96th General Assembly

First Regular Session

MISSOURI SENATE

# WEEKLY BILL STATUS REPORT

**May 9 - 13, 2011**

Prepared by
Divisions of Research and Computer Information Systems

*** SB 1 *** SCS SBs 1 & 206 0216S.02C

SENATE SPONSOR: Ridgeway

SCS/SBs 1 & 206 - Employers are barred from requiring employees to become or refrain from becoming a member of a labor organization or pay dues or other charges required of labor organization members as a condition of employment. Employers who do so commit a class C misdemeanor. Prosecuting attorneys and the Attorney General are charged with investigating complaints.

This act is identical to HB 877 (2005), and SB 888 (2010).
CHRIS HOGERTY

SA 1 - EXEMPTS EMPLOYEES WHO HAVE TERMINATED 200 OR MORE EMPLOYEES AND HIRED MORE THAN 200 EMPLOYEES THAT ARE NOT UNITED STATES CITIZENS.

12/01/2010 Prefiled
01/05/2011 S First Read--SB 1-Ridgeway (S9)
01/12/2011 Second Read and Referred S General Laws Committee (S85)
02/01/2011 Hearing Cancelled S General Laws Committee
02/08/2011 Hearing Conducted S General Laws Committee
02/15/2011 SCS Voted Do Pass (w/SCS/SBs 1 & 206) S General Laws Committee (0216S.02C)
02/17/2011 Reported from S General Laws Committee to Floor w/SCS (S283)
02/22/2011 Bill Placed on Informal Calendar (S298)
03/14/2011 SA 1 to SCS S offered (Callahan)--(0216S02.01F) (S448)
03/14/2011 Bill Placed on Informal Calendar (S448)
05/13/2011 S Informal Calendar S Bills for Perfection--SBs 1 & 206-Ridgeway, with SCS & SA 1 (pending)

EFFECTIVE: August 28, 2011

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*** SB 2 *** 0217S.01I

SENATE SPONSOR: Ridgeway

SCS/SB 2 - Under this act, beginning with the open enrollment period for the 2012 plan year, the Missouri Consolidated Health Care Plan board must offer a qualified high deductible health plan that has a monthly subscriber premium that is at least 50% lower than the non-high deductible health plan chosen by a plurality of qualified employees. The amount of the annual deductible for the high deductible health plan offered shall be no greater than 125% of the minimum annual deductible for self-only coverage and family coverage as established by the Internal Revenue Service for the current tax year. The sum of the annual deductible and the other annual out-of-pocket expenses required to be paid under a high deductible health plan offered by the board shall not exceed the amount set forth by the Internal Revenue Service for the current tax year. The coverage afforded by the high deductible health plan, after the deductible has been met, shall be substantially similar to the coverage provided by the non-high deductible health plan chosen by a plurality of qualified employees.

If, after the completion of the open enrollment period for the 2012 plan year, fewer than 10% of Missouri's active state employees have enrolled in a high deductible health plan described in the act, then the board shall offer a more competitive high deductible health plan with increased financial and coverage incentives, including but not limited to alternative annual deductibles, out-of-pocket expenses, and other health plan design features, all within the federal guidelines, with the goal of having 50% of Missouri's active state employees enrolling in a health savings account compatible high deductible health plan by the open enrollment period for the 2015 plan year.
STEPHEN WITTE

12/01/2010 Prefiled
01/05/2011 S First Read--SB 2-Ridgeway (S9)
01/12/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S85)
03/29/2011 Hearing Conducted S Health, Mental Health, Seniors and Families Committee
04/05/2011 SCS Voted Do Pass S Health, Mental Health, Seniors and Families Committee - (0217S.04C)

EFFECTIVE: August 28, 2011

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*** SB 3 *** HCS#2 SB 3 0283L.07T

SENATE SPONSOR: Stouffer HOUSE HANDLER: Diehl

HCS#2/SB 3 - This act establishes requirements for advance voting and voter photo identification for elections.

Advance voting is established in presidential, senatorial, and statewide elections. The period shall begin on the third Saturday immediately preceding an election and end on the Tuesday immediately preceding the election, excluding Sundays.

Election authorities shall establish one advance voting center in each county in the state, or at least one center for every 100,000 residents reasonably distributed throughout such county. The Secretary of State and each election authority shall provide public notice of the advance voting centers and periods.

Costs for advance voting shall be reimbursed from the general revenue of the state by appropriation and no election authority shall conduct advance voting without such appropriation.

The act establishes identification requirements for voting. Voters shall produce a nonexpired Missouri driver's license; a nonexpired or nonexpiring Missouri nondriver's license; any identification containing a photograph issued by the Missouri National Guard, the United States armed forces, or the United States Department of Veterans Affairs; or a document issued by the United States or the state of Missouri containing the name of the voter which substantially conforms to the most recent signature in the individual's voter registration records, a photograph, and an expiration date or if expired, the expiration is after the date of the most recent general election.

Those appearing without identification who are unable to obtain one because of a physical or mental disability, an inability to pay for a document necessary to obtain the required identification, a religious belief against forms of identification or the voter was born before January 1, 1941 shall be allowed to vote a provisional ballot, provided the election authority can verify the identity of the individual by comparing the individual's signature to the signature on file with the election authority.

All voters whose identity cannot be established are allowed to cast a provisional ballot which shall not be counted unless the voter returns and provides proper identification.

All costs incurred by the election authority associated with implementing the new identification requirements shall be reimbursed from the general revenue upon appropriation.

The Secretary of State shall provide advance notice of the identification requirements.

The state, including any license fee office, shall provide at least one form of identification required to vote at no cost to the voter. The state shall provide at least one form of document required to obtain the required identification at no cost to those who do not possess one.

This act is contingent on the passage of a constitutional amendment establishing voter photo identification for elections, advance voting, and voter registration requirements.

This act is similar to SB 1014 (2006), SB 523 (2009), HB 1966 (2010), and SB 84 (2011).
CHRIS HOGERTY

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|---|---|
| 12/01/2010 | Prefiled |
| 01/05/2011 | S First Read--SB 3-Stouffer (S9) |
| 01/12/2011 | Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S85) |
| 01/24/2011 | Hearing Conducted S Financial and Governmental Organizations and Elections Committee |
| 01/31/2011 | Voted Do Pass S Financial and Governmental Organizations and Elections Committee |
| 02/10/2011 | Reported from S Financial and Governmental Organizations and Elections Committee to Floor (S234) |
| 02/15/2011 | SA 1 S offered & defeated (Green)--(0283S01.01F) (S253-254) |
| 02/15/2011 | SA 2 S offered (Justus)--(0283S01.17S) (S254) |
| 02/15/2011 | SSA 1 for SA 2 S offered & adopted (Schaaf)--(0283S01.02F) (S254) |
| 02/15/2011 | SA 3 S offered & adopted (Keaveny)--(0283S01.03F) (S254-255) |
| 02/15/2011 | SA 4 S offered & adopted (Wright-Jones)--(0283S01.01S) (S255-258) |
| 02/15/2011 | SA 5 S offered & defeated (Justus)--(0283S01.04F) (S258-259) |
| 02/15/2011 | SA 6 S offered & adopted (Callahan)--(0283S01.05F) (S259) |
| 02/15/2011 | SA 7 S offered & defeated (Justus)--(0283S01.23S) (S259) |

02/15/2011 Perfected, as amended (S259)
02/15/2011 Reported Truly Perfected S Rules Committee (S260)
02/15/2011 Referred S Ways & Means and Fiscal Oversight Committee (S260)
02/17/2011 Hearing Conducted S Ways and Means and Fiscal Oversight Committee
02/17/2011 Voted Do Pass S Ways & Means and Fiscal Oversight Committee
02/17/2011 Reported from S Ways & Means and Fiscal Oversight Committee to Floor (S282)
02/17/2011 S Third Read and Passed (S282-283)
02/17/2011 H First Read (H397)
02/21/2011 H Second Read (H402)
03/03/2011 Referred H Elections Committee (H521)
03/08/2011 Hearing Conducted H Elections Committee
03/09/2011 HCS Voted Do Pass H Elections Committee
03/10/2011 HCS Reported Do Pass H Elections Committee
03/10/2011 Referred to Rules Committee pursuant to Rule 25(32)(f)
03/16/2011 Hearing Conducted H Rules Pursuant to Rule 25(32)(f) Committee
03/16/2011 Voted to return bill to committee of origin (H673)
04/12/2011 HCS#2 Voted Do Pass H Elections Committee
04/12/2011 HCS#2 Reported Do Pass H Elections Committee (H1237)
04/12/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1237)
04/13/2011 HCS#2 Voted Do Pass H Rules Pursuant Committee
04/13/2011 HCS#2 Reported Do Pass H Rules Pursuant Committee (H1269)
04/26/2011 Referred H Fiscal Review Committee (H1619)
04/28/2011 Voted Do Pass H Fiscal Review Committee
04/28/2011 Reported Do Pass H Fiscal Review Committee (H1665)
05/04/2011 HA 1 to HCS#2 offered & adopted (Diehl)--(0283L07.02L) (H1833)
05/04/2011 HA 2 to HCS#2 offered & defeated (Conway)--(0283L07.03L) (H1834-1835)
05/04/2011 HCS#2, as amended, H adopted (H1835)
05/04/2011 H Third Read and Passed (H1835-1836 / S1337-1342)
05/09/2011 Motion to concur in HCS#2, as amended S withdrawn (S1525)
05/10/2011 S concurs in HCS#2, as amended (S1676-1677)
05/10/2011 S Third Read and Passed (S1677 / H2239)
05/10/2011 Truly Agreed To and Finally Passed (H2239)

EFFECTIVE: Upon voter approval

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*** SB 4 *** 0272S.01I

SENATE SPONSOR: Stouffer

SB 4 - This act repeals the Puppy Mill Cruelty Prevention Act.
ERIKA JAQUES

12/01/2010 Prefiled
01/05/2011 S First Read--SB 4-Stouffer (S9)
01/12/2011 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S85)
01/26/2011 Hearing Scheduled But Not Heard S Agriculture, Food Production and Outdoor Resources Committee

EFFECTIVE: August 28, 2011

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*** SB 5 *** 0287S.01I

SENATE SPONSOR: Stouffer

This bill has been combined with SB 7

12/01/2010 Prefiled
01/05/2011 S First Read--SB 5-Stouffer (S9)
01/12/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S85)
01/25/2011 Hearing Conducted S Health, Mental Health, Seniors and Families Committee
02/08/2011 Bill Combined (w/SCS SBs 7, 5, 74 & 169)

EFFECTIVE: August 28, 2011

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*** SB 6 *** 0133S.01I

SENATE SPONSOR: Goodman

SB 6 - 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 or osteopathic 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, advanced practice registered 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 identical to SCS/SB 616 (2010).

ADRIANE CROUSE

12/01/2010 Prefiled
01/05/2011 S First Read--SB 6-Goodman (S9)
01/12/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S85)
02/15/2011 Hearing Conducted S Health, Mental Health, Seniors and Families Committee

EFFECTIVE: August 28, 2011

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*** SB 7 *** SCS SBs 7, 5, 74 & 169 0131S.05C

SENATE SPONSOR: Goodman

SCS/SBs 7, 5, 74 & 169 - This act, the "TANF Child Protection and Drug Free Home Act", requires temporary assistance for needy families (TANF)case workers to report to the Children's Division in accordance with procedures for mandated reporters of child abuse in instances where either the work-eligible recipient tested positive or refused to test in relation to work activities. The TANF work-eligible recipients covered under this act include recipients who are required to participate in work activities or in preparation for work-activities. Such work activities include subsidized or unsubsidized private or public sector employment, job training programs, community service programs, or vocational education and training programs.

Case workers conducting an initial assessment to determine if an individual meets an exemption, exclusion or is work ready at each temporary assistance for needy families application, reinvestigation or interim change may report or cause a report to be made to the Children's Division in instances where the case worker has reasonable suspicion to believe that such individual is engaging in illegal use of a controlled substance.

Any work-eligible recipient who is found to have tested positive for the illegal use of a controlled substance or who refuses to be tested, after an administrative hearing, shall be declared ineligible for TANF 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. If the work-eligible recipient tests positive for the use of illegal drugs a second time, then such recipient 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.

Other members of a household which includes a person who has been declared ineligible for TANF 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 for implementing the provisions of this section.

This act is similar to HCS/HBs/ 73 &47 (2011) and SCS/SBs 607, 602, 615, and 725 (2010).
ADRIANE CROUSE

12/01/2010 Prefiled
01/05/2011 S First Read--SB 7-Goodman (S9)
01/12/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S85)
01/25/2011 Hearing Conducted S Health, Mental Health, Seniors and Families Committee
02/08/2011 SCS Voted Do Pass (w/SCS SBs 7, 5, 74 & 169) S Health, Mental Health, Seniors and Families Committee (0131S.05C)
02/10/2011 Reported from S Health, Mental Health, Seniors and Families Committee to Floor w/SCS (S233)
02/14/2011 Bill Placed on Informal Calendar (S245)
05/13/2011 S Informal Calendar S Bills for Perfection--SBs 7, 5, 74 & 169-Goodman, with SCS

EFFECTIVE: August 28, 2011

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*** SB 8 *** CCS#2 HCS SS#2 SCS SB 8 0367S.14S

SENATE SPONSOR: Goodman HOUSE HANDLER: Fisher

HCS/SS#2/SCS/SB 8 - The act affirmatively states that occupational diseases are covered under workers' compensation laws.

This act ensures that co-employees shall be released from liability for all workplace injuries under the workers' compensation system except when they engage in an act that intentionally caused or increased the risk of injury.

Toxic exposure is defined as an exposure to chemicals, dusts, particulates, fumes, mists, fibers, solvents, vapors, radiation, or other substances or other materials that, when ingested, consumed, inhaled, or absorbed are sufficient to cause disease, death, mutations, cancer, deformities, or reproductive abnormalities in humans. In cases where occupational disease is caused by toxic exposure, there shall be no subrogation rights for employers when the employer intentionally caused the occupational disease.
CHRIS HOGERTY

HA 1 - INCLUDES PSYCHOLOGICAL STRESS OF POLICE OFFICERS AS OCCUPATIONAL DISEASES.

12/01/2010 Prefiled
01/05/2011 S First Read--SB 8-Goodman (S9)
01/12/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S85)
01/24/2011 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee
01/31/2011 SCS Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee (0367S.03C)
02/01/2011 Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor w/SCS (S180)
02/07/2011 Bill Placed on Informal Calendar (S196)
02/09/2011 SS for SCS S offered (Goodman)--(0367S.04F) (S217-218)
02/09/2011 SA 1 to SS for SCS S offered & adopted (Goodman)--(0367S04.04S) (S218)
02/09/2011 SA 2 to SS for SCS S offered & adopted (Schaaf)--(0367S04.05S) (S218)
02/09/2011 SS for SCS, as amended, S adopted (S218)
02/09/2011 Perfected (S218)
02/09/2011 Reported Truly Perfected S Rules Committee (S219)
02/09/2011 Motion to Reconsider Perfection Vote S adopted (S225)
02/09/2011 Motion to reconsider SS for SCS S adopted (S225-226)
02/09/2011 SA 3 to SS for SCS S offered & adopted (Goodman) - (0367S04.06S) (S226)
02/09/2011 Bill Placed on Informal Calendar (S226)
03/02/2011 SS for SCS S withdrawn (S380)
03/02/2011 SS#2 for SCS S offered (Goodman)--(0367S.09F) (S380)
03/02/2011 Bill Placed on Informal Calendar (S380-381)
03/15/2011 SA 1 to SS# 2 for SCS S offered & adopted (Crowell)--(0367S09.13S) (S454-457)
03/15/2011 SS#2 for SCS, as amended, S adopted (S457)

03/15/2011 Re-Perfected (S457)
03/16/2011 Reported Truly Re-Perfected S Rules Committee (S464)
03/17/2011 S Third Read and Passed (S487-488)
03/17/2011 H First Read (H701)
03/18/2011 H Second Read (H707)
03/31/2011 Referred H Workforce Development & Workplace Safety Committee (H811)
04/11/2011 Hearing Conducted H Workforce Development & Workplace Safety Committee
04/11/2011 HCS Voted Do Pass H Workforce Development & Workplace Safety Committee
04/11/2011 HCS Reported Do Pass H Workforce Development & Workplace Safety Committee (H1205)
04/11/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1205)
04/22/2011 HCS Voted Do Pass H Rules Pursuant Committee
04/26/2011 HCS Reported Do Pass H Rules Pursuant Committee (H1620)
05/03/2011 HA 1 to HCS H offered & adopted (McManus)--(0367L10.01F) (H1749)
05/03/2011 HCS, as amended, H adopted (H1749)
05/03/2011 H Third Read and Passed (H1749-1750 / S1252-1290)
05/03/2011 S refuses to concur in HCS, as amended (S1290 / H1797)
05/03/2011 S requests H recede or grant conference (S1290 / H1797)
05/05/2011 H refuses to recede and grants conference (H1944 / S1356)
05/05/2011 S conferees appointed: Goodman, Crowell, Pearce, Callahan, Green (S1357 / H1967)
05/05/2011 H conferees appointed: Fisher, Nolte, Richardson, Meadows, McManus (H1968 / S1478)
05/10/2011 H submits CCR (H2247-2248)
05/12/2011 S requests H grant further conference (S1972)
05/12/2011 H grants further conference (S1975)
05/12/2011 S conferees appointed: Goodman, Crowell, Pearce, Callahan, Green (S1976)
05/12/2011 H conferees re-appointed: Fisher, Nolte, Richardson, Meadows, McManus (S1975)
05/12/2011 H submits CCR#2
05/13/2011 CCR#2 S offered & adopted
05/13/2011 CCS#2 S Third Read and Passed
05/13/2011 In Conference--SS#2 for SCS for SB 8-Goodman, with HCS, as amended (Senate adopted CCR#2 and passed CCS#2)

EFFECTIVE: August 28, 2011

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*** SB 9 *** SS SB 9 0250S.02P

SENATE SPONSOR: Rupp

SS/SB 9 - 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 the use of a fax or text message.

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 similar to SB 663 (2010), SCS/SBs 65 & 43 (2009), SCS/SBs 840 & 857 (2008), SS/SCS/SBs 49, 65, 210, 251 (2007) and SCS/HB 801 (2007).
ERIKA JAQUES

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|---|---|
| 12/01/2010 | Prefiled |
| 01/05/2011 | S First Read--SB 9-Rupp (S9) |
| 01/12/2011 | Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S85) |
| 02/08/2011 | Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee |
| 02/15/2011 | Voted Do Pass S Commerce, Consumer Protection, Energy and the Environment Committee |
| 03/17/2011 | Reported from S Commerce, Consumer Protection, Energy and the Environment Committee to Floor (S493) |
| 04/04/2011 | Bill Placed on Informal Calendar (S558) |
| 04/04/2011 | SS S offered & adopted (Rupp)--(0250S.02F) (S559) |
| 04/04/2011 | Perfected (S559) |
| 04/05/2011 | Reported Truly Perfected S Rules Committee (S574) |
| 04/07/2011 | S Third Read and Passed (S651) |
| 04/07/2011 | H First Read (H1174) |
| 04/11/2011 | H Second Read (H1184) |
| 04/26/2011 | Referred H Elections Committee (H1619) |
| 04/28/2011 | Hearing Conducted H Elections Committee |

EFFECTIVE: August 28, 2011

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*** SB 10 *** 0243S.01I

SENATE SPONSOR: Rupp

SB 10 - Claimants are denied unemployment benefits for any week the claimant has an outstanding overpayment penalty.

This act is identical to SB 1026 (2010).
CHRIS HOGERTY

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|---|---|
| 12/01/2010 | Prefiled |
| 01/05/2011 | S First Read--SB 10-Rupp (S9) |
| 01/12/2011 | Second Read and Referred S Small Business, Insurance and Industry Committee (S85) |
| 02/15/2011 | Hearing Conducted S Small Business, Insurance and Industry Committee |
| 03/01/2011 | Voted Do Pass S Small Business, Insurance and Industry Committee |
| 03/17/2011 | Reported from S Small Business, Insurance and Industry Committee to Floor (S493) |
| 04/04/2011 | Bill Placed on Informal Calendar (S558) |
| 05/13/2011 | S Informal Calendar S Bills for Perfection--SB 10-Rupp |

EFFECTIVE: August 28, 2011

*** SB 11 *** SCS SB 11 0338S.02P

SENATE SPONSOR: McKenna

SCS/SB 11 - This act regulates the operation of motor vehicles.

TEXT MESSAGE BAN - 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. Under the act, persons who use handheld mobile telephones in conjunction with voice-operated or hands-free devices to send text messages are exempt from the text message ban (Section 304.820).

HARVEST WEIGHT TOLERANCE - Under this act, for the period between October 15th and December 15th of each year, any motor vehicle or combination of motor vehicles carrying agricultural products may operate with a load that exceeds the maximum weight load permitted by this chapter by ten percent on any tandem axle, group of axles, and gross weight. If enforcement action is taken pursuant to this act, the fine or penalty shall only apply to that portion of the load that is more than ten percent above the legal limit. The weight tolerance authorized by the act shall apply to all highways within the state of Missouri except for the interstate highway system (Section 304.180).

MINIMAL YELLOW LIGHT CHANGE INTERVAL TIME STANDARDS - Under this act, the timing of traffic-control signals must conform to regulations promulgated by the Department of Transportation. The department must establish minimal yellow light change interval times for traffic-control devices. The minimal yellow light change interval time shall be established in accordance with nationally recognized engineering standards set forth in the Manual on Uniform Traffic Control Devices, and any such established time shall not be less than the recognized national standard (Section 304.289).
STEPHEN WITTE

12/01/2010 Prefiled
01/05/2011 S First Read--SB 11-McKenna (S9)
01/12/2011 Second Read and Referred S Transportation Committee (S85)
01/19/2011 Hearing Conducted S Transportation Committee
01/26/2011 SCS Voted Do Pass S Transportation Committee (0338S.02C)
01/27/2011 Reported from S Transportation Committee to Floor w/SCS (S159)
02/01/2011 SA 1 S offered & adopted (Lembke)--(0338S02.04S) (S175-176)
02/01/2011 SA 2 S offered & adopted (Munzlinger)--(0338S02.01S) (S176-179)
02/01/2011 SCS, as amended, S adopted (S179)
02/01/2011 Perfected (S180)
02/07/2011 Reported Truly Perfected S Rules Committee (S186)
02/07/2011 Referred S Ways & Means and Fiscal Oversight Committee (S195)
04/07/2011 Hearing Conducted S Ways and Means and Fiscal Oversight Committee
04/07/2011 Voted Do Not Pass S Ways & Means and Fiscal Oversight Committee
05/13/2011 S Formal Calendar S Bills for Third Reading--SCS for SB 11-McKenna (In Fiscal Oversight)

EFFECTIVE: August 28, 2011

*** SB 12 *** 0082S.02I

SENATE SPONSOR: Pearce

SB 12 – This act modifies the elementary and secondary education foundation formula and state aid for summer school.

FOUNDATION FORMULA MODIFICATIONS: The phase-in of the SB 287 formula will be extended through the 2013-2014 school year. The phase-in percentages for the new and old formulas are modified, as described in the act. This act contains allowances for the distribution of state aid depending on the amount of available appropriations, as described below.

This act allows the General Assembly to appropriate more funds than required by the phase-in percentages for any particular school year. In such a situation, the Department of Elementary and Secondary Education is required to adjust the phase-in percentages to accommodate appropriations in order to distribute one hundred percent of the total amount of appropriated funds.

During the phase-in, if the foundation formula appropriation is equal or greater than the fiscal year 2010 foundation formula expenditure and the previous fiscal year's appropriation but is insufficient to fully fund the applicable phase-in percentages, the Department of Elementary and Secondary Education must adjust the phase-in percentages to accommodate the total amount of available funds. If the Governor withholds funds, the reduced figure will be used.

In any school year in which the foundation formula appropriation is less than the fiscal year 2010 foundation formula expenditure; less than the previous year's foundation formula expenditure; or reduced from the current year appropriation by the Governor, as described in the act, the Department of Elementary and Secondary Education must reduce the payment amounts awarded to all school districts, including hold harmless districts. The Department of Elementary and Secondary Education must calculate a uniform proportional reduction percentage based on all available state aid to be applied to the payment amount to which all districts would otherwise be entitled under the applicable phase-in percentages.

In addition, language pertaining to a penalty for a decrease in summer school enrollment, which terminated at the end of the 2008-2009 school year, is repealed.

These provisions are similar to SS/SB 943 (2010) and provisions contained in SS#2/SCS/HCS#2/HB 1543 (2010). (Section 163.031)

SUMMER SCHOOL: Beginning in the 2011-2012 school year, summer school attendance must not be included in a school district's average daily attendance. School districts may operate summer school programs at their own expense or at the expense of the parent.

This provision is similar to SS/SB 943 (2010). (Section 163.036)

This act contains an emergency clause.
MICHAEL RUFF

12/01/2010 Prefiled
01/05/2011 S First Read--SB 12-Pearce (S10)
01/12/2011 Second Read and Referred S Education Committee (S85)

EFFECTIVE: July 1, 2011

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*** SB 13 *** SS SCS SB 13 0316S.05P

SENATE SPONSOR: Pearce

SS/SCS/SB 13 - This act requires the Joint Committee on Education to oversee a task force on teacher compensation and effectiveness during the legislative interim between the first and second regular sessions of the ninety-sixth General Assembly. The task force membership will consist of the following: two senators who serve on the joint committee, one appointed by the President Pro Tem of the Senate and one appointed by the Minority Leader of the Senate; two representatives who serve on the joint committee, one appointed by the Speaker of the House of Representatives and one appointed by the Minority Leader of the House of Representatives; the commissioner of education or her designee; three active teachers, appointed by the President Pro Tem; one public school administrator, appointed by the President Pro Tem; an active school board member, appointed by the President Pro Tem; the dean or chief administrator of a state-approved baccalaureate-level teacher preparation program, appointed by the President Pro Tem; an academic researcher with expertise in education policy, appointed by the President Pro Tem; the executive director of the Public School Retirement System of Missouri, or his or her designee; and an expert in human resources or personnel policies from the private sector, appointed by the President Pro Tem.

The task force must consider options and make recommendations to the General Assembly in the following areas: educator evaluations, which must include and consider the academic growth of their students; opportunities for educators to improve their effectiveness; and the sharing of effective practices with other educators throughout the state.

The task force must submit a final report by December 31, 2011, to the General Assembly and the President of the State Board of Education.
MICHAEL RUFF

12/01/2010 Prefiled
01/05/2011 S First Read--SB 13-Pearce (S10)

01/12/2011 Second Read and Referred S Education Committee (S85)
01/26/2011 Hearing Conducted S Education Committee
02/09/2011 SCS Voted Do Pass S Education Committee (0316S.04C)
02/17/2011 Reported from S Education Committee to Floor w/SCS (S283)
02/22/2011 SS for SCS S offered (Pearce)--(0316S.05F) (S298)
02/22/2011 SA 1 to SS for SCS S offered & withdrawn (Lager)--(0316S05.02S) (S298-300)
02/22/2011 SA 2 to SS for SCS S offered & adopted (Green)--(0316S05.01S) (S300)
02/22/2011 SS for SCS, as amended, S adopted (S300)
02/22/2011 Perfected (S300)
02/23/2011 Reported Truly Perfected S Rules Committee (S311)
02/24/2011 S Third Read and Passed (S328)
02/24/2011 H First Read (H457)
02/28/2011 H Second Read (H465)
03/31/2011 Referred H Elementary and Secondary Education Committee (H811)
04/13/2011 Hearing Conducted H Elementary and Secondary Education Committee

EFFECTIVE: August 28, 2011

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*** SB 14 *** SCS SB 14 0254S.05C

SENATE SPONSOR: Pearce

SCS/SB 14 – Currently, the school board of a school district that does not maintain an accredited school is required to pay the tuition and transportation of resident pupils who attend an accredited school in another district of the same or an adjoining county. This section applies to both unaccredited school districts and K-8 school districts that do not offer high school grades.

This act differentiates between a K-8 school district that does not offer high school grades and a school district classified as unaccredited by the State Board of Education. This act specifies that the school board of an unaccredited district must pay the tuition and transportation of resident pupils who attend an accredited school in another district of the same or an adjoining county. A resident pupil of an unaccredited district may attend a school in another accredited district in the same or an adjoining county if the student was enrolled in and attending a public school in the district during the school year when the district lost its accreditation, or years subsequent to the year in which the district lost its accreditation. However, if the pupil resides in an unaccredited district that operates a school offering the pupil's grade level of enrollment that is a magnet school or a school with an open admissions policy that has met standards on its annual performance report equivalent to the classification of accredited under the Missouri School Improvement Program for the previous year, the pupil may attend a school in another district in the same or an adjoining county only if there is insufficient enrollment capacity in such schools within the district of residence.

The rate of tuition to be charged is the lesser of the nonresident tuition established by each district, or in the absence of nonresident tuition, the lesser of the two districts' average expenditure per pupil for the most recently completed year for which data are available. The residence district shall also pay the cost of education in the receiving district for any student with an IEP accepted in the receiving district.

By June 30, 2011, each district must establish criteria for the admission of nonresident pupils from unaccredited districts. The primary criteria must be the availability of highly qualified teachers in existing classroom space. Each district must establish criteria for calculating available seats, taking into account the district's resident student population growth or decrease, such that the receiving district is not required to employ additional teachers or construct additional classrooms. In addition, resident pupils must not be displaced from the school building to which they are assigned. The receiving district will be responsible for assigning a student to a particular building.

When a student from an unaccredited district has been accepted in an accredited district, he or she may complete the educational program in the building to which he or she has been assigned, even if the district of residence regains accreditation. Upon a student's transition from an educational program in the building to which the student was assigned to a program in another building if the student's district of residence has regained accreditation, the student must return to his or her district of residence.

This act contains an emergency clause.

This act is substantially similar to HB 763 (2011).
MICHAEL RUFF

12/01/2010 Prefiled
01/05/2011 S First Read--SB 14-Pearce (S10)
01/12/2011 Second Read and Referred S Education Committee (S85)
02/23/2011 Hearing Conducted S Education Committee
04/20/2011 SCS Voted Do Pass S Education Committee - (0254S.05C)
04/21/2011 Reported from S Education Committee to Floor w/SCS (S813)
05/13/2011 S Formal Calendar S Bills for Perfection--SB 14-Pearce, with SCS

EFFECTIVE: Emergency clause

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*** SB 15 *** 0221S.01I

SENATE SPONSOR: Lembke

SB 15 - This act allows the full deductibility of federal income tax liabilities of corporations and individuals for state income tax purposes for all tax years beginning after January 1, 2012. Under current law, corporations are allowed to deduct 50% of their federal income tax liability, and individuals are limited to deducting no more than of $5,000 of their federal income tax liability per tax year on a single return or $10,000 of their federal income tax liability on a combined return.
JASON ZAMKUS

12/01/2010 Prefiled
01/05/2011 S First Read--SB 15-Lembke (S10)
01/12/2011 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S85)

EFFECTIVE: August 28, 2011

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*** SB 16 *** 0165S.01I

SENATE SPONSOR: Lembke

SB 16 - This act prohibits political subdivisions from using automated photo red light enforcement systems to enforce red light violations.

This act is identical to SB 637 (2010) and this provision is also contained in SS/SCS/HB 2111 (2010).
STEPHEN WITTE

12/01/2010 Prefiled
01/05/2011 S First Read--SB 16-Lembke (S10)
01/12/2011 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S85)
02/23/2011 Hearing Scheduled S Jobs, Economic Development and Local Government Committee
02/23/2011 Hearing Conducted S Jobs, Economic Development and Local Government Committee

EFFECTIVE: August 28, 2011

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*** SB 17 *** HCS SCS SB 17 0185L.06C

SENATE SPONSOR: Lembke HOUSE HANDLER: Sater

HCS/SCS/SB 17 - This act requires the Department of Health and Senior Services to make publicly available on its website, resources relating to umbilical cord blood that have been developed by the Parent's Guide to Cord Blood Foundation. Such resources include an explanation of the potential value and uses of umbilical cord blood, including cord blood cells and stem cells, and the various options for storing cord blood. The full details of the information to be included are listed in the act.

Beginning October 1, 2011, every licensed physician who provides obstetrical or gynecological care to a pregnant woman may, prior to the third trimester of pregnancy or, if later, at the first visit of such pregnant woman to the physician, make available to the patient information developed by the Parent's Guide to Cord Blood Foundation required to be posted on the Department of Health and Senior Services website. This notification shall not apply to physicians providing emergency medical care to a pregnant woman.

This act is substantially similar to HCS/SB 971 (2010).
ADRIANE CROUSE

HA 1 - ADDS THE VOLUNTEER HEALTH SERVICES ACT

HA 2 - ADDS A PROVISION REGARDING CARDIOPULMONARY RESUSCITATION INSTRUCTION IN SCHOOLS.

HA 3 - MODIFIES PROVISIONS REGARDING THE REGULATION OF HOSPITALS

HA 4 - MODIFIES THE NEWBORN SCREENING REQUIREMENTS TO INCLUDE PULSE OXIMETRY SCREENINGS.

HA 6 - REPEALS THE SUNSET PROVISION TO THE CHILDREN'S VISION EXAMINATION PROGRAM

HA 7 - MODIFIES THE REQUIREMENTS AS TO HEALTH CARE IDENTIFICATION BADGES

12/01/2010 Prefiled
01/05/2011 S First Read--SB 17-Lembke (S10)
01/12/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S85)
02/01/2011 Hearing Cancelled S Health, Mental Health, Seniors and Families Committee
02/08/2011 Hearing Conducted S Health, Mental Health, Seniors and Families Committee
02/22/2011 SCS Voted Do Pass S Health, Mental Health, Seniors and Families Committee - (0185S.03C)
03/10/2011 Reported from S Health, Mental Health, Seniors and Families Committee to Floor w/SCS (S433)
03/16/2011 SS for SCS S offered & defeated (Lembke)--(0185S.04F) (S464)
03/16/2011 SCS S adopted (S464)
03/16/2011 Perfected (S464)
03/16/2011 Reported Truly Perfected S Rules Committee (S479)
03/17/2011 S Third Read and Passed (S489)
03/17/2011 H First Read (H701)
03/18/2011 H Second Read (H707)
03/31/2011 Referred H Health Care Policy Committee (H811)
04/06/2011 Hearing Conducted H Health Care Policy Committee
04/13/2011 HCS Voted Do Pass H Health Care Policy Committee - Consent
04/13/2011 HCS Reported Do Pass H Health Care Policy Committee - Consent (H1265)
04/13/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1265)
05/09/2011 HCS Voted Do Pass H Rules Pursuant Committee
05/09/2011 HCS Reported Do Pass H Rules Pursuant Committee (H2170)
05/11/2011 HA 1 to HCS H offered & adopted (Sater)--(0185L06.01H) (H2406-2409)
05/11/2011 HA 2 to HCS H offered & adopted (Sater)--(0185L06.01L) (H2409)
05/11/2011 HA 3 to HCS H offered & adopted (Frederick)--(0185L06.02H) (H2409-2411)
05/11/2011 HA 4 to HCS H offered & adopted (Brattin)--(0185L06.06H) (H2411)
05/11/2011 HA 5 to HCS H offered (Molendorp)--(0185L06.05H) (H2411-2412)
05/11/2011 HA 1 to HA 5 to HCS H offered & defeated (Schupp)--(0185L06.09H) (H2412-2414)
05/11/2011 HA 5 to HCS H offered & defeated (H2415)
05/11/2011 HA 6 to HCS H offered & adopted (Wells)--(0185L06.04H) (H2415-2416)
05/11/2011 HA 7 to HCS H offered & adopted (Wyatt)--(0185L06.08H) (H2416-2417)
05/11/2011 HA 8 to HCS H offered & defeated (Cross)--(0185L06.07H) (H2417-2420)
05/11/2011 HCS, as amended, H adopted (H2420)
05/11/2011 H Third Read and Passed (H2420-2421 / S1868-1878)
05/13/2011 S Calendar S Bills with H Amendments--SCS for SB 17-Lembke, with HCS, as amended

EFFECTIVE: August 28, 2011

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*** SB 18 *** SCS SB 18 0285S.04P

SENATE SPONSOR: Schmitt

SCS/SB 18 - This act caps corporate franchise tax liabilities at the amount of each corporation's tax liability for the 2010 tax year. If a corporation did have a corporate franchise tax liability in 2010 because such corporation was not doing business within the state or did not exist, such corporation's franchise tax liability will be capped at the amount of such corporation's franchise tax liability for its first full-year of existence.
JASON ZAMKUS

12/01/2010 Prefiled
01/05/2011 S First Read--SB 18-Schmitt (S10)
01/12/2011 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S85)

01/26/2011 Hearing Conducted S Jobs, Economic Development and Local Government Committee
02/01/2011 SCS Voted Do Pass S Jobs, Economic Development and Local Government Committee (0285S.04C)
02/01/2011 Reported from S Jobs, Economic Development and Local Government Committee to Floor w/SCS (S181)
02/07/2011 SCS S adopted (S196)
02/07/2011 Perfected (S196)
02/08/2011 Reported Truly Perfected S Rules Committee (S210)
02/17/2011 Bill Placed on Informal Calendar (S282)
05/13/2011 S Informal Calendar S Bills for Third Reading--SCS for SB 18-Schmitt

EFFECTIVE: August 28, 2011

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*** SB 19 *** SCS SB 19 0336S.02T

SENATE SPONSOR: Schmitt HOUSE HANDLER: Nolte

SCS/SB 19 - This act caps corporate franchise tax liabilities at the amount of each corporation's tax liability for the 2010 tax year. If a corporation did have a corporate franchise tax liability in 2010 because such corporation was not doing business within the state or did not exist, such corporation's franchise tax liability will be capped at the amount of such corporation's franchise tax liability for its first full-year of existence. Beginning January 1, 2012, the corporate franchise tax rate will be gradually reduced over a five year period until it is completely phased-out. Effective January 1, 2016, no corporate franchise tax will be imposed.
JASON ZAMKUS

12/01/2010 Prefiled
01/05/2011 S First Read--SB 19-Schmitt (S10)
01/12/2011 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S85)
01/26/2011 Hearing Conducted S Jobs, Economic Development and Local Government Committee
02/01/2011 SCS Voted Do Pass S Jobs, Economic Development and Local Government Committee (0336S.02C)
02/01/2011 Reported from S Jobs, Economic Development and Local Government Committee to Floor w/SCS (S181)
02/07/2011 SA 1 to SCS S offered & withdrawn (Schmitt)--(0336S02.08S) (S196)
02/07/2011 SA 2 to SCS S offered & adopted (Schmitt)--(0336S02.09S) (S196-197)
02/07/2011 SA 3 to SCS S offered & Ruled out of order (Crowell)--(0336S02.05S) (S197-203)
02/07/2011 SCS, as amended, S adopted (S203)
02/07/2011 Perfected (S203-204)
02/08/2011 Reported Truly Perfected S Rules Committee (S210)
02/09/2011 Referred S Ways & Means and Fiscal Oversight Committee (S217)
02/14/2011 Hearing Conducted S Ways & Means and Fiscal Oversight Committee
02/14/2011 Voted Do Pass S Ways & Means and Fiscal Oversight Committee
02/14/2011 Reported from S Ways & Means and Fiscal Oversight Committee to Floor (S245)
02/15/2011 S Third Read and Passed (S253)
02/15/2011 H First Read (H371)
02/16/2011 H Second Read (H378)
03/03/2011 Referred H International Trade & Job Creation Committee (H521)
03/09/2011 Hearing Conducted H International Trade & Job Creation Committee
03/09/2011 Voted Do Pass H International Trade & Job Creation Committee
03/10/2011 Reported Do Pass H International Trade & Job Creation Committee (H590)
03/10/2011 Referred to Rules Committee pursuant to Rule 25(32)(f)
04/04/2011 Voted Do Pass H Rules Pursuant Committee
04/04/2011 Reported Do Pass H Rules Pursuant Committee (H839)
04/04/2011 Referred H Fiscal Review Committee (H839)
04/06/2011 Hearing Conducted H Fiscal Review Committee
04/06/2011 Voted Do Pass H Fiscal Review Committee
04/06/2011 Reported Do Pass H Fiscal Review Committee (H916)
04/06/2011 HA 1 H offered & defeated (Sifton)--(0336S02.02H) (H1141-1142)
04/06/2011 H Third Read and Passed (H1143)
04/06/2011 Truly Agreed To and Finally Passed (H1144 / S636-637)
04/18/2011 Reported Duly Enrolled S Rules Committee (S747)
04/18/2011 Signed by Senate President (S750)

04/18/2011 Signed by House Speaker (H1304)
04/18/2011 Delivered to Governor (S752-753)
04/26/2011 Signed by Governor (1060-1061)

EFFECTIVE: August 28, 2011

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*** SB 20 *** 0079S.01I

SENATE SPONSOR: Wright-Jones

SB 20 – This act changes the age at which children in the St. Louis City School District must begin attending school from seven years of age to five years of age. This change does not apply to students intending to enroll in a home school. In addition, it increases the compulsory attendance age to eighteen years of age for the St. Louis City School District.

