H) (H1210)
04/22/2009 Third Read and Passed (H) (H1210-1211 / S1152)
04/22/2009 S First Read--HCS for HBs 620 & 671 (S1152)
04/23/2009 Second Read and Referred S Ways and Means Committee (S1194)

EFFECTIVE: August 28, 2009

*** HB 622 *** HCS HB 622

1629L.02P

SENATE SPONSOR: McKenna

HOUSE HANDLER: Roorda

HCS/HB 622 - Currently, any identifying information in a court record that could be used to identify the victim of sexual assault, domestic assault, stalking, or rape shall be closed and redacted prior to public disclosure. This act provides that the perpetrator's identifying information shall not be redacted from an otherwise public record.

SUSAN HENDERSON MOORE

02/05/2009 Introduced and Read First Time (H) (H264)
 02/09/2009 Read Second Time (H) (H270)
 03/05/2009 Referred: Judiciary (H) (H485)
 03/11/2009 Public Hearing Completed (H)
 03/11/2009 Executive Session Completed (H)
 03/11/2009 HCS Voted Do Pass - Consent (H)
 03/11/2009 HCS Reported Do Pass by Consent (H) (H555)
 03/11/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H555)
 03/24/2009 Rules - Executive Session Completed (H)
 03/24/2009 Rules - Voted Do Pass - Consent (H)
 03/24/2009 Rules - Reported Do Pass Consent (H) (H637)
 04/01/2009 Perfected by Consent (H) (H902)
 04/02/2009 Third Read and Passed (H) (H920)
 04/06/2009 S First Read--HCS for HB 622 (S910)
 04/08/2009 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S948)
 04/14/2009 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee
 04/14/2009 Bill Combined w/(SCS/HCS/HB 177 and HCS/HB 622) (0599S.05C) - Consent

EFFECTIVE: August 28, 2009

*** HB 631 *** HCS HB 631

1487L.03P

HOUSE HANDLER: Jones

HCS/HB 631 – Beginning with the 2010-2011 school year, this act requires school districts to pay registered professional school nurses on the same pay scale as teachers with equivalent work history and working hours. The salary requirements must not result in a decrease or loss of existing school funding or decrease the number of nursing positions in a district.

This provision is identical to SB 135 (2009) and is substantially similar to HB 1374 (2008). (Section 168.173)

This act modifies eligibility requirements for the Missouri Teaching Fellows Program. This act raises the required grade point average upon completion of a bachelor's or graduate degree from a 3.0 to a 3.25 on a 4.0 scale, or an equivalent. In addition, a home school student may be eligible for the program by achieving a GED test score corresponding to an estimated national class rank in the top ten percent of graduating high school seniors.

This act also adds eligibility to individuals who meet the following requirements: have graduated from a Missouri public higher education institution and have attained Missouri teacher certification after August 28, 2009; have attained a bachelor's degree or graduate degree with a cumulative grade point average of 3.25 on a 4.0 scale, or an equivalent; are hired to teach in a school district not classified as accredited by the state board of application; and sign an agreement with the Department of Higher Education to agree to qualified employment, as described in the act, for five years.

These provisions are similar to HB 2266 (2008). (Section 168.700)
 MICHAEL RUFF

02/05/2009 Introduced and Read First Time (H) (H265)
 02/09/2009 Read Second Time (H) (H270)
 02/12/2009 Referred: Higher Education (H) (H311)
 02/24/2009 Public Hearing Completed (H)
 03/03/2009 Executive Session Completed (H)
 03/03/2009 HCS Voted Do Pass (H)

03/10/2009 HCS Reported Do Pass (H) (H534)
 03/10/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H534)
 04/02/2009 Rules - Executive Session Completed (H)
 04/02/2009 Rules - Voted Do Pass (H)
 04/02/2009 Rules - Reported Do Pass (H) (H925)
 04/15/2009 Taken Up for Perfection (H) (H1074)
 04/15/2009 Laid Over (H) (H1075)
 04/20/2009 Taken Up for Perfection (H) (H1140)
 04/20/2009 HCS Adopted (H) (H1141)
 04/20/2009 Perfected (H) (H1140)
 04/21/2009 Referred: Fiscal Review (H) (H1194)
 04/23/2009 Executive Session Completed (H)
 04/23/2009 Voted Do Pass (H)
 04/23/2009 Reported Do Pass (H)
 04/23/2009 Third Read and Passed (H) (H1238-1239 / S1195)
 04/23/2009 S First Read--HCS for HB 631 (S1195)

EFFECTIVE: August 28, 2009

*** HB 644 ***

1351L.01P

SENATE SPONSOR: Griesheimer

HOUSE HANDLER: Wilson

HB 644 - Under current law, when a person who is not a resident of the United States buys a nonrepairable motor vehicle or a salvage motor vehicle, the seller must stamp the words "FOR EXPORT ONLY" on the face of the title and in each unused reassignment space on the back of the title and forward it to the Department of Revenue. This act specifies that it is the operator of the salvage pool or salvage disposal sale or the subsequent purchaser who is required to fulfill these duties.

This act establishes a procedure for adding or deleting names on an application for certificate of ownership for a motor vehicle or trailer that would cause it to be inconsistent with the names listed on a notice of lien. Under the act, the owner shall provide the director with documentation evidencing the lienholder's authorization to add or delete names on the application for certificate of ownership (Section 301.190). The act creates a similar procedure for outboard motors, motorboats, vessels, watercrafts and manufactured homes (Sections 306.410 and 700.320).

This act modifies the law with respect to garagekeeper liens that secure the payment for services rendered upon motor vehicles. Under the act, the time period for applying for a certificate of ownership is shortened. Currently, if a chattel item (i.e. motor vehicle) is not redeemed within three months of the completion of labor, the lienholder may apply to the director of revenue for a certificate of ownership or certificate of title. This act changes that time period to 45 days.

Currently, if the charges are for storage or the service of towing and the item has not been redeemed three months after the charges for storage have commenced, the lienholder shall notify the owner and any lienholder of record that an application for a lien title will be made unless the owner or lienholder makes satisfactory arrangements within 45 days. This act changes those time periods to 45 days and 30 days respectively.

The act requires the application for a certificate of ownership shall be accompanied by an affidavit. Such affidavit shall be accompanied by a copy of the 30 day notice provided to the owner of the chattel and any person holding a security interest in the chattel. Currently, the Director of Revenue is required to notify the owner and any lien holder of record of a motor vehicle, trailer, outboard motor, aircraft, or vessel, when an application is made for a lien title on such item. This provision is repealed (Section 430.082). A similar provision can be found in SB 319 (2009).

Many of the provisions relating to certificates of ownership may be found in SCS/HB 269 (2009).

Under this act, the annual license fee for one set of driveaway license plates issued to a person licensed as a wholesale motor vehicle auction is \$17. The biennial fee for one is \$34 (301.069)(SA 2).

STEPHEN WITTE

02/09/2009 Introduced and Read First Time (H) (H271)
 02/10/2009 Read Second Time (H) (H280)
 02/12/2009 Referred: Transportation (H) (H311)

02/24/2009 Public Hearing Completed (H)
 03/03/2009 Executive Session Completed (H)
 03/03/2009 Voted Do Pass - Consent (H)
 03/05/2009 Reported Do Pass by Consent (H) (H488)
 03/05/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H488)
 03/10/2009 Rules - Executive Session Completed (H)
 03/10/2009 Rules - Voted Do Pass - Consent (H)
 03/10/2009 Rules - Reported Do Pass Consent (H) (H538)
 03/24/2009 Perfected by Consent (H) (H639)
 03/30/2009 Third Read and Passed (H) (H774 / S826)
 03/31/2009 S First Read--HB 644-Wilson (130) (S826)
 04/01/2009 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S854)
 04/14/2009 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee
 04/14/2009 Voted Do Pass S Commerce, Consumer Protection, Energy and the Environment Committee
 04/16/2009 Reported from S Commerce, Consumer Protection, Energy and the Environment Committee to Floor (S1052)
 04/22/2009 SA 1 S offered & adopted (Griesheimer)--(1351L.01S) (S1166-1174)
 04/22/2009 SA 2 S offered & adopted (Shields)--(1351L01.03S) (S1174)
 04/22/2009 S Third Read and Passed, as amended (S1174-1175 / H1221-1227)
 04/27/2009 H Calendar H Bills with S Amendments (SAs 1 & 2)

EFFECTIVE: August 28, 2009

*** HB 652 ***

1609L.01P

SENATE SPONSOR: Bartle

HOUSE HANDLER: Pratt

HB 652 - This act defines the terms "certified mail" or "certified mail with return receipt requested" for Missouri statutes where these terms are used to include any parcel or letter carried by an overnight, express, or ground delivery service that allows a sender or recipient to electronically track its location.
 EMILY KALMER

02/09/2009 Introduced and Read First Time (H) (H272)
 02/10/2009 Read Second Time (H) (H280)
 02/12/2009 Referred: Judiciary (H) (H311)
 02/18/2009 Public Hearing Completed (H)
 03/09/2009 Executive Session Completed (H)
 03/09/2009 Voted Do Pass (H)
 03/10/2009 Reported Do Pass (H) (H535)
 03/10/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H535)
 03/24/2009 Rules - Executive Session Completed (H)
 03/24/2009 Rules - Voted Do Pass (H)
 03/24/2009 Rules - Reported Do Pass (H) (H637)
 04/01/2009 Perfected (H) (H900)
 04/02/2009 Third Read and Passed (H) (H918)
 04/06/2009 S First Read--HB 652-Pratt (S910)
 04/08/2009 Second Read and Referred S General Laws Committee (S948)
 04/14/2009 Hearing Conducted S General Laws Committee
 04/14/2009 Voted Do Pass S General Laws Committee - Consent
 04/14/2009 Reported from S General Laws Committee to Floor - Consent (S1006)
 04/27/2009 S Consent Calendar--HB 652-Pratt (Bartle)

EFFECTIVE: August 28, 2009

*** HB 658 ***

HCS HB 658 & 706

1614L.04P

SENATE SPONSOR: Clemens

HOUSE HANDLER: Dugger

HCS/HBs 658 & 706 - This act creates a state income and corporate franchise tax credit for qualifying milk production. Beginning January 1, 2009, and the first day of each month thereafter, the Missouri agriculture and small business development authority must report and make public the announced production price of milk for the state of Missouri based upon a three factor formula. The tax credit will only be available when the announced production price for the state exceeds the average Federal Uniform Price for Missouri. The amount of the credit will be based upon the difference in the announced production price for the state and

the average Federal Uniform Price per one hundred pounds of milk produced in any month the credit is available. The tax credit is non-refundable, fully transferrable and valid only against the state tax liability for the tax year of issuance. The amount of tax credits annually available to taxpayers for qualifying milk production will depend upon the amount of tax credits which remain unissued, as of a date certain each year, under certain existing tax credit programs. The milk producer tax credit sunsets two years from the effective date of the act unless re-authorized by the General Assembly.

This act is similar to Senate Bill 254 (2009).

JASON ZAMKUS

02/10/2009 Introduced and Read First Time (H) (H282)
 02/11/2009 Read Second Time (H) (H300)
 02/19/2009 Referred: Agri-Business (H) (H356)
 03/10/2009 Public Hearing Completed (H)
 03/24/2009 Executive Session Completed (H)
 03/24/2009 HCS Voted Do Pass (H)
 03/24/2009 HCS Reported Do Pass (H) (H635)
 03/24/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H635)
 03/30/2009 Rules - Executive Session Completed (H)
 03/30/2009 Rules - Voted to Return to Committee of Origin (H)
 03/30/2009 Rules - Returned to the Committee of Origin (H) (H791)
 03/31/2009 Executive Session Completed (H)
 03/31/2009 HCS Voted Do Pass (H)
 03/31/2009 HCS Reported Do Pass (H) (H819)
 03/31/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H819)
 04/02/2009 Rules - Executive Session Completed (H)
 04/02/2009 Rules - Voted Do Pass (H)
 04/02/2009 Rules - Reported Do Pass (H) (H925)
 04/07/2009 HCS Adopted (H) (H946)
 04/07/2009 Perfected (H) (H946)
 04/09/2009 Third Read and Passed (H) (H1018 / S990)
 04/13/2009 S First Read--HCS for HBs 658 & 706 (S990)
 04/16/2009 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S1053)
 04/22/2009 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee

EFFECTIVE: August 28, 2009

*** HB 659 ***

SCS HB 659

1079S.02C

SENATE SPONSOR: Bartle

HOUSE HANDLER: Dusenberg

SCS/HB 659 – This act modifies the law regarding the operations of a special administrative board when a school district's corporate organization has lapsed after having been classified as unaccredited. Current law provides for three members on a special administrative board, one of whom will be a professional administrator and act as chair. This act allows the State Board of Education to appoint additional members. In addition, the State Board of Education may set a final term of office for any special administrative board member, after which a successor member must be elected by the school district as described in the act. If the State Board of Education appoints a successor member to replace the special administrative board's chair, the current members of the special administrative board may appoint a superintendent of schools and contract for his or her services. The State Board of Education may set a date on which the school district will return to local governance.

This act is substantially similar to SB 443 (2009) and a provision contained in SS/SB 291 (2009).

MICHAEL RUFF

02/10/2009 Introduced and Read First Time (H) (H282)
 02/11/2009 Read Second Time (H) (H300)
 02/19/2009 Referred: Elementary and Secondary Education (H) (H356)
 03/11/2009 Public Hearing Completed (H)
 03/11/2009 Executive Session Completed (H)
 03/11/2009 Voted Do Pass - Consent (H)
 03/11/2009 Reported Do Pass by Consent (H) (H555)
 03/11/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H555)
 03/24/2009 Rules - Executive Session Completed (H)

03/24/2009 Rules - Voted Do Pass - Consent (H)
 03/24/2009 Rules - Reported Do Pass Consent (H) (H637)
 03/31/2009 Perfected by Consent (H) (H820)
 04/01/2009 Third Read and Passed (H) (H882-883 / S871)
 04/01/2009 S First Read--HB 659-Dusenberg, et al (S871)
 04/02/2009 Second Read and Referred S Education Committee (S891)
 04/15/2009 Hearing Conducted S Education Committee
 04/15/2009 SCS Voted Do Pass S Education Committee (1079S.02C) - Consent
 04/15/2009 Reported from S Education Committee to Floor w/SCS - Consent (S1034)
 04/21/2009 Removed S Consent Calendar (S1096)
 04/23/2009 Reported from S Education Committee to Floor w/SCS (S1192)
 04/27/2009 S Formal Calendar H Bills for Third Reading--HB 659-Dusenberg, et al, with SCS (Bartle)

EFFECTIVE: August 28, 2009

*** HB 661 ***

SS HCS HB 661

1620S.04F

SENATE SPONSOR: Stouffer

HOUSE HANDLER: Ruzicka

SS/HCS/HB 661 - This act modifies provisions pertaining to programs administered by the Department of Natural Resources.

SECTION 204.659 - STORMWATER FEES

The Metropolitan Sewer District shall not assess a stormwater fee to any residential customer who does not receive sanitary sewer services from the district and where the stormwater from such customer's property does not drain to a sewer maintained by the district.

SECTIONS 260.273 through 260.276 - SCRAP TIRES

The current authorization to collect a fee from retailers that sell new tires in Missouri expires on January 1, 2010. This act extends the authorization until January 1, 2015.

Under current law, the Department of Natural Resources may use up to 5% of its portion of the tire fees collected for the purpose of educational programs and curricula. The act specifies that the educational programs must be environmentally-related and assist the Department implement the solid waste laws.

Current law allows the Department to use up to 25% of its portion of the tire fees collected to remove tires from illegal tire dumps and address nuisances created by illegal tire dumps. The act increases the percentage of funding that may be used for these purposes to 50%. Similarly, the act increases from 5% to 45%, the amount of its fee revenue that the Department may spend on grants to people who will use products made from scrap tires.

Coal-fired electric plants that burn tire-derived fuel shall not be considered a scrap tire site or solid waste disposal area and are not therefore subject to regulations for those areas.

The act allows charitable, fraternal, and other non-profit organizations to be eligible for reimbursement of costs associated with disposal costs of scrap tires collected during a voluntary land or river cleanup event. Local governments may also be eligible for similar reimbursement, provided their costs are not part of their normal operating costs.

