95th General Assembly

2nd Regular Session

MISSOURI SENATE

WEEKLY BILL STATUS REPORT

January 25 - 29, 2010

Prepared by
Divisions of Research and Computer Information Systems

*** SB 577 *** 3568S.01I

SENATE SPONSOR: Shields

SB 577 - This act modifies various provisions relating to ethics.

Currently, the definition of legislative lobbyist only applies to those acting in the ordinary course of employment whose primary purpose is to influence legislation on a regular basis. This act broadens the definition to extend to those who influence legislation regardless of the extent of their purpose. A current provision exempting those who engage in lobbying on an occasional basis is removed.

Employees and staff of the general assembly, including employees of the majority and minority caucuses of both chambers, shall file yearly financial interest statements disclosing income received totaling $5,000 or more, apart from income earned from the state, the source of the income, and the general nature of the business conducted in connection with such income.

The Office of Independent Investigation is created within the Ethics Commission to investigate potential ethics violations and file ethics complaints. Complaints filed in this manner shall be handled in the same manner as all other ethics complaints.

Lobbyists and lobbyist principals are barred from contributing to an incumbent legislator's candidate committee, an incumbent Governor's candidate committee, any continuing committee, or any campaign committee during a regular session of the General Assembly. The same ban applies to an incumbent governor's candidate committee, and any continuing or campaign committee when legislation from the regular session awaits gubernatorial action. The bans shall not apply to continuing committees, campaign committees, or an incumbent legislator's candidate committee formed for an office sought at a special election, 30 days before to 30 days after a special election for senator or representative.
CHRIS HOGERTY

12/01/2009 Prefiled
01/06/2010 S First Read--SB 577-Shields (S67)
01/13/2010 Second Read and Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S112)
01/26/2010 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee

EFFECTIVE: August 28, 2010

*** SB 578 *** 3168S.02I

SENATE SPONSOR: Shields

SB 578 - 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 the 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-eight 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.

STATE AUDITOR - This act authorizes the state auditor to audit port authorities within the state (Section 68.125).

COMPETITIVE BIDS - Under this act, expenditures made by port authorities over $25,000, including professional service contracts, must be competitively bid (Section 68.057).

The provisions of this act are similar to SB 215 (2009)(Sections 68.200 to 68.260).
STEPHEN WITTE

12/01/2009 Prefiled
01/06/2010 S First Read--SB 578-Shields (S67)
01/13/2010 Second Read and Referred S Ways and Means Committee (S112)
02/03/2010 Hearing Scheduled S Ways and Means Committee

EFFECTIVE: August 28, 2010

SENATE SPONSOR: Shields

SB 579 - 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 act is identical to SB 18 (2007) and SB 189 (2009).
SUSAN HENDERSON MOORE

12/01/2009 Prefiled
01/06/2010 S First Read--SB 579-Shields (S67)
01/13/2010 Second Read and Referred S General Laws Committee (S112)
01/26/2010 Hearing Conducted S General Laws Committee

EFFECTIVE: August 28, 2010

*** SB 580 *** 3635S.01I

SENATE SPONSOR: Griesheimer

SCS/SB 580 - This act modifies various provisions relating to political subdivisions.

SECTION 49.310
This section allows all counties of the third classification to establish a jail or holding facility outside of the county seat. Currently, Moniteau County is the only county of the third classification that may establish such a jail.

This section has an emergency clause.

This section is identical to HB 1707 (2010).

SECTION 50.622
This section allows counties to amend the annual budget during a fiscal year to reflect any increase or decrease in revenues that were not estimated or anticipated when the original budget was adopted. Currently, the county may amend the budget during a fiscal year when the county receives additional funds which could not be estimated when the budget was adopted.

This section is identical to HB 1793 (2010).

SECTION 50.660
Under this section, a county is not required to obtain bids on purchases of $5,000 or less. Currently, such amount is set at $4,500.

This section requires counties of the first classification to advertise contracts and purchases for bid on its website for at least thirty days. The section also requires the county commission of any county of the first classification to post notice of a "single feasible source" purchase that does not require bidding on its website for at least 30 days. In such counties, any prospective bidder or offeror may file a written challenge, prior to approval of the contract by the commission, that such supply has a single feasible source. Upon receiving the challenge, the commission shall take testimony on the subject at a public meeting and vote on whether to proceed with the purchase or accept bids for such supply.

This section is similar to provisions of SB 256 (2009) and HB 376 (2009).

SECTION 50.783
Under current law, counties may waive competitive bidding when the county commission determines that

there is only one feasible source for the supply. This section 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 provisions of SB 256 (2009) and HB 376 (2009).

SECTIONS 52.290, 52.312, 52.361, 52.370, 54.010, 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. 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 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. 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 these provisions, 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 collector becomes a collector-treasurer, the collector treasurer shall assume all duties, compensation, and requirements of the collector-treasurer.

These provisions are similar to provisions contained in the SCS#2/HCS/HB 148 (2009) and SB 736 (2010).

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 $2500 or more, rather than $250.

This section is identical to HB 939 (2009), a provision of SS/SCS/HB 376 (2009) and HCS/SB 386 (2009), SB 354 (2009) and SB 628 (2010).

SECTION 56.700

Under this section, the county counselor of Boone County shall receive $15,000 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 shall be paid out of the state treasury from funds appropriated for such purposes and received in the form of a reimbursement to county general revenue funds.

This section is similar to SCS/SB 258 (2009).

SECTION 59.003

This section requires requests for records filed by the recorder of deeds dated after December 31, 1969 be made to the office in which the record was originally filed.

This section is similar to a provision of SB 362 (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 67.309

This section allows counties of the first classification to establish curfews for persons under the age of seventeen. Any minor who violates such curfew is guilty of a class C misdemeanor. If the minor's parent or guardian has knowledge of such violation, he or she is also guilty of a class C misdemeanor.

This section is identical to a provision of HCS/SB 386 (2009).

SECTION 67.402

This section allows Andrews and Buchanan counties to enact nuisance abatement ordinances regarding the condition of real property.

This section allows the counties covered by the statute to 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) and HB 1303 (2010).

SECTION 67.456

This section 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.

This section is identical to a provision of HCS/SB 386 (2009).

SECTION 67.1080

Currently, certain county taxes, upon voter approval, are levied for a specific period of time and must be extended by another voter approval. This section authorizes counties to use ballot language which indicates that the tax is an extension of an existing tax and not a new tax.

This section is identical to HB 431 (2009) and HB 1594 (2010).

SECTION 67.1360

This section 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 section is identical to SB 507 (2009).

SECTION 67.1361 & 70.220

Under current law, the City of St. Joseph and Buchanan County are authorized to seek voter approval to impose a tax of no less than two nor more than eight percent per room per night, on charges for sleeping rooms paid by guests of hotels and motels. The proceeds from the tax must be used for funding the promotion of tourism and convention facilities. These sections would permit the city and county to use the proceeds from the tax for capital expenditures incurred in funding the promotion of tourism and convention facilities.

These sections also allow the City of St. Joseph and Buchanan County to contract with one another to share transient guest tax revenues for the purpose of promoting tourism and the construction, maintenance, and improvement of convention center and recreational facilities.

These sections are similar to SB 644 (2010).

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), HB 1502 (2010), and SB 700 (2010).

SECTIONS 68.025, 68.035, 68.040, 68.057, 68.070, 68.200, 68.205, 68.210, 68.215, 68.220, 68.225, 68.230, 68.235, 68.240, 68.245, 68.250, 68.255, and 68.260

ESTABLISHMENT OF A PORT IMPROVEMENT DISTRICT - These sections establish 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. However, port authorities located within Clay County shall not have the authority to establish port improvement districts. The port authority board must hold public hearings on whether to create a 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 - These sections set 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. To be considered by the board and court, the petition must be signed by property owners owning more than 60% of property within the district.

PUBLIC HEARING ON PROPOSED PETITION - These sections establish 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 and contain certain information.

CIRCUIT COURT HEARING PROCEDURE - These sections establish the procedure in which the circuit court must conduct certification hearings. 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 - These sections also establish 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 - These sections establish 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. These sections set forth the sample ballot language. They also establish 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-eight 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. These sections establish 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 - These sections set 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. These sections require 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 - These sections require 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.

COMPETITIVE BIDS - Under these sections, expenditures made by port authorities over $25,000, including professional service contracts, must be competitively bid.

The sections are similar to SB 215 (2009) & SB 578 (2010).

SECTION 77.305

This section 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.

This section is identical to a provision of SS/SCS/HCS/HB 376 (2009) and SB 581 (2010).

SECTION 94.271

This section authorizes the City of Grandview to levy a transient guest tax on charges for sleeping rooms paid by guests of hotels and motels for the purpose of promoting tourism. The proposed tax must be submitted to the voters and shall not be greater than five percent per occupied room per night.

This section is identical to the SCS/SB 1089 (2008) and SB 165 (2009).

SECTION 94.840

This act authorizes the City of Raytown to levy a transient guest tax on charges for sleeping rooms paid by guests of hotels and motels for the purpose of promotion, operation, and development of tourism and convention facilities. The proposed tax must be submitted to the voters and shall not be greater than five percent per occupied room per night.

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) and SB 668 (2010).

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 section 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 similar to SB 168 (2009) and the perfected version of SB 822 (2008). It is identical to SB

743 (2010).

Section 138.431

This section allows one change of hearing officer for each party to an appeal heard by the State Tax Commission. A party to an appeal need not show cause to receive a change of hearing officer, but must file a written application to disqualify the assigned hearing officer within thirty days of such assignment. Assignment of a hearing officer will be deemed to have occurred when the first scheduling order is issued by the commission and signed by the hearing officer assigned, unless otherwise stated in the order.

This section is identical to SB 686 (2010).

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 laws regarding the sale of real property for the collection of delinquent taxes.

The collector is required to send up to three notices to the publicly recorded owner of record of the real property prior to the publishing of a tax sale. The first notice is to be by first class mail. If the assessed valuation of the property is greater than $1,000, a second notice must be sent by certified mail. A third notice is required to the owner of record and the occupant of the real property if the second notice is returned unsigned.

If the county collector determines that an adequate legal description of tax sale property cannot be obtained from documents available through the recorder of deeds, the collector may commission a professional land surveyor to prepare an adequate legal description of the property. Costs of the survey will be taxed as part of the sale costs. The assessed valuation of property that can be listed without a legal description or the name of the record owner is increased from $500 to $1,000.

The certificate of purchase will be conveyed to an agent if the purchaser is a nonresident, and the agent must convey the property to the nonresident. These sections require that the highest bid at a sale on the third successive year must be at least equal to the sum of the delinquent taxes, interest, penalties, and costs as it is required when it was initially offered and at the second successive year it was offered. 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. The purchaser is required to pay a fee to the collector to record the certificate of purchase in the office of the county recorder.

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. 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 and the required certified mail notifications, interest at the rate specified on the certificate, and any taxes paid by the purchaser plus 8% interest.

Within 120 days prior to receiving a collector's deed, a tax sale purchaser must obtain a title search report from a licensed attorney or title company detailing the ownership and encumbrances on the property. Requirements for service of the 90 days' notice of the right of redemption that a tax sale purchaser must send to the owner of record and other persons who hold publicly recorded claims on the property are revised. The contents of the affidavit that a tax sale purchaser must provide to the collector before receiving a collector's deed to the property are revised to include the required title search and the 90 days' notice service requirements.

These sections are identical to HB 1420 (2010).

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), a provision of SS/SCS/HB 376 (2009), SB 122 (2009), and SB 741 (2010).

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.

SECTION 231.444

This section allows Chariton and Carroll counties to seek voter approval to impose a tax of up to $1 per acre on agricultural and horticultural property to be used to purchase road rock.

SECTION 429.110

This section requires notice of a lien on property, recorded with the recorder of deeds when the owner cannot be located, be accompanied by the applicable fee required.

SUSAN HENDERSON MOORE

12/01/2009	Prefiled
01/06/2010	S First Read--SB 580-Griesheimer (S67)
01/13/2010	Second Read and Referred S Jobs, Economic Development and Local Government Committee (S112)
01/20/2010	Hearing Conducted S Jobs, Economic Development and Local Government Committee
01/27/2010	SCS Voted Do Pass S Jobs, Economic Development and Local Government Committee (3635S.03C)

EFFECTIVE: Varies

*** SB 581 *** 3162S.01I

SENATE SPONSOR: Griesheimer

SB 581 - 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.

This act is identical to a provision of SS/SCS/HCS/HB 376 (2009).
SUSAN HENDERSON MOORE

12/01/2009 Prefiled
01/06/2010 S First Read--SB 581-Griesheimer (S68)
01/13/2010 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S112)
01/20/2010 Hearing Conducted S Jobs, Economic Development and Local Government Committee
01/27/2010 Voted Do Pass S Jobs, Economic Development and Local Government Committee - Consent

EFFECTIVE: August 28, 2010

*** SB 582 *** 3727S.01I

SENATE SPONSOR: Griesheimer

SB 582 - This act increases certain user fees collected by county recorders by $1 for one year. The fee shall be used by the secretary of state for preservation of local records. The $1 increase 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, 2011.

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

12/01/2009 Prefiled
01/06/2010 S First Read--SB 582-Griesheimer (S68)
01/13/2010 Bill Withdrawn

EFFECTIVE: August 28, 2010

*** SB 583 *** 3574S.01I

SENATE SPONSOR: Champion

SB 583 - This act entitles consumers with long-term insurance policies and Medicare supplement policies to a refund of a portion of their premium and makes it an unfair trade practice to engage in certain sales practices with respect to Medicare products.

UNFAIR TRADE PRACTICE RELATED TO THE SOLICITATION OF MEDICARE PRODUCTS - Under this act, it is an unfair trade practice for an insurance company, producer or consultant to engage in certain unfair solicitation methods. It is an unfair trade practice for an insurer or producer to:

1) Sell, solicit or negotiate the purchase of Medicare products in Missouri through the use of cold lead advertising (the act defines "cold lead advertising" as making use directly or indirectly of a method of marketing that fails to disclose in a clear and conspicuous manner that a purpose of the marketing is insurance sales solicitation and that contact will be made by an insurance producer or insurance company);

2) Use an appointment that was made to discuss Medicare products or to solicit the sale of Medicare products in order to solicit sales of life insurance, health insurance or annuity products unless the consumer requests such solicitation and the products to be discussed are clearly identified to the consumer in writing at least 48 hours in advance of the appointment;

3) Solicit the sale of Medicare products door-to-door prior to or without receiving an invitation or request from a consumer; and

4) Solicit the sale of Medicare products in a manner which would violate any marketing requirements, models or guidelines established or published by the Centers for Medicare and Medicaid Services (CMS).

The "Medicare products" referred to in the act include Medicare Part A, Medicare Part B, Medicare Part C (Medicare Advantage), Medicare Part D, and Medicare supplement plans (Section 375.932).

REFUNDING MEDICARE SUPPLEMENT PREMIUMS - Under this act, if a Medicare supplement policy issued, delivered, or renewed in Missouri on or after January 1, 2011, is cancelled for any reason, the insurer must refund the unearned portion of any premium paid beyond the month in which the cancellation is

effective. Any refund shall be returned to the policyholder within 20 days of the last day of coverage under the policy (Section 376.882).

REFUNDING LONG-TERM INSURANCE POLICY PREMIUMS - Under this act, if a long-term care insurance policy issued, delivered, or renewed in Missouri on or after January 1, 2011, is cancelled for any reason, the insurer must refund the unearned portion of any premium paid beyond the month in which the cancellation is effective. Any refund shall be returned to the policy holder within 20 days of the last day of coverage under the policy (Section 376.1100). The long-term care policy must contain notices which inform applicants that they are entitled to a refund of unearned premiums if such policies are cancelled for any reason (Section 376.1109).
STEPHEN WITTE

12/01/2009 Prefiled
01/06/2010 S First Read--SB 583-Champion (S68)
01/13/2010 Second Read and Referred S Small Business, Insurance and Industry Committee (S112)
01/26/2010 Hearing Conducted S Small Business, Insurance and Industry Committee

EFFECTIVE: August 28, 2010

*** SB 584 *** 3567S.01I

SENATE SPONSOR: Bartle

SB 584 - 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, 2014, 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 142 (2009) and Senate Bill 735 (2008).
JASON ZAMKUS

12/01/2009 Prefiled
01/06/2010 S First Read--SB 584-Bartle (S68)
01/13/2010 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S112)

EFFECTIVE: August 28, 2010

*** SB 585 *** 3564S.01I

SENATE SPONSOR: Bartle

SB 585 - 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 13 (2009), SB 793 (2008), SB SB 652 (2006), 855 (2004) and SB 193 (2003).
STEPHEN WITTE

12/01/2009 Prefiled
01/06/2010 S First Read--SB 585-Bartle (S68)
01/13/2010 Second Read and Referred S Transportation Committee (S112)

EFFECTIVE: Contingent

*** SB 586 *** 3570S.01I

SENATE SPONSOR: Bartle

SCS/SBs 586 & 617 - This act regulates sexually oriented businesses.

After August 28, 2010, 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, 2010, 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 is similar to HB 321 (2009) and SCS/SBs 223 & 226 (2009).
SUSAN HENDERSON MOORE

12/01/2009 Prefiled
01/06/2010 S First Read--SB 586-Bartle (S68)
01/13/2010 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S112)
01/19/2010 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee
01/25/2010 SCS Voted Do Pass (w/SCS/SBs 586 & 617) S Judiciary and Civil and Criminal Jurisprudence Committee (3570S.02C)

EFFECTIVE: August 28, 2010

*** SB 587 *** 3227S.03I

SENATE SPONSOR: Nodler

SB 587 - Upon approval of the voters at the August 2010 election, this act creates the "Tenth Amendment Commission." This commission will refer cases to the Attorney General when the federal government takes steps that require the state or a state officer to enact or enforce a provision of federal law that lies outside Congress's power and intrudes on the powers reserved to the states by the Tenth Amendment to the United States Constitution. The attorney general is authorized to seek appropriate relief to preserve the state's

sovereignty.

The Governor, President pro tempore of the Senate, and Speaker of the House of Representatives appoint two members of the commission, and the Chief Justice of the Supreme Court appoints one member of the commission. The seven members of the commission will each serve two year terms. The commission shall meet annually to elect a chairperson and vice-chairperson.
EMILY KALMER

12/01/2009 Prefiled
01/06/2010 S First Read--SB 587-Nodler and Cunningham (S68)
01/13/2010 Second Read and Referred S General Laws Committee (S113)
01/21/2010 Re-referred S Judiciary and Civil and Criminal Jurisprudence Committee (S157)

EFFECTIVE: Contingent

*** SB 588 *** 3308S.01I

SENATE SPONSOR: Nodler

SB 588 - Under current law, assessors in charter counties and the City of St. Louis are required to provide taxpayers with a projected tax liability notice which must accompany a notice of increased assessed value. Assessors in all other counties will be subject to the same projected tax liability notice requirements effective January 1, 2011. This act repeals provisions of law which would require assessors, other than the assessors in charter counties and the City of St. Louis, to provide notices of projected tax liability with increased assessed value notices.
JASON ZAMKUS

12/01/2009 Prefiled
01/06/2010 S First Read--SB 588-Nodler (S68)
01/13/2010 Second Read and Referred S Ways and Means Committee (S113)
02/03/2010 Hearing Scheduled S Ways and Means Committee

EFFECTIVE: August 28, 2010

*** SB 589 *** 3191S.01I

SENATE SPONSOR: Nodler

SB 589 - 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 similar to SB 1245 (2008), SB 165 (2009), SB 253 (2009), HB 613 (2009), SB 14 (2009), and HB 997 (2009).
CHRIS HOGERTY

12/01/2009 Prefiled
01/06/2010 S First Read--SB 589-Nodler (S68)
01/13/2010 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S113)
02/01/2010 Hearing Scheduled S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2010

*** SB 590 *** 3505S.01I

SENATE SPONSOR: Bray

SB 590 - 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, 2012. 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.

This act is identical to SB 328 (2009).
SUSAN HENDERSON MOORE

12/01/2009 Prefiled
01/06/2010 S First Read--SB 590-Bray (S68)
01/13/2010 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S113)

EFFECTIVE: August 28, 2010

*** SB 591 *** 3501S.01I

SENATE SPONSOR: Bray

SB 591 - 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) and SB 17 (2009).
SUSAN HENDERSON MOORE

12/01/2009 Prefiled
01/06/2010 S First Read--SB 591-Bray (S68)
01/13/2010 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S113)

EFFECTIVE: August 28, 2010

*** SB 592 *** 3503S.01I

SENATE SPONSOR: Bray

SB 592 - 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) and SB 52 (2009).

SUSAN HENDERSON MOORE

12/01/2009 Prefiled
01/06/2010 S First Read--SB 592-Bray (S69)
01/13/2010 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S113)

EFFECTIVE: August 28, 2010

*** SB 593 *** 3208S.01I

SENATE SPONSOR: Days

SB 593 - 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 HB 1171 (2006), SB 975 (2006), SB 96 (2007),SB 744 (2008), and SB 20 (2009).

CHRIS HOGERTY

12/01/2009 Prefiled
01/06/2010 S First Read--SB 593-Days and Bray (S69)
01/13/2010 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S113)

EFFECTIVE: August 28, 2010

*** SB 594 *** 3209S.01I

SENATE SPONSOR: Days

SB 594 - This act modifies provisions regarding birth certificates and adoption records. The State Registrar shall develop and, upon a birth parent's request, provide 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 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, 2010, 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, 2010, 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 three months of application by the adopted person, make reasonable efforts

to 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. If the birth mother could not be contacted, the adopted person may re-apply for a copy of the original birth certificate within one year from the end of the three-month period during which the attempted contact with the birth mother was previously made.

This act is identical to SCS/SB 53 (2009), and similar to SCS/SB 1132 (2008) and SB 322 (2003).
ADRIANE CROUSE

12/01/2009 Prefiled
01/06/2010 S First Read--SB 594-Days (S69)
01/13/2010 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S113)
01/26/2010 Hearing Conducted S Health, Mental Health, Seniors and Families Committee

EFFECTIVE: August 28, 2010

*** SB 595 *** 3210S.01I

SENATE SPONSOR: Days

SB 595 - This act requires, by January 1, 2011, 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 polices are exempt from the provisions of the act.

The provisions of this act are virtually identical to SB 320 (2009).
STEPHEN WITTE

12/01/2009 Prefiled
12/15/2009 Bill Withdrawn

EFFECTIVE: August 28, 2010

*** SB 596 *** 3081S.01I

SENATE SPONSOR: Callahan

SB 596 - This act allows the governing bodies of any city in this state to designate Show-me Small Business Districts within such city for no longer than twenty-three years. During such designation period, eligible small businesses within such areas may receive tax-favored status for a term not to exceed fifteen 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. Show-me small business districts may only be established in blighted areas located within qualified census tracts. The act requires the governing body of a municipality to hold public hearings prior to the adoption of an ordinance designating an area of such municipality as a Show-me small business district. 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 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, small businesses located within a Show-me small business district may apply to the Department of Economic Development to receive tax-favored status for a term not to exceed fifteen years. In order to receive tax-favored status, an eligible small 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 the creation of tax-free or reduced-tax geographic districts for the purpose of promoting small business development to further economic development.
JASON ZAMKUS

12/01/2009 Prefiled
01/06/2010 S First Read--SB 596-Callahan (S69)
01/13/2010 Second Read and Referred S Progress and Development Committee (S113)
01/27/2010 Hearing Conducted S Progress and Development Committee

EFFECTIVE: Contingent

*** SB 597 *** 3234S.02I

SENATE SPONSOR: Ridgeway

SB 597 - The Office of Administration shall award at least 10% of all state contracts throughout the year to small businesses employing less than 25 employees. There shall be at least two such businesses bidding for the contract and existing competitive bidding requirements shall apply with respect to those businesses.
CHRIS HOGERTY

12/01/2009 Prefiled
01/06/2010 S First Read--SB 597-Ridgeway (S69)
01/13/2010 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S113)

EFFECTIVE: August 28, 2010

*** SB 598 *** 3450S.01I

SENATE SPONSOR: Ridgeway

SB 598 - Under current law, any county may allow for the payment of property taxes, except those taxes owed by financial institutions, in installments through the adoption of an order or ordinance permitting such payments. This act would require all first class counties to adopt an order or ordinance permitting the payment of property taxes, except those taxes owed by financial institutions, in installments.
JASON ZAMKUS

12/01/2009 Prefiled
01/06/2010 S First Read--SB 598-Ridgeway (S69)
01/13/2010 Second Read and Referred S Ways and Means Committee (S113)

EFFECTIVE: August 28, 2010

*** SB 599 *** 3230S.01I

SENATE SPONSOR: Ridgeway

SB 599 - This act removes the requirement that goods and services be purchased by the state and public institutions from the vocational enterprises program.
CHRIS HOGERTY

12/01/2009 Prefiled
01/06/2010 S First Read--SB 599-Ridgeway (S69)
01/13/2010 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S113)

EFFECTIVE: August 28, 2010

*** SB 600 *** 3221S.01I

SENATE SPONSOR: Crowell

SB 600 – 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 similar to SB 304 (2009) and HCS/SB 306 (2007) and similar to a provision contained in SCS/SB 544 (2009).
JIM ERTLE

12/01/2009 Prefiled
01/06/2010 S First Read--SB 600-Crowell (S69)
01/13/2010 Second Read and Referred S General Laws Committee (S113)
01/26/2010 Hearing Conducted S General Laws Committee

EFFECTIVE: August 28, 2010

*** SB 601 *** 3220S.01I

SENATE SPONSOR: Crowell

SB 601 - 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.

This act is identical to Senate Bill 113 (2009).
JASON ZAMKUS

12/01/2009 Prefiled
12/22/2009 Bill Withdrawn

EFFECTIVE: August 28, 2010

*** SB 602 *** 3217S.01I

SENATE SPONSOR: Crowell

SB 602 - 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 86 (2009) and SB 1197 (2008).
ADRIANE CROUSE

12/01/2009 Prefiled
01/06/2010 S First Read--SB 602-Crowell (S69)
01/13/2010 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S113)
01/26/2010 Hearing Conducted S Health, Mental Health, Seniors and Families Committee

EFFECTIVE: August 28, 2010

*** SB 603 *** 3186S.01I

SENATE SPONSOR: Mayer

SB 603 – For the school year beginning July 1, 2011, students currently enrolled in a public school may enroll in a public school in another school district. This act does not apply to the Kansas City or St. Louis City school districts.

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 be 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 substantially similar to SB 373 (2009) and is similar to SB 537 (2009) and HB 2482 (2008).
MICHAEL RUFF

12/01/2009 Prefiled
01/06/2010 S First Read--SB 603-Mayer (S69)
01/13/2010 Second Read and Referred S Education Committee (S113)

EFFECTIVE: August 28, 2010

*** SB 604 *** 3188S.01I

SENATE SPONSOR: Mayer

SCS/SB 604 - This act prohibits large users of water resources from unduly disrupting the normal irrigation activities of certain large farms in the Southeast Missouri Regional Water District. If such a disruption occurs, the Attorney General may seek an injunction. No injunction may be issued if it would harm public health or safety.

The act is similar to SB 556 (2009).
ERIKA JAQUES

12/01/2009 Prefiled
01/06/2010 S First Read--SB 604-Mayer (S69)
01/13/2010 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S113)
01/20/2010 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee
01/27/2010 SCS Voted Do Pass S Agriculture, Food Production and Outdoor Resources Committee (3188S.03C)

EFFECTIVE: August 28, 2010

*** SB 605 *** 3187S.01I

SENATE SPONSOR: Mayer

SB 605 - 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.

This act is identical to SB 455 (2009).
SUSAN HENDERSON MOORE

12/01/2009 Prefiled
01/06/2010 S First Read--SB 605-Mayer (S69)
01/13/2010 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S113)
01/27/2010 Hearing Conducted S Jobs, Economic Development and Local Government Committee

EFFECTIVE: August 28, 2010

*** SB 606 *** 3412S.01I

SENATE SPONSOR: Stouffer

SB 606 - This act adds as a covered service under the MO HealthNet program comprehensive day rehabilitation services.

This act is identical to SB 77 (2009), substantially similar to HB 530 (2009) and identical to SB 972 (2008).
ADRIANE CROUSE

12/01/2009 Prefiled
01/06/2010 S First Read--SB 606-Stouffer (S70)
01/13/2010 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S113)

EFFECTIVE: August 28, 2010

*** SB 607 *** 3411S.01I

SENATE SPONSOR: Stouffer

SB 607 - 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 who are eligible for employment 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 SCS/SB 73 (2009) and similar to SB 1259 (2008).
ADRIANE CROUSE

12/01/2009 Prefiled
01/06/2010 S First Read--SB 607-Stouffer (S70)
01/13/2010 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S113)
01/26/2010 Hearing Conducted S Health, Mental Health, Seniors and Families Committee

EFFECTIVE: August 28, 2010

*** SB 608 *** 3414S.02I

SENATE SPONSOR: Stouffer

SB 608 - Under current law, residential treatment agencies are prohibited from applying for residential treatment agency tax credits in an amount greater than forty percent of the payments received by the agency from the Department of Social Services. This act would allow residential treatment agencies to apply for such tax credits in an amount which does not exceed the amount of payments received by the agency from the Department of Social Services.

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.

Provisions of this act are similar to those contained in Senate Bill 71 (2009) and Senate Bill 1274 (2008).
JASON ZAMKUS

12/01/2009 Prefiled
01/06/2010 S First Read--SB 608-Stouffer (S70)
01/13/2010 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S113)

EFFECTIVE: August 28, 2010

*** SB 609 *** 3540S.01I

SENATE SPONSOR: Green

SB 609 - This act modifies provisions relating to election judges.

Election authorities may select election judges at random if they so choose.

Individuals selected as election judges shall be notified by mail at least 15 days before reporting.

Election authorities shall not provide lists of election judges or other workers until the completion of the election.

Election judges shall be registered voters within the jurisdiction of the election authority in which they serve.

Judges are compelled to serve for 2 year terms unless excused because of sickness or just cause as determined by the election authority. Those who fail to serve without excuse are guilty of a Class C misdemeanor. Those who fail to serve for their appointed term are guilty of a Class B misdemeanor.

Employers may reduce an employees pay for the corresponding hours missed for serving as an election judge, except for those appointed on the day of an election.

Employers who threaten to terminate a judge's employment, or coerce or threaten to coerce a judge are guilty of a Class B misdemeanor. Those who terminate employment, or reduce regular pay, overtime pay, sick leave, vacation time, or otherwise penalize an employee for serving as an election judge are guilty of a Class D felony.
CHRIS HOGERTY

12/01/2009 Prefiled
01/06/2010 S First Read--SB 609-Green (S70)
01/13/2010 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S113)

EFFECTIVE: August 28, 2010

*** SB 610 *** 3765S.01I

SENATE SPONSOR: Green

SB 610 - Employers shall not ask or require an employee or applicant to disclose any user name for or password to any Internet site or web-based account, except for those relating to the employers' computer systems.
CHRIS HOGERTY

12/01/2009 Prefiled
01/06/2010 S First Read--SB 610-Green (S70)
01/13/2010 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S113)

EFFECTIVE: August 28, 2010

*** SB 611 *** 3470S.01I

SENATE SPONSOR: Green

SB 611 - This act provides that in granting licenses to child care facilities and foster homes, the directors of the Department of Health and Senior Services and the Department of Social Services, respectively, shall require window coverings in compliance with the standards issued by the American National Standards Institute and the U.S. Consumer Product Safety Commission, known as the ANSI/WCMA 100.1-2009 standards. The act provides details for compliance as to window shades, blinds and cords.
ADRIANE CROUSE

12/01/2009 Prefiled
01/06/2010 S First Read--SB 611-Green (S70)
01/13/2010 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S113)

EFFECTIVE: August 28, 2010

*** SB 612 *** 3095S.02I

SENATE SPONSOR: Wilson

SB 612 - 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. The individual must all meet all other factors for foods stamps eligibility.

This act is similar to SB 34 (2009).
ADRIANE CROUSE

12/01/2009 Prefiled
01/06/2010 S First Read--SB 612-Wilson (S70)
01/13/2010 Second Read and Referred S Progress and Development Committee (S113)

EFFECTIVE: August 28, 2010

*** SB 613 *** 3766S.01I

SENATE SPONSOR: Wilson

SB 613 - 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.