This act is similar to SB 1046 (2010).
MICHAEL RUFF

12/01/2010 Prefiled
01/05/2011 S First Read--SB 20-Wright-Jones (S10)
01/12/2011 Second Read and Referred S Education Committee (S85)
02/02/2011 Hearing Cancelled S Education Committee
02/09/2011 Hearing Conducted S Education Committee

EFFECTIVE: August 28, 2011

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*** SB 21 *** 0321S.01I

SENATE SPONSOR: Wright-Jones

SB 21 – This act requires any child who attains the age of five at any time during the calendar year be enrolled in kindergarten at the beginning of the school year in that calendar year. The parent or guardian of any child who will attain the age of five in the subsequent calendar year may request that the child's school district of residence conduct an assessment program to determine the child's readiness for kindergarten. If the school district determines that the child is ready, he or she may begin kindergarten.
MICHAEL RUFF

12/01/2010 Prefiled
01/05/2011 S First Read--SB 21-Wright-Jones (S10)
01/12/2011 Second Read and Referred S Education Committee (S85)
02/02/2011 Hearing Cancelled S Education Committee
02/09/2011 Hearing Scheduled But Not Heard S Education Committee

EFFECTIVE: August 28, 2011

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*** SB 22 *** 0252S.01I

SENATE SPONSOR: Wright-Jones

SB 22 - State-funded buildings over 5,000 square feet constructed after August 28, 2011 must be certified, at minimum, as meeting either the 2 Globes level under the Green Globes building rating system or the Silver level under the Leadership in Energy and Environmental Design (LEED) building rating system. The act prescribes certain points that must be earned in achieving either the 2 Globes or Silver level certification. The Office of Administration may waive the points requirements for economic feasibility reasons.

State-funded building renovation and commercial interior fit-out projects must be analyzed under one of several options, including a life cycle cost analysis comparing the costs and benefits of renovating to the 2 Globes or Silver standards, normal industry standards, or a building standard in between.

The Office of Administration may petition the General Assembly to require all state-funded building construction and renovation projects to meet a different or additional high-performance building standard, provided that such building standard is at least as stringent as the Green Globes and LEED standards.

The act requires periodic inspections of buildings built to the 2 Globes or Silver standards. The inspector must report its findings to the Office of Administration and the state agency that occupies the building. For 15 years, the Office of Administration must monitor and evaluate the energy and environmental benefits associated with each building subject to the act's requirements.

The Office of Administration must submit a report to the energy committees in the House of Representatives and the Senate regarding activities and information that result from the act's provisions.

This act is identical to SB 952 (2010).
ERIKA JAQUES

12/01/2010 Prefiled
01/05/2011 S First Read--SB 22-Wright-Jones (S10)
01/12/2011 Second Read and Referred S Progress and Development Committee (S85)
02/09/2011 Hearing Cancelled S Progress and Development Committee
02/16/2011 Hearing Conducted S Progress and Development Committee

EFFECTIVE: August 28, 2010

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*** SB 23 *** SCS SB 23 0112S.09C

SENATE SPONSOR: Keaveny

SCS/SB 23 - The City of St. Louis may establish a municipal police force. The police force shall provide for the employment of all current officers and employees at their current salaries. Such persons shall also be entitled to all accrued benefits, including vacation time, sick leave, health insurance, life insurance, and pensions. All former employees shall maintain their accrued benefits.

In addition, the city must provide or contract for life, health, medical, and disability insurance and salary continuation coverage for officers, employees, those who retired from the current St. Louis police department, and retirees of the municipal police force established under this act. Health, medical, and life insurance must be available for purchase by the spouses or dependents of deceased retired officers and employees who receive benefits from the Police Retirement System of St. Louis.

The city may pay shift differential compensation to police officers who work evenings or nights, but the compensation may not exceed ten percent of the officer's hourly rate.

The city shall recognize any residency regulations for officers adopted by the current board of police commissioners in effect on the effective day of the act and may not change such regulations.

The current state statutes concerning the St. Louis police department shall expire upon the effective date of this act.

No officer, employee, or representative of a St. Louis police force may engage in certain activities with a licensed dealer or private seller of firearms or ammunition, including enticing such dealers and sellers into an illegal transaction, providing materially false information about the legality of such transactions, or procuring another to engage in such conduct.

This act prohibits an officer, employee, liaison, or registered representative of a St. Louis police force from lobbying the general assembly except in his or her personal capacity. Anyone can bring an action for monetary damages of $10,000 in any court of competent jurisdiction to enforce this lobbying prohibition. Upon a finding of a violation, the court shall award attorney fees and costs to the plaintiff. The state waives all immunity in such an action.

No person may solicit political contributions from an officer, agent, or employee of the St. Louis police force, and no such solicitation may occur in a room or building used for the official duties of the police. In addition, no officer or employee in the service of the police force shall directly or indirectly contribute to any political purpose whatsoever.

The following political activities by an officer, agent, or employee of the St. Louis police force are prohibited: taking certain employment actions against an employee who refuses to make political contributions or render political services; attempting to coerce, command, or advise an officer or employee of the police to make such contributions or render such services; using his or her official authority to interfere with an election; being a member or official of any political party committee or board of aldermen; soliciting votes for or against a candidate for public office; polling precincts, engaging in other similar political work; or affixing a sign that supports or opposes a ballot measure or candidate to police property or vehicles.

In addition to those political prohibitions, no question in any examination may relate to, and no

employment action may be affected by, political or religious opinions, and no person shall provide false information with regard to any St. Louis police tests, certificates, or appointments.

Also prohibited is the payment or solicitation of money or other valuable consideration for any appointment or promotion within the St. Louis police force, the obstruction of any person's right to such appointments or promotions, or the provision of secret information to affect such employment matters.

A violation of the above prohibitions on activities relating to politics and the employment of St. Louis police officers will result in discharge from the St. Louis police force and the chief of police shall prefer charges. A fine of $50 to $500 and imprisonment of not more than six months may be imposed Any city alderman may sue to restrain payment of compensation to such officer. A person discharged shall not be eligible to work for the police force or the city government for five years.

Any current police pension system created under Chapter 86 for the benefit of the St. Louis police department shall continued to be governed by Chapter 86 and shall apply to the police force established under this act. The City of St. Louis shall continue to fund the St. Louis Police pension system pursuant to the provisions of Chapter 86.

This act modifies the definition of "earnable income" and "police officer" for purposes of the St. Louis police retirement system to remove references to Section 84.160 which will expire upon passage of this act. "Earnable compensation" shall include any compensation for academic work and shift differential that may be provided by any official or board that manages the police force. The act also specifies that any future official or president of a board authorized to manage the police force, or his or her designee, shall be a member of such retirement system board of trustees. The number of members appointed to such board of trustees by the mayor shall be reduced from three to two.

The provisions of this act are effective upon notification by the Clerk of the Board of Aldermen of the city of St. Louis to the General Assembly and the Revisor of Statutes that the charter of the city of St. Louis has been amended to reduce the Board of Aldermen to fourteen members with at least two from each ward.

This act is similar to the perfected version of HB 71 (2011), HB 1601 (2010), SS/SCS/SB 643 (2010), SB 486 (2007), SB 785 (2008), HB 552 (2009).
MEGHAN LUECKE

12/01/2010 Prefiled
01/05/2011 S First Read--SB 23-Keaveny (S10-11)
01/12/2011 Second Read and Referred S Progress and Development Committee (S85)
01/26/2011 Hearing Conducted S Progress and Development Committee
02/23/2011 SCS Voted Do Pass S Progress and Development Committee - (0112S.09C)
02/24/2011 Reported from S Progress and Development Committee to Floor w/SCS
02/28/2011 Bill Placed on Informal Calendar (S345)
03/08/2011 SA 1 to SCS S offered & Ruled out of order (Kraus)--(0112S09.07S) (S408-409)
03/08/2011 SS for SCS S offered (Lembke)--(0112S.12F) (S409)
03/08/2011 Bill Placed on Informal Calendar (S409)
05/13/2011 S Informal Calendar S Bills for Perfection--SB 23-Keaveny, with SCS & SS for SCS (pending)

EFFECTIVE: Contingent

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*** SB 24 *** 0352S.01I

SENATE SPONSOR: Keaveny

SB 24 - This act increases the fine for a seat belt violation from $10 to $50.

This act is identical to SB 822 (2010).
STEPHEN WITTE

12/01/2010 Prefiled
01/05/2011 S First Read--SB 24-Keaveny (S11)
01/12/2011 Second Read and Referred S Transportation Committee (S86)
01/26/2011 Hearing Conducted S Transportation Committee
02/23/2011 Voted Do Not Pass S Transportation Committee

EFFECTIVE: August 28, 2011

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*** SB 25 *** SCS SB 25 0136S.03C

SENATE SPONSOR: Schaaf

SS/SCS/SB 25 - This act allows the counties of Buchanan, Andrew, Livingston, Cass, Newton, Jasper, and Dade to enact nuisance abatement ordinances. No county, however, may adopt any ordinance, resolution, or regulation governing a railroad company, a telecommunications or wireless company, or other utility companies.

Under this act, any city in which voters have approved fees to recover costs associated with the enforcement of certain property ordinances may issue a special tax bill to recover such costs. A city may provide by ordinance for the discharge of the special tax bill upon a determination that the discharge will result in a public benefit.

Under the current law, no person or corporation may maintain a junkyard within 200 feet of a state or county road unless the junkyard is screened by a fence. A failure to screen such a junkyard from the motoring public is a misdemeanor. This section changes the penalties for junkyard screening violation by making the first violation a Class C misdemeanor and a 2nd or subsequent violation a Class A misdemeanor. In addition to the penalties, the violators shall be ordered to remove the junk or build a fence to screen the junk from the public.

Under current law, the cities of St. Louis and Kansas City may establish administrative adjudication systems to handle parking and other civil municipal code violations. This act allows the city of St. Joseph to establish such a system and adds housing, property maintenance, and nuisance violations to the list of offenses that may be handled through the system. In addition, the cities may issue a special tax bill to collect fines issued for housing, property maintenance, and nuisance code violations.

Provisions of this act are identical to provisions of SB 187 (2011), SB 194 (2011), and HB 1303 (2010).
MEGHAN LUECKE

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| 12/01/2010 | Prefiled |
| 01/05/2011 | S First Read--SB 25-Schaaf (S11) |
| 01/12/2011 | Second Read and Referred S Jobs, Economic Development and Local Government Committee (S86) |
| 03/09/2011 | Hearing Conducted S Jobs, Economic Development and Local Government Committee |
| 03/16/2011 | SCS Voted Do Pass S Jobs, Economic Development and Local Government Committee - (0136S.03C) |
| 03/17/2011 | Reported from S Jobs, Economic Development and Local Government Committee to Floor w/SCS (S494) |
| 04/05/2011 | SS for SCS S offered (Schaaf)--(0136S.04F) (S576) |
| 04/05/2011 | Bill Placed on Informal Calendar (S576) |
| 05/13/2011 | S Informal Calendar S Bills for Perfection--SB 25-Schaaf, with SCS & SS for SCS (pending) |

EFFECTIVE: August 28, 2011

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*** SB 26 *** SCS SBs 26 & 106 0191S.02P

SENATE SPONSOR: Wasson

SCS/SBs 26 & 106 - This act allows members of the Nixa Education Foundation to obtain special license plates bearing their organization's name and emblem. To obtain this plate, a person must submit an application to the Director of the Department of Revenue accompanied by an emblem-use authorization statement along with an additional $15 fee. Any person who was previously issued a foundation plate and who does not provide an emblem-use authorization statement at a subsequent time of registration will be issued a new plate which does not bear the foundation's emblem. This portion of the act is identical to SB HB 1638 (2010).

This act also allows persons who have been awarded the combat action badge to obtain specialized license plates bearing the words "COMBAT ACTION" and an image of the combat action badge. This portion of the act is similar to SB 106 (2011) and SB 909 (2010).
STEPHEN WITTE

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|---|---|
| 12/01/2010 | Prefiled |
| 01/05/2011 | S First Read--SB 26-Wasson (S11) |
| 01/12/2011 | Second Read and Referred S Transportation Committee (S86) |

01/26/2011 Hearing Conducted S Transportation Committee
03/30/2011 SCS Voted Do Pass (w/SCS SBs 26 & 106) S Transportation Committee - (0191S.02C)
03/31/2011 Reported from S Transportation Committee to Floor w/SCS (S540)
04/06/2011 SCS S adopted (S604)
04/06/2011 Perfected (S604)
04/06/2011 Reported Truly Perfected S Rules Committee (S605)
04/06/2011 Referred S Ways & Means and Fiscal Oversight Committee (S637)
04/14/2011 Hearing Conducted S Ways and Means and Fiscal Oversight Committee
04/14/2011 Voted Do Pass S Ways & Means and Fiscal Oversight Committee
04/14/2011 Reported from S Ways & Means and Fiscal Oversight Committee to Floor (S721)
04/14/2011 S Third Read and Passed (S721-722)
04/14/2011 H First Read (H1296)
04/18/2011 H Second Read (H1304)
04/26/2011 Referred H Transportation Committee (H1619)
05/03/2011 Hearing Conducted H Transportation Committee
05/03/2011 Voted Do Pass H Transportation Committee
05/03/2011 Reported Do Pass H Transportation Committee (H1794)
05/03/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1794)
05/09/2011 Voted Do Pass H Rules Pursuant Committee
05/09/2011 Reported Do Pass H Rules Pursuant Committee (H2170)
05/11/2011 HA 1 H offered & adopted (Jones-89)--(0191S02.03H) (H2422-2423)
05/11/2011 HA 2 H offered & adopted (Denison)--(0191S02.05H) (H2423-2429)
05/11/2011 HA 3 H offered & adopted (Kander)--(0191S02.04H) (H2429-2430)
05/11/2011 H Third Read and Passed, as amended (H2430-2431 / S1884-1894)
05/13/2011 S Calendar S Bills with H Amendments--SCS for SBs 26 & 106-Wasson, with HA 1, HA 2 & HA 3

EFFECTIVE: August 28, 2011

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*** SB 27 *** 0332L.01I

SENATE SPONSOR: Brown

SB 27 - This act allows spouses who leave employment to follow their military spouses in the event of a military transfer, to qualify for unemployment compensation.

This act is identical to HB 2318 (2010).
CHRIS HOGERTY

12/01/2010 Prefiled
01/05/2011 S First Read--SB 27-Brown (S11)
01/12/2011 Second Read and Referred S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee (S86)

EFFECTIVE: August 28, 2011

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*** SB 28 *** 0330L.01I

SENATE SPONSOR: Brown

SB 28 - This act exempts persons 21 years of age or older from wearing protective headgear when operating or riding motorcycles or motortricycles (Section 302.020).

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

12/01/2010 Prefiled
01/05/2011 S First Read--SB 28-Brown (S11)
01/12/2011 Second Read and Referred S Transportation Committee (S86)
01/19/2011 Hearing Conducted S Transportation Committee
01/26/2011 Voted Do Pass S Transportation Committee
02/17/2011 Reported from S Transportation Committee to Floor (S283)
02/22/2011 Bill Placed on Informal Calendar (S297)
05/13/2011 S Informal Calendar S Bills for Perfection--SB 28-Brown

EFFECTIVE: August 28, 2011

*** SB 29 *** HCS SCS SB 29 0331L.03C

SENATE SPONSOR: Brown HOUSE HANDLER: Jones

HCS/SCS/SB 29 - This act modifies various provisions of law under the title licensing of certain professions.

HEALTH CARE PROFESSIONAL IDENTIFICATION BADGES
(Section 197.705)

After August 28, 2011, all hospitals, ambulatory surgical centers and certain health care facilities shall require all newly hired personnel providing services in such facilities to wear identification badges prominently displaying the employee's photograph, first name, title and employer. The title of the employee shall include whether the employee is a physician, nurse, as specified under the act, or other titles as determined by the Department of Health and Senior Services. Nothing in this act shall prohibit a health care provider from placing the provider's additional specialty or designation on the badge. Personnel shall not be required to wear the badge while delivering direct care if not clinically feasible.

Compliance with this act for all current personnel may occur when any badges are issued or replaced within a reasonable time after August 28, 2011, but no later than by August 28, 2016. Nothing in this act requires the immediate replacement of identification badges worn by current personnel.

This act is substantially similar to HCS/HB 287 (2011) and SCS/SB 137 (2011).

DRIVER'S LICENSE COMPETENCY ASSESSMENT
(Section 302.291)

This act adds licensed professional counselors to the list of health care professionals who can report to the Department of Revenue a person diagnosed as having a disorder or condition that may prevent him or her from driving a motor vehicle in a safe manner. A report from a professional counselor shall provide the director with good cause to believe that the operator may be incompetent or unqualified to retain his or her driver's license and the director may require the person to submit to an examination in order to retain it.

This provision is identical to truly agreed to and finally passed HB 499 (2011).

NOTIFYING EMPLOYERS REGARDING THE LICENSURE STATUS OF EMPLOYEES
(Section 324.013)

This act requires any board, commission, committee, council, or office within the Division of Professional Registration to notify a licensee's current employer, if the employer is known, of a change in the licensee's license or disciplinary status. Employers may also provide a list of current licensed employees and make a written request to the appropriate board to be notified when there is a change in the licensure status of any of those employees.

This provision is substantially similar to SCS/HB 265 (2011) and SB 325 (2011).

ADMINISTRATIVE PROCEDURES AND POWERS OF THE BOARD OF REGISTRATION FOR THE HEALING ARTS
(Section 324.043, 324.045,334.001, 334.040, 334.070, 334.090, 334.099, 334.100, 334.102, 334.103, 334.108, 334.715, 536.063, 536.067, 536.070, 621.045, 621.100, 621.110)

This act modifies disciplinary and administrative procedure provisions that apply to professions and businesses licensed by the Division of Professional Registration or by any board committee, commission or office within the Division of Professional Registration. The act also modifies the licensing requirements and disciplinary powers of the Board of Registration for the Healing Arts.

If a person who is licensed by any board, committee, commission, or office under the Division of Professional Registration does not defend against a disciplinary proceeding, the appropriate board or the Administrative Hearing Commission is required to enter a default decision against the person. The board or the Administrative Hearing Commission may set aside the default decision for good cause if the person files a motion within thirty days after the default decision.

Evidence contesting the basis of a criminal conviction or disciplinary action from another state will not be admissible in an administrative hearing.

The Administrative Hearing Commission is required to deliver the findings of fact and conclusions of law in disciplinary cases to the appropriate agency within one hundred and twenty days of the date the case became ready for decision.

BOARD OF REGISTRATION FOR THE HEALING ARTS

The Board of Registration for the Healing Arts is authorized to list certain information about individuals who are licensed by the board and applicants for licenses from the board on its website. The board is also required to disclose confidential information to applicants for licenses and licensees without a fee, if the information is less than five years old.

The board is no longer authorized to require doctors licensed in other states to take certain examinations prior to waiving the Missouri examination requirement. The board is authorized to require another examination, more education, or further training before issuing a permanent medical license to applicants who have not actively practiced clinical medicine or held a teaching position for two of the three years before their application.

Doctors are no longer required to display their certificate of registration in the office.

The board is required to make individuals applying for a license or holding a license submit to an evaluation of their skills, a multi-disciplinary evaluation, or a substance abuse evaluation, after a hearing, if there is reasonable cause to believe that the individual is incompetent about the medical or osteopathic profession, mentally or physically incapacitated, or excessively uses or abuses alcohol or controlled substances.

The disciplinary authority of the board is modified to allow the board to discipline licensees for municipal violations, prescribing drugs through the internet without a valid physician-patient relationship, for being listed on a sex offender registry, any conduct that is unethical of unprofessional involving a minor, for a single act of negligence, for knowingly making a false statement to the board, for violating a settlement agreement with the board, for failing to comply with a treatment program, and for violating any professional trust or confidence.

The board's authority to issue an emergency suspension or restriction of a licensee's license is modified to allow additional reasons for an emergency suspension or restriction, including: sexual conduct with a patient, sexual misconduct with a minor, possession or use of a controlled substance, a court finding that the licensee is incapacitated, habitual intoxication or dependence on alcohol or a controlled substance or failing to comply with a treatment program. The procedure for issuing emergency restrictions or suspensions is also modified. Emergency suspensions will take effect when the documents are served, rather than after a preliminary hearing before the Administrative Hearing Commission. The emergency restriction or suspension may be appealed to the circuit court.

The board is also authorized to initiate hearings before itself when disciplining a licensee's license for certain actions. The board's disciplinary decision is appealable to the circuit court.

Doctors who prescribe any drug, controlled substance, or other treatment through the internet are required to meet certain requirements to establish that there is a valid physician-patient relationship. These requirements do not apply to treatment provided in a hospital, hospice program, in accordance with a collaborative practice agreement, or in conjunction with a physician assistant.

The board's authority to discipline athletic trainers is also modified.

These provisions are similar to SCS/SB 303 (2011) and HCS/HB 732 (2011).

LIMITED TEACHING LICENSE FOR DENTAL INSTRUCTORS
(Section 332.425)

This act allows the Missouri Dental Board to issue a limited teaching license to an instructor at an accredited dental school. This limited teaching license only allows the licensee to practice within the accredited dental school programs. Individuals who receive a limited teaching license must meet specified requirements, including evidence of spoken written proficiency in the English language, but will not be required to have graduated from an accredited dental school.

This provision is similar to HB 591 (2011) and HCS/SB 325 (2011).

VETERINARY LEGEND DRUGS
(Sections 338.010, 338.140, 338.150, 338.220, and 338.240)

This act modifies the authority of the Board of Pharmacy with regard to certain drugs used in veterinary medicine.

This act also adds a veterinarian to the advisory committee appointed by the Board of Pharmacy to make recommendations to it about rules and regulations dealing with drug distribution and manufacturing. The advisory committee is also required to review and make recommendations to the Board of Pharmacy regarding rules and regulations about veterinary legend drugs.

Businesses that only hold a class L pharmacy permit will not be required to have a pharmacist on site, except for when noncontrolled drugs for use in animals are being compounded. A pharmacist is responsible for reviewing the activities and records of class L pharmacies.

These provisions are similar to HCS/SB 325 (2011) and HB 1814 (2010).

REAL ESTATE LICENSEES
(Section 339.190)

Currently, licensed real estate brokers and salespersons have immunity from liability for statements made by certain individuals, such as an inspector, unless the individual was employed by the real estate licensee, selected by and engaged by the licensee, or the licensee knew the statement was false or acted in reckless disregard as to whether the statement was true or false. This act specifies that if the real estate broker or salesperson only orders a report or inspection, that does not mean the licensee selected or engaged the individual, so the real estate licensee would still have immunity from liability for the statements the individual made.

This provision is identical to HCS/HB 220 (2011) and HCS/SB 325 (2011).

PEER REVIEW PROCESS FOR LICENSED ARCHITECTS, LANDSCAPE ARCHITECTS, PROFESSIONAL LAND SURVEYORS, OR PROFESSIONAL ENGINEERS
(Section 537.033)

This act authorizes the establishment of a peer review process for architects, landscape architects, professional land surveyors, or professional engineers.

Peer reviewers and each person who testifies before them, provides information to them, acts upon their recommendation, or participates in the peer review process are immune from civil liability for these actions, as long as the actions are performed in good faith, without malice and are reasonably related to the scope of inquiry of the peer review process.

Certain documents created during the peer review process are privileged and are prohibited from being released to any person. These documents are not admissible in any judicial or administrative action for failure to provide appropriate architectural, landscape architectural, land surveying, or engineering services. A person who participated in the peer review process shall not be permitted or required to disclose information they learned from the peer review process.

This act does not limit the authority of the Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects to obtain information from a peer reviewer or to require disclosure of otherwise confidential information developed outside of the peer review process.

This act is identical to HB 568 (2011) and similar to SB 326 (2011).
EMILY KALMER

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|---|---|
| 12/01/2010 | Prefiled |
| 01/05/2011 | S First Read--SB 29-Brown (S11) |
| 01/12/2011 | Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S86) |
| 02/16/2011 | Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee |
| 03/09/2011 | SCS Voted Do Pass S Agriculture, Food Production and Outdoor Resources Committee - (0331S.02C) |
| 03/10/2011 | Reported from S Agriculture, Food Production and Outdoor Resources Committee to Floor w/SCS (S435) |
| 04/04/2011 | SA 1 to SCS S offered & adopted (Schaaf)--(0331S02.01S) (S557) |
| 04/04/2011 | SCS, as amended, S adopted (S557) |

04/04/2011 Perfected (S557)
04/05/2011 Reported Truly Perfected S Rules Committee (S574)
04/07/2011 S Third Read and Passed (S650-651)
04/07/2011 H First Read (H1174)
04/11/2011 H Second Read (H1184)
04/12/2011 Referred H Professional Registration and Licensing Committee (H1235)
04/20/2011 Hearing Conducted H Professional Registration and Licensing Committee
04/20/2011 HCS Voted Do Pass H Professional Registration and Licensing Committee
04/20/2011 HCS Reported Do Pass H Professional Registration and Licensing Committee (H1417)
04/20/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1417)
05/03/2011 HCS Voted Do Pass H Rules Pursuant Committee
05/03/2011 HCS Reported Do Pass H Rules Pursuant Committee (H1794)
05/03/2011 Referred H Fiscal Review Committee (H1796)
05/04/2011 HCS Voted Do Pass H Fiscal Review Committee
05/04/2011 HCS Reported Do Pass H Fiscal Review Committee (H1833)
05/09/2011 HA 1 to HCS H offered & withdrawn (Schad)--(0331L03.14H) (H2084)
05/09/2011 HA 2 to HCS H offered & adopted (Diehl)--(0331L03.25H) (H2084)
05/09/2011 HA 3 to HCS H offered (Brandom)--(0331L03.09L) (H2084-2102)
05/09/2011 HA 1 to HA 3 to HCS H offered & adopted (Smith-150)--(0331L03.21H) (H2102)
05/09/2011 HA 3 to HCS, as amended, H adopted (H2102)
05/09/2011 HA 4 to HCS H offered & adopted (Franz)--(0331L03.24H) (H2102-2103)
05/09/2011 HA 5 to HCS H offered & adopted (Wallingford)--(0331L03.07L) (H2103-2105)
05/09/2011 HA 6 to HCS H offered & adopted (Lichtenegger)--(0331L03.09H) (H2106-2107)
05/09/2011 HA 7 to HCS H offered & adopted (White)--(0331L03.13H) (H2108-2114)
05/09/2011 HA 8 to HCS H offered & adopted (Frederick)--(0331L03.20H) (H2106-2108)
05/09/2011 HA 9 to HCS H offered & adopted (Jones-117)--(0331L03.05L) (H2108-2114)
05/09/2011 HA 10 to HCS H offered & adopted (Haefner)--(0331L03.02F) (H2115-2116)
05/09/2011 HA 11 to HCS H offered (Schad)--(0331L03.14H) (H2116-2117)
05/09/2011 HSA 1 for HA 11 to HCS H offered & adopted (Burlison)--(0331L03.29H) (H2117)
05/09/2011 Placed back on calendar (H2117)
05/09/2011 HA 12 to HCS H offered & adopted (Jones-117)--(0331L03.08L) (H2118-2124)
05/09/2011 HA 13 to HCS H offered & adopted (Brandom)--(0331L03.18H) (H2124)
05/09/2011 HA 14 to HCS H offered & adopted (Gosen)--(0331L03.10H) (H2124)
05/09/2011 HA 15 to HCS H offered & adopted (Frederick)--(0331L03.17H) (H2124-2125)
05/09/2011 HA 16 to HCS H offered & defeated (Atkins)--(0331L03.06H) (H2125-2129)
05/09/2011 HA 17 to HCS H offered & defeated (Sifton)--(0331L03.16H) (H2129-2130)
05/09/2011 HCS, as amended, H adopted (H2130)
05/09/2011 H Third Read and Passed (H2130-2131 / S1568-1621)
05/10/2011 S refuses to concur in HCS, as amended (S1639 / H2192)
05/10/2011 S requests H recede or grant conference (S1639 / H2192)
05/10/2011 H refuses to recede and grants conference (H2192 / S1673)
05/10/2011 S conferees appointed: Brown, Dempsey, Crowell, Justus, Keaveny (S1674 / H2204)
05/10/2011 H conferees appointed: Jones-117, Wells, Frederick, Talboy, Swinger (H2204 / S1676)
05/13/2011 In Conference--SCS for SB 29-Brown, with HCS, as amended

EFFECTIVE: August 28, 2011

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*** SB 30 *** 0179S.01I

SENATE SPONSOR: Chappelle-Nadal

SB 30 - This act increases the penalty for the crime of harassment from a Class A misdemeanor to a Class D felony. If the crime is committed by a person twenty-one years of age or older against a person seventeen years of age or younger or the person has previously been convicted of harassment, then the act increases the penalty from a Class D felony to a Class C felony.

This act is identical to HB 1338 (2010).

MEGHAN LUECKE

12/01/2010 Prefiled
01/05/2011 S First Read--SB 30-Chappelle-Nadal (S11)
01/12/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S86)

EFFECTIVE: August 28, 2011

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*** SB 31 *** 0180S.01I

SENATE SPONSOR: Chappelle-Nadal

SB 31 - This act reduces from 45 to 20 the different types of draft beer that a restaurant bar without an on-site brewery must serve in order to sell 32 fluid ounces or more of such beer to customers for consumption off the premises of such bar.

This act is identical to HB 1355 (2010).
MEGHAN LUECKE

12/01/2010 Prefiled
01/05/2011 S First Read--SB 31-Chappelle-Nadal (S11)
01/12/2011 Second Read and Referred S Small Business, Insurance and Industry Committee (S86)
03/01/2011 Hearing Cancelled S Small Business, Insurance and Industry Committee

EFFECTIVE: August 28, 2011

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*** SB 32 *** 0189S.01I

SENATE SPONSOR: Chappelle-Nadal

SB 32 - This act prohibits any workforce development agency from knowingly omitting from any bidding process an entity with whom it has a contract. An agency must repay an omitted entity 25% of the total cost of the project as recovery for the lost opportunity to bid.

This act is identical to House Bill 1753 (2010).
JASON ZAMKUS

12/01/2010 Prefiled
01/05/2011 S First Read--SB 32-Chappelle-Nadal (S11)
01/12/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S86)
01/31/2011 Hearing Cancelled S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2011

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*** SB 33 *** 0223S.01P

SENATE SPONSOR: Stouffer HOUSE HANDLER: Cox

SB 33 - This act repeals a provision of law which currently requires MoDOT to submit to binding arbitration upon the request of a plaintiff in a negligence action.
STEPHEN WITTE

12/01/2010 Prefiled
01/05/2011 S First Read--SB 33-Stouffer (S11)
01/12/2011 Second Read and Referred S Transportation Committee (S86)
01/19/2011 Hearing Conducted S Transportation Committee
01/26/2011 Voted Do Pass S Transportation Committee
02/01/2011 Reported from S Transportation Committee to Floor (S180)
02/07/2011 Bill Placed on Informal Calendar (S196)
02/08/2011 Perfected (S209)
02/09/2011 Reported Truly Perfected S Rules Committee (S217)
02/09/2011 Referred S Ways & Means and Fiscal Oversight Committee (S217)
02/24/2011 Hearing Conducted S Ways & Means and Fiscal Oversight Committee
02/22/2011 Voted Do Pass S Ways & Means and Fiscal Oversight Committee
02/24/2011 Reported from S Ways & Means and Fiscal Oversight Committee to Floor (S323)
02/24/2011 S Third Read and Passed (S324)
02/24/2011 H First Read (H457)
02/28/2011 H Second Read (H465)
03/31/2011 Referred H Judiciary Committee (H811)
04/06/2011 Hearing Conducted H Judiciary Committee
04/18/2011 Voted Do Pass H Judiciary Committee
04/18/2011 Reported Do Pass H Judiciary Committee (H1305)
04/18/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1305)

EFFECTIVE: August 28, 2011

*** SB 34 *** 0301S.01I

SENATE SPONSOR: Stouffer

SB 34 - This act allows spouses who leave employment to follow their military spouses in the event of a military transfer, to qualify for unemployment compensation.

This act is identical to HB 2318 (2010).
CHRIS HOGERTY

12/01/2010 Prefiled
01/05/2011 S First Read--SB 34-Stouffer (S11-12)
01/12/2011 Second Read and Referred S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee (S86)

EFFECTIVE: August 28, 2011

*** SB 35 *** 0186S.01I

SENATE SPONSOR: Lembke

SB 35 - This act provides that no child support shall be awarded in instances where both parents sign an agreement and request the court to award them joint physical custody resulting in the child or children spending equal or substantially equal time with both parents, the difference in the verified incomes of the parents is less than twenty-five percent, and a finding has been made that such custody and award of no child support is in the best interest of the child.

When parents do not agree on an award of no child support but meet all of the other requirements regarding the joint physical custody agreement under this act, the court shall award child support in an amount that provides for an 18 to 50 percent adjustment below the basic child support amount authorized by the child support guidelines. The Missouri Supreme Court is directed to amend the child support guidelines, commonly referred to as "Form 14", to reflect the ability to obtain up to a fifty percent adjustment for joint custody in accordance with the act.

This act also requires documentation to verify the income of the parties for the initial order of child support and for any modification of the order. Documentation includes current wage stubs, a current W-2 form, statements from a party's employer, a wage match with the Division of Employment Security and bank statements.
ADRIANE CROUSE

12/01/2010 Prefiled
01/05/2011 S First Read--SB 35-Lembke (S12)
01/12/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S86)
02/15/2011 Hearing Cancelled S Health, Mental Health, Seniors and Families Committee

EFFECTIVE: August 28, 2011

*** SB 36 *** 0164S.01T

SENATE SPONSOR: Lembke HOUSE HANDLER: Scharnhorst

SB 36 - 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.

This act has an emergency clause.

This act is similar to the perfected SB 819 (2010).
EMILY KALMER

12/01/2010 Prefiled
01/05/2011 S First Read--SB 36-Lembke (S12)

01/12/2011 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S86)
01/26/2011 Hearing Conducted S Jobs, Economic Development and Local Government Committee
02/09/2011 Voted Do Pass S Jobs, Economic Development and Local Government Committee - Consent
02/10/2011 Reported from S Jobs, Economic Development and Local Government Committee to Floor - Consent (S234)
02/14/2011 Removed S Consent Calendar (S249)
03/10/2011 Reported from S Jobs, Economic Development and Local Government Committee to Floor (S435)
04/04/2011 Bill Placed on Informal Calendar (S556)
04/06/2011 Perfected (S632)
04/07/2011 Reported Truly Perfected S Rules Committee (S643)
04/11/2011 S Third Read and Passed - EC adopted (S678-679)
04/11/2011 H First Read (H1207)
04/12/2011 H Second Read (H1213)
04/26/2011 Referred H Crime Prevention & Public Safety Committee (H1619)
05/02/2011 Hearing Conducted H Crime Prevention & Public Safety Committee
05/04/2011 Voted Do Pass H Crime Prevention & Public Safety Committee
05/04/2011 Reported Do Pass H Crime Prevention & Public Safety Committee (H1857)
05/04/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1857)
05/09/2011 Voted Do Pass H Rules Pursuant Committee
05/09/2011 Reported Do Pass H Rules Pursuant Committee (H2170)
05/11/2011 H Third Read and Passed - EC adopted (H2431-2433 / S1894)
05/11/2011 Truly Agreed To and Finally Passed (S1894)

EFFECTIVE: Emergency Clause

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*** SB 37 *** SCS SB 37 0162S.03C

SENATE SPONSOR: Lembke

SCS/SB 37 – This act establishes the "Students First Interscholastic Activities Act." It is the intent of the General Assembly that every student of high school age has the opportunity to participate in interscholastic activities, 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 opportunity to seek to participate in interscholastic activities through his or her school. If the school does not offer interscholastic activities, the student may seek to participate through his or her school district of residence.

Each school that offers interscholastic activities must identify by July 1 the activity programs it will provide and the approximate number of athletes who may participate at any time.

This act contains eligibility requirements for student activity participants.

Public school districts, school board members, and school district employees are prohibited from influencing a student not enrolled in the district to participate in interscholastic activities in the district.

This act also allows a school district to declare a student ineligible to participate in interscholastic activities through the district for two years if a student with an unsatisfactory grade point average ceases enrollment, begins another education program, attains a satisfactory grade point average, and seeks to participate in athletics again. A school district must examine such a situation on a case-by-case basis after an inquiry.