SECTIONS 640.107 AND 644.101 - PUBLIC DRINKING WATER AND WASTEWATER TREATMENT

The act allows the state to distribute federal economic stimulus funds to local governments, public water or sewer districts, and other eligible entities to assist the construction of public drinking water and water pollution control projects, as such projects are approved by the Safe Drinking Water Commission or Clean Water Commission.

SECTIONS 640.150 through 640.160 - ENERGY

The act allows the Department of Natural Resources to analyze the potential for increased utilization of landfill gas as an alternative energy source. The act also provides authority to the department to enter into cooperative agreements with other states, political subdivisions, private entities, and educational institutions in order to seek and obtain federal grants. The act allows funds appropriated to the department for energy-related activities to be used to carry out agreements, contracts, grants, subgrants, or cooperative arrangements with other governmental, non-profit, or private organizations.

The act creates the Energy Futures Fund. Moneys in the fund may be used for energy-related activities including energy efficiency programs, energy studies, energy resource analyses, and related departmental administration costs.

SECTION 644.036 - 303(d) LIST PUBLIC NOTICE REQUIREMENTS

Under current law, the public notification requirements for the Clean Water Commission's development of the list of impaired waters required by Section 303(d) of the federal Clean Water Act expire on August 28, 2009. This act extends the expiration date to August 28, 2010.

SECTION 644.054 - WATER POLLUTION CONTROL PERMIT FEES

Under current law, the authority expires on December 31, 2009 for the Clean Water Commission to charge fees for construction permits, operating permits, and operator's certifications related to water pollution control. This act extends the expiration date to December 31, 2010.

The act contains an emergency clause for the sections involving federal stimulus funds (sections 640.107, 640.150, and 644.101).

Provisions of this act are similar to SS/SCS/SB 539 (2009), SCS/SB 409 (2009), SB 272 (2009), HCS/SS/SB 172 (2009), and HB 734 (2009).

ERIKA JAQUES

02/10/2009 Introduced and Read First Time (H) (H282)
 02/11/2009 Read Second Time (H) (H300)
 02/12/2009 Referred: Conservation and Natural Resources (H) (H311)
 02/18/2009 Public Hearing Completed (H)
 02/25/2009 Executive Session Completed (H)
 02/25/2009 HCS Voted Do Pass (H)
 02/26/2009 HCS Reported Do Pass (H) (H418)
 02/26/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H418)
 03/10/2009 Rules - Executive Session Completed (H)
 03/10/2009 Rules - Voted Do Pass (H)
 03/10/2009 Rules - Reported Do Pass (H) (H538)
 03/23/2009 HCS Adopted (H) (H616)
 03/23/2009 Perfected (H) (H616)
 03/26/2009 Third read and passed (H) (H723-724 / S782)
 03/26/2009 S First Read--HCS for HB 661 (Stouffer) (S782)
 04/01/2009 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S854)
 04/08/2009 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee
 04/15/2009 Voted Do Pass S Agriculture, Food Production and Outdoor Resources Committee
 04/16/2009 Reported from S Agriculture, Food Production and Outdoor Resources Committee to Floor (S1051)
 04/21/2009 SS S offered (Stouffer)--(1620S.04F) (S1095)
 04/21/2009 SA 1 to SS S offered (Crowell)--(1620S04.03S) (S1095-1096)
 04/21/2009 Bill Placed on Informal Calendar (S1096)
 04/21/2009 SA 1 to SS S withdrawn (S1105)
 04/21/2009 SA 2 to SS S offered & adopted (Stouffer)--(1620S04.01S) (S1105)
 04/21/2009 SA 3 to SS S offered & adopted (Green)--(1620S04.02S) (S1105)
 04/21/2009 SS, as amended, S adopted (S1106)
 04/21/2009 S Third Read and Passed - EC adpoted (S1106 / H1203)
 04/27/2009 H Calendar H Bills with S Amendments (SS, as amended)

EFFECTIVE: Varies

*** HB 667 ***

SCS HCS HB 667

1705S.06C

SENATE SPONSOR: Goodman

HOUSE HANDLER: Jones

SCS/HCS/HB 667 - Currently, any sheriff, except the sheriff of St. Louis County, must hold a valid peace officer license, except during the first 12 months of his or her first term of office, in order to execute police powers. This act removes the 12-month grace period beginning January 1, 2010.

SUSAN HENDERSON MOORE

02/10/2009 Introduced and Read First Time (H) (H283)
 02/11/2009 Read Second Time (H) (H300)

02/26/2009 Referred: Public Safety (H) (H417)
 03/10/2009 Public Hearing Completed (H)
 03/10/2009 Executive Session Completed (H)
 03/10/2009 HCS Voted Do Pass - Consent (H)
 03/11/2009 HCS Reported Do Pass by Consent (H) (H556)
 03/11/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H556)
 03/24/2009 Rules - Executive Session Completed (H)
 03/24/2009 Rules - Voted Do Pass - Consent (H)
 03/24/2009 Rules - Reported Do Pass Consent (H) (H637)
 03/31/2009 Perfected by Consent (H) (H820)
 04/01/2009 Third Read and Passed (H) (H862-863 / S868)
 04/01/2009 S First Read--HCS for HB 667 (S868)
 04/02/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S891)
 04/08/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee
 04/15/2009 SCS Voted Do Pass S Jobs, Economic Development and Local Government Committee (1705S.06C) - Consent
 04/15/2009 Reported from S Jobs, Economic Development and Local Government Committee to Floor w/SCS - Consent (S1033)
 04/22/2009 SCS S adopted (S1158)
 04/22/2009 S Third Read and Passed - Consent (S1158 / H1227)
 04/27/2009 H Calendar H Bills with S Amendments (SCS)

EFFECTIVE: August 28, 2009

*** HB 668 *** HCS HB 668

1747L.02P

SENATE SPONSOR: Stouffer

HOUSE HANDLER: Jones

HCS/HB 668 - This act modifies various provisions relating to firearms and the use of deadly force.

SECTION 21.750

Currently, political subdivisions are allowed to adopt ordinances to regulate the open carrying of firearms if they confirm with state laws. This act removes this authority and requires political subdivisions to regulate firearms by adopting ordinances consistent with certain state weapons offenses within Chapter 571, RSMo, and the defenses for justification of the use of force in Chapter 563, RSMo. However, under this act, such political subdivisions are allowed to prohibit illegal immigrants from selling, purchasing, transferring, owning, using, or possessing firearms, components, or ammunition.

SECTION 563.011

Under this act, deadly force may be used against a person who unlawfully enters, remains after unlawfully entering, or attempts to unlawfully enter private property by an individual who owns or leases such private property. The person owning or leasing the private property does not have a duty to retreat from such property.

SECTION 571.070

Antique firearms are exempt from the definition of "firearm" used for the crime of unlawful possession of a firearm.

SECTION 571.101

Currently, an individual must be twenty-three years of age to be eligible to apply for a concealed carry endorsement. Under this act, a person must be twenty-one years of age.

SECTION 571.104

For processing a change of address, the sheriff of the new jurisdiction may charge a fee of not more than \$10 for associated costs. A sheriff may also charge a processing fee of not more than \$10 for costs associated with changing a person's name on his or her endorsement.

SECTION 571.107

This act removes the provisions prohibiting a person with a concealed carry endorsement from carrying a concealed firearm into any institution of higher education.

SUSAN HENDERSON MOORE

02/10/2009 Introduced and Read First Time (H) (H283)

02/11/2009 Read Second Time (H) (H300)
 02/19/2009 Referred: Agri-Business (H) (H356)
 03/03/2009 Public Hearing Completed (H)
 03/10/2009 Executive Session Completed (H)
 03/10/2009 HCS Voted Do Pass (H)
 03/11/2009 HCS Reported Do Pass (H) (H555)
 03/11/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H555)
 04/02/2009 Rules - Executive Session Completed (H)
 04/02/2009 Rules - Voted Do Pass (H)
 04/02/2009 Rules - Reported Do Pass (H) (H925)
 04/08/2009 HCS Adopted (H) (H997)
 04/08/2009 Perfected with Amendments (H) (H990)
 04/16/2009 Third Read and Passed (H) (H1102 / S1076)
 04/20/2009 S First Read--HCS for HB 668 (S1076)
 04/23/2009 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S1194)

EFFECTIVE: August 28, 2009

*** HB 678 ***

1839L.01P

SENATE SPONSOR: Goodman

HOUSE HANDLER: Wasson

HB 678 - This act provides that May first of each year shall be known and designated as "Silver Star Families of America Day." The day shall be used to honor the wounded soldiers of this state and the efforts of the Silver Star Families of America to honor the wounded members of the United States armed forces.

JIM ERTLE

02/11/2009 Introduced and Read First Time (H) (H303)
 02/12/2009 Read Second Time (H) (H309)
 02/19/2009 Referred: Veterans (H) (H356)
 02/24/2009 Public Hearing Completed (H)
 02/24/2009 Executive Session Completed (H)
 02/24/2009 Voted Do Pass - Consent (H)
 02/24/2009 Reported Do Pass by Consent (H) (H385)
 02/24/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H385)
 03/03/2009 Rules - Executive Session Completed (H)
 03/03/2009 Rules - Voted Do Pass - Consent (H)
 03/03/2009 Rules - Reported Do Pass Consent (H) (H450)
 03/10/2009 Perfected by Consent (H)
 03/11/2009 Third Read and Passed (H) (H550-551 / S589)
 03/11/2009 S First Read--HB 678-Wasson (S589)
 03/25/2009 Second Read and Referred S Veterans' Affairs, Pensions and Urban Affairs Committee (S700)
 04/09/2009 Hearing Conducted S Veterans' Affairs, Pensions and Urban Affairs Committee
 04/09/2009 Voted Do Pass S Veterans' Affairs, Pensions and Urban Affairs Committee - Consent
 04/09/2009 Reported from S Veterans' Affairs, Pensions and Urban Affairs Committee to Floor - Consent (S983)
 04/27/2009 S Consent Calendar--HB 678-Wasson (Goodman)

EFFECTIVE: August 28, 2009

*** HB 681 ***

HCS HB 681

1769L.02C

SENATE SPONSOR: Pearce

HOUSE HANDLER: Smith

HCS/HB 681 - Currently, the Governor has statutory authority to fill vacancies until successors are elected for the office of United States Senator; various state and county offices filled by election; circuit attorney, prosecuting attorney, and assistant prosecuting attorney offices; and all statewide offices excluding Lieutenant Governor. This act requires the Governor to fill all vacated statewide offices and the office of United States Senator by special election for the remainder of each respective term.

In the case of vacancies for Lieutenant Governor, Attorney General, Secretary of State, and Treasurer, the Governor shall take charge of the vacated office and superintend business until the successor is elected by special election. In the case of a vacancy in the office of Auditor, the Governor shall appoint an acting Auditor who shall take charge of the vacated office and superintend business until the successor is elected by special election.

If the Lieutenant Governor, Attorney General, Auditor, or Treasurer are impeached, such individuals shall be suspended until the impeachment is determined. If convicted, the Governor shall fill the vacancy by special election. In the case of the impeachment of the Secretary of State, the office shall be filled by appointment until impeachment is determined. If convicted, the Governor shall then fill the vacancy by special election.

CHRIS HOGERTY

02/11/2009 Introduced and Read First Time (H) (H303)
 02/12/2009 Read Second Time (H) (H309)
 02/17/2009 Referred: Elections (H) (H333)
 02/24/2009 Public Hearing Completed (H)
 03/10/2009 Executive Session Completed (H)
 03/10/2009 HCS Voted Do Pass (H)
 03/10/2009 HCS Reported Do Pass (H) (H534)
 03/10/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H534)
 03/12/2009 Rules - Executive Session Completed (H)
 03/12/2009 Rules - Voted Do Pass (H)
 03/12/2009 Rules - Reported Do Pass (H) (H596)
 03/31/2009 HCS Adopted (H) (H813)
 03/31/2009 Perfected (H) (H813)
 04/01/2009 Referred: Fiscal Review (H) (H900)
 04/02/2009 Executive Session Completed (H)
 04/02/2009 Voted Do Pass (H)
 04/02/2009 HCS Reported Do Pass (H) (H912)
 04/02/2009 Third Read and Passed (H) (H915)
 04/06/2009 S First Read--HCS for HB 681 (S911)
 04/08/2009 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S948)
 04/20/2009 Hearing Conducted S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2009

*** HB 682 ***

1879L.01P

SENATE SPONSOR: Mayer

HOUSE HANDLER: Swinger

HB 682 – Current law requires school districts to make up the first six days of school lost or canceled due to inclement weather and half the number of days lost or canceled in excess of six days. This act creates an exception for the 2008-2009 school year. School districts may only have to make up a total of ten school days.

This act contains an emergency clause.

MICHAEL RUFF

02/11/2009 Introduced and Read First Time (H) (H303)
 02/12/2009 Read Second Time (H) (H309)
 02/16/2009 Referred: Elementary and Secondary Education (H) (H321)
 02/18/2009 Public Hearing Completed (H)
 02/18/2009 Executive Session Completed (H)
 02/18/2009 Voted Do Pass - Consent (H)
 02/18/2009 Reported Do Pass by Consent (H) (H346)
 02/18/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H346)
 02/24/2009 Rules - Reported Do Pass Consent (H) (H389)
 03/04/2009 Perfected by Consent (H) (H465)
 03/10/2009 Third Read and Passed (H) (H531 / S572)
 03/10/2009 Emergency Clause Adopted (H) (H531-532 / S572)
 03/10/2009 S First Read--HB 682-Swinger, et al (S572)
 03/25/2009 Second Read and Referred S Education Committee (S700)
 04/15/2009 Hearing Conducted S Education Committee
 04/15/2009 Voted Do Pass S Education Committee - Consent
 04/15/2009 Reported from S Education Committee to Floor - Consent (S1035)
 04/27/2009 S Consent Calendar--HB 682-Swinger, et al (Mayer)

EFFECTIVE: Emergency Clause

*** HB 683 *** SCS HB 683

1576S.03C

SENATE SPONSOR: Stouffer

HOUSE HANDLER: Schieffer

SCS/HB 683 - This act requires anyone purchasing a motor vehicle from a motor vehicle dealer to provide proof of financial responsibility to the dealer before the issuance of a temporary license plate. This portion of the act is similar to SB 759 (2009).

The act also allows persons to possess used or expired license plates provided the possession of such license plates is for charitable purposes.

STEPHEN WITTE

02/11/2009 Introduced and Read First Time (H) (H303)
 02/12/2009 Read Second Time (H) (H309)
 03/05/2009 Referred: Transportation (H) (H485)
 03/10/2009 Public Hearing Completed (H)
 03/11/2009 Executive Session Completed (H)
 03/11/2009 Voted Do Pass - Consent (H)
 03/12/2009 Reported Do Pass by Consent (H) (H594)
 03/12/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H594)
 03/24/2009 Rules - Executive Session Completed (H)
 03/24/2009 Rules - Voted Do Pass - Consent (H)
 03/24/2009 Rules - Reported Do Pass Consent (H) (H637)
 03/31/2009 Perfected by Consent (H) (H820)
 04/01/2009 Third Read and Passed (H) (H889-890 / S874)
 04/01/2009 S First Read--HB 683-Schieffer, et al (S874)
 04/02/2009 Second Read and Referred S Transportation Committee (S892)
 04/08/2009 Hearing Conducted S Transportation Committee
 04/15/2009 SCS Voted Do Pass S Transportation Committee (1576S.03C) - Consent
 04/15/2009 Reported from S Transportation Committee to Floor w/SCS - Consent (S1023)
 04/21/2009 Removed S Consent Calendar (S1096)
 04/23/2009 Reported from S Transportation Committee to Floor w/SCS (S1192)
 04/27/2009 S Formal Calendar H Bills for Third Reading--HB 683-Schieffer, et al, with SCS (Stouffer)

EFFECTIVE: August 28, 2009

*** HB 685 *** HCS HB 685

1707L.02P

SENATE SPONSOR: Goodman

HOUSE HANDLER: Jones

HCS/HB 685 - This act specifies that the Highway Patrol does not have to be accompanied by the county sheriff when serving search warrants for offenses relating to driving while intoxicated and for the investigation of motor vehicle traffic accidents. The Highway Patrol shall not be required to notify the county sheriff of any search warrant for offenses relating to driving while intoxicated.