This act is similar to SB 34 (2009).
ADRIANE CROUSE

12/01/2009 Prefiled
01/06/2010 S First Read--SB 613-Wilson (S70)
01/13/2010 Second Read and Referred S Progress and Development Committee (S113)

EFFECTIVE: August 28, 2010

*** SB 614 *** 3063S.01I

SENATE SPONSOR: Wilson

SB 614 – 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 79 (2009) and SB 762 (2008) and is similar to SB 646 (2007).
MICHAEL RUFF

12/01/2009 Prefiled
01/06/2010 S First Read--SB 614-Wilson (S70)
01/13/2010 Second Read and Referred S Education Committee (S113)
01/27/2010 Hearing Conducted S Education Committee

EFFECTIVE: August 28, 2010

*** SB 615 *** 3745S.01I

SENATE SPONSOR: Goodman

SB 615 - 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

12/01/2009 Prefiled
01/06/2010 S First Read--SB 615-Goodman (S70)
01/13/2010 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S113)
01/26/2010 Hearing Conducted S Health, Mental Health, Seniors and Families Committee

EFFECTIVE: August 28, 2010

*** SB 616 *** 3748S.01I

SENATE SPONSOR: Goodman

SB 616 - 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, licensed practical nurse, psychiatrist, psychologist, professional counselor or social worker who provides medical or mental health 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.

This act is substantially similar to SB 418 (2009).
ADRIANE CROUSE

12/01/2009 Prefiled
01/06/2010 S First Read--SB 616-Goodman (S70)

01/13/2010 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S113)
02/02/2010 Hearing Scheduled S Health, Mental Health, Seniors and Families Committee

EFFECTIVE: August 28, 2010

*** SB 617 *** 3747S.01I

SENATE SPONSOR: Goodman

This bill has been combined with SB 586

12/01/2009 Prefiled
01/06/2010 S First Read--SB 617-Goodman (S70)
01/13/2010 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S113)
01/19/2010 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee
01/25/2010 Bill Combined w/(SCS/SBs 586 & 617) (3570S.02C)

EFFECTIVE: August 28, 2010

*** SB 618 *** 3534S.02I

SENATE SPONSOR: Rupp

SB 618 - Under this act, health carriers that issue or renew health benefit plans on or after August 28, 2010, must provide 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. Service exclusions contained in the insurance policy or health maintenance organization contract that are inconsistent with the treatment plan shall be considered invalid as to autism spectrum disorder.

The treatment plan shall include all elements necessary for the health benefit plan or health carrier to review the treatment plan. 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 $72,000 per calendar year for individuals under the age of 21 (no coverage for applied behavior analysis is afforded to those 21 years of age or older).

Coverage under the act shall not be subject to any limits on the number of visits an individual may make to an autism service provider.

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) The 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 August 28, 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 August 28, 2010.

Under this act, health carriers are not be required to provide reimbursement to a school district for treatment for autism spectrum disorders provided by the school district. This act shall not be construed as affecting any obligation to provide service to an individual under an individualized family service plan, an individualized education plan, or an individualized service plan.

Under the act, the Director of the Department of Insurance must grant a small employer with a group health plan a waiver from the autism insurance mandate if the small employer demonstrates to the director by actual experience over any consecutive 24 month period that compliance with the autism mandate has increased the cost of the health insurance policy by an amount that results in a 5% over the period of a calendar year, in premium costs to the small employer.

The provisions of this act do not apply to the MO HealthNet program.

The provisions of this act are similar to provisions contained in SB 167 (2009), HB 2351 (2008), SB 1229 (2008), and SB 1122 (2008).
STEPHEN WITTE

12/01/2009 Prefiled
01/06/2010 S First Read--SB 618-Rupp, et al (S71)
01/13/2010 Second Read and Referred S Small Business, Insurance and Industry Committee (S113)
01/19/2010 Hearing Conducted S Small Business, Insurance and Industry Committee
01/26/2010 Voted Do Pass S Small Business, Insurance and Industry Committee
01/28/2010 Reported from S Small Business, Insurance and Industry Committee to Floor (S183)
02/01/2010 S Formal Calendar S Bills for Perfection--SB 618-Rupp, et al

EFFECTIVE: August 28, 2010

*** SB 619 *** 3446S.01I

SENATE SPONSOR: Rupp

SB 619 - Under current law, the commercial zone for the City of St. Louis extends through St. Louis County and St. Charles County. Under this act, the extension of the commercial zone through St. Charles County is repealed.
STEPHEN WITTE

12/01/2009 Prefiled
01/06/2010 S First Read--SB 619-Rupp (S71)
01/13/2010 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S113)
01/27/2010 Hearing Conducted S Jobs, Economic Development and Local Government Committee

EFFECTIVE: August 28, 2010

*** SB 620 *** 3336S.01I

SENATE SPONSOR: Rupp

SB 620 - This act adds a circuit court judge to the forty-fifth judicial circuit, which consists of Lincoln and Pike counties, effective January 1, 2011. 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 for division two will be elected in 2010.

This act has an emergency clause.

This act is similar to SB 39 (2009).

EMILY KALMER

12/01/2009 Prefiled
01/06/2010 S First Read--SB 620-Rupp (S71)
01/13/2010 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S113)

EFFECTIVE: Emergency Clause

*** SB 621 *** 3565S.01I

SENATE SPONSOR: Lager

SB 621 - This act requires the Office of the State 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.

This act is similar to SCS/SB 384 (2009).

SUSAN HENDERSON MOORE

12/01/2009 Prefiled
01/06/2010 S First Read--SB 621-Lager (S71)
01/13/2010 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S114)
01/26/2010 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee

EFFECTIVE: August 28, 2010

*** SB 622 *** 3562S.01I

SENATE SPONSOR: Shoemyer

SB 622 - Under current law, the fee for registering a pesticide in Missouri is $15 per year. This act increases the fee to $150 plus one-fifth of 1% of the product's annual gross sales in Missouri up to a maximum total fee of $1,500 per product.

Under current law, there is a late charge of $5 assessed for any pesticide not registered by January 1st. This act increases the late charge to $50.

The act creates the Pesticide Fee Fund into which all but $15 of the pesticide registration fee will be deposited, and all but $5 of any late fees will be deposited. The $15 and $5 portions will continue to be deposited in the general revenue fund as under current law. Funds placed into the Pesticide Fee Fund shall be used for program administration by the Department of Agriculture.

ERIKA JAQUES

12/01/2009 Prefiled
01/06/2010 S First Read--SB 622-Shoemyer (S71)
01/13/2010 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S114)

EFFECTIVE: August 28, 2010

*** SB 623 *** 3294S.01I

SENATE SPONSOR: Shoemyer

SB 623 - 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 the 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 of the previous year's 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. If the director limits deductions from a local sales tax remittance, the refund may 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 refunded amount.

This act is similar to Senate Bill 351 (2009).

JASON ZAMKUS

12/01/2009 Prefiled
01/06/2010 S First Read--SB 623-Shoemyer (S71)
01/13/2010 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S114)

EFFECTIVE: August 28, 2010

*** SB 624 *** 3293S.01I

SENATE SPONSOR: Shoemyer

SB 624 - 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 economic activity taxes from the development's fund.

This act is similar to Senate Bill 479 (2009) and House Bill 746 (2009).

JASON ZAMKUS

12/01/2009 Prefiled
01/06/2010 S First Read--SB 624-Shoemyer (S71)
01/13/2010 Second Read and Referred S Ways and Means Committee (S114)

EFFECTIVE: August 28, 2010

*** SB 625 *** 3090S.01I

SENATE SPONSOR: Justus

SB 625 - 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).
ADRIANE CROUSE

12/01/2009 Prefiled
01/06/2010 S First Read--SB 625-Justus and Keaveny (S71)
01/13/2010 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S114)

EFFECTIVE: August 28, 2010

*** SB 626 *** 3083S.01I

SENATE SPONSOR: Justus

SB 626 - 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), & SB 109 (2009).
SUSAN HENDERSON MOORE

12/01/2009 Prefiled
01/06/2010 S First Read--SB 626-Justus (S71)
01/13/2010 Second Read and Referred S Progress and Development Committee (S114)
02/03/2010 Hearing Scheduled S Progress and Development Committee

EFFECTIVE: August 28, 2010

*** SB 627 *** 3144S.01I

SENATE SPONSOR: Justus

SB 627 - This act provides that 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 and gender appropriate information to parents or guardians of students entering grade 6 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 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.

Beginning July 1, 2011, the department shall submit to the general assembly a report detailing the number of sixth grade 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 104 (2009), SCS/SB 514(2007) and HCS/SS/SCS/SB 778(2008).

ADRIANE CROUSE

12/01/2009 Prefiled
01/06/2010 S First Read--SB 627-Justus (S71)
01/13/2010 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S114)
02/02/2010 Hearing Scheduled S Health, Mental Health, Seniors and Families Committee

EFFECTIVE: August 28, 2010

*** SB 628 *** 3445S.01I

SENATE SPONSOR: Dempsey

SB 628 - 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.

This act is identical to HB 939 (2009), a provision of SS/SCS/HB 376 (2009) and HCS/SB 386 (2009), and SB 354 (2009).

SUSAN HENDERSON MOORE

12/01/2009 Prefiled
01/06/2010 S First Read--SB 628-Dempsey (S71)
01/13/2010 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S114)
01/20/2010 Hearing Conducted S Jobs, Economic Development and Local Government Committee
01/27/2010 Voted Do Pass S Jobs, Economic Development and Local Government Committee - Consent

EFFECTIVE: August 28, 2010

*** SB 629 *** 3572S.01I

SENATE SPONSOR: Dempsey

SB 629 - 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 HCS/SB 147 (2009).

ADRIANE CROUSE

12/01/2009 Prefiled
01/06/2010 S First Read--SB 629-Dempsey (S71)
01/13/2010 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S114)
02/01/2010 Hearing Scheduled S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2010

*** SB 630 *** 3142S.02I

SENATE SPONSOR: Cunningham

SB 630 - This act modifies several provisions relating to manufactured homes.

CONVERSION OF MANUFACTURED HOMES FROM PERSONAL PROPERTY TO REAL PROPERTY (AND VICE-VERSA) - 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).

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).

The act also changes the term "licensee" to "registrant" in subsection 4 of section 700.100.

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)). This provision can be found in SB 405 and HB 924 (2009).

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 manufactured home at the owner's death shall be subject to contracts of sale, assignments of ownership, or security interests 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). This provision can be found in SB 405 and HB 924 (2009).

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 provision can be found in SB 405 and HB 924 (2009).

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). This provision can be found in SB 405 and HB 924 (2009).

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 affect 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)(Section 700.527.9).

The owner of the home must be given at least 20 days notice of the sale of the home (Section 700.527.10).

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 (Section 700.527.12 and .13).

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 (Section 700.527.14). 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 (Section 700.527.15).

A landowner who follows the requirements of the act 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 a 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 (Sections 700.530, 700.531, 700.533, 700.535, 700.537, and 700.539).

The provisions in this act were also contained in the truly agreed to version of SB 235(2009).
STEPHEN WITTE

12/01/2009 Prefiled
01/06/2010 S First Read--SB 630-Cunningham (S72)
01/13/2010 Second Read and Referred S Ways and Means Committee (S114)
02/03/2010 Hearing Scheduled S Ways and Means Committee

EFFECTIVE: August 28, 2010

*** SB 631 *** 3358S.01I

SENATE SPONSOR: Cunningham

SB 631 – 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 Central Registry 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 Central Registry 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 class A misdemeanor. 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. If a student attends a different school or school district by contract at such time, 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, 2011, 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 Central Registry 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, 2011, 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 on 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, 2011, 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 the child's legal custodian, physical custodian, or legal guardian. Teachers also cannot have a nonwork-related website that allows exclusive access with a current or former student.

By January 1, 2011, 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, 2011, 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. The Children's Division must reopen a case for review at the request at the Office of the Child Advocate. In addition, for any case previously investigated by the Children's Division for which there was a finding of unsubstantiated, the Children's Division must reconduct its investigation at the request of the Office of the Child Advocate.

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 SB 41 (2009), HCS/HB 1314 (2008), is similar to SB 1212 (2008) and contains provisions identical to HB 2334 (2008) and HB 2579 (2008).
MICHAEL RUFF

12/01/2009 Prefiled
01/06/2010 S First Read--SB 631-Cunningham (S72)
01/13/2010 Second Read and Referred S Education Committee (S114)
02/03/2010 Hearing Scheduled S Education Committee

EFFECTIVE: August 28, 2010

*** SB 632 *** 3637S.01I

SENATE SPONSOR: Cunningham

SB 632 - 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.

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 provisions 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 continues 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.

This act is similar to SB 819 (2008), HCS/HB 2416 (2008), SB 63 (2009), and SB 201 (2009).
SUSAN HENDERSON MOORE

12/01/2009 Prefiled
01/06/2010 S First Read--SB 632-Cunningham (S72)
01/13/2010 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S114)

EFFECTIVE: August 28, 2010

*** SB 633 *** 3575S.01I

SENATE SPONSOR: Pearce

SB 633 - 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.

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 identical to SCS/SBs 65 & 43 (2009) and is similar to SCS/SBs 840 & 857 (2008), SS/SCS/SBs 49, 65, 210, 251 (2007) and SCS/HB 801 (2007).
ERIKA JAQUES

12/01/2009 Prefiled
01/06/2010 S First Read--SB 633-Pearce (S72)
01/13/2010 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S114)

EFFECTIVE: August 28, 2010

*** SB 634 *** 3225S.01I

SENATE SPONSOR: Pearce

SB 634 - 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.

This act is similar to Senate Bill 543 (2009).
JASON ZAMKUS

12/01/2009 Prefiled
01/06/2010 S First Read--SB 634-Pearce (S72)
01/13/2010 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S114)

EFFECTIVE: August 28, 2010

*** SB 635 *** 3226S.01I

SENATE SPONSOR: Pearce

SB 635 - 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 similar to Senate Bill 420 (2009) and House Bill 809 (2009).
JASON ZAMKUS

12/01/2009 Prefiled
01/06/2010 S First Read--SB 635-Pearce (S72)
01/13/2010 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S114)

EFFECTIVE: August 28, 2010

*** SB 636 *** 3355S.01I

SENATE SPONSOR: Lembke

SB 636 - This act modifies Missouri's prompt pay law. 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. Under the act, third-party contractors are also considered health carriers. 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 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 carrier must send an electronic notice of the status of the claim. The electronic notice shall notify the claimant if the claim is a clean claim or whether the claim requires additional information from the claimant. If the claim is a clean claim, then the health carrier shall pay or deny 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% interest per month (current law) and a penalty in an amount equal to one-fifth of the claim per day. A health carrier may combine interest payments and make payment once the aggregate amount reaches $100 (current law is $500).

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.

This act is similar to SB 236 (2009).
STEPHEN WITTE

12/01/2009 Prefiled
01/06/2010 S First Read--SB 636-Lembke (S72)
01/13/2010 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S114)
01/25/2010 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2010

*** SB 637 *** 3357S.01I

SENATE SPONSOR: Lembke

SB 637 - This act prohibits political subdivisions from using automated photo red light enforcement systems to enforce red light violations.
STEPHEN WITTE

12/01/2009 Prefiled
01/06/2010 S First Read--SB 637-Lembke (S72)
01/13/2010 Second Read and Referred S Transportation Committee (S114)

EFFECTIVE: August 28, 2010

*** SB 638 *** 3563S.01I

SENATE SPONSOR: Lembke

SB 638 - This act exempts retail sales of food items consummated within St. Louis County from the county's emergency services sales tax. The St. Louis County emergency services sales tax will automatically terminate five years from the effective date of the tax. Upon termination of the emergency services sales tax, St. Louis County will be permanently barred from imposing or re-authorizing such tax.
JASON ZAMKUS

12/01/2009 Prefiled
01/06/2010 S First Read--SB 638-Lembke (S72)
01/13/2010 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S114)
01/20/2010 Hearing Conducted S Jobs, Economic Development and Local Government Committee

EFFECTIVE: August 28, 2010

*** SB 639 *** 3471S.01I

SENATE SPONSOR: Schmitt

SB 639 - This act provides that any person may bring an action for MO HealthNet fraud on behalf of the person and the state. The person bringing the action must give a copy of the petition to the attorney general, and must also disclose to the attorney general all material information in the person's possession. The petition shall be filed in camera, and shall remain under seal for at least 60 days, or until the state elects to intervene, whichever occurs first. Service of the petition shall not be made on the defendant until ordered by the court.

On behalf of the state, the attorney general may elect to intervene and proceed with the action, not later than 60 days after the date the attorney general received the petition and information. This deadline may be extended for good cause shown.

The court and the attorney general may consent to a dismissal of an action at any time during which the petition remains under seal. If the state elects not to intervene, the person bringing the action shall have the right to proceed with the action.

No person other than the state may intervene or bring a related action based on the same underlying facts as an action brought under this section. If the state intervenes, it shall have the primary responsibility for investigating and prosecuting the action, and is not bound by any act of the person bringing the action. Such person shall have the right to continue as a party to the action, subject to limitations.

The state may limit the participation of the person who initiated the action if it finds that the person's participation would cause harassment, or would unduly delay investigation or prosecution of the action, or would be repetitious or irrelevant. Limitations may include, but are not limited to, limiting the number of witnesses, limiting length of testimony, and limiting cross-examination of witnesses.

Even if an action has been brought under this act, the state is free to pursue the claim through any alternate proceeding. The person bringing the initial action will have the same rights in an alternate proceeding as are provided by this act, and any final finding or conclusion in the alternate proceeding shall be conclusive on all parties to the initial action.

If the state proceeds with an action, the person who initiated the action is entitled to at least fifteen percent of the proceeds of any action brought under this section and at least twenty-five percent of the proceeds if the state does not proceed, unless the court finds that the action is based primarily on information not provided by the person initiating the action, in which case the court shall award the person no more than fifteen percent of the proceeds. If the court finds that the person bringing the action planned and initiated the violation on which the action is based, it may reduce the share of the proceeds to the extent it deems appropriate. However, any person convicted of a violation shall not be entitled to any share of the proceeds, and shall be dismissed from the action.

A person may not bring an action under this act that is based on allegations that are the subject of another civil suit or administrative penalty proceeding which has already commenced, and in which the state is a party.

A person may not bring an action under this act that is based on the public disclosure of allegations or transactions in a criminal or civil hearing, in a legislative or administrative report, hearing, audit, or investigation, or from the news media, unless the person bringing the action is the original source of such

information.

An action brought under this section shall not be brought more than six years after the date on which the violation was committed, or three years after the date when facts material to the cause of action are known or reasonably known by the attorney general's office or the department of social services, whichever occurs last.

This act also modifies the definition of "knowingly" as it relates to MO HealthNet fraud to provide that no proof of specific intent to defraud is required.

This act is similar to SB 1210 (2006).
ADRIANE CROUSE

12/01/2009 Prefiled
01/06/2010 S First Read--SB 639-Schmitt (S72)
01/13/2010 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S114)

EFFECTIVE: August 28, 2010

*** SB 640 *** 3146S.01I

SENATE SPONSOR: Wright-Jones

SB 640 - This act amends the Missouri Transportation Development District Act to explicitly 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, the court shall add the adjacent property listed in the petition upon approval and consent of the district's board of directors (Section 238.208).

Under the act, the board of directors for a district formed by local transportation authorities to operate 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 (Section 238.220). The directors appointed by the chief executive officers may be removed by such officers at any time with or without cause (Section 238.220). Under the act, the state Highways and Transportation Commission is prohibited from appointing advisers to the boards of directors of transportation development districts formed to operate public mass transportation systems (Section 238.220).

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 (Section 238.225).

The act provides that real property taxes for transportation development districts shall not be considered "payment in lieu of taxes" as that term is defined in the Real Property Tax Increment Allocation Redevelopment Act. In addition, the tax revenues derived from such property taxes are not subject to allocation under the Real Property Increment Allocation Redevelopment Act (Section 238.232).

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 (Section 2388.236).
STEPHEN WITTE

12/01/2009 Prefiled
01/06/2010 S First Read--SB 640-Wright-Jones (S72)
01/13/2010 Second Read and Referred S Transportation Committee (S114)
01/27/2010 Hearing Conducted S Transportation Committee

EFFECTIVE: August 28, 2010

*** SB 641 *** 3743S.01I

SENATE SPONSOR: Wright-Jones

SB 641 – This act requires charter schools to comply with laws and regulations that require the reporting of information by schools, governing boards, and school districts to the State Board of Education or Department of Elementary and Secondary Education.
MICHAEL RUFF

12/01/2009 Prefiled
01/06/2010 S First Read--SB 641-Wright-Jones (S73)
01/13/2010 Second Read and Referred S Education Committee (S114)
01/27/2010 Hearing Cancelled S Education Committee

EFFECTIVE: August 28, 2010

*** SB 642 *** 3319S.01I

SENATE SPONSOR: Wright-Jones

SB 642 - 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 report 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 such audit.
STEPHEN WITTE

12/01/2009 Prefiled
01/06/2010 S First Read--SB 642-Wright-Jones (S73)
01/13/2010 Second Read and Referred S Small Business, Insurance and Industry Committee (S114)

EFFECTIVE: August 28, 2010

*** SB 643 *** 3356S.02I

SENATE SPONSOR: Keaveny

SB 643 - As of August 28, 2010, the City of St. Louis may establish a municipal police force by ordinance. Any such ordinance shall provide for the employment of all current officers and employees at their current salaries in the newly established police force. Such persons shall also be entitled to all accrued benefits, including vacation time, sick leave, and health insurance. All former employees shall also remain eligible for their accrued benefits. The ordinance shall be consistent with any regulation concerning police residency adopted by the Board of Police Commissioners prior to adoption of the ordinance.

After the establishment of a municipal police force, the city may provide by ordinance for the number and ranks of police officers, compensation and benefits of such officers, and appointment, promotion, suspension,

demotion, or discharge of police officers, including the police chief.

Immediately upon adopting an ordinance, the city shall file a certified copy with the Secretary of State. The current state statutes concerning the St. Louis police department shall expire upon the effective date of the establishment of a municipal police force by ordinance. The city shall provide notice of the establishment of the ordinance and expiration of such statutes to the Revisor of Statutes.

Any current police pension system for members of the St. Louis police department shall continued to be governed by state statute.

This act is similar to SB 486 (2007) and SB 785 (2008) and identical to HB 552 (2009).
SUSAN HENDERSON MOORE

12/01/2009 Prefiled
01/06/2010 S First Read--SB 643-Keaveny (S73)
01/13/2010 Second Read and Referred S General Laws Committee (S114)

EFFECTIVE: August 28, 2010

*** SB 644 *** 3322S.02I

SENATE SPONSOR: Shields

SB 644 - Under current law, the City of St. Joseph and Buchanan County are authorized to seek voter approval to impose a tax of no less than two nor more than eight percent per room per night, on charges for sleeping rooms paid by guests of hotels and motels. The proceeds from the tax must be used for funding the promotion of tourism and convention facilities. This act would permit the city and county to use the proceeds from the tax for capital expenditures incurred in funding the promotion of tourism and convention facilities.

The act also allows the City of St. Joseph and Buchanan County to contract with one another to share tax revenues for the purpose of promoting tourism and constructing, maintaining, and improving a convention center.
JASON ZAMKUS

12/01/2009 Prefiled
01/06/2010 S First Read--SB 644-Shields (S73)
01/13/2010 Second Read and Referred S Ways and Means Committee (S114)
02/03/2010 Hearing Scheduled S Ways and Means Committee

EFFECTIVE: August 28, 2010

*** SB 645 *** 3167S.01I

SENATE SPONSOR: Shields

SB 645 – 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 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 provides that the following committees and commissions shall expire on December 31, 2013: the Video Instructional Development and Education Opportunity Commission, and the Coordinating Council on Special Transportation.

This act is similar to SB 519 (2009), SCS/SB 385 (2007), and SCS/SB 1187 (2006).
JIM ERTLE

12/01/2009 Prefiled
01/06/2010 S First Read--SB 645-Shields (S73)

01/13/2010 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S114)

EFFECTIVE: August 28, 2010

*** SB 646 *** 3504S.01I

SENATE SPONSOR: Bray

SB 646 - 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) and SB 68 (2009).

SUSAN HENDERSON MOORE

12/01/2009 Prefiled
01/06/2010 S First Read--SB 646-Bray (S73)
01/13/2010 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S114)

EFFECTIVE: August 28, 2010

*** SB 647 *** 3528S.01I

SENATE SPONSOR: Bray

SB 647 - 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), SB 742 (2008), and SB

50 (2009).
CHRIS HOGERTY

12/01/2009 Prefiled
01/06/2010 S First Read--SB 647-Bray (S73)
01/13/2010 Second Read and Referred S Progress and Development Committee (S114)
02/03/2010 Hearing Scheduled S Progress and Development Committee

EFFECTIVE: August 28, 2010

*** SB 648 *** 3527S.01I

SENATE SPONSOR: Bray

SB 648 - 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.

This act is similar to HB 633 (2009), HB 687 (2009), SB 389 (2009), and SB 270 (2009).
CHRIS HOGERTY

12/01/2009 Prefiled
01/06/2010 S First Read--SB 648-Bray (S73)
01/13/2010 Second Read and Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S114)

EFFECTIVE: August 28, 2010

*** SB 649 *** 3207S.01I

SENATE SPONSOR: Days

SB 649 – This act requires the Governor to issue an annual proclamation designating March 12th as "Girl Scout Day."

This act is identical to HB 200 (2009).
JIM ERTLE

12/01/2009 Prefiled
01/06/2010 S First Read--SB 649-Days and Wright-Jones (S73)
01/13/2010 Second Read and Referred S Progress and Development Committee (S114)
01/27/2010 Hearing Conducted S Progress and Development Committee

EFFECTIVE: August 28, 2010

*** SB 650 *** 3746S.01I

SENATE SPONSOR: Days

SB 650 – This act provides that beginning on October 1, 2010, all obstetrical brachial plexus injuries occurring in a hospital or ambulatory surgical center during child birth shall be reported to the department of health and senior services. If a newborn is delivered in a place other than the facilities listed above, the physician or person who professionally undertakes the pediatric care of the infant shall also report all cases of obstetrical brachial plexus injuries to the department of health and senior services .

In addition, all such facilities or persons providing pediatric care shall provide parents of newborns diagnosed with the injury with educational materials provided by the department that:

- Communicate the importance of early evaluation and treatment of the injury;

- Identify where to obtain support, information and further resources associated with the injury; and
- Provide other information as prescribed by the department.

ADRIANE CROUSE

12/01/2009 Prefiled
01/06/2010 S First Read--SB 650-Days (S73)
01/13/2010 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S114)

EFFECTIVE: August 28, 2010

*** SB 651 *** 3768S.01I

SENATE SPONSOR: Days

SB 651 - 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, 2011.

This act is similar to SB 859 (2006), SB 37 (2007), SB 1251 (2008), SB 523 (2009), and SB 21 (2009).

CHRIS HOGERTY

12/01/2009 Prefiled
01/06/2010 S First Read--SB 651-Days, et al (S73)
01/13/2010 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S114)

EFFECTIVE: January 1, 2011

*** SB 652 *** 3533S.01I

SENATE SPONSOR: Ridgeway

SB 652 - This act provides that as of January 1, 2011, 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, 2010, 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.

This act is identical to SCS/SB 218 (2009).

ADRIANE CROUSE

12/01/2009 Prefiled
01/06/2010 S First Read--SB 652-Ridgeway (S74)
01/13/2010 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S114)

EFFECTIVE: January 1, 2011

*** SB 653 *** 3218S.01I

SENATE SPONSOR: Crowell

SB 653 - This act prohibits any person convicted of a felony sexual offense under Chapter 566, RSMo, against a victim less than seventeen years of age, from being allowed to participate in the one hundred twenty day "shock incarceration program" in the Department of Corrections and being granted probation upon

completion. Currently, only persons convicted of certain unclassified and Class A felony sexual offenses against children are prohibited from participating in the program and being granted probation upon completion.

This act is identical to SB 112 (2009).
SUSAN HENDERSON MOORE

12/01/2009 Prefiled
01/06/2010 S First Read--SB 653-Crowell (S74)
01/13/2010 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S115)
01/19/2010 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2010

*** SB 654 *** 3216S.01I

SENATE SPONSOR: Crowell

SB 654 - 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 2010, 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 85 (2009), Senate Bill 993 (2008) and House Bill 1886 (2008).
JASON ZAMKUS

12/01/2009 Prefiled
01/06/2010 S First Read--SB 654-Crowell (S74)
01/13/2010 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S115)

EFFECTIVE: August 28, 2010

*** SB 655 *** 3223S.01I

SENATE SPONSOR: Crowell

SB 655 - 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 of 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 from 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.

Persons registered with the Drug Enforcement Administration (DEA) to manufacture or distribute controlled substances shall maintain adequate security to guard against theft, but shall not otherwise be required to meet the physical security control requirements established by DEA regulation, for schedule III controlled substances containing pseudoephedrine.

This act is similar to SB 160 (2009).
SUSAN HENDERSON MOORE

12/01/2009 Prefiled
01/06/2010 S First Read--SB 655-Crowell (S74)
01/13/2010 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S115)

EFFECTIVE: August 28, 2010

*** SB 656 *** 3185S.01I

SENATE SPONSOR: Mayer

SB 656 - 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.

This act is similar to the perfected version of Senate Bill 266 (2009).
JASON ZAMKUS

12/01/2009 Prefiled
12/17/2009 Bill Withdrawn

EFFECTIVE: August 28, 2010

*** SB 657 *** 3569S.01I

SENATE SPONSOR: Mayer

SB 657 - This act designates a portion of State Highway 53 in Butler County from the city limits of Qulin to one mile south of the city limits as the "Johnny Lee Hays Memorial Highway".

This act is identical to HB 1061 (2009).
STEPHEN WITTE

12/01/2009 Prefiled
01/06/2010 S First Read--SB 657-Mayer (S74)
01/13/2010 Second Read and Referred S Transportation Committee (S115)

EFFECTIVE: August 28, 2010

*** SB 658 *** 3413S.01I

SENATE SPONSOR: Stouffer

SB 658 - This act creates a state and local sales tax exemption for sales of farm products made at farmers' markets.

This act is similar to Senate Bill 380 (2009).
JASON ZAMKUS

12/01/2009 Prefiled
01/06/2010 S First Read--SB 658-Stouffer and Keaveny (S74)
01/13/2010 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S115)

EFFECTIVE: August 28, 2010

*** SB 659 *** 3728S.01I

SENATE SPONSOR: Stouffer

SB 659 - This act exempts sales of nondomestic game birds for hunting and sales of feed for such birds from state and local sales and use tax.
JASON ZAMKUS

12/01/2009 Prefiled
01/06/2010 S First Read--SB 659-Stouffer (S74)
01/13/2010 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S115)

EFFECTIVE: August 28, 2010

*** SB 660 *** 3062S.02I

SENATE SPONSOR: Wilson

SB 660 - This act expands the crime of unlawful use of weapons to include the discharge of a firearm in the air for celebratory purposes in Kansas City.

This crime is a Class D felony.

This act is similar to SB 812 (2008) and SB 82 (2009).
SUSAN HENDERSON MOORE

12/01/2009 Prefiled
01/06/2010 S First Read--SB 660-Wilson (S74)
01/13/2010 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S115)

EFFECTIVE: August 28, 2010

*** SB 661 *** 3096S.01I

SENATE SPONSOR: Wilson

SB 661 - 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 identical to SCS/SB 61 (2009).

ADRIANE CROUSE

12/01/2009 Prefiled
01/06/2010 S First Read--SB 661-Wilson (S74)
01/13/2010 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S115)

EFFECTIVE: August 28, 2010

*** SB 662 *** 3072S.01I

SENATE SPONSOR: Wilson

SB 662 - 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, 2011, 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.

This act contains an emergency clause.

This act is similar to Senate Bill 490 (2009) and the Senate Committee Substitute for Senate Bill 242 (2007).

JASON ZAMKUS

12/01/2009 Prefiled
01/06/2010 S First Read--SB 662-Wilson (S74)
01/13/2010 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S115)

EFFECTIVE: Emergency Clause

*** SB 663 *** 3231S.01I

SENATE SPONSOR: Rupp

SB 663 - 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.

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 identical to SCS/SBs 65 & 43 (2009) and is similar to SCS/SBs 840 & 857 (2008), SS/SCS/SBs 49, 65, 210, 251 (2007) and SCS/HB 801 (2007).
ERIKA JAQUES

12/01/2009 Prefiled
01/06/2010 S First Read--SB 663-Rupp (S74)
01/13/2010 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S115)

EFFECTIVE: August 28, 2010

*** SB 664 *** 3291S.02I

SENATE SPONSOR: Rupp

SB 664 - 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.

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.

This act continues 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.