Nothing in this act may be construed as requiring a school to allow all students to participate in activities. Schools will have discretion as to which students may participate in interscholastic activities. In addition, no school may discriminate against a student seeking to participate in interscholastic activities based on the student's choice of education program.

Interscholastic activities include athletics, cheerleading, dance, debate, music activities, pom team, speech, and winter guard. (Section 160.1175)

This act also prohibits a school district from becoming a member of, retaining membership in, or paying any fees to any statewide activities association that is an unincorporated voluntary association of Missouri secondary schools.

This act is similar to SB 788 (2010).
MICHAEL RUFF

12/01/2010 Prefiled
01/05/2011 S First Read--SB 37-Lembke (S12)
01/12/2011 Second Read and Referred S General Laws Committee (S86)
02/15/2011 Hearing Conducted S General Laws Committee
03/08/2011 SCS Voted Do Pass S General Laws Committee - (0162S.03C)
03/10/2011 Reported from S General Laws Committee to Floor w/SCS (S434)
03/16/2011 Bill Placed on Informal Calendar (S471)
05/13/2011 S Informal Calendar S Bills for Perfection--SB 37-Lembke, with SCS

EFFECTIVE: August 28, 2011

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*** SB 38 *** 0086S.01T

SENATE SPONSOR: Wright-Jones HOUSE HANDLER: Carter

SB 38 – This act provides that, subject to securing a cooperative agreement with a non-profit entity for funding of the program, 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. The Department of Health and Senior Services may directly contract with the Missouri Foundation for Health in the delivery of the pilot program. The program shall fund prostate cancer screening and treatment services. The department shall distribute grants to local health departments and federally qualified health centers. This act also requires the program to provide cancer screening, referral services, treatment, and outreach and education activities.

The program is open to uninsured or economically challenged men who are older than 50 years of age and uninsured or economically challenged men between 35 and 50 years of age who are at high risk for prostate cancer. An uninsured man is defined as one for whom services provided by the program are not covered by private insurance, MO HealthNet or Medicare, while an economically challenged man is one who has a gross income up to 150 percent of the federal poverty level. The department shall promulgate rules establishing guidelines regarding eligibility and for implementation of the program.

The department is required to report to the Governor and the General Assembly regarding the number of individuals screened and treated by the program and any cost savings as a result of early treatment of prostate cancer three years from the date on which the grants were first administered under the act. This act will expire six years from the effective date, unless reauthorized by the General Assembly.

This act is similar to SB 676 (2010).
ADRIANE CROUSE

12/01/2010 Prefiled
01/05/2011 S First Read--SB 38-Wright-Jones (S12)
01/12/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S86)
02/22/2011 Hearing Conducted S Health, Mental Health, Seniors and Families Committee
02/22/2011 Voted Do Pass S Health, Mental Health, Seniors and Families Committee
02/24/2011 Reported from S Health, Mental Health, Seniors and Families Committee to Floor (S329)
02/28/2011 Perfected (S345)
03/01/2011 Reported Truly Perfected S Rules Committee (S362-363)
03/02/2011 S Third Read and Passed (S373)
03/02/2011 H First Read (H505)
03/03/2011 H Second Read (H510)
03/31/2011 Referred H Health Care Policy Committee (H811)
04/06/2011 Hearing Scheduled But Not Heard H Health Care Policy Committee
04/13/2011 Hearing Conducted H Health Care Policy Committee
04/13/2011 Voted Do Pass H Health Care Policy Committee
04/13/2011 Reported Do Pass H Health Care Policy Committee (H1265)
04/13/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1265)
05/04/2011 Voted Do Pass H Rules Pursuant Committee
05/04/2011 Reported Do Pass H Rules Pursuant Committee (H1858)
05/10/2011 H Third Read and Passed (H2234-2235 / S1709)
05/10/2011 Truly Agreed To and Finally Passed (S1709)

EFFECTIVE: August 28, 2011

*** SB 39 *** 0266S.01I

SENATE SPONSOR: Wright-Jones

SB 39 - This act modifies laws regarding hospital patient safety. Under the act, each hospital is required to establish a patient safety committee by January 1, 2012, to design and recommend the process for implementing a safe patient handling program, which shall be implemented by July 1, 2012. 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, 2015, 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, 2013, 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, 2016 and December 1, 2018.

These act is identical to SB 866 (2010) and substantially similar to HB 401 (2009).

ADRIANE CROUSE

12/01/2010 Prefiled
01/05/2011 S First Read--SB 39-Wright-Jones (S12)
01/12/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S86)

EFFECTIVE: August 28, 2011

*** SB 40 *** 0088S.01I

SENATE SPONSOR: Wright-Jones

SB 40 - This act provides coverage under the state legal expense fund for any licensed doctor, therapist, dentist, podiatrist, optometrist, pharmacist, psychologist, or nurse who is hired on a contract basis to serve as a consultant for the MO HealthNet division or family support division of the Department of Social Services, or to serve as a consultant to the Department of Mental Health. The coverage is limited to a maximum of 500,000 dollars for all claims based upon the same act. If the professionals covered by the state legal expense fund under this act have other liability or malpractice insurance, the state legal expense fund is required to pay before the liability or malpractice insurance is available for paying the claim.

The Department of Social Services is required to issue rules regarding the contract procedures and documentation of services for such consultants.

This act is similar to SB 951 (2010).

EMILY KALMER

12/01/2010 Prefiled
01/05/2011 S First Read--SB 40-Wright-Jones (S12)
01/12/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S86)

EFFECTIVE: August 28, 2011

*** SB 41 *** 0187S.01I

SENATE SPONSOR: Chappelle-Nadal

SB 41 - This act provides that subject to appropriations, the Department of Health and Senior Services shall broaden the foods approved under the Women, Infants and Children Special Supplemental Food Program (WIC) to include a wider variety of kosher foods currently excluded from the WIC food list due to such kosher foods failing to meet the established federal criteria for nutrition content and price.

This act is identical to HB 1360(2010).

ADRIANE CROUSE

12/01/2010 Prefiled
01/05/2011 S First Read--SB 41-Chappelle-Nadal (S12)
01/12/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S86)

EFFECTIVE: August 28, 2011

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*** SB 42 *** 0182S.01I

SENATE SPONSOR: Chappelle-Nadal

SB 42 - This act increases the resource limit for medical assistance eligibility to $2,500 for a single person and $5,000 for a married couple. The director of the Department of Social Services must apply to the Secretary of the United States Department of Health and Human Services for an amendment to the home and community-based waiver to extend eligibility for medical assistance to individuals with an income of up to 300 percent of the federal poverty level.

This act is identical to HB 1357 (2010).
ADRIANE CROUSE

12/01/2010 Prefiled
01/05/2011 S First Read--SB 42-Chappelle-Nadal (S12)
01/12/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S86)

EFFECTIVE: August 28, 2011

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*** SB 43 *** 0183S.01I

SENATE SPONSOR: Chappelle-Nadal

SB 43 - This act requires the Department of Health and Senior Services to strongly encourage all long-term care facilities licensed in this state to institute policies that will encourage familial involvement in the well-being and support of residents of long-term care facilities.

This act is identical to HB 1358 (2010).
ADRIANE CROUSE

12/01/2010 Prefiled
01/05/2011 S First Read--SB 43-Chappelle-Nadal (S12)
01/12/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S86)

EFFECTIVE: August 28, 2011

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*** SB 44 *** 0087S.01I

SENATE SPONSOR: Wright-Jones

SB 44 - This act requires all health carriers providing health insurance coverage for 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 insuring at least 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.

This act is similar to SB 642 (2010) and SB 475 (2009).
STEPHEN WITTE

12/01/2010 Prefiled
01/05/2011 S First Read--SB 44-Wright-Jones (S12)
01/12/2011 Second Read and Referred S Small Business, Insurance and Industry Committee (S86)
04/21/2011 Hearing Conducted S Small Business, Insurance and Industry Committee
04/28/2011 Voted Do Pass S Small Business, Insurance and Industry Committee
04/28/2011 Reported from S Small Business, Insurance and Industry Committee to Floor (S1207)
05/13/2011 S Formal Calendar S Bills for Perfection--SB 44-Wright-Jones

EFFECTIVE: August 28, 2011

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*** SB 45 *** 0220S.01I

SENATE SPONSOR: Wright-Jones

SB 45 - 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 similar to SB 687 (2010) and HB 2588 (2008).
STEPHEN WITTE

12/01/2010 Prefiled
01/05/2011 S First Read--SB 45-Wright-Jones (S12)
01/12/2011 Second Read and Referred S Transportation Committee (S86)
01/19/2011 Hearing Conducted S Transportation Committee
01/26/2011 Voted Do Pass S Transportation Committee
04/21/2011 Reported from S Transportation Committee to Floor (S813)
05/13/2011 S Formal Calendar S Bills for Perfection--SB 45-Wright-Jones

EFFECTIVE: August 28, 2011

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*** SB 46 *** 0218S.01I

SENATE SPONSOR: Wright-Jones

SB 46 - This act allows elected officials to be excused from jury duty during their term of office.

This act is similar to SB 695 (2010), SB 476 (2009),and HB 1091 (2006).
EMILY KALMER

12/01/2010 Prefiled
01/05/2011 S First Read--SB 46-Wright-Jones (S13)
01/12/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S86)

EFFECTIVE: August 28, 2011

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*** SB 47 *** 0242S.01I

SENATE SPONSOR: Wright-Jones

SB 47 - This act requires the Office of Administration to study and to implement a plan to increase and maintain the participation of certified socially and economically disadvantaged small business concerns, minority business enterprises and women business enterprises in contracts for supplies, services, and contracts with the state.

The Minority Business Enterprise and Women's Business Enterprise Oversight Review Committee is

created to study and make recommendations relating to the participation of socially and economically disadvantaged minority and women's business enterprises in contracting with the state.

This act is similar to HB 1484 (2010) and SB 1066 (2010).

CHRIS HOGERTY

12/01/2010 Prefiled
01/05/2011 S First Read--SB 47-Wright-Jones (S13)
01/12/2011 Second Read and Referred S Progress and Development Committee (S86)
02/09/2011 Hearing Cancelled S Progress and Development Committee
02/16/2011 Hearing Scheduled But Not Heard S Progress and Development Committee

EFFECTIVE: August 28, 2011

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*** SB 48 *** CCS HCS SB 48 0251S.06T

SENATE SPONSOR: Wright-Jones HOUSE HANDLER: Pollock

HCS/SS/SCS/SB 48 - This act modifies provisions pertaining to utilities.

SECTION 247.060 - PUBLIC WATER SUPPLY DISTRICTS
The act removes the provision in current law that requires members of the board of directors of a public water supply district to serve without pay. Board members are allowed up to $100 for attending a board meeting or special meeting and must be reimbursed for their actual expenditures in the course of their duties. The president of the board may receive an additional $50 per meeting. The act provides limitations on the number of meetings for which board members may receive compensation, requires the completion of certain training prior to receipt of such compensation, and limits compensation when water service has not been provided in certain circumstances.

The act additionally provides the circuit court in the jurisdiction of the district certain authorities to suspend or remove board members from office for cause or to prevent a board member from acting against the interests of the district.

This section is similar to HB 210 (2011).

SECTION 250.236 - TERMINATION OF WATER SERVICE
Under current law, a city must send notice to a sewer customer by certified mail if the city intends to disconnect sewer service or request a water utility to disconnect water service for failure to pay the sewer bill. This act removes the requirement that the notice must be via certified mail.

SECTIONS 386.420 TO 386.540 - APPEALING DECISIONS MADE BY THE PUBLIC SERVICE COMMISSION
The act requires that in any proceeding before the Public Service Commission (PSC) that results in new rates for regulated utilities, the PSC must prepare a detailed reconciliation containing certain financial information, rate and charge impact of contested issues, and the customer class billing determinants used by the commission.

The act allows orders of the PSC to be served electronically and removes the requirement that every person who is served a certified copy of a PSC order must notify the PSC of its receipt.
Under current law, appeals of PSC orders or decisions are heard by the circuit court. The act moves appeals of PSC decisions from the circuit court to the appellate court. Certain information must accompany a notice of appeal.

The act removes provisions pertaining to the authority of the circuit court to stay or suspend a PSC order. The appellate court may stay or suspend a PSC order only when it does not involve the establishment of new rates and charges and when the court determines that great or irreparable harm would otherwise result to the appellant. No stay or suspension may be ordered by the appellate court for PSC decisions that involve new rates or charges for regulated utilities. The act provides procedures for the court to order temporary rate adjustments in the event the court finds that the PSC's approved rates and charges were in error. No court may issue a decision affecting a public utility's rates in any case where the court cannot render a decision on its merits due to a lack of adequate findings of fact by the PSC or because the PSC failed to receive properly-offered evidence. In such a case, the PSC must provide such findings of fact or issue a new order within 90 days of the court's determination.

These sections (except 386.490) include an emergency clause.

The act is similar to HB 967 (2011).

SECTION 393.015 - TERMINATION OF WATER SERVICE
Under current law, no sewer company, municipal sewer utility, or sewer district may cause a person's water service to be terminated prior to sending written notice to the person via certified mail. The act removes the requirement that the notice be sent via certified mail.

SECTION 393.152 - PUBLIC UTILITY DEPOSITS
Gas, electric, water, heating, and sewer 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 by the delinquent date during the 12-month period of at least $75 or 25% of the total outstanding balance.

The act does not apply to customers who owe more than $300 or to customers making payments as part of an established pay plan with the utility.

This section is identical to SCS/SB 674 (2010) and similar to SCS/SB 474 (2009) and HB 2587 (2008).

SECTION 393.275 - NATURAL GAS UTILITY BAD DEBT
Under current law, rate adjustments in the purchase price of natural gas that are approved by the Public Service Commission (PSC) are 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.

This act is similar to SB 705 (2010) and HB 1610 (2010) and similar to SCS/SB 299 (2009) and HB 2279 (2008).

SECTIONS 393.1000 TO 393.1003 - ISRS
Currently, only water companies in St. Louis County may establish infrastructure system replacement surcharge (ISRS) rate schedules with the PSC to recover costs associated with eligible infrastructure system replacements. The act allows any water company in any county to establish ISRS rate schedules, but adds a qualifying provision for small water companies that any such ISRS must generate ISRS revenues of at least $10,000. The act also adds certain energy efficiency projects to what is considered to be an eligible infrastructure system replacement.

SECTIONS 414.530 TO 414.570 - MISSOURI PROPANE EDUCATION AND RESEARCH COUNCIL
Under current law, there are three ways for the director of the Missouri Energy Center to initiate a referendum on the abolishment of the Missouri Propane Education and Research Council and the fee for odorized propane. This act removes one of these three ways, which is at the discretion of the director.

Current law allows vacancies on the council to be filled by the remaining members of the council, subject to the approval of the director. This act removes the requirement that the director must approve the appointment and instead requires the council to fill vacancies after a public nomination process.

Current law requires the council to submit a budget plan to the director at the beginning of each fiscal period and requires the director to either approve or recommend changes to the budget after a public comment period. The act removes the director's involvement in the budget approval, and instead requires the budget plan be submitted for public comment at least 30 days prior to the beginning of each fiscal period, and authorizes the council to approve or modify the budget after the public comment period.

The act removes the authority of the director to require additional reports from the council at his or her discretion beyond what is already required under current law.

Authority to establish an alternative means to collect the odorized propane fee and set late payment charges is currently given to the director. This act transfers this authority to the council. The interest rate charged for late payments may not exceed the legal rate for judgments.

The act removes provisions that allow the National Propane Education and Research Council to coordinate its operations with Missouri's council and that authorize Missouri's council to keep funds resulting from a federal rebate on propane fees.

These sections are identical to SB 297 (2009).

SECTION 660.122 - UTILICARE
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.
ERIKA JAQUES

HA 1: ADDS SECTION 620.2300, WHICH ALLOWS THE OWNER OF A CLEANFIELDS RENEWABLE ENERGY DEMONSTRATION PARK, WHICH CONTAINS A BIOMASS FACILITY, TO RECEIVE DOUBLE RENEWABLE ENERGY CREDITS FOR CERTAIN ENERGY GENERATION AND PURCHASES. ADDS AN EMERGENCY CLAUSE FOR THIS SECTION.

HA 2: REMOVES SECTIONS 393.1000 & 393.1003 RELATING TO INFRASTRUCTURE SYSTEM REPLACEMENT SURCHARGES (ISRS) FOR WATER CORPORATIONS AND ENERGY EFFICIENCY PROJECTS.

HA 3: REMOVES SECTION 247.060 RELATING TO COMPENSATION FOR MEETING ATTENDANCE BY BOARD MEMBERS OF PUBLIC WATER SUPPLY DISTRICTS AND REMOVAL FROM OFFICE.

HA 4: MODIFIES SECTION 386.420 AND 386.520 BY MAKING THE PROVISIONS APPLICABLE ONLY TO PUBLIC UTILITIES "THAT ARE NOT PRICE-CAP OR COMPETITIVE."

HA 5: CREATES THE CRIMES OF ASSAULT OF A UTILITY WORKER IN THE FIRST DEGREE, ASSAULT OF A UTILITY WORKER IN THE SECOND DEGREE, AND ASSAULT OF A UTILITY WORKER IN THE THIRD DEGREE.

HA 6: ADDS SECTION 72.401, WHICH PROVIDES THAT VOLUNTARY ANNEXATION BY A MUNICIPALITY THAT PROVIDES MUNICIPAL WATER AND SEWER SERVICES SHALL NOT BE SUBJECT TO REVIEW BY A BOUNDARY COMMISSION ESTABLISHED IN THE AREA.

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| 12/01/2010 | Prefiled |
| 01/05/2011 | S First Read--SB 48-Wright-Jones (S13) |
| 01/12/2011 | Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S86) |
| 04/05/2011 | Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee |
| 04/05/2011 | SCS Voted Do Pass S Commerce, Consumer Protection, Energy and the Environment Committee - (0251S.02C) |
| 04/07/2011 | Reported from S Commerce, Consumer Protection, Energy and the Environment Committee to Floor w/SCS (S663) |
| 04/12/2011 | Bill Placed on Informal Calendar (S688) |
| 04/19/2011 | SS for SCS S offered (Wright-Jones)--(0251S.03F) (S772-773) |
| 04/19/2011 | SA 1 to SS for SCS S offered (Kraus)--(0251S03.08S) (S773) |
| 04/19/2011 | SS for SCS Ruled out of order (S773) |
| 04/19/2011 | SCS Ruled out of order (S773) |
| 04/19/2011 | Bill Placed on Informal Calendar (S773) |
| 04/19/2011 | Perfected (S777) |
| 04/19/2011 | Reported Truly Perfected S Rules Committee (S779) |
| 04/21/2011 | S Third Read and Passed (S809) |
| 04/21/2011 | H First Read (H1432) |
| 04/22/2011 | H Second Read (H1439) |
| 04/26/2011 | Referred H Utilities Committee (H1619) |
| 05/03/2011 | Hearing Scheduled H Utilities Committee--(12:00 pm - HR 1) |
| 05/03/2011 | HCS Voted Do Pass H Utilities Committee |
| 05/03/2011 | HCS Reported Do Pass H Utilities Committee (H1794) |
| 05/03/2011 | Referred to Rules Committee pursuant to Rule 25(32)(f) (H1794) |
| 05/05/2011 | HCS Voted Do Pass H Rules Pursuant Committee |
| 05/05/2011 | HCS Reported Do Pass H Rules Pursuant Committee (H2048) |
| 05/09/2011 | Referred H Fiscal Review Committee (H2170) |

05/11/2011 HCS Voted Do Pass H Fiscal Review Committee
05/11/2011 HCS Reported Do Pass H Fiscal Review Committee (H2255)
05/12/2011 HA 1 to HCS H offered & adopted (Pollock)--(0251L04.01L) (H2443-2444)
05/12/2011 HA 2 to HCS H offered & adopted (Pollock)--(0251L04.07H) (H2444)
05/12/2011 HA 3 to HCS H offered & adopted (Riddle)--(0251L04.09H) (H2445)
05/12/2011 HA 4 to HCS H offered & adopted (Smith-150)--(0251L04.01F) (H2445)
05/12/2011 HA 5 to HCS H offered & adopted (Hinson)--(0251L04.11H) (H2445-2447)
05/12/2011 HA 6 to HCS H offered & adopted (Jones-89)--(0251L04.10H) (H2448-2449)
05/12/2011 HA 7 to HCS H offered & Ruled out of order (Solon)--(0251L04.12H) (H2449)
05/12/2011 HCS, as amended, H adopted (H2450)
05/12/2011 H Third Read and Passed - EC adopted (H2450-2452 / S1905-1913)
05/12/2011 S refuses to concur in HCS, as amended (S1914 / H2469)
05/12/2011 S requests H recede or grant conference (S1914 / H2469)
05/12/2011 H refuses to recede and grants conference (H2469 / S1920)
05/12/2011 S conferees appointed: Wright-Jones, Green, Lager, Schaefer, Dixon (S1920 / H2470)
05/12/2011 H conferees appointed: Pollock, Smith-150, Schad, Hummel, Webb (H2480 / S1925)
05/12/2011 H submits CCR
05/13/2011 CCR S offered & adopted
05/13/2011 CCS S Third Read and Passed - EC adopted
05/13/2011 CCR H adopted
05/13/2011 CCS H Third Read and Passed - EC adopted
05/13/2011 Truly Agreed To and Finally Passed

EFFECTIVE: August 28, 2011

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*** SB 49 *** 0219S.01I

SENATE SPONSOR: Wright-Jones

SB 49 - 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 238.236).

The provisions contained in this act may also be found in SB 640 (2010) and HCS/SB 716 (2010).

STEPHEN WITTE

12/01/2010 Prefiled
01/05/2011 S First Read--SB 49-Wright-Jones (S13)
01/12/2011 Second Read and Referred S Transportation Committee (S86)
02/16/2011 Hearing Conducted S Transportation Committee
03/30/2011 Voted Do Pass S Transportation Committee

EFFECTIVE: August 28, 2010

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*** SB 50 *** 0271S.02I

SENATE SPONSOR: Kehoe

SB 50 - Beginning October 1, 2011, any electric company seeking an Early Site Permit from the U.S. Nuclear Regulatory Commission must submit reports to the Missouri Public Service Commission (PSC) every 6 months. The reports must document the work completed and costs incurred up to that point toward the acquisition of the Early Site Permit as well as the projected amount of work and costs remaining. If the total cost of obtaining the Early Site Permit is expected to exceed $40 million, the company must also include an explanation in its reports as to why expenditures beyond that amount are prudent.

Once the Early Site Permit is obtained, the electric company may recover the expenditures for the permit from its ratepayers through rates and charges over a period not to exceed 20 years. The company may begin the cost recovery on the effective date of tariffs approved by the PSC at the company's first general rate proceeding following the acquisition of the permit. Other electric companies that also incur expenses toward the Early Site Permit may similarly recover their costs through rates and charges.

If an electric company has recovered costs from its ratepayers for an Early Site Permit but the company's interest in the Early Site Permit is subsequently sold or transferred, the company must refund its ratepayers up to the amount that the company collected from the ratepayers for the permit.
ERIKA JAQUES

12/06/2010 Prefiled
01/05/2011 S First Read--SB 50-Kehoe, et al (S13)
01/12/2011 Second Read and Referred S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee (S86)
03/09/2011 Hearing Scheduled But Not Heard S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee

EFFECTIVE: August 28, 2011

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*** SB 51 *** 0245S.01I

SENATE SPONSOR: Cunningham

SB 51 – This act requires public libraries, by January 1, 2012, 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 735 (2010) and SB 450 (2009).
MICHAEL RUFF

12/08/2010 Prefiled
01/05/2011 S First Read--SB 51-Cunningham (S13)

01/20/2011 Second Read and Referred S General Laws Committee (S124)

EFFECTIVE: August 28, 2011

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*** SB 52 *** 0222S.01I

SENATE SPONSOR: Cunningham

SB 52 - This act requires county assessors to consider foreclosures, bank sales, and the average time homes remain on the market when establishing the value of parcels of real property for property tax purposes.

This act is similar to provisions contained within Senate Bill 671 (2010).
JASON ZAMKUS

12/08/2010 Prefiled
01/05/2011 S First Read--SB 52-Cunningham (S13)
01/20/2011 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S124)
02/24/2011 Hearing Conducted S Ways and Means and Fiscal Oversight Committee
03/17/2011 Voted Do Pass S Ways and Means and Fiscal Oversight Committee
04/14/2011 Reported from S Ways and Means and Fiscal Oversight Committee to Floor (S732)
04/19/2011 Bill Placed on Informal Calendar (S772)
05/13/2011 S Informal Calendar S Bills for Perfection--SB 52-Cunningham

EFFECTIVE: August 28, 2011

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*** SB 53 *** 0286S.01I

SENATE SPONSOR: Cunningham

SB 53 - The act adds automated phone calls to the types of calls prohibited to individuals who sign up on the state do-not-call list. Certain exceptions are provided, such as calls for emergency alerts and messages from schools or employers.

This act contains provisions similar to provisions in SB 633 (2010), SB 663 (2010) and SCS/SBs 65 & 43 (2009).
ERIKA JAQUES

12/08/2010 Prefiled
01/05/2011 S First Read--SB 53-Cunningham (S13)
01/20/2011 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S124)

EFFECTIVE: August 28, 2011

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*** SB 54 *** SCS SB 54 0248S.02T

SENATE SPONSOR: Cunningham HOUSE HANDLER: Kelly

SCS/SB 54 – 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. The Office may also mediate between alleged victims of sexual misconduct and school districts.

SECTION 160.261 - If a student reports alleged sexual misconduct by a teacher or other school employee to a school employee who is required to report to the Children's Division, the employee and the school district superintendent must forward the allegation to the Children's Division within twenty-four hours. Any reports made to the Children's Division must be investigated by the Division in accordance with Division procedures. The school district must not conduct an investigation for purposes of determining whether the allegations should be substantiated. A district may investigate the allegations for purposes of making a decision regarding the accused employee's employment. This act also requires the investigating officers to review the report using a preponderance of evidence standard.

SECTION 160.262 - This act authorizes the Office of the Child Advocate to offer mediation services when requested by both parties when child abuse allegations arise in a school setting. The mediator must not be a

mandated reporter of child abuse. No student, parent of a student, school employee, or school district will be required to enter into mediation. If either party does not wish to enter into mediation, mediation will not occur. Procedures for mediation are described in the act.

SECTIONS 160.2100 & 160.2110: This act creates the Task Force on the Prevention of Sexual Abuse of Children. This act shall be known and may be cited as "Erin's Law."

Task Force members must be individuals who are actively involved in the prevention of child abuse and neglect and child welfare. The President Pro Tem of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives, and the Minority Leader of the Senate may each appoint one member of the General Assembly to the task force. The following additional members will be on the task force: the director of the Department of Social Services, or his or her designee; the Commissioner of Education, or his or her designee; the director of the Department of Health and Senior Services, or his or her designee; the director of the Office of Prosecution Services, or his or her designee; a representative representing law enforcement, appointed by the Governor; three active teachers employed in Missouri, appointed by the Governor; a representative of an organization involved in forensic investigation relating to child abuse, appointed by the Governor; a school superintendent, appointed by the Governor; a representative of the State Domestic Violence Coalition, appointed by the Governor; a representative from the juvenile and family court, appointed by the Governor; a representative from the Missouri Network of Child Advocacy Centers, appointed by the Governor; and an at-large member appointed by the Governor.

The Task Force must make recommendations for reducing child sexual abuse. The Task Force must submit a final report with its recommendations to the Governor, General Assembly, and State Board of Education by January 1, 2013. The Task Force will end on January 1, 2013.

The Task Force may also adopt a policy addressing sexual abuse of children, including a curriculum.

SECTION 162.014 - A registered sex offender, or a person required to be registered as a sex offender, is prohibited from being a candidate for school board. A sitting school board member who is a registered sex offender or is required to be registered will not be eligible to serve as a board member at the conclusion of his or her term.

SECTION 162.068 - By July 1, 2012, every school district must adopt a written policy on information that the district may provide about former employees to other public schools.

The act grants civil immunity to school district employees who are permitted to respond to requests for information regarding former employees under a school district policy and who communicates only the information that the policy directs and who acts in good faith and without malice. If an action is brought against the employee, he or she may request that the Attorney General defend him or her in the suit, except 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 as a result of such allegations or as a result of such allegations being substantiated by the Child Abuse and Neglect Review Board 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 or when responding to a potential employer's request for information regarding such employee, the district will be liable for damages and have third-party liability for any legal liability, legal fees, costs, and expenses incurred by the employing district caused by the failure to disclose such information to the employing district.

When a school district employs a person who has been investigated by the Children's Division and for whom there has been a finding of substantiated from such investigation, the district must immediately suspend the person's employment. The district may return the person to his or her employment if the Child Abuse and Neglect Review Board's finding that the allegation is substantiated is reversed by a court on appeal. Nothing shall preclude a school district from otherwise lawfully terminating the employment of an employee about whom there has been a finding of unsubstantiated from such an investigation.

A school district that has employed a person for whom there was a finding of substantiated from a Children's Division investigation must disclose the finding of substantiated to any other public school that contacts it for a reference.

A school district is prohibited from discharging or discriminating against an employee who, acting in good faith, reports alleged sexual misconduct.

SECTION 162.069 - By January 1, 2012, 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, 2012, 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 - School districts are responsible for conducting the criminal background check on bus drivers they employ. For drivers employed by a pupil transportation company under contract with the district, the criminal background check must be conducted through the Highway Patrol's criminal record review and must conform to the requirements of the National Child Protection Act of 1993, as amended by the Volunteers for Children Act. A school district's criminal background check on school employees must include a search of publicly available information in an electronic format that displays information through a public index or single case display.

This act changes, from two to one, the number of sets of fingerprints an applicant must submit for a criminal history background check. 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.

A school district may conduct a new criminal background check and fingerprint collection for a newly hired employee at its own expense.

SECTION 210.135 - Third-party reporters of child abuse who report an alleged incident to any employee of a school district 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 the alleged perpetrator, alleged victim, or the Office of the Child Advocate if new, specific, and credible evidence is obtained that the Division's decision was based on fraud or misrepresentation of material facts relevant to the Division's decision. Procedures for reopening an investigation are described in the act. Any person who makes a request to reopen based on facts the person knows to be false will be guilty of a class A misdemeanor. The Division cannot reopen an investigation while the case is pending before a court or when a court has entered a final judgment after de novo judicial review.

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 modifies the current statute of limitations for the prosecution of unlawful sexual

offenses involving a person eighteen years of age or younger so that such a prosecution must be commenced within thirty years after the victim reaches the age of eighteen.

This act is substantially similar to the perfected version of SCS/SB 631 (2010) and is similar to SB 286 (2011), SB 41 (2009), HCS/HB 1314 (2008), SB 1212 (2008) and contains provisions similar to HB 1911 (2010), HB 2334 (2008) and HB 2579 (2008).
MICHAEL RUFF

12/08/2010 Prefiled
01/05/2011 S First Read--SB 54-Cunningham (S13)
01/20/2011 Second Read and Referred S Education Committee (S124)
02/16/2011 Hearing Conducted S Education Committee
03/09/2011 SCS Voted Do Pass S Education Committee - (0248S.02C)
03/10/2011 Reported from S Education Committee to Floor w/SCS (S435)
04/04/2011 SA 1 to SCS S offered & adopted (McKenna)--(0248S02.01S) (S554-556)
04/04/2011 SCS, as amended, S adopted (S556)
04/04/2011 Perfected (S556)
04/05/2011 Reported Truly Perfected S Rules Committee (S574)
04/05/2011 Referred S Ways & Means and Fiscal Oversight Committee (S574)
04/07/2011 Hearing Conducted S Ways and Means and Fiscal Oversight Committee
04/07/2011 Voted Do Pass S Ways & Means and Fiscal Oversight Committee
04/07/2011 Reported from S Ways & Means and Fiscal Oversight Committee to Floor (S643)
04/07/2011 S Third Read and Passed (S649-650)
04/07/2011 H First Read (H1175)
04/11/2011 H Second Read (H1184)
04/12/2011 Referred H Elementary and Secondary Education Committee (H1235)
04/20/2011 Hearing Conducted H Elementary and Secondary Education Committee
04/21/2011 Voted Do Pass H Elementary and Secondary Education Committee
04/27/2011 Reported Do Pass H Elementary and Secondary Education Committee (H1649)
04/27/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1649)
05/09/2011 Voted Do Pass H Rules Pursuant Committee
05/10/2011 Reported Do Pass H Rules Pursuant Committee (H2245)
05/10/2011 Referred H Fiscal Review Committee (H2245)
05/11/2011 Voted Do Pass H Fiscal Review Committee
05/11/2011 Reported Do Pass H Fiscal Review Committee (H2255)
05/12/2011 H Third Read and Passed (H2454-2455 / S1913)
05/12/2011 Truly Agreed To and Finally Passed (S1913)

EFFECTIVE: August 28, 2011

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*** SB 55 *** SS SB 55 0329S.02T

SENATE SPONSOR: Brown

SS/SB 55 - This act classifies sawmills and planing mills, as defined in the United States Department of Labor's Standard Industrial Classification Manual, as agricultural and horticultural property instead of commercial property for property taxation purposes.

This act is similar to House Bill 1207 (2010).
JASON ZAMKUS

12/09/2010 Prefiled
01/05/2011 S First Read--SB 55-Brown (S13)
01/20/2011 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S124)
02/16/2011 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee
02/23/2011 Voted Do Pass S Agriculture, Food Production and Outdoor Resources Committee
02/24/2011 Reported from S Agriculture, Food Production and Outdoor Resources Committee to Floor (S330)
03/07/2011 Bill Placed on Informal Calendar (S399)
03/09/2011 SS S offered (Brown)--(0329S.02F) (S417-418)
03/09/2011 Bill Placed on Informal Calendar (S418)
03/09/2011 SS S adopted (S419)
03/09/2011 Perfected (S419)
03/10/2011 Reported Truly Perfected S Rules Committee (S425)

03/17/2011 S Third Read and Passed (S486-487)
03/17/2011 H First Read (H701)
03/18/2011 H Second Read (H707)
03/29/2011 Referred H Rural Community Development Committee (H753)
04/05/2011 Hearing Conducted H Rural Community Development Committee
04/05/2011 Voted Do Pass H Rural Community Development Committee
04/05/2011 Reported Do Pass H Rural Community Development Committee
04/05/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H907)
04/22/2011 Voted Do Pass H Rules Pursuant Committee
04/26/2011 Reported Do Pass H Rules Pursuant Committee (H1620)
05/03/2011 H Third Read and Passed (S1750-1751)
05/03/2011 Truly Agreed To and Finally Passed (S1290)

EFFECTIVE: August 28, 2011

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*** SB 56 *** 0334S.02I

SENATE SPONSOR: Rupp

SB 56 - This act requires on or before December 31, 2012, the Department of Mental Health to submit a plan for transitioning the provision of services for residents of state developmental disabilities facilities, including intermediate care facilities for the mentally retarded, to the most integrated settings appropriate to their needs. Upon completion, the plan shall be submitted to the Governor, the Senate Appropriations Committee, the House Health, Mental Health and Social Services Appropriations Committee, the House Budget Committee and the Developmental Disabilities Advisory Council.

While developing the plan, the department shall contract with a reputable independent third party to conduct a study and develop a plan identifying mechanisms to serve persons currently living in state institutions in the community. The plan shall also make certain recommendations and identify items as outlined in this act including containing recommendations for each resident identifying:

(1) Services in the most integrated setting appropriate for each resident in the community of his or her choice;
(2) The cost of providing necessary services in community settings for each individual;
(3) Barriers that prohibit the individual from being served in the community; and
(4) A timetable for making the transition.

The plan shall include recommendations for permanent full time state employees working at such facilities and alternative uses for state-owned facility property. The plan shall also include a proposed schedule for implementation of the plan with the goal of shifting provision of services to the community for every resident by January 1, 2018.

All long term admissions to state run intermediate care facilities for the mentally retarded shall cease upon the effective date of this act. Any plans started after August 28, 2011, to build or renovate state-owned facilities shall not be implemented2, entered into contract to construct, or put out for bid until the completion of the plan.

This act is similar to HB 2306 (2010).
ADRIANE CROUSE

12/14/2010 Prefiled
01/05/2011 S First Read--SB 56-Rupp (S13)
01/20/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S124)
03/15/2011 Hearing Conducted S Health, Mental Health, Seniors and Families Committee
03/29/2011 Voted Do Pass S Health, Mental Health, Seniors and Families Committee

EFFECTIVE: August 28, 2011

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*** SB 57 *** HCS SCS SB 57 0115L.05T

SENATE SPONSOR: Callahan HOUSE HANDLER: Gatschenberger

HCS/SCS/SB 57 - This act allows a public administrator to request the court to transfer any guardianship or conservatorship case to another county. If the other county meets the venue requirements and the public administrator of the other county consents to the transfer, the court is required to transfer the case. The court with jurisdiction over the other county is required to appoint the public administrator of that county as the

person's new guardian or conservator without holding a hearing.

The public administrator is required to file a final settlement of their conservatorship within thirty days of the court transferring the case. This final settlement will be filed in the court with jurisdiction over the original conservatorship and forwarded to the receiving county upon audit and approval.

This act also specifies that risk coverages procured by certain political subdivision associations shall not require the solicitation of competitive bids.

This act is similar to HB 88 (2011), HB 1676 (2010), SB 151 (2011), and HB 2098 (2010).
EMILY KALMER

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| 12/15/2010 | Prefiled |
| 01/05/2011 | S First Read--SB 57-Callahan (S13-14) |
| 01/20/2011 | Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S124) |
| 01/31/2011 | Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee |
| 02/14/2011 | SCS Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee (0115S.03C) - Consent |
| 02/17/2011 | Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor - w/SCS - Consent (S283) |
| 03/31/2011 | SCS S adopted (S538) |
| 03/31/2011 | S Third Read and Passed - Consent (S538) |
| 03/31/2011 | H First Read (H817) |
| 04/01/2011 | H Second Read (H823) |
| 04/04/2011 | Referred H Judiciary Committee (H839) |
| 04/13/2011 | Hearing Conducted H Judiciary Committee |
| 04/13/2011 | HCS Voted Do Pass H Judiciary Committee - Consent |
| 04/13/2011 | HCS Reported Do Pass H Judiciary Committee - Consent (H1266) |
| 04/13/2011 | Referred to Rules Committee pursuant to Rule 25(32)(f) (H1266) |
| 04/27/2011 | HCS Voted Do Pass H Rules Pursuant Committee - NOT CONSENT |
| 04/27/2011 | HCS Reported Do Pass H Rules Pursuant Committee - NOT CONSENT (H1651) |
| 05/04/2011 | HA 1 to HCS H offered & adopted (Talboy)--(0115L05.01H) (H1840) |
| 05/04/2011 | HA 2 to HCS H offered & defeated (Cauthorn)--(0115L05.01L) (H1840-1841) |
| 05/04/2011 | HCS, as amended, H adopted (H1841) |
| 05/04/2011 | H Third Read and Passed (H1841-1842 / S1342) |
| 05/05/2011 | S concurs in HCS, as amended (S1352) |
| 05/05/2011 | S Third Read and Passed (S1352-1353) |
| 05/05/2011 | Truly Agreed To and Finally Passed (H1943) |

EFFECTIVE: August 28, 2011

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*** SB 58 *** HCS SS SCS SB 58 0108L.18C

SENATE SPONSOR: Stouffer HOUSE HANDLER: Denison

HCS/SS/SCS/SB 58 - This act modifies various provisions relating to the regulation of transportation.