SUSAN HENDERSON MOORE

02/11/2009 Introduced and Read First Time (H) (H304)
 02/12/2009 Read Second Time (H) (H309)
 02/19/2009 Referred: Public Safety (H) (H356)
 03/03/2009 Public Hearing Completed (H)
 03/10/2009 Executive Session Completed (H)
 03/10/2009 HCS Voted Do Pass - Consent (H)
 03/11/2009 HCS Reported Do Pass by Consent (H) (H556)
 03/11/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H556)
 03/24/2009 Rules - Executive Session Completed (H)
 03/24/2009 Rules - Voted Do Pass - Consent (H)
 03/24/2009 Rules - Reported Do Pass Consent (H) (H637)
 03/31/2009 Perfected by Consent (H) (H820)
 04/01/2009 Third Read and Passed (H) (H878-879 / S870)
 04/01/2009 S First Read--HCS for HB 685 (S870)
 04/02/2009 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S891)
 04/14/2009 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee
 04/14/2009 Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee - Consent

04/15/2009 Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor - Consent (S1022)
04/27/2009 S Consent Calendar--HCS for HB 685 (Goodman)

EFFECTIVE: August 28, 2009

*** HB 698 ***

1748L.01P

HOUSE HANDLER: Zimmerman

HB 698 - Under current law, required statements must be posted in bold letters on certain donation receptacles regarding how the proceeds of the donations will be used. This act adds criteria for what constitutes a "bold letter." When more than 100 receptacles have been distributed by an organization before June 1, 2009 and at least a portion of the proceeds are given to a non-profit organization, the act provides a 6-month exemption from the signage requirements provided the organization is making a good-faith attempt to bring the receptacles into compliance. ERIKA JAQUES

02/12/2009 Introduced and Read First Time (H) (H312)
02/16/2009 Read Second Time (H) (H319)
02/26/2009 Referred: Special Standing Committee on Urban Issues (H) (H417)
03/09/2009 Public Hearing Scheduled, Bill not Heard (H)
03/09/2009 Executive Session - No Action Taken
03/11/2009 Executive Session Completed (H)
03/11/2009 Voted Do Pass - Consent (H)
03/11/2009 Reported Do Pass by Consent (H) (H557)
03/11/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H557)
03/24/2009 Rules - Executive Session Completed (H)
03/24/2009 Rules - Voted Do Pass - Consent (H)
03/24/2009 Rules - Reported Do Pass Consent (H) (H637)
03/31/2009 Perfected by Consent (H) (H820)
04/01/2009 Third Read and Passed (H) (H890-891 / S873)
04/01/2009 S First Read--HB 698-Zimmerman, et al (S873)
04/02/2009 Second Read and Referred S General Laws Committee (S892)
04/14/2009 Hearing Conducted S General Laws Committee
04/14/2009 Voted Do Pass S General Laws Committee - Consent
04/14/2009 Reported from S General Laws Committee to Floor - Consent (S1006)
04/27/2009 S Consent Calendar--HB 698-Zimmerman, et al (Schmitt)

EFFECTIVE: August 28, 2009

*** HB 709 ***

1237L.01P

SENATE SPONSOR: Bartle

HOUSE HANDLER: Dusenberg

HB 709 - Currently, election authorities are required to send voter notification cards to voters no later than 90 days prior to the date of a primary or general election for federal office, unless the voter has received one within the preceding 6 months. The cards are also sent after a new registration, change of address, or when a voter loses the card and requests a new one. The election authority is no longer required to send such cards (now called "voter identification cards" under the act) to voters in those instances when those voters have registered by postcard and have not yet voted.

CHRIS HOGERTY

02/12/2009 Introduced and Read First Time (H) (H313)
02/16/2009 Read Second Time (H) (H319)
02/19/2009 Referred: Elections (H) (H357)
03/03/2009 Public Hearing Completed (H)
03/10/2009 Executive Session Completed (H)
03/10/2009 Voted Do Pass (H)
03/12/2009 Executive Session Completed (H)
03/12/2009 Voted Do Pass - Consent (H)
03/12/2009 Reported Do Pass by Consent (H) (H592)
03/12/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H592)
03/24/2009 Rules - Executive Session Completed (H)
03/24/2009 Rules - Voted Do Pass - Consent (H)
03/24/2009 Rules - Reported Do Pass Consent (H) (H637)
03/31/2009 Perfected by Consent (H) (H820)

04/01/2009 Third Read and Passed (H) (H862 / S867)
 04/01/2009 S First Read--HB 709-Dusenberg, et al (S867)
 04/02/2009 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S891)
 04/14/2009 Hearing Conducted S Financial and Governmental Organizations and Elections Committee
 04/15/2009 Voted Do Pass S Financial and Governmental Organizations and Elections Committee - Consent
 04/15/2009 Reported from S Financial and Governmental Organizations and Elections Committee to Floor - Consent (S1033)
 04/21/2009 Removed S Consent Calendar (S1128-1129)
 04/23/2009 Reported from S Financial and Governmental Organizations and Elections Committee to Floor (S1191)
 04/27/2009 S Formal Calendar H Bills for Third Reading--HB 709-Dusenberg, et al (Bartle)

EFFECTIVE: August 28, 2009

*** HB 716 ***

1522L.02P

HOUSE HANDLER: Todd

HB 716 - This act establishes the Brady Alan Cunningham Newborn Screening Act. The act requires, by July 1, 2012, the Department of Health and Senior Services to expand newborn screening requirements to include certain lysosomal storage diseases such as Krabbe, Pompe, Gaucher, Niemann-Pick or Fabry disease. The department is authorized to increase the current fee associated with the screening tests to cover the additional costs of the expanded tests.

ADRIANE CROUSE

02/12/2009 Introduced and Read First Time (H) (H313)
 02/16/2009 Read Second Time (H) (H319)
 02/19/2009 Referred: Health Care Policy (H) (H357)
 02/25/2009 Public Hearing Completed (H)
 03/04/2009 Executive Session Completed (H)
 03/04/2009 Voted Do Pass (H)
 03/05/2009 Reported Do Pass (H) (H487)
 03/05/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H487)
 04/02/2009 Rules - Executive Session Completed (H)
 04/02/2009 Rules - Voted Do Pass (H)
 04/02/2009 Rules - Reported Do Pass (H) (H925)
 04/15/2009 Perfected with Amendments (H) (H1068)
 04/16/2009 Third read and passed (H) (H1100-1101 / S1056)
 04/16/2009 S First Read--HB 716-Todd, et al (S1056)
 04/21/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S1092)
 04/28/2009 Hearing Scheduled S Health, Mental Health, Seniors and Families Committee

EFFECTIVE: August 28, 2009

*** HB 734 ***

1954L.01P

HOUSE HANDLER: Ruzicka

HB 734 - Under current law, the authority expires on December 31, 2009, for the Clean Water Commission to charge fees for construction permits, operating permits, and operator's certifications related to water pollution control. This act extends the expiration date to December 31, 2010.

This act is identical to the perfected SB 272 (2009).

ERIKA JAQUES

02/16/2009 Introduced and Read First Time (H) (H323)
 02/17/2009 Read Second Time (H) (H332)
 02/26/2009 Referred: Conservation and Natural Resources (H) (H417)
 03/04/2009 Public Hearing Completed (H)
 03/11/2009 Executive Session Completed (H)
 03/11/2009 Voted Do Pass (H)
 03/11/2009 Reported Do Pass (H) (H555)
 03/11/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H555)
 04/02/2009 Rules - Executive Session Completed (H)
 04/02/2009 Rules - Voted Do Pass (H)

04/02/2009 Rules - Reported Do Pass (H) (H925)
 04/15/2009 Perfected (H)
 04/15/2009 Referred: Fiscal Review (H)
 04/16/2009 Executive Session Completed (H)
 04/16/2009 Voted Do Pass (H)
 04/16/2009 Reported Do Pass (H) (H1085)
 04/16/2009 Third read and passed (H) (H1101-1102 / S1056)
 04/16/2009 S First Read--HB 734-Ruzicka and Hobbs (S1056)
 04/21/2009 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S1092)
 04/29/2009 Hearing Scheduled S Agriculture, Food Production and Outdoor Resources Committee

EFFECTIVE: August 28, 2009

*** HB 736 ***

HCS HB 736

1865L.04P

HOUSE HANDLER: Pollock

HCS/HB 736 - This act requires phone companies, including cell phone companies, to provide call location information to law enforcement personnel in emergency situations to assist in the provision of emergency response services. No cause of action may be brought against a phone company for any actions taken in compliance with the act.

ERIKA JAQUES

02/16/2009 Introduced and Read First Time (H) (H323)
 02/17/2009 Read Second Time (H) (H332)
 02/19/2009 Referred: Public Safety (H) (H357)
 03/03/2009 Public Hearing Completed (H)
 03/10/2009 Executive Session Completed (H)
 03/10/2009 HCS Voted Do Pass - Consent (H)
 03/11/2009 HCS Reported Do Pass by Consent (H) (H556)
 03/11/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H556)
 03/24/2009 Rules - Executive Session Completed (H)
 03/24/2009 Rules - Voted Do Pass - Consent (H)
 03/24/2009 Rules - Reported Do Pass Consent (H) (H637)
 03/31/2009 Perfected by Consent (H) (H820)
 04/01/2009 Third Read and Passed (H) (H879-880 / S871)
 04/01/2009 S First Read--HCS for HB 736 (S871)
 04/02/2009 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S891)

EFFECTIVE: August 28, 2009

*** HB 740 ***

HCS HB 740

1918L.03P

SENATE SPONSOR: Nodler

HOUSE HANDLER: Icet

HCS/HB 740 - This act extends the sunsets for the Medicaid Managed Care Organization reimbursement allowance, the Pharmacy Tax, and the intermediate care facility for the mentally retarded assessment from June 30, 2009 to September 30, 2011. The sunsets for the Federal Reimbursement Allowance assessment and Nursing Facility Reimbursement Allowance are extended from September 30, 2009 to September 30, 2011.

This act contains an emergency clause.

This act is similar to senate bill 378 (2009).

JASON ZAMKUS

02/16/2009 Introduced and Read First Time (H) (H323)
 02/17/2009 Read Second Time (H) (H332)
 02/17/2009 Referred: Budget (H) (H333)
 02/25/2009 Public Hearing Completed (H)
 02/25/2009 Executive Session Completed (H)
 02/25/2009 HCS Voted Do Pass - Consent (H)
 02/25/2009 HCS Reported Do Pass by Consent (H) (H401)
 02/25/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H401)

03/02/2009 Rules - Executive Session Completed (H)
 03/02/2009 Rules - Voted Do Pass (H)
 03/02/2009 Rules - Reported Do Pass (H) (H432)
 03/10/2009 HCS Adopted (H) (H528)
 03/10/2009 Perfected (H) (H526)
 03/12/2009 Third Read and Passed (H) (H565-566 / S616)
 03/12/2009 Emergency Clause Adopted (H) (H566 / S616)
 03/12/2009 S First Read--HCS for HB 740 (S616)
 03/25/2009 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S700)
 04/07/2009 Hearing Conducted S Health, Mental Health, Seniors and Families Committee
 04/14/2009 Voted Do Pass S Health, Mental Health, Seniors and Families Committee - Consent
 04/15/2009 Reported from S Health, Mental Health, Seniors and Families Committee to Floor - Consent (S1022)
 04/16/2009 Removed S Consent Calendar (S1056)

EFFECTIVE: Emergency Clause

*** HB 744 ***

1987L.01P

HOUSE HANDLER: Icet

HB 744 - This act creates two separate funds, the Missouri Family Recovery Plan Fund and the Economic Stimulus Fund, within the state treasury to receive and retain funds provided under the American Recovery and Reinvestment Act of 2009. Moneys allocable to the Water and Wastewater Loan Fund are specifically exempted from inclusion in the Missouri Family Recovery Plan Fund.

The State Treasurer is authorized to create or redesignate funds as necessary to avoid conflict with federal law prohibiting commingling of certain funds derived from the American Recovery and Reinvestment Act of 2009, as enacted by the 111th United States Congress.

This act is similar to SCS/SB 313 (2009).

This act contains an emergency clause.

JASON ZAMKUS

02/16/2009 Introduced and Read First Time (H) (H323)
 02/17/2009 Read Second Time (H) (H332)
 02/17/2009 Referred: Rules (H) (H333)
 02/18/2009 Public Hearing Completed (H)
 02/18/2009 Executive Session Completed (H)
 02/18/2009 Voted Do Pass (H)
 02/18/2009 Reported Do Pass (H) (H348)
 02/23/2009 Perfected with Amendments (H) (H367)
 02/26/2009 Third Read and Passed with Amendments (H) (H410-411 / S423)
 02/26/2009 Emergency Clause Adopted (H) (H412 / S423)
 02/26/2009 S First Read--HB 744-Icet (S423)
 03/25/2009 Second Read and Referred S Appropriations Committee (S700)

EFFECTIVE: Emergency Clause

*** HB 745 ***

1325L.02P

SENATE SPONSOR: Clemens

HOUSE HANDLER: Loehner

SCS/HB 745 - The Commissioner of the Office of Administration shall give new generation processing entities that are not renewable fuel production entities, preference when purchasing commodities and tangible personal property.

CHRIS HOGERTY

02/17/2009 Introduced and Read First Time (H) (H334)
 02/18/2009 Read Second Time (H) (H344)
 02/19/2009 Referred: Agriculture Policy (H) (H357)
 03/05/2009 Public Hearing Completed (H)
 03/12/2009 Executive Session Completed (H)
 03/12/2009 Voted Do Pass - Consent (H)
 03/12/2009 Reported Do Pass by Consent (H) (H591)

03/12/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H591)
 03/24/2009 Rules - Executive Session Completed (H)
 03/24/2009 Rules - Voted Do Pass - Consent (H)
 03/24/2009 Rules - Reported Do Pass Consent (H) (H637)
 03/31/2009 Perfected by Consent (H) (H820)
 04/01/2009 Third Read and Passed (H) (H873-874 / S870)
 04/01/2009 S First Read--HB 745-Loehner, et al (S870)
 04/02/2009 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S891)
 04/14/2009 Hearing Conducted S Financial and Governmental Organizations and Elections Committee
 04/15/2009 Motion to Vote the Bill Do Pass Failed S Financial and Governmental Organizations and Elections Committee
 04/20/2009 Committee Vote Reconsidered
 04/20/2009 SCS Voted Do Pass S Financial and Governmental Organizations and Elections Committee (1325S.03C)

EFFECTIVE: August 28, 2009

*** HB 747 ***

1889L.01T

SENATE SPONSOR: Shoemyer

HOUSE HANDLER: Witte

HB 747 - This act specifies that in order for a person to be guilty of the crime of sexual contact with a prisoner or offender, the prisoner or offender must be confined in a jail, prison, or correctional facility.

SUSAN HENDERSON MOORE

02/17/2009 Introduced and Read First Time (H) (H334)
 02/18/2009 Read Second Time (H) (H344)
 02/26/2009 Referred: Corrections and Public Institutions (H) (H417)
 03/11/2009 Public Hearing Completed (H)
 03/11/2009 Executive Session Completed (H)
 03/11/2009 Voted Do Pass - Consent (H)
 03/12/2009 Reported Do Pass by Consent (H) (H591)
 03/12/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H591)
 03/24/2009 Rules - Executive Session Completed (H)
 03/24/2009 Rules - Voted Do Pass - Consent (H)
 03/24/2009 Rules - Reported Do Pass Consent (H) (H637)
 03/31/2009 Perfected by Consent (H) (H820)
 04/01/2009 Third Read and Passed (H) (S893-894 / S873)
 04/01/2009 S First Read--HB 747-Witte (S873)
 04/02/2009 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S892)
 04/14/2009 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee
 04/14/2009 Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee
 04/16/2009 Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor (S1051)
 04/21/2009 S Third Read and Passed (S1094-1095 / H1164)
 04/21/2009 Truly Agreed To and Finally Passed (S1095 / H1164)

EFFECTIVE: August 28, 2009

*** HB 751 ***

1510L.01P

HOUSE HANDLER: Schad

HB 751 - This act modifies provisions relating to the Missouri Propane Education and Research Council.