This act is similar to SB 63 (2009) and SB 201 (2009).
SUSAN HENDERSON MOORE

12/01/2009 Prefiled
01/06/2010 S First Read--SB 664-Rupp (S74)
01/13/2010 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S115)

EFFECTIVE: August 28, 2010

*** SB 665 *** 3324S.02I

SENATE SPONSOR: Rupp

SB 665 - This act gives public employees who serve in the National Guard or any reserve unit the option to use any combination of their accrued annual leave, compensatory time, paid military leave, or leave without pay during the period the employee is absent to perform military service.
EMILY KALMER

12/01/2009 Prefiled
01/06/2010 S First Read--SB 665-Rupp (S75)
01/13/2010 Second Read and Referred S Veterans' Affairs, Pensions and Urban Affairs Committee (S115)

EFFECTIVE: August 28, 2010

*** SB 666 *** 3305S.01I

SENATE SPONSOR: Shoemyer

SB 666 - 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, 2015.

This act is identical to SB 190 (2009) and similar to SB 848 (2008).
ADRIANE CROUSE

12/01/2009 Prefiled
01/06/2010 S First Read--SB 666-Shoemyer (S75)
01/13/2010 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S115)

EFFECTIVE: August 28, 2010

*** SB 667 *** 3281S.01I

SENATE SPONSOR: Shoemyer

SB 667 - 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 195 (2009) and SB 847 (2008) and similar to SB 68 (2007) and HB 1300 (2006).
ERIKA JAQUES

12/01/2009 Prefiled
01/06/2010 S First Read--SB 667-Shoemyer (S75)
01/13/2010 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S115)

EFFECTIVE: August 28, 2010

*** SB 668 *** 3084S.01I

SENATE SPONSOR: Justus

SB 668 - This act authorizes the City of Grandview to levy a transient guest tax on charges for sleeping rooms paid by guests of hotels and motels for the purpose of promoting tourism. The proposed tax must be submitted to the voters and shall not be greater than five percent per occupied room per night.

This act is identical to the introduced version of Senate Bill 165 (2009) and the Senate Committee Substitute for Senate Bill 1089 (2008).
JASON ZAMKUS

12/01/2009 Prefiled
01/06/2010 S First Read--SB 668-Justus (S75)
01/13/2010 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S115)
01/20/2010 Hearing Conducted S Jobs, Economic Development and Local Government Committee
01/27/2010 Voted Do Pass S Jobs, Economic Development and Local Government Committee - Consent

EFFECTIVE: August 28, 2010

*** SB 669 *** 3085S.01I

SENATE SPONSOR: Justus

SB 669 - This act 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 act is identical to the introduced version of Senate Bill 164 (2009).
JASON ZAMKUS

12/01/2009 Prefiled

01/06/2010 S First Read--SB 669-Justus (S75)
01/13/2010 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S115)
01/20/2010 Hearing Conducted S Jobs, Economic Development and Local Government Committee
01/27/2010 Voted Do Pass S Jobs, Economic Development and Local Government Committee - Consent

EFFECTIVE: August 28, 2010

*** SB 670 *** 3599S.01I

SENATE SPONSOR: Justus

SB 670 - This act requires the Jackson County Court to stay the sale of any tax parcel 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 must 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 approval of the sheriff's deed for such property, the circuit court will direct payment to the county collector of all principal land taxes already paid to the court. When granting a sheriff's deed, the court must 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 will 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 will 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 will recover, from the owner, an amount equal to that paid by the party.

This act is similar to Senate Bill 399 (2009).
JASON ZAMKUS

12/01/2009 Prefiled
01/06/2010 S First Read--SB 670-Justus (S75)
01/13/2010 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S115)
01/20/2010 Hearing Conducted S Jobs, Economic Development and Local Government Committee
01/27/2010 Voted Do Pass S Jobs, Economic Development and Local Government Committee - Consent

EFFECTIVE: August 28, 2010

*** SB 671 *** 3704S.01I

SENATE SPONSOR: Cunningham

SB 671 - 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.

This act is identical to Senate Bill 501 (2009).
JASON ZAMKUS

12/01/2009 Prefiled
01/06/2010 S First Read--SB 671-Cunningham (S75)
01/13/2010 Second Read and Referred S Ways and Means Committee (S115)

EFFECTIVE: Contingent

*** SB 672 *** 3636S.01I

SENATE SPONSOR: Cunningham

SB 672 – 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 identical to SB 515 (2009) and is substantially similar to HB 1223 (2007).
MICHAEL RUFF

12/01/2009 Prefiled
01/06/2010 S First Read--SB 672-Cunningham (S75)
01/13/2010 Second Read and Referred S Education Committee (S115)

EFFECTIVE: August 28, 2010

*** SB 673 *** 3229S.01I

SENATE SPONSOR: Pearce

SB 673 - This act creates the Office 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 office 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.

This act is similar to SB 465 (2009).
CHRIS HOGERTY

12/01/2009 Prefiled
01/06/2010 S First Read--SB 673-Pearce (S75)
01/13/2010 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S115)
02/01/2010 Hearing Scheduled S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2010

*** SB 674 *** 3318S.01I

SENATE SPONSOR: Wright-Jones

SB 674 - Gas, electric, water, heating, sewer and telephone companies are prohibited from requiring a deposit or other guarantee for continued service to any existing customer that has been late in paying the utility bill at least 5 times in a 12-month period when such customer has consistently made a monthly payment during the 12-month period of at least $100 or 25% of the total amount due.

The act does not apply to customers who owe more than $400 or to customers making payments as part of an established pay plan with the utility.

This act is similar to SCS/SB 474 (2009) and HB 2587 (2008).
ERIKA JAQUES

12/01/2009 Prefiled
01/06/2010 S First Read--SB 674-Wright-Jones (S75)
01/13/2010 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S115)

EFFECTIVE: August 28, 2010

*** SB 675 *** 3416S.01I

SENATE SPONSOR: Wright-Jones

SB 675 - As of August 28, 2010, the City of St. Louis may establish a municipal police force by ordinance. Any such ordinance shall provide for the employment of all current officers and employees at their current salaries in the newly established police force. Such persons shall also be entitled to all accrued benefits, including vacation time, sick leave, and health insurance. The ordinance shall be consistent with any regulation concerning police residency adopted by the Board of Police Commissioners prior to adoption of the ordinance.

After the establishment of a municipal police force, the city may provide by ordinance for the number and ranks of police officers, compensation and benefits of such officers, and appointment, promotion, suspension, demotion, or discharge of police officers, including the police chief.

Immediately upon adopting an ordinance, the city shall file a certified copy with the Secretary of State. The current state statutes concerning the St. Louis police department shall expire upon the effective date of the establishment of a municipal police force by ordinance. The city shall provide notice of the establishment of the ordinance and expiration of such statutes to the Revisor of Statutes.

Any current police pension system for members of the St. Louis police department shall continued to be governed by state statute.

This act is identical to SB 486 (2007), HB 552 (2009), and SB 785 (2008).
SUSAN HENDERSON MOORE

12/01/2009 Prefiled
01/06/2010 S First Read--SB 675-Wright-Jones (S75)
01/13/2010 Second Read and Referred S General Laws Committee (S115)

EFFECTIVE: August 28, 2010

*** SB 676 *** 3314S.01I

SENATE SPONSOR: Wright-Jones

SB 676 - 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 identical to SCS/SB 144 (2009) and similar to HB 1065 (2009) and to HB 2441 (2008).
ADRIANE CROUSE

12/01/2009 Prefiled
01/06/2010 S First Read--SB 676-Wright-Jones (S75)
01/13/2010 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S115)

EFFECTIVE: August 28, 2010

*** SB 677 *** 3531S.01I

SENATE SPONSOR: Bray

SB 677 - 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 identical to SB 185 (2009) and similar to SB 1080 (2008), SB 94 (2007), and SB 880 (2006).
ERIKA JAQUES

12/01/2009 Prefiled
01/06/2010 S First Read--SB 677-Bray (S76)
01/13/2010 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S115)

EFFECTIVE: August 28, 2010

*** SB 678 *** 3502S.01I

SENATE SPONSOR: Bray

SB 678 - 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.

This act is identical to SB 124 (2009).
STEPHEN WITTE

12/01/2009 Prefiled
01/06/2010 S First Read--SB 678-Bray (S76)
01/13/2010 Second Read and Referred S Transportation Committee (S115)

EFFECTIVE: August 28, 2010

*** SB 679 *** 3529S.01I

SENATE SPONSOR: Bray

SB 679 - 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), SB 797 (2008), and SB 70 (2009).
CHRIS HOGERTY

12/01/2009 Prefiled
01/06/2010 S First Read--SB 679-Bray (S76)
01/13/2010 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S115)

EFFECTIVE: August 28, 2010

*** SB 680 *** 3222S.01I

SENATE SPONSOR: Crowell

SB 680 - 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.

The act is identical to SB 462 (2009).
ERIKA JAQUES

12/01/2009 Prefiled
01/06/2010 S First Read--SB 680-Crowell (S76)
01/13/2010 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S115)
01/26/2010 Hearing Cancelled S Commerce, Consumer Protection, Energy and the Environment Committee

EFFECTIVE: August 28, 2010

*** SB 681 *** 3066S.01I

SENATE SPONSOR: Wilson

SB 681 - 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 Identical to Senate Bill 32 (2009) and similar to the provisions of Senate Bill 1012 (2008).
JASON ZAMKUS

12/01/2009 Prefiled
01/06/2010 S First Read--SB 681-Wilson (S76)
01/13/2010 Second Read and Referred S Ways and Means Committee (S115)

EFFECTIVE: Contingent

*** SB 682 *** 3452S.01I

SENATE SPONSOR: Wilson

SB 682 - 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 75 (2009) and Senate Bill 814 (2008).
JASON ZAMKUS

12/01/2009 Prefiled
01/06/2010 S First Read--SB 682-Wilson (S76)
01/13/2010 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S115)

EFFECTIVE: August 28, 2010

*** SB 683 *** 3071S.01I

SENATE SPONSOR: Wilson

SB 683 - 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 74 (2009), Senate Bill 989 (2008), and Senate Bill 1098 (2006).
JASON ZAMKUS

12/01/2009 Prefiled
01/06/2010 S First Read--SB 683-Wilson (S76)
01/19/2010 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S129)

EFFECTIVE: August 28, 2010

*** SB 684 *** 3335S.01I

SENATE SPONSOR: Rupp

SB 684 - This act corrects a technical error in an adoption statute that relates to the process for recognition of foreign adoption orders. The statute currently has a wrong reference to another statute.
ADRIANE CROUSE

12/01/2009 Prefiled
01/06/2010 S First Read--SB 684-Rupp (S76)
01/19/2010 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S129)

EFFECTIVE: August 28, 2010

*** SB 685 *** 3295S.01I

SENATE SPONSOR: Rupp

SB 685 - This act authorizes the director of the department of insurance to determine whether an insurance company is in a hazardous financial condition. Under the act, the director may deem any property or casualty insurance company which has any policy in force with a net retained risk that exceeds 10% of the company's capital and surplus to be in a hazardous financial condition. The act also sets forth twenty factors for the director to consider when determining whether an insurance company may be in hazardous financial condition. For example, the director may consider "adverse findings reported in financial condition and market conduct examination reports, audit reports, and actuarial opinions, reports or summaries" when determining whether the continued operation of the insurer may be hazardous to Missouri's policyholders, creditors, or the general public. If the director determines that the continued operation of an insurer may be hazardous to Missouri' policyholders, creditors or the general public, the director may issue an order requiring the insurer to take various actions. For instance, the director may require the insurer to reduce its total amount of present and potential liability for policy benefits by reinsurance, reduce its volume of business, increase its capital and surplus, or document the adequacy of premium rates in relation to the risks insured. Any insurer subject to an order from the director may request a hearing to review the order. The hearing shall be conducted in private unless the insurer requests a public hearing.

This act modifies Missouri's current risk-based capital for insurers model act (Sections 375.1250 to

375.1275). Under this act, the Department of Insurance may require a property and casualty insurer to take action if the company's risk based capital fails the National Association of Insurance Commissioners (NAIC) RBC trend test. The RBC trend test for property and casualty insurance companies is an additional circumstance that can trigger a company action level event with respect to property and casualty insurers. The proposed new circumstance is where the insurer has total adjusted capital which is greater than or equal to its Company Action Level RBC but less than the product of its Authorized Control Level RBC and 3.0 and triggers the trend test determined in accordance with the trend test calculation included in the property and casualty RBC instructions (Section 375.1255).
STEPHEN WITTE

12/01/2009 Prefiled
01/06/2010 S First Read--SB 685-Rupp (S76)
01/19/2010 Second Read and Referred S Small Business, Insurance and Industry Committee (S129)
01/26/2010 Hearing Conducted S Small Business, Insurance and Industry Committee

EFFECTIVE: August 28, 2010

*** SB 686 *** 3448S.01I

SENATE SPONSOR: Rupp

SB 686 - This act allows one change of hearing officer for each party to an appeal heard by the State Tax Commission. A party to an appeal need not show cause to receive a change of hearing officer, but must file a written application to disqualify the assigned hearing officer within thirty days of such assignment. Assignment of a hearing officer will be deemed to have occurred when the first scheduling order is issued by the commission and signed by the hearing officer assigned, unless otherwise stated in the order.
JASON ZAMKUS

12/01/2009 Prefiled
01/06/2010 S First Read--SB 686-Rupp (S76)
01/19/2010 Second Read and Referred S Ways and Means Committee (S129)
02/03/2010 Hearing Scheduled S Ways and Means Committee

EFFECTIVE: August 28, 2010

*** SB 687 *** 3767S.01I

SENATE SPONSOR: Wright-Jones

SB 687 - This act requires official motor vehicle inspection and emission stations to have liability insurance to cover any possible damages to a vehicle during an inspection.

This act is virtually identical to HB 2588 (2008).
STEPHEN WITTE

12/01/2009 Prefiled
01/06/2010 S First Read--SB 687-Wright-Jones (S76)
01/19/2010 Second Read and Referred S Transportation Committee (S129)
02/03/2010 Hearing Scheduled S Transportation Committee

EFFECTIVE: August 28, 2010

*** SB 688 *** 3719S.01I

SENATE SPONSOR: Wright-Jones

SB 688 – This act requires each public school district, charter school, private school and parochial school to provide to the Department of Elementary and Secondary Education information on the number of students enrolled, the age of each student enrolled, and the number of students in each grade level. Schools do not need to provide the name of an individual student or any other identifying information. This reporting must take place at the beginning and end of each school year. The parent, guardian, or other person responsible for a child enrolled in a home school must notify the chief school officer of the child's school district of residence that the child is enrolled in a home school. The name of the child or any other identifying information does not have to be provided.
MICHAEL RUFF

12/01/2009 Prefiled
01/06/2010 S First Read--SB 688-Wright-Jones (S76)

01/19/2010 Second Read and Referred S Education Committee (S129)
02/03/2010 Hearing Scheduled S Education Committee

EFFECTIVE: August 28, 2010

*** SB 689 *** 3309S.01I

SENATE SPONSOR: Wright-Jones

SB 689 - The act creates the Missouri Clean Energy Technology Center. The primary purpose of the Center shall be to: promote the creation of jobs in the clean energy field; promote research and workforce training in clean energy at Missouri's colleges and vo-tech schools; and stimulate a conducive business climate for clean energy-related businesses in Missouri.

The Center's offices shall be physically housed within the offices of the Department of Natural Resources but the Center shall be independently run by a 13-member board of directors. Six of the 13 members shall be appointed by the Governor, with two presidents of a Missouri college or university, one president of a community college, one engineer or scientist with clean energy knowledge, one venture capitalist with clean energy knowledge, and one CEO of a Missouri-based clean energy company. The other seven members of the board shall be the directors of the Departments of Natural Resources, Economic Development, and Labor and Industrial Relations, the president of the University of Missouri system, and the directors of the Missouri Alternative and Renewable Energy Technology Center (MARET Center), the Missouri Energy Initiative, and the Missouri Association for Workforce Development.

The board may employ staff and consultants as it determines necessary to fulfill its duties and the board has rulemaking authority. The board may accept, invest, and distribute funds as it determines appropriate to its mission.

The Center shall hold an application process for the investment of funds in research, workforce training, and job development in the clean energy field. The Center shall promote clean energy programs that encourage economic self-sufficiency for low and moderate income individuals and communities. The act allows the Center to establish the Missouri Hydrogen and Fuel Cell Institute and an Entrepreneurial Fellowship Program for existing entrepreneurs wanting to cross over into the clean energy field.

The act creates the Clean Energy Seed Grant program, the Green Jobs Initiative, and the Pathways out of Poverty Initiative. The act also requires the Center to conduct a study by February 1, 2012, of the clean energy sector in Missouri to investigate the current state of the sector and determine workforce needs in the future.

The act creates the Missouri Alternative and Clean Energy Investment Trust Fund, which shall be administered by the Center. An advisory board made up of 15 people appointed by the Governor with interest and experience in clean energy shall advise the Board of Directors on use of the fund. The act lists the approved uses of proceeds of the fund, which include making qualified investments in clean energy research and business development, making loans and grants available for such purposes, funding clean energy sector studies, and funding the administration of the Center. The General Assembly may annually appropriate up to $2 million to the Trust Fund.
ERIKA JAQUES

12/01/2009 Prefiled
01/06/2010 S First Read--SB 689-Wright-Jones (S77)
01/19/2010 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S129)

EFFECTIVE: August 28, 2010

*** SB 690 *** 3532S.01I

SENATE SPONSOR: Bray

SB 690 - 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 186 (2009) and SB 914 (2008).
ERIKA JAQUES

12/01/2009 Prefiled
01/06/2010 S First Read--SB 690-Bray (S77)
01/19/2010 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S129)

EFFECTIVE: August 28, 2010

*** SB 691 *** 3059S.01I

SENATE SPONSOR: Wilson

SB 691 - 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) and SB 80 (2009).
SUSAN HENDERSON MOORE

12/01/2009 Prefiled
01/06/2010 S First Read--SB 691-Wilson (S77)
01/19/2010 Second Read and Referred S Progress and Development Committee (S129)

EFFECTIVE: August 28, 2010

*** SB 692 *** 3055S.01I

SENATE SPONSOR: Wilson

SB 692 - 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) and SB 81 (2009).
SUSAN HENDERSON MOORE

12/01/2009 Prefiled
01/06/2010 S First Read--SB 692-Wilson (S77)
01/19/2010 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S129)
02/01/2010 Hearing Scheduled S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2010

*** SB 693 *** 3098S.01I

SENATE SPONSOR: Wilson

SB 693 - 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.

This act is identical to your SCS/SB 536 (2009).
ADRIANE CROUSE

12/01/2009 Prefiled
01/06/2010 S First Read--SB 693-Wilson (S77)
01/19/2010 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S129)
02/02/2010 Hearing Scheduled S Health, Mental Health, Seniors and Families Committee

EFFECTIVE: August 28, 2010

*** SB 694 *** 3315S.01I

SENATE SPONSOR: Wright-Jones

SB 694 - 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), SB 1083 (2008), and SB 145 (2009).

CHRIS HOGERTY

12/01/2009 Prefiled
01/06/2010 S First Read--SB 694-Wright-Jones (S77)
01/19/2010 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S129)

EFFECTIVE: August 28, 2010

*** SB 695 *** 3320S.01I

SENATE SPONSOR: Wright-Jones

SB 695 - This act allows elected officials to be excused from jury duty during their term of office.

This act is similar to SB 476 (2009) and HB 1091 (2006).

EMILY KALMER

12/01/2009 Prefiled
01/06/2010 S First Read--SB 695-Wright-Jones (S77)
01/19/2010 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S129)

EFFECTIVE: August 28, 2010

*** SB 696 *** 3683S.01I

SENATE SPONSOR: Wright-Jones

SB 696 - This act relates to pregnancy 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 papilloma virus. 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).

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, 2011, 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 identical to SB 1215 (2008) and HB 2272 (2008) and similar to SB 329 (2009).

ADRIANE CROUSE

12/01/2009 Prefiled
01/06/2010 S First Read--SB 696-Wright-Jones (S77)
01/19/2010 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S129)

EFFECTIVE: August 28, 2010

*** SB 697 *** 3769S.01I

SENATE SPONSOR: Wright-Jones

SB 697 - This act allows St. Louis City to charge a semiannual registration fee of not more than $600 to owners of certain vacant property. Currently, the registration fee cannot exceed $200.

This act is similar to SB 131 (2009).

SUSAN HENDERSON MOORE

12/01/2009 Prefiled
01/06/2010 S First Read--SB 697-Wright-Jones and Keaveny (S77)

01/19/2010 Second Read and Referred S Ways and Means Committee (S129)

EFFECTIVE: August 28, 2010

*** SB 698 *** 3189S.01I

SENATE SPONSOR: Griesheimer

SB 698 - 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
The originating and terminating intrastate switched exchange access rates charged by any ILEC (except rate-of-return regulated ILECs) must be at least 50% less after 5 years than they were at the beginning of the 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 is similar to SS/SCS/HCS/HB 495 (2009) and includes provisions similar to HB 898 (2009), HB 878 (2009), and SS/SCS/SB 555 (2009).
ERIKA JAQUES

12/02/2009 Prefiled
01/06/2010 S First Read--SB 698-Griesheimer (S77)
01/19/2010 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S129)
01/26/2010 Hearing Cancelled S Commerce, Consumer Protection, Energy and the Environment Committee
02/02/2010 Hearing Scheduled S Commerce, Consumer Protection, Energy and the Environment Committee

EFFECTIVE: August 28, 2010

*** SB 699 *** 3449S.02I

SENATE SPONSOR: Wilson

SB 699 - 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 up to six times. This act only allows for two renewals. Each renewal may not be made for a period exceeding the original loan period.

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.

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 each renewal, 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 similar to HB 1171 (2006), SB 975 (2006), SB 96 (2007), SB 744 (2008), HB 150 (2009), and SB 20 (2009).
CHRIS HOGERTY

12/03/2009 Prefiled
01/06/2010 S First Read--SB 699-Wilson (S77)
01/19/2010 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S129)

EFFECTIVE: August 28, 2010

*** SB 700 *** 3792S.01I

SENATE SPONSOR: Lager

SB 700 - This act 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 act is identical to the introduced version of Senate Bill 386 (2009).
JASON ZAMKUS

12/03/2009 Prefiled
01/06/2010 S First Read--SB 700-Lager (S77)
01/19/2010 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S129)
01/27/2010 Hearing Conducted S Jobs, Economic Development and Local Government Committee

EFFECTIVE: August 28, 2010

*** SB 701 *** 3228S.01I

SENATE SPONSOR: McKenna

SB 701 - Under current law, drivers who are 21 years of age or younger are prohibited from text messaging while operating a motor vehicle. Under this act, the text messaging ban is applied universally so that all drivers, regardless of age, are prohibited from text messaging while operating a motor vehicle.
STEPHEN WITTE

12/03/2009 Prefiled
01/06/2010 S First Read--SB 701-McKenna and Keaveny (S78)
01/19/2010 Second Read and Referred S Transportation Committee (S129)
01/27/2010 Hearing Conducted S Transportation Committee

EFFECTIVE: August 28, 2010

*** SB 702 *** 3857S.01I

SENATE SPONSOR: Schaefer

SB 702 - This act provides that the daily allowance reimbursement rate for senators and representatives shall be frozen for a period of two years beginning on the effective date of this act.

This act contains an emergency clause.
JIM ERTLE

12/03/2009 Prefiled
01/04/2010 Bill Withdrawn

EFFECTIVE: Emergency Clause

*** SB 703 *** 3354S.01I

SENATE SPONSOR: Vogel

SB 703 - 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 Identical to Senate Bill 187 (2009).
JASON ZAMKUS

12/08/2009 Prefiled
01/06/2010 S First Read--SB 703-Vogel (S78)
01/19/2010 Second Read and Referred S Ways and Means Committee (S129)
02/03/2010 Hearing Scheduled S Ways and Means Committee

EFFECTIVE: August 28, 2010

*** SB 704 *** 3855S.01I

SENATE SPONSOR: Griesheimer

SB 704 - Under this act, local regulations relating to billboard size, lighting, and spacing may be more restrictive than state law standards provided such local regulations are reasonable, allow for customary industry usage, and comply with the intent of state law. Local regulations may not have the intent or effect of prohibiting off-premise outdoor advertising structures on commercial or industrial property within 660 feet of federal aid primary or interstate highways. Local ordinances with such an intent or effect shall be invalid and unenforceable. If a court finds that a local regulation is prohibitive, unreasonable, or fails to allow for customary industry usage, then state standards regarding size, lighting, and spacing shall automatically apply in such areas until a valid local ordinance is adopted by the local zoning authority (Section 226.540).

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.
STEPHEN WITTE

12/08/2009 Prefiled
01/06/2010 S First Read--SB 704-Griesheimer (S78)
01/12/2010 Bill Withdrawn

EFFECTIVE: August 28, 2010

*** SB 705 *** 3860S.01I

SENATE SPONSOR: Griesheimer

SB 705 - 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.

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.

This act is similar to SCS/SB 299 (2009) and HB 2279 (2008).
ERIKA JAQUES

12/09/2009 Prefiled
01/06/2010 S First Read--SB 705-Griesheimer (S78)
01/19/2010 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S129)
01/26/2010 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee

EFFECTIVE: August 28, 2010

*** SB 706 *** 3646S.02I

SENATE SPONSOR: Rupp

SB 706 - This act requires the director of the Department of Insurance or a vendor under contract with the Department of Insurance, to review life insurance producer license examinations if, during a 12-month period beginning on September 1, the examinations show an overall pass rate of less than 70 percent for first-time examinees. The act requires the department to collect demographic information, including, race, gender, and national origin, from an individual taking a producer license examination. The act further requires the department to compile an annual report based on the examination review. The report must indicate whether there was any disparity in the pass rate based on demographic information. The act authorizes the director by rule to establish procedures as necessary to collect demographic information necessary to implement the act and ensure that a review is conducted and the resulting report is prepared. The act also requires the director to deliver the report to the Governor, the Lieutenant Governor, the President Pro tem and the Speaker of the House of Representatives not later than December 1 of each year.
STEPHEN WITTE

12/14/2009 Prefiled
01/06/2010 S First Read--SB 706-Rupp (S78)
01/19/2010 Second Read and Referred S Small Business, Insurance and Industry Committee (S129)

01/26/2010 Hearing Conducted S Small Business, Insurance and Industry Committee

EFFECTIVE: August 28, 2010

*** SB 707 *** 3827S.01I

SENATE SPONSOR: McKenna

SB 707 – 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, 2011, will be made special consultants as described in the act. From January 1, 2011 through January 1, 2016, 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, 2011, will be made special consultants as described in the act. From January 1, 2011, through January 1, 2016, 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 substantially similar to SB 198 (2009), SB 1042 (2008) and HCS/HB 661 (2007).
MICHAEL RUFF

12/14/2009 Prefiled
01/06/2010 S First Read--SB 707-McKenna (S78)
01/19/2010 Second Read and Referred S Veterans' Affairs, Pensions and Urban Affairs Committee (S130)

EFFECTIVE: August 28, 2010

*** SB 708 *** 3856S.01I

SENATE SPONSOR: McKenna

SB 708 - 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), SB 940 (2008), HB 333 (2009), HB 776 (2009), and SB 199 (2009).
CHRIS HOGERTY

12/14/2009 Prefiled
01/06/2010 S First Read--SB 708-McKenna (S78)
01/19/2010 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S130)

EFFECTIVE: August 28, 2010

*** SB 709 *** 3559S.02I

SENATE SPONSOR: Shoemyer

SB 709 - This act creates the Board of Auto Body Repair and sets out the requirements for membership on the board. This board licenses auto body repair facilities, excluding those that specialize in certain services, and licenses 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 an auto body repair facility will be considered to have the owners's permission to determine the amount of repairs and start work on the vehicle. The facility will be entitled to recover the cost and expenses from the vehicle owner incurred in that process. 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 he or she prepares or alters 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.

Physical damage appraisers, insurers, and other individuals are prohibited from adjusting or paying claims for repairs of vehicles at unlicensed auto body repair facilities and are required to report these unlicensed facilities to the board.

This act is similar to SB 397 (2009).

EMILY KALMER

12/15/2009 Prefiled
01/06/2010 S First Read--SB 709-Shoemyer (S78)
01/19/2010 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S130)

EFFECTIVE: August 28, 2010

*** SB 710 *** 3953S.01I

SENATE SPONSOR: Bray

SB 710 - This act modifies the law regarding medical malpractice, to wit, 383 malpractice associations.

PLAN OF OPERATION/FEASIBILITY STUDY - Under the act, any group desiring to provide malpractice insurance for its members shall file a plan of operation or feasibility study with the director (Section 383.015). The plan of operation or feasibility study shall detail the coverages, deductibles, coverage limits, rates and rating classification systems for the insurance the association intends to offer. The plan shall also include historical and expected loss experience, pro forma financial statements and projections, actuarial opinions regarding the association's solvency, and underwriting claim procedures (Section 383.015).

ASSOCIATION SURPLUS AND SOLVENCY REQUIREMENTS - This act requires 383 associations to maintain a policyholders' surplus of at least $100,000 and requires associations to deposit with the director of

the department of insurance cash, bonds or treasury notes in the amount of $100,000 (Section 383.020).

The act removes the prohibition on the Department of Insurance which precluded it from placing limitations on the amount of premium an association can write or on the amount of insurance or liability limit an association can provide. The act authorizes the director to require an association to submit a plan to restore its surplus to at least $100,000 (Section 383.035).

The act requires 383 associations to maintain a specified ratio of premiums written to surplus held. If an association fails to maintain the specified ratio, the director shall order the association to bring its ratio into compliance with the specified standards. If the association fails to comply with the ratio standards for two or more consecutive years, the director may take charge of the association in the same manner as a mutual casualty company (Section 383.036).

The act provides that medical malpractice insurers shall not issue policies in which the director finds, after notice and opportunity for a hearing and based upon competent and substantial evidence on the record as a whole that the base rates of the insurer are excessive, inadequate or unfairly discriminatory.

This act is substantially similar to SB 1098 (2008) and SB 512 (2007).
STEPHEN WITTE

12/17/2009 Prefiled
01/06/2010 S First Read--SB 710-Bray (S78)
01/19/2010 Second Read and Referred S Small Business, Insurance and Industry Committee (S130)

EFFECTIVE: August 28, 2010

*** SB 711 *** 3950S.01I

SENATE SPONSOR: Bray

SB 711 - 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.

The act contains a referendum clause.

The act is similar to Senate Bill 300 (2009).
JASON ZAMKUS

12/17/2009 Prefiled
01/06/2010 S First Read--SB 711-Bray (S78)
01/19/2010 Second Read and Referred S Ways and Means Committee (S130)

EFFECTIVE: Upon Voter Approval

*** SB 712 *** 4079S.01I

SENATE SPONSOR: Bray

SB 712 - 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, 2010, 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, 2011.

This act has an emergency clause.

This act is identical to SB 352 (2009).
ADRIANE CROUSE

12/17/2009 Prefiled
01/06/2010 S First Read--SB 712-Bray (S78)
01/19/2010 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S130)

EFFECTIVE: Emergency Clause

*** SB 713 *** 3074S.01I

SENATE SPONSOR: Mayer

SB 713 - 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. The act also provides that state appropriations to public library districts will not be affected by voluntary reductions in property tax levies, resulting from the enactment of a district sales tax, provided the proceeds from such sales tax equal or exceed the amount of the reduction in property tax revenue.

This act contains provisions which are similar to Senate Bill 266 (2009).
JASON ZAMKUS

12/21/2009 Prefiled
01/06/2010 S First Read--SB 713-Mayer (S78)
01/19/2010 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S130)
01/27/2010 Hearing Conducted S Jobs, Economic Development and Local Government Committee

EFFECTIVE: August 28, 2010

*** SB 714 *** 3598S.02I

SENATE SPONSOR: Crowell

SB 714 - This act allows the State Auditor to audit any state or local public employee retirement system every three years, unless the auditor is otherwise required by law to audit the system more frequently.
EMILY KALMER

12/22/2009 Prefiled
01/06/2010 S First Read--SB 714-Crowell (S79)
01/19/2010 Second Read and Referred S Veterans' Affairs, Pensions and Urban Affairs Committee (S130)

EFFECTIVE: August 28, 2010

*** SB 715 *** 3862S.01I

SENATE SPONSOR: Crowell

SB 715 – This act provides that on January 1, 2011, 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, 2011, the Board of Trustees of MCHCP shall investigate coordinating and purchasing health care benefit plans for employees and dependents of 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, 2012, the Board shall be the lead agency in coordinating and purchasing health care benefit plans for the employees and dependents of 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. This act also creates "MCHIE trust fund" to be used solely for the purposes related to the MCHIE.

The act contains an emergency clause.