SERGEANT JOE C. SPECKER MEMORIAL HIGHWAY - This act designates a portion of Interstate 70 in Lafayette County as the "Sergeant Joe C. Specker Memorial Highway" (Section 227.428).

WINNING WOMEN SPECIAL LICENSE PLATE - This act changes the name of the Missouri Women's Council special license plate to the WINNING WOMEN special license plate. Emblem-use authorization fees must be submitted to Winning Women rather than the Friends of the Missouri Women's Council (Section 301.3084).

USE OF PUBLIC STREETS - This act requires a municipality to allow at least one street, with lawful traffic movement and access from both directions, to be used by commercial vehicles to access any roads in the state highway system (Section 304.120). The act also prohibits any civil action for a public or private nuisance on the basis of an individual or business entity legally using a vehicle on a public street or highway (Section 537.293).

PROOF OF PAYMENT OF PROPERTY TAXES IN ORDER TO MOVE MANUFACTURED HOME - This act prohibits the issuance of oversize permits to manufactured home owners unless the owners pay all applicable property taxes on the manufactured homes. The manufactured home owner must carry a receipt from the

county collector showing all property taxes have been paid on the home at all times during the manufactured home is transported (Section 304.200).

REGULATION OF HOUSEHOLD GOODS MOVERS - This act modifies provisions relating to the regulation of household goods movers. These provisions are similar to the ones contained in HB 430 (2011).

Under the terms of this act, household goods movers will no longer have to file their schedule of rates, fares and charges with the state highways and transportation commission. A household goods mover must maintain and publish its schedules of rates, fares, rules, and charges in its stations and offices. Such rates shall be available for inspection by the commission, shippers, and the public (Sections 387.040 and 387.050).

This act prohibits household goods movers from participating in joint tariffs. The act allows joint tariffs relating to the transportation of household goods over through routes or in interline service involving two or more separate motor carriers. Carriers of household goods participating in through routes or interline service shall publish joint tariffs or individual tariffs for each participating carrier (no longer have to file joint tariffs with the commission). In addition, household goods movers will no longer be required to file sworn copies of every contract with other motor carriers with the commission (Sections 387.080 and 390.116).

Under current law, household goods carriers are prohibited from using schedules of rates that divide the state into territorial rate areas. This act removes this restriction (Section 387.110).

Under the terms of this act, the commission no longer has the authority to fix rates with reference to the transportation of household goods. Rates published by household goods movers are presumed to prima facie lawful (Section 387.207)

Under this act, all rate orders issued by the commission affecting the transportation of household goods, to the extent such rate orders prescribe any minimum or maximum rates for the transportation of such goods, shall be vacated. Other provisions contained in the rate orders unrelated to prescribing maximum or minimum rates shall not be vacated (Section 387.355).

The act eliminates the requirement that household goods or non charter passenger carriers demonstrate that their proposed service will serve a useful present or future public purpose when applying for a certificate of authority or permit. Concomitantly, applicants for household goods or passenger certificates or permits will not have to satisfy the public convenience and necessity test when proposing a new service, an extension of existing service, or a transfer of authority. An applicant for a household goods or passenger certificate of authority or permit will have to show that they are fit, willing, and able to perform the service, and that they will conform to other standards established by law.

Under this act, the commission shall not restrict any certificate or permit authorizing the transportation of household goods or passengers with reference to any route or routes (Sections 390.051 and 390.061).

Under this act, any geographic restriction or provision limiting a household goods carrier's scope of authority to particular routes within this state contained in a certificate or permit, or both, which was issued prior to August 28, 2011, and any similar provision contained in a carrier's tariff schedule filed prior to such date, shall be deemed void. In lieu of the geographic restrictions expressed in such certificates, permits, or tariff schedules, a motor carrier shall be authorized to provide intrastate transportation of household goods between all points and destinations within the state until such time the certificates, permits, and tariff schedules are reissued or amended to reflect the motor carrier's statewide operating authority. Under the act, nothing shall be construed as exempting carriers transporting passengers within the jurisdiction exercised by the regional taxicab commission from the provisions of the Regional Taxicab District Act (Section 390.280).

Beginning August 28, 2011, no certificate of authority or permit shall be issued or renewed unless the applicant demonstrates that the applicant has workers' compensation insurance coverage that complies with Missouri law for all its employees. If any household goods carrier is found by the Division of Workers' Compensation to be out of compliance with the workers' compensation law, the division shall report such fact to the state Highways and Transportation Commission. The commission shall suspend the household goods carrier's certificate or permit until such time the carrier demonstrates that it has procured workers' compensation insurance coverage (Section 390.054).

This act requires the commission to establish consumer protection requirements for motor carriers transporting household goods in intrastate commerce (Section 387.137 ).

This act requires the Division of Motor Carriers to develop a complaint process. The complaint process shall keep a record for each complaint and shall record findings made at each step of the complaint process, provide an explanation for a complaint dismissal, and provide other information (Section 387.139).
STEPHEN WITTE

HA 1 - CHANGES THE LANGUAGE IN THE BREAST CANCER AWARENESS LICENSE PLATE.

HA 3 AND HA 1 TO HA 3 - HIGHWAY WEIGHT LIMITS - THIS ACT BROADENS THE 85,500 LIVESTOCK WEIGHT EXEMPTION TO ALL HIGHWAYS. UNDER THE ACT, THE TOTAL GROSS WEIGHT OF ANY VEHICLE OR COMBINATION OF VEHICLES HAULING LIVESTOCK OR AGRICULTURAL PRODUCTS MAY BE AS MUCH AS, BUT SHALL NOT EXCEED, 85,500 POUNDS (CURRENT LAW ONLY APPLIES TO SPECIFIED HIGHWAYS). THE ADDITIONAL WEIGHT LIMIT SHALL NOT APPLY TO VEHICLES OPERATED ON THE DWIGHT D. EISENHOWER SYSTEM OF INTERSTATE AND DEFENSE HIGHWAYS (SECTION 304.180)

HA 4 - RECREATIONAL OFF-HIGHWAY VEHICLE - THE ACT MODIFIES THE DEFINITION OF RECREATIONAL OFF-HIGHWAY VEHICLE BY INCREASING ITS MAXIMUM WIDTH FROM 60" TO 64" (SECTION 301.010).

HA 5 - HIGHWAY DESIGN-BUILD CONTRACTS - THIS ACT AUTHORIZES THE STATE HIGHWAYS AND TRANSPORTATION COMMISSION TO ENTER INTO AN ADDITIONAL DESIGN-BUILD CONTRACT FOR THE IMPROVEMENT OF THE BRIDGE ON US40/I-64 LOCATED IN ST. LOUIS COUNTY AND ST. CHARLES COUNTY (DANIEL BOONE BRIDGE). THE ACT ALSO EXTENDS THE SUNSET DATE FOR THE COMMISSION TO ENTER INTO DESIGN-BUILD PROJECT CONTRACTS. UNDER CURRENT LAW, THE COMMISSION'S AUTHORITY TO ENTER INTO DESIGN-BUILD PROJECTS EXPIRES ON JULY 1, 2012. THIS ACT EXTENDS THE DATE TO JULY 1, 2018 (SECTION 227.107). THE ACT ALSO LIMITS THE TOTAL AMOUNT OF DESIGN-BUILD CONTRACTS AWARDED BY THE COMMISSION IN ANY STATE FISCAL YEAR TO NO MORE THAN 2% OF THE TOTAL NUMBER OF ALL STATE HIGHWAY SYSTEM PROJECTS AWARDED TO CONTRACTS FOR CONSTRUCTION FROM PROJECTS LISTED IN THE COMMISSION'S APPROVED STATEWIDE TRANSPORTATION IMPROVEMENT PROJECT FOR THAT STATE FISCAL YEAR. A SIMILAR PROVISION IS ALSO CONTAINED IN THE PERFECTED VERSION OF SB 133 (2011)

HA 6 - INTOXICATION-RELATED TRAFFIC OFFENSES - CURRENT STATE LAW (SECTION 302.309.3(2)) ALLOWS COURTS AND THE DEPARTMENT OF REVENUE TO ISSUE LIMITED DRIVING PRIVILEGES TO ALLOW REPEAT OFFENDERS TO DRIVE A MOTOR VEHICLE TO: (1) A BUSINESS, OCCUPATION OR EMPLOYMENT; (2) MEDICAL TREATMENT; (3) SCHOOL; (4) ALCOHOL OR DRUG TREATMENT PROGRAMS; (5) AN IGNITION INTERLOCK PROVIDER FOR REQUIRED SERVICE; AND (6) OTHER CIRCUMSTANCES THE COURT OR THE DEPARTMENT FINDS WOULD CREATE AN UNDUE HARDSHIP. HOWEVER, FOR PURPOSES OF FEDERAL TRANSPORTATION FUNDING, FEDERAL LAW (23 USC §164) ONLY ALLOWS THE ISSUANCE OF A LIMITED DRIVING PRIVILEGE IN CONNECTION WITH: (1) WORK; (2) ATTENDING SCHOOL; (3) ATTENDING ALCOHOL TREATMENT PROGRAMS; AND (4) SEEKING THE REQUIRED SERVICES OF AN IGNITION INTERLOCK PROVIDER. IN ORDER TO COMPLY WITH FEDERAL LAW, SECTION 302.309.3(2) MUST BE AMENDED SO THAT A REPEAT OFFENDER LIMITED DRIVING PRIVILEGE MAY ONLY BE GRANTED FOR THE FOUR PURPOSES AUTHORIZED BY SECTION 164. UNDER THE TERMS OF THIS ACT, THE COURTS AND THE DEPARTMENT WILL ONLY BE ABLE TO ISSUE LIMITED DRIVING PRIVILEGES TO REPEAT OFFENDERS FOR THE PURPOSE OF DRIVING TO OR FROM THE OPERATOR'S PLACE OF EMPLOYMENT, ATTENDING SCHOOL, ATTENDING ALCOHOL OR DRUG TREATMENT PROGRAMS, AND SEEKING THE SERVICES OF A CERTIFIED IGNITION INTERLOCK DEVICE PROVIDER. LIMITED DRIVING PRIVILEGES MAY NOT BE GRANTED FOR SEEKING MEDICAL TREATMENT OR OTHER CIRCUMSTANCES THAT CREATE UNDUE HARDSHIPS FOR THE DRIVER

CURRENT MISSOURI LAW (SECTION 577.023) ALLOWS PRIOR AND PERSISTENT OFFENDERS TO PARTICIPATE IN AND SUCCESSFULLY COMPLETE A DWI COURT IN LIEU OF JAIL TIME OR COMMUNITY SERVICE. A PRIOR OR PERSISTENT OFFENDER MAY ESCAPE THE STATUTORY MINIMUM DAYS OF IMPRISONMENT BY PERFORMING COMMUNITY SERVICE OR SUCCESSFULLY COMPLETING A DWI COURT PROGRAM. FEDERAL LAW, HOWEVER, DOES NOT AUTHORIZE DWI COURTS AS AN ALTERNATIVE TO MANDATORY JAIL OR COMMUNITY SERVICE. UNDER THE TERMS OF THIS ACT, PRIOR AND PERSISTENT OFFENDERS MAY AVOID THE MINIMUM DAYS OF

IMPRISONMENT BY PERFORMING COMMUNITY SERVICE AND COMPLETING A DWI COURT PROGRAM, IF SUCH PROGRAM IS AVAILABLE. THE DWI COURT PROGRAM OR OTHER TREATMENT PROGRAM MUST INCLUDE THE MINIMAL PERIODS OF COMMUNITY SERVICE

HA 7 - SPRINGFIELD AIRPORT AUTHORITY - THIS ACT ALLOWS THE CITY OF SPRINGFIELD TO CREATE AN AIRPORT WITHIN ITS BOUNDARIES (SECTION 305.300).

HA 8 - STATE TRANSIT ASSISTANCE PROGRAM - THIS ACT ESTABLISHES THE MISSOURI STATE TRANSIT ASSISTANCE PROGRAM TO BE ADMINISTERED BY THE DEPARTMENT OF TRANSPORTATION TO PROVIDE FINANCIAL ASSISTANCE TO DEFRAY THE OPERATING AND CAPITAL COSTS INCURRED BY PUBLIC MASS TRANSPORTATION PROVIDERS. THE DISTRIBUTION OF ANY APPROPRIATED FUNDS TO PUBLIC MASS TRANSPORTATION SERVICE PROVIDERS SHALL BE DETERMINED BY EVALUATING CERTAIN FACTORS OF EACH SERVICE PROVIDER INCLUDING POPULATION, RIDERSHIP, COST AND EFFICIENCY OF THE PROGRAM, AVAILABILITY OF ALTERNATIVE TRANSPORTATION IN THE AREA, AND LOCAL EFFORTS AND TAX SUPPORT (SECTION 226.195). THIS PROVISION IS CONTAINED IN THE PERFECTED VERSION OF HB 484 (2011)

HA 10 - TDD ACT AND MASS TRANSPORTATION PROJECTS - THIS ACT MODIFIES THE "MISSOURI TRANSPORTATION DEVELOPMENT DISTRICT ACT" TO INCLUDE PUBLIC MASS TRANSPORTATION PROJECTS(SECTION 238.202). THE AMENDMENT ALSO ALLOWS TRANSPORTATION DEVELOPMENT DISTRICTS LOCATED WITHIN KANSAS CITY TO INCLUDE THE OPERATION OF STREET CARS OR OTHER RAIL-BASED OR FIXED GUIDEWAY PUBLIC MASS TRANSPORTATION SYSTEMS. THE AMENDMENT FURTHER PROVIDES THAT DISTRICTS FORMED FOR PUBLIC MASS TRANSPORTATION SYSTEM PROJECTS SHALL NOT HAVE TO SUBMIT THE PROPOSED PROJECT TO THE STATE HIGHWAYS AND TRANSPORTATION COMMISSION FOR ITS PRIOR APPROVAL (SECTION 238.225). IN ADDITION, THE AMENDMENT PROVIDES THAT THE SALES TAXES IMPOSED BY A DISTRICT WHOSE PROJECT IS 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 (SECTION 238.235)

HA 11 - BI-STATE FARE EVASION - THIS ACT REQUIRES PERSONS CONVICTED OF FAILING TO PAY A FARE FOR THE USE OF BI-STATE DEVELOPMENT AGENCY FACILITIES AND CONVEYANCES TO REIMBURSE THE REASONABLE COSTS ATTRIBUTABLE TO THE ENFORCEMENT, INVESTIGATION AND PROSECUTION OF SUCH OFFENSE TO THE AGENCY (SECTION 70.441). THIS PROVISION IS ALSO CONTAINED IN SB 347 AND HB 857 (2011)

HA 12 - WINDOW STICKERS THIS ACT REQUIRES A WINDOW STICKER TO BE PLACED ON THE INSIDE FRONT WINDSHIELD OF A MOTOR VEHICLE TO SHOW THE CURRENT REGISTRATION INSTEAD OF THE CURRENT LICENSE PLATE TAB. A TAB, INSTEAD OF A WINDOW STICKER, WILL BE ISSUED FOR A MOTORCYCLE OR TRAILER REGISTRATION (SECTIONS 136.055, 301.032, 301.130, 301.140, 301.160, 301.290, 301.300, 301.301, AND 301.302). THESE PROVISIONS ARE CONTAINED IN HB 291 (2011)

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|---|---|
| 12/15/2010 | Prefiled |
| 01/05/2011 | S First Read--SB 58-Stouffer and Lembke (S14) |
| 01/20/2011 | Second Read and Referred S Transportation Committee (S125) |
| 01/26/2011 | Hearing Cancelled S Transportation Committee |
| 02/02/2011 | Hearing Cancelled S Transportation Committee |
| 02/09/2011 | Hearing Conducted S Transportation Committee |
| 02/16/2011 | SCS Voted Do Pass S Transportation Committee (0108S.09C) |
| 02/17/2011 | Reported from S Transportation Committee to Floor w/SCS (S283) |
| 02/21/2011 | SS for SCS S offered & adopted (Stouffer)--(0108S.12F) (S291-292) |
| 02/21/2011 | Perfected (S292) |
| 02/22/2011 | Reported Truly Perfected S Rules Committee (S297) |
| 02/24/2011 | S Third Read and Passed (S326-327) |
| 02/24/2011 | H First Read (H458) |
| 02/28/2011 | H Second Read (H465) |
| 03/31/2011 | Referred H Transportation Committee (H811) |
| 04/05/2011 | Hearing Conducted H Transportation Committee |
| 04/13/2011 | HCS Voted Do Pass H Transportation Committee |
| 04/14/2011 | HCS Reported Do Pass H Transportation Committee (H1295) |
| 04/14/2011 | Referred to Rules Committee pursuant to Rule 25(32)(f) (H1295) |
| 04/22/2011 | HCS Voted Do Pass H Rules Pursuant Committee |

04/26/2011 HCS Reported Do Pass H Rules Pursuant Committee (H1620)
05/03/2011 HA 1 to HCS H offered & adopted (Jones-63)--(0108L18.11H) (H1751-1753)
05/03/2011 HA 2 to HCS H offered & defeated (Wells)--(0108L18.14H) (H1753-1754)
05/03/2011 HA 3 to HCS H offered (Smith-150)--(0108L18.04H) (H1754-1756)
05/03/2011 HA 1 to HA 3 to HCS H offered & adopted (Korman)--(0108L18.16H) (H1756)
05/03/2011 HA 3 to HCS, as amended, H adopted (H1756)
05/03/2011 HA 4 to HCS H offered & adopted (Denison)--(0108L18.01H) (H1756-1761)
05/03/2011 HA 5 to HCS H offered & adopted (Zerr)--(0108L18.01L) (H1761-1763)
05/03/2011 HA 6 to HCS H offered & adopted (Schad)--(0108L18.03H) (H1763-1767)
05/03/2011 HA 7 to HCS H offered & adopted (Rowland)--(0108L18.12H) (H1767-1768)
05/03/2011 HA 8 to HCS H offered & adopted (Cierpiot)--(0108L18.15H) (H1768)
05/03/2011 HA 9 to HCS H offered & adopted (Long)--(0108L18.02H) (H1769)
05/03/2011 HA 10 to HCS H offered & adopted (Torpey)--(0108L18.01F) (H1769-1772)
05/03/2011 HA 11 to HCS H offered & adopted (Stream)--(0108L18.02L) (H1772-1774)
05/03/2011 HA 12 to HCS H offered & adopted (Denison)--(0108L18.06H) (H1775-1780)
05/03/2011 HCS, as amended, H adopted (H1780)
05/03/2011 H Third Read and Passed (H1780-1781)
05/13/2011 S Calendar S Bills with H Amendments--SS for SCS for SB 58-Stouffer and Lembke, with HCS, as amended

EFFECTIVE: August 28, 2011

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*** SB 59 *** CCS HCS SB 59 0491S.04T

SENATE SPONSOR: Keaveny HOUSE HANDLER: Diehl

HCS/SB 59 - This act modifies provisions regarding power of attorneys, the Uniform Trust Code, the Uniform Principal and Income Act, which governs part of the accounting for trusts, provisions regarding guardianship, and enacts a provision regarding the transfer of tenancy by the entireties property to certain trusts.

POWER OF ATTORNEY
(Section 404.710)

Currently, a document giving a person power of attorney needs to specifically authorize the person with power of attorney to amend or revoke a person's trust agreement. This act would make it unnecessary for the power of attorney to include this specific language, if the trust agreement itself specifically allows a person with power of attorney to amend or revoke it.

The act updates references to the Uniform Anatomical Gift act to refer to the Revised Uniform Anatomical Gift Act and specifies that a power of attorney must include specific language to give a person with power of attorney the authority to decide how to dispose of another person's body.

This act also specifies that a power of attorney must state that a person with power of attorney has the authority to exercise and give consent to a do-not-resuscitate order for the person they have power of attorney over.

This provision is similar to SB 60 (2011).

THE UNIFORM TRUST CODE

Currently, a person who represents another person may give their consent to actions with regard to trusts, unless the person represented objects to being represented. This act makes the consent of the representative binding on certain types of people, regardless of whether the person objects to being represented. (Section 456.3-301)

The act allows certain trustees to move trust assets from the original trust to another trust. By moving the trust assets to a new trust, the trust can be modified without a court's approval. This second trust may only have beneficiaries that were eligible to receive property under the first trust, or may in the future receive property from the first trust. Generally, a trustee may not move the trust assets to the second trust if the trustee is a beneficiary of the first trust, or if the trustee of the first trust can be replaced by a beneficiary with a person who is related to that beneficiary. Generally, a trustee is prohibited from moving the trust assets to a second trust if it would increase the distributions to the trustee or to a beneficiary who could replace the trustee, or if it would remove restrictions that were in the document creating the first trust. The act also restricts how the second trust can operate for certain types of property and trusts, based on federal tax law.

A provision in the original trust document that prohibits amendment or revocation of the trust will not prevent the trustee from moving the trust assets to a new trust.

The trustee is required to notify people who might get property from the second trust of the decision to distribute the property to the second trust.

The act specifies that a trustee does not have a duty to move trust assets to a second trust. (Section 456.4-419)

The act specifies that creditors of a person who creates a trust may not reach the person's interest in that trust, regardless of whether the person retains the ability to dispose of their interest through a testamentary power of appointment. (Section 456.5-505)

The act also prohibits creditors of certain beneficiaries of a trust from reaching certain property of the trust to satisfy the beneficiary's debts. (Section 456.5-508)

This act increases from 60 to 120 days the amount of time a trustee has to notify the beneficiaries of a trust of the existence of the trust, the trustee's contact information, and the beneficiaries' right to a copy of the trust document and a report from the trustee. (Section 456.8-813)

UNIFORM PRINCIPAL AND INCOME ACT

This act modifies how the unitrust amount for trusts is calculated. The act also requires that the unitrust amount be paid from certain sources in a particular order. (Section 469.411)

This act requires trustees of trusts that qualify for a marital deduction under federal tax law to take certain actions toward retirement plans that make payments to the trust, when requested to do so by the surviving spouse.(Section 469.437).

The act also modifies the requirements for how a trustee is to pay taxes from trust income and principal and allows a trustee to adjust income receipts to the extent the trust's taxes are reduced because the trust receives a deduction for payments made to a beneficiary. (Section 469.459)

These provisions are similar to SB 60 (2011).

GUARDIANSHIP

(Sections 475.060, 475.061, 475.501, 475.502, 475.503, 475.504, 475.505, 475.506, 475.521, 475.522, 475.523, 475.524, 475.525, 475.526, 475.527, 475.528, 475.529, 475.531, 475.532, 475.541, 475.542, 475.543, 475.544, 475.551, 475.552, 475.555)

These provisions modify what information is required in a petition for guardianship for a minor or an incapacitated person and adopt the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act (UAGPPJA).

A petition for guardianship of a minor will be required to state the location and value of any real property owned by the minor outside of Missouri and the name and address of the trustees of any trust of which the minor is a qualified beneficiary and the purpose of the trust, in addition to the information the petition was previously required to state.

In addition to the information currently required to be included in a petition for guardianship of an alleged incapacitated person, the petition will also be required to state the three most recent addresses at which the incapacitated person lived in the three years before the filing of the petition, the location and value of any real property owned by the incapacitated person outside of Missouri, the name and address of the person's closest known relatives, the name of any adults living with the person, in some situations the name and address of the person's siblings and of their siblings' children, and the name and address of any agent of the person and of any trustee of any trust that the person is a beneficiary of, as well as the purpose of the power of attorney and the purpose of the trust.

The UAGPPJA deals with issues that arise when several states are involved with an adult who lacks the ability to care for their own needs or property. The UAGPPJA includes provisions regarding communication between courts in different states, requests for assistance from a court to a court of another state, and taking testimony in other states. The UAGPPJA allows a Missouri court to treat foreign countries as other states for

the purposes of the provisions allowing communication among courts, determining jurisdiction, and transferring a guardianship or conservatorship.

The UAGPPJA establishes procedures for determining which state has jurisdiction over guardianship and conservator proceedings for an incapacitated adult. These procedures establish three levels of priority for a court to follow in deciding whether it has jurisdiction; the adult's home state, followed by states where the adult has significant connections, and then other states. Regardless of the level of priority, the UAGPPJA allows a court in the state where the person is present to appoint a guardian in an emergency, and a court in the state where the person has property has jurisdiction to issue orders regarding the property. If a court determines that it acquired jurisdiction based on unjustifiable conduct, the act allows the court to remedy the situation and assess fees and expenses against the person who engaged in the unjustifiable conduct.

The UAGPPJA also specifies a procedure for transferring a guardianship or conservatorship from one state to another state. This procedure requires the court in the state transferring the guardianship or conservatorship to issue a provisional order transferring the case after making certain findings. The guardian or conservator is required to petition the state that would accept the case and, after holding a hearing, that court is required to grant the transfer, unless someone objects to the transfer and establishes that the transfer would not be in the interest of the incapacitated person, or the guardian or conservator is not eligible to be appointed a guardian or conservator in that state.

The UAGPPJA also creates a procedure for registering orders in Missouri from other states that appointed a guardian or a conservator to manage an incapacitated adult's property. After registration of the guardianship or protective order in Missouri, the guardian or conservator may exercise all the powers authorized in the original states's order, except for powers that are illegal in Missouri.

The provisions of the act regarding transferring guardianship or conservatorship proceedings from one state to another state and that deal with enforcement of guardianship and protective orders in other states apply to proceedings begun before August 28, 2011.

These provisions are similar to SB 213 (2011), HB 130 (2011), and HCS/HB 253 (2011).

PUBLIC ADMINISTRATOR
(Section 475.115)
This act allows a public administrator to request the court to transfer any guardianship or conservatorship case to another county. If the other county meets the venue requirements and the public administrator of the other county consents to the transfer, the court is required to transfer the case. The court with jurisdiction over the other county is required to appoint the public administrator of that county as the person's new guardian or conservator without holding a hearing.

The public administrator is required to file a final settlement of their conservatorship within thirty days of the court transferring the case. This final settlement will be filed in the court with jurisdiction over the original conservatorship and forwarded to the receiving county upon audit and approval.

This provision is similar to HCS/SCS/SB 57 (2011), HB 88 (2011) and HB 1676 (2010).

TRANSFERS OF TENANCY BY THE ENTIRETIES PROPERTY TO TRUSTS
(Section 1)
This provision specifies what happens to a certain kind of property, known as tenancy by the entireties property, when it is transferred to a particular kind of trust created by a husband and a wife. These trusts, known as qualified spousal trusts, include trusts that hold the property in one trust and trusts that hold the property in two separate shares. If the property is transferred to the trustee of a qualified spousal trust, the property will have the same immunity from the separate creditors of the husband and wife that would have existed if the husband and wife had not transferred the property to the trust, as long as certain conditions are met. The rights of creditors to any property that is not held by the husband and wife as tenants by the entirety shall not be affected by the transfer of that property to the qualified spousal trust. When the husband or wife die, the property in the trust shall be distributed as directed by the terms of the trust, which may include having the property pass to an irrevocable trust for the benefit of the surviving spouse. The provisions of this section apply to trusts that were created before or after the effective date of this section.
EMILY KALMER

12/15/2010 Prefiled
01/05/2011 S First Read--SB 59-Keaveny (S14)
01/20/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S125)

01/31/2011 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee
03/09/2011 Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee
03/17/2011 Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor (S493)
04/04/2011 Perfected (S558)
04/05/2011 Reported Truly Perfected S Rules Committee (S574)
04/07/2011 S Third Read and Passed (S649)
04/07/2011 H First Read (H1175)
04/11/2011 H Second Read (H1184)
04/12/2011 Referred H Judiciary Committee (H1235)
04/20/2011 Hearing Conducted H Judiciary Committee
04/20/2011 HCS Voted Do Pass H Judiciary Committee
04/21/2011 HCS Reported Do Pass H Judiciary Committee (H1428)
04/21/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1428)
05/03/2011 HCS Voted Do Pass H Rules Pursuant Committee
05/03/2011 HCS Reported Do Pass H Rules Pursuant Committee (H1794)
05/09/2011 HA 1 to HCS H offered & adopted (Diehl)--(0491L02.01H) (H2057-2058)
05/09/2011 HA 2 to HCS H offered & adopted (Diehl)--(0491L02.02H) (H2058)
05/09/2011 HA 3 to HCS H offered & adopted (Cox)--(0491L02.01L) (H2058)
05/09/2011 HA 4 to HCS H offered & adopted (Richardson)--(0491L02.06H) (H2058-2061)
05/09/2011 HA 5 to HCS H offered & adopted (Nance)--(0491L02.07H) (H2061)
05/09/2011 HA 6 to HCS H offered & adopted (May)--(0491L02.05H) (H2061-2062)
05/09/2011 HA 7 to HCS H offered (Cauthorn)--(0491L02.05H) (H2063)
05/09/2011 HA 1 to HA 7 to HCS H offered & adopted (Mohlendorp)--(0491L02.11H) (H2063-2065)
05/09/2011 HA 7 to HCS, as amended, H adopted (H2065)
05/09/2011 HCS, as amended, H adopted (H2065)
05/09/2011 H Third Read and Passed (H2065-2066 / S1516-1523)
05/09/2011 S refuses to concur in HCS, as amended (S1525 / H2118)
05/09/2011 S requests H recede or grant conference (S1525 / H2118)
05/09/2011 H refuses to recede and grants conference (H2148 / S1568)
05/09/2011 S conferees appointed: Keaveny, Goodman, Crowell, Ridgeway, Justus (S1621 / H2155)
05/09/2011 H conferees appointed: Diehl, Cox, Jones-117, Kelly-24, McManus (H2155 / S1627)
05/10/2011 CCR S offered & adopted (S1688-1689)
05/10/2011 CCS S Third Read and Passed (S1689 / H2244)
05/10/2011 H submits CCR (H2248)
05/12/2011 CCR H adopted (S1972)
05/12/2011 CCS H Third Read and Passed (S1972)
05/12/2011 Truly Agreed To and Finally Passed (S1972)

EFFECTIVE: August 28, 2011

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*** SB 60 *** HCS SCS SB 60 0085L.09C

SENATE SPONSOR: Keaveny HOUSE HANDLER: Cox

HCS/SCS/SB 60 - This act enacts various provisions relating to judicial procedures.

DEPARTMENT OF REVENUE RECORDS
(Section 32.056)

Currently, the Department of Revenue is prohibited from releasing the home address or any information contained in the motor vehicle or driver registration records of parole officers, federal pretrial officers, peace officers, and their immediate family members. This act also prohibits the department from releasing this information for certain federal and state court judges.

This provision is similar to HB 784 (2011), HCS/HB 111 (2011), HCS/HB 253 (2011) and HB 1811 (2010).

COUNTY SHERIFF'S REVOLVING FUND
(Section 50.535)

This act specifies that the county sheriff's revolving fund may be used to pay for information and data exchange.

This provision is similar to a provision of SCS/HCS/HB 294 (2011) and HCS/SB 61 (2011).

CHARTER COUNTIES

(Section 56.061)

This provision provides that nothing in the sections regarding the election and authority of a county prosecuting attorney shall be construed to interfere with a charter county's ability to determine the time of election cycles.

This provision is similar to HCS/HB 253 (2011) and a provision of HCS/HB 111 (2011).

PROSECUTION DIVERSION PROGRAMS
(Section 56.089)

This provision allows a prosecuting attorney to divert a criminal case to a prosecution diversion program with the consent of the criminal defendant for a period of six months to two years. The statute of limitations on that criminal case will be tolled during the diversionary program. The prosecuting attorney may divert any criminal case, except for cases where the accused person's participation in a diversion program would prevent a conviction from appearing on the driving record of a commercial driver's license holder in violation of federal regulations.

The prosecuting attorney has the sole authority to develop the diversionary program requirements and may impose conditions, including the payment of restitution and the payment of an administrative handling cost that will go to fund the expenses of the prosecuting attorney's office. The prosecuting attorney may also collect money for the Missouri Office or Prosecution Services Fund from the person accused of a crime. When a person accused of a crime completes the diversionary program, the person is entitled to not have the case filed or the criminal charges dismissed.

Any person or organization involved in supervising activities that are part of the prosecution diversion program will have immunity from lawsuits by the person accused of a crime, except for suits for intentional tort or gross negligence.

This provision is similar to a provision of HCS/HB 111 (2011).

PROSECUTING ATTORNEYS AND CIRCUIT ATTORNEYS' RETIREMENT FUND
(Section 56.807)

This act requires a surcharge of $4 be assessed against any person who pled guilty and paid a fine through a fine collection center. The surcharge is payable to the prosecuting attorneys and circuit attorneys' retirement fund.

This provision is identical to HB 396 (2011) and a provision of HCS/SB 145 (2011), HCS/HB 253 (2011), and HCS/HB 889 (2011).

DISCLOSURE OF CERTAIN FOSTER CARE LICENSURE INFORMATION
(Section 210.567)

This act modifies the laws regarding the disclosure of certain foster care licensure information. A public governmental body can close meetings, records, and votes if they relate to personal information obtained in the process of licensing a foster home. The Children's Division within the Department of Social Services shall make available for disclosure a report containing the following information for each foster home that is licensed and for each foster home renewing an existing license:

(1) The names of all persons 18 or older licensed to operate the foster home;
(2) A description of the background investigation conducted on all persons operating or maintaining the foster home, including certain specified documentation;
(3) A description of all concerns raised during the background investigation and foster home licensure process as well as a description of how such concerns were resolved;
(4) A description of such person's ability to perform the minimum competency requirements of foster parents in accordance with rules promulgated by the division;
(5) A list of all references provided by each person, stating the name of the reference, how and when the reference was contacted, and a brief description of the reference's opinion of such person.

The report shall not contain the address of any residence, nor shall it contain any personal information not otherwise required in this subdivision which could be used by another to threaten, harm, harass, or embarrass any person.

This provision is similar to HCS/HB 259 (2011).

ELECTRONIC MONITORING OF CERTAIN OFFENDERS
(Sections 221.025, 221.105, 544.455, 544.470, and 557.011)

This act allows a judge to release a person convicted of certain offenses on electronic monitoring. The individual will receive credit for any period on electronic monitoring against any period of confinement or incarceration ordered.

The judge may charge the costs of the electronic monitoring to the individual as a condition of their sentence. If the judge finds the individual unable to afford the costs of electronic monitoring, the state is required to reimburse the county, subject to appropriations, up to twelve dollars per day per individual.

The act also allows a judge to order a person charged with a bailable nonviolent offense who does not post bail prior to appearing before the judge to be placed on house arrest with electronic monitoring.

The circuit court may adopt a local rule allowing for the pretrial release on electronic monitoring in lieu of confinement of individuals charged with certain offenses specified in the court rule.

This section is similar to SB 387 (2011), HB 159 (2011), HCS/HB 253 (2011), and HCS/HB 111 (2011).

LICENSE PLATES AND DRIVERS LICENSES OF JUDGES
(Section 301.146)
This provision allows certain state and federal judges to request special license plates and drivers licenses.

This section is similar to HCS/HB 111 (2011), HCS/HB 253 (2011), HB 1811 (2010), and a provision of HCS#2/HBs 1692, 1209, 1405, 1499, 1535 & 1811 (2010).

PUNISHMENTS FOR CERTAIN CRIMES
(Sections 302.020, 302.321, 303.025, and 311.325)
These provisions modify the punishments for several crimes, including operating a vehicle without a valid license, operating a motorcycle without passing an examination for the operation of a motorcycle, operating a vehicle with another person's license, driving while revoked, failing to maintain financial responsibility, and purchasing, possessing, or being intoxicated when a person is under twenty-one. These provisions also specify that prior guilty pleas and findings of guilt in criminal cases for these crimes must be plead and proved in the same way that prior convictions are plead and proved when a criminal defendant is found to be a prior offender, persistent offender, dangerous offender, persistent sexual offender, or predatory sexual offender.

These provisions are similar to HCS/HB 111 (2011) and HCS/HB 253 (2011).

POWER OF ATTORNEY
(Section 404.710)
The act updates references to the Uniform Anatomical Gift Act to refer to the Revised Uniform Anatomical Gift Act and specifies that a power of attorney must include specific language to give a person with power of attorney the authority to decide how to dispose of another person's body.(Section 404.710)

LIENS FOR ARCHITECTS, ENGINEERS, LANDSCAPE ARCHITECTS, AND LAND SURVEYORS
(Section 429.015)
Currently, architects, engineers, landscape architects, land surveyors, and corporations registered to do the work of these professions who perform work on buildings or land have a lien on the building or land to the extent of one acre. This act increases the lien to encompass three acres.

This provision is identical to a provision of HB 402 (2011) HCS/SB 325(2011) and HCS/SB 220 (2011) and similar to SB 1074 (2008), SB 267 (2009), and SB 867 (2010).

MINING PERMITS
(Section 444.773)
Currently, the Land Reclamation Commission may hold a public hearing on an application for a surface mining permit. This provision removes the provision placing the burden of proof on the applicant for the permit.

This provision is identical to HB 686 (2011).

CHILD SUPPORT SERVICE FEES
(Sections 454.425 and 454.548)

This act requires the Family Support Division of the Department of Social Services to charge a non-refundable 60 dollar fee to a person who requests that the division review a child support order for the purpose of determining whether a modification to the child support order is appropriate. The act also requires the Family Support Division to charge a non-refundable fee to a person who requests that the division modify a support order after the division determined that modification is appropriate. The modification fee shall be either 175 or 350 dollars, based on the income of person requesting the modification. The act also requires the division to charge a 25 dollar fee for submitting past-due child and spousal support debts for collection through federal income tax refund offset. The division is required to waive these fees for certain individuals. The division is also required to charge a 10 dollar fee from support received through the payment center for each order for every year or portion of a year during which payments are received by the payment center.

This section is similar to HB 1906 (2010) and a provision of the perfected version of HCS#2/HBs 1692, 1209, 1405, 1499, 1535 & 1811 (2010).

FULL ORDERS OF PROTECTION
(Section 455.007)

This provision allows appeals of expired orders of protection, by requiring that the public interest exception to the mootness doctrine be applied to these appeals.

This section is similar to HCS/HB 111 (2011), HCS/HB 253 (2011), and HB 1406 (2010).