Under current law, there are three ways for the director of the Missouri Energy Center to initiate a referendum on the abolishment of the Missouri Propane Education and Research Council and the fee for odorized propane. This act removes one of these three ways, which is at the discretion of the director.

Current law allows vacancies on the council to be filled by the remaining members of the council, subject to the approval of the director. This act removes the requirement that the director must approve the appointment and instead requires the council to fill vacancies after a public nomination process.

Current law requires the council to submit a budget plan to the director at the beginning of each fiscal period and requires the director to either approve or recommend changes to the budget after a public

comment period. The act removes the director's involvement in the budget approval, and instead requires the budget plan be submitted for public comment at least 30 days prior to the beginning of each fiscal period, and authorizes the council to approve or modify the budget after the public comment period.

The act removes the authority of the director to require additional reports from the council at his or her discretion beyond what is already required under current law.

Authority to establish an alternative means to collect the odorized propane fee and set late payment charges is currently given to the director. This act transfers this authority to the council. The interest rate charged for late payments may not exceed the legal rate for judgments.

The act removes provisions that allow the National Propane Education and Research Council to coordinate its operations with Missouri's council and that authorize Missouri's council to keep funds resulting from a federal rebate on propane fees.

This act is identical to SB 297 (2009).

ERIKA JAQUES

02/17/2009 Introduced and Read First Time (H) (H334)
 02/18/2009 Read Second Time (H) (H344)
 02/19/2009 Referred: Energy and Environment (H) (H357)
 03/03/2009 Public Hearing Completed (H)
 03/10/2009 Executive Session Completed (H)
 03/10/2009 Voted Do Pass - Consent (H)
 03/10/2009 Reported Do Pass by Consent (H) (H534)
 03/10/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H534)
 03/12/2009 Rules - Executive Session Completed (H)
 03/12/2009 Rules - Voted Do Pass - Consent (H)
 03/12/2009 Rules - Reported Do Pass Consent (H) (H596)
 03/26/2009 Perfected by Consent (H) (H747)
 03/30/2009 Third Read and Passed (H) (H787 / S828)
 03/31/2009 S First Read--HB 751-Schad, et al (S828)
 04/01/2009 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S855)
 04/01/2009 Re-referred S Financial and Governmental Organizations and Elections Committee (S865)
 04/06/2009 Hearing Conducted S Financial and Governmental Organizations and Elections Committee
 04/15/2009 Voted Do Pass S Financial and Governmental Organizations and Elections Committee
 04/16/2009 Reported from S Financial and Governmental Organizations and Elections Committee to Floor (S1051)
 04/16/2009 S Third Read and Passed (S1071-1072 / H1144)
 04/20/2009 Truly Agreed To and Finally Passed (S1072 / H1144)

EFFECTIVE: August 28, 2009

*** HB 752 ***

SCS HCS HB 752

1739S.03C

SENATE SPONSOR: Stouffer

HOUSE HANDLER: Schieffer

SCS/HCS/HB 752 - This act eliminates the position of the Transportation Inspector General contained within the Joint Committee on Transportation Oversight.

Under this act, the chair and vice chair of the Highways and Transportation Commission are given the option to rotate positions. The current law requires the vice chair to assume the position of chair when the one year term of the chair expires (Section 226.030).

Provisions of this act are similar to SB 343 and SB 31 (2009).

STEPHEN WITTE

02/17/2009 Introduced and Read First Time (H) (H334)
 02/18/2009 Read Second Time (H) (H344)
 03/05/2009 Referred: Transportation (H) (H486)
 03/10/2009 Public Hearing Completed (H)
 03/11/2009 Executive Session Completed (H)
 03/11/2009 HCS Voted Do Pass - Consent (H)
 03/11/2009 HCS Reported Do Pass by Consent (H) (H556)

03/11/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H556)
 03/24/2009 Rules - Executive Session Completed (H)
 03/24/2009 Rules - Voted Do Pass - Consent (H)
 03/24/2009 Rules - Reported Do Pass Consent (H) (H637)
 03/31/2009 Perfected by Consent (H) (H820)
 04/01/2009 Third Read and Passed (H) (H895-896 / S874)
 04/01/2009 S First Read--HCS for HB 752 (S874)
 04/02/2009 Second Read and Referred S Transportation Committee (S892)
 04/08/2009 Hearing Conducted S Transportation Committee
 04/08/2009 SCS Voted Do Pass S Transportation Committee (1739S.03C) - Consent
 04/09/2009 Reported from S Transportation Committee to Floor w/SCS - Consent (S984)
 04/20/2009 SCS S adopted (S1068)
 04/20/2009 S Third Read and Passed - Consent (S1069 / H1144)
 04/27/2009 H Calendar H Bills with S Amendments (SCS)

EFFECTIVE: August 28, 2009

*** HB 795 ***

HCS HB 795

1760L.02P

HOUSE HANDLER: Dethrow

HCS/HB 795 - This act establishes the Small Business Get Off My Back Act. For three years, the annual gross volume sales limit for exemption from the minimum wages law is increased from five hundred thousand dollars to one million dollars and new state regulations and user fee increases are prohibited except federal mandates. The act allows a small business to retain an additional one percent for a total of three percent of collections for the timely filing discount when remitting sales tax to the Department of Revenue. Subject to appropriations, the act authorizes the Small Business Regulatory Fairness Board to hire one and one-half full-time equivalent employees to perform certain clerical and professional tasks and to receive additional funding for certain board-related costs.

The act contains an emergency clause and becomes effective July 1, 2009, or upon its passage and approval, whichever is later.

JASON ZAMKUS

02/18/2009 Introduced and Read First Time (H) (H349)
 02/19/2009 Read Second Time (H) (H354)
 02/19/2009 Referred: Small Business (H) (H357)
 03/04/2009 Public Hearing Completed (H)
 03/11/2009 Executive Session Completed (H)
 03/11/2009 HCS Voted Do Pass (H)
 03/12/2009 HCS Reported Do Pass (H) (H593)
 03/12/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H593)
 04/02/2009 Rules - Executive Session Completed (H)
 04/02/2009 Rules - Voted Do Pass (H)
 04/02/2009 Rules - Reported Do Pass (H) (H925)
 04/15/2009 HCS Adopted (H)
 04/15/2009 Perfected (H)
 04/15/2009 Referred: Fiscal Review (H)
 04/16/2009 Executive Session Completed (H)
 04/16/2009 Voted Do Pass (H)
 04/16/2009 Reported Do Pass (H) (H1085)
 04/16/2009 Third read and passed (H) (H1090-1092 / S1054)
 04/16/2009 S First Read--HCS for HB 795 (S1054)
 04/21/2009 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S1092)

EFFECTIVE: Emergency Clause

*** HB 802 ***

1626L.01P

HOUSE HANDLER: Tracy

HB 802 - Under current law, persons or families are eligible to qualify for assistance from the Missouri Housing Development Commission under the Neighborhood Assistance Act for an affordable housing unit if the household's combined, adjusted gross income of the individual or family is equal to or less than certain

statutory percentages of the median family income for the geographic area in which the residential unit is located or the median family income for the state, whichever is larger. Under this act, the current statutory income thresholds are applied to rental units while the act creates more favorable income percentage thresholds for owner-occupied units. The act doubles the current statutory income percentage thresholds for persons residing in owner-occupied units. For example, a one person household making 35% or less of the family median income is eligible for assistance under the Neighborhood Assistance Act for a rental unit, while a one person household making 70% or less of the family median income is eligible for assistance under Neighborhood Assistance Act provided the person resides in a owner-occupied unit.

STEPHEN WITTE

02/18/2009 Introduced and Read First Time (H) (H349)
 02/19/2009 Read Second Time (H) (H354)
 02/26/2009 Referred: Ways and Means (H) (H418)
 03/05/2009 Public Hearing Completed (H)
 03/12/2009 Executive Session Completed (H)
 03/12/2009 Voted Do Pass - Consent (H)
 03/12/2009 Reported Do Pass by Consent (H) (H595)
 03/12/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H595)
 03/24/2009 Rules - Executive Session Completed (H)
 03/24/2009 Rules - Voted Do Pass - Consent (H)
 03/24/2009 Rules - Reported Do Pass Consent (H) (H638)
 03/31/2009 Perfected by Consent (H) (H820)
 04/01/2009 Third read and passed (H) (H854-855 / S866)
 04/01/2009 S First Read--HB 802-Tracy, et al (S866)
 04/02/2009 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S890)
 04/16/2009 Hearing Conducted S Governmental Accountability and Fiscal Oversight Committee

EFFECTIVE: August 28, 2009

*** HB 807 ***

0333L.01P

HOUSE HANDLER: Wilson

HB 807 - This act designates the Missouri River as the official state waterway.

ERIKA JAQUES

02/18/2009 Introduced and Read First Time (H) (H350)
 02/19/2009 Read Second Time (H) (H354)
 02/26/2009 Referred: Tourism (H) (H418)
 03/05/2009 Public Hearing Completed (H)
 03/05/2009 Executive Session Completed (H)
 03/05/2009 Voted Do Pass - Consent (H)
 03/10/2009 Reported Do Pass by Consent (H) (H535)
 03/10/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H535)
 03/24/2009 Rules - Executive Session Completed (H)
 03/24/2009 Rules - Voted Do Pass - Consent (H)
 03/24/2009 Rules - Reported Do Pass Consent (H) (H638)
 03/31/2009 Perfected by Consent (H) (H820)
 04/01/2009 Third Read and Passed (H) (H885-886 / S872)
 04/01/2009 S First Read--HB 807-Wilson (130), et al (S872)
 04/02/2009 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S891)

EFFECTIVE: August 28, 2009

*** HB 811 ***

2002L.01P

SENATE SPONSOR: Scott

HOUSE HANDLER: Wasson

HB 811 - This act requires an applicant for a dietician's license to have a current registration with the Commission on Dietetic Registration, the credentialing agency for the American Dietetic Association.

EMILY KALMER

02/18/2009 Introduced and Read First Time (H) (H350)
 02/19/2009 Read Second Time (H) (H354)

02/23/2009 Refer: Spec Stand Com on Pro. Registration & Licencing (H) (H369)
 02/25/2009 Public Hearing Completed (H)
 03/02/2009 Executive Session Completed (H)
 03/02/2009 Voted Do Pass - Consent (H)
 03/03/2009 Reported Do Pass by Consent (H) (H448)
 03/03/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H448)
 03/10/2009 Rules - Executive Session Completed (H)
 03/10/2009 Rules - Voted Do Pass - Consent (H)
 03/10/2009 Rules - Reported Do Pass Consent (H) (H538)
 03/24/2009 Perfected by Consent (H) (H639)
 03/30/2009 Third Read and Passed (H) (H771)
 03/31/2009 S First Read--HB 811-Wasson (S825)
 04/01/2009 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S854)
 04/06/2009 Hearing Conducted S Financial and Governmental Organizations and Elections Committee
 04/15/2009 Voted Do Pass S Financial and Governmental Organizations and Elections Committee - Consent
 04/15/2009 Reported from S Financial and Governmental Organizations and Elections Committee to Floor - Consent (S1033)
 04/27/2009 S Consent Calendar--HB 811-Wasson (Scott)

EFFECTIVE: August 28, 2009

*** HB 812 ***

2001L.01P

HOUSE HANDLER: Wasson

HB 812 - This act repeals certain statues regarding the board of cosmetology and the board of barber examiners. After these two boards were merged, these statutes are obsolete. This act also updates certain statutory references.

EMILY KALMER

02/18/2009 Introduced and Read First Time (H) (H350)
 02/19/2009 Read Second Time (H) (H354)
 02/23/2009 Refer: Spec Stand Com on Pro. Registration & Licencing (H) (H369)
 02/25/2009 Public Hearing Completed (H)
 03/02/2009 Executive Session Completed (H)
 03/02/2009 Voted Do Pass - Consent (H)
 03/03/2009 Reported Do Pass by Consent (H) (H448)
 03/03/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H448)
 03/10/2009 Rules - Executive Session Completed (H)
 03/10/2009 Rules - Voted Do Pass - Consent (H)
 03/10/2009 Rules - Reported Do Pass Consent (H) (H538)
 03/24/2009 Perfected by Consent (H) (H639)
 03/30/2009 Third Read and Passed (H) (H772)
 03/31/2009 S First Read--HB 812-Wasson (S825)
 04/01/2009 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S854)
 04/06/2009 Hearing Conducted S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2009

*** HB 826 ***

1776L.01P

SENATE SPONSOR: Lembke

HOUSE HANDLER: Brown

HB 826 - The Department of Mental Health is authorized to enter into a contract agreement with one or more county jails for the confinement of sexually violent predators. Such persons confined in a county jail shall be housed separately from other offenders.

This act also allows the Department of Mental Health to detain persons, after a probable cause hearing, at a county jail prior to their commitment to the Department of Mental Health as sexually violent predators.

This act is identical to SB 435 (2009).
 SUSAN HENDERSON MOORE

02/19/2009 Introduced and Read First Time (H) (H358)

02/23/2009 Read Second Time (H) (H367)
 03/05/2009 Referred: Corrections and Public Institutions (H) (H486)
 03/11/2009 Public Hearing Completed (H)
 03/11/2009 Executive Session Completed (H)
 03/11/2009 Voted Do Pass - Consent (H)
 03/12/2009 Reported Do Pass by Consent (H) (H591)
 03/12/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H591)
 03/24/2009 Rules - Executive Session Completed (H)
 03/24/2009 Rules - Voted Do Pass - Consent (H)
 03/24/2009 Rules - Reported Do Pass Consent (H) (H638)
 03/31/2009 Perfected by Consent (H) (H820)
 04/01/2009 Third Read and Passed (H) (H884-885 / S872)
 04/01/2009 S First Read--HB 826-Brown (149), et al (S872)
 04/02/2009 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S891)
 04/14/2009 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee
 04/14/2009 Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee - Consent
 04/15/2009 Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor - Consent (S1022)
 04/27/2009 S Consent Calendar--HB 826-Brown (149), et al (Lembke)

EFFECTIVE: August 28, 2009

*** HB 836 *** SCS HCS HB 836 & 753

2038S.06C

SENATE SPONSOR: Justus

HOUSE HANDLER: Curls

SCS/HCS/HBs 836 & 753 - In cases where a foreclosed property is occupied by a residential tenant whose lease is not void due to certain illegal uses of the premises, then the new owner of the property must give the occupant of the property notice that the foreclosure sale has occurred, that they are the new owner of the property, and if the new owner seeks possession of the property, that the occupant has ten business days from the date of the notice to vacate the premises. No unlawful detainer action or other action seeking possession of the premises may begin against the occupant until ten business days after the date the occupant is given notice that the foreclosure sale occurred.

A person is not guilty of unlawful detainer until it has been at least ten business days after the date of the written notice from the new owner.

The written notice to the occupant must be sent by certified or registered mail. If the new owner does not know the name of the tenant, the notice must be sent by regular mail addressed to "occupant". The written notice must also be posted on the door of the premises. The written notice shall include in substance specific language set forth in the statute.

EMILY KALMER

02/23/2009 Introduced and Read First Time (H) (H371)
 02/24/2009 Read Second Time (H) (H381)
 02/24/2009 Referred: Special Standing Committee on Urban Issues (H) (H384)
 03/02/2009 Public Hearing Completed (H)
 03/09/2009 Executive Session - No Action Taken
 03/11/2009 Executive Session - No Action Taken
 03/12/2009 Executive Session Completed (H)
 03/12/2009 HCS Voted Do Pass - Consent (H)
 03/12/2009 HCS Reported Do Pass by Consent (H) (H595)
 03/12/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H595)
 03/24/2009 Rules - Executive Session Completed (H)
 03/24/2009 Rules - Voted Do Pass - Consent (H)
 03/24/2009 Rules - Reported Do Pass Consent (H) (H638)
 03/31/2009 Perfected by Consent (H) (H820)
 04/01/2009 Third Read and Passed (H) (H894-895 / S873)
 04/01/2009 S First Read--HCS for HBs 836 & 753 (S873)
 04/02/2009 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S892)
 04/14/2009 Hearing Conducted S Financial and Governmental Organizations and Elections Committee
 04/15/2009 SCS Voted Do Pass S Financial and Governmental Organizations and Elections Committee (2038S.06C) - Consent

04/15/2009 Reported from S Financial and Governmental Organizations and Elections Committee to Floor
w/SCS - Consent (S1033)
04/22/2009 SCS S adopted (S1156)
04/22/2009 S Third Read and Passed - Consent (S1156-1157 / H1227)
04/27/2009 H Calendar H Bills with S Amendments (SCS)

EFFECTIVE: August 28, 2009

*** HB 842 *** SCS HB 842

2042S.02C

SENATE SPONSOR: Goodman

HOUSE HANDLER: Wood

SCS/HB 842 - This act defines boat docks as real property and specifies that they have riparian rights for the purpose of the law regarding real estate appraisers as long as the boat dock is included as a fixture in the lender's deed of trust and a Uniform Commercial Code filing, the boat dock is attached to the real property, and the owner of the dock has riparian rights by means of real estate rights bordering the body of water.