This act is substantially similar to SB 553 (2009).
ADRIANE CROUSE

12/22/2009 Prefiled
01/06/2010 S First Read--SB 715-Crowell (S79)
01/19/2010 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S130)

EFFECTIVE: Emergency Clause

*** SB 716 *** 4074S.01I

SENATE SPONSOR: Goodman

SB 716 - This act allows the Department of Revenue to issue a special event motor vehicle auction license to an applicant for the purpose of auctioning motor vehicles if 90% or more of the vehicles are at least 10 years old or older. Auctions can be held for no more than three consecutive days, but no more than two times in a calendar year by the same licensee.

A report must be sent to the director within 10 days of the conclusion of the special event motor vehicle auction on a department-approved form specifying the make, model, year, and vehicle identification number of every vehicle included in the auction. Anyone violating this provision will be guilty of a Class A misdemeanor and will be charged a $500 administrative fee payable to the department for each vehicle auctioned in violation of this provision.

A special event motor vehicle auction will be considered a public motor vehicle auction for purposes of licensing and inspection of certain documents and odometer readings; however, the licensee will not be required to have a bona fide established place of business.

Applications to hold a special event motor vehicle auction must be received by the department at least 90 days prior to the event. Applicants must be registered to conduct business in this state, pay a licensing fee of $1,000, and be bonded or have an irrevocable letter of credit in the amount of $100,000. Applicants will be responsible for ensuring that a sales tax license or special event sales tax license is obtained if required.

The provisions of this act were contained in HB 979 (2009).
STEPHEN WITTE

12/22/2009 Prefiled
01/06/2010 S First Read--SB 716-Goodman (S79)
01/19/2010 Second Read and Referred S Transportation Committee (S130)
01/27/2010 Hearing Conducted S Transportation Committee

EFFECTIVE: August 28, 2010

*** SB 717 *** 4088S.01I

SENATE SPONSOR: Vogel

SB 717 - This act requires a no tax due statement as a prerequisite for issuance of any state or local business license. A no tax due statement will also be required in order to receive payments from the state legal defense fund. The director of the Department of Revenue may enter into agreements, with state agencies responsible for issuing business and occupation licenses, in which such agencies may submit the names of applicants for business and occupation licenses to be verified by the department of revenue as having no tax due. Tax delinquencies may result in suspension of business licenses.
JASON ZAMKUS

12/23/2009 Prefiled
01/06/2010 S First Read--SB 717-Vogel (S79)
01/19/2010 Second Read and Referred S General Laws Committee (S130)

EFFECTIVE: August 28, 2010

*** SB 718 *** 4092S.01I

SENATE SPONSOR: Crowell

SB 718 - 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. Beginning FY 2012, no MDFB infrastructure development fund tax credits can be issued unless a fiscal year allocation is made.

The act creates a procedure for the allocation of tax credit authorizations after June 30, 2011. Unless specifically allocated, no tax credits may be authorized after June 30, 2011. No later than October 1, 2010, the administering agency of each tax credit program, now or hereafter authorized by state law, must provide the House Budget Committee and the Senate Appropriations Committee with a request for tax credit allocation. Where Missouri law allows the issuance of tax credits to a recipient over the course of several years, such tax credit authorization must be allocated in the aggregate, and subsequent issuance of such tax credits will not be used in calculating any statutory limitation on the fiscal year authorization allocation of tax credits. Fiscal year allocations of tax credits must be made in the annual appropriations bill for public debt and specifically provide: the name of the tax credit program; the actual amount allocated for authorization; the administering agency for the program; and whether the amount is authorized for streaming tax credit issuance and the amount of streamed credits. Allocations for tax credits which remain unauthorized at the end of the fiscal year will expire on the last day of such fiscal year.
JASON ZAMKUS

12/23/2009 Prefiled
01/06/2010 S First Read--SB 718-Crowell (S79)
01/19/2010 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S130)

EFFECTIVE: August 28, 2010

*** SB 719 *** 4072S.01I

SENATE SPONSOR: Bray

SB 719 - 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) and SB 341 (2009).
CHRIS HOGERTY

12/28/2009 Prefiled
01/06/2010 S First Read--SB 719-Bray (S79)
01/19/2010 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S130)

EFFECTIVE: August 28, 2010

*** SB 720 *** 4114S.01I

SENATE SPONSOR: Bray

SB 720 - 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.

This act is identical to HB 642 (2009).
STEPHEN WITTE

12/28/2009 Prefiled
01/06/2010 S First Read--SB 720-Bray (S79)
01/19/2010 Second Read and Referred S Transportation Committee (S130)

EFFECTIVE: August 28, 2010

*** SB 721 *** 3192S.01I

SENATE SPONSOR: Nodler

SB 721 - This act requires travel clubs to demonstrate that they have at least $50,000 in liquid assets, rather than $250,000, on their registration statements with the Attorney General.
SUSAN HENDERSON MOORE

12/29/2009 Prefiled
01/06/2010 S First Read--SB 721-Nodler (S79)
01/19/2010 Second Read and Referred S General Laws Committee (S130)
01/21/2010 Re-referred S Small Business, Insurance and Industry Committee (S157)

EFFECTIVE: August 28, 2010

*** SB 722 *** 4172S.01I

SENATE SPONSOR: Bray

Sb 722 - This act establishes the Missouri Universal Health Assurance Program. The program is a publicly financed, statewide program that will provide comprehensive necessary health, mental health, and dental care services for Missouri residents. The Director of the Department of Health and Senior Services is required to divide the population of the state into six regional health planning and policy development districts. An advisory council of 9 members will be established for each district. The advisory councils will assist the board of governors of the program in creating an annual comprehensive state health care plan as well as developing a transportation plan for indigent, elderly, and disabled clients.

The program will be administered by a 23-member board of governors, of whom 14 members will be appointed by the Governor, with the advice and consent of the Senate. The directors of the departments of Social Services, Health and Senior Services, and Mental Health will be ex-officio members; and the board will include representation of minority and disabled individuals. The board will be responsible for monitoring expenditures, adopting rules, employing staff, and studying methods for incorporating institutional and long-term care benefits into the program. The board is also required to submit an annual report to the Speaker of the House of Representatives, the President Pro Tem of the Senate, and the Governor with recommendations for changes in health care laws. Prior to the implementation of the comprehensive plan, the board is required to appoint an advisory subcommittee of health care researchers and ethics experts and conduct public hearings. The comprehensive plan is required to seek and secure the delivery of the most cost-effective health care services.

Every person who is a resident of Missouri, regardless of pre-existing conditions, will be eligible to receive benefits for covered services. Individuals who are not residents but are employed in Missouri will be eligible to receive benefits. The board is required to request that the program be made available to federal employees and retirees while they are residents of Missouri. Certain health care services are excluded from coverage.

The act also establishes the Missouri Health Care Trust Fund which will be used to finance the program. Certain health care services are excluded from coverage. The program is required to pay the expenses of institutional providers of health care, and each provider is required to negotiate an annual budget with the program which will cover anticipated expenses. The program will reimburse independent providers of health care on a fee-for-service basis. Other insurers and employers may offer benefits that do not duplicate those offered by the program.

To finance the program, every Missouri resident is required to pay a health premium surcharge prorated based on the person's Missouri's adjusted gross income which will be collected by the Department of Revenue and deposited into the trust fund.

No later than 30 days after the effective date of the act, the Department of Social Services is required to apply to the United States Secretary of Health and Human Services for all health care program waivers that would enable the state to deposit federal funds into the Missouri Health Care Trust Fund. The department is also required to identify other federal funding sources.

The program will become effective April 1 of the year following the award of a waiver by the United States Department of Health and Human Services. Notice of the receipt of the waiver must be given to the Revisor of Statutes.

This act is identical to your HB 1164 (2009).
ADRIANE CROUSE

12/29/2009 Prefiled
01/06/2010 S First Read--SB 722-Bray (S79)
01/19/2010 Second Read and Referred S Small Business, Insurance and Industry Committee (S130)

EFFECTIVE: Contingent

*** SB 723 *** 3951S.01I

SENATE SPONSOR: Bray

SB 723 - This act imposes an assessment fee of $1.50 per square foot on certain outdoor advertising structures. The fee is not imposed on certain organizations (religious organizations, service organizations, veterans' organizations, and fraternal organizations)(such organizations are currently exempt from permit and inspection fees). The assessment fees shall be deposited in the state road fund and the commission shall keep a separate accounting of such fees. The fees shall be used to pay just compensation for the removal of lawfully existing billboards.
STEPHEN WITTE

12/29/2009 Prefiled
01/06/2010 S First Read--SB 723-Bray (S79)
01/19/2010 Second Read and Referred S Transportation Committee (S130)

EFFECTIVE: August 28, 2010

*** SB 724 *** 4163S.01I

SENATE SPONSOR: Griesheimer

SB 724 - This act modifies the Motor Vehicle Franchise Practices (MVFP) Act.

SECTION 407.812 - APPLICABILITY OF ACT
All motor vehicle franchise licenses and license renewals shall be issued under the modified MVFP act and all franchise agreements involving such licensed franchisors shall be subject to the modified provisions, or future provisions, regardless of the franchise's date of inception.

SECTION 407.813 - TRUST FUNDS
The act designates various types of funds or compensation sources received by either the franchisee (car

dealer) or franchisor (carmaker) as trust funds to be held for the purposes described.

SECTION 407.815 - DEFINITIONS
The act modifies several existing definitions and adds multiple new definitions.

SECTION 407.817 - ISSUING NEW FRANCHISES
The act modifies what is considered to be the relevant market area for a proposed new dealership or relocation of a dealership by including the areas identified in any existing franchise agreements for dealers of the same line-make.

Before a carmaker can issue a new franchise, existing law requires the carmaker to provide written notification to existing dealers of the same line-make in the affected market area. The act specifies what information must be contained in the notification.

Existing law exempts from the notification requirement a car dealership that has been closed within the previous year, if the dealership reopens within two miles of its former location. The act adds the criteria that the dealer franchise must be offered to the previous franchise owner.

Existing law requires the Administrative Hearing Commission (AHC) to take into account various factors into any decision it makes regarding determinations of whether it is prudent for a new dealer franchise to be located in a certain area. The act adds as factors the size of investments and financial obligations of existing similar car dealerships in the area and potential damage they may suffer as a result of the new or relocated dealership. The AHC must also compare the public benefit of increased competition to such potential damage.

SECTION 407.818 - DESIGNATION OF AREA OF RESPONSIBILITY
Any business entity seeking to issue a franchise to sell or lease vehicles in the state must be licensed under Chapter 301, RSMo. Within 30 days of this act's passage, any such licensed entity must designate in writing the "area of responsibility" for each of its franchises and must provide a copy of such to each car dealer franchise as well as the Department of Revenue. The business entity must also provide a copy of each of its franchise agreements to the Department of Revenue.

SECTION 407.819 - SUCCESSOR CARMAKERS
For a period of 5 years after a successor carmaker takes over the business operations of another carmaker, the successor carmaker shall not offer a franchise in the relevant market area, unless it first offers the franchise to a car dealer that had its franchise ended in the market area by the predecessor carmaker.

SECTION 407.822 - FRANCHISOR-FRANCHISEE PROVISIONS
Existing law allows any party seeking relief under the MVFP act to file an application for a hearing through the AHC. Instead of applying for a hearing, the act allows any party to file a complaint. The AHC must send a copy of the complaint to the party against whom the relief is sought. The act shortens the timeframe from 30 to 20 days, in which the respondent must file a response to the complaint.

Under existing law, carmakers must give at least 15 days notice for the termination of a franchise under certain circumstances. The act modifies the criteria for some of these circumstances: adding that an unauthorized transfer of ownership "must comprise more than 50% ownership"; any material misrepresentation by a car dealer must "substantially and adversely affect" the carmaker; certain bankruptcy proceedings "not vacated within 20 days"; and when a car dealer has not ceased an unlawful practice after having received a written 30-day warning from the carmaker.

The act shortens from 60 to 30 days, the time period in which a carmaker must provide notice to disapprove a sale or transfer of ownership by a car dealer or disapprove a designated family successor in ownership of a car dealer.

The act modifies and adds requirements to the required notice to be sent to car dealers from a carmaker under certain circumstances: modifying the window of time that it informs the car dealer that it has in which to file a complaint with the AHC (increases from 20 to 30 days) and informing the car dealer of its right to demand nonbinding mediation.

The act allows a car dealer to seek damages and legal costs from a carmaker in any legal proceeding against the carmaker in which the car dealer prevails.

The act allows a car dealer to make a written demand for mediation to its franchisor for any violation of the MVFP act. The act specifies procedures for the mediation process.

SECTION 407.825 - UNLAWFUL PRACTICES
Current law contains 18 practices considered to be unlawful for a carmaker to perform with regard to a franchisee. The act specifies that these practices are also considered unlawful if they are performed indirectly by a carmaker through any agent, affiliate, common entity or representative of the carmaker. The act makes numerous modifications to the existing unlawful practices and adds 27 additional unlawful practices. The 27 additional unlawful practices include provisions pertaining to: conditioning the awarding of a franchise to a car dealer's willingness to enter into a site control or exclusive use agreement; coercing or requiring a franchise to take actions that would cause it financial harm; discriminating between franchises of the same line-make; withholding or delaying services or payments to a franchise that the franchisor has agreed to provide; or establishing performance standards or plans that are unreasonable or unfair.

SECTION 407.828 - FRANCHISOR COMPENSATION TO FRANCHISEE PROCEDURES
The act modifies provisions pertaining to preparation, delivery and warranty service provided by a car dealer. The act requires the schedule of compensation developed by the franchisor to be submitted to the Department of Revenue. Franchisees must not be required to submit claims for payment any earlier than 90 days after the work was performed. Claims for payment must be paid by the franchisor within 15 days of their receipt. The act lists requirements for how the franchisee calculates its retail rate for parts, service, and labor. The act lists audit and documentation requirements.

SECTION 407.831 - INDEMNIFICATION
Franchisors must indemnify and hold harmless their franchisees from liability in the event a consumer files a lawsuit for the purchase of a damaged vehicle, when such vehicle was damaged prior to delivery of the vehicle to the car dealer and such damage was not disclosed in writing to the car dealer.

SECTION 407.833 - MODIFICATIONS TO FRANCHISES
Franchisors must give at least 90 days written notice of any proposed franchise modification that substantially and adversely affects the franchisee's right, obligations, or finances unless the modification is required by law. The act lists procedures in case of a dispute.

SECTION 407.835 - COURT ACTIONS
Franchisees may recover litigation expenses and are entitled to recover up to 3 times the amount of actual damages that a court finds they have sustained due to a violation of the MVFP act by a franchisor. Franchisors shall have the burden of proof that they acted in compliance with the MVFP act.
ERIKA JAQUES

12/31/2009	Prefiled
01/06/2010	S First Read--SB 724-Griesheimer (S79)
01/19/2010	Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S130)
02/02/2010	Hearing Scheduled S Commerce, Consumer Protection, Energy and the Environment Committee

EFFECTIVE: August 28, 2010

*** SB 725 *** 4143S.01I

SENATE SPONSOR: Rupp

SB 725 – 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 two years from the date of the administrative hearing decision. However, such person shall continue to receive benefits if such person successfully completes a substance abuse treatment program administered by the division of alcohol and drug abuse and does not test positive for illegal use of a controlled substance in the 6 month period beginning on the date the individual enters such treatment program. The individual shall receive benefits while in treatment.

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 602, SB 607, and SB 615 (2010).

ADRIANE CROUSE

12/31/2009 Prefiled
01/06/2010 S First Read--SB 725-Rupp (S79)
01/19/2010 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S130)
01/26/2010 Hearing Conducted S Health, Mental Health, Seniors and Families Committee

EFFECTIVE: August 28, 2010

*** SB 726 *** 3733S.01I

SENATE SPONSOR: Bray

SB 726 - This act creates a state and local sales and use tax exemption for admission fees and other charges paid for instruction, lessons, and classes in physical exercise or personal training such as Yoga, Tai Chi, and Qiyong, provided such instruction, lessons, or classes are not provided by health clubs, fitness centers, or spas.

JASON ZAMKUS

01/04/2010 Prefiled
01/06/2010 S First Read--SB 726-Bray (S80)
01/19/2010 Second Read and Referred S Ways and Means Committee (S130)

EFFECTIVE: August 28, 2010

*** SB 727 *** 4189S.01I

SENATE SPONSOR: Bray

SB 727 - 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 282 (2009) and SB 913 (2008) and similar to SB 123 (2007) and SB 1170

(2006).
ERIKA JAQUES

01/04/2010 Prefiled
01/06/2010 S First Read--SB 727-Bray (S80)
01/19/2010 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S130)

EFFECTIVE: August 28, 2010

*** SB 728 *** 3933S.01I

SENATE SPONSOR: Crowell

SB 728 - This act modifies every state tax credit program in existence, except for the senior citizen property tax credit, the homestead preservation tax credit, financial and insurance tax credits, the residential treatment agency tax credit, and the community college new job training and retention credits, by limiting the amount of tax credits available for authorization in each fiscal year beginning FY 2011 based upon an allocation made by enactment of the appropriation bill for public debt.

The act creates a procedure for the allocation of tax credit authorizations after June 30, 2011. Unless specifically allocated, no tax credits may be authorized after June 30, 2011. No later than October 1, 2010, the administering agency of each tax credit program, now or hereafter authorized by state law, must provide the House Budget Committee and the Senate Appropriations Committee with a request for tax credit allocation. Where Missouri law allows the issuance of tax credits to a recipient over the course of several years, such tax credit authorization must be allocated in the aggregate, and subsequent issuance of such tax credits will not be used in calculating any statutory limitation on the fiscal year authorization allocation of tax credits. Fiscal year allocations of tax credits must be made in the annual appropriations bill for public debt and specifically provide: the name of the tax credit program; the actual amount allocated for authorization; the administering agency for the program; and whether the amount is authorized for streaming tax credit issuance and the amount of streamed credits. Allocations for tax credits which remain unauthorized at the end of the fiscal year will expire on the last day of such fiscal year.

The act repeals the transportation development tax credit, loan guarantee fee tax credit, dry fire hydrant tax credit, and the qualified research expense tax credit.
JASON ZAMKUS

01/04/2010 Prefiled
01/06/2010 S First Read--SB 728-Crowell (S80)
01/19/2010 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S130)

EFFECTIVE: August 28, 2010

*** SB 729 *** 4025S.01I

SENATE SPONSOR: McKenna

SB 729 - This act creates the "Political Subdivision Construction Bidding Standards Act". Except for certain violations, this act does not apply to political subdivisions that have specific state or local competitive bidding requirements that are equivalent or stricter than the ones contained in this act. If a political subdivision is not covered by a specific federal, state, or local law that is equivalent or stricter in its requirements, it shall comply with the advertising and bidding requirements outlined in this act when soliciting bids and awarding contracts of $6,000 or more.

Contract for construction shall be advertised in advance of the acceptance of bids for a minimum of two days in an area newspaper, with the first ad appearing at least 30 days in advance of the stated deadline for acceptance of bids. For contracts for over $100,000, bids shall also be advertised by providing information to at least one organization which regularly provides information to construction contractors. Ads and solicitations must include the project name, submission deadline, and the time, date, and location of where the bids shall be received and opened.

Unless otherwise specified by law, a contract shall be awarded to the lowest and best bidder. 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.

Under no circumstances shall construction contracts for any political subdivision 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 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 section shall require acceptance of a bid which exceeds the amount estimated by the political subdivision for the contract. Also, political subdivisions may award contracts without competitive bidding when there is an immediate public danger, to prevent loss to property, or to prevent or restore essential public services. Under such circumstances, the political subdivision must produce a written public record documenting the need to contract without competitive bidding.
SUSAN HENDERSON MOORE

01/04/2010 Prefiled
01/06/2010 S First Read--SB 729-McKenna (S80)
01/19/2010 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S130)
01/27/2010 Hearing Conducted S Jobs, Economic Development and Local Government Committee

EFFECTIVE: August 28, 2010

*** SB 730 *** 4140S.01I

SENATE SPONSOR: Schaefer

SB 730 - This act provides that the daily allowance reimbursement rate for senators and representatives shall be frozen at the rate in effect on September 30, 2009 for a period of two years beginning on the effective date of this act.

This act contains an emergency clause.
JIM ERTLE

01/04/2010 Prefiled
01/06/2010 S First Read--SB 730-Schaefer, et al (S80)
01/19/2010 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S130)

EFFECTIVE: Emergency Clause

*** SB 731 *** 4075S.02I

SENATE SPONSOR: Crowell

SB 731 - This act allows circuit courts to use private probation services to supervise individuals who have committed a Class C or Class D felony at the discretion of the sentencing court. Currently, private entities can only be used to supervise individuals who are on probation for misdemeanor offenses. This act also increases the maximum amount per day that an offender can be required to pay for private probation services. The amount is increased from $50 to $65.
SUSAN HENDERSON MOORE

01/05/2010 Prefiled
01/06/2010 S First Read--SB 731-Crowell (S80)
01/19/2010 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S130)

EFFECTIVE: August 28, 2010

*** SB 732 *** 3334S.01I

SENATE SPONSOR: Cunningham

SB 732 – This act creates the Emily Brooker Higher Education Sunshine Act, which defines intellectual diversity for reporting purposes at public institutions of higher education. 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 beginning in 2011. 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 SB 499 (2009), HB 1315 (2008), SB 983 (2008) and is similar to HB 213 (2007).
MICHAEL RUFF

01/05/2010 Prefiled
01/06/2010 S First Read--SB 732-Cunningham (S80)
01/19/2010 Second Read and Referred S Education Committee (S130)

EFFECTIVE: August 28, 2010

*** SB 733 *** 3902S.01I

SENATE SPONSOR: Pearce

SB 733 – This act modifies the requirements for renewal awards through the Bright Flight Scholarship Program. 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 completing 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 40 (2009) and SS/SCS/SB 558 (2009).
MICHAEL RUFF

01/06/2010 S First Read--SB 733-Pearce (S81)
01/19/2010 Second Read and Referred S Education Committee (S130)

EFFECTIVE: August 28, 2010

*** SB 734 *** 3791S.01I

SENATE SPONSOR: Pearce

SB 734 – This act requires the Division of School Improvement within the Department of Elementary and Secondary Education to develop and coordinate a program to provide a fine arts education consultant at each Regional Professional Development Center.

Each fine arts consultant will have the following duties: act as a resource for school districts, as described in the act; work with school districts in staff development and curriculum issues related to fine arts education; collaborate with the regional office and regional personnel; coordinate services available from other entities involved in fine arts education and fine arts integration; assist and support local school districts in providing fine arts education; and contribute to the development and implementation of in-service training that responds to the needs of arts specialists and other educators for the needs of Missouri students in the fine arts.

This act is identical to HB 870 (2009).
MICHAEL RUFF

01/06/2010 S First Read--SB 734-Pearce (S81)
01/19/2010 Second Read and Referred S Education Committee (S130)
01/27/2010 Hearing Conducted S Education Committee

EFFECTIVE: August 28, 2010

*** SB 735 *** 3323S.01I

SENATE SPONSOR: Cunningham

SB 735 – This act requires public libraries, by January 1, 2011, 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 library board member, officer, or employee who violates this section is subject to a misdemeanor.

This act is substantially similar to SB 450 (2009).
MICHAEL RUFF

01/06/2010 S First Read--SB 735-Cunningham (S81)
01/19/2010 Second Read and Referred S General Laws Committee (S130)

EFFECTIVE: August 28, 2010

*** SB 736 *** 3560S.02I

SENATE SPONSOR: McKenna

SB 736 - 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 collector becomes a collector-treasurer, the collector treasurer shall assume all duties, compensation, and requirements of the collector-treasurer.

This act is similar to provisions contained in the Senate Committee Substitute #2 for House Committee Substitute for House Bill 148 (2009).
JASON ZAMKUS

01/06/2010 S First Read--SB 736-McKenna (S82)
01/19/2010 Second Read and Referred S Ways and Means Committee (S130)
01/21/2010 Re-referred S Jobs, Economic Development and Local Government Committee (S157)
02/03/2010 Hearing Scheduled S Jobs, Economic Development and Local Government Committee

EFFECTIVE: August 28, 2010

*** SB 737 *** 4180S.02I

SENATE SPONSOR: Days

SB 737 - The abandonment period of payroll checks is reduced from five years to one year beginning January 1, 2011.

Abandoned property turned over to the state listed in the name of a government entity or political subdivision may be made available as public information.
CHRIS HOGERTY

01/11/2010 S First Read--SB 737-Days (S91)
01/19/2010 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S130)
01/25/2010 Hearing Conducted S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: 8/28/2010 & 1/1/2011

*** SB 738 *** 4232S.01I

SENATE SPONSOR: Crowell

SB 738 - This act modifies procedures relating to infractions. An infraction shall not constitute a crime and shall not give rise to any disability or legal disadvantage based upon conviction. The judicial procedure followed for infractions shall be the same as that followed for misdemeanors.

Under this act, if a defendant fails to appear in court for an infraction or fails to respond to notice of an infraction from the Central Violations Bureau, the court may issue a default judgment for court costs and fines unless the court finds good cause or excusable neglect for the failure to appear. The default judgment, along with the amount of fines and costs imposed, shall be sent to the defendant by first class mail. The default judgment may be set aside for good cause if the defendant files a motion to have the judgement set aside within 30 days of the mailing. The judgement against the defendant shall include a fine and court costs authorized by law. Under any circumstance, a court may issue a warrant for failure to appear for any infraction violation.

These provisions shall become effective on January 1, 2012.

This act has an emergency clause.
SUSAN HENDERSON MOORE

01/11/2010 S First Read--SB 738-Crowell (S91)
01/19/2010 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S130)
01/19/2010 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: Varies

*** SB 739 *** 4274S.01I

SENATE SPONSOR: Lembke

SB 739 - 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 a provision of HCS/SB 386 (2009) & HB 416 (2009) and SB 284 (2009).
SUSAN HENDERSON MOORE

01/11/2010 S First Read--SB 739-Lembke (S91)
01/19/2010 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S131)

EFFECTIVE: August 28, 2010

*** SB 740 *** 4235S.01I

SENATE SPONSOR: Lembke

SB 740 - This act exempts prosecuting attorneys, assistant prosecuting attorneys, circuit attorneys, and assistant circuit attorneys who have completed the firearms safety training course required to obtain a conceal carry endorsement, from certain otherwise unlawful uses of a weapon. Such acts include the general prohibition against carrying a concealed firearm without an endorsement, shooting into a dwelling, exhibiting a weapon in a threatening manner, discharging a firearm within 100 yards of a school, courthouse, or church,

discharging a firearm along a highway, carrying a firearm into a church or election precinct, discharging a firearm at or from a vehicle at a person, and carrying a firearm into a school.

This exemption is identical to the exception for peace officers, jailers, members of the military, members of the judiciary, persons executing process, probation and parole officers, corporate security advisors, and coroners.

This act is identical to HB 1308 (2010).
SUSAN HENDERSON MOORE

01/11/2010 S First Read--SB 740-Lembke (S91)
01/19/2010 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S131)
02/01/2010 Hearing Scheduled S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2010

*** SB 741 *** 4346S.01I

SENATE SPONSOR: Griesheimer

SB 741 - 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), a provision of SS/SCS/HB 376 (2009) and SB 122 (2009).
SUSAN HENDERSON MOORE

01/11/2010 S First Read--SB 741-Griesheimer (S91)
01/19/2010 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S131)

EFFECTIVE: August 28, 2010

*** SB 742 *** 3306S.01I

SENATE SPONSOR: Shoemyer

SB 742 - 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 identical to SB 170 (2009).
ADRIANE CROUSE

01/12/2010 S First Read--SB 742-Shoemyer (S101)
01/19/2010 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S131)

EFFECTIVE: August 28, 2010

*** SB 743 *** 3292S.01I

SENATE SPONSOR: Shoemyer

SB 743 - 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 is similar to Senate Bill 168 (2009) and the perfected version of Senate Bill 822 (2008).
JASON ZAMKUS

01/12/2010 S First Read--SB 743-Shoemyer (S101-102)
01/19/2010 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S131)
01/27/2010 Hearing Conducted S Jobs, Economic Development and Local Government Committee

EFFECTIVE: August 28, 2010

*** SB 744 *** 3474S.01I

SENATE SPONSOR: Pearce

SB 744 - Under this act, each health carrier must provide coverage for the diagnosis and treatment of eating disorders beginning January 1, 2011. Under the terms of the act, health carriers shall not deny eligibility or continued eligibility to an individual to enroll or renew coverage under the terms of the plan solely for the purpose of avoiding the requirements of the act or deny coverage for treatment of eating disorders, including coverage for residential treatment of eating disorders, if such treatment is medically necessary in accordance with the Practice Guidelines for the Treatment of Patients with Eating Disorders.

Under the act, health carriers shall not provide monetary payments, rebates, or other benefits to individuals to encourage such individuals to accept less than the minimum protections available under the act. In addition, a health carrier shall not penalize or otherwise reduce or limit the reimbursement of a health care provider because such provider provided care to a beneficiary in accordance with this act.

The eating disorder health insurance mandate requires the insurer to provide access to psychiatric and medical treatment under the plan and provide coverage for integrated care and treatments as prescribed by medical and psychiatric health care professionals, including but not limited to nutrition counseling, physical therapy, dietician services, medical monitoring, and psychiatric monitoring.

Nothing in the act shall be construed as requiring a health carrier to provide coverage of mental illness.

The act also requires the Department of Mental Health, in collaboration with the departments of Health

and Senior Services and Social Services, to provide diagnosis and treatment services for any resident of this state who does not have insurance coverage for the diagnosis and treatment of eating disorders or is in need of financial assistance to pay for the diagnosis and treatment of an eating disorder. Such eating disorder care shall be provided at eating disorder specialty units, private facilities, and state-operated facilities that have licensed eating disorder specialists on staff.

The act establishes within the Department of Mental Health the "Missouri Eating Disorder Council" which shall consist of the following persons to be selected by and the number of members to be determined by the director of the department of mental health:

(1) Director's designees from the department of mental health;
(2) Eating disorder researchers, clinicians, and patient advocacy groups; and
(3) The general public.

The number of members on the council is determined by director of the department of mental health. The act sets forth the members' terms and how the council must conduct their meetings.

Under the act, the council has the power to oversee the eating disorder education and awareness programs established by the act. The council is also empowered to identify whether adequate treatment and diagnostic services are available in the state.

Under the act, the Department of Mental Health, in collaboration with the departments of Health and Senior Services, Elementary and Secondary Education, and Higher Education and in consultation with the Missouri eating disorder council, must develop and implement certain education and awareness programs which are delineated in the act.

The provisions contained in this act are similar to ones contained in SB 463 and HB 519 (2009).
STEPHEN WITTE

01/12/2010 S First Read--SB 744-Pearce (S102)
01/19/2010 Second Read and Referred S Small Business, Insurance and Industry Committee (S131)

EFFECTIVE: August 28, 2010

*** SB 745 *** 4337S.01I

SENATE SPONSOR: Bray

SB 745 - By August 28, 2011, the Department of Natural Resources must establish the Missouri Uniform Building Energy Code, which are statewide energy standards for building construction and renovation. The standards must conform with the American Society of Heating, Refrigerating and Air-Conditioning Engineers' (ASHRAE) Standard 90.1 and the International Energy Conservation Code (IECC).

All buildings constructed or renovated in Missouri must comply with the Missouri Uniform Building Energy Code. Local governments must adopt the code within 120 days of its development or within 120 days of any update to the code. Local governments may enact energy requirements that are more stringent than the statewide requirements. Municipalities that issue building permits, or that have building inspectors, are responsible for ensuring compliance with the act. In areas of the state where no building permits are issued, designers and builders must submit a certification to the Department of Natural Resources ensuring compliance with the act and the Department may inspect buildings in those areas. Work may be stopped and occupancy permits may be revoked for buildings not found by the Department to be in compliance with the act.