INFORMATION TO BE ENTERED INTO MULES
(Section 455.040)

Law enforcement agencies maintaining the Missouri Uniform Law Enforcement System ("MULES") shall include certain child custody and visitation information when entering an order of protection into the system.

This section is similar to HB 234 (2011), HCS/HB 253 (2011), HCS/HBs 504, 505 & 874 (2011), HCS/HB 111 (2011), and SS#2/SCS/SB 320 (2011).

TRUSTS
(Section 456.3-301, 456.4-419, 456.5-505, 456.5-508, 456.8-813, 469.411, 469.437, 469.459)

Currently, a person who represents another person may give their consent to actions with regard to trusts, unless the person represented objects to being represented. This act makes the consent of the representative binding on certain types of people, regardless of whether the person objects to being represented. (Section 456.3-301)

The act allows certain trustees to move trust assets from the original trust to another trust. By moving the trust assets to a new trust, the trust can be modified without a court's approval. This second trust may only have beneficiaries that were eligible to receive property under the first trust, or may in the future receive property from the first trust. Generally, a trustee may not move the trust assets to the second trust if the trustee is a beneficiary of the first trust, or if the trustee of the first trust can be replaced by a beneficiary with a person who is related to that beneficiary. Generally, a trustee is prohibited from moving the trust assets to a second trust if it would increase the distributions to the trustee or to a beneficiary who could replace the trustee, or if it would remove restrictions that were in the document creating the first trust. The act also restricts how the second trust can operate for certain types of property and trusts, based on federal tax law. A provision in the original trust document that prohibits amendment or revocation of the trust will not prevent the trustee from moving the trust assets to a new trust.

The trustee is required to notify people who might get property from the second trust of the decision to distribute the property to the second trust.

The act specifies that a trustee does not have a duty to move trust assets to a second trust. (Section 456.4-419)

The act specifies that creditors of a person who creates a trust may not reach the person's interest in that trust, regardless of whether the person retains the ability to dispose of their interest through a testamentary power of appointment. (Section 456.5-505)

The act also prohibits creditors of certain beneficiaries of a trust from reaching certain property of the trust to satisfy the beneficiary's debts. (Section 456.5-508)

This act increases from 60 to 120 days the amount of time a trustee has to notify the beneficiaries of a trust of the existence of the trust, the trustee's contact information, and the beneficiaries' right to a copy of the trust document and a report from the trustee. (Section 456.8-813)

This act modifies how the unitrust amount for trusts is calculated. The act also requires that the unitrust amount be paid from certain sources in a particular order. (Section 469.411)

This act requires trustees of trusts that qualify for a marital deduction under federal tax law to take certain actions toward retirement plans that make payments to the trust, when requested to do so by the surviving spouse.(Section 469.437).

The act also modifies the requirements for how a trustee is to pay taxes from trust income and principal and allows a trustee to adjust income receipts to the extent the trust's taxes are reduced because the trust receives a deduction for payments made to a beneficiary. (Section 469.459)

Some of these provisions are identical to the perfected version of SB 59 (2011).

GUARDIANSHIP
(Sections 475.060, 475.061, 475.501, 475.502, 475.503, 475.504, 475.505, 475.506, 475.521, 475.522, 475.523, 475.524, 475.525, 475.526, 475.527, 475.528, 475.529, 475.531, 475.532, 475.541, 475.542, 475.543, 475.544, 475.551, 475.552, 475.555)

These provisions modify what information is required in a petition for guardianship for a minor or an incapacitated person and adopt the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act (UAGPPJA).

A petition for guardianship of a minor will be required to state the location and value of any real property owned by the minor outside of Missouri and the name and address of the trustees of any trust of which the minor is a qualified beneficiary and the purpose of the trust, in addition to the information the petition was previously required to state.

In addition to the information currently required to be included in a petition for guardianship of an alleged incapacitated person, the petition will also be required to state the three most recent addresses at which the incapacitated person lived in the three years before the filing of the petition, the location and value of any real property owned by the incapacitated person outside of Missouri, the name and address of the person's closest known relatives, the name of any adults living with the person, in some situations the name and address of the person's siblings and of their siblings' children, and the name and address of any agent of the person and of any trustee of any trust that the person is a beneficiary of, as well as the purpose of the power of attorney and the purpose of the trust.

The UAGPPJA deals with issues that arise when several states are involved with an adult who lacks the ability to care for their own needs or property. The UAGPPJA includes provisions regarding communication between courts in different states, requests for assistance from a court to a court of another state, and taking testimony in other states. The UAGPPJA allows a Missouri court to treat foreign countries as other states for the purposes of the provisions allowing communication among courts, determining jurisdiction, and transferring a guardianship or conservatorship.

The UAGPPJA establishes procedures for determining which state has jurisdiction over guardianship and conservator proceedings for an incapacitated adult. These procedures establish three levels of priority for a court to follow in deciding whether it has jurisdiction; the adult's home state, followed by states where the adult has significant connections, and then other states. Regardless of the level of priority, the UAGPPJA allows a court in the state where the person is present to appoint a guardian in an emergency, and a court in the state where the person has property has jurisdiction to issue orders regarding the property. If a court determines that it acquired jurisdiction based on unjustifiable conduct, the act allows the court to remedy the situation and assess fees and expenses against the person who engaged in the unjustifiable conduct.

The UAGPPJA also specifies a procedure for transferring a guardianship or conservatorship from one state to another state. This procedure requires the court in the state transferring the guardianship or

conservatorship to issue a provisional order transferring the case after making certain findings. The guardian or conservator is required to petition the state that would accept the case and, after holding a hearing, that court is required to grant the transfer, unless someone objects to the transfer and establishes that the transfer would not be in the interest of the incapacitated person, or the guardian or conservator is not eligible to be appointed a guardian or conservator in that state.

The UAGPPJA also creates a procedure for registering orders in Missouri from other states that appointed a guardian or a conservator to manage an incapacitated adult's property. After registration of the guardianship or protective order in Missouri, the guardian or conservator may exercise all the powers authorized in the original states's order, except for powers that are illegal in Missouri.

The provisions of the act regarding transferring guardianship or conservatorship proceedings from one state to another state and that deal with enforcement of guardianship and protective orders in other states apply to proceedings begun before August 28, 2011.

These provisions are similar to SB 213 (2011), HB 130 (2011), and HCS/HB 253 (2011).

PUBLIC ADMINISTRATOR
(Section 475.115)

This act allows a public administrator to request the court to transfer any guardianship or conservatorship case to another county. If the other county meets the venue requirements and the public administrator of the other county consents to the transfer, the court is required to transfer the case. The court with jurisdiction over the other county is required to appoint the public administrator of that county as the person's new guardian or conservator without holding a hearing.

The public administrator is required to file a final settlement of their conservatorship within thirty days of the court transferring the case. This final settlement will be filed in the court with jurisdiction over the original conservatorship and forwarded to the receiving county upon audit and approval.

This provision is similar to HCS/SCS/SB 57 (2011), HB 88 (2011) and HB 1676 (2010).

PETITIONS TO REMOVE CERTAIN DISQUALIFICATIONS RELATING TO FIREARMS
(Sections 475.375 and 571.092)

These provisions repeal the current procedure and enact a different procedure for an incapacitated adult, or a person who has been involuntarily committed, to petition to remove certain disqualifications regarding firearms.

These provisions are similar to HB 341 (2011) and HCS/HB 253 (2011).

PRIVATE ATTORNEY RETENTION ACT
(Section 484.500)

This act requires that any state agency or agent that wants to retain a private attorney whose fees will exceed one hundred thousand dollars must competitively bid before they hire the attorney.

A state agency or agent is also prohibited from entering into a contract for legal services exceeding one million dollars without filing the proposed contract with the clerk of the house and without the opportunity for a committee of legislators to review the contract and issue a report on the contract. The committee of legislators is required to issue a report on the proposed contract within forty-five days. If the report recommends changes to the contract, the state agency or agent is required to review the report and revise the contract. If the revised contract does not contain all the changes recommended by the committee, then the state agency or state agent must provide the reasons the changes were not made. If the revised contract contains terms that the legislative committee has not reviewed or recommended, that can be expected to increase the fees and expenses, the contract must be filed with the clerk again and reviewed again. If the legislature is not in session, then a interim committee appointed by the Governor, Speaker of the House, President pro tem, and the minority leaders of each house will oversee these contracts. If the state agency or agent needs to enter into a contract before the time periods set out in statute have passed, then a committee will establish an expedited schedule for reviewing and making recommendations about the contract.

Any attorney hired by a state agency or agent on a contingency fee basis is required to provide a statement of the hours worked on the case, expenses incurred, aggregate fee amount, and a breakdown as to the hourly rate. If this hourly rate exceeds two hundred fifty dollars per hour, the fee amount shall be

reduced to an amount equal to two hundred fifty dollars per hour.

This act is similar to HB 255 (2011).

PROSECUTING ATTORNEYS' AND CIRCUIT ATTORNEYS' RETIREMENT FUND
(Section 488.026)
This act requires a surcharge of $4 be assessed against any person who pled guilty and paid a fine through a fine collection center. The surcharge is payable to the prosecuting attorneys and circuit attorneys' retirement fund.

This act is similar to HB 396 (2011), HCS/SB 145 (2011), and HC#2/HB 889 (2011).

COURT SURCHARGE
(Section 488.432)
Currently, a person or organization other than a city, county, or the state of Missouri may be required to pay a certain court surcharge when the party files a civil case. If the person wins the lawsuit, then that amount of money is collected from the losing party. This provision requires a person or organization who loses a lawsuit to a city, county, or the state to pay the city, county, or the state the amount of the surcharge. The city, county, or the state, is then required to pay this amount to the clerk of the appropriate court.

This provision is similar to HB 128 (2011) and HCS/HB 253 (2011).

STATUTE OF LIMITATIONS FOR ACTIONS AGAINST LAND SURVEYORS
(Section 516.098)
Under current law, a person must file a lawsuit based on errors in a land survey within five years of discovering the error. This act modifies this deadline to require that the lawsuit against the land surveyor be filed within ten years from the completion of the survey.

This provision is identical to a provision of HB 402 (2011), and HCS/SB 325 (2011).

INJURIOUS FALSEHOOD
(Section 516.140)
This act specifies that the statute of limitations for an action for injurious falsehood is two years

This section is similar to HB 158 (2011), HCS/HB 253 (2011), and HCS/SB 893 (2010).

SENTENCING ADVISORY COMMISSION
(Section 558.019)
This act abolishes the Sentencing Advisory Commission.

This section is identical to HB 257 and SB 349 (2011).

RESTITUTION
(Section 559.100)
Restitution shall be paid through the office of the prosecuting attorney. Nothing shall prohibit the prosecuting attorney from contracting with another entity for the collection of such restitution. Interest shall be allowed when ordered by the court.

The prosecuting attorney shall collect an administrative handling cost of $25 when the restitution is less than $100, $50 for between $100 and $249 of restitution, and a fee of 10% of the total restitution cost if such restitution is $250 or more, up to $75. Additionally, an installment cost shall be assessed in the amount of $2 per installment, except for the first installment, until the restitution is paid in full. Such administrative handling costs shall be deposited into the "Administrative Handling Cost Fund" to be used for expenses of the prosecuting attorney's office. A costs collected from prosecutors for passing a bad check shall also be deposited in this fund.

Additionally, the prosecuting attorney shall collect $5 per each crime victim to whom restitution is paid for deposit into the Missouri Office fo Prosecution Services Fund.

Currently, a person eligible for parole for certain tampering and stealing violations may be required as a condition of parole to make restitution. This section requires any person eligible for parole to make

court-ordered restitution as a condition of parole.

The court may set an amount of restitution to be paid by the defendant, which may be taken from the inmate's account at the department of corrections while the defendant is incarcerated. Upon release or parole, if any amount of such court-ordered restitution is unpaid, the payment of the unpaid balance may be collected as a condition of release or parole by the prosecuting attorney. The prosecuting attorney may refer any failure to make restitution as a condition of release or parole to the parole board for enforcement.

This provision is similar to HB 254 (2011) and HCS/SCS/SB 829 (2010)

UNLAWFUL USE OF A WEAPON
(Section 571.030)
This act removes a requirement that certain otherwise unlawful uses of a firearm be reasonably associated with, or necessary to, the person's official duties in order to be lawful. The act also allows federal probation officers and federal flight deck officers to engage in otherwise unlawful uses of a weapon whether they are on duty or not or outside of their agency's jurisdiction. This act also allows a full-time fire investigator who has a concealed carry endorsement to engage in the otherwise unlawful uses when such uses are reasonably associated with, or necessary to, the person’s official duties.

No one who has received a suspended imposition of sentence for any felony firearms- or weapons-related offense may receive a suspended imposition of sentence for a felony violation of unlawful use of weapons.

This provision is similar to HB 294 (2011).

FRAUDULENT PURCHASE OF A FIREARM
(Section 571.063)
This section creates the crime of fraudulent purchase of a firearm and makes this crime a class D felony.

This section is similar to HCS/HB 294 (2011).

FIREARM PURCHASES
(Section 571.087)
A resident of any state who abides by the applicable federal laws, Missouri laws and laws of the resident's home state may purchase firearms in Missouri.

This section is similar to HB 294 (2011).

PNEUMATIC GUNS
(Section 1)

This provision prohibits political subdivisions from enacting or enforcing any order or ordinance that prohibits the use of pneumatic guns at facilities approved for shooting ranges on other property where firearms may be discharged, or on private property when conducted with reasonable care to prevent a projectile from crossing the bounds of the property.

TRANSFERS OF TENANCY BY THE ENTIRETIES PROPERTY TO TRUSTS
(Section 2)
This provision specifies what happens to a certain kind of property, known as tenancy by the entireties property, when it is transferred to a particular kind of trust created by a husband and a wife. These trusts, known as qualified spousal trusts, include trusts that hold the property in one trust and trusts that hold the property in two separate shares. If the property is transferred to the trustee of a qualified spousal trust, the property will have the same immunity from the separate creditors of the husband and wife that would have existed if the husband and wife had not transferred the property to the trust, as long as certain conditions are met. The rights of creditors to any property that is not held by the husband and wife as tenants by the entirety shall not be affected by the transfer of that property to the qualified spousal trust. When the husband or wife die, the property in the trust shall be distributed as directed by the terms of the trust, which may include having the property pass to an irrevocable trust for the benefit of the surviving spouse. The provisions of this section apply to trusts that were created before or after the effective date of this section.

This section is similar to a provision of HCS/SB 59 (2011).

EMILY KALMER

HA 1 - THIS AMENDMENT MODIFIES THE ELECTRONIC MONITORING LANGUAGE. THIS AMENDMENT ALLOWS A JUDGE TO RELEASE A PERSON BEFORE TRIAL ON ELECTRONIC MONITORING OR ORDER A PERSON SERVE PART OR ALL OF A SENTENCE OF CONFINEMENT ON ELECTRONIC MONITORING.

THE JUDGE MAY, IN HIS OR HER DISCRETION, CREDIT ANY PERIOD ON ELECTRONIC MONITORING, AGAINST ANY PERIOD OF CONFINEMENT OR INCARCERATION ORDERED, EXCEPT THAT THOSE WHO HAVE COMMITTED MULTIPLE INTOXICATION-RELATED TRAFFIC OFFENSES MAY NOT BE PLACED ON ELECTRONIC MONITORING AS AN ALTERNATIVE TO CONFINEMENT. A PERIOD OF ELECTRONIC MONITORING WILL NOT BE CONSIDERED CONFINEMENT IN A CORRECTIONAL CENTER, PRIVATE OR COUNTY JAIL FOR PURPOSES OF DETERMINING RESPONSIBILITY FOR THE HEALTH CARE OF THE INDIVIDUAL.

HA 2 -THIS AMENDMENT MODIFIES THE LANGUAGE ALLOWING A PROSECUTING ATTORNEY TO DIVERT ANY CASE, SO THAT A COURT OR PROSECUTOR MAY NOT ALLOW A PERSON WITH A COMMERCIAL DRIVER'S LICENSE TO ENTER A DIVERSION PROGRAM THAT RESULTS IN NOT FILING CHARGES OR DISMISSING CHARGES FOR A VIOLATION OF LAWS RELATED TO THE OPERATION OF A MOTOR VEHICLE.

HA 3 - THIS AMENDMENT MODIFIES A STATUTORY CROSS-REFERENCE DUE TO CHANGES IN THE STATUTE REGARDING PETITIONS FOR GUARDIANSHIP FOR A MINOR OR AN INCAPACITATED PERSON.

HA 4 - CURRENTLY, CITIES ARE AUTHORIZED TO HAVE A PERSON WORK OFF FINES FOR VIOLATIONS OF CITY ORDINANCES AT A RATE OF TEN DOLLARS A DAY. THIS AMENDMENT MODIFIES THE AMOUNT, SO THAT CITIES MAY HAVE A PERSON WORK A DAY FOR AN AMOUNT THAT EQUALS EITHER THE ACTUAL DAILY COST OF INCARCERATING THE PERSON, OR THE AMOUNT THE MUNICIPALITY IS REIMBURSED BY THE STATE FOR INCARCERATING THE PERSON, WHICHEVER IS GREATER.

CURRENTLY, MOST CIRCUIT COURTS ARE AUTHORIZED TO COLLECT A PARTICULAR FIFTEEN DOLLAR SURCHARGE WHEN A PARTY FILES A CIVIL COURT CASE. THE CIRCUIT COURT IN JACKSON COUNTY IS AUTHORIZED TO COLLECT A TWENTY DOLLAR SURCHARGE. THE CIRCUIT COURT IN FRANKLIN COUNTY IS AUTHORIZED TO COLLECT AN ADDITIONAL TEN DOLLARS ON CIVIL CASES, EXCEPT ADOPTION AND SMALL CLAIMS COURT CASES, UNTIL DECEMBER 31, 2014. THIS AMENDMENT ALLOWS GREENE COUNTY TO COLLECT AN ADDITIONAL FIVE DOLLARS, IF APPROVED BY THE COUNTY COMMISSION.

HA 5 - UNDER CURRENT LAW, IF A CITY RECEIVES MORE THAN THIRTY-FIVE PERCENT OF ITS ANNUAL GENERAL OPERATING REVENUE FROM FINES FOR TRAFFIC VIOLATIONS, THE AMOUNT OF REVENUE GREATER THAN THIRTY-FIVE PERCENT IS REQUIRED TO BE DISTRIBUTED TO THE SCHOOLS OF THE COUNTY. THIS AMENDMENT MAKES THIS REQUIREMENT APPLY TO ANY VIOLATION THAT IS CITED AS MOVING VIOLATION, REGARDLESS OF WHETHER THE VIOLATION IS FINALLY ADJUDICATED AS A MOVING OR NONMOVING VIOLATION. CERTAIN CITIES WITH OVER ONE HUNDRED THOUSAND DOLLARS IN TRAFFIC REVENUE ARE REQUIRED TO PREPARE AN ANNUAL REPORT OF THE FINES AND COURT COSTS THAT THE CITY COLLECTS FOR CITED MOVING VIOLATIONS. IF A CITY DOES NOT COMPLY WITH THESE PROVISIONS, THE CITY IS SUBJECT TO A CIVIL PENALTY EQUAL TO TEN PERCENT OF EXCESS REVENUES THAT WERE NOT SUBMITTED.

THIS AMENDMENT IS SIMILAR TO HB 105 (2011).

HA 6 - CURRENTLY, UPON THE APPROVAL OF THE GOVERNING BODY OF A CITY, COUNTY, OR ST. LOUIS CITY, A TWO DOLLAR SURCHARGE SHALL BE ASSESSED AS COSTS IN CRIMINAL CASES, INCLUDING CASES INVOLVING INFRACTIONS AND MUNICIPAL ORDINANCE VIOLATIONS. THIS SURCHARGE IS DEPOSITED INTO THE INMATE SECURITY FUND TO DEVELOP BIOMETRIC VERIFICATION SYSTEMS FOR IDENTIFYING AND TRACKING INMATES WITHIN THE LOCAL JAIL SYSTEM. THIS PROVISION REQUIRES THAT ALL CITIES, COUNTIES, AND ST. LOUIS CITY ASSESS THIS SURCHARGE AND THAT THE MONEY IN THIS FUND BE USED TO DEVELOP AND MAINTAIN

INFORMATION SHARING SYSTEMS.

THIS PROVISION IS SIMILAR TO HB 663 (2011).

HA 7- THIS AMENDMENT AUTHORIZES A COUNTY TO DECREASE THE COUNTY'S ANNUAL BUDGET TWICE DURING ANY FISCAL YEAR WHEN THE COUNTY HAS A DECREASE IN FUNDS OF TWO PERCENT OR HIGHER AND THIS DECREASE COULD NOT HAVE BEEN ANTICIPATED WHEN THE BUDGET WAS ADOPTED. THE BUDGET DECREASE CANNOT UNDULY AFFECT ANY ONE OFFICEHOLDER AND NEGOTIATIONS MUST TAKE PLACE WITH ALL OFFICEHOLDERS BEFORE ANY REDUCTION AFFECTING AN INDEPENDENTLY ELECTED OFFICEHOLDER MAY OCCUR. THIS PROVISION DOES NOT AFFECT COUNTY COMMISSIONERS' AUTHORITY TO REDUCE BUDGETS OF DEPARTMENTS UNDER THEIR DIRECT SUPERVISION AND RESPONSIBILITY. THIS PROVISION EXPIRES ON JULY 1, 2015.

HA 8 - THIS AMENDMENT PROHIBITS THE STATE AND ANY OF ITS AGENTS FROM ENTERING INTO A CONTINGENCY FEE CONTRACT WITH A PRIVATE ATTORNEY, UNLESS THE ATTORNEY GENERAL MAKES SPECIFIC WRITTEN FINDINGS. THE ATTORNEY GENERAL IS REQUIRED TO REQUEST WRITTEN PROPOSALS FROM PRIVATE ATTORNEYS, UNLESS THE ATTORNEY GENERAL MAKES A WRITTEN DETERMINATION THAT REQUESTING PROPOSALS IS NOT FEASIBLE. IF THE ATTORNEY GENERAL REQUESTS PROPOSALS FROM PRIVATE ATTORNEYS, THE ATTORNEY GENERAL IS REQUIRED TO CHOOSE THE LOWEST AND BEST BID OR REQUEST THE OFFICE OF ADMINISTRATION ESTABLISH AN INDEPENDENT PANEL TO EVALUATE THE PROPOSALS AND CHOOSE THE LOWEST AND BEST BID. PRIVATE ATTORNEYS THAT ENTER INTO CONTINGENCY FEE CONTRACTS WITH THE STATE ARE PROHIBITED FROM RECEIVING MORE THAN A TWENTY-FIVE PERCENT OF THE NET RECOVERY TO THE STATE.

A PRIVATE ATTORNEY WHO IS REPRESENTING THE STATE ON A CONTINGENCY FEE BASIS IS REQUIRED TO MAINTAIN RECORDS ABOUT THEIR EXPENSES FOR AT LEAST FOUR YEARS AFTER THE CONTRACT TERMINATES. THE ATTORNEY GENERAL'S OFFICE IS REQUIRED TO RESPOND TO REQUESTS TO MAKE THESE RECORDS AVAILABLE TO THE PUBLIC UNDER THE SUNSHINE LAW.

THE ATTORNEY GENERAL IS REQUIRED TO POST CERTAIN INFORMATION ABOUT THE CONTINGENCY FEE ARRANGEMENT ON THEIR WEBSITE. THE ATTORNEY GENERAL IS ALSO REQUIRED TO SUBMIT AN ANNUAL REPORT REGARDING THE USE OF CONTINGENCY FEE CONTRACTS.

THIS AMENDMENT IS SIMILAR TO SCS/SB 432 (2011).

HA 9 - THIS AMENDMENT REQUIRES A MUNICIPALITY TO ALLOW AT LEAST ONE STREET, WITH LAWFUL TRAFFIC MOVEMENT AND ACCESS FROM BOTH DIRECTIONS, TO BE USED BY COMMERCIAL VEHICLES TO ACCESS ANY ROADS IN THE STATE HIGHWAY SYSTEM (SECTION 304.120). THE AMENDMENT ALSO PROHIBITS ANY CIVIL ACTION FOR A PUBLIC OR PRIVATE NUISANCE ON THE BASIS OF AN INDIVIDUAL OR BUSINESS ENTITY LEGALLY USING A VEHICLE ON A PUBLIC STREET OR HIGHWAY (SECTION 537.293).

THIS AMENDMENT IS SIMILAR TO A PROVISION OF SS/SCS/HCS/HB 430 (2011).

HA 1 TO HA 9 - NO SURFACE MINING PERMITS OR AIR OR WATER QUALITY PERMITS SHALL BE ISSUED TO ANY PERSON FOR MINING ACTIVITY WHEN THE MINE PLAN BOUNDARY FOR THE ACTIVITY IS WITHIN 1,000 FEET OF AN ACCREDITED SCHOOL THAT HAS BEEN IN THAT LOCATION FOR AT LEAST 5 YEARS, EXCEPT THIS PROHIBITION DOES NOT APPLY TO REQUESTS TO EXPAND EXISTING MINES OR TO UNDERGROUND MINING ACTIVITIES.

THIS AMENDMENT IS SIMILAR TO A PROVISION OF SS#2/SCS/HCS/HB 89 (2011) AND SS/SCS/HCS/HB 430 (2011).

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|---|---|
| 12/15/2010 | Prefiled |
| 01/05/2011 | S First Read--SB 60-Keaveny (S14) |
| 01/20/2011 | Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S125) |
| 01/31/2011 | Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee |
| 03/09/2011 | SCS Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee - (0085S.08C) |
| 03/17/2011 | Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor w/SCS (S493) |

04/04/2011 SCS S adopted (S558)
04/04/2011 Perfected (S558)
04/05/2011 Reported Truly Perfected S Rules Committee (S574)
04/07/2011 S Third Read and Passed (S648-649)
04/07/2011 H First Read (H1175)
04/11/2011 H Second Read (H1184)
04/12/2011 Referred H Judiciary Committee (H1235)
04/20/2011 Hearing Conducted H Judiciary Committee
04/20/2011 HCS Voted Do Pass H Judiciary Committee
04/21/2011 HCS Reported Do Pass H Judiciary Committee (H1429)
04/21/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1429)
05/04/2011 HCS Voted Do Pass H Rules Pursuant Committee
05/04/2011 HCS Reported Do Pass H Rules Pursuant Committee (H1858)
05/04/2011 Referred H Fiscal Review Committee (H1857)
05/05/2011 HCS Voted Do Pass H Fiscal Review Committee
05/05/2011 HCS Reported Do Pass H Fiscal Review Committee (H1877)
05/10/2011 HA 1 to HCS H offered & adopted (Cox)--(0085L09.28H) (H2243-2244)
05/10/2011 HA 2 to HCS H offered & adopted (Cox)--(0085L09.18H) (H2244)
05/10/2011 Bill placed back on Calendar (H2244)
05/11/2011 HA 3 to HCS H offered & adopted (Barnes)--(0085L09.25H) (H2264)
05/11/2011 HA 4 to HCS H offered & adopted (Schoeller)--(0085L09.04H) (H2264-2265)
05/11/2011 HA 5 to HCS H offered & adopted (Nance)--(0085L09.31H) (H2265-2267)
05/11/2011 HA 6 to HCS H offered & adopted (Ruzicka)--(0085L09.17H) (H2267)
05/11/2011 HA 7 to HCS H offered (Asbury)--(0085L09.26H) (H2267-2268)
05/11/2011 HA 1 to HA 7 to HCS H offered & defeated (Burlison)--(0085L09.34H) (H2268-2270)
05/11/2011 HA 7 to HCS H adopted (H2270)
05/11/2011 HA 8 to HCS H offered & adopted (Molendorp)--(0085L09.20H) (H2270-2272)
05/11/2011 HA 9 to HCS H offered (Hough)--(0085L09.29H) (H2272-2273)
05/11/2011 HA 1 to HA 9 H offered & adopted (Richardson)--(0085L09.35H) (H2273-2274)
05/11/2011 HA 9 to HCS, as amended, H adopted (H2275)
05/11/2011 HCS, as amended, H adopted (H2276)
05/11/2011 H Third Read and Passed (H2277 / S1738-1747)
05/11/2011 S refuses to concur in HCS, as amended (S1816 / H2405)
05/11/2011 S requests H recede or grant conference (S1816 / H2405)
05/11/2011 H refuses to recede and grants conference (H2406 / S1865)
05/11/2011 S conferees appointed: Keaveny, Justus, Rupp, Schaefer, Lamping (S1866 / H2433)
05/11/2011 H conferees appointed: Cox, Elmer, Barnes, Kelly-24, Carlson (H2435 / S1884)
05/13/2011 In Conference--SCS for SB 60-Keaveny, with HCS, as amended

EFFECTIVE: August 28, 2011

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*** SB 61 *** HCS SB 61 0529L.05C

SENATE SPONSOR: Keaveny HOUSE HANDLER: Nasheed

HCS/SB 61 - This act enacts various provisions relating to local government.

COUNTY SHERIFF'S REVOLVING FUND
(Section 50.535)
This act specifies that the county sheriff's revolving fund may be used to pay for information and data exchange.

This provision is similar to a provision of SCS/HCS/HB 294 (2011) and HCS/SCS/SB 60 (2011).

CLERK OF A COUNTY COMMISSION
(Section 51.050)
Under current law, the clerk of a county commission must live in the county for six months prior to election. This act requires the clerk to live in the county for one year prior to election.

This provision is similar to a provision of SCS/HB 186 (2011), HCS/SB 282 (2011), HCS/HB 121 (2011).

COUNTY COLLECTORS
(Section 52.010)

County collectors are required to be 21 years old, a resident of the county in which he or she is a candidate for at least one year prior to filing for office and remain a resident of the county in which he or she is elected throughout his or her term of office. Candidates for such office are required to present the election authority with a signed affidavit from a surety company indicating that the candidate meets the statutory bond requirements for the office.

This provision is similar to a provision of HCS/SB 282 (2011).

COUNTY COLLECTOR-TREASURERS
(Section 54.033, 54.330)

Currently, the county commission is required to appoint an interim treasurer in the event of a vacancy of the office except in counties with a charter form of government. This act creates the same exception for counties having a township form of government for the office of collector-treasurer.

County collector-treasurers are required to be 21 years old, registered voters, current in the payment of all state income and personal and real property taxes, a resident of the county in which he or she is a candidate for at least one year prior to filing for office and remain a resident of the county in which he or she is elected throughout his or her term of office. Candidates for such office are required to present the election authority with a signed affidavit from a surety company indicating that the candidate meets the statutory bond requirements for the office. Collector-treasurers shall have the sole authority to appoint deputies.

These provisions are similar to a provision of HCS/SB 282 (2011).

COUNTY RECORDER
(Sections 59.021 and 59.022)

This act establishes qualifications and appointment procedures for county recorders where the offices of the court clerk and recorder of deeds are separate. These provisions do not apply in the city of St. Louis or charter counties.

The county recorder must be at least 21, a registered voter, and a resident of the state or county in which he or she is a candidate for a least one year prior to the general election. If elected, the recorder must continue to be a resident while in office.

These provisions are similar to SCS/SB 374 (2011) and SCS/HB 186 (2011).

COMMUNITY IMPROVEMENT DISTRICTS
(Section 67.1521)

This act specifies that county collectors may add each special assessment for community improvement districts to the annual real estate bill for the property and collect the assessment in the same way that real estate taxes are collected.

ST. LOUIS POLICE FORCE
(Section 84.010, 84.220, 84.343, 84.344, 84.345, 84.346, 84.347, 84.348, 84.349, 86.200, 86.213)
This act modifies provisions relating to the St. Louis police force.

Under this act, no officer, employee, or representative of a St. Louis police force may engage in certain activities with a licensed dealer or private seller of firearms. These acts are punishable as a Class D felony.

In addition, this act prohibits an officer or employee of a St. Louis police force from taking certain political actions. Violations may result in a fine of $50 to $500 and imprisonment of not more six months.

This act allows the City of St. Louis to establish a municipal police force after certain conditions have been met and according to certain procedures. The terms of the commissioners of the board of police shall expire upon the establishment of the police force and several provisions of current law shall no longer apply to the city or its municipal police force, but the act shall not be construed as changing the retirement benefits provided under current law.

Upon the establishment of a municipal police force, title and ownership of all indebtedness and assets controlled by the St. Louis board of police commissioners shall immediately pass to the city.

The municipal police force shall initially employ, without a reduction in rank, salary, or benefits, all

commissioned and civilian personnel of the board of police commissioners.

The residency rules established by the board shall apply to the commissioned and civilian personnel of the board who transfer to the new police force, but the city may enforce any residency rule for those hired after the transfer.

Under this act, the city may adopt rules for the police force, but disciplinary decisions shall be governed by the civil service commission's rules. The commission shall issue decisions in appeals of disciplinary actions, which shall be subject to appeal.

This act requires the city to recognize the collective bargaining representatives of both commissioned police officers and sergeants and any collective bargaining agreement between the board and the workers' associations.

In addition, the city must provide or contract for certain benefits. Health, medical, and life insurance must be available for purchase by the spouses or dependents of deceased retired officers and employees who receive benefits from the Police Retirement System of St. Louis.

This act requires the city to create a transition committee to coordinate and implement the transition of the police force to the city.

The state shall continue to provide legal representation to the board regarding, and the state legal expense fund shall continue to reimburse, claims against the board of police commissioners. Venue for any action against the city involving the municipal police force will be in the St. Louis city judicial circuit.

This act provides that the city shall not be restricted in any way in the selection of a police chief. Under this act, the police chief may require the city's sheriff and other law enforcement officers to act under the chief's control when needed.

This act further provides that any person who acts as a private watchman, private detective, or private policeman in St. Louis without having obtained a written license is guilty of a Class A misdemeanor.

The provisions of the act regarding the creation of the municipal police force are nonseverable, so any court decision that invalidates one provision would invalidate all the provisions.

This act modifies the definition of "earnable income" and "police officer" for purposes of the St. Louis police retirement system to remove references to Section 84.160 which will expire upon passage of this act. "Earnable compensation" shall include any compensation for academic work and shift differential that may be provided by any official or board that manages the police force.

Also, the president of the Board of Police Commissioners is removed from the board of trustees for the St. Louis police retirement system.

These provisions are similar to SB 23 (2011) and HB 71 (2011).

CANDIDATES FOR PUBLIC OFFICE
(Section 115.342)

Candidates for public office (with the exception of those in special districts, townships, cities, towns, or villages) are required to declare under penalty of perjury that they are not aware of any information that would prohibit the candidate from fulfilling any bonding requirements. Such individuals filing for an election with a bonding requirement shall file an affidavit from a surety company indicating that the candidate meets the bonding requirements for the office with the department of revenue.

This provision is similar to HCS/SB 282 (2011).

PURCHASERS OF PROPERTY SOLD FOR DELINQUENT TAXES
(Section 140.410)

This provision requires someone who purchased land that was sold for delinquent taxes to pay all subsequent taxes within two years of the date of sale before a collector's deed may be issued. If the purchaser forfeits the rights they acquired to the property with the certificate of purchase, then the collector is required to record the cancellation of the certificate of purchase in the recorder of deeds's office.

STATE TAX COMMISSION
(Section 140.660)
This act repeals a provision that allows the state tax commission to prescribe the form of all certificates, blanks and books required under the law regarding the collection of delinquent taxes and decide questions about the interpretation of the law regarding the powers and duties of county or township tax officers.

COMMERCIAL MOTOR VEHICLES IN EXCESS OF TWELVE THOUSAND POUNDS
(Section 301.130)

This provision allows an applicant for registration of a property-carrying commercial vehicle to request two license plates for the vehicle.

CONDEMNATION COMMISSIONERS
(Section 523.040)
This act requires that in St. Louis City, St. Louis County, and Jackson County at least one 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.

This act is similar to SB 776 (2010) and HB 1973 (2010).

PNEUMATIC GUNS
(Section 1)
This provision prohibits political subdivisions from enacting or enforcing any order or ordinance that prohibits the use of pneumatic guns at facilities approved for shooting ranges on other property where firearms may be discharged, or on private property when conducted with reasonable care to prevent a projectile from crossing the bounds of the property.

OPEN CARRY
(Section 2)
This provision allows the Attorney General to create a website that publishes the names of municipalities and counties that do not allow the open carry of firearms.
EMILY KALMER

HA 1 - THIS AMENDMENT EXEMPTS VOLUNTARY ANNEXATIONS APPROVED BY MUNICIPAL ORDINANCE OF CERTAIN MUNICIPALITIES FROM REVIEW OF THE BOUNDARY COMMISSION IN ST. LOUIS COUNTY.

THIS AMENDMENT IS SIMILAR TO A PROVISION OF HCS#2/HB 889 (2011).
HA 2 - THIS AMENDMENT CHANGES THE LANGUAGE REGARDING THE ST. LOUIS POLICE FORCE BY PROVIDING THAT THE CITY MAY ONLY ESTABLISH A MUNICIPAL POLICE FORCE ON OR AFTER JAN. 1, 2012 (84.346.1);

REQUIRING THE CITY TO ADOPT AN ORDINANCE REGARDING ITS ROLE AS A SUCCESSOR-IN-INTEREST PRIOR TO ESTABLISHING A POLICE FORCE (84.346.4);

REQUIRING THE POLICE BOARD TO TRANSFER ALL ITS PROPERTY AND OBLIGATIONS BEFORE THE POLICE FORCE MAY BE ESTABLISHED (84.346.2); AND

MOVING SUBSECTIONS 2 AND 3 OF 84.345 TO SUBSECTIONS 2 AND 3 OF 84.346.

REMOVING ALL PROVISIONS REGARDING COLLECTIVE BARGAINING (SUBSECTIONS 1-2 & 6-8 OF 84.346, 84.347.3);

PROVIDING THAT THE STATE SHALL NOT CONTINUE TO PROVIDE LEGAL REPRESENTATION TO THE BOARD AND THE STATE LEGAL EXPENSE FUND SHALL NOT CONTINUE TO REIMBURSE CLAIMS AGAINST THE BOARD (84.347.2); AND

PROVIDING FOR THE EVENT THAT THE STATE OR A STATE OFFICIAL IS ORDERED TO SATISFY PENSION OBLIGATIONS OF THE ST. LOUIS POLICE RETIREMENT SYSTEM WITH STATE FUNDS (86.371).

HA 3 - THIS AMENDMENT PROHIBITS THE CHIEF OF POLICE FROM ENGAGING IN CERTAIN SPECIFIED POLITICAL ACTIVITIES. ANY PERSON WHO VIOLATES THE PROHIBITION FACES IMMEDIATE FORFEITURE OF HIS OR HER OFFICE. THIS PROVISION OF THE ACT IS SEVERABLE, SO ANY COURT DECISION THAT INVALIDATES THIS PROVISION WOULD NOT INVALIDATE ALL THE PROVISIONS.