This act also modifies the definition of "commercial real estate" as it applies to the licensing requirements of real estate brokers and agents. The definition of commercial real estate no longer excludes real estate on which no buildings or structures are located.

EMILY KALMER

02/23/2009 Introduced and Read First Time (H) (H372)
02/24/2009 Read Second Time (H) (H381)
03/03/2009 Refer: Spec Stand Com on Pro. Registration & Licencing (H) (H446)
03/11/2009 Public Hearing Completed (H)
03/11/2009 Executive Session Completed (H)
03/11/2009 Voted Do Pass - Consent (H)
03/11/2009 Reported Do Pass by Consent (H) (H557)
03/11/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H557)
03/24/2009 Rules - Executive Session Completed (H)
03/24/2009 Rules - Voted Do Pass - Consent (H)
03/24/2009 Rules - Reported Do Pass Consent (H) (H638)
03/31/2009 Perfected by Consent (H) (H820)
04/01/2009 Third Read and Passed (H) (H891-892 / S873)
04/01/2009 S First Read--HB 842-Wood (S873)
04/02/2009 Second Read and Referred S Financial and Governmental Organizations and Elections
Committee (S892)
04/14/2009 Hearing Conducted S Financial and Governmental Organizations and Elections Committee
04/15/2009 SCS Voted Do Pass S Financial and Governmental Organizations and Elections Committee
(2042S.02C)
04/23/2009 Reported from S Financial and Governmental Organizations and Elections Committee to Floor
w/SCS (S1190)
04/27/2009 S Formal Calendar H Bills for Third Reading--HB 842-Wood, with SCS (Goodman)

EFFECTIVE: August 28, 2009

*** HB 844 *** HCS HB 844

1930L.02P

HOUSE HANDLER: Aull

HCS/HB 844 - This act allows members of the Missouri National Guard to be granted leave without loss of benefits when engaged in civil air patrol emergency service duty or counter narcotics missions. Currently, leave for such service is allowed for not more than 15 working days in any state fiscal year. This act changes that period to not more than 15 working days in any calendar year.

CHRIS HOGERTY

02/24/2009 Introduced and Read First Time (H) (H389)
02/25/2009 Read Second Time (H) (H398)
02/26/2009 Refer: Spec Stand Com on Workforce Dev & Workplace Safety(H) (H418)
03/04/2009 Public Hearing Completed (H)
03/10/2009 Executive Session Completed (H)
03/10/2009 HCS Voted Do Pass - Consent (H)
03/11/2009 HCS Reported Do Pass by Consent (H) (H558)
03/11/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H558)
03/24/2009 Rules - Executive Session Completed (H)

03/24/2009 Rules - Voted Do Pass - Consent (H)
 03/24/2009 Rules - Reported Do Pass Consent (H) (H638)
 03/31/2009 Perfected by Consent (H) (H820)
 04/01/2009 Third Read and Passed (H) (H886-887 / S872)
 04/01/2009 S First Read--HCS for HB 844 (S872)
 04/02/2009 Second Read and Referred S General Laws Committee (S891)
 04/14/2009 Hearing Conducted S General Laws Committee
 04/14/2009 Voted Do Pass S General Laws Committee - Consent
 04/14/2009 Reported from S General Laws Committee to Floor - Consent (S1006)
 04/16/2009 Removed S Consent Calendar (S1056)
 04/23/2009 Reported from S General Laws Committee to Floor (S1192)
 04/27/2009 S Formal Calendar H Bills for Third Reading--HCS for HB 844

EFFECTIVE: August 28, 2009

*** HB 845 ***

2146L.01P

HOUSE HANDLER: Munzlinger

HB 845 - Under current law, damages awarded to a person adversely impacted by another's commission of the crime of interference with lawful hunting, fishing, or trapping may include costs associated with the hunting, fishing, or trapping activities, to the extent that the costs were made worthless by interference with the lawful hunting or trapping. The act adds "fishing" to the types of lawful activities that may be interfered with for which the costs may be included in damages.

ERIKA JAQUES

02/24/2009 Introduced and Read First Time (H) (H390)
 02/25/2009 Read Second Time (H) (H398)
 02/26/2009 Referred: Agri-Business (H) (H418)
 03/03/2009 Public Hearing Completed (H)
 03/10/2009 Executive Session Completed (H)
 03/10/2009 Voted Do Pass (H)
 03/12/2009 Reported Do Pass (H) (H591)
 03/12/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H591)
 04/02/2009 Rules - Executive Session Completed (H)
 04/02/2009 Rules - Voted Do Pass (H)
 04/02/2009 Rules - Reported Do Pass (H) (H925)
 04/15/2009 Perfected (H) (H1060)
 04/16/2009 Third read and passed (H) (H1096-1097 / S1055)
 04/16/2009 S First Read--HB 845-Munzlinger, et al (S1055)
 04/21/2009 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S1092)
 04/29/2009 Hearing Scheduled S Agriculture, Food Production and Outdoor Resources Committee

EFFECTIVE: August 28, 2009

*** HB 859 ***

1946L.01P

SENATE SPONSOR: Griesheimer

HOUSE HANDLER: Dieckhaus

HB 859 - This act requires communities to file one copy of any technical code adopted with the clerk's office to be available to the public, rather than three copies.

This act is identical to SB 7 (2009).

SUSAN HENDERSON MOORE

02/24/2009 Introduced and Read First Time (H) (H390)
 02/25/2009 Read Second Time (H) (H398)
 03/02/2009 Referred: Local Government (H) (H432)
 03/09/2009 Public Hearing Completed (H)
 03/09/2009 Executive Session Completed (H)
 03/09/2009 Voted Do Pass - Consent (H)
 03/10/2009 Reported Do Pass by Consent (H) (H535)
 03/10/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H535)
 03/24/2009 Rules - Executive Session Completed (H)
 03/24/2009 Rules - Voted Do Pass - Consent (H)

03/24/2009 Rules - Reported Do Pass Consent (H) (H638)
 03/31/2009 Perfected by Consent (H) (H820)
 04/01/2009 Third Read and Passed (H) (H863-864 / S868)
 04/01/2009 S First Read--HB 859-Dieckhaus, et al (S868)
 04/02/2009 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S891)
 04/08/2009 Hearing Conducted S Jobs, Economic Development and Local Government Committee
 04/15/2009 Voted Do Pass S Jobs, Economic Development and Local Government Committee - Consent
 04/15/2009 Reported from S Jobs, Economic Development and Local Government Committee to Floor - Consent (S1033)
 04/27/2009 S Consent Calendar--HB 859-Dieckhaus, et al (Griesheimer)

EFFECTIVE: August 28, 2009

 *** HB 861 *** SCS HB 861

2045S.02C

SENATE SPONSOR: Crowell

HOUSE HANDLER: Day

SCS/HB 861 - This act allows the Adjutant General to assign the number of assistant adjutants general that are authorized by National Guard Bureau rules and regulations rather than limiting the number to two. Such assistant adjutants general, if qualified, shall hold military rank as may be authorized and approved for the positions by the National Guard Bureau of the United States.

This act is identical to SB 554 (2009).

EMILY KALMER

02/24/2009 Introduced and Read First Time (H) (H391)
 02/25/2009 Read Second Time (H) (H398)
 02/26/2009 Referred: Veterans (H) (H418)
 03/03/2009 Public Hearing Completed (H)
 03/03/2009 Executive Session Completed (H)
 03/03/2009 Voted Do Pass - Consent (H)
 03/03/2009 Reported Do Pass by Consent (H) (H448)
 03/03/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H448)
 03/24/2009 Rules - Executive Session Completed (H)
 03/24/2009 Rules - Voted Do Pass - Consent (H)
 03/24/2009 Rules - Reported Do Pass Consent (H) (H638)
 03/31/2009 Perfected by Consent (H) (H820)
 04/01/2009 Third Read and Passed (H) (H871-872 / S869)
 04/01/2009 S First Read--HB 861-Day (S869)
 04/02/2009 Second Read and Referred S Veterans' Affairs, Pensions and Urban Affairs Committee (S891)
 04/09/2009 Hearing Conducted S Veterans' Affairs, Pensions and Urban Affairs Committee
 04/09/2009 SCS Voted Do Pass S Veterans' Affairs, Pensions and Urban Affairs Committee (2045S.02C) - Consent
 04/09/2009 Reported from S Veterans' Affairs, Pensions and Urban Affairs Committee to Floor w/SCS - Consent (S982-983)
 04/20/2009 SCS S adopted (S1065-1066)
 04/20/2009 S Third Read and Passed - Consent (S1066 / H1145)
 04/27/2009 H Calendar H Bills with S Amendments (SCS)

EFFECTIVE: August 28, 2009

 *** HB 863 *** HCS HB 863

1247L.03P

SENATE SPONSOR: Cunningham

HOUSE HANDLER: Dixon

HCS/HB 863 - This act requires that a child witness, fourteen years old or under, or after written findings on the record, a person fifteen to seventeen years old, who testifies at certain types of judicial proceedings be accommodated by the court in several ways.

The judge shall ensure that any oath is administered to the child in a manner that the child may fully understand their duty to tell the truth. The judge shall ensure that questions are stated in a form which is appropriate to the age of the child, and explain to the child that if they do not understand the question they have a right to say that they do not understand the question. The judge may limit the length of a child's testimony and the time for their testimony to normal school hours. After filing a motion thirty days before the

judicial proceeding, a child may have a toy or blanket with them, if all the parties agree, or if the child cannot reliably testify without the item and allowing the item is not likely to prejudice the judge/jury in evaluating the child's testimony. After filing a motion thirty days before the judicial proceeding, a child is also allowed to have a support person designated by the court in the courtroom. The court may allow the support person to be in close proximity to the child if all the parties agree, or if the child cannot reliably testify without the support person and allowing the support person is not likely to prejudice the judge/jury in evaluating the child's testimony. The judge may rephrase any question, so that the child is not intimidated. At least thirty days prior to the judicial proceeding the judge may order adjustments to the layout of the courtroom, that the proceeding be conducted outside the normal courtroom, or that the formalities of the proceedings be relaxed.

This act is similar to HB 1611 (2008).

EMILY KALMER

02/24/2009 Introduced and Read First Time (H) (H391)
 02/25/2009 Read Second Time (H) (H398)
 02/26/2009 Referred: Spec Standing Committee on Children & Families (H) (H418)
 03/11/2009 Public Hearing Completed (H)
 03/11/2009 Executive Session Completed (H)
 03/11/2009 HCS Voted Do Pass - Consent (H)
 03/11/2009 HCS Reported Do Pass by Consent (H) (H557)
 03/11/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H557)
 03/24/2009 Rules - Executive Session Completed (H)
 03/24/2009 Rules - Voted Do Pass - not Consent (H)
 03/24/2009 Rules - Reported Do Pass - not Consent (H) (H638)
 04/06/2009 HCS Adopted (H) (H936)
 04/06/2009 Perfected (H) (H936)
 04/09/2009 Third Read and Passed (H) (H1013 / S989)
 04/13/2009 S First Read--HCS for HB 863 (S989)
 04/16/2009 Second Read and Referred S General Laws Committee (S1053)
 04/28/2009 Hearing Scheduled S General Laws Committee

EFFECTIVE: August 28, 2009

*** HB 866 *** SCS HB 866

2025L.03C

SENATE SPONSOR: Lembke

HOUSE HANDLER: Wells

SCS/HB 866 - This act requires certain licensing bodies destroy documentation of complaints made by sexually violent predators against certain licensed professionals, if the complaint does not result in discipline. Past unsubstantiated complaints by sexually violent predators against a doctor or social worker shall be destroyed upon request.

This act is identical to SCS/SB 318.

EMILY KALMER

02/24/2009 Introduced and Read First Time (H) (H391)
 02/25/2009 Read Second Time (H) (H398)
 03/05/2009 Refer: Spec Stand Com on Pro. Registration & Licencing (H) (H486)
 03/11/2009 Public Hearing Completed (H)
 03/11/2009 Executive Session Completed (H)
 03/11/2009 Voted Do Pass - Consent (H)
 03/11/2009 Reported Do Pass by Consent (H) (H557)
 03/11/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H557)
 03/24/2009 Rules - Executive Session Completed (H)
 03/24/2009 Rules - Voted Do Pass - Consent (H)
 03/24/2009 Rules - Reported Do Pass Consent (H) (H638)
 03/31/2009 Perfected by Consent (H) (H820)
 04/01/2009 Third Read and Passed (H) (H880-881 / S871)
 04/01/2009 S First Read--HB 866-Wells, et al (S871)
 04/02/2009 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S891)
 04/14/2009 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee
 04/14/2009 SCS Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee (2025L.03C) - Consent
 04/15/2009 Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor w/SCS - Consent (S1022)

04/22/2009 SCS S adopted (S1155-1156)
 04/22/2009 S Third Read and Passed - Consent (S1156 / H1227)
 04/27/2009 H Calendar H Bills with S Amendments (SCS)

EFFECTIVE: August 28, 2009

*** HB 867 *** SCS HB 867

2041S.02C

SENATE SPONSOR: Lager

HOUSE HANDLER: Guest

SCS/HB 867 - This act designates the portion of U. S. Highway 69 from the southern city limits of Cameron to its intersection with Interstate 35, as the "CW2 Matthew G. Kelley Memorial Highway."

STEPHEN WITTE

02/24/2009 Introduced and Read First Time (H) (H391)
 02/25/2009 Read Second Time (H) (H398)
 03/02/2009 Referred: Transportation (H) (H432)
 03/10/2009 Public Hearing Completed (H)
 03/11/2009 Executive Session Completed (H)
 03/12/2009 Voted Do Pass - Consent (H)
 03/12/2009 Reported Do Pass by Consent (H) (H594)
 03/12/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H594)
 03/24/2009 Rules - Executive Session Completed (H)
 03/24/2009 Rules - Voted Do Pass - Consent (H)
 03/24/2009 Rules - Reported Do Pass Consent (H) (H638)
 03/31/2009 Perfected by Consent (H) (H820)
 04/01/2009 Third Read and Passed (H) (H881-882 / S871)
 04/01/2009 S First Read--HB 867-Guest (S871)
 04/02/2009 Second Read and Referred S Transportation Committee (S891)
 04/08/2009 Hearing Conducted S Transportation Committee
 04/15/2009 SCS Voted Do Pass S Transportation Committee (2041S.02C) - Consent
 04/15/2009 Reported from S Transportation Committee to Floor w/SCS - Consent (S1022-1023)
 04/22/2009 SCS S adopted (S1157)
 04/22/2009 S Third Read and Passed - Consent (S1157-1158 / H1227)
 04/27/2009 H Calendar H Bills with S Amendments (SCS)

EFFECTIVE: August 28, 2009

*** HB 883 *** HCS HB 883

2187L.02P

HOUSE HANDLER: Flook

HCS/HB 883 - This act requires the State Treasurer's asset allocation plan to set diversification limits, which shall include a requirement that the total amount of time deposits placed with any one single banking institution not exceed 10% of the amount of all time deposits held by the Treasurer. The act requires that the interest rate on time deposits placed by the State Treasurer after January 1, 2014 shall be at the market rate, which shall be set by the Treasurer's director of investments. The act provides a year-by-year schedule for interest rates for time deposits through 2014.