The Department of Natural Resources must review the Missouri Uniform Building Energy Code within 9 months of any updates to the ASHRAE 90.1 or IECC standards, or at least once every 3 years, and must keep the Missouri Energy Code updated. The Department must also coordinate training on the code requirements for local governments, building inspectors, designers and builders and must conduct public information efforts for residential and commercial users. The Department may charge a fee for its costs to administer the act's provisions.
ERIKA JAQUES

01/12/2010 S First Read--SB 745-Bray (S102)
01/19/2010 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S131)

EFFECTIVE: August 28, 2010

*** SB 746 *** 4394S.01I

SENATE SPONSOR: Griesheimer

SB 746 - 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.
STEPHEN WITTE

01/12/2010 S First Read--SB 746-Griesheimer (S102)
01/19/2010 Second Read and Referred S Transportation Committee (S131)

EFFECTIVE: August 28, 2010

*** SB 747 *** 4141S.03I

SENATE SPONSOR: Rupp

SB 747 - Under current law, health insurance policies are barred from providing coverage for elective abortions except through optional riders. This act extends this prohibition to health insurance policies offered through any health insurance exchange established in this state or any federal health insurance exchange administered within this state. In addition, no health insurance exchange operating within this state may offer coverage for elective abortions through the purchase of an optional rider.
STEPHEN WITTE

01/12/2010 S First Read--SB 747-Rupp, et al (S102)
01/19/2010 Second Read and Referred S Small Business, Insurance and Industry Committee (S131)

EFFECTIVE: August 28, 2010

*** SB 748 *** 4353S.01I

SENATE SPONSOR: Rupp

SB 748 - Under this act, an uninsured motorist waives his or her ability to have a cause of action or otherwise collect for noneconomic damages against a driver who is in compliance with Chapter 303 due to a motor vehicle accident in which the insured driver is alleged to be at fault.

For purposes of the act, an uninsured motorists includes an uninsured driver who is the owner of the vehicle, an uninsured permissive driver of a vehicle, and any uninsured non-permissive driver.

The mandatory waiver of noneconomic damages imposed by the act shall not apply in cases where the accident was caused by a driver who was operating the vehicle under the influence of alcohol or drugs, or

who is convicted of involuntary manslaughter or assault in the second degree.

The waiver of noneconomic damages shall not apply in instances where his or her insurance policy was nonrenewed or cancelled for nonpayment, unless the driver had received notice from the insurance company at least 6 months days prior to time of the accident.

In legal actions against a person who is in compliance with Missouri's financial responsibility laws, the person who has waived his or her rights under the act shall have his or her award reduced by the amount representing noneconomic damages. The jury shall not be informed of the effect of the waiver on the person's total amount of recovery.

Passengers in an uninsured motor vehicle are not subject to the noneconomic recovery limitations set forth in the act (section 303.390).

This provision is similar to the one contained in SCS/SB 335 & 16 (2009).
STEPHEN WITTE

01/12/2010 S First Read--SB 748-Rupp (S102)
01/19/2010 Second Read and Referred S Small Business, Insurance and Industry Committee (S131)
02/02/2010 Hearing Scheduled S Small Business, Insurance and Industry Committee

EFFECTIVE: August 28, 2010

*** SB 749 *** 3989S.01I

SENATE SPONSOR: Rupp

SB 749 - This act requires that by October 1, 2010, 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.

This act is similar to SB 533 (2009).
EMILY KALMER

01/12/2010 S First Read--SB 749-Rupp (S102)
01/19/2010 Second Read and Referred S Veterans' Affairs, Pensions and Urban Affairs Committee (S131)

EFFECTIVE: August 28, 2010

*** SB 750 *** 3447S.01I

SENATE SPONSOR: Rupp

SB 750 - This act prohibits motor vehicle dealers from selling or leasing motor vehicles that do not comply with Missouri's tinted window law. The motor vehicle dealer shall certify, on a form prescribed by the director, that every motor vehicle sold by the motor vehicle dealer complies with this section at the time of the sale. The motor vehicle dealer shall issue the purchaser of the motor vehicle a copy of the certification at the time of the sale and shall keep one copy for the motor vehicle dealer's records.
STEPHEN WITTE

01/12/2010 S First Read--SB 750-Rupp (S102)
01/19/2010 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S131)

EFFECTIVE: August 28, 2010

*** SB 751 *** 4395S.01I

SENATE SPONSOR: Lembke

SB 751 - This act designates a portion of Lindbergh Boulevard in St. Louis County as "Dave Sinclair Boulevard".
STEPHEN WITTE

01/12/2010 S First Read--SB 751-Lembke (S102)
01/19/2010 Second Read and Referred S Transportation Committee (S131)

EFFECTIVE: August 28, 2010

*** SB 752 *** 4352S.01I

SENATE SPONSOR: Lembke

SB 752 - This act allows for a special license plate designated "LEGION OF MERIT" and bearing an image of the legion of merit metal for any person who has been awarded this military service award. To obtain the special license plate, a person must make application, furnish proof as a recipient of the Legion of Merit Medal, and pay a $15 fee to the Department of Revenue in addition to the registration fee and any other documents required by law.

This act is identical to HB 107 (2009).
STEPHEN WITTE

01/12/2010 S First Read--SB 752-Lembke (S102)
01/19/2010 Second Read and Referred S Transportation Committee (S131)

EFFECTIVE: August 28, 2010

*** SB 753 *** 4340S.01I

SENATE SPONSOR: Dempsey

SB 753 - This act allows county commissions that serve as trustees of funds for cemeteries to invest these funds in certificates of deposit.
EMILY KALMER

01/12/2010 S First Read--SB 753-Dempsey (S102)
01/19/2010 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S131)
01/27/2010 Hearing Conducted S Jobs, Economic Development and Local Government Committee

EFFECTIVE: August 28, 2010

*** SB 754 *** 3900S.02I

SENATE SPONSOR: Dempsey

SB 754 - This act 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.

Currently, cemetery operators are required to correct deficiencies in the funding of endowed care trust funds. This act 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 that serves as the trustee of an endowed care trust be located in Missouri is removed. Cemetery operators must maintain the name and address of the trustee and records custodian and supply the office with this information upon request. 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 twenty days prior to 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.

Sellers of 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, 2010, 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 80% of 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.

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 SB 416 (2009).
EMILY KALMER

01/12/2010 S First Read--SB 754-Dempsey (S102-103)
01/19/2010 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S131)
02/03/2010 Hearing Scheduled S Jobs, Economic Development and Local Government Committee

EFFECTIVE: August 28, 2010

*** SB 755 *** 4406S.01I

SENATE SPONSOR: Griesheimer

SB 755 - This act modifies the recently passed transportation development sales tax language contained in Section 238.235.

In 2009 (HB 191), the General Assembly modified Section 238.235 so that the Department of Revenue would collect the sales taxes imposed by transportation development districts rather than allowing the districts to collect the taxes themselves. The sales tax collection provisions were patterned after the provisions contained in Section 238.236 which already require the Department of Revenue to collect sales taxes in transportation development districts formed in whole counties or cities. This act will make the recently enacted Section 238.235 more consistent with Section 238.236 (effective date of sales tax, notice requirements, applicability of sales tax laws, investment of sale tax revenues, creation of fund, refunding of erroneous payments and repeal of sales tax) and will also give the Department of Revenue a one percent cost of collection fee for collecting and distributing the transportation development district sales tax. Under current law, the Department of Revenue already receives a one percent collection fee for collecting and distributing the sales tax in other types of transportation development districts.
STEPHEN WITTE

01/13/2010 S First Read--SB 755-Griesheimer (S110)
01/19/2010 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S131)

EFFECTIVE: August 28, 2010

*** SB 756 *** 3952S.01I

SENATE SPONSOR: Bray

SB 756 - This act allows third and fourth class cities and villages 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.

This act also allows political subdivisions and special districts to notify the public about election information on their website rather than printing it in the paper. They may also provide the information in a newsletter if one exists.

This act is similar to a provision of the perfected version of SS/SCS/HB 376 (2009).
SUSAN HENDERSON MOORE

01/13/2010 S First Read--SB 756-Bray (S110)
01/19/2010 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S131)

EFFECTIVE: August 28, 2010

*** SB 757 *** 4331S.01I

SENATE SPONSOR: Rupp

SB 757 - This act establishes the Joint Committee on Recovery Accountability and Transparency 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 four members of the senate and four 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, receive regular testimony from the State Auditor, review audits from the State Auditor, and review the number of jobs created in the state using these funds. The committee is required to report annually to the Governor and General Assembly. The committee also has the power to subpoena witnesses. The committee will end March 1, 2013.

This act requires the Governor to submit a daily report of all amounts withheld from the state's operating budget. This report will be posted on the Missouri Accountability Portal.

This act is similar to SCS/HB 544 (2009) and SB 568 (2009).
EMILY KALMER

01/13/2010 S First Read--SB 757-Rupp (S110)
01/19/2010 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S131)

EFFECTIVE: August 28, 2010

*** SB 758 *** 4397S.01I

SENATE SPONSOR: Rupp

SB 758 - This act requires notes, bonds, and other instruments in writing issued by the bi-state development agency to mature not more than forty years from the date of issuance, rather than thirty years.
SUSAN HENDERSON MOORE

01/13/2010 S First Read--SB 758-Rupp and Keaveny (S110)
01/19/2010 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S131)
02/01/2010 Hearing Scheduled S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2010

*** SB 759 *** 4112S.01I

SENATE SPONSOR: Green

SB 759 - 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), SB 1137 (2008), and SB 92 (2009).
CHRIS HOGERTY

01/13/2010 S First Read--SB 759-Green and Keaveny (S110-111)
01/19/2010 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S131)

EFFECTIVE: August 28, 2010

*** SB 760 *** 4111S.02I

SENATE SPONSOR: Green

SB 760 - This act allows the Secretary of State to regulate variable annuities as securities.

This act is similar to HB 846 (2005), and SB 907 (2006).
CHRIS HOGERTY

01/13/2010 S First Read--SB 760-Green and Keaveny (S111)
01/19/2010 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S131)

EFFECTIVE: August 28, 2010

*** SB 761 *** 4313S.01I

SENATE SPONSOR: Green

SB 761 - This act removes a provision exempting police, deputy sheriffs, Missouri State Highway patrolmen, Missouri National Guard and teachers from collective bargaining under the public sector labor law.

This act amends the public sector labor law to require the public body and the exclusive bargaining representative to bargain in good faith to reach an amicable agreement.

Currently, the results of discussions are reduced to writing for adoption, modification, or rejection. This act removes the modification option. Tentative bargaining agreements shall be ratified pursuant to the ratification process established by the exclusive bargaining representative.

This act is similar to SB 486 (2009), HB 1001 (2009), SB 473 (2009), and HB 1159 (2009).
CHRIS HOGERTY

01/13/2010 S First Read--SB 761-Green (S111)
01/19/2010 Second Read and Referred S Small Business, Insurance and Industry Committee (S131)

EFFECTIVE: August 28, 2010

*** SB 762 *** 3196S.02I

SENATE SPONSOR: Green

SB 762 - This act imposes various regulations (hours of operation, driver alcohol and drug testing, review and maintenance of driving records, maintenance and repair standards on transport vehicles, liability insurance standards, etc.) on contract carriers that transport railroad employees.

DRIVER QUALIFICATION FILE - Under the terms of this act, a contract carrier must maintain a driver qualification file for each driver it employs. The act sets forth what the driver qualification file must include. For example, the file must include a certificate of physical examination conducted by a physician every 2 years that certifies the physical ability of the driver to operate a commercial motor vehicle and any documentation related to the driver's violation of motor vehicle laws or ordinances

DRIVER DISQUALIFICATIONS BASED UPON DRIVING RECORD - Under the terms of the act, a driver shall be disqualified from driving for a contract carrier if the driver has committed two or more serious traffic violations within a three-year period. The act defines what constitutes a serious traffic violation.

HOURS OF OPERATION -Under this act, contract carriers shall not allow drivers to be on duty for more than 10 hours after eight consecutive hours off duty; 15 hours of combined on-duty time and drive time since last obtaining eight consecutive hours of off-duty time; or for more than 70 hours of on-duty time in a period of eight consecutive days. Contract carriers must keep accurate reports of drivers on-duty and off-duty time periods for at least six months.

ALCOHOL AND DRUG TESTING - Before any driver performs any duties for the contract carrier, the driver must undergo testing for alcohol and controlled substances as provided under federal regulations. A driver is disqualified to drive if the individual fails certain drug and alcohol testing requirements; refuses to provide a specimen for an alcohol test result or controlled substances test result or both; or submits an adulterated specimen, a dilute positive specimen, or a substituted specimen on an alcohol test result or the controlled substances test result that is performed. A common carrier or the employer must maintain records of the alcohol testing and controlled substances testing of drivers for a period of five years. Contract carrier must conduct drug and alcohol testing on drivers involved in certain types of accidents and submit the results to the Department of Transportation.

MOTOR VEHICLE INSPECTIONS - If a contract carrier uses a commercial motor vehicle for passenger transportation, the contract carrier shall perform an inspection on the commercial motor vehicle and its components at least one time in every twelve-month period in compliance with federal rules. Under the act, a drivers must complete a written motor vehicle report upon completion of each day's work on the motor vehicle that the driver operated.

MAINTENANCE AND REPAIR - Under the act, a contract carrier must establish a maintenance and repair program. A contract carrier's maintenance and repair program must include checking parts and accessories for safety and proper operation at all times and overall cleanliness of the motor vehicle. The act sets forth what the motor vehicle must have (spare tire, emergency road kit, first aid kit, etc.). A contract carrier must maintain records for its maintenance and repair program for each motor vehicle. The records must be maintained by the contract carrier at its place of business for one year. If the motor vehicle leaves the contract carrier's control, the records shall be maintained by the contract carrier at its place of business for six months.

ACCESS TO FACILITIES AND RECORDS - Contract carriers must allow employees of the Missouri department of transportation access to their facilities and records to determine compliance with the act.

INSURANCE - The act requires each contract carrier to obtain and maintain an insurance policy of $5,000,000 for each motor vehicle that transports railroad employees.

CIVIL PENALTIES - Under the act, any person, corporation, or entity who violates any provision of the act shall be subject to a civil penalty in an amount of not more than two thousand dollars for each offense or violation.

RULEMAKING AUTHORITY - The act authorizes the Missouri highways and transportation commission to promulgate rules and regulations to implement and administer the provisions of the act.

EMERGENCY CLAUSE - The act contains an emergency clause.
STEPHEN WITTE

01/13/2010 S First Read--SB 762-Green (S111)
01/19/2010 Second Read and Referred S Transportation Committee (S131)

EFFECTIVE: Emergency Clause

SENATE SPONSOR: Green

SB 763 - Under existing law, a residential property owner must not be charged a stormwater fee from the Metropolitan St. Louis Sewer District if the property owner does not receive sanitary sewer service from the district and if stormwater from the property does not drain to a sewer maintained by the district. The act adds criteria for when stormwater is considered to drain to a sewer maintained by the district: if it drains to a pipe or improved waterway within 50 feet of the property line, or if the stormwater is carried to a pipe or improved waterway via a street, sidewalk, or concrete swale.
ERIKA JAQUES

01/13/2010 S First Read--SB 763-Green and Cunningham (S111)
01/19/2010 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S131)

EFFECTIVE: August 28, 2010

*** SB 764 *** 3233S.03I

SENATE SPONSOR: Green

SB 764 - This act establishes crane safety standards and requires employers to register with the Department of Labor and Industrial Relations every two years and pay a fee. The Department of Labor and Industrial Relations has the authority to promulgate rules to carry out this act.

The director of the Department of Labor and Industrial Relations shall designate crane operators, signal persons, riggers (individuals who attach loads to cranes), and crane operator trainees as safety sensitive positions. Employers who employ these individuals are required to have a drug and alcohol free workplace and substance abuse policy. These policies must include certain mandatory drug testing, prohibition on employees working while under the influence of alcohol, drugs, or a controlled substance, and a prohibition on the use, possession, or manufacture of any unlawful drug or use of alcohol while at work.

Employers are required to ensure that individuals who operate cranes meet training requirements, pass a written test, demonstrate proficiency in operating the specific type of crane, pass a practical skills examination, and demonstrate specific knowledge of crane operations, or an employer may accept a crane operator certification from certain national certification programs. Crane operators must also provide medical documentation to their employer and pass a substance abuse test. Employers must ensure crane operators are tested every five years.

Crane operator trainees may be allowed to operate cranes if they: are under the direct supervision of a crane operator, demonstrate a basic understanding of crane operations or complete an approved operating engineer apprenticeship program, complete a medical examination, and successfully pass a drug test.

Individuals who provide hand or verbal signals to control crane operations are required to have certain knowledge or be certified by certain national programs.

Employers are required to ensure that all the hardware, equipment and means used to safely attach a load to a crane (i.e. rigging) are used in accordance with manufacturer limitations and requirements and individuals who rig loads with hardware and equipment used to attach a load to a crane (i.e. riggers) have received training appropriate to the level of work they perform. Riggers are categorized as "level I riggers", "level II riggers", and "master/lead riggers" depending on their years of experience. The different levels of riggers are required to meet different training requirements, or an employer may accept certifications from certain national certification programs. Riggers must receive refresher training under certain circumstances and successfully pass a drug test.

Employers are required to a ensure that an initial inspection is done of all new and altered cranes and that daily and annual inspections are also conducted. Employers are required to maintain inspection and maintenance records and make all records available to the director or the director's representative for review.

Before a tower crane or supporting structure is built or modified, employers are required to ensure that a qualified person determines the appropriate and safe method to build the tower crane for that site. Written instructions and a list of the weights of each subassembly are required to be maintained at the site. Building, dismantling, jumping, or reconfiguring a tower crane must be supervised by a master/lead rigger.

Daily job safety briefings for all people working on or around the crane are required in certain situations.

The master/lead rigger is required to discuss certain topics at the daily job safety briefings.

Written training records for each crane operator, signal person, rigger, and crane operator trainee must be maintained in the employer's principal office in Missouri for five years.

Master/lead riggers must directly supervise any special lifts and inspect the rigging used in special lifts. Employers must notify the director of the department of labor and industrial relations of certain information forty-eight hours prior to any special lift, or if not, within twenty-four hours after the special lift they must provide a written explanation of why they did not notify the director.

The director of the department is authorized to issue civil damages up to $200 for each violation of this act and seek injunctions to stop certain violations. Damages for violations of this act go to the Crane Safety Enforcement Fund.
EMILY KALMER

01/13/2010 S First Read--SB 764-Green (S111)
01/19/2010 Second Read and Referred S General Laws Committee (S131)

EFFECTIVE: August 28, 2010

*** SB 765 *** 3558S.01I

SENATE SPONSOR: Shoemyer

SB 765 - 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 twenty 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 make equity investments in 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.

No more than one million five hundred thousand dollars in tax credits can be issued annually for investments made to any one qualified Missouri business. If in any year, the number of claims for tax credits exceed the amount available the department will issue the tax credits on a pro rata basis to all applicants entitled to receive tax credits in that year. Any amount of tax credits which applicants are entitled to receive on an annual basis and are not issued due to the limitations will be carried forward for the benefit of the applicants to subsequent years. 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.

This act is similar to Senate Bill 193 (2009).
JASON ZAMKUS

01/13/2010 S First Read--SB 765-Shoemyer (S111)
01/19/2010 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S131)

EFFECTIVE: August 28, 2010

*** SB 766 *** 3530S.01I

SENATE SPONSOR: Shoemyer

SB 766 - 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.

The act is identical to SB 194 (2009).
ERIKA JAQUES

01/13/2010 S First Read--SB 766-Shoemyer (S111)
01/19/2010 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S131)

EFFECTIVE: August 28, 2010

*** SB 767 *** 3056S.01I

SENATE SPONSOR: Bartle

SB 767 - This act would allow all counties to use a certain court fee for courtroom renovation and technology enhancement. Currently, judges in Clay County, Jackson County, Greene County, St. Louis City, St. Louis County, and Platte County are restricted from using this fee for such purposes.
EMILY KALMER

01/13/2010 S First Read--SB 767-Bartle (S111)
01/19/2010 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S131)
02/01/2010 Hearing Scheduled S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2010

*** SB 768 *** 3134S.03I

SENATE SPONSOR: Bartle

SB 768 – This act repeals the requirement that certain school districts charge tuition to non-resident pupils who attend the school district and who are the children of teachers or employees of that school district. School boards may admit non-resident children of district teachers and employees and set a tuition fee, if any. In addition, this act repeals the prohibition on school boards charging tuition to teachers.
MICHAEL RUFF

01/13/2010 S First Read--SB 768-Bartle (S111)
01/19/2010 Second Read and Referred S Education Committee (S131)
02/03/2010 Hearing Scheduled S Education Committee

EFFECTIVE: August 28, 2010

*** SB 769 *** 3985S.01I

SENATE SPONSOR: Scott

SB 769 - 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 49 (2009) and Senate Bill 725 (2008).
JASON ZAMKUS

01/13/2010 S First Read--SB 769-Scott (S111)
01/19/2010 Second Read and Referred S Ways and Means Committee (S131)

EFFECTIVE: August 28, 2010

*** SB 770 *** 4349S.01I

SENATE SPONSOR: Scott

SB 770 - This act modifies the definition of "health benefit plan" and "health carrier", as those terms are used in the Health Insurance Code, to exclude coverage provided by supplemental insurance policies such as accident-only policies and specified disease policies.
STEPHEN WITTE

01/13/2010 S First Read--SB 770-Scott (S111)
01/19/2010 Second Read and Referred S Small Business, Insurance and Industry Committee (S131)
01/26/2010 Hearing Conducted S Small Business, Insurance and Industry Committee

EFFECTIVE: August 28, 2010

*** SB 771 *** 4347S.01I

SENATE SPONSOR: Scott

SB 771 - This act specifies that each bid from a bank to be the depositary for the county must be accompanied by a certified check for an amount equal to a certain percentage of the county general revenue, rather than all county revenue. Such check serves as guaranty of good faith that the required security will be provided.

This act also changes outdated references to "ex officio treasurer" to reflect the current term, "collector treasurer".
SUSAN HENDERSON MOORE

01/13/2010 S First Read--SB 771-Scott (S111-112)
01/19/2010 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S132)
01/25/2010 Hearing Conducted S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2010

*** SB 772 *** 3986S.01I

SENATE SPONSOR: Scott

SB 772 - Currently, the minimum time for holding investments in the Missouri higher education savings program is 12 months. The act removes that requirement.

This act is identical to SB 213 (2009).
CHRIS HOGERTY

01/13/2010 S First Read--SB 772-Scott (S112)
01/19/2010 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S132)
01/25/2010 Hearing Conducted S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2010

*** SB 773 *** 4190S.02I

SENATE SPONSOR: Dempsey

SB 773 - Agreements to operate or share automated teller machines shall not prohibit owners from charging access fees or surcharges to users with bank accounts in foreign countries.
CHRIS HOGERTY

01/13/2010 S First Read--SB 773-Dempsey (S112)

01/19/2010 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S132)
01/25/2010 Hearing Conducted S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2010

*** SB 774 *** 4370S.01I

SENATE SPONSOR: Lembke

SB 774 - This act creates the crime of endangering a Department of Mental Health employee, visitor or other person at a secured facility, or another person ordered to the department. A person ordered to the department as a sexually violent predator commits such act if he or she attempts to cause or knowingly causes any such individual to come into contact with blood, seminal fluid, urine, feces, or saliva. This crime is equivalent to the crime of endangerment by a criminal offender against a Department of Corrections employee, visitor, and other offender.

Such offense is a Class D felony unless the substance is unidentified, in which case it is a Class A misdemeanor. If the person is knowingly infected with HIV, Hepatitis B or C and exposes another person to such disease, by committing this crime, it is a Class C felony.

This act adds additional criminal offenses, which if a person has committed, disqualifies him or her from being employed in a direct-care position with the Department of Mental Health.
SUSAN HENDERSON MOORE

01/13/2010 S First Read--SB 774-Lembke (S112)
01/19/2010 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S132)

EFFECTIVE: August 28, 2010

*** SB 775 *** 3948S.02I

SENATE SPONSOR: Days

SB 775 – This act modifies the elementary and secondary education funding formula by adding an additional weight for gifted education. "Gifted Education Pupil Count" is defined 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. The definition of "weighted average daily attendance" is modified by including in the calculation the product of .25 multiplied by the number of the district's gifted education pupil count beginning on July 1, 2012.

This act is identical to provisions contained in SCS/SBs 453 & 24 (2009) and similar to provisions contained in SB 831 (2008).
MICHAEL RUFF

01/14/2010 S First Read--SB 775-Days (S120)
01/19/2010 Second Read and Referred S Education Committee (S132)

EFFECTIVE: August 28, 2010

*** SB 776 *** 4078S.01I

SENATE SPONSOR: Days

SB 776 - This act requires that at least two of the three commissioners appointed by the court in condemnation proceedings be either a licensed real estate broker, or a licensed or certified real estate appraiser.
EMILY KALMER

01/14/2010 S First Read--SB 776-Days (S120)
01/19/2010 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S132)

EFFECTIVE: August 28, 2010

*** SB 777 *** 3576S.03I

SENATE SPONSOR: Pearce

SB 777 - This act specifically authorizes the sale of deficiency waiver addendums and guaranteed asset protection products with respect to certain consumer loans, second mortgage loans, and retail credit sales provided such products are purchased as part of a loan transaction with collateral, at the borrower's consent, and the cost of the product is disclosed in the loan contract. The borrower's consent to the purchase of the product shall be in writing and acknowledge receipt of the required disclosures by the borrower (Sections 408.140, 408.233, and 408.300). Each deficiency waiver addendum, guaranteed asset protection, or other similar product must provide that in the event of termination of the product prior to the scheduled maturity date of the indebtedness, any refund of an amount paid by the debtor for such product shall be paid or credited promptly to the debtor. No refund of less than $1 need be made. The formula to be used in computing the refund shall be the pro rata method. The act also provides consumers a free look period with respect to deficiency waiver addendums and guaranteed asset protection products. A debtor may cancel the product within 15 days of its purchase and shall receive a complete refund or credit of premium. This right shall be set forth in the loan contract, or by separate written disclosure. This right shall be disclosed at the time the debt is incurred in ten-point type and in a manner reasonably calculated to inform the debtor of this right (Section 408.380).

Some of the provisions of this act are contained in the truly agreed to version of SB 243 (2009).
STEPHEN WITTE

01/14/2010 S First Read--SB 777-Pearce (S120)
01/19/2010 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S132)
01/25/2010 Hearing Conducted S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2010

*** SB 778 *** 4404S.01I

SENATE SPONSOR: Pearce

SB 778 – Current law provides that the boards of governors of certain state institutions of higher education may convey or transfer the title to certain real property without authorization from the General Assembly until August 28, 2011. This act removes this expiration date. This act also updates the name of the University of Central Missouri to reflect the name change authorized by its board of governors.

This act is substantially similar to HB 1494 (2010).
MICHAEL RUFF

01/14/2010 S First Read--SB 778-Pearce (S121)
01/19/2010 Second Read and Referred S General Laws Committee (S132)
01/26/2010 Hearing Conducted S General Laws Committee

EFFECTIVE: August 28, 2010

*** SB 779 *** 3561S.02I

SENATE SPONSOR: Bartle

SB 779 - This act modifies provisions relating to the DNA Profiling System.

SECTION 488.5050
Currently, funds collected from a certain court surcharge are deposited into the DNA Profiling Analysis Fund; however, if during the previous fiscal year, the state's general revenue did not increase by 2% or more, the state treasurer shall deposit such money into the state general revenue fund. Under this section, the money from the court surcharge would be deposited into the DNA Profiling Analysis Fund regardless of the state's general revenue from the previous year. The section also specifies that money from the fund shall only be used by the Highway Patrol.

SECTION 650.055
This section requires adults arrested for any sexual offense under Chapter 566, rather than only those arrested of a felony offense under such chapter, to be DNA tested. Persons arrested for robbery shall also be DNA tested. It also specifies that sexual offenders, who are currently required to be DNA tested, must do so at the time of registration.

This section states that a person, received from any agency of another state, must submit to DNA testing if he or she committed a felony in any other jurisdiction, rather than an "equivalent" offense for which one must submit to testing in this state.

Currently, the Highway Patrol is required to expunge DNA records upon receiving a court order. This section specifies that the patrol is responsible for all records in the state DNA database. Prior to expunging a record the highway patrol must determine if the person has other qualifying arrests or offenses that would require a DNA sample to be taken. Under this section, the highway patrol shall have 90 days to determine whether the sample should be expunged.

Currently, when a person has been DNA tested and the charges are later withdrawn, the case dismissed, a finding of no probable cause is made by the court, or the defendant is found not guilty, the highway patrol shall have 30 days from the date of notice to expunge the DNA sample record. This act requires expungement within 90 days.

This act contains an emergency clause for certain provisions.
SUSAN HENDERSON MOORE

01/14/2010 S First Read--SB 779-Bartle (S121)
01/19/2010 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S132)
02/01/2010 Hearing Scheduled S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: Emergency Clause

*** SB 780 *** 3175S.03I

SENATE SPONSOR: Bartle

SB 780 - This act makes refusing to submit to chemical testing a separate criminal offense equivalent to a first-time DWI, with the penalty being a Class B misdemeanor.

This act removes the provision requiring a DWI arrest without a warrant to occur within 90 minutes after the alleged violation occurred.
SUSAN HENDERSON MOORE

01/14/2010 S First Read--SB 780-Bartle (S121)
01/19/2010 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S132)
02/01/2010 Hearing Scheduled S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2010

*** SB 781 *** 4466S.01I

SENATE SPONSOR: McKenna

SB 781 - This act modifies various provisions relating to the regulation of motor vehicles.

The act makes technical modifications to the terms "scrap processor" and "vanpool" as used in Chapter 301 (Section 301.010 and 301.218).

Under this act, a fleet owner of at least 50 fleet vehicles may apply for fleet license plates bearing a company name or logo. Under current law, any fleet owner could apply these types of plates regardless of how many fleet vehicles he or she owned (Section 301.032).

This act places additional restrictions on the use of driveaway license plates. Under this act, driveaway license plates shall only be used by owners, corporate officers, or employees of the business to which the plates were issued. Under the act, an applicant for a driveaway plate must provide certain information such as the business name, address, and driver license number. The applicant must provide proof of financial responsibility. In addition, the applicant must provide a picture of his or her place of business. The applicant must maintain a landline telephone at his or her place of business during the registration period. The act makes the use of a revoked driveaway license plate a misdemeanor (Section 301.069).

This act restricts the issuance of titles on reconstructed motor vehicles to 3 per calendar year. This limitation shall not apply to licensed franchised motor vehicle dealers, licensed salvage body shops or rebuilders, and wrecker and towing services (Section 301.190).

This act removes the salvage title exclusion from the requirement of a seller to notify the Department of Revenue within 30 days of a sale. Thus, a seller of a motor vehicle with a salvage title must notify the department (Section 301.196).

This act prohibits entities financing motor vehicle dealers from holding titles to the motor vehicles financed as security. Any entity that finances or establishes a line of credit that enables a motor vehicle dealer to purchase vehicles, and who holds or prohibits a motor vehicle dealer from holding, any title as part of that financing shall be guilty of a Class A misdemeanor. A second or subsequent offense shall be a class D felony (Section 301.200).

Under this act, motor vehicle dealers and public garage operators must maintain a record of a vehicle's VIN number, odometer settings and other information for a period of 5 years (current law is 3 years). Under this act, any person who makes a false statement in a monthly sales report to the Department of Revenue is guilty of a Class A misdemeanor (Section 301.280).

This act requires every application for a motor vehicle franchise dealer shall include an annual certification that the applicant has a bona fide established place of business. The current law only requires this certification for the first 3 years and only for every other year thereafter (Section 301.560).

The act also makes technical changes to various sections contained in Chapter 301 (Section 301.562 and Section 301.567).

Under this act, a second or subsequent violation of operating as a motor vehicle dealer without a license is a Class D felony (Section 301.570).

This act allows the Department of Revenue to revoke a dealer license when the director determines that the dealer's place of business is uninhabited or abandoned (Section 301.571).

This act allows the Department of Revenue to issue a special event motor vehicle auction license to an applicant for the purpose of auctioning motor vehicles if 90% or more of the vehicles are at least 10 years old or older. Auctions can be held for no more than three consecutive days, but no more than two times in a calendar year by the same licensee.

A report must be sent to the director within 10 days of the conclusion of the special event motor vehicle auction on a department-approved form specifying the make, model, year, and vehicle identification number of every vehicle included in the auction. Anyone violating this provision will be guilty of a Class A misdemeanor and will be charged a $500 administrative fee payable to the department for each vehicle auctioned in violation of this provision.

A special event motor vehicle auction will be considered a public motor vehicle auction for purposes of licensing and inspection of certain documents and odometer readings; however, the licensee will not be required to have a bona fide established place of business.