PROVISIONS RELATING TO THE HEARINGS PROCESS FOR DISCIPLINARY PROCEEDINGS ARE AMENDED.

IN ADDITION, THIS AMENDMENT REMOVES THE MAYOR'S ABILITY TO APPOINT THREE MEMBERS TO A TRANSITION COMMITTEE. INSTEAD, THE POLICE CHIEF OF THE MUNICIPAL POLICE FORCE, THE CITY'S DIRECTOR OF PUBLIC SAFETY AND A RETIREE APPOINTED BY A POLICE OFFICER'S ASSOCIATION SHALL SERVE ON THE TRANSITION COMMITTEE.

THE MAYOR'S APPOINTMENTS TO THE ST. LOUIS POLICE RETIREMENT SYSTEM BOARD OF TRUSTEES IS DECREASED FROM THREE TO TWO UNDER THIS AMENDMENT, AND THE MAYOR IS PROHIBITED FROM APPOINTING THE POLICE CHIEF, THE CITY'S PUBLIC SAFETY DIRECTOR, OR THE PRESIDENT OF THE BOARD OF POLICE COMMISSIONERS. THE NUMBER OF RETIREES ON THE BOARD IS INCREASED FROM TWO TO THREE.

NO ELECTED OR APPOINTED OFFICIAL OF THE STATE OR A POLITICAL SUBDIVISION MAY INTERFERE WITH ANY MEMBER OF THE ST. LOUIS POLICE FORCE IN THE PERFORMANCE OF HIS OR HER JOB DUTIES OR IN ANY INVESTIGATION OR ELSE FACE A PENALTY OF $2,500 AND DISQUALIFICATION FROM OFFICE UNDER THIS AMENDMENT.

THIS AMENDMENT ALSO MAKES IT AN UNLAWFUL EMPLOYMENT PRACTICE TO TAKE CERTAIN ADVERSE EMPLOYMENT ACTIONS AGAINST AN EMPLOYEE OF THE ST. LOUIS POLICE FORCE FOR REPORTING THE ILLEGAL CONDUCT OF A CO-WORKER. ANY MEMBER OF THE POLICE FORCE MAY SUE FOR DAMAGES UNDER THIS PROVISION.

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|---|---|
| 12/17/2010 | Prefiled |
| 01/05/2011 | S First Read--SB 61-Keaveny (S14) |
| 01/20/2011 | Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S125) |
| 01/31/2011 | Hearing Conducted S Financial and Governmental Organizations and Elections Committee |
| 02/07/2011 | Voted Do Pass S Financial and Governmental Organizations and Elections Committee - Consent |
| 02/10/2011 | Reported from S Financial and Governmental Organizations and Elections Committee to Floor - Consent (S234) |
| 02/10/2011 | Removed S Consent Calendar (S236) |
| 03/03/2011 | Reported from S Financial and Governmental Organizations and Elections Committee to Floor (S387) |
| 03/07/2011 | SA 1 S offered & adopted (Keaveny)--(0529S02.02S) (S400) |
| 03/07/2011 | Perfected, as amended (S400) |
| 03/08/2011 | Reported Truly Perfected S Rules Committee (S410) |
| 03/10/2011 | S Third Read and Passed (S430) |
| 03/10/2011 | H First Read (H593) |
| 03/14/2011 | H Second Read (H602) |
| 03/16/2011 | Referred H General Laws Committee (H670) |
| 04/12/2011 | Hearing Conducted H General Laws Committee |
| 04/26/2011 | HCS Voted Do Pass H General Laws Committee |
| 04/27/2011 | HCS Reported Do Pass H General Laws Committee (H1649) |
| 04/27/2011 | Referred to Rules Committee pursuant to Rule 25(32)(f) (H1649) |
| 05/03/2011 | HCS Voted Do Pass H Rules Pursuant Committee |
| 05/03/2011 | HCS Reported Do Pass H Rules Pursuant Committee (H1794) |
| 05/05/2011 | HA 1 to HCS H offered & adopted (Jones-89)--(0529L05.14H) (H2018-2019) |
| 05/05/2011 | HA 2 to HCS H offered & adopted (Nasheed)--(0529L05.04L) (H2019-2021) |
| 05/05/2011 | HA 3 to HCS H offered & adopted (Funderburk)--(0529L05.05L) (H2021-2023) |
| 05/05/2011 | HCS, as amended, H adopted (H2024) |
| 05/05/2011 | H Third Read and Passed (H2024-2025 / S1486-1492) |
| 05/09/2011 | S refuses to concur in HCS, as amended (S1525 / H2118) |
| 05/09/2011 | S requests H recede or grant conference (S1525 / H2118) |
| 05/09/2011 | H refuses to recede and grants conference (H2131 / S1546) |

05/09/2011 H conferees appointed: Diehl, Cox, Richardson, Nasheed, Hubbard (H2155 / S1627)
05/12/2011 Motion to dissolve conference committee S adopted (S1967)
05/12/2011 S requests H recede and take up and pass bill (S1967)
05/13/2011 Requests to Recede or Grant Conference Calendar--SB 61-Keaveny, with HCS, as amended (Senate requests House recede and pass the bill)

EFFECTIVE: August 28, 2011

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*** SB 62 *** HCS SS#2 SCS SB 62 0521L.07T

SENATE SPONSOR: Schaaf HOUSE HANDLER: Sater

HCS/SS#2/SCS/SB 62 -This act modifies provisions relating to health care providers.

MEDICAL RECORDS

Current law allows a health care provider to condition the furnishing of medical records on the payment of a fee to cover costs of copying, postage and notary services. This act provides that the copying amount shall not exceed $21.36 plus 50 cents for supplies and labor per page plus, if the health care provider has contracted for off-site records storage and management, any additional labor costs of outside storage retrieval, not to exceed $20, as adjusted annually per the Consumer Price Index.

In instances where the health care provider stores records in an electronic or digital format, and provides the requested records, including any requested affidavits, in an electronic or digital format, the maximum copying amount shall not exceed $5 plus 50 cents per page, or $25 total, whichever is less.

PROVIDER TAXES

This act extends the sunsets from September 30, 2011 to September 30, 2016, for the Ground Ambulance, Nursing Facility, Medicaid Managed Care Organization, Hospital reimbursement allowance, Pharmacy, and Intermediate Care Facility for the Mentally Retarded Reimbursement Allowance Taxes.

The provider taxes provisions are similar to SB 322 (2011).

ADRIANE CROUSE

12/20/2010 Prefiled
01/05/2011 S First Read--SB 62-Schaaf (S14)
01/20/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S125)
02/15/2011 Hearing Conducted S Health, Mental Health, Seniors and Families Committee
02/22/2011 SCS Voted Do Pass S Health, Mental Health, Seniors and Families Committee - (0521S.02C)
03/10/2011 Reported from S Health, Mental Health, Seniors and Families Committee to Floor w/SCS (S433)
03/16/2011 SS for SCS S offered (Schaaf)--(0521S.04F) (S468-469)
03/16/2011 Bill Placed on Informal Calendar (S469)
03/16/2011 SS for SCS S withdrawn (S474)
03/16/2011 SS#2 for SCS S offered & adopted (Schaaf)--(0521S.06F) (S474)
03/16/2011 Perfected (S474)
03/17/2011 Reported Truly Perfected S Rules Committee (S494)
03/31/2011 S Third Read and Passed (S536)
03/31/2011 H First Read (H818)
04/01/2011 H Second Read (H823)
04/04/2011 Referred H Health Care Policy Committee (H839)
04/06/2011 Hearing Conducted H Health Care Policy Committee
04/13/2011 HCS Voted Do Pass H Health Care Policy Committee
04/20/2011 HCS Reported Do Pass H Health Care Policy Committee (H1417)
04/20/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1417)
05/09/2011 HCS Voted Do Pass H Rules Pursuant Committee
05/09/2011 HCS Reported Do Pass H Rules Pursuant Committee (H2170)
05/13/2011 HA 1 to HCS H offered & adopted (Stream)--(0521L07.41H)
05/13/2011 HA 2 to HCS H offered (Silvey)--(0521L07.45H)
05/13/2011 HA 1 to HA 2 to HCS H offered & adopted (Kelly-24)--(0521L07.06F)
05/13/2011 HA 2 to HCS, as amended, H adopted
05/13/2011 HCS, as amended, H adopted
05/13/2011 H Third Read and Passed
05/13/2011 S concurs in HCS, as amended
05/13/2011 S Third Read and Passed
05/13/2011 Truly Agreed To and Finally Passed

EFFECTIVE: August 28, 2011

*** SB 63 *** HCS SB 63 0525L.02C

SENATE SPONSOR: Mayer HOUSE HANDLER: Pollock

HCS/SB 63 - This act modifies provisions relating to utilities.

SECTION 247.060 - PUBLIC WATER SUPPLY DISTRICT BOARD OF DIRECTORS
The act removes the provision in current law that requires members of the board of directors of a public water supply district to serve without pay. Board members are allowed up to $100 for attending a board meeting or special meeting and must be reimbursed for their actual expenditures in the course of their duties. The president of the board may receive an additional $50 per meeting. The act provides limitations on the number of meetings for which board members may receive compensation and requires the completion of certain training prior to receipt of such compensation.

The act additionally provides the circuit court in the jurisdiction of the district certain authorities to suspend or remove board members from office for cause or to prevent a board member from acting against the interests of the district.

No board member may receive compensation under the act if any customer or potential customer of the water district has not been provided service for at least 8 months when such service has been requested.

This section is similar to HB 210 (2011).

SECTION 250.236 - TERMINATION OF WATER SERVICE
Under current law, a city must send notice to a sewer customer by certified mail if the city intends to disconnect sewer service or request a water utility to disconnect water service for failure to pay the sewer bill. This act removes the requirement that the notice must be via certified mail.

SECTIONS 256.400 & 256.433 - MAJOR WATER USERS IN SOUTHEAST MO
This act prohibits certain companies or agencies located partially or wholly outside Missouri from taking and transporting water from within the Southeast Missouri Regional Water District to locations outside the District, if such taking and transporting interferes with the normal water usage of certain other large water consumers. If such interference occurs, the Attorney General or the affected parties may seek an injunction. No injunction may be issued if it would harm public health or safety.

The act is similar to SB 604 (2010) and SB 556 (2009).

SECTION 386.370 - FUNDING FOR OFFICE OF PUBLIC COUNSEL
Under current law, the Public Service Commission (PSC) receives funding from a fee assessed to each regulated public utility based on the proportionate amount of time and expenses spent by the PSC on each utility. This act creates a similar fee assessment and collection mechanism for the Office of Public Counsel. The act lowers the total amount that may be collected for the PSC from the fee, from its current maximum of .25% of the total gross intrastate operating revenue to .22% of total gross intrastate operating revenue. The act limits the total amount of fee revenue that may be collected for the Office of Public Counsel to .02% of total gross intrastate operating revenue and places a cap on the assessment to telecommunications companies. The act increases the maximum assessments to .23% and .03%, respectively, in the event that an electric company obtains a combined license from the U.S. Nuclear Regulatory Commission.

This section contains provisions similar to provisions in SCS/SB 48 (2011), SB 406 (2011) and HCS/SB 791 (2010).

SECTIONS 386.420 TO 386.540 - APPEAL PROCEDURES FOR PUBLIC SERVICE COMMISSION DECISIONS
The act requires that in any proceeding before the Public Service Commission (PSC) that results in new rates for a public utility, the PSC must prepare a detailed reconciliation containing certain financial information, rate and charge impact of contested issues, and the customer class billing determinants used by the commission.

The act allows orders of the PSC to be served electronically and removes the requirement that every person who is served a certified copy of a PSC order must notify the PSC of its receipt.
The act reduces, from 30 to 15 days, the time frame in which an entity may request a rehearing from the PSC

or may file a notice of appeal of a PSC decision after a rehearing.

Under current law, appeals of PSC orders or decisions are heard by the circuit court. The act moves appeals of PSC decisions from the circuit court to the appellate court. Certain information must accompany a notice of appeal.

The act removes provisions pertaining to the authority of the circuit court to stay or suspend a PSC order. The appellate court may stay or suspend a PSC order only when it does not involve the establishment of new rates and charges and when the court determines that great or irreparable harm would otherwise result to the appellant. No stay or suspension may be ordered by the appellate court for PSC decisions that involve new rates or charges. The act provides procedures for the court to order temporary rate adjustments in the event the court finds that the PSC's approved rates and charges were in error. No court may issue a decision affecting a public utility's rates in any case where the court cannot render a decision on its merits due to a lack of adequate findings of fact by the PSC or because the PSC failed to receive properly-offered evidence. In such a case, the PSC must provide such findings of fact or issue a new order within 90 days of the court's determination.

These sections include an emergency clause.

These sections are similar to HB 967 (2011).

SECTION 393.015 - TERMINATION OF WATER SERVICE
Under current law, no sewer company, municipal sewer utility, or sewer district may cause a person's water service to be terminated prior to sending written notice to the person via certified mail. The act removes the requirement that the notice be sent via certified mail.

SECTION 393.135 - CONSTRUCTION-WORK-IN-PROGRESS
After October 1, 2011, any electric company seeking an Early Site Permit from the U.S. Nuclear Regulatory Commission must submit reports to the PSC every 6 months during the entire permitting process. The reports must document the work completed and costs incurred up to that point toward the acquisition of the Early Site Permit as well as the projected amount of work and costs remaining.

Once the Early Site Permit is obtained, and provided the company complied with the reporting requirement, the electric company may recover up to $45 million of the expenditures, plus interest, for the permit from its ratepayers through rates and charges over a period not to exceed 20 years. The company may begin the cost recovery on the effective date of tariffs approved by the PSC at the company's first general rate proceeding following the acquisition of the permit. Other electric companies that also incur expenses toward the Early Site Permit may similarly recover their costs through rates and charges.

If an electric company has recovered costs from its ratepayers for an Early Site Permit but the company's interest in the Early Site Permit is subsequently sold or transferred, or the company receives reimbursement for the costs from another source, the PSC must decide how the electric company will credit its ratepayers for the moneys received in the sale, transfer or reimbursement.
The PSC must also decide how any profits from a sale or transfer of an Early Site Permit will be shared with ratepayers. Credits made to ratepayers must also include interest.

If the power plant for which the Early Site Permit was acquired is not constructed before the Early Site Permit expires, the PSC must hold a hearing to determine if the electric company acted imprudently by failing to construct the plant. If the PSC determines that the electric company acted imprudently, the PSC must order any company that recovered costs for the Early Site Permit to credit its ratepayers for the costs determined by the PSC to be imprudent. The companies must issue the credits, including interest, over a period of 5 to 10 years.

This section is similar to SCS/SB 48 (2011), SB 321 (2011), SB 50 (2011), HB 124 (2011), and SB 406 (2011).

SECTION 393.275 - NATURAL GAS UTILITY BAD DEBT
Under current law, rate adjustments in the purchase price of natural gas that are approved by the Public Service Commission (PSC) are 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.

This act is similar to SB 705 (2010) and HB 1610 (2010) and similar to SCS/SB 299 (2009) and HB 2279 (2008).

SECTIONS 393.1000 TO 393.1003 - ISRS
Currently, only water companies in St. Louis County may establish infrastructure system replacement surcharge (ISRS) rate schedules with the PSC to recover costs associated with eligible infrastructure system replacements. The act allows any water company in any county to establish ISRS rate schedules, but adds a qualifying provision for small water companies that any such ISRS must generate ISRS revenues of at least $10,000. The act also adds certain energy efficiency projects to what is considered to be an eligible infrastructure system replacement.

SECTION 393.1075 - ENERGY EFFICIENCY PROGRAMS
Under current law, an electric utility customer who has received a tax credit for low-income housing or historic preservation is ineligible to participate in an energy-efficiency program offered by the utility if the program provides a monetary incentive. This act makes an exception to this prohibition if the program is designed for low-income customers.

SECTIONS 414.530 TO 414.570 - MISSOURI PROPANE EDUCATION AND RESEARCH COUNCIL
Under current law, there are three ways for the director of the Missouri Energy Center to initiate a referendum on the abolishment of the Missouri Propane Education and Research Council and the fee for odorized propane. This act removes one of these three ways, which is at the discretion of the director.

Current law allows vacancies on the council to be filled by the remaining members of the council, subject to the approval of the director. This act removes the requirement that the director must approve the appointment and instead requires the council to fill vacancies after a public nomination process.

Current law requires the council to submit a budget plan to the director at the beginning of each fiscal period and requires the director to either approve or recommend changes to the budget after a public comment period. The act removes the director's involvement in the budget approval, and instead requires the budget plan be submitted for public comment at least 30 days prior to the beginning of each fiscal period, and authorizes the council to approve or modify the budget after the public comment period.

The act removes the authority of the director to require additional reports from the council at his or her discretion beyond what is already required under current law.

Authority to establish an alternative means to collect the odorized propane fee and set late payment charges is currently given to the director. This act transfers this authority to the council. The interest rate charged for late payments may not exceed the legal rate for judgments.

The act removes provisions that allow the National Propane Education and Research Council to coordinate its operations with Missouri's council and that authorize Missouri's council to keep funds resulting from a federal rebate on propane fees.

These sections are identical to SB 297 (2009).

SECTION 660.122 - UTILICARE
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.

REPEALED SECTION 386.850 - MISSOURI ENERGY TASK FORCE
This section repeals the statute that requires the Missouri Energy Task Force to reconvene at least once per year to review and report on progress made toward accomplishing the recommendations contained in the task force's final report.

This section is identical to SB 207 (2011).
ERIKA JAQUES

12/22/2010 Prefiled
01/05/2011 S First Read--SB 63-Mayer (S14)

01/20/2011 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S125)
02/16/2011 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee
02/23/2011 Voted Do Pass S Agriculture, Food Production and Outdoor Resources Committee - Consent
02/24/2011 Reported from S Agriculture, Food Production and Outdoor Resources Committee to Floor - Consent (S330)
02/28/2011 Removed S Consent Calendar (S347)
03/03/2011 Reported from S Agriculture, Food Production and Outdoor Resources Committee to Floor (S389)
03/09/2011 Perfected (S419)
03/09/2011 Reported Truly Perfected S Rules Committee (S420)
03/10/2011 S Third Read and Passed (S432)
03/10/2011 H First Read (H593)
03/14/2011 H Second Read (H602)
03/16/2011 Referred H Utilities Committee (H670)
03/29/2011 Hearing Conducted H Utilities Committee
04/19/2011 HCS Voted Do Pass H Utilities Committee
04/21/2011 HCS Reported Do Pass H Utilities Committee (H1430)
04/21/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1430)

EFFECTIVE: Varies

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*** SB 64 *** 0613S.01I

SENATE SPONSOR: Parson

SB 64 – This act prohibits brewers or beer manufacturers as well as their officers, directors, agents, employees or affiliates, from having any direct or indirect interest in the license, business, assets or corporate stock of a wholesaler.

Exceptions are made for security interests in products sold to the wholesalers and interests resulting from a default judgement against the wholesaler. Also, the brewer may acquire title to the business, assets or corporate stock upon the written request of the wholesaler for a ninety-day period to transfer the business to an owner not affiliated with the brewer.
MEGHAN LUECKE

12/29/2010 Prefiled
01/05/2011 S First Read--SB 64-Parson (S14)
01/20/2011 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S125)
03/01/2011 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee

EFFECTIVE: August 28, 2011

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*** SB 65 *** SS SCS SB 65 0511S.05T

SENATE SPONSOR: Mayer HOUSE HANDLER: Jones

SS/SCS/SB 65 - This act modifies provisions relating to abortion.

The definition of "abortion" is amended to include the act of using or prescribing any medicine, instruments or devices with the intent to destroy the life of the unborn child. Abortion shall also be the be act of terminating a pregnancy with an intent other than to increase the probability of a live birth, to remove a dead or dying unborn child. A definition for "reasonable medical judgment" is added which is one made by a reasonably prudent physician, knowledgeable about the case and the treatment possibilities with respect to the medical conditions involved.

Except in the case of a medical emergency, no abortion of a viable unborn child shall be performed or induced unless the abortion is necessary to preserve the life of the pregnant woman whose life is endangered by a physical disorder, physical illness, or physical injury, including a life-endangering physical condition caused by or arising from the pregnancy itself, or when continuation of the pregnancy will create a serious risk of substantial and irreversible physical impairment of a major bodily function or the pregnant woman. For purposes of this act, "major bodily function" includes, but is not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

GESTATIONAL AGE AND VIABILITY

This act provides that, except in the case of a medical emergency, prior to performing or inducing an abortion upon any woman, the physician shall determine the gestational age of the unborn child. If the physician determines the unborn child is 20 weeks or more, the physician shall determine if the unborn child is viable. The standards and practices required to determine both gestational age and viability are prescribed under the act.

If the physician determines that the unborn child is viable, the physician shall not perform or induce an abortion upon the woman unless the abortion is necessary to preserve the life of the pregnant woman or that a continuation of the pregnancy will create a serious risk of substantial and irreversible physical impairment of a major bodily function of the woman.

UNBORN CHILD WHO IS VIABLE

This act prescribes the reporting and certification requirements a physician must follow when performing or inducing an abortion when the unborn child is viable. In addition, before such abortion, the physician shall obtain the agreement of a second physician with knowledge of accepted obstetrical and neonatal practices and standards who shall concur that the abortion is necessary to preserve the life of the pregnant woman, or that continuation of the pregnancy would cause a serious risk of substantial and irreversible physical impairment of a major bodily function of the pregnant woman. The second physician shall not have any legal or financial affiliation or relationship with the physician performing or inducing the abortion, that such prohibition shall not apply to physicians whose legal or financial affiliation or relationship is a result of being employed by or having staff privileges at the same hospital.

The requirements regarding the method or techniques to be used on a viable unborn child and regarding a second physician in attendance are the same as under current law and are prescribed under the act.

UNBORN CHILD WHO IS NOT VIABLE

If the physician determines that the gestational age of the unborn child is 20 weeks or more, and further determines that the unborn child is not viable and performs or induces an abortion upon the woman, the physician shall report such findings and determinations and the reasons for such determinations to the health care facility in which the abortion is performed and to the State Board of Registration for the Healing Arts, and shall enter such findings and determinations in the medical records of the woman and in the individual abortion report submitted to the Department of Health and Senior Services.

PENALTIES

Any person who knowingly performs or induces an abortion of an unborn child in violation of the provisions of this act is guilty of a Class C felony, and upon a finding of guilt or a plea of guilty, shall be imprisoned for a term of not less than one year and shall be fined not less than ten thousand nor more than fifty thousand dollars.

Any physician who pleads guilty to or is convicted of performing or inducing an abortion of an unborn child in violation of this act shall be subject to suspension or revocation of his or her license to practice medicine in the by the State Board of Registration for the Healing arts.

Any hospital or ambulatory surgical center that knowingly allows an abortion of an unborn child to be performed or induced in violation of this act shall be subject to suspension or revocation of its license.

A woman upon whom an abortion is performed or induced in violation of this section shall not be prosecuted for a conspiracy to violate the provisions of this section.

Nothing in this act shall be construed as creating or recognizing a right to abortion, nor is it the intention of this section to make lawful any abortion that is currently unlawful. The General Assembly may, by concurrent resolution, appoint one or more of its members who sponsored or co-sponsored this act in his or her official capacity, to intervene as a matter of right in any case in which the constitutionality of this law is challenged.

ADRIANE CROUSE

12/30/2010 Prefiled
01/05/2011 S First Read--SB 65-Mayer, et al (S14)
01/20/2011 Second Read and Referred S General Laws Committee (S125)
02/22/2011 Hearing Conducted S General Laws Committee
03/08/2011 SCS Voted Do Pass S General Laws Committee - (0511S.04C)

03/10/2011 Reported from S General Laws Committee to Floor w/SCS (S434)
03/16/2011 Bill Placed on Informal Calendar (S471)
03/29/2011 SA 1 to SCS S offered & adopted (Justus)--(05115S04.10S) (S516)
03/29/2011 SA 2 to SCS S offered (Justus)--(0511S04.07S) (S516)
03/29/2011 Bill Placed on Informal Calendar (S516)
03/30/2011 SA 2 to SCS S withdrawn (S528)
03/30/2011 SS for SCS S offered & adopted (Mayer)--(0511S.05F) (S528)
03/30/2011 Perfected (S528)
03/30/2011 Reported Truly Perfected S Rules Committee (S529)
03/30/2011 Referred S Ways & Means and Fiscal Oversight Committee (S529)
04/04/2011 Hearing Conducted S Ways and Means and Fiscal Oversight Committee
04/04/2011 Voted Do Pass S Ways & Means and Fiscal Oversight Committee
04/07/2011 Reported from S Ways & Means and Fiscal Oversight Committee to Floor (S643)
04/07/2011 S Third Read and Passed (S644)
04/07/2011 H First Read (H1175)
04/11/2011 H Second Read (H1184)
04/12/2011 Referred H Health Care Policy Committee (H1235)
04/20/2011 Hearing Conducted H Health Care Policy Committee
04/27/2011 Hearing Conducted H Health Care Policy Committee
04/27/2011 Voted Do Pass H Health Care Policy Committee
04/27/2011 Reported Do Pass H Health Care Policy Committee (H1650)
04/27/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1650)
05/04/2011 Voted Do Pass H Rules Pursuant Committee
05/04/2011 Reported Do Pass H Rules Pursuant Committee (H1858)
05/04/2011 Referred H Fiscal Review Committee (H1857)
05/05/2011 Voted Do Pass H Fiscal Review Committee
05/05/2011 Reported Do Pass H Fiscal Review Committee (H1877)
05/12/2011 H Third Read and Passed (H2456-2457 / S1913)
05/12/2011 Truly Agreed To and Finally Passed (S1913)

EFFECTIVE: August 28, 2011

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*** SB 66 *** 0129S.01I

SENATE SPONSOR: Stouffer

SB 66 - This act reinstates the Motorist Insurance Identification Database program which expired on June 30, 2007. Under the terms of the reinstated database program, the Department of Revenue may by, January 1, 2012, enter into a contract with a designated agent to establish a motorist insurance identification database program to verify compliance with the motor vehicle financial responsibility laws (section 303.406). The designated agent must, no later than June 20, 2012, develop, deliver, and maintain a computer database to verify compliance with Missouri's vehicle financial responsibility law.

Under the terms of the act, insurance companies will be required to provide information to the designated agent. Beginning March 1, 2013, insurance companies shall provide specified policy information to the designated agent (Section 303.412). The Department of Insurance may assess a fine (not to exceed $1,000 per day of noncompliance) against any insurer who fails to comply with the reporting requirements.

Once the database is operational, the designated agent shall, at least monthly, update the database with information provided by insurers and the department, and compare then-current motor vehicle registrations against the database to see if individuals are maintaining insurance.

Any person knowingly disclosing information from the database for an unauthorized purpose will be guilty of a Class A misdemeanor.

If the database indicates that the owner of a motor vehicle has failed to maintain financial responsibility for 2 consecutive months, the designated agent will notify the owner that the department will suspend the owner's registration if the owner does not present proof of insurance within 30 days of the notification. The notice of suspension shall also notify the owner's right to request a hearing. The act also sets forth the periods of suspension (including increased reinstatement fees for repeat violators)(Section 303.409).

The act requires motor vehicle owners to pay an annual fee of one dollar when the person registers or renews the registration of a motor vehicle. These fees shall be deposited in the motorist identification

database fund and shall be used solely for operating the program (Section 303.406).
STEPHEN WITTE

12/30/2010 Prefiled
01/05/2011 Bill Withdrawn (S14)

EFFECTIVE: August 28, 2011

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*** SB 67 *** 0635S.02I

SENATE SPONSOR: Cunningham

SB 67 – This act prohibits school districts from becoming a member of, or retaining membership in, a statewide activities association that prohibits athletic or activity eligibility for a student whose parents maintain residences and physically reside in different school districts, who changes residences to live with either parent for any reason, and who enrolls in a school in a district in which either parent physically resides. In addition, school districts may not become a member of, or retain membership, in a statewide activities association that prohibits athletic or activity eligibility for a student who owns and maintains his or her own residence or otherwise lives alone.
MICHAEL RUFF

01/03/2011 Prefiled
01/05/2011 S First Read--SB 67-Cunningham (S14)
01/20/2011 Second Read and Referred S General Laws Committee (S125)

EFFECTIVE: August 28, 2011

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*** SB 68 *** SCS SB 68 0565S.03T

SENATE SPONSOR: Mayer HOUSE HANDLER: Diehl

SCS/SB 68 - Currently, subpoenas for witnesses issued at the request of a member of the General Assembly are issued under the hand of the President or the Speaker of the House. This act provides that the subpoenas shall be issued under the hand of President Pro tem of the Senate or the Speaker of the House. This act also authorizes the issuance of subpoenas for the production of records.

This act contains an emergency clause.
JIM ERTLE

01/04/2011 Prefiled
01/05/2011 S First Read--SB 68-Mayer (S14)
01/20/2011 Second Read and Referred S Governmental Accountability Committee (S125)
01/26/2011 Hearing Conducted S Governmental Accountability Committee
01/26/2011 SCS Voted Do Pass S Governmental Accountability Committee (0565S.03C)
01/26/2011 Reported from S Governmental Accountability Committee to Floor w/SCS (S148)
01/27/2011 SCS S adopted (S158)
01/27/2011 Perfected (S158)
01/27/2011 Reported Truly Perfected S Rules Committee (S159)
01/31/2011 S Third Read and Passed - EC adopted (S171-172)
01/31/2011 H First Read (H265)
02/01/2011 H Second Read (H273)
02/15/2011 Referred H General Laws Committee (H368)
02/22/2011 Hearing Conducted H General Laws Committee
03/15/2011 Voted Do Pass H General Laws Committee
03/29/2011 Reported Do Pass H General Laws Committee (H754)
03/29/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H754)
03/30/2011 Hearing Conducted H Rules Pursuant Committee
03/30/2011 Voted to return bill to committee of origin
04/13/2011 HCS Voted Do Pass H General Laws Committee
04/13/2011 HCS Reported Do Pass H General Laws Committee (H1260)
04/13/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1260)
04/13/2011 Hearing Conduced H Rules Pursuant Committee
04/13/2011 HCS Voted Do Pass H Rules Pursuant Committee
04/13/2011 HCS Reported Do Pass H Rules Pursuant Committee (H1260)
04/22/2011 HA 1 H offered & adopted (Diehl)--(0565L08.01L) (H1593)
04/22/2011 HCS, as amended, H adopted (H1593)

04/22/2011 H Third Read and Passed - EC defeated (H1593-1595 / S821-1060)
04/28/2011 S refuses to concur in HCS, as amended (S1208)
04/28/2011 S requests H recede & take up and pass bill (S1208 / H1681)
04/28/2011 H recedes on HCS, as amended (H1683-1684)
04/28/2011 H Third Read and Passed (H1683-1684)
04/28/2011 Truly Agreed To and Finally Passed (S1226)

EFFECTIVE: Emergency Clause

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*** SB 69 *** 0677S.01I

SENATE SPONSOR: Schaefer

SB 69 – This act modifies various provisions relating to pornography.

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.

This act is similar to SB 806 (2010).
MEGHAN LUECKE

01/04/2011 Prefiled
01/05/2011 S First Read--SB 69-Schaefer (S14-15)
01/20/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S125)
02/28/2011 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2011

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*** SB 70 *** CCS SS SCS SB 70 0089S.07T

SENATE SPONSOR: Schaefer HOUSE HANDLER: Franz

SS/SCS/SB 70 - This act revises the provisions establishing the Missouri Family Trust and its Board of Trustees, a non-profit organization established for the purpose of administering special needs trusts. Special needs trusts are trusts designed specifically for individuals with disabilities that, if established as prescribed by law, do not affect an individual's eligibility for various public assistance programs such as Medicaid services.

This act revises current law by:

(1) Amending the declaration of policy and intent;
Adding the words "beneficiary", "co-trustee", "Missouri family trust", "remainder beneficiary", and "restricted account" as well as adding to the definitions of "board of trustees", "disability", and "trustees";

(2) Adding a provision that the Board may establish and collect fees for administering trust accounts; and
(3) Repealing sections 402.210 to 402.225 and enacting sections 402.201 to 402.208 in their place.

The new sections break up the establishment of various types of accounts under the Missouri Family Trust into trust accounts, restricted trust accounts and the charitable trust. These accounts are maintained in trust as separate accounts, but may be pooled for purposes of investment and management. SECTION 402.202

TRUST ACCOUNTS

This act also names the two types of trust accounts and prescribes the duties, restrictions, distribution of assets and procedures for such accounts. "First party trust accounts" are accounts to which the assets of a beneficiary are contributed and administered in trust for the benefit of the beneficiary. Either the beneficiary, parent, grandparent or legal guardian of the beneficiary, or a court shall be the settlor of the account. At the death of the beneficiary, the Board shall provide notice that the trust has terminated to each state, in addition to the State of Missouri, of which the Board has knowledge that such state has provided Medicaid services to the individual. This act prescribes the procedures for distributing the assets, including to any of the states with claims on the proceeds. SECTION 402.203

"Third party trust accounts" are accounts to which any person as settlor, except a beneficiary or beneficiary's spouse, may contribute assets in the trust to the Board of Trustees for the benefit of the beneficiary. At the death of the beneficiary, the Board shall determine the principal balance of the account and after payment of expenses of the beneficiary as the Board may authorize and all fees and expenses of the Board, shall distribute to the persons, entities, or organizations designated by the settlor as remainder beneficiaries. SECTION 402.204

Under both first party and third party trusts, the settlor of the account may designate a co-trustee to act together with the Board of Trustees acting in its capacity as trustee. This act revises current law by providing that if the Board determines, in its good faith judgment, that a co-trustee has breached his or her fiduciary duties, then the Board may by written notice to such co-trustee, remove him or her and appoint a successor co-trustee or serve as the sole trustee. SECTIONS 402.203.3 AND 402.204.3

REVOCABLE TRUST ACCOUNT

If authorized by the settlor in the trust documents, the settlor or the co-trustee of a revocable trust account, upon written notice to the board and with the board's consent, may withdraw such part of the trust account as the settlor or co-trustee may determine. There are restrictions as to the amount that may be withdrawn. The settlor and co-trustee under the same conditions may also revoke and terminate the trust account. Upon receipt of such notice of termination or revocation, the board shall promptly determine the principal balance of the trust account and follow the prescribed procedure for distribution of the assets. SECTION 402.205

THE CHARITABLE TRUST ACCOUNT

This act requires the Board to establish a charitable trust account for the benefit of individuals with disabilities. The Board shall accept contributions to the trust at the termination of trust accounts and other contributions from donors. The Board shall determine the amount of income and principal of the charitable trust to be used to provide benefits for individuals with disabilities. Benefits provided shall only be those that do not have a negative effect on the individual's public assistance benefits. SECTION 402.206

RESTRICTED TRUST ACCOUNTS

Any person with the consent of the Board may establish a restricted account within the charitable trust and may determine, with the consent of the Board, the class of individuals eligible to be recipients of funds from the restricted accounts, so long as such individuals meet the definition for disabled under this act. SECTION 402.208

ADRIANE CROUSE

HA 1 - REPEALS A POTENTIAL DOUBLY ENACTED SECTION, SECTION 402.210

HA 2 - ADDS A PROVISIONS REGARDING TRANSPARENCY IN PRIVATE ATTORNEY CONTRACTS

01/04/2011 Prefiled
01/05/2011 S First Read--SB 70-Schaefer (S15)
01/20/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S125)
01/31/2011 Hearing Scheduled But Not Heard S Judiciary and Civil and Criminal Jurisprudence Committee
02/14/2011 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee - Consent
03/09/2011 SCS Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee - (0089S.05C)

03/17/2011 Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor w/SCS (S493)
04/04/2011 Bill Placed on Informal Calendar (S558)
04/05/2011 Taken up for Perfection (S575)
04/05/2011 Bill Placed on Informal Calendar (S575)
04/05/2011 SS for SCS S offered & adopted (Schaefer)--(0089S.06F) (S576)
04/05/2011 Perfected (S576)
04/05/2011 Reported Truly Perfected S Rules Committee (S586)
04/07/2011 S Third Read and Passed (S654-655)
04/07/2011 H First Read (H1175)
04/11/2011 H Second Read (H1184)
04/12/2011 Referred H Judiciary Committee (H1236)
04/20/2011 Hearing Conducted H Judiciary Committee
04/20/2011 Voted Do Pass H Judiciary Committee
04/21/2011 Reported Do Pass H Judiciary Committee (H1429)
04/21/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1429)
05/05/2011 Voted Do Pass H Rules Pursuant Committee
05/05/2011 Reported Do Pass H Rules Pursuant Committee (H2048)
05/11/2011 HA 1 H offered & adopted (Franz)--(0089S06.01L) (H2345-2346)
05/11/2011 HA 2 H offered & adopted (Houghton)--(0089S06.02H) (H2346-2347)
05/11/2011 H Third Read and Passed, as amended (H2347-2348 / S1822-1826)
05/12/2011 Motion to adopt HA 1 withdrawn (S1898)
05/12/2011 S refuses to concur in HA 1 & HA 2 (S1898 / H2457)
05/12/2011 S requests H recede or grant conference (S1898 / H2457)
05/12/2011 H refuses to recede and grants conference (H2458 / S1913)
05/12/2011 S conferees appointed: Schaefer, Brown, Richard, Keaveny, Green (S1914 / H2469)
05/12/2011 H conferees appointed: Franz, Houghton, Gosen, Oxford, Carlson (H2480 / S1925)
05/12/2011 H submits CCR
05/13/2011 CCR S offered & adopted
05/13/2011 CCS S Third Read and Passed
05/13/2011 CCR H adopted
05/13/2011 CCS H Third Read and Passed
05/13/2011 Truly Agreed To and Finally Passed

EFFECTIVE: August 28, 2011

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*** SB 71 *** 0661S.01P

SENATE SPONSOR: Parson

SB 71 - Currently, certain banks, savings institutions, and credit unions are required to file a notice with the Missouri Real Estate Appraisers Commission that includes some of the same information and certifications that real estate appraisal management companies must file. This act eliminates the requirement that these banks, savings institutions, and credit unions file this notice.
EMILY KALMER

HSA 1 FOR HA 1 - THIS AMENDMENT MAKES THE EXECUTIVE DIRECTOR OF THE MISSOURI HOUSING DEVELOPMENT COMMISSION, INCLUDING THE CURRENT EXECUTIVE DIRECTOR, SUBJECT TO THE ADVICE AND CONSENT OF THE SENATE. THE EXECUTIVE DIRECTOR WILL SERVE THREE YEAR TERMS AND BE SUBJECT TO THE ADVICE AND CONSENT OF THE SENATE FOR ANY ADDITIONAL TERM. THE EXECUTIVE DIRECTOR SHALL ONLY IMPLEMENT THOSE POLICIES APPROVED BY THE COMMISSION.