The act expands the list of acceptable securities that banks may use as collateral for holding state deposits to include "other obligations" of certain political subdivisions and other states. The act modifies the total amount of certain types of securities that may be used as collateral, where U.S. Treasury securities and U.S. federal agency debentures issued by certain farm and home mortgage lenders must not exceed 105% of total time deposits and demand deposits, and all other certain securities must not exceed 115% of total time deposits and demand deposits.

The act adds two additional eligible participants in the State Treasurer's linked deposit loan program: individuals who want to produce their own energy from renewable resources; and political subdivisions or other public entities seeking to finance capital improvements or other significant programs.

The act modifies criteria of several other eligible participants in the linked deposit loan program. It removes the requirement that alternative energy operations must sell fuel or power generated by their operations. It removes the requirement that farming operations must not possess more than 60% equity in the operation. The act makes an exception to the maximum loan per job requirement for job enhancement businesses that incur significant costs for equipment or capital improvements. The maximum number of

employees of an eligible small business is increased from 25 to 100.

This act is similar to SCS/SB 542 (2009).

ERIKA JAQUES

02/25/2009 Introduced and Read First Time (H) (H404)
 02/26/2009 Read Second Time (H) (H410)
 02/26/2009 Referred: Financial Institutions (H) (H418)
 04/01/2009 Public Hearing Completed (H)
 04/01/2009 Executive Session Completed (H)
 04/01/2009 HCS Voted Do Pass (H)
 04/02/2009 HCS Reported Do Pass (H) (H922)
 04/02/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H922)
 04/07/2009 Rules - Executive Session Completed (H)
 04/07/2009 Rules - Voted Do Pass (H)
 04/07/2009 Rules - Reported Do Pass (H) (H959)
 04/21/2009 HCS Adopted (H) (H1180)
 04/21/2009 Perfected (H) (H1180)
 04/23/2009 Third Read and Passed (H) (H1242 / S1195)
 04/23/2009 S First Read--HCS for HB 883 (S1195)

EFFECTIVE: August 28, 2009

*** HB 895 *** HCS HB 895

2168L.02P

SENATE SPONSOR: Stouffer

HOUSE HANDLER: Sander

HCS/HB 895 - This act authorizes the Governor to convey all interest in an easement across state property located in Macon County to certain private property owners for the purpose of obtaining access to their property.

SUSAN HENDERSON MOORE

02/26/2009 Introduced and Read First Time (H) (H420)
 03/02/2009 Read Second Time (H) (H428)
 03/05/2009 Referred: Corrections and Public Institutions (H) (H486)
 03/11/2009 Public Hearing Completed (H)
 03/11/2009 Executive Session Completed (H)
 03/11/2009 HCS Voted Do Pass - Consent (H)
 03/12/2009 HCS Reported Do Pass by Consent (H) (H591)
 03/12/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H591)
 03/24/2009 Rules - Executive Session Completed (H)
 03/24/2009 Rules - Voted Do Pass - Consent (H)
 03/24/2009 Rules - Reported Do Pass Consent (H) (H638)
 03/31/2009 Perfected by Consent (H) (H820)
 04/01/2009 Third read and passed (H) (H898-899 / S874)
 04/01/2009 S First Read--HCS for HB 895 (S874)
 04/02/2009 Second Read and Referred S General Laws Committee (S892)
 04/14/2009 Hearing Conducted S General Laws Committee
 04/14/2009 Voted Do Pass S General Laws Committee - Consent
 04/14/2009 Reported from S General Laws Committee to Floor - Consent (S1006)
 04/27/2009 S Consent Calendar--HCS for HB 895 (Stouffer)

EFFECTIVE: August 29, 2009

*** HB 909 *** HCS HB 909

1959L.02P

HOUSE HANDLER: Brandom

HCS/HB 909 - The act authorizes the Governor to convey state property in Cape Girardeau County to the State Highways and Transportation Commission.

SUSAN HENDERSON MOORE

02/26/2009 Introduced and Read First Time (H) (H421)
 03/02/2009 Read Second Time (H) (H428)
 03/05/2009 Referred: Corrections and Public Institutions (H) (H486)
 03/11/2009 Public Hearing Completed (H)

03/11/2009 Executive Session Completed (H)
 03/11/2009 HCS Voted Do Pass - Consent (H)
 03/12/2009 HCS Reported Do Pass by Consent (H) (H591)
 03/12/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H591)
 03/24/2009 Rules - Executive Session Completed (H)
 03/24/2009 Rules - Voted Do Pass - Consent (H)
 03/24/2009 Rules - Reported Do Pass Consent (H) (H638)
 03/31/2009 Objection Filed. Removed from Consent Calendar - Rule 44 (b) (H824)
 04/06/2009 HCS Adopted (H) (H936)
 04/06/2009 Perfected (H) (H936)
 04/09/2009 Third Read and Passed (H) (H1015 / S990)
 04/13/2009 S First Read--HCS for HB 909 (S990)
 04/16/2009 Second Read and Referred S General Laws Committee (S1053)
 04/28/2009 Hearing Scheduled S General Laws Committee

EFFECTIVE: August 28, 2009

*** HB 914 *** HCS HB 914

2295L.02P

SENATE SPONSOR: Scott

HOUSE HANDLER: Cunningham

HCS/HB 914 - This act removes a provision requiring the circuit court to approve the Director of Finance appointment of a liquidating agent for a failed bank.

This act contains an emergency clause.

This act is identical to SB 421 (2009).

CHRIS HOGERTY

03/02/2009 Introduced and Read First Time (H) (H434)
 03/03/2009 Read Second Time (H) (H441)
 03/03/2009 Referred: Financial Institutions (H) (H446)
 03/05/2009 Public Hearing Completed (H)
 03/05/2009 Executive Session Completed (H)
 03/05/2009 HCS Voted Do Pass - Consent (H)
 03/09/2009 HCS Reported Do Pass by Consent (H) (H515)
 03/09/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H515)
 03/24/2009 Rules - Executive Session Completed (H)
 03/24/2009 Rules - Voted Do Pass - Consent (H)
 03/24/2009 Rules - Reported Do Pass Consent (H) (H638)
 03/31/2009 Perfected by Consent (H) (H820)
 04/01/2009 Third Read and Passed (H) (H864-865 / S868)
 04/01/2009 Emergency Clause Adopted (H) (H866 / S868)
 04/01/2009 S First Read--HCS for HB 914 (S868)
 04/02/2009 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S891)
 04/14/2009 Hearing Conducted S Financial and Governmental Organizations and Elections Committee
 04/15/2009 Voted Do Pass S Financial and Governmental Organizations and Elections Committee - Consent
 04/15/2009 Reported from S Financial and Governmental Organizations and Elections Committee to Floor - Consent (S1032)
 04/21/2009 Removed S Consent Calendar (S1128)
 04/23/2009 Reported from S Financial and Governmental Organizations and Elections Committee to Floor (S1190)
 04/27/2009 S Formal Calendar H Bills for Third Reading--HCS for HB 914 (Scott)

EFFECTIVE: Emergency Clause

*** HB 915 *** HCS HB 915 & 923

2284L.02P

HOUSE HANDLER: Hobbs

HCS/HBs 915 & 923 - Under current law, the amount of surety bond required of licensed grain dealers must be between \$20,000 and \$300,000. The act increases the minimum to \$50,000 and the maximum to \$600,000.

The act modifies the formula for determining the amount of bond required. Instead of the principal amount of the bond having to be equal to or greater than 1% of the total value of grain purchased by the dealer in the previous year, the act raises the minimum to 1.5% of such amount. The act removes the maximum part of the formula of not greater than 5% of the total value of grain purchased in the previous year.

The act removes the requirement that the director of the Department of Agriculture promulgate rules regarding the amount of surety bonds required for grain dealers and for establishing the bond requirement formula.

It shall be a Class A misdemeanor for a licensed grain dealer to act outside the scope of his or her license or license classification.

The act removes Section 276.441, RSMo, regarding procedures for a licensed grain dealer to request a waiver of a surety bond in excess of the minimum bond amount. The act also removes Section 276.446, RSMo, regarding circumstances when a bond amount lower than the minimum may be approved.

ERIKA JAQUES

03/02/2009 Introduced and Read First Time (H) (H434)
 03/03/2009 Read Second Time (H) (H441)
 03/05/2009 Referred: Agri-Business (H) (H486)
 03/24/2009 Public Hearing Completed (H)
 03/31/2009 Executive Session Completed (H)
 03/31/2009 HCS Voted Do Pass (H)
 03/31/2009 HCS Reported Do Pass (H) (H820)
 03/31/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H820)
 04/07/2009 Rules - Executive Session Completed (H)
 04/07/2009 Rules - Voted Do Pass (H)
 04/07/2009 Rules - Reported Do Pass (H) (H959)
 04/22/2009 HCS Adopted (H) (H1213)
 04/22/2009 Perfected with Amendments (H) (H1212)
 04/23/2009 Third Read and Passed (H) (H1246-1247 / S1196)
 04/23/2009 S First Read--HCS for HBs 915 & 923 (S1196)

EFFECTIVE: August 28, 2009

*** HB 918 ***

2297L.01P

SENATE SPONSOR: Schaefer

HOUSE HANDLER: Kelly

HB 918 - This act authorizes the Governor to convey state property in Boone County, known as the Mid-Missouri Mental Health Center, to the University of Missouri-Columbia.

This act contains an emergency clause.

This act is identical to SB 540 (2009).

SUSAN HENDERSON MOORE

03/02/2009 Introduced and Read First Time (H) (H434)
 03/03/2009 Read Second Time (H) (H441)
 03/09/2009 Referred: Corrections and Public Institutions (H) (H515)
 03/11/2009 Public Hearing Completed (H)
 03/11/2009 Executive Session Completed (H)
 03/11/2009 Voted Do Pass - Consent (H)
 03/12/2009 Reported Do Pass by Consent (H) (H591)
 03/12/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H591)
 03/24/2009 Rules - Executive Session Completed (H)
 03/24/2009 Rules - Voted Do Pass - Consent (H)
 03/24/2009 Rules - Reported Do Pass Consent (H) (H638)
 03/31/2009 Perfected by Consent (H) (H820)
 04/01/2009 Third Read and Passed with Amendments (H) (H874-876 / S870)
 04/01/2009 Emergency Clause Adopted (H) (H876 / S870)
 04/01/2009 S First Read--HB 918-Kelly (S870)
 04/02/2009 Second Read and Referred S General Laws Committee (S891)
 04/14/2009 Hearing Conducted S General Laws Committee
 04/14/2009 Voted Do Pass S General Laws Committee - Consent

04/14/2009 Reported from S General Laws Committee to Floor - Consent (S1006)

04/27/2009 S Consent Calendar--HB 918-Kelly (Schaefer)

EFFECTIVE: Emergency Clause

*** HB 919 ***

1158L.01P

SENATE SPONSOR: Goodman

HOUSE HANDLER: Ruestman

HB 919 - This act permits associations to provide group health insurance policies to sole-proprietorships and self-employed individuals.

STEPHEN WITTE

03/02/2009 Introduced and Read First Time (H) (H434)
 03/03/2009 Read Second Time (H) (H441)
 03/05/2009 Referred: Healthcare Transformation (H) (H486)
 03/10/2009 Public Hearing Completed (H)
 03/10/2009 Executive Session Completed (H)
 03/10/2009 Voted Do Pass - Consent (H)
 03/12/2009 Reported Do Pass by Consent (H) (H592)
 03/12/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H592)
 03/24/2009 Rules - Executive Session Completed (H)
 03/24/2009 Rules - Voted Do Pass - Consent (H)
 03/24/2009 Rules - Reported Do Pass Consent (H) (H638)
 03/31/2009 Perfected by Consent (H) (H820)
 04/01/2009 Third Read and Passed (H) (H869-870 / S869)
 04/01/2009 S First Read--HB 919-Ruestman, et al (S869)
 04/02/2009 Second Read and Referred S Small Business, Insurance and Industry Committee (S891)
 04/07/2009 Hearing Conducted S Small Business, Insurance and Industry Committee
 04/14/2009 Voted Do Pass S Small Business, Insurance and Industry Committee - Consent
 04/14/2009 Reported from S Small Business, Insurance and Industry Committee to Floor - Consent (S1006)
 04/27/2009 S Consent Calendar--HB 919-Ruestman, et al (Goodman)

EFFECTIVE: August 28, 2009

*** HB 922 ***

SCS HB 922

2097S.02C

SENATE SPONSOR: Rupp

HOUSE HANDLER: Smith

SCS/HB 922 – By July 1, 2011, each school district must adopt a policy on allergy prevention and response. Priority must be given to addressing potentially deadly food-borne allergies.

Each policy must contain the following elements: distinguishing between building, classroom, and individual approaches to allergy prevention and management; providing an age-appropriate response to allergy education and prevention; describing the role of school staff to determine the management of an allergy problem, as described in the act; describing the role of other students and parents in cooperating to prevent and mitigate allergies; addressing confidentiality issues with medical information; and coordinating with the School Health Advisory Council, local health authorities, and other appropriate entities.

The Department of Elementary and Secondary Education must develop a model policy or policies by July 1, 2010, in cooperation with appropriate professional associations.

MICHAEL RUFF

03/03/2009 Introduced and Read First Time (H) (H451)
 03/04/2009 Read Second Time (H) (H459)
 03/05/2009 Referred: Elementary and Secondary Education (H) (H486)
 03/11/2009 Public Hearing Completed (H)
 03/11/2009 Executive Session Completed (H)
 03/11/2009 Voted Do Pass - Consent (H)
 03/11/2009 Reported Do Pass by Consent (H) (H555)
 03/11/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H555)
 03/24/2009 Rules - Executive Session Completed (H)
 03/24/2009 Rules - Voted Do Pass - Consent (H)
 03/24/2009 Rules - Reported Do Pass Consent (H) (H639)
 03/31/2009 Perfected by Consent (H) (H820)
 04/01/2009 Taken Up for Third Reading (H) (H855)

04/01/2009 Laid Over - Third Reading (H) (H855)
 04/02/2009 Third Read and Passed (H) (H919)
 04/06/2009 S First Read--HB 922-Smith (14), et al (S910)
 04/08/2009 Second Read and Referred S Education Committee (S948)
 04/15/2009 Hearing Conducted S Education Committee
 04/15/2009 SCS Voted Do Pass S Education Committee (2097S.02C) - Consent
 04/15/2009 Reported from S Education Committee to Floor w/SCS - Consent (S1035)
 04/23/2009 SCS S adopted (S1185)
 04/23/2009 S Third Read and Passed - Consent (S1185-1186 / H1260)
 04/27/2009 H Calendar H Bills with S Amendments (SCS)

EFFECTIVE: August 28, 2009

*** HB 928 ***

2311L.01P

SENATE SPONSOR: Griesheimer

HOUSE HANDLER: Dieckhaus

HB 928 - This act designates the portion of State Highway 100 located in Franklin County from its intersection with State Highway 47 to the highway's connection with Interstate 44 as the "Veterans Memorial Highway."