Applications to hold a special event motor vehicle auction must be received by the department at least 90 days prior to the event. Applicants must be registered to conduct business in this state, pay a licensing fee of $1,000, and be bonded or have an irrevocable letter of credit in the amount of $100,000. Applicants will be responsible for ensuring that a sales tax license or special event sales tax license is obtained if required. The special event motor vehicle auction license provision is contained in SB 716 (2010) and HB 979 (2009) (section 301.580).
STEPHEN WITTE

01/14/2010 S First Read--SB 781-McKenna (S121)
01/19/2010 Second Read and Referred S Transportation Committee (S132)
01/27/2010 Hearing Conducted S Transportation Committee

EFFECTIVE: August 28, 2010

*** SB 782 *** 4468S.01I

SENATE SPONSOR: McKenna

SB 782 - This act allows the Department of Revenue to send certain statutory notices by electronic mail if the recipient has provided his or her electronic mail address to the Department and has consented to the

receipt of notifications through the electronic mail address provided.
STEPHEN WITTE

01/14/2010 S First Read--SB 782-McKenna (S121)
01/19/2010 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S132)
01/25/2010 Hearing Conducted S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2010

*** SB 783 *** 3086S.01I

SENATE SPONSOR: Justus

SB 783 – 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 in Missouri for at least two years as of the date the individual graduated from high school or received 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, 2010, or upon the Governor's signature, whichever occurs later.

This act is substantially similar to SB 331 (2009) and similar to SB 1109 (2004).
MICHAEL RUFF

01/14/2010 S First Read--SB 783-Justus (S121)
01/19/2010 Second Read and Referred S Education Committee (S132)

EFFECTIVE: July 1 2010

*** SB 784 *** 3987S.02I

SENATE SPONSOR: Schaefer

SB 784 – 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 for academic year 2010-2011 through academic year 2013-2014. In addition, this act adds new financial assistance amounts for the 2014-2015 academic year and beyond. A student attending an institution classified as part of the public two-year sector will be eligible for $1,250 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.

This act is similar to SB 390 (2009) and HB 792 (2009).
MICHAEL RUFF

01/14/2010 S First Read--SB 784-Schaefer and Pearce (S121)
01/19/2010 Second Read and Referred S Education Committee (S132)

EFFECTIVE: August 28, 2010

*** SB 785 *** 4188S.02I

SENATE SPONSOR: Schaefer

SB 785 - The act requires the Public Service Commission (PSC) to create within the Universal Service Fund (USF) a dedicated funding mechanism for high-cost service provision to be called the Missouri High-Cost Support Mechanism. Funds in the mechanism shall be used to offset the loss of revenue that will result from the act's required reduction of intrastate exchange access charges for certain incumbent local exchange providers. The PSC must determine the amount of funding necessary to be directed into the mechanism.

The act requires voice over Internet protocol (VOIP) and commercial mobile radio service providers to pay assessments into the USF. Existing law specifies the method and amount by which a PSC rate-regulated phone company can recover the cost of the USF assessments from its customers. The act removes the language specifying the method and amount and simply allows such companies to recover the full amount of the assessment from their retail customers. The act adds 2 criteria for a company to be eligible for high-cost support through the USF: the company is not charging a rate for essential services that is higher than the "benchmark" rate to be set by the PSC; and the company is in compliance with the act's high-cost support mechanism provisions.

The PSC must hold a formal proceeding to begin no later than October 1, 2010, in which it must determine which telecommunications companies are eligible to receive high-cost support payments from the mechanism.

The act requires incumbent local exchange providers with more than 25,000 access lines in Missouri on January 1, 2010, to eliminate the carrier common line portion of their intrastate exchange access rates by the time the PSC gets the mechanism established, or 30 days after the PSC's proceeding closes, whichever is later. These companies are authorized to increase their residential basic local rates in amounts specified in the act. Payments through the high-cost support mechanism to these companies must be calculated as specified.

The PSC shall review the need for the high-cost support mechanism not more than once every 5 years.
ERIKA JAQUES

01/14/2010 S First Read--SB 785-Schaefer (S121)
01/19/2010 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S132)
01/26/2010 Hearing Cancelled S Commerce, Consumer Protection, Energy and the Environment Committee
02/02/2010 Hearing Scheduled S Commerce, Consumer Protection, Energy and the Environment Committee

EFFECTIVE: August 28, 2010

*** SB 786 *** 4398S.01I

SENATE SPONSOR: Rupp

SB 786 - Under this act, every health benefit plan that is issued in this state that provides coverage for cancer chemotherapy treatment must provide coverage for a prescribed, orally administered anticancer medication used to kill or slow the growth of cancerous cells on a basis no less favorable than intravenously administered or injected cancer medications that are covered under the health benefit plan.
STEPHEN WITTE

01/14/2010 S First Read--SB 786-Rupp (S121)
01/19/2010 Second Read and Referred S Small Business, Insurance and Industry Committee (S132)
02/02/2010 Hearing Scheduled S Small Business, Insurance and Industry Committee

EFFECTIVE: August 28, 2010

*** SB 787 *** 4148S.02I

SENATE SPONSOR: Rupp

SB 787 - This act modifies the process for appealing a decision of the Department of Public Safety regarding a crime victims' compensation fund claim.

Currently, an aggrieved person files a petition with the division of workers' compensation to have a decision heard de novo by an administrative law judge. Any party aggrieved by the decision of the administrative law judge may file a petition with the labor and industrial relations commission to appeal such decision. Finally, any party aggrieved by the commission's decision may appeal to the court of appeals.

Under this act, an aggrieved person may file a petition with the director of the Department of Public Safety to have the original decision of the department staff heard de novo. Any party aggrieved by the decision of the director may file a petition with the Administrative Hearing Commission. The decision of the Administrative Hearing Commission can then be appealed to circuit court.
SUSAN HENDERSON MOORE

01/14/2010 S First Read--SB 787-Rupp (S121)
01/19/2010 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S132)

EFFECTIVE: August 28, 2010

*** SB 788 *** 4401S.01I

SENATE SPONSOR: Lembke

SB 788 – This act establishes the "Students First Interscholastic Athletics Act." It is the intent of the General Assembly that every student of high school age has the opportunity to participate in interscholastic athletics, including students enrolled in public school, private school, the Missouri Virtual Instruction Program, or a home school, regardless of background and education program. Any student of high school age will have the right to seek to participate in interscholastic athletics through his or her school. If the school does not offer athletics, the student will be able to participate through his or her school district of residence.

Each school that offers interscholastic athletics must identify by July 1 the athletic programs it will provide and the approximate number of athletes who may participate at any time.

This act contains eligibility requirements for student athletes.

Nothing in this act may be construed as requiring a school to allow all students to participate in athletics. Schools will have discretion as to which students may participate on a team, based on ability. In addition, no school may discriminate against a student seeking to participate in interscholastic athletics based on the student's choice of education program.
MICHAEL RUFF

01/19/2010 S First Read--SB 788-Lembke (S126)
01/25/2010 Second Read and Referred S Education Committee (S166)

EFFECTIVE: August 28, 2010

*** SB 789 *** 3701S.02I

SENATE SPONSOR: Shoemyer

SB 789 - This act modifies provisions of the new generation cooperative tax credit program to allow ten percent of the tax credits available under the program to be offered for early-stage market feasibility projects. Any eligible new generation processing entity which fails to incur capital costs within five years of the first tax credit offering for its early-stage marketing feasibility project will be required to repay an amount equal to all tax credits issued to producer members for the project.
JASON ZAMKUS

01/19/2010 S First Read--SB 789-Shoemyer and Barnitz (S126-127)
01/25/2010 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S166)

EFFECTIVE: August 28, 2010

*** SB 790 *** 3089S.03I

SENATE SPONSOR: Shoemyer

SB 790 - This act provides that certain personally identifiable information that is contained in a voluntary registry of persons with health-related ailments created by a public governmental body to assist such individuals in the case of a disaster or emergency shall not be considered a public record under the state's Sunshine Law. Nothing in the act shall authorize the body to prevent the disclosure of such records to a law enforcement agency or other public body that provides emergency services pursuant to a lawful request by such agency or body.
JIM ERTLE

01/19/2010 S First Read--SB 790-Shoemyer (S127)
01/25/2010 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S166)

EFFECTIVE: August 28, 2010

*** SB 791 *** 4351S.01I

SENATE SPONSOR: Griesheimer

SB 791 - The act provides that if the county governing body does not appoint a trustee to fill a vacancy on the board of trustees for a common sewer district within 60 days, then the remaining trustees may fill the vacancy.

Under current law, the advisory board for a common sewer subdistrict must elect a chairman, vice-chairman, and a representative to the common sewer district's advisory board. The act allows the same person to serve in more than one of these roles if the subdistrict's advisory board is less than 3 people. The act allows the board of trustees for the common sewer district to appoint advisory board members to the subdistrict's advisory board, if a political subdivision does not fulfill its duty to appoint such advisory board members within 60 days.

Under current law, sewer districts may not issue bonds unless 4/7ths of the voters within the district approve. The act reduces the 4/7ths requirements to a simple majority.

Current law requires water companies and public water supply districts to make water service data available to cities that provide sewer services so that the cities can better calculate rates for service. The act requires the water providers to also make this information available to sewer districts.
ERIKA JAQUES

01/19/2010 S First Read--SB 791-Griesheimer (S127)
01/25/2010 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S166)

EFFECTIVE: August 28, 2010

*** SB 792 *** 4271S.01I

SENATE SPONSOR: Dempsey

SB 792 - This act modifies the laws on abortion reporting and recordkeeping requirements. Currently, an individual abortion report for each abortion performed or induced upon a woman shall be completed by her attending physician. This act provides that the individual report shall include information required by the United States Standard Report of Induced Termination of Pregnancy published by the National Center for Health Statistics. The report shall also include information on the type of abortion procedure used, including the specific surgical or nonsurgical method or the specific abortion-inducing drug or drugs employed. In addition, the report shall include the reason or reasons the woman sought the abortion, including specific medical, social, economic, or other factors and whether the woman used any method of family planning during the time she became pregnant, and if so, the specific method employed.

This act also adds information to be collected and evaluated for the annual abortion report published by the Department of Health and Senior Services. The report shall include data from abortions performed or induced and post-abortion care provided. The report shall also specify the gestational age, by weekly increments, at which abortions were performed or induced. The report shall not include any information that would allow the public to identify a specific patient, a physician who performed or induced an abortion or who provided post-abortion care, or a hospital or abortion facility where the abortion was performed or induced, or which provided post-abortion care.
ADRIANE CROUSE

01/19/2010 S First Read--SB 792-Dempsey and Rupp (S127)
01/25/2010 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S166)

EFFECTIVE: August 28, 2010

*** SB 793 *** 4230S.02I

SENATE SPONSOR: Mayer

SB 793 - 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, 2010, 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 requires the physician or qualified professional to provide the woman with access to a telephone and information about rape crisis centers, domestic violence shelters and obtaining orders of protection should the physician have reason to believe the woman is being coerced into having an abortion.

Notwithstanding any other provision in law allowing a person to provide services related to pregnancy, delivery and postpartum services, no person other than a licensed physician can perform or induce an abortion. Anyone violating the provision is guilty of a Class B felony.

This act is similar to provisions in SB 264 (2009).
ADRIANE CROUSE

01/19/2010 S First Read--SB 793-Mayer, et al (S127)
01/25/2010 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S166)

EFFECTIVE: August 28, 2010

*** SB 794 *** 4480S.01I

SENATE SPONSOR: Mayer

SB 794 - Under this act, an applicant may receive two license plates for any property-carrying commercial vehicle, rather than the standard issuance of one plate, by paying an additional $15 fee.
STEPHEN WITTE

01/19/2010 S First Read--SB 794-Mayer (S127)
01/25/2010 Second Read and Referred S Transportation Committee (S166)
02/03/2010 Hearing Scheduled S Transportation Committee

EFFECTIVE: August 28, 2010

*** SB 795 *** 4396S.01I

SENATE SPONSOR: Mayer

SB 795 - This act exempts individuals who use explosive materials to unblock clogged screens of agricultural irrigation wells from having to obtain a blaster's license.

This act is similar to HB 1455 (2010).
EMILY KALMER

01/19/2010 S First Read--SB 795-Mayer and Nodler (S127)
01/25/2010 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S166)

EFFECTIVE: August 28, 2010

*** SB 796 *** 4521S.01I

SENATE SPONSOR: Bray

SB 796 - Petition circulators shall not be paid based on the number of signatures they obtain. 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.

Currently, before a petition may be circulated for signatures, a sample sheet must be submitted to the Secretary of State who then sends a copy to the Attorney General and State Auditor. This act delays the delivery of the petition to the State Auditor until after the petitioner successfully collects between one and two thousand sponsoring signatures.

Currently, the Secretary of State has 30 days within which to send notice to the person submitting a petition sheet for approval after submission. This act shortens that time to 15 days.

If the form of petition is approved, the petitioner has 45 days from being notified of approval to submit between one and two thousand sponsoring signatures in support of the initiative or the petition shall be rejected. Within 5 days of receipt, the Secretary of State may send copies of the signature pages to election authorities for verification.

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), HB 228 (2009), and SB 115 (2009).
CHRIS HOGERTY

01/19/2010 S First Read--SB 796-Bray (S127)
01/25/2010 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S166)

EFFECTIVE: August 28, 2010

*** SB 797 *** 3195S.03I

SENATE SPONSOR: Green

SB 797 - District attorneys shall be elected during the 2014 general election in each judicial circuit for counties that elect to be part of the system. They shall serve four year terms. The district attorney must be a resident of the judicial circuit for one year before being elected and shall receive the same annual salary as the circuit judge. District attorneys shall be included in the "Prosecuting Attorneys' and Circuit Attorneys' Retirement Fund" and shall be treated as prosecuting attorneys for such purposes.

District attorneys shall prosecute all criminal actions for the counties that have chosen to be part of the system. If a change of venue is granted, the district attorney shall continue to prosecute the case. If a district attorney is unable to prosecute because of a conflict of interest, the presiding judge shall appoint another district attorney from an adjoining circuit to serve on that particular matter.

The district attorneys may appoint assistants, investigators, and clerical staff, and may set their salaries within the limits set by the county commissions. Such salaries shall be paid by the county and the salary of the district attorney shall be paid by the state, except if a charter county chooses to provide the district attorney with additional compensation over the statutory amount, the county shall pay such amount.

The salaries, excluding that of the district attorney, and expenses of the district attorney offices shall be funded by the respective counties; however, the state shall provide increasing reimbursement of the costs over the course of several years. This act contains the schedule for reimbursement by the state to the counties, ranging from 5 percent in 2015 to 50 percent in 2024 and later years for circuits consisting of one county, and from 10 percent in 2015 to 50 percent in 2019 and later years for circuits consisting of more than one participating county. In circuits where more than one county contributes to the expenses, each county shall be reimbursed in the same proportion as the contribution.

This act requires the district attorney to be employed full-time and not practice law elsewhere. For counties without a charter form of government, the county commission must adopt, by majority vote, a resolution to join the system. Such resolution must be given to the secretary of state at least twelve months before the general election where such district attorney is to be elected. For counties with a charter form of government, the governing body must adopt by charter amendment to join the system and eliminate the office of prosecuting attorney.

No office of the county prosecuting attorney shall cease to exist except upon the election and qualification

of a district attorney for such county and circuit.

This act is similar to SB 1256 (2004).
SUSAN HENDERSON MOORE

01/19/2010 S First Read--SB 797-Green (S127)
01/25/2010 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S166)

EFFECTIVE: August 28, 2010

*** SB 798 *** 3027L.01I

SENATE SPONSOR: Crowell

SB 798 - Currently, the Revisor of Statutes is required to print and bind copies of all laws and resolutions and deliver copies to certain listed public agencies, schools and libraries. This act gives the revisor the discretion to print and bind the laws and resolutions or to produce the laws and resolutions in a web-based electronic format. The act repeals the provisions that required the revisor to distribute copies to the listed agencies, schools and libraries. The revisor is given the authority to sell copies of the revised statutes at a price determined by the Committee on Legislative Research, taking into account, in part, the cost of producing the statutes and maintaining the website.
JIM ERTLE

01/20/2010 S First Read--SB 798-Crowell (S139)
01/25/2010 Second Read and Referred S General Laws Committee (S166)

EFFECTIVE: August 28, 2010

*** SB 799 *** 4144S.02I

SENATE SPONSOR: Crowell

SB 799 – This act modifies provisions relating to the MO HealthNet Division's authority to collect from third party payers.

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.

Certified computerized MO HealthNet records shall be prima facie evidence of proof of moneys expended and the amount due the state.

This act is similar to SB 552 (2009).
ADRIANE CROUSE

01/20/2010 S First Read--SB 799-Crowell (S139)
01/25/2010 Second Read and Referred S Small Business, Insurance and Industry Committee (S166)

EFFECTIVE: August 28, 2010

*** SB 800 *** 4597S.01I

SENATE SPONSOR: Bray

SB 800 - State Representatives and Senators who contract with or solicit any other Representative or Senator for political fund raising, campaigning, or consulting shall be guilty of a Class D misdemeanor.

Elected officials and elected official's staff are barred from lobbying for 2 years from leaving office or employment. An exception is made for those lobbying solely for a governmental entity within the state.

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.

Persons shall not act as treasurer or deputy treasurer for more than one committee at a time. Those found by the Ethics Commission to be doing so shall vacate all positions or be guilty of a Class A misdemeanor for failing to do so.

Committees are barred from transferring funds to another committee. Those that do so are subject to a surcharge of $1,000 plus the amount of the transfer. Knowing and intentional transfers shall constitute a Class A misdemeanor and willful transfers undertaken with the intent to conceal their origin constitute a Class D felony. Continuing committees are allowed to transfer funds to a candidate committee.

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.

Contributions received over allowable amounts shall be returned within 5 business days of the declaration of candidacy or position on a candidate or particular ballot measure.

This act is similar to HB 633 (2009), HB 687 (2009), SB 389 (2009), SB 270 (2009), SB 648 (2010), HB 1322 (2010), HB 1326 (2010), and HB 1337 (2010).
CHRIS HOGERTY

01/20/2010 S First Read--SB 800-Bray (S139-140)
01/25/2010 Second Read and Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S166)

EFFECTIVE: August 28, 2010

*** SB 801 *** 4330S.01I

SENATE SPONSOR: Rupp

SB 801 - The act requires consumer reporting agencies to block certain information in a consumer's credit report, if the consumer has identified such information as the result of identity theft. Provided the consumer submits certain information to the consumer reporting agency, the consumer reporting agency must implement the information block within 4 days of receipt of the request.

After implementing a block, the consumer reporting agency must provide certain notification to the entity that furnished the information to the reporting agency.

The consumer reporting agency may decline or rescind a block in certain circumstances and must notify the consumer of such action.

The act does not apply to resellers of consumer reports that are not selling reports with the identified information at the time of the consumer's request. Resellers that receive a request to block information from a consumer must comply with the block and inform the consumer of each credit agency that sold the credit report to the reseller. The act does not apply to check services companies, but check services companies must not report certain information to a consumer reporting agency after a consumer has requested an information block due to identity theft.
ERIKA JAQUES

01/20/2010 S First Read--SB 801-Rupp (S140)

01/25/2010 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S166)

EFFECTIVE: August 28, 2010

*** SB 802 *** 4138S.02I

SENATE SPONSOR: Schmitt

SB 802 - This act establishes the proof of concept business finance program to be administered by the Missouri Technology Corporation. The program will provide one-time loans to eligible advanced technology companies which must be repaid within five years of the date of the loan in an amount equal to two times the amount of the loan. Early repayment will result in a proration of the repayment amount. No more than one million two hundred fifty thousand dollars will be made available for loans to advanced technology companies each fiscal year. Loans made under the program cannot exceed seventy-five thousand dollars per eligible advanced technology company and must be leveraged dollar-for-dollar by additional equity investment in the company. Loan proceeds may be used by eligible advanced technology companies for intellectual property development, building prototypes, market studies, identifying and securing a management team, and business operations.
JASON ZAMKUS

01/20/2010 S First Read--SB 802-Schmitt (S140)
01/25/2010 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S166)
02/03/2010 Hearing Scheduled S Jobs, Economic Development and Local Government Committee

EFFECTIVE: August 28, 2010

*** SB 803 *** 3468S.01I

SENATE SPONSOR: Schmitt

SB 803 - Under current law, whenever any assessor in a charter county increases the assessed value of a property, he or she must provide the record owner of the property with a notice of increased valuation and a notice of such taxpayer's projected tax liability. This act would require all assessors in charter counties to provide a notice of assessment method and valuation in addition to the notices of increased valuation and projected tax liability. The notice of assessment method and valuation will provide taxpayers with the method of assessment, including any characteristics of the assessed property; comparable sales information; statistical models; calculations; and any other relevant information utilized in determining the value of the property.
JASON ZAMKUS

01/20/2010 S First Read--SB 803-Schmitt (S140)
01/25/2010 Second Read and Referred S Ways and Means Committee (S166)

EFFECTIVE: August 28, 2010

*** SB 804 *** 3730S.01I

SENATE SPONSOR: Schmitt

SB 804 - This act requires the Governor to annually issue a proclamation setting apart February 14th as "Epilepsy Awareness Day" in Missouri.

This act is identical to SB 366 (2009).
JIM ERTLE

01/20/2010 S First Read--SB 804-Schmitt (S140)
01/25/2010 Second Read and Referred S Progress and Development Committee (S166)
02/03/2010 Hearing Scheduled S Progress and Development Committee

EFFECTIVE: August 28, 2010

*** SB 805 *** 4522S.01I

SENATE SPONSOR: Shields

SB 805 - Under current law, a police officer, law enforcement official, or a physician may request a

juvenile officer to take a child into protective custody if such person has reasonable cause to suspect that a child is suffering from illness or injury or is in danger of personal harm by reason of his or her surroundings and that a case of child abuse or neglect exists. This act allows a Children's Division investigator within the Department of Social Services to do the same.
ADRIANE CROUSE

01/20/2010 S First Read--SB 805-Shields (S140)
01/25/2010 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S166)

EFFECTIVE: August 28, 2010

*** SB 806 *** 4520S.01I

SENATE SPONSOR: Bartle

SB 806 - This act requires law enforcement officers who recover images or movies of child pornography during a criminal investigation to:

1) Provide the material to the Child Victim Identification Program at the National Center for Missing and Exploited Children; 2) Request contact information from the program for the law enforcement agency that reported the initial identification of the child in order to verify the identity and age of the victim; and 3) Provide case information and contact information to the program in any case where the officer identifies a previously unidentified victim.

When a law enforcement officer submits a case for prosecution involving child pornography and the material depicts an identified victim, the officer must submit the contact information for the law enforcement agency that reported the initial identification of the child to the National Center for Missing and Exploited Children to the prosecuting attorney.

Any person less than fourteen years of age, who was a victim of certain pornography offenses and suffered physical or psychological injury as a result of the production, promotion, or possession of such material, shall be entitled to bring a civil action against the person convicted of the crime. A prevailing plaintiff, under this provision, shall recover actual damages and court costs. Actual damages shall be deemed to be at least $150,000. Any such action must be commenced within 3 years after the later of: 1) the final order in the criminal case; 2) notification by law enforcement to the victim or parents of the pornographic material; or 3) the victim reaching eighteen years of age.

It is not a defense to this cause of action that the defendant did not know the victim or commit the abuse depicted.
SUSAN HENDERSON MOORE

01/20/2010 S First Read--SB 806-Bartle (S140)
01/25/2010 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S166)
02/01/2010 Hearing Scheduled S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2010

*** SB 807 *** 4579S.01I

SENATE SPONSOR: Callahan

SB 807 - Currently, the court is required to have a hearing within fifteen days after a petition for an order of protection is filed. This act gives the court discretion to hold a hearing, if the petition alleges that a person who is not a family member of household member has engaged in stalking, and if the court finds that the action is brought in good faith and not for the purposes of intimidating the alleged stalker. The court may make such finding within forty-five days after the petition is filed.
EMILY KALMER

01/21/2010 S First Read--SB 807-Callahan (S156)
01/25/2010 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S166)

EFFECTIVE: August 28, 2010

*** SB 808 *** 4021L.01I

SENATE SPONSOR: Callahan

SB 808 - Currently, public administrators in counties of the first classification who do not received at least $25,000 in fees receive $4,000 annually and such public administrators who do not receive at least $45,000 in fees may ask the county salary commission for an increase in compensation. The commission may authorize the increase for an amount up to $10,000. Under this act, all public administrators are subject to these provisions.

This act specifies that the required continuing instruction does not have to be "classroom" instruction.

Public administrators from a second, third, or fourth classification county or St. Louis City, who choose to receive an annual salary shall receive $2,000 of such salary only if he or she has completed at least 20 hours of instruction each year approved by a professional association of the county public administrators of Missouri. The professional association approving the program shall provide a certificate of completion for the training and send a list of certified public administrators to the treasurer of each county. Expenses incurred for attending the training session shall be reimbursed to the public administrator in the same manner as other expenses.
SUSAN HENDERSON MOORE

01/21/2010 S First Read--SB 808-Callahan (S156)
01/25/2010 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S166)

EFFECTIVE: August 28, 2010

*** SB 809 *** 4598S.01I

SENATE SPONSOR: Goodman

SB 809 – 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.

This act contains provisions from SB 552 (2009).
ADRIANE CROUSE

01/21/2010 S First Read--SB 809-Goodman (S156)
01/25/2010 Second Read and Referred S Small Business, Insurance and Industry Committee (S166)

EFFECTIVE: August 28, 2010

*** SB 810 *** 4400S.01I

SENATE SPONSOR: Lager

SB 810 - This act modifies the definitions of the following terms: consumer fireworks, display fireworks, fireworks, and proximate fireworks.

This act specifies that the state fire marshal has the authority to issue permits to manufacture and ship fireworks, as well as sell them. Currently, the state fire marshal cannot issue a permit to a person under eighteen years of age. Under this act, the state fire marshal shall also not issue a permit to a person who has been found guilty of or has pleaded guilty to a felony or fails to provide proof of liability insurance as required by rule.

Under this act, the state fire marshal may examine records of fireworks sales to assure compliance with the regulations on manufacturers, distributors, and jobbers selling consumer fireworks to seasonal retailers.

This act also redefines what type of ground salutes, commonly known as "cherry bombs", are prohibited in Missouri for consumer use.
SUSAN HENDERSON MOORE

01/21/2010 S First Read--SB 810-Lager (S156)

01/25/2010 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S166)

EFFECTIVE: Ausgust 28, 2010

*** SB 811 *** 4242S.01I

SENATE SPONSOR: Keaveny

SB 811 - 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. Lenders shall not make loans to consumers who have one outstanding or within 1 week of a borrower paying a previous loan.

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 current law, loans have a minimum term of 14 days and a maximum term of 31 days. Under the act, lenders shall give the borrower a minimum of 90 for repayment and a payment shall be required every 2 weeks.

A lender may only charge interest at a simple annual rate not to exceed 36% plus an initial fee equal to 5% of the loan amount up to $25. No other charges or fees are permitted.

This act is similar to HB 1171 (2006), SB 975 (2006), SB 96 (2007),SB 744 (2008),HB 81 (2009), HB 150 (2009, SB 20 (2009), HB 1508 (2010), SB 593 (2010), and SB 699 (2010).
CHRIS HOGERTY

01/21/2010 S First Read--SB 811-Keaveny and Shoemyer (S156)
01/25/2010 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S166)

EFFECTIVE: August 28, 2010

*** SB 812 *** 4027S.01I

SENATE SPONSOR: Schmitt

SB 812 - This act allows motorists to obtain Multiple Sclerosis special license plates. In order to obtain the specialty plates, the motorist must pay an annual $25 emblem-use contribution to the National Multiple Sclerosis Society, a $25 specialty license plate fee, and regular registration fees. The specialty plates shall bear the words "JOIN THE MOVEMENT" in lieu of the words "SHOW-ME STATE". Before these specialty plates may be issued, the director must receive in receipt of a list of at least 200 potential applicants who plan to purchase the plate and an application fee to defray the cost for developing the specialty plate.
STEPHEN WITTE

01/21/2010 S First Read--SB 812-Schmitt (S156)
01/25/2010 Second Read and Referred S Transportation Committee (S166)

EFFECTIVE: Ausgust 28, 2010

*** SB 813 *** 4463S.04I

SENATE SPONSOR: Griesheimer

SB 813 - This act modifies provisions of various tax incentive programs to allow the director of the Department of Economic Development to increase tax incentives available for Missouri businesses upon a finding of economic benefit to the state.

The act allows the director of the Department of Economic Development to increase the amount of appropriation from the economic development supplemental tax increment financing fund, for redevelopment projects or plans which result in net new jobs from the relocation, or expansion, of a Missouri business. Such appropriation may be increased by as much as two percent for every continuous five year period the company was a Missouri business up to a total increase of ten percent.

The director of the Department of Economic Development may, upon a finding of economic benefit to the state, increase the amount of incentives available for Missouri businesses under the rebuilding communities tax credit program; enhanced enterprise zone tax credit program; job retention program; new job training program; or quality jobs tax credit program by as much as two percent for each continuous five year period the business has been a Missouri business, but not to exceed a total increase of ten percent.
JASON ZAMKUS

01/21/2010 S First Read--SB 813-Griesheimer (S156)
01/25/2010 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S166)
02/03/2010 Hearing Scheduled S Jobs, Economic Development and Local Government Committee

EFFECTIVE: August 28, 2010

*** SB 814 *** 4630S.01I

SENATE SPONSOR: Justus

SB 814 - This act creates the crimes of assault of an employee of a mass transit system while in the scope of his or her duties in the first, second, and third degree. Mass transit employees include those working for public bus and light rail companies. The penalties for such crimes are a Class B felony, Class C felony, or Class B misdemeanor, respectively.

This act is similar to SB 330 (2009) and identical to HB 487 (2009).
SUSAN HENDERSON MOORE

01/21/2010 S First Read--SB 814-Justus and Keaveny (S156)
01/25/2010 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S166)

EFFECTIVE: August 28, 2010

*** SB 815 *** 3644S.01I

SENATE SPONSOR: Bartle

SB 815 – This act modifies provisions relating to elementary and secondary education.

TEACHER CHOICE COMPENSATION PACKAGE: Current law provides that only teachers in the St. Louis City School District are eligible to participate in the Teacher Choice Compensation Package to receive performance-based salary stipends. This act expands eligibility to participate in the package to all public school district teachers. (Sections 168.106, 168.745, 168.747)

YEAR-ROUND EDUCATIONAL PROGRAM: This act allows a school district to adopt a year-round educational program by a majority vote of the school board. A school district that adopts a year-round educational program must meet the minimum number of school days required and have no vacation, including summer, last more than four weeks. School districts with a year-round educational program must meet all other educational requirements. (Section 171.015)

START DATES FOR KINDERGARTEN: This act allows a school district to offer, by majority vote of the school board, two start dates for kindergarten. One start date must occur on the normal starting date for the district and the other must occur approximately halfway through the year. The school district may group children according to their date of birth. In addition, school districts must allow parents to have their child start kindergarten on the start date of their choice. (Section 171.017)
MICHAEL RUFF

01/21/2010 S First Read--SB 815-Bartle (S156)
01/25/2010 Second Read and Referred S Education Committee (S166)

EFFECTIVE: August 28, 2010

*** SB 816 *** 4581S.01I

SENATE SPONSOR: Lembke

SB 816 - This act decreases the period of time before which interest is allowed on an overpayment of income tax from four months to 45 days after the later of the last date to file a return, including an extension,

or the date the return was actually filed.

This act is identical to House Bill 1514 (2010).

JASON ZAMKUS

01/25/2010 S First Read--SB 816-Lembke
01/28/2010 Second Read and Referred S Ways and Means Committee (S184)

EFFECTIVE: August 28, 2010

*** SB 817 *** 4681L.01I

SENATE SPONSOR: Lembke

01/25/2010 S First Read--SB 817-Lembke
01/28/2010 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S184)

*** SB 818 *** 4633S.01I

SENATE SPONSOR: Lembke

SB 818 - 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.