HA1 TO HSA 1- THIS AMENDMENT MAKES THE OPERATING BUDGET OF THE MISSOURI HOUSING DEVELOPMENT COMMISSION SUBJECT TO ANNUAL APPROPRIATION.

HA 2 - THIS AMENDMENT REQUIRES THAT IN ST. LOUIS CITY, ST. LOUIS COUNTY, AND JACKSON COUNTY AT LEAST ONE 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.

THIS AMENDMENT IS SIMILAR TO SB 61 (2011), HB 625 (2011), SB 776 (2010) AND HB 1973 (2010).

01/04/2011 Prefiled

01/05/2011 S First Read--SB 71-Parson (S15)
01/20/2011 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S125)
01/31/2011 Hearing Conducted S Financial and Governmental Organizations and Elections Committee
02/07/2011 Voted Do Pass S Financial and Governmental Organizations and Elections Committee - Consent
02/10/2011 Reported from S Financial and Governmental Organizations and Elections Committee to Floor - Consent (S234)
02/14/2011 Removed S Consent Calendar (S248)
02/17/2011 Reported from S Financial and Governmental Organizations and Elections Committee to Floor (S283)
02/21/2011 Perfected (S291)
02/22/2011 Reported Truly Perfected S Rules Committee (S297)
02/24/2011 S Third Read and Passed (S326)
02/24/2011 H First Read (H458)
02/28/2011 H Second Read (H465)
03/31/2011 Referred H Financial Institutions Committee (H811)
04/06/2011 Hearing Conducted H Financial Institutions Committee
04/07/2011 Voted Do Pass H Financial Institutions Committee - Consent
04/07/2011 Reported Do Pass H Financial Institutions Committee - Consent (H1171)
04/07/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1171)
05/03/2011 Voted Do Pass H Rules Pursuant Committee - NOT CONSENT
05/03/2011 Reported Do Pass H Rules Pursuant Committee - NOT CONSENT (H1794)
05/09/2011 HA 1 H offered (Jones-89)--(0661S01.03H) (H2074)
05/09/2011 HSA for HA 1 H offered (Diehl)--(0661S01.02L) (H2074-2075)
05/09/2011 HA 1 to HSA 1 for HA 1 H offered & adopted (Kelly-24)--(0661S01.01F) (H2075)
05/09/2011 HSA 1 for HA 1, as amended, H adopted (H2075)
05/09/2011 HA 2 H offered & adopted (Nichols)--(0661S01.01L) (H2075-2076)
05/09/2011 H Third Read and Passed, as amended (H2077-2078 / S1530-1533)
05/11/2011 Motion to concur in HSA 1 for HA 1, as amended, S offered & withdrawn (S1751)
05/13/2011 S Calendar S Bills with H Amendments--SB 71-Parson, with HSA 1 for HA 1, as amended & HA 2

EFFECTIVE: August 28, 2011

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*** SB 72 *** 0457S.02I

SENATE SPONSOR: Kraus

SS/SB 72 - Upon voter approval, the Attorney General shall be required to seek appropriate relief to compel the federal government to enforce federal immigration laws. The Attorney General shall also take such action after the passage of the act when he or she determines that the federal government is not enforcing federal immigration laws or when directed by the Governor, the General Assembly, or voters to do so.

CHRIS HOGERTY

01/04/2011 Prefiled
01/05/2011 S First Read--SB 72-Kraus (S15)
01/20/2011 Second Read and Referred S Governmental Accountability Committee (S125)
02/23/2011 Hearing Conducted S Governmental Accountability Committee
03/09/2011 Voted Do Pass S Governmental Accountability Committee
03/10/2011 Reported from S Governmental Accountability Committee to Floor (S435)
04/04/2011 Bill Placed on Informal Calendar (S556)
04/05/2011 SS S offered (Kraus)--(0457S.03F) (S574)
04/05/2011 Bill Placed on Informal Calendar (S574)
05/13/2011 S Informal Calendar S Bills for Perfection--SB 72-Kraus, with SS (pending)

EFFECTIVE: Upon voter approval

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*** SB 73 *** 0490S.02I

SENATE SPONSOR: Kraus

SB 73 - This act requires any fine collected for a motor vehicle violation detected through the use of an automated traffic enforcement system to go to the local school district where the violation occurred. The fines distributed to the school districts shall not be distributed through the school funding formula. Under the act, automated traffic enforcement systems also include automated speed enforcement systems.

STEPHEN WITTE

01/04/2011 Prefiled
01/05/2011 S First Read--SB 73-Kraus (S15)
01/20/2011 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S125)
02/23/2011 Hearing Scheduled S Jobs, Economic Development and Local Government Committee
02/23/2011 Hearing Conducted S Jobs, Economic Development and Local Government Committee

EFFECTIVE: August 28, 2011

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*** SB 74 *** 0643S.01I

SENATE SPONSOR: Kraus

This bill has been combined with SB 7

01/04/2011 Prefiled
01/05/2011 S First Read--SB 74-Kraus (S15)
01/20/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S125)
01/25/2011 Hearing Conducted S Health, Mental Health, Seniors and Families Committee
02/08/2011 Bill Combined (w/SCS SBs 7, 5, 74 & 169)

EFFECTIVE: August 28, 2011

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*** SB 75 *** 0562S.02I

SENATE SPONSOR: Kraus

SB 75 - The act bars political fund-raising activities to be held in buildings owned by the state or political subdivisions.

Statewide elected officials and legislators shall not campaign for other statewide elected officials or legislators or act as a paid political consultant for another statewide elected official or legislator or for a campaign committee, candidate committee, political action committee, or political party committee.

Legislators shall not lobby until two years after leaving office.

Those who offer anything of value to any elected or appointed public official or employee of the state in exchange for an action affecting legislation or rulemaking and those who accept such value in such instances are guilty of a Class D felony.

This act establishes campaign contribution limits for individuals and political party committees. The limits are as follows for contributions made by or accepted from any person other than the candidate in an election:

- $2,000 for Governor, Lieutenant Governor, Secretary of State, Treasurer, Auditor, or Attorney General.
- $1,000 for Senators.
- $500 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.

The limits are as follows for contributions made by or accepted from a political party committee in an election:

- $2,000 for Governor, Lieutenant Governor, Secretary of State, Treasurer, Auditor, or Attorney General.
- $1,000 for Senators.
- $500 for Representatives.
- 10 times the allowable contribution limit for any other office.
- 50% of the amount of the allowable limit in unopposed primaries.

This act is similar to HB 633 (2009), HB 687 (2009), SB 389 (2009), SB 270 (2009), HCS/SS#2/SCS/SB 577 (2010), SB 800 (2010), HCS#2/SB 844 (2010), SB 648 (2010), HB 1322 (2010), HB 1326 (2010), HB 1337 (2010), HB 1727 (2010), HB 1846 (2010), HB 2039 (2010), and HCS/HB 2300 (2010).

CHRIS HOGERTY

01/04/2011 Prefiled
01/05/2011 S First Read--SB 75-Kraus (S15)

01/20/2011 Second Read and Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S125)

EFFECTIVE: August 28, 2011

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*** SB 76 *** 0581L.01I

SENATE SPONSOR: Schaaf

SB 76 - This act prohibits health carriers from denying reimbursement for providing or interpreting diagnostic imaging services based solely on the speciality or professional board certification of a licensed physician.
STEPHEN WITTE

01/05/2011 S First Read--SB 76-Schaaf (S16)
01/20/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S125)

EFFECTIVE: August 28, 2011

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*** SB 77 *** HCS SB 77 0675L.02T

SENATE SPONSOR: Stouffer HOUSE HANDLER: Denison

HCS/SB 77 - Under current law, no outdoor advertising may be erected or maintained within 660 feet of certain federal highway right-of-ways. Directional signs, on premise signs, and outdoor advertising signs located in areas zoned commercial or industrial are exempt from this ban. This act would expand the types of directional signs which may be erected and maintained to include signs pertaining to cultural (including agricultural activities or attractions), scientific, educational, and religious sites (Section 226.520).

This act repeals the Rabbi Abraham Joshua Heschel Memorial Highway designation for a specified portion of Highway 160 in Greene County. In lieu of this designation, the act designates a different portion of U.S. Highway 160 in Green County as the "Rabbi Ernest I. Jacob Memorial Highway" (section 227.410).

This act designates the portion of Interstate 40/64 in St. Louis County from the Boone's Crossing overpass at mile marker 17.0 west to the Spirit of St. Louis Airport overpass at mile marker 13.8 as the "Missouri State Highway Patrol Sergeant Joseph G. Schuengel Memorial Highway" (Section 227.424).

This act designates the portion of Interstate 70 from the eastern city limits of Independence west to the Kansas state line as the "Truman/Eisenhower Presidential Highway." The designation is contingent upon the same designation being made by the State of Kansas of the portion of Interstate 70 in Kansas from the Missouri state line west to Abilene, Kansas. This language is contained in HB 814 (2011)(section 227.425).

This act designates the portion of State Highway 25 in the counties of Dunklin and Stoddard as the "Representative Otto Bean Memorial Highway" (Section 227.429). This portion of the act is identical to HB 895 (2011).

This act designates the portion of State Highway 30 from State Route NN north three miles to 1/10 of a mile southwest of old State Highway 30 in Jefferson County as the "SFC Wm. Brian Woods, Jr. Memorial Highway" (Section 227.430). This portion of the act is identical to HB 912 (2011).
STEPHEN WITTE

01/05/2011 S First Read--SB 77-Stouffer (S16)
01/20/2011 Second Read and Referred S Transportation Committee (S125)
01/26/2011 Hearing Conducted S Transportation Committee
02/16/2011 Voted Do Pass S Transportation Committee - Consent
02/17/2011 Reported from S Transportation Committee to Floor - Consent (S283)
02/21/2011 Removed S Consent Calendar (S292)
02/24/2011 Reported from S Transportation Committee to Floor
02/28/2011 Perfected (S345)
03/01/2011 Reported Truly Perfected S Rules Committee (S362-363)
03/02/2011 S Third Read and Passed (S373-374)
03/02/2011 H First Read (H505)
03/03/2011 H Second Read (H510)
03/31/2011 Referred H Transportation Committee (H811)
04/05/2011 Hearing Conducted H Transportation Committee
04/12/2011 HCS Voted Do Pass H Transportation Committee - Consent
04/13/2011 HCS Reported Do Pass H Transportation Committee - Consent (H1266)

04/13/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1266)
05/09/2011 HCS Voted Do Pass H Rules Pursuant Committee
05/09/2011 HCS Reported Do Pass H Rules Pursuant Committee (H2171)
05/12/2011 HCS H adopted (H2452)
05/12/2011 H Third Read and Passed (H2452-2453 / S1913)
05/13/2011 S concurs in HCS
05/13/2011 S Third Read and Passed
05/13/2011 Truly Agreed To and Finally Passed

EFFECTIVE: August 28, 2011

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*** SB 78 *** 0684L.01I

SENATE SPONSOR: Brown

SB 78 - This act extends the sunset on the military family relief fund income tax check-off from August 28, 2011, to December 31, 2017.
JASON ZAMKUS

01/05/2011 S First Read--SB 78-Brown (S16)
01/20/2011 Second Read and Referred S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee (S125)

EFFECTIVE: August 28, 2011

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*** SB 79 *** 0437S.01I

SENATE SPONSOR: Justus

This bill has been combined with SB 189

01/06/2011 S First Read--SB 79-Justus (S62)
01/20/2011 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S125)
03/02/2011 Hearing Conducted S Jobs, Economic Development and Local Government Committee
03/17/2011 Bill Combined - SCS/SBs 189, 217,246, 252 & 79

EFFECTIVE: August 28, 2011

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*** SB 80 *** 0561S.01I

SENATE SPONSOR: Justus

This bill has been combined with SB 408

01/06/2011 S First Read--SB 80-Justus (S62)
01/20/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S125)
03/29/2011 Hearing Conducted S Health, Mental Health, Seniors and Families Committee
04/12/2011 Bill Combined (w/SCS SBs 408 & 80)

EFFECTIVE: August 28, 2011

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*** SB 81 *** CCS SCS SB 81 0657S.05T

SENATE SPONSOR: Pearce HOUSE HANDLER: Frederick

SCS/SB 81 – Beginning in fiscal year 2013, the Office of Quality Schools within the Department of Elementary and Secondary Education may ensure that each Regional Professional Development Center provide professional development educational assistance for fine arts.

The emphasis for fine arts assistance may include the following: 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 substantially similar to a provision contained in the perfected version of SCS/SB 734 (2010) and is similar to HB 1274 (2010), HB 870 (2009) and SB 854 (2008).
MICHAEL RUFF

01/06/2011 S First Read--SB 81-Pearce (S62)
01/20/2011 Second Read and Referred S Education Committee (S125)
02/16/2011 Hearing Conducted S Education Committee
03/02/2011 SCS Voted Do Pass S Education Committee - Consent - (0657S.02C)
03/03/2011 Reported from S Education Committee to Floor w/SCS - Consent (S388)
03/04/2011 Removed S Consent Calendar (S403)
03/10/2011 Reported from S Education Committee to Floor w/SCS (S435)
04/04/2011 SCS S adopted (S554)
04/04/2011 Perfected (S554)
04/05/2011 Reported Truly Perfected S Rules Committee (S574)
04/07/2011 S Third Read and Passed (S648)
04/07/2011 H First Read (H1175)
04/11/2011 H Second Read (H1184)
04/12/2011 Referred H Elementary and Secondary Education Committee (H1236)
04/20/2011 Hearing Conducted H Elementary and Secondary Education Committee
05/04/2011 Voted Do Pass H Elementary and Secondary Education Committee
05/09/2011 Reported Do Pass H Elementary and Secondary Education Committee (H2170)
05/09/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H2170)
05/09/2011 Voted Do Pass H Rules Pursuant Committee
05/09/2011 Reported Do Pass H Rules Pursuant Committee (H2171)
05/12/2011 HA 1 H offered & adopted (Funderburk)--(0657S02.04H) (H2458-2461)
05/12/2011 HA 2 H offered (Aull)--(0657S02.02H) (H2461)
05/12/2011 HA 1 to HA 2 H offered & adopted (Rowland)--(0657S02.07H) (H2461-2463)
05/12/2011 HA 2, as amended, H adopted (H2463)
05/12/2011 HA 3 H offered (Shumake)--(0657S02.03H) (H2463-2464)
05/12/2011 HA 1 to HA 3 H offered & defeated (Oxford)--(0657S02.01F) (H2464-2466)
05/12/2011 HA 3 H adopted (H2466)
05/12/2011 HA 4 H offered & defeated (Neth)--(0657S02.01H) (H2466-2467)
05/12/2011 H Third Read and Passed, as amended - EC adopted (H2467-2469 / S1914-1920)
05/12/2011 S refuses to concur in HA 1, HA 2, as amended & HA 3 (S1925 / H2527)
05/12/2011 S requests H recede or grant conference (S1925 / H2527)
05/12/2011 H refuses to recede and grants conference (H2533 / S1959)
05/12/2011 H conferees appointed: Frederick, Funderburk, Stream, Carter, Aull (H2534 / S1959)
05/12/2011 S conferees appointed: Pearce, Kehoe, Brown, Callahan, Keaveny (S1960)
05/12/2011 H submits CCR
05/13/2011 CCR S offered & adopted
05/13/2011 CCS S Third Read and Passed
05/13/2011 CCR H adopted
05/13/2011 CCS H Third Read and Passed - EC adopted
05/13/2011 Truly Agreed To and Finally Passed

EFFECTIVE: August 28, 2011

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*** SB 82 *** 0656S.01I

SENATE SPONSOR: Pearce

This bill has been combined with SB 82

01/06/2011 S First Read--SB 82-Pearce (S62)
01/20/2011 Second Read and Referred S Governmental Accountability Committee (S125)
03/16/2011 Hearing Conducted S Governmental Accountability Committee
03/30/2011 Bill Combined (w/SCS SBs 88 & 82)

EFFECTIVE: August 28, 2011

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*** SB 83 *** 0372S.01T

SENATE SPONSOR: Pearce HOUSE HANDLER: Wells

SB 83 - 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 777 (2010) and SB 243 (2009).
STEPHEN WITTE

01/06/2011 S First Read--SB 83-Pearce (S62)
01/20/2011 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S125)
01/31/2011 Hearing Conducted S Financial and Governmental Organizations and Elections Committee
02/07/2011 Voted Do Pass S Financial and Governmental Organizations and Elections Committee - Consent
02/10/2011 Reported from S Financial and Governmental Organizations and Elections Committee to Floor - Consent (S234)
02/14/2011 Removed S Consent Calendar (S248)
02/24/2011 Reported from S Financial and Governmental Organizations and Elections Committee to Floor (S329)
02/28/2011 Perfected (S345)
03/01/2011 Reported Truly Perfected S Rules Committee (S362-363)
03/02/2011 S Third Read and Passed (S374)
03/02/2011 H First Read (H505)
03/03/2011 H Second Read (H510)
03/31/2011 Referred H Financial Institutions Committee (H811)
04/06/2011 Hearing Conducted H Financial Institutions Committee
04/07/2011 Voted Do Pass H Financial Institutions Committee
04/07/2011 Reported Do Pass H Financial Institutions Committee (H1171)
04/07/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1171)
04/27/2011 Voted Do Pass H Rules Pursuant Committee
04/27/2011 Reported Do Pass H Rules Pursuant Committee (H1651)
05/04/2011 H Third Read and Passed (H1842-1843)
05/04/2011 Truly Agreed To and Finally Passed (S1342)

EFFECTIVE: August 28, 2011

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*** SB 84 *** 0488S.01I

SENATE SPONSOR: Wright-Jones

SB 84 - 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), SB 145 (2009), and SB 694 (2010).
CHRIS HOGERTY

01/06/2011 S First Read--SB 84-Wright-Jones (S62-63)
01/20/2011 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S125)
01/24/2011 Hearing Scheduled But Not Heard S Financial and Governmental Organizations and Elections Committee
01/31/2011 Hearing Scheduled But Not Heard S Financial and Governmental Organizations and Elections Committee
02/07/2011 Hearing Conducted S Financial and Governmental Organizations and Elections Committee
02/14/2011 Voted Do Pass S Financial and Governmental Organizations and Elections Committee
04/21/2011 Reported from S Financial and Governmental Organizations and Elections Committee to Floor (S812)
05/13/2011 S Formal Calendar S Bills for Perfection--SB 84-Wright-Jones

EFFECTIVE: August 28, 2011

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*** SB 85 *** 0257S.01I

SENATE SPONSOR: Lembke

SB 85 – This act requires a federal agent serving a warrant issued by a federal court to personally notify the sheriff of the county where the warrant is to be served.
MEGHAN LUECKE

01/06/2011 S First Read--SB 85-Lembke (S63)
01/20/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S125)

EFFECTIVE: August 28, 2011

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*** SB 86 *** 0527S.01I

SENATE SPONSOR: Lembke

SB 86 - This act repeals the certificate of need law and certain statutory references to the law.

This act is identical to SB 90 (2009).
ADRIANE CROUSE

01/06/2011 S First Read--SB 86-Lembke and Schaaf (S63)
01/20/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S125)
02/01/2011 Hearing Cancelled S Health, Mental Health, Seniors and Families Committee
02/08/2011 Hearing Conducted S Health, Mental Health, Seniors and Families Committee
02/22/2011 Voted Do Pass S Health, Mental Health, Seniors and Families Committee

EFFECTIVE: August 28, 2011

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*** SB 87 *** 0710S.01I

SENATE SPONSOR: Parson

SB 87 – Current law exempts peace officers, jailers, members of the military, members of the judiciary, persons executing process, probation and parole officers, federal probation officers, federal flight deck officers, corporate security advisors, coroners, prosecuting attorneys, assistant prosecuting attorneys, circuit attorneys, and assistant circuit attorneys from provisions prohibiting certain uses of a weapon so long as their acts are associated, with or necessary to, their official duties. Such acts include: 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 act removes the requirement that the otherwise unlawful uses of a weapon be reasonably associated with, or necessary to, fulfill a person's official duties in order for such uses to be exempted from the law.
MEGHAN LUECKE

01/06/2011 S First Read--SB 87-Parson (S63)
01/20/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S125)

EFFECTIVE: August 28, 2011

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*** SB 88 *** SCS SBs 88 & 82 0756S.02C

SENATE SPONSOR: Schaaf

SCS/SBs 88 & 82 – 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. In addition, any conveyance or transfer must be done at fair market value.

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 similar to HB 137 (2011), SB 778 (2010) and HB 1494 (2010).
MICHAEL RUFF

01/10/2011 S First Read--SB 88-Schaaf (S67)
01/20/2011 Second Read and Referred S Governmental Accountability Committee (S125)
03/16/2011 Hearing Conducted S Governmental Accountability Committee
03/30/2011 SCS Voted Do Pass (w/SCS SBs 88 & 82) S Governmental Accountability Committee - (0756S.02C)
03/31/2011 Reported from S Governmental Accountability Committee to Floor w/SCS (S541)
04/11/2011 SA 1 to SCS S offered (Lager)--(0756S02.01S) (S676)
04/11/2011 Bill Placed on Informal Calendar (S676)
05/13/2011 S Informal Calendar S Bills for Perfection--SBs 88 & 82-Schaaf, with SCS & SA 1 (pending)

EFFECTIVE: August 28, 2011

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*** SB 89 *** 0526S.01I

SENATE SPONSOR: Lembke

SB 89 – This act abolishes the Office of State Public Defender and the Public Defender Commission. Under this act, each circuit court is required to provide legal services to those determined by the court to be eligible for indigent defense.

Each circuit must establish an indigent defense system. A system may include the use of assigned counsel, contract counsel and public defenders. This act defines assigned counsel as private attorneys appointed by the courts on a case by case basis and contract counsel as attorneys, firms, associations, corporations or partnerships under a contract to provide indigent defense. The circuit court may also hire public defenders.

In circuits with two or fewer judges, the presiding circuit judge determines which types of counsel the court will use. In circuits with more than two judges, a majority of the judges makes that determination.

The presiding circuit judge is authorized to administer the indigent defense system, contract with and employ staff, make expenditures and determine compensation with approval from the state courts administrator, adopt rules, enforce liens and accept funds on behalf of the indigent defense system.

The circuit courts may request disbursements from the legal defense and defender fund and the fund may be used to train the personnel of any indigent defense system and other authorized lawful expenses.
MEGHAN LUECKE

01/10/2011 S First Read--SB 89-Lembke (S67)
01/20/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S125)

EFFECTIVE: August 28, 2011

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*** SB 90 *** HCS SB 90 0752L.02C

SENATE SPONSOR: Dempsey HOUSE HANDLER: Burlison

HCS/SB 90 - This act modifies various provisions regarding health care.

MCHCP AND MEDICARE ELIGIBLE ENROLLEES - Under this act, Missouri Consolidated Health Care Plan participants who are eligible for Medicare benefits and who are not eligible for their state employee health care coverage to be their primary plan of coverage shall be provided substantially similar benefits provided to participants who are not eligible for Medicare benefits. Under current law, a participant in the state employee health care plan who is eligible for Medicare, and whose state employee coverage is not primary, must be provided the same benefits provided to participants who are not eligible for Medicare benefits. This portion of the act is substantially similar to SB 894 (2010)(Section 103.089).

HIGH DEDUCTIBLE PLANS THROUGH MCHCP - Under this act, beginning with the open enrollment period for the 2012 plan year, the high deductible health plan offered by the Missouri Consolidated Health Care Plan shall have monthly subscriber premiums that are materially lower than non-high deductible health plan monthly subscriber premiums with a goal of monthly subscriber premiums being at least 50% lower than non-high deductible health plan premiums. The amount of the annual deductible for the high deductible health plan shall be no greater than 200% of the minimum annual deductible for self-only coverage and family coverage as established by the Internal Revenue Service for the current tax year. The coverage afforded by the high deductible health plan, after the deductible has been met, shall be substantially similar to the coverage provided by the non-high deductible health plan chosen by a plurality of qualified employees. If, after the completion of the open enrollment period for the 2012 plan year, fewer than 10% of Missouri's active state employees have enrolled in a high deductible health plan described in the act, then the board shall offer a more competitive high deductible health plan with increased financial and coverage incentives, including but not limited to alternative annual deductibles, out-of-pocket expenses, and other health plan design features, all within the federal guidelines, with the goal of having 40% of Missouri's active state employees enrolling in a health savings account compatible high deductible health plan by the open enrollment period for the 2015 plan year. This portion of the act is substantially similar to SCS/SB 2 (2011) and SCS/HB 270 (Section 103.080).

BARIATRIC COVERAGE THROUGH THE MCHCP - This act requires the Missouri Consolidated Health Care board to develop a cost-neutral or cost-positive plan for proving bariatric coverage for persons insured under the Missouri Consolidated Health Care Plan no later than January 1, 2013 (section 102.082).

HENRY COUNTY HEALTH CENTER BOARD RULES AND REGULATIONS - This act requires the county commission of Henry County to approve any order, ordinance, rule or regulation made by its county health center board (section 192.300).

FEE CAPPING FOR NON-COVERED DENTAL AND OPTOMETRIC SERVICES - Under the terms of this act, a contract between a health carrier or health benefit plan and a dentist or optometrist cannot require the dentist or optometrist to provide services to an insured at a fee established by the health carrier or respective plan if the services are not covered under the plan (sections 376.1226 and 376.1227). These provisions can also be found in HCS/HB 669 (2011).
STEPHEN WITTE

01/11/2011 S First Read--SB 90-Dempsey (S73)
01/20/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S125)
02/22/2011 Hearing Conducted S Health, Mental Health, Seniors and Families Committee
03/15/2011 Voted Do Pass S Health, Mental Health, Seniors and Families Committee
03/31/2011 Reported from S Health, Mental Health, Seniors and Families Committee to Floor (S540)
04/05/2011 SA 1 S offered & adopted (Ridgeway)--(0752S01.01S) (S577-579)
04/05/2011 Perfected, as amended (S579)
04/05/2011 Reported Truly Perfected S Rules Committee (S586)
04/06/2011 Referred S Ways & Means and Fiscal Oversight Committee (S605)
04/07/2011 Hearing Conducted S Ways and Means and Fiscal Oversight Committee
04/07/2011 Voted Do Pass S Ways & Means and Fiscal Oversight Committee
04/07/2011 Reported from S Ways & Means and Fiscal Oversight Committee to Floor (S643)
04/07/2011 S Third Read and Passed (S654)
04/07/2011 H First Read (H1176)
04/11/2011 H Second Read (H1184)
04/12/2011 Referred H Health Insurance Committee (H1236)
04/19/2011 Hearing Conducted H Health Insurance Committee
04/27/2011 HCS Voted Do Pass Health Insurance Committee
04/27/2011 HCS Reported Do Pass H Health Insurance Committee (H1650)

04/27/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1650)
05/04/2011 HCS Voted Do Pass H Rules Pursuant Committee
05/04/2011 HCS Reported Do Pass H Rules Pursuant Committee (H1858)
05/04/2011 Referred H Fiscal Review Committee (H1857)
05/05/2011 HCS Voted Do Pass H Fiscal Review Committee
05/05/2011 HCS Reported Do Pass H Fiscal Review Committee (H1877)
05/13/2011 H Calendar S Bills for Third Reading w/HCS

EFFECTIVE: August 28, 2011

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*** SB 91 *** 0460S.01I

SENATE SPONSOR: Engler

SB 91 - This act modifies criminal provisions regarding picketing or engaging in other protest activities in front of or about any location at which a funeral is held, or within three hundred feet of or about any location at which a funeral is held. This act specifies that the purpose of these statutes is to protect the privacy of grieving families. The act also eliminates restrictions on protesting at funeral processions and specifies that the protest activity must be disruptive or undertaken to disrupt or disturb the funeral.
EMILY KALMER

01/11/2011 S First Read--SB 91-Engler (S73)
01/20/2011 Second Read and Referred S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee (S126)

EFFECTIVE: August 28, 2011

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*** SB 92 *** 0758S.01I

SENATE SPONSOR: Schaaf

SCS/SB 92 - Under current law, the Director of the Department of Insurance, after consultation with health care providers, their licensing boards, and various health insurers (accident and health, HMOs, and health service corporations) is to prescribe a uniform claim form for reporting by health care providers. This act removes the respective health insurers from the consultation process. The act also requires the director, after consultation with health insurers and a public hearing, to establish by rule uniform insurance application forms to be used by all insurers for group health insurance policies.
STEPHEN WITTE

01/11/2011 S First Read--SB 92-Schaaf (S73)
01/20/2011 Second Read and Referred S Small Business, Insurance and Industry Committee (S126)
02/15/2011 Hearing Conducted S Small Business, Insurance and Industry Committee
02/22/2011 SCS Voted Do Pass S Small Business, Insurance and Industry Committee - (0758S.02C)

EFFECTIVE: August 28, 2011

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*** SB 93 *** 0676S.02I

SENATE SPONSOR: Kraus

SB 93 - All fees that new businesses are required to pay the Secretary of State to begin operating shall be waived for the first year of operation as long as the new business employs at least 10 employees.

Political subdivisions shall not take more than 60 days to issue business permits, licenses, or other certification required for businesses to begin operating. If at the end of that period, the political subdivision determines that the business has not adhered to the requirements for the respective issuance, the political subdivision shall notify the applying entity in writing explaining the deficiency.
CHRIS HOGERTY

01/11/2011 S First Read--SB 93-Kraus (S73)
01/20/2011 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S126)
03/08/2011 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee

EFFECTIVE: August 28, 2011

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*** SB 94 *** 0653S.01I

SENATE SPONSOR: Munzlinger

SB 94 - This act adds businesses seeking to make energy improvements as an additional eligible recipient of the low-interest loans available through the State Treasurer's linked deposit loan program. The act directs the Environmental Improvement and Energy Resources Authority (EIERA) to carry out some of the administrative duties, in cooperation with the State Treasurer's office, which include processing applications and determining participant eligibility. The act lists several criteria the EIERA must use in determining eligibility, including economic conditions of the project area and potential energy savings to be gained by the project. Loans are limited to $200,000 per project.

The act also directs the EIERA to administer an interest buy-down program, where it makes interest payments amounting to the difference between the going interest rate and 3% for loans made to businesses for energy improvements. Participants in the interest buy-down program must meet the same criteria as for participation in the linked deposit loan program, however, no participant can receive both the interest buy-down and a reduced-rate loan for the same project. The maximum interest buy-down per project is $30,000.

Energy audits are required to determine participant eligibility for both of the programs in the act.
ERIKA JAQUES

01/12/2011 S First Read--SB 94-Munzlinger (S78)
01/20/2011 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S126)
01/26/2011 Hearing Scheduled But Not Heard S Jobs, Economic Development and Local Government Committee
02/23/2011 Hearing Scheduled S Jobs, Economic Development and Local Government Committee
02/23/2011 Hearing Conducted S Jobs, Economic Development and Local Government Committee

EFFECTIVE: August 28, 2011

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*** SB 95 *** 0672S.03I

SENATE SPONSOR: Munzlinger

This bill has been combined with SB 113

01/12/2011 S First Read--SB 95-Munzlinger (S79)
01/20/2011 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S126)
01/26/2011 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee
01/27/2011 Bill Combined w/(SCS SBs 113 & 95)

EFFECTIVE: August 28, 2011

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*** SB 96 *** HCS#2 SB 96 0487L.06T

SENATE SPONSOR: Engler HOUSE HANDLER: Fitzwater

HCS#2/SB 96 - This act authorizes the governor to convey state property located in the city of Farmington to St. Francois County and to Habitat for Humanity of St. Francois County, Inc.

In addition, the Governor is authorized to convey property located at the following correctional centers: the Algoa and Central Missouri correctional centers in Jefferson City; the Boonville Correctional Center; the Western Reception and Diagnostic Correctional Center in St. Joseph; the Farmington Correctional Center; the Fulton Reception and Diagnostic Correctional Center; the Maryville Treatment Center; the Eastern Reception Diagnostic Correctional Center in Bonne Terre; the Missouri Eastern Correctional Center in Pacific; South Central Correctional Center in Licking; the Potosi Correctional Center; the Chillicothe Correctional Center; the Tipton Correctional Center; the Women's Eastern Reception and Diagnostic Correctional Center in Vandalia; the Moberly Correctional Center; and the St. Francois Correctional Facility.

Also, the board of regents of Southeast Missouri State University is authorized to convey property located in Cape Girardeau to the Cape Area Habitat for Humanity.

This act authorizes the governor to convey the following: a permanent sidewalk easement over, on, and under property located at the Adrians Island in Cole County to Jefferson City; a permanent levee easement

over, on, and under property located at the Church Farm in Cole County to the Cole Junction Levee District; a permanent pipeline easement over, on, and under property located at the Moberly Correctional Center to the Panhandle Eastern Pipeline Company; property located at the South East Missouri Mental Health Center in Farmington; property located at the National Guard site in Centertown; and a permanent drainage easement over, on, and under property located at the Department of Mental Health Regional Office and the State School for the Severely Disabled in Joplin.

This act contains an emergency clause.
MEGHAN LUECKE

01/12/2011 S First Read--SB 96-Engler (S79)
01/20/2011 Second Read and Referred S Governmental Accountability Committee (S126)
02/02/2011 Hearing Cancelled S Governmental Accountability Committee
02/09/2011 Hearing Conducted S Governmental Accountability Committee
02/16/2011 Voted Do Pass S Governmental Accountability Committee - Consent
02/17/2011 Reported from S Governmental Accountability Committee to Floor - Consent (S284)
03/31/2011 S Third Read and Passed - Consent (S539)
03/31/2011 H First Read (H817)
04/01/2011 H Second Read (H823)
04/04/2011 Referred H Local Government Committee (H839)
04/13/2011 Hearing Conducted H Local Government Committee
04/13/2011 HCS Voted Do Pass H Local Government Committee - Consent
04/13/2011 HCS Reported Do Pass H Local Government Committee - Consent (H1266)
04/13/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1266)
04/20/2011 HCS Returned to Committee of origin (H1418)
04/21/2011 HCS#2 Voted Do Pass H Local Government Committee
04/21/2011 HCS#2 Reported Do Pass H Local Government Committee (H1428)
04/21/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1428)
04/27/2011 Voted Do Pass H Rules Pursuant Committee
04/27/2011 Reported Do Pass H Rules Pursuant Committee (H1651)
05/04/2011 HCS#2 H adopted (H1843)
05/04/2011 H Third Read and Passed - EC adopted (H1843-1844 / S1343)
05/04/2011 EC adopted (H1856-1857 / S1343)
05/05/2011 S concurs in HCS#2 (S1348-1349)
05/05/2011 S Third Read and Passed - EC adopted (S1349)
05/05/2011 Truly Agreed To and Finally Passed (H1943)

EFFECTIVE: Emergency Clause

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*** SB 97 *** HCS#2 SB 97 0810L.06T

SENATE SPONSOR: Engler HOUSE HANDLER: Fitzwater

HCS#2/SB 97 - This act authorizes the Governor to convey certain state property located at the South East Missouri Mental Health Center to the city of Farmington and the Missouri Highways and Transportation Commission.

The board of regents of Southeast Missouri State University is authorized to convey property located in Cape Girardeau to the Cape Area Habitat for Humanity.
MEGHAN LUECKE

01/12/2011 S First Read--SB 97-Engler (S79)
01/20/2011 Second Read and Referred S Governmental Accountability Committee (S126)
02/02/2011 Hearing Cancelled S Governmental Accountability Committee
02/09/2011 Hearing Conducted S Governmental Accountability Committee
02/16/2011 Voted Do Pass S Governmental Accountability Committee - Consent
02/17/2011 Reported from S Governmental Accountability Committee to Floor - Consent (S283-284)
03/31/2011 S Third Read and Passed - Consent (S539)
03/31/2011 H First Read (H817)
04/01/2011 H Second Read (H823)
04/04/2011 Referred H Local Government Committee (H839)
04/13/2011 Hearing Conducted H Local Government Committee
04/13/2011 HCS Voted Do Pass H Local Government Committee - Consent
04/13/2011 HCS Reported Do Pass H Local Government Committee - Consent (H1266)
04/13/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1266)

04/20/2011 HCS Returned to Committee of origin (H1418)
04/21/2011 HCS#2 Voted Do Pass H Local Government Committee
04/21/2011 HCS#2 Reported Do Pass H Local Government Committee (H1428)
04/21/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1428)
05/03/2011 HCS#2 Voted Do Pass H Rules Pursuant Committee
05/03/2011 HCS#2 Reported Do Pass H Rules Pursuant Committee (H1794)
05/09/2011 HA 1 to HCS#2 H offered & adopted (Riddle)--(0810L06.01H) (H2079-2080)
05/09/2011 HCS#2, as amended, H adopted (H2080)
05/09/2011 H Third Read and Passed (H2080-2081 / S1533-1534)
05/12/2011 S concurs in HCS#2, as amended (S1967)
05/12/2011 S Third Read and Passed (S1967-1968)
05/12/2011 Truly Agreed To and Finally Passed

EFFECTIVE: August 28, 2011

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*** SB 98 *** 0760S.02I

SENATE SPONSOR: Schaaf

SB 98 - This act prohibits any agreement between a health carrier and a participating licensed health care provider from containing a provision which:

(1) Prohibits a provider from contracting with another health carrier to provide health care services at a lower price than the payment specified in the agreement;

(2) Requires the provider to accept a lower reimbursement from the carrier in the event the provider agrees to provide health care services to another health carrier at a lower price;

(3) Requires or allows the health carrier to terminate or renegotiate an existing agreement if the participating provider agrees to provide health care services to another health carrier at a lower price; or

(4) Requires the participating provider to disclose his or her reimbursement rates with other health providers.

A violation of any of these provisions will make an agreement void and unenforceable.
STEPHEN WITTE

01/12/2011 S First Read--SB 98-Schaaf (S79)
01/20/2011 Second Read and Referred S Small Business, Insurance and Industry Committee (S126)
04/12/2011 Hearing Conducted S Small Business, Insurance and Industry Committee

EFFECTIVE: August 28, 2011

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*** SB 99 *** 0648S.04I

SENATE SPONSOR: Chappelle-Nadal

SCS/SB 99 – This act modifies provisions relating to elementary and secondary education.