STEPHEN WITTE

03/03/2009 Introduced and Read First Time (H) (H452)
 03/04/2009 Read Second Time (H) (H459)
 03/05/2009 Referred: Transportation (H) (H486)
 03/10/2009 Public Hearing Completed (H)
 03/11/2009 Executive Session Completed (H)
 03/11/2009 Voted Do Pass - Consent (H)
 03/11/2009 Reported Do Pass by Consent (H) (H556)
 03/11/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H556)
 03/24/2009 Rules - Executive Session Completed (H)
 03/24/2009 Rules - Voted Do Pass - Consent (H)
 03/24/2009 Rules - Reported Do Pass Consent (H) (H639)
 03/31/2009 Perfected by Consent (H) (H820)
 04/01/2009 Third Read and Passed (H) (H866-867 / S868)
 04/01/2009 S First Read--HB 928-Dieckhaus (S868)
 04/02/2009 Second Read and Referred S Transportation Committee (S891)
 04/08/2009 Hearing Conducted S Transportation Committee

EFFECTIVE: August 28, 2009

*** HB 947 ***

HCS HB 947

2321L.03P

HOUSE HANDLER: Leara

This bill has been combined with HB 397

03/05/2009 Introduced and Read First Time (H) (H488)
 03/06/2009 Read Second Time (H) (H501)
 03/10/2009 Referred: Retirement (H) (H533)
 03/12/2009 Executive Session Completed (H)
 03/12/2009 HCS Voted Do Pass - Consent (H)
 03/12/2009 HCS Reported Do Pass by Consent (H) (H592)
 03/12/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H592)
 03/24/2009 Rules - Executive Session Completed (H)
 03/24/2009 Rules - Voted Do Pass - Consent (H)
 03/24/2009 Rules - Reported Do Pass Consent (H) (H639)
 03/31/2009 Perfected by Consent (H) (H820)
 04/01/2009 Third Read and Passed (H) (H896-897 / S874)
 04/01/2009 Emergency Clause Adopted (H) (H898 / S874)
 04/01/2009 S First Read--HCS for HB 947 (S874)
 04/02/2009 Second Read and Referred S Veterans' Affairs, Pensions and Urban Affairs Committee (S892)
 04/09/2009 Hearing Conducted S Veterans' Affairs, Pensions and Urban Affairs Committee
 04/09/2009 Bill Combined (w/SCS/HCS HB 397 & HCS/HB 947)

EFFECTIVE: Varies

*** HB 952 ***

2313L.01P

HOUSE HANDLER: Sutherland

HB 952 - This act establishes the Independence Day Sales Tax Holiday which, beginning January 1, 2009, authorizes an annual state sales and use tax exemption on the purchase of all tangible personal property and all taxable retail services rendered during the period of July fourth through July thirty-first. Retailers may offer a sales tax refund in lieu of the sales tax holiday when less than two percent of their sales qualify for the holiday. Any political subdivision may adopt an ordinance or order to opt into the holiday.

The provisions of the act will expire December 31 six years from the effective date.

The act contains an emergency clause.

JASON ZAMKUS

03/05/2009 Introduced and Read First Time (H) (H489)
 03/06/2009 Read Second Time (H) (H501)
 03/09/2009 Referred: Ways and Means (H) (H515)
 03/12/2009 Public Hearing Completed (H)
 03/26/2009 Executive Session Completed (H)
 03/26/2009 Voted Do Pass (H)
 03/26/2009 Reported Do Pass (H) (H747)
 03/26/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H747)
 04/02/2009 Rules - Executive Session Completed (H)
 04/02/2009 Rules - Voted Do Pass (H)
 04/02/2009 Rules - Reported Do Pass (H) (H925)
 04/15/2009 Perfected (H)
 04/15/2009 Referred: Fiscal Review (H)
 04/16/2009 Executive Session Completed (H)
 04/16/2009 Voted Do Pass (H)
 04/16/2009 Reported Do Pass (H) (H1085)
 04/16/2009 Third read and passed (H) (H1093-1095 / S1054-1055)
 04/16/2009 S First Read--HB 952-Sutherland (S1054-1055)
 04/21/2009 Second Read and Referred S Ways and Means Committee (S1092)

EFFECTIVE: Emergency Clause

*** HB 978 ***

HCS HB 978 & 1028

1693L.04P

HOUSE HANDLER: Pratt

HCS HB 978 & 1028 Pratt, Bryan

P E R F E C T E D

HCS HB 978 & 1028 -- ENERGY AND THE ENVIRONMENT (Bivins)

COMMITTEE OF ORIGIN: Committee on Energy and Environment

This substitute changes the laws regarding energy and the environment.

INCOME TAX CREDIT FOR HOMES BUILT UNDER GREEN BUILD STANDARDS

Beginning January 1, 2010, the substitute authorizes an income tax credit for homes built using green build standards. The credit ranges from 45 cents to \$1.15 per square foot of the home and will be based on the percentage of the level of green build standards met as verified by a program-certified, third-party verifier.

The credit is not refundable, but can be transferred or carried back or carried forward to any taxable year.

The credit will be on a first-come, first-served filing basis and cannot exceed \$2 million per fiscal year.

LINKED DEPOSIT LOAN PROGRAM

The substitute:

- (1) Expands the Linked Deposit Loan Program to include eligible alternative energy consumers and eligible governmental entities;
- (2) Revises the definition of "eligible job enhancement business" to limit the amount of the linked deposit to not exceed \$50,000 per job created or retained plus the initial cost of the physical expansion, renovation, or capital outlay when an applicant can demonstrate the significant costs associated with the physical expansion, renovation, or modernization of a facility or equipment;
- (3) Increases from less than 25 to less than 100 the number of employees a company can employ in order to be considered an eligible small business; and
- (4) Specifies that the total amount of tax credits available for qualified investments in Missouri small businesses cannot exceed \$30 million and at least \$20 million of that amount must be for the manufacture of

alternative power generation equipment. Currently, the total amount of tax credits cannot exceed \$13 million.
SALES AND INSTALLATION OF HOME GENERATORS

The substitute prohibits a utility or affiliate from selling and installing home generators for electrical production unless there are no existing heating, ventilation, or air conditioning providers in the service area. Every utility must comply with all local permit and code requirements.

MISSOURI ALTERNATIVE ENERGY LOAN AUTHORITY

The Missouri Alternative Energy Loan Authority is established within the Department of Natural Resources to provide low-interest loans on a need-based program to public and private entities for the purpose of financing various energy-saving projects and services. The authority will consist of seven members appointed by the Governor with the advice and consent of the Senate. The members' terms, eligibility, and qualifications are specified in the substitute. Action may be taken upon the affirmative vote of at least three members. The authority must file an annual financial statement with the department director.

An initial appropriation of \$14 million to the newly created Missouri Alternative Energy Loan Authority Fund will be made; and the fund may receive annual appropriations from the General Assembly as well as from any gifts, contributions, grants, or bequests.

MISSOURI PROPANE EDUCATION AND RESEARCH COUNCIL

The substitute changes the laws regarding the Missouri Propane Education and Research Council. In its main provisions, the substitute:

- (1) Removes the provision allowing the director of the council to initiate a referendum on the abolishment of the council;
- (2) Removes the director's authority to:
 - (a) Fill council vacancies;
 - (b) Approve or modify council budgets. The council will approve or modify the budget after a 30-day public comment period;
 - (c) Require additional reports from the council; and
 - (d) Establish alternative means to collect the odorized propane assessment fee and establish a late payment charge and the rate of interest not to exceed the legal rate for judgments; and
- (3) Requires the Missouri council to keep funds resulting from the federal assessment rebate on propane fees and not to coordinate its operation with the National Propane Education and Research Council in conjunction with the United States Secretary of Energy.

WATER WELL REGULATIONS

The substitute specifies that any water system that serves a benevolent or charitable organization and draws less than 15,000 gallons per month will be exempt from all rules relating to well construction except those applying to domestic wells which are determined to present a threat to groundwater.

GREEN SCHOOL GRANTS FOR SCHOOL BUILDINGS

Any public school district seeking state reimbursement for bond offering costs related to new construction or renovation must certify a cost analysis of building to certification issued by the United States Green Building Council under the Leadership in Energy and Environmental Design Green Building Rating System (LEED) or an equivalent certification versus the cost of owning and operating a new or renovated building without LEED standards.

ENVIRONMENTAL AUDITS

The substitute allows companies to conduct voluntary environmental audits in order to discover and correct noncompliance with environmental regulations. If a company complies with the voluntary audit requirements, it will be exempt from certain types of criminal and administrative penalties and may keep its voluntary audit reports confidential. Companies will not be exempt from any tort actions by private parties. In order to comply with the voluntary audit requirements, a company must:

- (1) Discover noncompliance during a voluntary environmental audit or through a compliance management system;
- (2) Disclose its noncompliance to the Department of Natural Resources within 21 days;
- (3) Make the disclosure prior to any legal actions or regulatory investigations concerning the audit;
- (4) Correct any noncompliance within 60 days or as determined by the department;
- (5) Agree to take steps to prevent future noncompliance with environmental regulations;
- (6) Document that the reported noncompliance was not part of a pattern and that a similar noncompliance did not occur in the previous three years or within the past five years at another facility owned by the company;
- (7) Prove that the noncompliance did not cause actual harm or violate an administrative order or agreement; and
- (8) Provide certain specified information to the department.

The department cannot disclose any audit report information relating to scientific and technological innovations in which the owner has a proprietary interest that is protected from disclosure by law.

The provisions of the substitute regarding the tax credit for homes built using green building standards expire

December 31 five years from the effective date.

INCOME TAX CREDIT FOR STORM SHELTER

Beginning January 1, 2009, the substitute authorizes a one-time income tax credit to a taxpayer for 50% of the cost of the construction or \$1,500, whichever is less, of a storm shelter built in America and installed on or after January 1, 2003. The credit is not refundable or transferable. The total amount of credits, which will be issued on a first-come, first-served filing basis, cannot exceed \$2 million in any fiscal year.

SOLAR WATER HEATING SYSTEM INCENTIVE PROGRAM

The substitute establishes the Solar Water Heating System Incentive Program to provide financial incentives for the purchase and installation of solar water heating systems in private residences. Subject to appropriations, the Department of Natural Resources must provide and administer the incentives. The substitute specifies the requirements that must be met to receive an incentive and caps the incentive at \$500 for each qualifying solar water heating system. Homeowners are eligible for up to \$500 per year, and homebuilders are eligible for up to \$1,500 per year. The total amount of incentives cannot exceed \$100,000 in any year and requires that no more than 40 incentives can be dispersed in January, March, May, July, and September of each year.

TAX CREDIT FOR VOLUNTEER FIREFIGHTERS

Beginning January 1, 2009, the substitute authorizes an annual \$180 income tax credit for volunteer firefighters who complete during the year at least 12 hours of any firefighter training program approved by the Office of the State Fire Marshal within the Department of Public Safety. Beginning January 1, 2011, the tax credit will increase to \$360 per year if the firefighter completes the Basic Fire Fighter Program or has been certified after completing the Fire Fighter I or Fire Fighter II Program by the Division of Fire Safety for at least 36 hours. The tax credit is not refundable but can be carried forward for four years.

The provisions regarding the income tax credit for storm shelters and the tax credit for volunteer firefighters will expire December 31 six years from the effective date. The provisions regarding the Solar Water Heating System Incentive Program will expire six years from the effective date.

FISCAL NOTE: Estimated Cost on General Revenue Fund of \$14,279,112 to \$22,285,779 in FY 2010, \$333,722 to \$12,680,389 in FY 2011, and \$353,590 to \$12,700,257 in FY 2012. Estimated Effect on Other State Funds of an income of Unknown to a cost of Unknown in FY 2010, FY 2011, and FY 2012.

03/09/2009 Introduced and Read First Time (H) (H517)
 03/10/2009 Read Second Time (H) (H526)
 03/31/2009 Referred: Energy and Environment (H) (H818)
 04/07/2009 Public Hearing Completed (H)
 04/09/2009 Executive Session Completed (H)
 04/09/2009 HCS Voted Do Pass (H)
 04/09/2009 HCS Reported Do Pass (H) (H1020)
 04/09/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H1020)
 04/16/2009 Rules - Executive Session Completed (H)
 04/16/2009 Rules - Voted Do Pass (H)
 04/16/2009 Rules - Reported Do Pass (H) (H1110)
 04/21/2009 HCS Adopted (H) (H1186)
 04/21/2009 Perfected with Amendments (H) (H1180)
 04/22/2009 Referred: Fiscal Review (H) (H1218)
 04/23/2009 Executive Session Completed (H)
 04/23/2009 Voted Do Pass (H)
 04/23/2009 Reported Do Pass (H)
 04/23/2009 Third Read and Passed (H) (H1242-1243 / S1196)
 04/23/2009 S First Read--HCS for HBs 978 & 1028 (S1196)

*** HB 1075 ***

HCS HB 1075

1976L.02P

HOUSE HANDLER: Fisher

HCS/HB 1075 - This act modifies various provisions relating to unemployment compensation.

Employers employing 5 or more employees shall submit federal 1099 forms to the department of labor.

Unemployment compensation claimants shall be ineligible for waiting week credits or benefits for any week the claimant has an outstanding penalty due to an overpayment of benefits.

Claimants are disqualified for waiting week credit and benefits if the claimant is discharged for providing false information on an employment application concerning a felony conviction or training, licensure, certification, or educational qualifications.

The act modifies the triggers for receiving federal extended unemployment funds within the time frame of February 1, 2009 and December 12, 2009. At such time the average total unemployment rate shall equal or exceed 6 ½% within the most recent 3 months for which data for all states are published and shall be at least 110% of the average for the corresponding 3 month period ending in the two preceding calendar years.

The total extended benefit amount payable is changed to equal the lesser of 80% of the total amount of regular benefits in the benefit year or 20 times the applicant's weekly benefit amount for a week of total unemployment in the benefit year.

Employers with 50 or more workers are required to report quarterly wage information in an electronic format prescribed by the division of employment security.

The act modifies the type of notice it is required to give employers relating to failing to make reports, paying contributions, and penalties to include notice by certified mail at the last known address of the employer.

When assessments of contributions, interest, or penalties are delinquent, the division may file a certificate of lien in the appropriate recorder's office which shall attach to real or personal property or interest in real or personal property owned by the employer.

Currently, the state or a federal agency may receive disclosures of certain confidential information relating to unemployment compensation to the extent required by federal law. This act allows disclosure to the extent the state or federal agency needs to fulfill its official duties.

Currently, the unpaid principal amount of outstanding credit instruments, combined with the unpaid principal amount of any financing agreement authorized and issued by the Board of Unemployment Fund Financing shall not exceed \$450 million at any one time. This act removes this provision.

Similarly, the current total amount of outstanding obligations under all financial agreements entered into by the board shall not exceed the difference of \$450 million and the principal amount of outstanding credit instruments. This provision is also removed.

This act contains an emergency clause.

This act is similar to SB 495 (2009).

CHRIS HOGERTY

03/25/2009 Introduced and Read First Time (H) (H714)
 03/26/2009 Read Second Time (H) (H722)
 04/01/2009 Refer: Spec Stand Com on Workforce Dev & Workplace Safety(H) (H900)
 04/06/2009 Public Hearing Completed (H)
 04/06/2009 Executive Session Completed (H)
 04/06/2009 HCS Voted Do Pass (H)
 04/07/2009 HCS Reported Do Pass (H) (H958)
 04/07/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H958)
 04/14/2009 Rules - Executive Session Completed (H)
 04/14/2009 Rules - Voted Do Pass (H)
 04/14/2009 Rules - Reported Do Pass (H) (H1041)
 04/21/2009 HCS Adopted (H) (H1194)
 04/21/2009 Perfected with Amendments (H) (H1190)
 04/23/2009 Third Read and Passed (H) (H1244-1245 / S1196)
 04/23/2009 Emergency Clause Adopted (H) (H1246 / S1196)
 04/23/2009 S First Read--HCS for HB 1075 (S1196)

EFFECTIVE: Emergency Clause

*** HCR 4 ***

HCS HCR 4

0474L.02C

HOUSE HANDLER: Schaaf

HCS/HCR 4 - This resolution encourages dog training programs and kennel clubs to provide training and education for community pet owners that result in dogs being "Canine Good Citizens".

JIM ERTLE

01/07/2009 Offered (H) (H22)
 02/05/2009 Refer: Spec Stand Com on Emerging Issues in Animal Agri (H) (H258)
 02/10/2009 Public Hearing Completed (H)
 02/17/2009 Executive Session Completed (H)
 02/17/2009 HCS Voted Do Pass (H)
 02/24/2009 HCS Reported Do Pass (H) (H385)
 02/24/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H385)
 03/03/2009 Rules - Executive Session Completed (H)
 03/03/2009 Rules - Voted Do Pass (H)
 03/03/2009 Rules - Reported Do Pass (H) (H448)
 03/10/2009 Adopted (H) (S571)
 03/10/2009 Reported to The Senate (S) (S571)
 03/11/2009 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S590)
 04/20/2009 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee
 04/20/2009 Voted Do Pass S Rules, Joint Rules, Resolutions and Ethics Committee

EFFECTIVE: upon approval

*** HCR 5 ***

0943L.011

SENATE SPONSOR: Lembke

HOUSE HANDLER: McGhee

HCR 5 - This resolution disapproves the Missouri Citizens' Commission on Compensation for Elected Officials salary recommendations.