This act is identical to SCS/SB 569 (2009).
CHRIS HOGERTY

01/25/2010 S First Read--SB 818-Lembke (S164)
01/28/2010 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S184)

EFFECTIVE: August 28, 2010

*** SB 819 *** 4582S.02I

SENATE SPONSOR: Lembke

SB 819 - This act allows employees of employers with fifty or more employees to take a leave of absence to perform civil air patrol emergency service duty or counter narcotics missions. The employee will not lose time, leave, or any other rights or benefits as a result of this leave of absence. However, the employer is not required to pay a salary to the employee during this period of leave and the employer has a right to request that the employee be exempted from responding to a specific mission and the Missouri wing commander is required to honor the employer's request.
EMILY KALMER

01/25/2010 S First Read--SB 819-Lembke (S164)
01/28/2010 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S184)

EFFECTIVE: August 28, 2010

*** SB 820 *** 4648S.01I

SENATE SPONSOR: McKenna

SB 820 - This act updates Missouri's traffic laws to reflect that the majority of pedestrian control signals now display the international symbols for pedestrian control (symbols of a person walking in lieu of the word "Walk" and an upraised hand in lieu of the words "Don't Walk").
STEPHEN WITTE

01/25/2010 S First Read--SB 820-McKenna (S164)
01/28/2010 Second Read and Referred S Transportation Committee (S184)

EFFECTIVE: August 28, 2010

*** SB 821 *** 4649S.01I

SENATE SPONSOR: Nodler

SB 821 - 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 who are eligible for employment 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 607 (2010).
ADRIANE CROUSE

01/25/2010 S First Read--SB 821-Nodler, et al (S164)
01/28/2010 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S184)
02/02/2010 Hearing Scheduled S Health, Mental Health, Seniors and Families Committee

EFFECTIVE: August 28, 2010

*** SB 822 *** 4312S.01I

SENATE SPONSOR: Keaveny

SB 822 - This act increases the fine for a seat belt violation from $10 to $50.
STEPHEN WITTE

01/25/2010 S First Read--SB 822-Keaveny (S164)
01/28/2010 Second Read and Referred S Transportation Committee (S184)

EFFECTIVE: August 28, 2010

*** SB 823 *** 4216S.01I

SENATE SPONSOR: Ridgeway

SB 823 - This act exempts all utilities, machinery, and equipment used or consumed directly in data storage from state and local sales and use tax. "Data storage" is defined to include data processing, hosting and related services, internet publishing and broadcasting and web search portals.
JASON ZAMKUS

01/25/2010 S First Read--SB 823-Ridgeway (S164)
01/28/2010 Second Read and Referred S Ways and Means Committee (S184)

EFFECTIVE: August 28, 2010

*** SB 824 *** 4020S.01I

SENATE SPONSOR: Clemens

SB 824 - 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.

This act is identical to SB 526 (2009).
ERIKA JAQUES

01/25/2010 S First Read--SB 824-Clemens (S165)
01/28/2010 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S184)
02/03/2010 Hearing Scheduled S Agriculture, Food Production and Outdoor Resources Committee

EFFECTIVE: August 28, 2010

*** SB 825 *** 4647S.01I

SENATE SPONSOR: Clemens

SB 825 - This act requires a pharmacist, pharmacist technician, or pharmacy intern to provide notification to the patient, a family member, other relative, or any other person identified by the patient before interchanging one manufacturer of an anti-epileptic drug for another manufacturer of an anti-epileptic drug in instances where the patient's epilepsy or seizures is currently being controlled on a specific drug, strength, dosage form, and dosing regimen from a specific manufacturer. The prescriber of the medication must also be notified prior to the interchange. This requirement shall not apply to prescriptions dispensed for inpatients of a hospital, a long-term care facility or inpatients of a mental health or residential facility.

This act is similar to SB 1094 (2008).
ADRIANE CROUSE

01/25/2010 S First Read--SB 825-Clemens (S165)
01/28/2010 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S184)

EFFECTIVE: August 28, 2010

*** SB 826 *** 4650S.01I

SENATE SPONSOR: Griesheimer

SB 826 - Under current law, ambulance and fire protection districts located any in county in this state, except Greene, Platte, Clay, St. Louis and St. Charles counties, are authorized to seek voter approval for a sales tax of up to one-half of one percent to fund the operation of such districts, provided such sales tax is accompanied by a reduction in the district's property tax rate. This act would allow ambulance and fire protection districts located within St. Louis County to seek voter approval to impose the sales tax, provided such tax is accompanied by a reduction in the districts property tax rate.
JASON ZAMKUS

01/25/2010 S First Read--SB 826-Griesheimer (S165)
01/28/2010 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S184)

EFFECTIVE: August 28, 2010

*** SB 827 *** 4707S.01I

SENATE SPONSOR: Schaefer

SB 827 - 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.

This act is identical to Senate Bill 257 (2009).
JASON ZAMKUS

01/26/2010 S First Read--SB 827-Schaefer (S169)
01/28/2010 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S184)

EFFECTIVE: August 28, 2010

*** SB 828 *** 4705S.01I

SENATE SPONSOR: Schaefer

SB 828 - Under this act, the county counselor of Boone County shall receive $15,000 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 shall be paid out of the state treasury from funds appropriated for such purposes and received in the form of a reimbursement to county general revenue funds.

This act is similar to SCS/SB 258 (2009).
SUSAN HENDERSON MOORE

01/26/2010 S First Read--SB 828-Schaefer (S169)
01/28/2010 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S184)

EFFECTIVE: August 28, 2010

*** SB 829 *** 4708S.01I

SENATE SPONSOR: Schaefer

SB 829 - This act allows the counties of Boone and Cole to adopt nuisance abatement ordinances involving land with tires or storm water runoff conditions resulting in damage to buildings.

This act is identical to SB 286 (2009).
SUSAN HENDERSON MOORE

01/26/2010 S First Read--SB 829-Schaefer (S169)
01/28/2010 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S184)

EFFECTIVE: August 28, 2010

*** SB 830 *** 4709S.01I

SENATE SPONSOR: Schaefer

SB 830 - 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.

This act is similar to SB 247 (2009).
SUSAN HENDERSON MOORE

01/26/2010 S First Read--SB 830-Schaefer (S169)
01/28/2010 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S184)

EFFECTIVE: August 28, 2010

*** SB 831 *** 4711S.01I

SENATE SPONSOR: Schaefer

SB 831 - This act allows counties of the first classification to establish curfews for persons under the age of seventeen. Any minor who violates such curfew is guilty of a Class C misdemeanor. If the minor's parent or guardian has knowledge of such violation, he or she is also guilty of a Class C misdemeanor.

This act is identical to a provision of HCS/SB 386 (2009).
SUSAN HENDERSON MOORE

01/26/2010 S First Read--SB 831-Schaefer (S169)
01/28/2010 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S184)

EFFECTIVE: August 28, 2010

*** SB 832 *** 4716S.01I

SENATE SPONSOR: Dempsey

SB 832 - 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, 2012 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 the 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 the permit and ID chip requirements of the act. The act does not apply to circuses or to the College of Veterinary Medicine at the University of Missouri-Columbia.

This act is almost identical to HCS/HB 426 (2009) and is similar to SB 206 (2007) and the perfected HB 1441 (2006).
ERIKA JAQUES

01/26/2010 S First Read--SB 832-Dempsey (S169)
01/28/2010 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S184)

EFFECTIVE: August 28, 2010

*** SB 833 *** 4689S.01I

SENATE SPONSOR: Goodman

SB 833 - This act allows actions required to be taken at corporate committee meetings to be taken without a meeting if all of the board or committee members consent by electronic transmission. Such transmissions shall be filed with the minutes of the corporate meetings.

This act is identical to HB 1741 (2009).
CHRIS HOGERTY

01/26/2010 S First Read--SB 833-Goodman (S169)
01/28/2010 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S184)

EFFECTIVE: August 28, 2010

*** SB 834 *** 4599S.01I

SENATE SPONSOR: Rupp

SB 834 - Under this act, a domestic insurer organized as a stock insurance company may voluntarily dissolve and liquidate provided that the director of the Department of Insurance approves the articles of dissolution prior to the insurer's filing of such articles with the Secretary of State and the insurer files with the Secretary of State a copy of the director's approval, certified by the director, along with articles of dissolution.
STEPHEN WITTE

01/26/2010 S First Read--SB 834-Rupp (S169)
01/28/2010 Second Read and Referred S Small Business, Insurance and Industry Committee (S184)
02/02/2010 Hearing Scheduled S Small Business, Insurance and Industry Committee

EFFECTIVE: August 28, 2010

*** SB 835 *** 4710S.01I

SENATE SPONSOR: Rupp

SB 835 – This act allows proposed or existing high risk or alternative charter schools to include alternative arrangements for students to obtain credits for satisfying graduation requirements in the charter application and charter. Alternative arrangements may include credit for off-campus instruction, embedded credit, work experience, independent studies, and performance-based credit options. Upon approval of the charter by the State Board of Education, any alternative arrangements will be approved at the same time.

The Department of Elementary and Secondary Education must conduct a study of any such charter school granted alternative arrangements for students to obtain credit 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, whose last school of enrollment is in the school district where the charter school is established, 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 317 (2009), SB 1027 (2008) and similar to provisions also contained in SB 64 (2009).
MICHAEL RUFF

01/26/2010 S First Read--SB 835-Rupp and Keaveny (S170)
01/28/2010 Second Read and Referred S Education Committee (S184)

EFFECTIVE: August 28, 2010

*** SB 836 *** 3645S.02I

SENATE SPONSOR: Justus

SB 836 - This act specifies that any circuit court may establish a docket or court to dispose of cases where a person has pleaded guilty to driving while intoxicated or driving with excessive blood alcohol content. A person is eligible for this docket or court if he or she operated a motor vehicle with at least .15 blood alcohol content, or has had a previous conviction for an intoxication-related traffic offense.

The existing Drug Courts Coordinating Commission and the Drug Court Resources Fund are expanded to include DWI courts. DWI courts may operate in conjunction with drug courts and drug court commissioners may preside over DWI courts.

The DWI court has authority to grant a limited driving privilege to participants in the program. The DWI court may not grant the limited driving privilege to individuals who are otherwise prohibited by law from having a limited driving privilege, except certain participants who would have otherwise had their licenses revoked for a year or would not be eligible to apply for a limited driving privilege for two years may be granted a limited driving privilege.

For a first DWI offense, if the individual had a blood alcohol content (BAC) of at least .15, the minimum jail time shall be 48 hours, unless the person participates in a DWI court program. If the individual had a BAC of at least .20, the minimum jail time shall be 5 days, unless the person participates in a DWI court program. If a first-time DWI or driving with excessive BAC offender has a BAC higher than .15, they may not receive suspended imposition of sentence. The minimum jail time for a person who has a prior intoxication-related traffic offense is increased from five to ten days, unless the person participates in the existing community service option, or in the DWI court program. The minimum jail time for a person who is considered a persistent offender is increased from ten to thirty days, unless the person participates in the existing community service option, or in the DWI court program.

Currently, a state, county, or municipal court must determine if a defendant is a prior, persistent, chronic, or aggravated offender with multiple intoxication-related traffic offenses. In such instances, if the court is municipal, after making such a finding, the court shall transfer the case to an appropriate circuit court with jurisdiction for further proceedings. Also, under this act, a municipal court must make a preliminary finding as to whether the defendant was operating a vehicle with a BAC of at least .15 or refused to submit to chemical testing by law enforcement. If either is found by the municipal court, the case shall be transferred to a circuit court with jurisdiction for further proceedings.

Currently, a person who refuses to submit to chemical testing for an intoxication-related offense shall have his or her license revoked for a period of one year. Under this act, the period of revocation is extended to two years.

This act requires law enforcement agencies and prosecuting attorney offices to provide relevant information regarding intoxication-related offenses in their jurisdictions to the highway patrol's driving while intoxicated tracking system (DWITS). If such agencies or offices fail to enter the information into DWITS, the governor may withhold its appropriated state funding. The highway patrol shall collect and analyze

information received through the DWITS website. At least once per year, the highway patrol shall issue accountability reports regarding agencies and offices compliance with this requirement.
EMILY KALMER

01/27/2010 S First Read--SB 836-Justus (S173)
01/28/2010 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S184)
02/01/2010 Hearing Scheduled S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2010

*** SB 837 *** 4704S.01I

SENATE SPONSOR: Rupp

SB 837 - Under this act, if the Director of Revenue reasonably believes a person has obtained a title, license plate, or license plate tab in a fraudulent manner, the person must surrender such items. A failure to do so constitutes a Class A misdemeanor (Section 301.423).

Under this act, it is unlawful for any person to display, or to have in his or her possession, any nondriver identification card knowing that the card is fictitious or to have been canceled, suspended, revoked, disqualified or altered. Similarly, the act makes it unlawful for a person to lend or knowingly permit the use of nondriver identification card that is fictitious. The current law only applies to the fraudulent display, possession or use of a license (Section 302.220).

This act ties the statute of limitations for a prosecution for making a false statement on a driver's license application to the discovery of the statement's falsity, rather than the time when the statement was made. A prosecution for a person who makes a false statement on a driver's license application may commence one year after the director first discovers the falsity of the statement or affidavit, however no prosecution shall commence more than 6 years after the statement or affidavit was made (Section 302.230).
STEPHEN WITTE

01/27/2010 S First Read--SB 837-Rupp (S173)
01/28/2010 Second Read and Referred S Transportation Committee (S184)

EFFECTIVE: August 28, 2010

*** SB 838 *** 4405S.04I

SENATE SPONSOR: Rupp

SB 838 – This act modifies the charter school laws.

SECTION 160.400: Current law allows charter schools to be operated only in the St. Louis City School District or Kansas City School District. This act allows charter schools to be operated in a district that has been classified as unaccredited by the State Board of Education or in a district that has a Title I school in level 3, 4, or 5 of school improvement.

A community college whose service area encompasses any portion of a school district in which charter schools are allowed to operate may serve as a sponsor. This act removes the requirement that a private four-year college or university be located in St. Louis City to serve as a sponsor; instead, a private four-year college or university must have its primary campus in Missouri to be a sponsor. The mayor of St. Louis City may sponsor a charter school or workplace charter school in the St. Louis City School District. In addition, the mayor may request that a public or private four-year college or university or community college, as described in the act, serve as the sponsor of a workplace charter school.

This act allows a school district or the State Board of Education, when acting as a sponsor, to have expenses associated with sponsorship to be defrayed by having the Department of Elementary and Secondary Education withhold up to 1.5% of the charter school's state and local funding.

The sponsor of a charter school must develop policies and procedures for the review of a charter school proposal, the granting of a charter, and procedures if a charter school should close, including but not limited to the transfer or repository of student records and the disposition of a charter school's assets.

If the State Board of Education serves as the interim sponsor of a charter school and the school fails to meet academic performance or other goals, the State Board of Education may revoke the charter.

SECTION 160.405: This act replaces the requirement that a charter state educational goals and objectives to be achieved by the school with the requirement that the charter contain an accountability plan, as described in the act. A charter must also contain procedures to be implemented if the charter school should close, including the transfer or repository of student records and the disposition of the charter school's assets.

A charter must be submitted to the sponsor by August 15 of the year prior to the proposed opening date.

Charter schools must conduct a background check of education personnel, including through the Family Care Safety Registry.

Currently, charter schools must collect baseline data during at least the first three years to determine performance. This act requires charter schools to establish baseline student performance during the first year of operation and collect student performance data, as described in the act, throughout the duration of the charter based upon grade levels offered by the school.

This act allows proposed or existing high risk or alternative charter schools to include alternative arrangements for students to obtain credits for satisfying graduation requirements in the charter application and charter. Alternative arrangements may include credit for off-campus instruction, embedded credit, work experience, independent studies, and performance-based credit options. Upon approval of the charter by the State Board of Education, any alternative arrangements will be approved at the same time.

The Department of Elementary and Secondary Education must conduct a study of any such charter school granted alternative arrangements for students to obtain credit to assess student performance, graduation rates, educational outcomes, and entry into the workforce or higher education.

The sponsor, governing board, and charter school staff must jointly review the school's performance, management, and operations during the first year of operation and then every other year, instead of the current requirement of at least once every two years.

This act removes the requirement that a charter school become a local educational agency for the sole purpose of seeking direct access to federal grants.

Beginning January 1, 2011, when a charter is up for renewal, the sponsor must demonstrate to the State Board of Education that the school complies with federal and state laws on accountability, transparency, maintenance of parent, student, and employee rights, performance of charter requirements, and academic performance standards, as described in the act. The State Board of Education must determine if a charter school is in compliance. If compliance has not been met, the sponsor may file a statement about why the school should remain open and the Board must hold a public hearing. The Board must vote on whether to continue operation of the school, may impose conditions on the school, or may close it at the end of the academic year.

SECTION 160.410:
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, whose last school of enrollment is in the school district where the charter school is established, 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.

If a charter school is operated by a management company, a copy of the contract must be made available for public inspection.

If a student attending a charter school moves so that he or she no longer lives in the school district where charter schools may operate, he or she may complete the current semester at the charter school. The parent or legal guardian will be responsible for the student's transportation.

If a change in school district boundary lines occurs so that a student no longer lives in a school district where charter schools may operate, the student may complete the current academic year at the charter school. The parent or legal guardian will be responsible for the student's transportation.

SECTION 160.415: The Department of Elementary and Secondary Education may withhold funding at an appropriate level during a charter school's last year of operation until the Department determines that school records, liabilities, and reporting requirements, including a full audit, are satisfied.

SECTION 160.420: This act repeals language that is identical to language also contained in section 160.415.

This act contains provisions similar to SB 317 (2009), SB 1027 (2008), and SB 64 (2009).
MICHAEL RUFF

01/27/2010 S First Read--SB 838-Rupp (S173)
01/28/2010 Second Read and Referred S Education Committee (S184)

EFFECTIVE: August 28, 2010

*** SB 839 *** 4720S.01I

SENATE SPONSOR: Wright-Jones

SB 839 - This act prohibits the imposition of penalties, or the suspension or revocation of a gaming license for inadequate declining income.
JASON ZAMKUS

01/27/2010 S First Read--SB 839-Wright-Jones (S173)
01/28/2010 Second Read and Referred S Ways and Means Committee (S184)
02/03/2010 Hearing Scheduled S Ways and Means Committee

EFFECTIVE: August 28, 2010

*** SB 840 *** 4717S.02I

SENATE SPONSOR: Schmitt

SB 840 - This act creates a refundable income and financial institutions tax credit which will be available for sports commissions, convention and visitors bureaus, certain nonprofit organizations, counties, and municipalities to offset expenses incurred in attracting sporting events to the state. Applicants for the tax credit must submit game support contracts to the department of economic development for approval. The tax credit will be equal to the lesser of fifty percent of the incremental increase in state sales and use tax revenues attributable to such event or one hundred percent of eligible expenses incurred. No more than ten million dollars in tax credits may be issued per fiscal year. The tax credits are fully transferrable, provided a notarized endorsement is filed with the department of economic development. The department of economic development is prohibited from certifying game support contracts after August 28, 2016, but may certify game support contracts prior to such date which pertain to games to be held after August 10, 2016.

This act is similar to House Bill 1786 (2010).
JASON ZAMKUS

01/27/2010 S First Read--SB 840-Schmitt (S173)
01/28/2010 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S184)

EFFECTIVE: August 28, 2010

*** SB 841 *** 4311S.01I

SENATE SPONSOR: Schmitt

SB 841 - This act designates a portion of Interstate 44 in St. Louis County as the "Police Officer Ernest M. Brockman Sr. Memorial Highway".
STEPHEN WITTE

01/27/2010 S First Read--SB 841-Schmitt (S173)
01/28/2010 Second Read and Referred S Transportation Committee (S184)

EFFECTIVE: August 28, 2010

*** SB 842 *** 4653S.01I

SENATE SPONSOR: Schmitt

SB 842 – This act modifies provisions relating to the MO HealthNet Division's authority to collect from third party payers.

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.

A MO HealthNet lien on a verdict, settlement, or judgment shall not be deemed satisfied until a release is received from the MO HealthNet Division evidencing payments of all MO HealthNet benefits, premiums, or other such costs due from the verdict, judgment or settlement. The MO HealthNet Division may waive the lien. This act also prescribes how much interest shall accrue on the lien while waiting for full payment and satisfaction on the lien. Certified computerized MO HealthNet records shall be prima facie evidence of proof of moneys expended and the amount due the state.

This act contains provisions that are similar to SB 809 (2010) and to SB 552 (2009).
ADRIANE CROUSE

01/27/2010 S First Read--SB 842-Schmitt (S173)
01/28/2010 Second Read and Referred S Small Business, Insurance and Industry Committee (S184)

EFFECTIVE: August 28, 2010

*** SB 843 *** 4719S.01I

SENATE SPONSOR: Shoemyer

SB 843 - This act states that nothing contained in the provisions of law authorizing the property tax credit, commonly known as the circuit breaker, should be construed to require the landlord of a claimant of the credit to have a property tax liability as a requirement for such claimant to receive the credit for rent constituting property taxes accrued under the program.
JASON ZAMKUS

01/27/2010 S First Read--SB 843-Shoemyer, et al (S174)
01/28/2010 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S184)

EFFECTIVE: August 28, 2010

*** SB 844 *** 4135S.02I

SENATE SPONSOR: Shields

SB 844 - Statewide elected officials may request the Office of Administration to determine the lowest and best bidder with respect to purchasing, printing, and services expenditures for which the official has the authority to contract. Upon such request, the Office of Administration shall have 45 days to respond by naming the lowest and best bid.
CHRIS HOGERTY

01/27/2010 S First Read--SB 844-Shields (S174)
01/28/2010 Second Read and Referred S General Laws Committee (S185)

EFFECTIVE: August 28, 2010

*** SB 845 *** 4237S.02I

SENATE SPONSOR: Barnitz

SB 845 - The Secretary of State shall establish procedures for overseas voters to request and send voter registration applications and absentee ballot applications by mail and electronically. Overseas voters include absent uniformed services voters, persons residing outside the United States who are qualified to vote in their previous domicile before leaving, those residing outside the United States who would otherwise be qualified to vote in their previous domicile, and persons in federal service.

The Secretary of State shall print and make available a sufficient quantity of absentee ballots, ballot envelopes, and mailing envelopes for such voters.

Absent uniformed services and overseas voters are excused from being required to deliver an affidavit sworn to before the election official receiving the ballot, notary public, or another authorized to administer oaths with the absentee ballot.

Election authorities are barred from refusing valid marked absentee ballots submitted by absent uniformed services and overseas voters solely on the basis of restrictions on envelope type.

The Secretary of State in coordination with the local election jurisdictions shall develop a free access system by which an absent uniformed services and overseas voter may determine whether his or her ballot has been received.

This act removes the requirement that voters must make a statement by federal postcard, letter, or on a form prepared by the local election authority to qualify for a special write-in absentee ballot due to serving in the military or isolation. The special write-in absentee ballot shall be used in place of the Federal write-in absentee ballot in general, special, and primary elections for federal office.
CHRIS HOGERTY

01/27/2010 S First Read--SB 845-Barnitz (S174)
01/28/2010 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S185)

EFFECTIVE: August 28, 2010

*** SB 846 *** 4236S.01I

SENATE SPONSOR: Barnitz

SB 846 - This act requires the state Treasurer's office to hold and maintain military medals that have been delivered by financial institutions to the Treasurer as lost or unclaimed property until the original owner or his or her heirs or beneficiaries can be identified. The Treasurer may designate a veteran's organization or other organization as custodian of medals until the medal can be returned.
CHRIS HOGERTY

01/27/2010 S First Read--SB 846-Barnitz (S174)
01/28/2010 Second Read and Referred S Veterans' Affairs, Pensions and Urban Affairs Committee (S185)

EFFECTIVE: August 28, 2010

*** SB 847 *** 4239S.01I

SENATE SPONSOR: Barnitz

SB 847 - Absentee ballots for persons in federal service shall be sent by facsimile or under a program approved by the United States Department of Defense for electronic transmission of election materials, when the ballot is sent to a location determined by the secretary of state to be inaccessible on election day.

Absentee ballots cast by absent uniformed services voters that are postmarked on or before election day and received by an election authority within 7 days of the election shall be counted.

This act is identical to HB 649 (2009).
CHRIS HOGERTY

01/27/2010 S First Read--SB 847-Barnitz (S174)
01/28/2010 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S185)

EFFECTIVE: August 28, 2010

*** SB 848 *** 4632S.01I

SENATE SPONSOR: Barnitz

SB 848 - Under current law, the Public Service Commission and the Department of Natural Resources

must promulgate rules to carry out the Renewable Energy Portfolio requirement known as Proposition C passed by voters in the November 2008 election. The act requires the Commission and the Department to include methane generated from farm animal waste as a renewable energy source for purposes of meeting the portfolio requirement.
ERIKA JAQUES

01/28/2010 S First Read--SB 848-Barnitz (S178)

EFFECTIVE: August 28, 2010

*** SB 849 *** 4476S.01I

SENATE SPONSOR: Barnitz

SB 849 - This act requires the Emergency Services Board to annually establish a tax rate sufficient to fund emergency services expenditures by no later than September first of each year. The board must publish such rate in its minutes and notify every retailer, by mail, of the new rate. The act states that emergency service boards are bodies politic and political subdivisions of the state.
JASON ZAMKUS

01/28/2010 S First Read--SB 849-Barnitz (S178)

EFFECTIVE: August 28, 2010

*** SB 850 *** 3643S.01I

SENATE SPONSOR: Barnitz

SB 850 - 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.

This act is identical to SCS/SB 333 (2009).
ERIKA JAQUES

01/28/2010 S First Read--SB 850-Barnitz (S178)

EFFECTIVE: August 28, 2010

*** SB 851 *** 4142S.03I

SENATE SPONSOR: Schmitt

SB 851 - For any public meeting that addresses issues regarding a fee or tax increase, eminent domain, zoning of a specific property, 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 four 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 until proper notice has been provided. The notice provisions shall not apply to votes or discussion related to certain proposed ordinances, or in the case of emergencies. For a zoning matter, the notice provisions will only apply to the initial meeting at which the matter is heard.

This act is similar to a provision contained in SCS/HCS/HB 316 (2009).
JIM ERTLE

01/28/2010 S First Read--SB 851-Schmitt, et al (S179)

EFFECTIVE: August 28, 2010

*** SB 852 *** 4338S.01I

SENATE SPONSOR: Lager

SB 852 -Currently, under the Missouri Human Rights Act (MHRA), a practice is unlawful when the protected trait is a contributing factor in the decision to discriminate. This act changes that standard to a

motivating factor standard and in age discrimination cases, the standard is changed to encompass only discriminatory decisions that would not have occurred but for age. The plaintiffs in employment and age discrimination cases have the burden of proving these standards.

Currently, persons acting in the interest of employers are considered employers under the MHRA and are liable for discriminatory practices. This act modifies the definition of employer to exclude those individuals. The act similarly excludes the United States government, corporations owned by the United States, individuals employed by employers, Indian tribes, certain departments or agencies of the District of Columbia, and private membership clubs from the definition.

The act directs the courts to rely heavily on judicial interpretations of Title VII of the Civil Rights Act, the Age Discrimination in Employment Act, and the Americans with Disabilities Act when deciding MHRA employment discrimination cases.

The act abrogates McBryde v. Ritenour School District to require courts to allow a business judgment jury instruction whenever offered by the defendant.

The act recommends two methods to the courts for analyzing employment discrimination cases as a basis for granting summary judgment. The mixed motive and burden shifting analysis are based on court rulings interpreting federal law and the act abrogates numerous Missouri cases in urging the courts to consider the methods highly persuasive.

Parties to a discrimination case under the MHRA may demand a jury trial.

Damages awarded for employment cases under the MHRA shall not exceed back pay and interest on back pay and $50,000 for employers with between 5 and 100 employees, $100,000 for employers with between 100 and 200 employees, $200,000 for employers with between 200 and 500 employees, or $300,000 for employers with more than 500 employees. Punitive damages shall not be awarded against the state of Missouri or political subdivisions in MHRA cases.

The act abrogates all Missouri case law relating to exceptions to the employment at will doctrine. Employers shall not retaliate or discriminate against employees exclusively as a result of the fact that the employee refused to violate a statute, regulation, constitutional provision, ordinance, or common law at the request of someone employed by the employer who has direct or indirect supervisory authority. The same standard shall apply when employees report an illegal act of the employer. The act establishes caps for damages for such cases identical to those created for MHRA cases with the exception of back pay and interest on back pay which are not allowed.

This act is similar to HB 1456 (2006), SB 168 (2007), SB 1046 (2008), HB 799 (2009), HB 227 (2009),SB 374 (2009), HB 1488 (2010).
CHRIS HOGERTY

01/28/2010 S First Read--SB 852-Lager, et al (S179)

EFFECTIVE: August 28, 2010

*** SB 853 *** 4580S.02I

SENATE SPONSOR: Keaveny

SB 853 - Currently, a law enforcement agency must request that the prosecuting or circuit attorney file a motion in circuit court for the proper disposition of unclaimed seized property. If the prosecuting or circuit attorney does not file the motion in sixty days, the agency may request that the attorney general file such motion. Under this act, if neither the prosecuting or circuit attorney or the Attorney General files such motion, the law enforcement agency may file the motion, on its own behalf in circuit court, to properly dispose of the property.

This act provides a description of some circumstances when "seized property ceases to be useful" so that it can be disposed.

This act contains an emergency clause.
SUSAN HENDERSON MOORE

01/28/2010 S First Read--SB 853-Keaveny and Wright-Jones (S179)

EFFECTIVE: August 28, 2010

*** SB 854 *** 4577S.01I

SENATE SPONSOR: Keaveny

SB 854 - This act provides that the identity of a police officer, other than one who is the subject of a criminal investigation, shall not be disclosed in an investigative report.
JIM ERTLE

01/28/2010 S First Read--SB 854-Keaveny and Wright-Jones (S179)

EFFECTIVE: August 28, 2010

*** SB 855 *** 4018S.01I

SENATE SPONSOR: Schaefer

SB 855 – This act allows the State Registrar, within the Department of Health Senior Services, to create and sell Heritage Birth or Marriage Certificates for a fifty dollar fee. The heritage certificates shall represent the birth or marriage of the individual named on the original record or certificate and shall be accepted as an original record. The heritage certificate shall be suitable for display and shall celebrate the unique heritage of Missouri citizens.

The heritage certificates shall be issued in a form consistent with the need to protect the integrity of vital records and include security measures consistent with federal law. The certificates shall only be issued to individuals born or married in Missouri.

The fees from the sale of the heritage certificates shall be distributed to the general revenue fund, children's trust fund, endowed care cemetery audit fund, the crippled children's service fund and the Missouri public health services fund. The act prescribes how such funds will be distributed.
ADRIANE CROUSE

01/28/2010 S First Read--SB 855-Schaefer (S179)

EFFECTIVE: August 28, 2010

*** SB 856 *** 4475S.01I

SENATE SPONSOR: Schaefer

SB 856 - Currently, persons who have committed two or more Class A or B misdemeanors under specific chapters of the criminal code can be sentenced to extended terms of imprisonment as "persistent misdemeanor offenders". This act adds class A or B misdemeanors under Chapter 455, Abuse and Protective Orders, and Chapter 577, Public Safety Offenses, to the list of qualifying offenses.
SUSAN HENDERSON MOORE

01/28/2010 S First Read--SB 856-Schaefer (S179)

EFFECTIVE: August 28, 2010

*** SB 857 *** 4479S.01I

SENATE SPONSOR: Schaefer

SB 857 - This act adds the crimes of statutory rape or sodomy in the second degree, sexual assault, child molestation, sexual misconduct involving a child, and sexual abuse to the definition of "dangerous felonies". It also modifies the definition to include statutory rape or sodomy in the first degree regardless of the child's age and attempted forcible rape or sodomy regardless if physical injury results. A person convicted of a "dangerous felony" must serve 85% of his or her prison sentence.
SUSAN HENDERSON MOORE

01/28/2010 S First Read--SB 857-Schaefer (S179)

EFFECTIVE: August 28, 2010

*** SB 858 *** 4474S.01I

SENATE SPONSOR: Schaefer

SB 858 - In addition to current provisions, this act states that a person commits the crime of failure to return to confinement if he or she fails to return while:

(1) Having been remanded to the custody of the county sheriff for transportation to the Missouri Department of Corrections; or

(2) Being temporarily furloughed during his or her sentence.

Currently, the crime of failing to return to confinement is a Class C misdemeanor, unless certain specific circumstances exist, in which case, the penalty is increased to a Class A misdemeanor or Class D felony. Under this act, failure to return to confinement is a Class A misdemeanor if the underlying offense for which the person is serving time is a misdemeanor and a Class D felony if the underlying offense for which the person is serving time is a felony.
SUSAN HENDERSON MOORE

01/28/2010 S First Read--SB 858-Schaefer (S179)

EFFECTIVE: August 28, 2010

*** SB 859 *** 4477S.01I

SENATE SPONSOR: Schaefer

SB 859 - Currently, a person who has committed the crime of assault in the third degree or domestic assault in the third degree more than two times is guilty of a Class D felony for any subsequent commission of such offenses. Under this act, a person who has committed the crime of assault or domestic assault, regardless of the degree of the offense, more than two times is guilty of a Class D felony for any subsequent commission of the crime of assault.
SUSAN HENDERSON MOORE

01/28/2010 S First Read--SB 859-Schaefer (S179)

EFFECTIVE: August 28, 2010

*** SB 860 *** 4786S.01I

SENATE SPONSOR: Bray

SB 860 - This act requires political subdivisions located at least partially within a charter county or the City of St. Louis to set their property tax rates by October first each year.
JASON ZAMKUS

01/28/2010 S First Read--SB 860-Bray (S179)

EFFECTIVE: August 28, 2010

*** SB 861 *** 4646S.02I

SENATE SPONSOR: Dempsey

SB 861 - This act requires noninvasive vascular laboratories to be certified by either the Intersocietal Commission for the Accreditation of Vascular Laboratories (ICAVL) or the American College of Radiology (ACR) by July 1, 2011. If a noninvasive vascular laboratory does not provide documentation confirming its accreditation with ICAVL or ACR by October 1, 2011, to the Department of Health and Senior services, the bill prohibits the lab from billing, charging or receiving compensation for any services. This prohibition also results if the lab loses its accreditation.

The act also provides the Department of Health and Senior Services with rulemaking authority to implement the accreditation requirement.
ADRIANE CROUSE

01/28/2010 S First Read--SB 861-Dempsey (S179)

EFFECTIVE: August 28, 2010

*** SB 862 *** 4692S.01I

SENATE SPONSOR: Callahan

SB 862 - 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 similar to the perfected version of Senate Bill 507 (2009), and Senate Bill 1209 (2008).
JASON ZAMKUS

01/28/2010 S First Read--SB 862-Callahan (S180)

EFFECTIVE: August 28, 2010

*** SB 863 *** 4605S.02I

SENATE SPONSOR: Callahan

SB 863 - This act authorizes the City of Raytown to levy a transient guest tax on charges for sleeping rooms paid by guests of hotels and motels for the purpose of promotion, operation, and development of tourism and convention facilities. The proposed tax must be submitted to the voters and shall not be greater than five percent per occupied room per night.
JASON ZAMKUS

01/28/2010 S First Read--SB 863-Callahan (S180)

EFFECTIVE: August 28, 2010

*** SB 864 *** 4797S.01I

SENATE SPONSOR: Lembke

SB 864 - Under this act, no political subdivision shall use an automated traffic enforcement system unless the law, ordinance, or regulation treats the traffic violation detected by such a system in the same manner as if the violation had not been detected by an automated traffic enforcement system.

No law authorizing the use of an automated traffic enforcement system shall be valid unless the law penalizes the motor vehicle traffic violation detected through such a system in the same manner as provided by state law.

No law authorizing the use of an automated traffic enforcement system shall be valid if such law provides for the prosecution of a violation detected by such a system as a civil infraction. The violation of a traffic law, ordinance, or regulation detected by an automated traffic enforcement system is criminal in nature, and as such, any person responsible for prosecuting such a violation shall have the burden of proving that the alleged violator was the driver of the motor vehicle at the time of the citation in addition to any other elements of the underlying traffic violation.

Under this act, no political subdivision shall use an automated traffic enforcement system unless the law, ordinance, or regulation includes a penalty that provides for the assessment of points to the violator's driver's license. Every political subdivision using such a system shall ensure that all convictions are reported to the department of revenue in accordance with state law.

Under this act, all motor vehicle traffic violations detected through the use of an automated traffic enforcement system shall constitute a moving violation under state law and shall be subject to the assessment of points, notwithstanding any provision of a municipal or county ordinance to the contrary.
STEPHEN WITTE

01/28/2010 S First Read--SB 864-Lembke (S180)

EFFECTIVE: August 28, 2010

*** SB 865 *** 3097S.04I

SENATE SPONSOR: Wilson

SB 865 - In any case involving parental responsibilities in actions for dissolution, legal separation, paternity or guardianship, the court may, upon agreement by the parties, appoint a parenting coordinator as a neutral third party in high-conflict cases 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 to determine fundamental issues of custody, visitation and support and to exercise management and control of the case. The parenting coordinator shall be either a licensed attorney or a mental health professional. The parenting coordinator shall also be qualified under Missouri Supreme Court rules governing mediation.

Prior to appointing a coordinator, the court shall consider the effect of any evidence of domestic violence on the parties' ability to engage in parent coordination services. If there is a judgment or order regarding the confidentiality of address or telephone information of a party, the coordinator shall maintain such confidentiality.

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 and assist the parties in developing parenting strategies to minimize conflict.
The parenting coordinator may authorize temporary departures from a parenting plan in a manner that is consistent with the substantive intent of the court order containing the plan, and that is within the scope of matters on which the parenting coordinator is authorized to determine. The parenting coordinator's authority is subject to a party's right to file an objection as specified under the act.

A written report of the decisions made by the coordinator shall be provided to the parties or their counsel within 20 days of the decision. Any party may file a motion objecting to any report or decision of the coordinator, within fifteen days of the receipt of the information and serve all the parties with such objection. The court shall review the objections and any responses and set the matter for a hearing de novo or enter other appropriate orders within 10 days of an objection being made.

The order appointing a parenting coordinator shall be for a specified term, but not to exceed two years. 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.

Nothing in the act shall be construed as requiring a circuit court to appoint a parenting coordinator. 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. Also, 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 subtantially similar to HB 1820 (2010) and similar to SB 62 (2009) and SB 1249(2008).
ADRIANE CROUSE

01/28/2010 S First Read--SB 865-Wilson and Keaveny (S180)

EFFECTIVE: August 28, 2010

*** SB 866 *** 3931S.01I

SENATE SPONSOR: Wright-Jones

SB 866 - This act modifies laws regarding hospital patient safety. Under the act, each hospital is required to establish a patient safety committee by January 1, 2011, to design and recommend the process for

implementing a safe patient handling program, which shall be implemented by July 1, 2011. The program shall establish a safe handling policy for all shifts and units, conduct a patient handling hazard assessment and consider incorporating patient handling equipment in future hospital models.

By January 1, 2014, each hospital shall acquire its choice of a specified minimum of patient lifting equipment and shall train staff on policies, equipment and devices at least annually. Each hospital shall also develop procedures for employees to refuse to perform or be involved in patient handling or movement that will expose the patient or employee to an unacceptable risk of injury.

The Division of Workers' Compensation shall develop rules by January 1, 2012, to provide a reduced workers' compensation premium for hospitals that implement a safe patient handling program and submit a report of the result of the reduced premiums to the General Assembly by December 1, 2015 and December 1, 2017.

These act is substantially similar to HB 401 (2009).
ADRIANE CROUSE

01/28/2010 S First Read--SB 866-Wright-Jones (S180)

EFFECTIVE: August 28, 2010

*** SB 867 *** 4149S.02I

SENATE SPONSOR: Mayer

SB 867 - Only lien wavers that release rights only to the extent of payment received by the claimant in exchange for the waiver are enforceable.

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.

This act requires lien claimants to include the dollar amount due, and a brief general description of the type of labor, materials, or services provided in their statement. An itemization of the labor, materials, equipment, and costs is not necessary.

The petition in a lien claim shall include the names of the owners of the property subject to the lien and pray for the appointment of a disinterested person to serve as a referee to assess the lien claim.

A summons shall be personally served by the sheriff or by publication if the name or residence of the owner is unknown.

Reasonable attorneys' fees, interest and costs shall be levied against the property charged with the lien.

If the owner fails to pay the original contractor, the court shall charge reasonable attorneys' fees of any lien claimant to the owner. If the lien claimant has made a claim without just cause, the court shall charge the reasonable attorneys’ fees of the owner to the lien claimant.

When the debtor has not been served with summons, and the judgment if for the plaintiff, the interest and attorneys’ fees shall be levied against the property charged with the lien.

Currently, the court may appoint a referee to hear the case and report its findings to the court. This act requires the court to appoint a referee in all cases.

This act is similar to SB 1074 (2008), SB 267 (2009), and HB 595 (2009).
CHRIS HOGERTY

01/28/2010 S First Read--SB 867-Mayer (S180)

EFFECTIVE: August 28, 2010

*** SB 868 *** 4740S.01I

SENATE SPONSOR: Shields

SB 868 - This act provides state and local sales and use tax exemptions for all machinery, equipment, computers, electrical energy, gas, water and other utilities including telecommunication services used in new data storage centers and server farm facilities. The act also provides a state and local sales and use tax exemption for purchases of tangible personal property for the construction, repair, or remodeling of a new data storage center or server farm facility. In order to receive the sales tax exemption provided for new data storage centers and server farm facilities, an application must be made to the Department of Economic Development for certification. Such application must show that the project will result in at least five million dollars of new facility investment over a three year period.

The act also creates a state and local sales and use tax exemption for existing data storage centers and server farm facilities for all machinery, equipment, computers, electrical energy, gas, water and other utilities including telecommunication services. The exemption will only apply to the increase in expenditures for utilities over the previous year's expenditures. The exemptions for tangible property will be available only on the increase in expenditures over the average of the previous three years expenditures. In order to receive the sales tax exemption provided for existing data storage centers and server farm facilities, an application must be made to the Department of Economic Development for certification. Such application must show that the project will result in at least one million dollars of new facility investment over a one year period.

The Department of Economic Development and the Department of Revenue are authorized to conduct random audits to ensure compliance with the requirements for state and local sales and use tax exemptions authorized under the act.
JASON ZAMKUS

01/28/2010 S First Read--SB 868-Shields (S180)

EFFECTIVE: August 28, 2010

*** SCR 31 *** 4273S.01I

SENATE SPONSOR: Pearce

SCR 31 – 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 substantially similar to SCR 13 (2009) and to HCR 7 (2008).
MICHAEL RUFF

01/06/2010 S offered--SCR 31-Pearce (S82)
01/11/2010 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S92)

EFFECTIVE: upon approval

*** SCR 32 *** 4147S.01I

SENATE SPONSOR: Crowell

This bill has been combined with SCR 35

01/06/2010 S First Read--SCR 32-Crowell, et al (S82-83)
01/11/2010 Second Read and Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S92)
01/19/2010 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee
01/26/2010 Bill Combined w/(SCS/SCRs 35 & 32)

EFFECTIVE: upon approval

*** SCR 33 *** 4076S.01I

SENATE SPONSOR: Nodler

SCR 33 - This concurrent resolution encourages the United States Congress to urge federal agencies to exercise regulatory forbearance with respect to well-managed community depositories including allowing such institutions to maintain lower levels of capital, restructure debts, and properly classify loans.
CHRIS HOGERTY

01/11/2010 S Offered--SCR 33-Nodler (S89-90)
01/12/2010 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S101)

EFFECTIVE: upon approval

*** SCR 34 *** 4093S.01I

SENATE SPONSOR: Lembke

SCR 34 - This concurrent resolution reaffirms Missouri's sovereignty under the Tenth Amendment and demands that the federal government stop all activities outside the scope of their constitutionally-delegated powers.

This concurrent resolution is similar to HCR 13 (2009).
EMILY KALMER

01/11/2010 S Offered--SCR 34-Lembke, et al (S90-91)
01/12/2010 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S101)
02/02/2010 Hearing Scheduled S Rules, Joint Rules, Resolutions and Ethics Committee

EFFECTIVE: upon approval

*** SCR 35 *** SCS SCRs 35 & 32 4145S.01I

SENATE SPONSOR: Stouffer

SCS/SCRs 35 & 32 - This resolution disapproves new values for agricultural and horticultural property filed with the Secretary of State's Office on December 21, 2009, by the State Tax Commission. The State Tax Commission is required to set the value for each of the eight grades of agricultural land based upon productive capability for use by county assessors to determine property tax liabilities.

Section 137.021, RSMo, authorizes the General Assembly to disapprove any regulation containing new agricultural land values by a concurrent resolution adopted within the first sixty calendar days of the session following promulgation of such regulation.
JASON ZAMKUS

01/12/2010 S First Read--SCR 35-Stouffer, et al (S101)
01/13/2010 Second Read and Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S112)
01/19/2010 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee
01/26/2010 SCS Voted Do Pass (w/SCS/SCRs 35 & 32) S Rules, Joint Rules, Resolutions and Ethics Committee (4145S.02C)
01/27/2010 Reported from S Rules, Joint Rules, Resolutions and Ethics Committee to Floor w/SCS (S174-175)
01/28/2010 SA 1 to SCS S offered & adopted (Stouffer)--(4145S02.01S) (S180-181)
01/28/2010 SCS, as amended, S adopted (S181)
01/28/2010 S Third Read and Passed (S181)

EFFECTIVE: upon approval

*** SCR 36 *** 3702S.01I

SENATE SPONSOR: Schmitt

SCR 36 - This concurrent resolution urges Congress to pass a balanced budget amendment to the United States Constitution that would require a balance in the projected revenues and expenditures of the United States federal government when preparing and approving the annual budget.
SUSAN HENDERSON MOORE

01/13/2010 S Offered--SCR 36-Schmitt and Rupp (S108-109)
01/19/2010 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S129)
01/26/2010 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee

EFFECTIVE: upon approval

*** SCR 37 *** 4408S.01I

SENATE SPONSOR: Schmitt

SCR 37 - This concurrent resolution urges Attorney General Koster to join the 13 other state attorneys general from across the nation in challenging the constitutionality of the deal made by Nebraska Senator Ben

Nelson permanently exempting Nebraska from bearing the costs of newly eligible Medicaid enrollees.
ADRIANE CROUSE

01/13/2010 S Offered--SCR 37-Schmitt (S109)
01/19/2010 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S129)
01/26/2010 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee

EFFECTIVE: upon approval

*** SCR 38 *** 4217S.01I

SENATE SPONSOR: Rupp

SCR 38 - This concurrent resolution rescinds Missouri's 1983 call for a constitutional convention.

This concurrent resolution is identical to SCR 10 (2009).
JASON ZAMKUS

01/13/2010 S Offered--SCR 38-Rupp (S109-110)
01/19/2010 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S129)

EFFECTIVE: upon approval

*** SCR 39 *** 4465S.02I

SENATE SPONSOR: Schaefer

SCR 39 - This concurrent resolution urges Congress to designate the Liberty Memorial in Kansas City, Missouri as the National World War I Memorial.
EMILY KALMER

01/19/2010 S Offered--SCR 39-Schaefer (S126)
01/20/2010 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S141)

EFFECTIVE: upon approval

*** SCR 40 *** 3087S.01I

SENATE SPONSOR: Justus

SCR 40 - This resolution urges ratification of the Equal Rights Amendment to the United States Constitution.

This SCR is similar to SCR 3 (2009), SCR 28 (2008) and SCR 30 (2008).
ADRIANE CROUSE

01/20/2010 S First Read--SCR 40-Justus and Bray (S137-138)
01/25/2010 Second Read and Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S165)

EFFECTIVE: upon approval

*** SCR 41 *** 4162S.01I

SENATE SPONSOR: Schmitt

SCR 41 - This resolution creates the Joint Committee on Oversight of Federal Stimulus and Stabilization Funds. This committee shall oversee the distribution and utilization of federal stimulus and stabilization funds that are received by the state under the American Recovery and Reinvestment Act of 2009.
JIM ERTLE

01/20/2010 S Offered-SCR 41-Schmitt (S138-139)
01/25/2010 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S165)
02/02/2010 Hearing Scheduled S Rules, Joint Rules, Resolutions and Ethics Committee

EFFECTIVE: upon approval

*** SCR 42 *** 4350S.01I

SENATE SPONSOR: Bray

SCR 42 - The resolution urges all state departments to provide public education about light pollution and

to develop guidelines to address light pollution in state facilities. The resolution also encourages the director of the Department of Natural Resources to convene two stakeholder groups: one to study and report on certain societal impacts of light pollution, and the other to assist willing communities in creating starlight preserves around public lands where stargazing is deemed optimal.
ERIKA JAQUES

01/20/2010 S Offered-SCR 42-Bray (S139)
01/25/2010 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S165)

EFFECTIVE: upon approval

*** SCR 43 *** 4355S.01I

SENATE SPONSOR: Schmitt

SCR 43 - This concurrent resolution urges Congress to designate the Liberty Memorial in Kansas City, Missouri as the National World War I Memorial.
EMILY KALMER

01/21/2010 S Offered--SCR 43-Schmitt, et al (S155-156)
01/25/2010 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S165)

EFFECTIVE: upon approval

*** SJR 19 *** 3573S.01I

SENATE SPONSOR: Bartle

SJR 19 - 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 2 (2009), SJR 31 (2008), SJR 1 (2007), SJR 24 (2006), SJR 11 (2005) and SJR 38 (2004)
STEPHEN WITTE

12/01/2009 Prefiled
01/06/2010 S First Read--SJR 19-Bartle (S80)
01/19/2010 Second Read and Referred S Transportation Committee (S132)

EFFECTIVE: Upon Voter Approval

*** SJR 20 *** 3566S.01I

SENATE SPONSOR: Bartle

SJR 20 - Upon voter approval, this constitutional amendment creates an exception to the prohibition against laws retrospective in operation by allowing 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 certain provisions of SS/SCS/SJRs 34 & 30 (2008) and SS/SJR 3 (2009).
SUSAN HENDERSON MOORE

12/01/2009 Prefiled
01/06/2010 S First Read--SJR 20-Bartle (S80)
01/19/2010 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S132)
02/01/2010 Hearing Scheduled S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: Upon Voter Approval

*** SJR 21 *** 3571S.01I

SENATE SPONSOR: Bartle

SJR 21 - 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), SJR 32 (2008), and SJR 1 (2009).
JASON ZAMKUS

12/01/2009 Prefiled
01/06/2010 S First Read--SJR 21-Bartle (S80)
01/19/2010 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S132)

EFFECTIVE: Upon Voter approval

*** SJR 22 *** 3082S.01I

SENATE SPONSOR: Callahan

SJR 22 - This proposed constitutional amendment, if approved by voters, would allow for the creation of discrete tax-free or reduced-tax geographic districts for the purpose of promoting small business development to further economic development in such districts. No such district may maintain tax-favored status for a term longer than twenty-three years.
JASON ZAMKUS

12/01/2009 Prefiled
01/06/2010 S First Read--SJR 22-Callahan (S81)
01/19/2010 Second Read and Referred S Progress and Development Committee (S132)
01/27/2010 Hearing Conducted S Progress and Development Committee

EFFECTIVE: Upon Voter approval

*** SJR 23 *** 3198S.02I

SENATE SPONSOR: Ridgeway

SJR 23 - Upon voter approval, this constitutional amendment provides for a penalty for political subdivisions participating in a public health insurance option sponsored by the federal government. If a political subdivision does so, such political subdivision shall be ineligible to receive any state funds, including any state funds otherwise constitutionally dedicated toward such political subdivision.

Beginning the first calendar quarter following adoption of this amendment, and annually thereafter, each political subdivision that provides health insurance to its employees shall verify with the commissioner of the office of administration whether or not it participates in the public option. The commissioner shall collect and compile the information and make it available to the public.
ADRIANE CROUSE

12/01/2009 Prefiled
01/06/2010 S First Read--SJR 23-Ridgeway (S81)
01/19/2010 Second Read and Referred S General Laws Committee (S132)
01/26/2010 Hearing Conducted S General Laws Committee

EFFECTIVE: Upon voter approval

*** SJR 24 *** 3065S.01I

SENATE SPONSOR: Wilson

SJR 24 - 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 14 (2009) and SJR 47 (2008).
JASON ZAMKUS

12/01/2009 Prefiled
01/06/2010 S First Read--SJR 24-Wilson (S81)
01/19/2010 Second Read and Referred S Ways and Means Committee (S132)

EFFECTIVE: Upon voter approval

*** SJR 25 *** 3206S.01I

SENATE SPONSOR: Cunningham

SJR 25 - Upon voter approval, this constitutional amendment provides that no law shall compel a patient, employer, or health care provider to participate in any government or privately run health care system, nor prohibit a patient or employer from paying directly for legal health care services.

This amendment does not affect laws or regulations in effect as of January 1, 2010, affect which health care services a health care provider is required to perform, affect which health care services are provided by law, or prohibit care provided under worker's compensation.
ADRIANE CROUSE

12/01/2009 Prefiled
01/06/2010 S First Read--SJR 25-Cunningham, et al (S81)
01/19/2010 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S132)
01/28/2010 Hearing Conducted S Governmental Accountability and Fiscal Oversight Committee

EFFECTIVE: Upon voter approval

*** SJR 26 *** 3705S.01I

SENATE SPONSOR: Cunningham

SJR 26 - 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) and SJR 18 (2009).
JASON ZAMKUS

12/01/2009 Prefiled
01/06/2010 S First Read--SJR 26-Cunningham (S81)
01/19/2010 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S132)

EFFECTIVE: Upon Voter Approval

*** SJR 27 *** 3092S.01I

SENATE SPONSOR: Lembke

SJR 27 - This constitutional amendment, if approved by the voters, would modify the way in which Missouri supreme court judges, appellate judges, and circuit court and associate circuit court judges in certain counties are selected. These judges would be appointed by the Governor, but have no authority to act until confirmed by the Senate. If the Senate is in session when the Governor appoints the prospective judge and it is more than sixty days before the end of session, the Senate is required to vote on the appointment within sixty days. If the appointment is made in the last sixty days of the regular session, or prior to the veto session, the senate shall vote on the appointment at the veto session in September. If the appointment is made after the September session, the senate shall vote on the appointment at the next regular session.

In addition to the retention election after the first year of each judge's term, each judge under this plan would be subject to a retention election after ten years in office.
EMILY KALMER

12/01/2009 Prefiled
01/06/2010 S First Read--SJR 27-Lembke (S81)
01/19/2010 Second Read and Referred S General Laws Committee (S132)

EFFECTIVE: Upon voter approval

*** SJR 28 *** 3091S.01I

SENATE SPONSOR: Lembke

SJR 28 - Upon passage of this amendment, the Missouri Citizens' Commission on Compensation for Elected Officials" would no longer consider the issue of judicial compensation. Beginning January 1, 2011, Missouri supreme court judges shall receive seventy-five percent of the salary of an associate justice of the United States supreme court. Appellate judges would receive seventy-five percent of the salary of a United States circuit court judge. A circuit court judge and an associate circuit court judge would receive seventy-five percent of the salary of a United States district judge.
EMILY KALMER

12/01/2009 Prefiled
01/06/2010 S First Read--SJR 28-Lembke (S81)
01/19/2010 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S132)

EFFECTIVE: Upon voter approval

*** SJR 29 *** 4139S.01I

SENATE SPONSOR: Purgason

SJR 29 - 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. 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.

The Tax Adjustment Commission is created to recommend a one-time adjustment to the new sales tax rate to ensure revenue-neutrality. A rate adjustment may only be recommended to the General Assembly upon a unanimous vote of the Commission. A concurrent resolution, offered in the house of representatives, must be adopted by both houses and sent to the Governor in order to make the one-time rate adjustment recommended by the Commission.

This act is identical to HJR 56 (2010).
JASON ZAMKUS

01/12/2010 S First Read--SJR 29-Purgason and Cunningham (S103)
01/19/2010 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S132)
01/28/2010 Hearing Conducted S Governmental Accountability and Fiscal Oversight Committee

EFFECTIVE: Upon passage & approval

*** SJR 30 *** 3904S.01I

SENATE SPONSOR: Bartle

SJR 30 - This constitutional amendment, if approved by voters, would require that all state and local ballot measures which seek to create a new or increase an existing tax be placed before voters during

general elections.
JASON ZAMKUS

01/13/2010 S First Read--SJR 30-Bartle (S112)
01/19/2010 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S132)

EFFECTIVE: upon voter approval

*** SJR 31 *** 3472S.01I

SENATE SPONSOR: Scott

SJR 31 - 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, clergy persons, and other individuals 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. Students shall not be compelled to participate in academic assignments that violate their religious beliefs. All public schools are required to display the Bill of Rights of the United States Constitution.

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 SCS/SJR 12 (2009), SS/HJR 11 (2009), HJR 55 (2008), and HJR 19 (2007).
EMILY KALMER

01/13/2010 S First Read--SJR 31-Scott (S112)
01/19/2010 Second Read and Referred S General Laws Committee (S132)
01/26/2010 Hearing Conducted S General Laws Committee

EFFECTIVE: upon voter approval

*** SJR 32 *** 3988S.01I

SENATE SPONSOR: Schmitt

SJR 32 - This constitutional amendment, if approved by voters, would require a two-thirds majority vote of both houses of the General Assembly to pass legislation which would create a new, or increase an existing, state tax.
JASON ZAMKUS

01/20/2010 S First Read--SJR 32-Schmitt (S140)
01/25/2010 Second Read and Referred S Ways and Means Committee (S167)

EFFECTIVE: upon voter approval

*** SJR 33 *** 3453S.01I

SENATE SPONSOR: Bartle

SJR 33 - Upon voter approval, this constitutional amendment would allow, in prosecutions for crimes of a sexual nature involving a victim under eighteen years of age, evidence of prior criminal acts, whether charged or uncharged, to be admissible for the purpose of corroborating the victim's testimony or demonstrating the defendant's propensity to commit the crime with which he or she is presently charged.

SUSAN HENDERSON MOORE

01/20/2010 S First Read--SJR 33-Bartle (S140)
01/25/2010 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S167)
02/01/2010 Hearing Scheduled S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: upon voter approval

*** SJR 34 *** 4524S.02I

SENATE SPONSOR: Goodman

SJR 34 - Upon approval of the voters, this constitutional amendment requires the attorney general to seek appropriate relief on behalf of the state when the attorney general determines that a lawsuit is necessary and proper, or when the attorney general is directed to seek relief by the governor, the general assembly, or by a petition of the voters that expresses the belief that the federal government has taken steps that require the state or a state officer to enforce a federal law that is outside Congress's power and intrudes on state sovereignty.

The amendment also sets forth the procedure for the petition process for voter-directed lawsuits.
EMILY KALMER

01/21/2010 S First Read--SJR 34-Goodman and Schmitt (S156)
01/25/2010 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S167)

EFFECTIVE: Contingent

*** SJR 35 *** 4602S.01I

SENATE SPONSOR: Lager

SJR 35 - 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 13 (2009) and SJR 50 (2008).
JASON ZAMKUS

01/21/2010 S First Read--SJR 35-Lager (S157)
01/25/2010 Second Read and Referred S Ways and Means Committee (S167)

EFFECTIVE: Upon voter approval

*** SJR 36 *** 4399S.01I

SENATE SPONSOR: Lager

SJR 36 - 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 6 (2009) and SJR 19 (2007).
JIM ERTLE

01/21/2010 S First Read--SJR 36-Lager (S157)
01/25/2010 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S167)

EFFECTIVE: Contingent

*** SJR 37 *** 4214S.01I

SENATE SPONSOR: Ridgeway

SJR 37 - 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. 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.

The Tax Adjustment Commission is created to recommend a one-time adjustment to the new sales tax rate to ensure revenue-neutrality. A rate adjustment may only be recommended to the General Assembly upon a unanimous vote of the Commission. A concurrent resolution, offered in the house of representatives, must be adopted by both houses and sent to the Governor in order to make the one-time rate adjustment recommended by the Commission.

This act is identical to HJR 56 (2010).
JASON ZAMKUS

01/21/2010 S First Read--SJR 37-Ridgeway (S157)
01/25/2010 Second Read and Referred S Governmental Accountability and Fiscal Oversight Committee (S167)

EFFECTIVE: Upon passage & approval

*** SJR 38 *** 4179S.02I

SENATE SPONSOR: Ridgeway

SJR 38 - Upon voter approval, the proposed constitutional amendment would require the legislative session to end in late March rather than the middle of May.
SUSAN HENDERSON MOORE

01/25/2010 S First Read--SJR 38-Ridgeway (S165)
01/28/2010 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S185)

EFFECTIVE: Upon voter approval

*** SJR 39 *** 4462S.01I

SENATE SPONSOR: Crowell

SJR 39 – This constitutional amendment, if approved by voters, would modify the composition of the State Board of Education. The State Board of Education would consist of nine members, instead of the current eight. Six would be lay members with the remaining three consisting of one active classroom teacher, one active building principal, and one active school superintendent. No more than three of the lay members may be from the same political party. Their term of office will be four years, instead of the current eight, with one reappointment possible. The teacher, principal, and superintendent members would be eligible to serve one four-year term only.
MICHAEL RUFF

01/25/2010 S First Read--SJR 39-Crowell (S165)
01/28/2010 Second Read and Referred S Education Committee (S185)

EFFECTIVE: Upon voter approval

*** SJR 40 *** 4718S.01I

SENATE SPONSOR: Goodman

SJR 40 - This constitutional amendment, if approved by the voters, would ensure the right of individuals to vote by secret ballot when state or federal law requires public elections for public office or on initiatives or referenda, or where state or federal law requires designations or authorizations of employee representation.

This resolution is identical to HJR 37 (2009).
CHRIS HOGERTY

01/27/2010 S First Read--SJR 40-Goodman (S174)

EFFECTIVE: Upon voter approval

*** SJR 41 *** 4747S.01I

SENATE SPONSOR: Lembke

01/27/2010 S First Read--SJR 41-Lembke (S174)
01/27/2010 Bill Withdrawn (S174)

*** SR 1400 ***

SENATE SPONSOR: Engler

01/20/2010 S Offered--SR 1400-Engler (S136-137)
01/21/2010 S adopted (S157)

*** HCR 1 *** 4275L.01I

HOUSE HANDLER: Tilley

HCR 1 Tilley, Steven
********** NO BILL SUMMARY **********

01/06/2010 Offered (H) (H8)
01/06/2010 Adopted (H) (H8 / S91-92)
01/11/2010 Reported to the Senate (S91-92)
01/12/2010 S adopted (S103 / H71)
01/19/2010 S Escort Committee appointed: Shields, Engler, Mayer, Bartle, Nodler, Callahan, Green, Barnitz, Days, Keaveny (S129 / H97)
01/20/2010 H Escort Committee appointed: Allen, Bruns, Faith, Hobbs, Kingery, Lipke, Schlottach, Sutherland, Wallace, Wasson, Roorda, Rucker, Jones (63), Scavuzzo, Schupp, Still, Swinger, Talboy, Walsh, Zimmerman (H103 / S142)

EFFECTIVE: upon approval

*** HCR 2 *** 4276L.01I

HOUSE HANDLER: Tilley

HCR 2 Tilley, Steven
********** NO BILL SUMMARY **********

01/06/2010 Offered (H) (H8)
01/06/2010 Adopted (H) (H8 / S92)
01/11/2010 Reported to the Senate (S92)
01/12/2010 S adopted (S103 / H71)

*** HCR 7 *** HCS HCR 7, 3 & 17 4102L.02C

HOUSE HANDLER: Munzlinger

HCS/HCRs 7, 3 & 17 - This resolution disapproves new values for agricultural and horticultural property filed with the Secretary of State's Office on December 21, 2009, by the State Tax Commission. The State Tax Commission is required to set the value for each of the eight grades of agricultural land based upon productive capability for use by county assessors to determine property tax liabilities.

Section 137.021, RSMo, authorizes the General Assembly to disapprove any regulation containing new agricultural land values by a concurrent resolution adopted within the first sixty calendar days of the session following promulgation of such regulation.
JASON ZAMKUS

01/06/2010 Introduced and Read First Time (H) (H9)
01/07/2010 Read Second Time (H) (H41)
01/11/2010 Referred: Agri-Business (H) (H48)
01/20/2010 Public Hearing Completed (H)
01/21/2010 Executive Session Completed (H)
01/21/2010 HCS Voted Do Pass (H)
01/21/2010 HCS Reported Do Pass (H) (H125)
01/21/2010 Referred: Rules - Pursuant to Rule 25(32)(f) (H)
01/25/2010 Rules - Executive Session Completed (H)
01/25/2010 Rules - Voted Do Pass (H)
01/25/2010 Rules - Reported Do Pass (H) (H137)
01/28/2010 HCS Adopted (H)
01/28/2010 Third read and passed (H) (S181-182)
01/28/2010 S First Read (S181-182)
02/01/2010 Resolutions--HCS for HCRs 7, 3 & 17

EFFECTIVE: upon approval

*** HCR 18 *** HCS HCR 18 4336L.05C

HOUSE HANDLER: Diehl

HCS/HR 18 - This resolution urges the Missouri Congressional delegation to vote against H.R. 3200, the federal health care reform legislation.
JIM ERTLE

01/11/2010 Offered (H) (H47)
01/11/2010 Referred: Special Standing Committee on General Laws (H) (H48)
01/12/2010 Public Hearing Completed (H)
01/12/2010 Executive Session Completed (H)
01/12/2010 HCS Voted Do Pass (H)
01/13/2010 HCS Reported Do Pass (H) (H66)
01/13/2010 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H66)
01/14/2010 Executive Session Completed (H)
01/14/2010 Voted Do Pass (H)
01/14/2010 Reported Do Pass (H) (H79)
01/19/2010 HCS Adopted (H) (H93-94 / S142-143)
01/20/2010 Reported to the Senate (S142-143)
01/25/2010 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S165)
02/02/2010 Hearing Scheduled S Rules, Joint Rules, Resolutions and Ethics Committee

EFFECTIVE: upon approval

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