JIM ERTLE

01/07/2009 Introduced and Read First Time (H) (H23)
 01/08/2009 Read Second Time (H) (H41)
 01/20/2009 Referred: Rules (H) (H125)
 01/21/2009 Public Hearing Completed (H)
 01/21/2009 Executive Session Completed (H)
 01/21/2009 Voted Do Pass (H)
 01/21/2009 Reported Do Pass (H) (H131)
 01/26/2009 Third read and passed (H) (H147-148 / S184)
 01/26/2009 S First Read--HCR 5-McGhee (Lembke) (S184-185)
 01/27/2009 Second Read and Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S190)
 01/28/2009 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee
 01/28/2009 Voted Do Pass S Rules, Joint Rules, Resolutions and Ethics Committee
 01/28/2009 Reported from S Rules, Joint Rules, Resolutions and Ethics Committee to Floor (S213)
 01/29/2009 S Third Read and Passed (S217 / H194)
 01/29/2009 Truly Agreed To and Finally Passed (S217 / H194)
 01/29/2009 Signed by House Speaker (H194)
 01/29/2009 Signed by Senate President (S219-220)
 01/29/2009 Delivered to Governor (H194)

EFFECTIVE: upon approval

*** HCR 10 ***

1299L.011

SENATE SPONSOR: Engler

HOUSE HANDLER: Tilley

HCR010 Tilley, Steven

***** NO BILL SUMMARY *****

01/20/2009 Offered (H) (H124-125)
 01/20/2009 Adopted (H) (H125 / S139)
 01/20/2009 Reported to the Senate (S139)
 01/21/2009 S adopted (S145 / H141)
 01/22/2009 S Escort Committee appointed: Bray, Callahan, Days, Dempsey, Engler, Goodman, Green, Scott, Stouffer, Shields (S166-167 / H151)
 01/26/2009 H Escort Committee appointed: Zerr, McNary, Riddle, Gatschenberger, Schlottach, Schoeller, Scavuzzo, Yaeger, Harris, Brown (50) (H148 / S185)

EFFECTIVE: upon approval

*** HCR 11 ***

1300L.011

SENATE SPONSOR: Engler

HOUSE HANDLER: Tilley

HCR011 Tilley, Steven

***** NO BILL SUMMARY *****

01/20/2009 Offered (H) (H125)
 01/20/2009 Adopted (H) (H125 / S139)
 01/20/2009 Reported to the Senate (S139-140)
 01/21/2009 S adopted (S145-146 / H141)
 01/22/2009 S Escort Committee appointed: Bartle, Callahan, Cunningham, Days, Justus, Lembke, Mayer, Schaefer, Schmitt, Smith (S167 / H151)
 01/26/2009 House Escort Committee appointed: Diehl, Jones (89), Stevenson, Cox, Flook, Pratt, Talboy, Grill, Bringer, Storch (H148 / S185)

EFFECTIVE: upon approval

*** HCR 13 ***

1070L.011

SENATE SPONSOR: Rupp

HOUSE HANDLER: Guest

HCR 13 - This resolution claims sovereignty for the states under the Tenth Amendment of the United States Constitution for all powers not otherwise enumerated and granted to the federal government under the Constitution.

JIM ERTLE

01/22/2009 Offered (H) (H136)
 01/29/2009 Referred: Real ID and Personal Privacy (H) (H194)
 02/10/2009 Public Hearing Completed (H)
 02/18/2009 Executive Session Completed (H)
 02/18/2009 Voted Do Pass (H)
 02/18/2009 Reported Do Pass (H) (H347)
 02/18/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H347)
 03/10/2009 Rules - Executive Session Completed (H)
 03/10/2009 Rules - Voted Do Pass (H)
 03/10/2009 Rules - Reported Do Pass (H) (H536)
 03/23/2009 Adopted (H) (S654-655)
 03/23/2009 Reported to The Senate--HCR 13-Guest, et al (S654-655)
 03/24/2009 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S689)
 04/07/2009 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee

EFFECTIVE: upon approval

*** HCR 16 ***

HCS HCR 16

1411L.03C

HOUSE HANDLER: Tracy

HCS/HCR 16 - This resolution strongly urges Congress to reject any asylum, containment, transport, imprisonment, or state medical care of any suspected terrorists released from United States operated foreign prisons.

JIM ERTLE

01/26/2009 Offered (H) (H145)
 01/27/2009 Referred: Homeland Security (H) (H166)
 02/09/2009 Public Hearing Completed (H)
 02/16/2009 Executive Session Completed (H)
 02/16/2009 HCS Voted Do Pass (H)
 02/18/2009 HCS Reported Do Pass (H) (H346)
 02/18/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H346)
 02/24/2009 Rules - Executive Session Completed (H)
 02/24/2009 Rules - Voted Do Pass (H)
 02/24/2009 Rules - Reported Do Pass (H) (H389)
 03/03/2009 HCS Adopted (H) (S455)
 03/03/2009 Reported to The Senate (S455-456)
 03/04/2009 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S475)
 04/07/2009 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee

EFFECTIVE: upon approval

*** HCR 22 ***

HCS HCR 22 & 25

1672L.03C

HOUSE HANDLER: Hoskins

HCS/HCRs 22 & 25 - This resolution strongly urges the United States Air Force to select Whiteman Air Force Base as the permanent headquarters for the new Global Strike Command.

JIM ERTLE

02/05/2009 Offered (H) (H255)
 02/19/2009 Referred: Veterans (H) (H355)
 02/24/2009 Public Hearing Completed (H)
 03/03/2009 Executive Session Completed (H)
 03/03/2009 HCS Voted Do Pass (H)
 03/03/2009 HCS Reported Do Pass (H) (H447)
 03/03/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H447)
 03/10/2009 Rules - Executive Session Completed (H)
 03/10/2009 Rules - Voted Do Pass (H)
 03/10/2009 Rules - Reported Do Pass (H) (H536)
 03/23/2009 HCS H adopted (S653-654)
 03/23/2009 H adopted (S653-654)
 03/23/2009 Reported to the Senate--HCS for HCRs 22 & 25 (S653-654)
 03/24/2009 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S689)

EFFECTIVE: upon approval

*** HJR 10 ***

HCS HJR 10

0771L.04P

SENATE SPONSOR: Lembke

HOUSE HANDLER: Cox

HCS/HJR 10 - This constitutional amendment, if approved by the voters, would modify the procedures by which the Governor selects judges. It would also modify the membership of the Appellate Judicial Commission and Circuit Judicial Commission and make appointments to both commissions subject to the approval by the majority of the Senate. Members of the Circuit Judicial Commission would serve for a four year term.

Upon passage of this amendment, the terms of all members of the Appellate Judicial Commission and Circuit Judicial Commission would automatically expire.

Additionally, the list of applicants for judicial appointments would be a public record and posted on the supreme court's website. Nominees submitted to the Governor would be subject to a background check, which is not a public record, but must be available to the commission and the governor.

All information available to the commission would have to be made available to the Governor. All hearings, debates and votes would be open to the public, and would require seventy-two hours public notice. Only sessions limited to certain subjects would be closed to the public.

The procedures for all elections provided for in Section 25 of the Missouri Constitution will be established by the commission.

The commission will also certify expenses to the commissioner of administration, who will approve the expenses of administering the nonpartisan court plan.

This act is similar to SJR 9 (2009).

EMILY KALMER

12/23/2008 Prefiled (H)
 01/07/2009 Read First Time (H) (H24)
 01/08/2009 Read Second Time (H) (H41)
 02/12/2009 Referred: Special Standing Committee on General Laws (H) (H309)
 03/03/2009 Public Hearing Completed (H)
 03/26/2009 Executive Session Completed (H)
 03/26/2009 HCS Voted Do Pass (H)
 03/26/2009 HCS Reported Do Pass (H) (H747)

03/26/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H747)
 03/30/2009 Rules - Executive Session Completed (H)
 03/30/2009 Rules - Voted Do Pass (H)
 03/30/2009 Rules - Reported Do Pass (H) (H791)
 04/07/2009 HCS Adopted (H) (H948)
 04/07/2009 Perfected (H) (H947)
 04/08/2009 Third Read and Passed (H) (H967-968 / S947)
 04/08/2009 S First Read--HCS for HJR 10 (S947)
 04/16/2009 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S1052)
 04/23/2009 Hearing Conducted S Governmental Accountability and Fiscal Oversight Committee
 04/23/2009 Voted Do Pass S Governmental Accountability and Fiscal Oversight Committee
 04/23/2009 Reported from S Governmental Accountability and Fiscal Oversight Committee to Floor (S1191)
 04/27/2009 S Formal Calendar H Bills for Third Reading--HCS for HJR 10 (Lembke)

EFFECTIVE: upon voter approval

*** HJR 23 ***

HCS HJR 23

1214 .03P

HOUSE HANDLER: Icet

HCS/HJR 23 - Upon voter approval, this proposed constitutional amendment would prohibit appropriations in any fiscal year from exceeding the total state general revenue appropriations from the previous year by more than the appropriations growth limit. The appropriations growth limit will be the greater of zero or the sum of the annual rate of inflation and the annual Missouri population growth. In any fiscal year when the net general revenue collections are in excess of one percent of the authorized net general revenue appropriations allowed, sixty-seven percent of the excess is to be transferred to the Cash Operating Reserve Fund and thirty-three percent to the Budget Reserve Fund, which are created by the resolution. Any revenue in excess of the limits of the funds will be transferred to the Taxpayer Protection Stabilization Fund, created by the resolution, and used to temporarily reduce the individual income tax rate when the Commissioner of the Office of Administration determines that sufficient amounts exist in the fund for a reduction.

The resolution authorizes the General Assembly, by a two-thirds majority vote, to appropriate money from the Taxpayer Protection Stabilization Fund, if the commissioner determines that total state general revenue appropriations will exceed projected state revenues. Total state general revenue appropriations may exceed the appropriations limit only if the Governor declares an emergency and the General Assembly, by a two-thirds majority, approves appropriation bills to meet the emergency. The funds appropriated to meet the emergency will not increase the appropriation limit for the succeeding fiscal year. New or increased tax revenues or fees receiving voter approval will be exempt from the calculation of the appropriations growth limit for the year in which they are passed.

Sixty-seven percent of the balance in the Budget Reserve Fund on July first of each year is to be transferred to the Cash Operating Reserve Fund. If the balance in the Cash Operating Reserve Fund exceeds five percent of the net general revenue collected in the previous fiscal year, the excess amount will be transferred to the Taxpayer Protection Stabilization Fund. In any fiscal year in which the Governor reduces expenditures below amounts appropriated, the Governor may request an emergency appropriation from the Budget Reserve Fund. If the request is approved by the General Assembly, funds may be restored to any expenditure authorized by existing appropriations. If the balance in the Budget Reserve Fund at the end of a fiscal year exceeds seven percent of the net general revenue collections for the previous fiscal year, the excess funds will be transferred to the Taxpayer Protection Stabilization Fund. If the balance is less than seven percent, the difference will be transferred from the General Revenue Fund within five years.

The provisions of the resolution will expire five years from the effective date.

JASON ZAMKUS

02/02/2009 Introduced and Read First Time (H) (H207)
 02/03/2009 Read Second Time (H) (H215)
 02/05/2009 Referred: Budget (H) (H258)
 02/11/2009 Public Hearing Completed (H)
 02/11/2009 Executive Session - No Action Taken
 02/18/2009 Executive Session Completed (H)
 02/18/2009 HCS Voted Do Pass (H)
 02/18/2009 HCS Reported Do Pass (H) (H346)
 02/18/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H346)

02/24/2009 Rules - Executive Session Completed (H)
 02/24/2009 Rules - Voted Do Pass (H)
 02/24/2009 Rules - Reported Do Pass (H) (H389)
 03/02/2009 Taken Up for Perfection (H) (H432)
 03/02/2009 Laid Over (H) (H432)
 03/09/2009 Taken Up for Perfection (H) (H512)
 03/09/2009 HCS Adopted (H) (H513)
 03/09/2009 Perfected with Amendments (H) (H512)
 03/12/2009 Third Read and Passed (H) (H567 / S616-617)
 03/12/2009 S First Read--HCS for HJR 23 (S616-617)
 03/25/2009 Second Read and Referred S Ways and Means Committee (S700)
 04/08/2009 Hearing Scheduled But Not Heard S Ways and Means Committee

EFFECTIVE: upon voter approval

*** HJR 32 ***

HCS HJR 32

0927L.02P

SENATE SPONSOR: Schaefer

HOUSE HANDLER: Kelly

HCS/HJR 32 - Upon voter approval, this proposed constitutional amendment authorizes the General Assembly to issue up to \$700 million in bonds to provide funding for rebuilding higher education institution buildings including no less than 15% of the proceeds to be allocated to public community college colleges for land acquisitions, construction or purchase of buildings, and planning, furnishing, equipping, and landscaping the improvements and buildings. The bonds may be issued over time by the State Board of Fund Commissioners and will mature within 25 years from the date of issuance. The Fifth State Building Bond and Interest Fund is created for the payment of the bonds and any interest earned.

JASON ZAMKUS

03/02/2009 Introduced and Read First Time (H) (H432)
 03/03/2009 Read Second Time (H) (H441)
 03/25/2009 Referred: Spec Stand Com on Infrastructure & Trans Fund (H) (H713)
 03/31/2009 Public Hearing Completed (H)
 03/31/2009 Executive Session Completed (H)
 03/31/2009 HCS Voted Do Pass (H)
 04/01/2009 HCS Reported Do Pass (H) (H902)
 04/01/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H902)
 04/07/2009 Rules - Executive Session Completed (H)
 04/07/2009 Rules - Voted Do Pass (H)
 04/07/2009 Rules - Reported Do Pass (H) (H958)
 04/14/2009 HCS Adopted (H) (H1038)
 04/14/2009 Perfected (H) (H1038)
 04/15/2009 Referred: Fiscal Review (H)
 04/16/2009 Reported Do Pass (H) (H1085)
 04/16/2009 Third Read and Passed (H) (H1085-1086 / S1053)
 04/16/2009 S First Read--HCS for HJR 32 (S1053)
 04/21/2009 Second Read and Referred S Appropriations Committee (S1091)

EFFECTIVE: upon voter approval

*** HJR 36 ***

HCS HJR 36

2316L.04P

HOUSE HANDLER: Emery

HCS/HJR 36 - Upon voter approval, this proposed constitutional amendment replaces the state individual and corporate income tax, the corporate and bank franchise tax and state sales and use tax with a tax on the sale, use, or consumption of new tangible personal property and taxable services equal to five and eleven-one hundredths percent beginning January 1, 2012. The General Assembly may only make one adjustment to the rate after the imposition of the tax to adjust the amount of revenue received to make ensure tax revenue-neutrality and provide continued funding for programs. Component parts or ingredients of a new tangible personal property to be sold at retail, federal government purchases, and business-to-business transactions including agriculture will be exempt from the new tax while all other exemptions and tax credits will be eliminated. The enactment of any new exemptions will require a two-thirds affirmative vote by the General Assembly and approval by the Governor. The conservation sales tax, the soil and parks sales tax, and local sales taxes will be recalculated to produce substantially the same amount of revenue. Each qualified family will receive a sales tax rebate based on the federal poverty level guidelines to offset the sales

tax on basic necessities.

JASON ZAMKUS

03/05/2009 Introduced and Read First Time (H) (H488)
 03/06/2009 Read Second Time (H) (H501)
 03/06/2009 Referred: Tax Reform (H) (H502)
 03/11/2009 Public Hearing Completed (H)
 03/11/2009 Executive Session Completed (H)
 03/11/2009 HCS Voted Do Pass (H)
 03/11/2009 HCS Reported Do Pass (H) (H556)
 03/11/2009 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H556)
 04/02/2009 Rules - Reported Do Pass (H) (H924)
 04/14/2009 HCS Adopted (H) (H1040)
 04/14/2009 Perfected (H) (H1038)
 04/15/2009 Referred: Fiscal Review (H)
 04/16/2009 Executive Session Completed (H)
 04/16/2009 Voted Do Pass (H)
 04/16/2009 Reported Do Pass (H) (H1085)
 04/16/2009 Third read and passed (H) (H1086-1087 / S1053)
 04/16/2009 S First Read--HCS for HJR 36 (S1053)
 04/21/2009 Second Read and Referred S Ways and Means Committee (S1091)

EFFECTIVE: upon voter approval

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