SUPERINTENDENT EVALUATIONS: By June 30, 2012, the Department of Elementary and Secondary Education must develop an evaluation instrument to be provided to school districts to evaluate superintendent performance. (Section 161.380)

CHANGES IN SCHOOL DISTRICT COMPOSITION & MSIP REVIEW: When school districts consolidate, the Department of Elementary and Secondary Education must grant the new district a waiver from Missouri School Improvement Program review for three years. When a district undergoes an annexation or has a boundary line change that results in an increase in the number of enrolled pupils by ten percent, the Department of Elementary and Secondary Education must grant the district a waiver from Missouri School Improvement Program review for three years. (Section 162.1115)

REDUCTION IN FORCE: Current law allows the board of education of a school district to reduce the number of teachers in a school district under certain circumstances. This act requires a school board, when utilizing reduction in force, to reduce administrative costs by a percent equal to the percent by which the amount of funds spent on teacher compensation was reduced. (Sections 168.124 & 168.221)

SUPERINTENDENT COMPENSATION REDUCTION: A school board may reduce the compensation of its

superintendent of schools based on a comparison of student performance of non-district Missouri students possessing similar characteristics, as described in the act, and a finding that the district's students have underperformed as compared. This provision only applies to unaccredited or provisionally accredited school districts or districts that, for any three years, have obtained a score on their annual performance review consistent with a classification of unaccredited or provisionally accredited.

A reduction in compensation may only occur for a superintendent after the board has employed him or her for four consecutive years. (Sections 168.211, 168.214)

SCHOOL PERSONNEL COMPENSATION: This act places limits on the amount of compensation a board of education may provide to certain school district personnel. A superintendent, assistant superintendent, administrator, or central office personnel may not receive a total compensation package, as described in the act, that exceeds the amount of the district's total average salary for tenured teachers by two and one-half times. In addition, the average administrator salary must not exceed twice the amount of the district's average salary for tenured teachers. Any district that violates these limitations will have an amount equal to one percent of school funding provided through the foundation formula withheld. (Sections 168.107 & 168.223)

This act is similar to provisions contained in SCS/HB 738 (2011).
MICHAEL RUFF

01/12/2011 S First Read--SB 99-Chappelle-Nadal (S79)
01/20/2011 Second Read and Referred S Education Committee (S126)
03/30/2011 Hearing Conducted S Education Committee
04/13/2011 SCS Voted Do Pass S Education Committee - (0648S.05C)

EFFECTIVE: August 28, 2011

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*** SB 100 *** HCS#2 SCS SB 100 0725L.06C

SENATE SPONSOR: Stouffer HOUSE HANDLER: Zerr

SCS/SB 100 - 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 also extends the sunset on the residential treatment agency tax credit from August 28, 2012, to August 28, 2015.

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 four years after the effective date of the act unless reauthorized.

This act is similar to Senate Bill 608 (2010) and contains provisions similar to those in Senate Bill 71 (2009) and Senate Bill 1274 (2008).
JASON ZAMKUS

01/12/2011 S First Read--SB 100-Stouffer (S79)
01/20/2011 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S126)
02/17/2011 Hearing Conducted S Ways and Means and Fiscal Oversight Committee
03/17/2011 SCS Voted Do Pass S Ways and Means and Fiscal Oversight Committee - (0725S.02C)
03/31/2011 Reported from S Ways and Means and Fiscal Oversight Committee to Floor w/SCS (S540)
04/06/2011 Bill Placed on Informal Calendar (S604)
04/06/2011 SA 1 to SCS S offered & adopted (Stouffer)--(0725S02.02S) (S606)
04/06/2011 SCS, as amended, S adopted (S606)
04/06/2011 Perfected (S606)
04/06/2011 Reported Truly Perfected S Rules Committee (S633)
04/06/2011 Referred S Ways & Means and Fiscal Oversight Committee (S637)
04/14/2011 Hearing Conducted S Ways and Means and Fiscal Oversight Committee
04/14/2011 Voted Do Pass S Ways & Means and Fiscal Oversight Committee
04/14/2011 Reported from S Ways & Means and Fiscal Oversight Committee to Floor (S721)
04/14/2011 S Third Read and Passed (S722-723)

04/14/2011 H First Read (H1296)
04/18/2011 H Second Read (H1304)
04/19/2011 Referred H Economic Development Committee
04/26/2011 Hearing Conducted H Economic Development Committee
05/05/2011 HCS Voted Do Pass H Economic Development Committee
05/05/2011 HCS Reported Do Pass H Economic Development Committee (H2047)
05/05/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H2047)
05/05/2011 HCS Voted to Return to Committee of Origin H Rules Pursuant Committee
05/05/2011 Bill Returned to Committee of Origin (H2048)
05/11/2011 Hearing Conducted H Economic Development Committee
05/11/2011 HCS#2 Voted Do Pass H Economic Development Committee
05/11/2011 HCS#2 Reported Do Pass H Economic Development Committee (H2436)
05/11/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H2436)
05/11/2011 HCS#2 Voted Do Pass H Rules Pursuant Committee
05/11/2011 HCS#2 Reported Do Pass H Rules Pursuant Committee (H2436)
05/11/2011 Referred H Fiscal Review Committee (H2436)
05/12/2011 HCS#2 Voted Do Pass H Fiscal Review Committee
05/12/2011 HCS#2 Reported Do Pass H Fiscal Review Committee (H2443)
05/13/2011 HA 1 to HCS#2 H offered & adopted (Diehl)--(0725L06.21H)
05/13/2011 HA 2 to HCS#2 H offered (Talboy)--(0725L06.28H)
05/13/2011 HA 1 to HA 2 to HCS#2 H offered & withdrawn (Webber)--(0725L06.26H)
05/13/2011 HA 2 to HA 2 to HCS#2 H offered & adopted (Diehl)--(0725L06.29H)
05/13/2011 HA 2 to HCS#2, as amended, H adopted
05/13/2011 HCS#2, as amended, H adopted
05/13/2011 H Third Read and Passed - EC adopted

EFFECTIVE: August 28, 2011

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*** SB 101 *** 0733S.01T

SENATE SPONSOR: Parson HOUSE HANDLER: Nance

SB 101 - Under the act, contractors who perform roof or other residential exterior work are prohibited from offering to pay, in any monetary form, a homeowner's insurance deductible as an incentive to encourage the homeowner to hire the contractor.

When a holder of property and casualty insurance enters into a contract for home exterior work but is notified by the insurer that part or all of the work under contract will not be covered by the policy, the act allows the insurance holder to cancel the work contract within 5 business days of receiving the notification. The act provides procedures for how the insurance holder may cancel the contract. The act requires that certain notices regarding cancellation be included by home exterior contractors in their contracts. If a contract is cancelled, home exterior contractors must refund any payments or deposits made by an insurance holder within 10 days, except when the contractor performed agreed-upon necessary emergency services, in which case, the contractor is entitled to payment for services rendered.

Home exterior contractors may not represent or negotiate on behalf of any insurance holder regarding insurance claims for the related home exterior work.

Violations of the act by home exterior contractors shall be considered an unlawful merchandising practice and may be prosecuted as such.
ERIKA JAQUES

01/12/2011 S First Read--SB 101-Parson (S79)
01/20/2011 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S126)
02/08/2011 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee
02/15/2011 Voted Do Pass (w/SCA 1) S Commerce, Consumer Protection, Energy and the Environment Committee (0733S01.01S)
02/24/2011 Reported from S Commerce, Consumer Protection, Energy and the Environment Committee to Floor w/SCA 1 (S329-330)
02/28/2011 Bill Placed on Informal Calendar (S345)
03/01/2011 SCA 1 S adopted (S361)
03/01/2011 Perfected, as amended (S361)
03/01/2011 Reported Truly Perfected S Rules Committee (S366)

03/02/2011 S Third Read and Passed (S376)
03/02/2011 H First Read (H505)
03/03/2011 H Second Read (H510)
03/31/2011 Referred H Insurance Policy Committee (H811)
04/05/2011 Hearing Conducted H Insurance Policy Committee
04/04/2011 Voted Do Pass H Insurance Policy Committee
04/05/2011 Reported Do Pass H Insurance Policy Committee
04/05/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H907)
04/20/2011 Voted Do Pass H Rules Pursuant Committee
04/20/2011 Reported Do Pass H Rules Pursuant Committee (H1419)
05/03/2011 H Third Read and Passed (H1788-1789)
05/03/2011 Truly Agreed To and Finally Passed (S1302)

EFFECTIVE: August 28, 2011

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*** SB 102 *** 0530S.01I

SENATE SPONSOR: Green

SCS/SB 102 – Current law provides that a child between fourteen and sixteen years of age may be employed with a work certificate. This act specifies that a work certificate will permit the employment of a child fourteen or fifteen years of age.

A work certificate will not be required for a child fifteen years of age to work from June 1 to Labor Day. However, a child must obtain written permission from his or her parent and provide this to the employer, who must keep it on file.
MICHAEL RUFF

01/12/2011 S First Read--SB 102-Green (S79)
01/20/2011 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S126)
02/08/2011 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee
03/01/2011 SCS Voted Do Pass S Commerce, Consumer Protection, Energy and the Environment Committee (0530S.03C)

EFFECTIVE: August 28, 2011

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*** SB 103 *** 0455S.01I

SENATE SPONSOR: Green

SB 103 - 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.

This act is identical to SB 610 (2010).
CHRIS HOGERTY

01/12/2011 S First Read--SB 103-Green (S79)
01/20/2011 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S126)
02/08/2011 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee
02/15/2011 Voted Do Pass S Commerce, Consumer Protection, Energy and the Environment Committee

EFFECTIVE: August 28, 2011

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*** SB 104 *** 0442S.01I

SENATE SPONSOR: Green

SB 104 - 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 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. Fees and damages for violations of this act go to the Crane Safety Enforcement Fund.

This act is similar to SB 764 (2010).
EMILY KALMER

01/12/2011 S First Read--SB 104-Green (S79)
01/20/2011 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S126)

EFFECTIVE: August 28, 2011

*** SB 105 *** 0456S.01I

SENATE SPONSOR: Green

SB 105 - 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, 2012.

This act is similar to SB 859 (2006), SB 37 (2007), SB 1251 (2008), SB 523 (2009), SB 21 (2009), and SB 651 (2010).
CHRIS HOGERTY

01/12/2011 S First Read--SB 105-Green, et al (S79)
01/20/2011 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S126)
01/24/2011 Hearing Conducted S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: January 1, 2012

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*** SB 106 *** 0504S.01I

SENATE SPONSOR: Green

This bill has been combined with SB 26

01/12/2011 S First Read--SB 106-Green (S79)
01/20/2011 Second Read and Referred S Transportation Committee (S126)
01/26/2011 Hearing Conducted S Transportation Committee
03/30/2011 Bill Combined (w/SCS SBs 26 & 106)

EFFECTIVE: August 28, 2011

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*** SB 107 *** 0503S.01I

SENATE SPONSOR: Green

SB 107 - 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.

This act is virtually identical to SB 762 (2010).
STEPHEN WITTE

01/12/2011 S First Read--SB 107-Green (S80)
01/20/2011 Second Read and Referred S Transportation Committee (S126)

EFFECTIVE: Emergency Clause

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*** SB 108 *** SCS SB 108 0204S.05T

SENATE SPONSOR: Schmitt HOUSE HANDLER: Diehl

SCS/SB 108 – Currently, provisions of law concerning the installation of fire sprinklers in certain home dwellings are set to expire on December 31, 2011. This act changes the expiration date to December 31, 2019.

Current law applies the fire sprinkler installation provisions to single-family dwellings or residences or multi-unit dwellings of four or fewer units. This act changes the terminology to one- or two-family dwellings or townhouses. The act further provides that if a political subdivision adopts certain codes for one- or two-family dwellings that do not mandate automatic fire sprinkler systems, the political subdivision shall retain language from a previous version of such code that requires certain wall thickness to prevent fires for two-family dwellings and townhouses.

The act also removes a doubly enacted section regarding this provision.
MEGHAN LUECKE

01/12/2011 S First Read--SB 108-Schmitt, et al (S80)
01/20/2011 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S126)

02/02/2011 Hearing Cancelled S Jobs, Economic Development and Local Government Committee
02/09/2011 Hearing Conducted S Jobs, Economic Development and Local Government Committee
02/15/2011 SCS Voted Do Pass S Jobs, Economic Development and Local Government Committee (0204S.05C)
02/15/2011 Reported from S Jobs, Economic Development and Local Government Committee to Floor w/SCS (S259)
02/16/2011 SCS S adopted (S266)
02/16/2011 Perfected (S266)
02/17/2011 Reported Truly Perfected S Rules Committee (S284)
02/24/2011 S Third Read and Passed (S325)
02/24/2011 H First Read (H458)
02/28/2011 H Second Read (H465)
03/03/2011 Referred H General Laws Committee (H521)
03/08/2011 Hearing Conducted H General Laws Committee
03/15/2011 Voted Do Pass H General Laws Committee
03/28/2011 Reported Do Pass H General Laws Committee (H722)
03/28/2011 Referred to Rules Committee pursuant to Rule 25(32)(f)
04/04/2011 Voted Do Pass H Rules Pursuant Committee
04/04/2011 Reported Do Pass H Rules Pursuant Committee (H839)
04/06/2011 H Third Read and Passed (H916-917)
04/06/2011 Truly Agreed To and Finally Passed (H917 / S636)
04/18/2011 Reported Duly Enrolled S Rules Committee (S747)
04/18/2011 Signed by Senate President (S750)
04/18/2011 Signed by House Speaker (H1304)
04/18/2011 Delivered to Governor (S752-753)
04/29/2011 Signed by Governor (S1224)

EFFECTIVE: August 28, 2011

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*** SB 109 *** 0241S.02I

SENATE SPONSOR: Crowell

SB 109 - Upon voter approval, employers are barred from requiring employees to become or refrain from becoming a member of a labor organization or pay dues or other charges required of labor organization members as a condition of employment. Employers who do so commit a class C misdemeanor. Prosecuting attorneys and the Attorney General are charged with investigating complaints.

This act is similar to HB 877 (2005), and SB 888 (2010).
CHRIS HOGERTY

01/13/2011 S First Read--SB 109-Crowell (S91)
01/20/2011 Second Read and Referred S General Laws Committee (S126)
02/08/2011 Hearing Cancelled S General Laws Committee

EFFECTIVE: Upon Voter Approval

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*** SB 110 *** 0150S.02I

SENATE SPONSOR: Crowell

SB 110 - Upon voter approval, this act prevents the Missouri minimum wage from exceeding the federal minimum wage.

This act is similar to SB 889 (2010).
CHRIS HOGERTY

01/13/2011 S First Read--SB 110-Crowell (S91)
01/20/2011 Second Read and Referred S Small Business, Insurance and Industry Committee (S126)
02/22/2011 Hearing Conducted S Small Business, Insurance and Industry Committee

EFFECTIVE: August 28, 2011

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*** SB 111 *** 0893S.01I

SENATE SPONSOR: Schaaf

SB 111 - Under this act, each health carrier shall provide each contracted provider with access to the health carrier's standard fee schedule, specific to the provider's geographic area, through a secure website. Such fee schedule shall reflect the current payment rates for all goods and services pertinent to the provider's practice or business, defined by procedure codes, diagnosis related groups, or defined by another payment mechanism, and all contracted providers in such geographic area shall be paid for the goods and services provided at such rates, unless different rates have been specifically agreed upon contractually with an individual provider. In no case shall the standard fee schedule include a rate for a specific good or service that is less than the lowest rate individually contracted for by the providers of such good or service in the applicable geographic area if all the providers in such area have individually contracted to be paid at different rates for such good or service.

Under the act, no health carrier shall refuse to contract with any Missouri provider who is located within the geographic coverage area of a health benefit plan and who is willing to meet the terms and conditions for provider participation established for such health benefit plan if the provider is willing, as a term of such contract, to be paid at rates equal to 99% of the standard rates established pursuant to this act.
STEPHEN WITTE

01/13/2011 S First Read--SB 111-Schaaf (S91)
01/20/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S126)
03/01/2011 Hearing to be Continued S Health, Mental Health, Seniors and Families Committee
03/08/2011 Hearing Conducted S Health, Mental Health, Seniors and Families Committee
03/10/2011 Voted Do Pass S Health, Mental Health, Seniors and Families Committee

EFFECTIVE: August 28, 2011

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*** SB 112 *** 0840S.01I

SENATE SPONSOR: Kraus

SB 112 - This act provides immunity from any civil or criminal liability to any person who reports a case of suspected child abuse, neglect or assault to the proper authorities of a medical institution, school facility, or public or private agency. Such immunity shall be from any action taken by any of the above listed entities as a result of notification of suspected abuse.

This act is identical to HB 532 (2009).
ADRIANE CROUSE

01/13/2011 S First Read--SB 112-Kraus (S91)
01/20/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S126)

EFFECTIVE: August 28, 2011

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*** SB 113 *** SS SCS SBs 113 & 95 0178S.11T

SENATE SPONSOR: Parson HOUSE HANDLER: Loehner

SS/SCS/SBs 113 & 95 - This act modifies provisions of the Animal Care Facilities Act (ACFA) and the Puppy Mill Cruelty Prevention Act.

Currently under the ACFA, the maximum fee for obtaining a license to operate certain dog facilities is $500 per year. The act increases this maximum to $2,500 per year. The act additionally requires a licensee to pay a $25 fee each year to be used by the Department of Agriculture for Operation Bark Alert.

The act changes the name of the Puppy Mill Cruelty Prevention Act to the Canine Cruelty Prevention Act and modifies many of the act's definitions. Anyone subject to the Canine Cruelty Prevention Act must retain all veterinary and sales records for the most recent previous 2 years and make the records available upon request.

Current law prohibits anyone from having more than 50 dogs when the purpose is to breed them and sell the resulting puppies. The act removes this prohibition.

The act removes the current criminal penalty provision under the the Puppy Mill Cruelty Prevention Act and adds new penalty and enforcement provisions to the ACFA and the Canine Cruelty Prevention Act. Where the state veterinarian or an animal welfare official finds that past violations of the ACFA or Canine Cruelty Prevention Act have not been corrected, the director of the Department of Agriculture may refer such cases to

the Attorney General or a local prosecutor who may bring an action seeking a restraining order, injunction, or a remedial order to correct the violations. The court may assess a civil penalty of up to $1,000 per violation. Additionally, the act creates the crime of canine cruelty, a Class C misdemeanor, which occurs when someone repeatedly violates the ACFA or Canine Cruelty Prevention Act in such a manner that poses a substantial risk to the health and welfare of animals in the person's custody or when someone violates an agreed-to remedial order involving the safety and welfare of the animals. A second or subsequent offense is a Class A misdemeanor.

The act makes it a Class A misdemeanor for anyone required to have a license under the ACFA to keep his or her animals in stacked cages where there is no impervious layer between the cages, except if cleaning the cages.

The act contains an emergency clause.
ERIKA JAQUES

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| 01/13/2011 | S First Read--SB 113-Parson and Engler (S91) |
| 01/20/2011 | Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S126) |
| 01/26/2011 | Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee |
| 01/27/2011 | SCS Voted Do Pass (w/SCS SBs 113 & 95) S Agriculture, Food Production and Outdoor Resources Committee (0178S.08C) |
| 02/10/2011 | Reported from S Agriculture, Food Production and Outdoor Resources Committee to Floor w/SCS (S234) |
| 02/16/2011 | Bill Placed on Informal Calendar (S266) |
| 03/08/2011 | SS for SCS S offered (Parson)--(0178S.11F) (S411) |
| 03/08/2011 | SA 1 to SS for SCS S offered (Justus)--(0178S11.04S) (S411) |
| 03/08/2011 | SA 1 to SA 1 to SS for SCS S offered & defeated (Justus)--(0178S11.01F) (S411-412) |
| 03/08/2011 | SA 1 to SS for SCS S defeated (S412) |
| 03/08/2011 | SS for SCS S adopted (S412) |
| 03/08/2011 | Perfected (S412) |
| 03/09/2011 | Reported Truly Perfected S Rules Committee (S418) |
| 03/09/2011 | Referred S Ways & Means and Fiscal Oversight Committee (S418) |
| 03/10/2011 | Hearing Conducted S Ways and Means and Fiscal Oversight Committee |
| 03/10/2011 | Voted Do Pass S Ways & Means and Fiscal Oversight Committee |
| 03/10/2011 | Reported from S Ways & Means and Fiscal Oversight Committee to Floor (S426) |
| 03/10/2011 | S Third Read and Passed - EC defeated (S431-432) |
| 03/10/2011 | H First Read (H593) |
| 03/14/2011 | H Second Read (H602) |
| 03/14/2011 | Referred H Agriculture Policy Committee (H606) |
| 03/29/2011 | Hearing Conducted H Agriculture Policy Committee |
| 04/05/2011 | Voted Do Pass H Agriculture Policy Committee |
| 04/05/2011 | Reported Do Pass H Agriculture Policy Committee |
| 04/05/2011 | Referred to Rules Committee pursuant to Rule 25(32)(f) (H907) |
| 04/11/2011 | Hearing Conducted H Rules Pursuant Committee |
| 04/11/2011 | Voted Do Pass H Rules Pursuant Committee |
| 04/11/2011 | Reported Do Pass H Rules Pursuant Committee (H1206) |
| 04/13/2011 | HA 1 H offered & defeated (Sifton)--(0178S11.05H) (H1248-1249) |
| 04/13/2011 | HA 2 H offered & Ruled out of order (Schupp)--(0178S11.03H) (H1249) |
| 04/13/2011 | HA 3 H offered & defeated (McNeil)--(0178S11.08H) (H1249-1250) |
| 04/13/2011 | HA 4 H offered & defeated (McGeoghegan)--(0178S11.10H) (H1250) |
| 04/13/2011 | H Third Read and Passed (H1250-1251) |
| 04/13/2011 | Truly Agreed To and Finally Passed (S717) |
| 04/18/2011 | Reported Duly Enrolled S Rules Committee (S747) |
| 04/18/2011 | Signed by Senate President (S750) |
| 04/18/2011 | Signed by House Speaker (H1304) |
| 04/18/2011 | Delivered to Governor (S752-753) |
| 04/27/2011 | Signed by Governor |

EFFECTIVE: August 28, 2011

*** SB 114 *** 0276S.01I

SENATE SPONSOR: Justus

SB 114 – 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, 2011, or upon the Governor's signature, whichever occurs later.

This act is identical to SB 783 (2010) and is substantially similar to SB 331 (2009) and similar to SB 1109 (2004).
MICHAEL RUFF

01/13/2011 S First Read--SB 114-Justus (S91)
01/20/2011 Second Read and Referred S Education Committee (S126)

EFFECTIVE: July 1, 2011

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*** SB 115 *** 0538S.01I

SENATE SPONSOR: Justus

SB 115 – This act modifies provisions relating to the Public School Retirement System of Kansas City.

This act requires that any formulas and tables in effect upon which the computation of actuarial equivalent is based be maintained as part of a written document and treated as part of the plan document. The formulas and tables may be changed if recommended by the system's actuary and upon approval of the board of trustees. (Section 169.270)

This act provides that the retirement system is intended to be a qualified plan. The Board of Trustees must interpret statutes governing the system and administer the system consistent with a qualified plan. The system's assets must be held in trust for the exclusive benefit of the members and beneficiaries and for defraying reasonable administrative costs. No part of the system's assets may be used or diverted to any purpose other than benefits or purpose of the system. (Section 169.280)

If the retirement system is completely terminated or contributions to the system are discontinued, the rights of all members to benefits accrued to such date, to the extent funded, will be fully vested and non-forfeitable.

For a member who leaves employment with an employer in the retirement system to perform qualified military service and dies during such service, the retirement system must count the qualified military service as creditable service for purposes of vesting. Qualified military service in this circumstance will not be counted as creditable service for purposes of benefits. (Section 169.301)

A retired member of the system who performs substitute, part-time, or temporary employment for an employer in the system cannot earn more than fifty percent of the annual salary or wages he or she was last paid by the employer prior to retirement and receiving a retirement allowance. If a person exceeds these limits, his or her retirement allowance will be suspended for the month in which the limit was exceeded and any subsequent month in the school year the person receives remuneration from any employer in the retirement system. (Section 169.324)

Any member or beneficiary who is entitled to receive a distribution that is an eligible rollover distribution under federal law may elect to have that distribution transferred to another eligible retirement plan. An eligible rollover distribution will include a distribution to a nonspouse beneficiary that is treated as an eligible rollover distribution. These transfers must be made in compliance with the Internal Revenue Code. (Section 169.328)

This act is substantially similar to SB 938 (2010), HB 2221 (2010) and is similar to provisions also contained in SS/HCS/HB 2357 (2010), HCS/SS/SCS/SB 580 (2010), and SS/SB 714 (2010).
MICHAEL RUFF

01/13/2011 S First Read--SB 115-Justus (S91)
01/20/2011 Second Read and Referred S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee (S126)

EFFECTIVE: August 28, 2011

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*** SB 116 *** 0606S.01P

SENATE SPONSOR: Justus HOUSE HANDLER: Cox

SB 116 - This act updates the Uniform Interstate Family Support Act (UIFSA). Whenever more than one state is involved in establishing, enforcing, or modifying a child or spousal support order, the act is implemented to determine the jurisdiction and power of the courts in the different states. This act also establishes which state's law will be applied in the proceeding under the act.

This act establishes rules requiring every state to defer to child support orders entered by the courts of the child's home state. The place where the order was originally entered holds continuing exclusive jurisdiction, and only the law of that state can be applied to requests to modify the order of child support, unless the original tribunal loses the continuing exclusive jurisdiction. This act also provides various direct interstate enforcement mechanisms.

This act also incorporates changes required by the Hague Convention on the International Recovery of Child Support and other Forms of Family Maintenance to establish uniform procedures for the processing of international child support cases. This act provides for guidelines and procedures for registration, recognition, enforcement and modification of foreign support orders from countries that are parties to the Convention.

The provisions of the updated UIFSA shall become effective and the repeal of the current UIFSA shall become effective upon the United States filing its instrument of ratification of The Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance, adopted at The Hague Conference on Private International Law on November 23, 2007.

This act is identical to HCS/HB 1799 (2010).
ADRIANE CROUSE

01/13/2011 S First Read--SB 116-Justus (S91)
01/20/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S126)
02/14/2011 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee
03/09/2011 Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee - Consent
03/10/2011 Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor - Consent (S434)
03/14/2011 Removed S Consent Calendar (S449)
03/17/2011 Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor (S493)
04/04/2011 Perfected (S558)
04/05/2011 Reported Truly Perfected S Rules Committee (S574)
04/07/2011 S Third Read and Passed (S647)
04/07/2011 H First Read (H1176)
04/11/2011 H Second Read (H1184)
04/12/2011 Referred H Judiciary Committee (H1236)
04/20/2011 Hearing Conducted H Judiciary Committee
04/20/2011 Voted Do Pass H Judiciary Committee
04/21/2011 Reported Do Pass H Judiciary Committee (H1429)
04/21/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1429)

EFFECTIVE: Contingent

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*** SB 117 *** CCS HCS#2 SCS SB 117 0835S.08T

SENATE SPONSOR: Engler HOUSE HANDLER: Flanigan

HCS/SCS/SB 117 - This act authorizes hospital districts located within Iron County to abolish their existing property tax levies and, upon voter approval, impose a sales tax of up to one percent to fund the

district. The hospital district sales tax will be imposed upon all retail sales made within the district and all sales of metered water services, electricity, electrical current and natural, artificial or propane gas, wood, coal, or home heating oil for domestic use.

The act modifies laws regarding the collection of moneys owed to the state. The Director of the Department of Revenue is authorized to retain one percent of the amount of any local sales or use taxes collected by the department for the cost of collection. Beginning January 1, 2012, a statement of no tax due will be required for the issuance or renewal of all city and county occupation licenses as well as all state licenses required to conduct business. Such statement must be dated not more than sixty days from the date of application for license to be valid. The Director of Revenue may enter into an agreement with any state agency responsible for issuing any state license requiring the agency to provide the department with the name and tax identification number of each applicant for licensure within one month of the date the application is filed or at least one month prior to the anticipated license renewal. If an applicant is delinquent on any taxes, the department director must send a notice to the licensing agency and the applicant. An applicant's license must be suspended within 90 days after the notice unless: the taxes are paid; an arrangement has been made with the department to pay the taxes; the taxes were paid under protest; or the tax liability is found to be reasonably disputed.

Anyone making a claim or having a judgment under the provisions of the State Legal Expense Fund must have a no-tax due statement from the department before any moneys can be expended from the fund for the settlement of any liability claim. The act allows an offset from the State Legal Expense Fund to satisfy any delinquent tax debt owed before payment is made to the person. Payments of $10,000 or greater from the fund for property damage claims are not required to have a no-tax due statement.

The act provides taxpayers with amnesty from the assessment or payment of all penalties, additions to tax, and interest on delinquencies of unpaid taxes administered by the department which occurred on or prior to December 31, 2010. To receive amnesty under the act, a taxpayer must: apply for amnesty; file a tax return for each tax period for which amnesty is requested; pay the unpaid taxes in full from August 1, 2011, to October 31, 2011; and agree to comply with state tax laws for the next eight years from the date of the agreement. All new revenues resulting from the tax amnesty program will be deposited into the General Revenue Fund unless otherwise earmarked by the Missouri Constitution. State agencies may refer any debt owed to them to the department for the collection. The department and the referring state agency may exchange necessary information but must comply with federal and state laws regarding the confidentiality of information and records. The department may compromise any referred state debt and use all general remedies afforded creditors of Missouri, remedies specific to the referring state agency, and remedies afforded the state in general. Unless a judgment or lien was filed prior to the agency referring the debt to the department, the venue for any suit filed for the collection of state debt will be in Cole County.

The department can employ staff, attorneys, the Attorney General, prosecuting attorneys, and private collection agencies to aid in the collection of debt. The department must add 10% to the amount of debt to be collected for the cost of collection which may be waived under certain conditions.

The Director of Revenue may issue an administrative garnishment once he or she has filed a certificate of lien in the circuit court for delinquent income or sales or use taxes. Any person receiving this order must turn over any of the taxpayer's assets in his or her possession and any assets that are to become due the taxpayer including wages, salaries, commissions, bonuses, workers' compensation benefits, disability benefits, pension or retirement payments, and interest less a fee to cover costs of no more than $6 per month. The taxpayer may obtain relief from the garnishment by paying the total amount owed.

Beginning January 1, 2012, the Department of Elementary and Secondary Education must provide the Director of Revenue, at least annually, the name and Social Security number of each certificate holder or applicant for a certificate of license to teach in Missouri. The Director of the Department of Revenue must at least annually a year verify that all income taxes have been paid and state income tax returns have been filed in the past three years and send a notice to the Department of Elementary and Secondary Education and the certificate holder or applicant if a person has not paid his or her taxes or filed the tax returns. A certificate holder's license will be suspended within 90 days after the notice, and an applicant's license cannot be issued unless: the taxes are paid; an arrangement has been made with the Department of Revenue to pay the taxes; the taxes were paid under protest; or the tax liability is found to be reasonably disputed.

The Director of the Department of Revenue and the Commissioner of the Office of Administration may enter into a reciprocal agreement with the federal government or any other state to offset vendor and

contractor payments for any type of debt owed to the state. Currently, the department has a reciprocal agreement with the United States Treasury to offset income tax overpayments.

The provisions regarding the tax amnesty contain an emergency clause.

The act specifies that any personal identifying information that is utilized in a voluntary registry of persons with health-related ailments created by a public governmental body to assist these individuals during a disaster or emergency is not to be considered a public record under the Open Meetings and Records Law, commonly known as the Sunshine Law. However, a governmental body cannot deny a lawful request for the identifying information from any law enforcement agency or public governmental body providing emergency services.

The act provides that, with regard to provisions of law requiring distributions of pooled sales tax revenues from the St. Louis County sales tax, all portions of the City of Fenton will be included in the Group A classification for the period beginning August 28, 2011 and ending August 28, 2013.

The act requires a distressed municipality in St. Louis County to provide a minimum level of public services including: emergency telephone service; police protection 24 hours per day, seven days a week; construction code enforcement review; adequate street maintenance; weekly waste and recycling collection; and requires a balanced annual budget and an annual audit. A distressed municipality is any city, town, or village designated as Group B under the provisions of law regarding the pooling of sales tax revenues for St. Louis County. If a distressed municipality fails to provide any of the required services or meet the budget and audit requirements, the governing body of the county can petition an appropriate court to withhold the Group B sales tax revenue until the noncompliant municipality develops and adopts a plan to provide all the required services or to authorize the county to administer the Group B sales tax revenue on behalf of the municipality to provide the services.

Under current law, the Cities of Springfield, Joplin, and St. Joseph, as well as any cities in Jasper or Butler County may seek voter approval for the imposition of a sales tax of up to one-half of one percent for economic development purposes. Butler County and Buchanan County may also seek voter approval for the imposition of such a tax. Current law provides a non-inclusive list of economic development projects for which revenues derived from the tax may be used. This act would allow local economic development sales tax revenues to also be used for the construction of job training and educational facilities.

This act allows the governing body of any municipality to enter into loan agreements, or sell, lease, or mortgage municipal property to private entities for the development of a technology business facility project. Transactions involving the lease or rental of such properties will be exempt from state and local sales taxes and any leasehold interests on such properties will not be subject to property taxes. The act allows municipalities to sell or otherwise dispose of municipal property to private entities for technology business facility projects provided that the terms and methods utilized reasonably protect the economic well being of the municipality. Any private entity which transfers property to the municipality for purposes of a technology business facility project will reserve the right to request that the municipality transfer such property back to the entity at no cost.

The act allows fee offices to retain two percent of sales taxes collected on new vehicles.

The act increases the number of years before a newly constructed residential property which has never been occupied is assessed for property taxation from the second year following the year the construction on the home was completed to the fourth year.

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 center 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 facility. In order to receive the sales tax exemption provided for new data storage center 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 center 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 center 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.

This act requires certification for contractors who engage in the installation of fire sprinkler systems or service fire sprinkler systems. The certification requirement does not apply to retailers, inspections by government officials, or special agent fire suppression systems. The registration statutes and rules have uniform effect throughout the state. However, municipalities, counties, and other local governmental bodies are authorized to enact or enforce additional registration or licensing requirements that meet or exceed the registration required by this act. A municipality, county, or other local governmental body can also require a contractor to obtain a permit, or pay a fee, in order to install a system.

This act also creates the Fire Sprinkler Advisory Council. The council shall have seven members with various experience in this field. The fire sprinkler advisory council is given authority to promulgate rules. Such rules shall concern registration of contractors, the standards for assessing competency as a fire sprinkler contractor, applicable fees, and procedures for reciprocity with other states. The State Fire Marshal shall administer these provisions.

A contractor must apply with the State Fire Marshal for a certificate of registration and pay an application fee for a certificate. The fee will be set by the advisory council. The fees will be deposited in the Fire Sprinkler Contractor Registration Fund. The act also sets out the requirements that a contractor must meet to obtain a certificate of registration, including demonstration of their own knowledge, or employment of persons with experience and certification in the area.

Certificates of registration are valid for two years and are not transferable. A fee shall be charged for duplicate certificates or changes to a certificate. Each certificate must be posted in a conspicuous place in the contractor's business. The act outlines the process and fees for renewal of unexpired or expired certificates. The State Fire Marshal is obligated to send out written notice at least thirty days prior to a certificate expiring.

The State Fire Marshal shall not issue a certificate of registration unless the applicant files evidence of general liability insurance of not less than one million dollars per year for all occurrences.

The State Fire Marshal is authorized to file a disciplinary complaint against certified contractors for specific violations. After the Administrative Hearing Commission finds that grounds for discipline are met, the advisory council may place the contractor on probation, or suspend or revoke the contractor's certification.

The State Fire Marshal is authorized to seek an injunction against contractors who operate without certification or present a danger to a state resident.
JASON ZAMKUS

01/13/2011 S First Read--SB 117-Engler (S91)
01/20/2011 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S126)
02/17/2011 Hearing Conducted S Ways and Means and Fiscal Oversight Committee
02/24/2011 Voted Do Pass S Ways and Means and Fiscal Oversight Committee
03/03/2011 Committee Vote Reconsidered
03/03/2011 SCS Voted Do Pass S Ways and Means and Fiscal Oversight Committee - (0835S.03C)
03/31/2011 Reported from S Ways and Means and Fiscal Oversight Committee to Floor w/SCS (S540)
04/06/2011 SCS S adopted (S604)
04/06/2011 Perfected (S604)
04/06/2011 Reported Truly Perfected S Rules Committee (S605)
04/07/2011 S Third Read and Passed - EC adopted (S655-656)
04/07/2011 H First Read (w/ EC) (H1176)
04/11/2011 H Second Read (H1184)
04/12/2011 Referred H Local Government Committee (H1236)
04/20/2011 Hearing Conducted H Local Government Committee
04/20/2011 HCS Voted Do Pass H Local Government Committee

04/21/2011 HCS Reported Do Pass H Local Government Committee (H1428)
04/21/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1428)
05/03/2011 HCS Voted to return bill to committee of origin (H1795)
05/05/2011 HCS#2 Voted Do Pass H Local Government Committee
05/05/2011 HCS#2 Reported Do Pass H Local Government Committee (H2047)
05/05/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H2047)
05/05/2011 HCS#2 Voted Do Pass H Rules Pursuant Committee
05/05/2011 HCS#2 Reported Do Pass H Rules Pursuant Committee (H2048)
05/09/2011 Referred H Fiscal Review Committee (H2170)
05/10/2011 HCS#2 Voted Do Pass H Fiscal Review Committee
05/10/2011 HCS#2 Reported Do Pass H Fiscal Review Committee (H2177)
05/11/2011 HA 1 to HCS#2 H offered & adopted (Flanigan)--(0835L07.43H) (H2352)
05/11/2011 HA 2 to HCS#2 H offered & adopted (Diehl)--(0835L07.03L) (H2352-2353)
05/11/2011 HA 3 to HCS#2 H offered & adopted (Jones-89)--(0835L07.49H) (H2353-2354)
05/11/2011 HA 4 to HCS#2 H offered & adopted (Schoeller)--(0835L07.08H) (H2354-2356)
05/11/2011 HA 5 to HCS#2 H offered & adopted (Fuhr)--(0835L07.19H) (H2356)
05/11/2011 HA 6 to HCS#2 H offered & adopted (Fitzwater)--(0835L07.16H) (H2356-2358)
05/11/2011 HA 7 to HCS#2 H offered & adopted (Franz)--(0835L07.21H) (H2358-2359)
05/11/2011 HA 8 to HCS#2 H offered & adopted (Higdon)--(0835L07.10H) (H2359-2362)
05/11/2011 HA 9 to HCS#2 H offered (Scharnhorst)--(0835L07.06H) (H2362-2364)
05/11/2011 HA 1 to HA 9 to HCS#2 H offered & adopted (Franz)--(0835L07.33H) (H2364-2366)
05/11/2011 HA 9 to HCS#2, as amended, H defeated (H2367)
05/11/2011 HA 10 to HCS#2 H offered & adopted (Nance)--(0835L07.38H) (H2367-2368)
05/11/2011 HA 11 to HCS#2 H offered & adopted (Flanigan)--(0835L07.25H) (H2368-2372)
05/11/2011 HA 12 to HCS#2 H offered & adopted (Schoeller)--(0835L07.29H) (H2372-2373)
05/11/2011 HA 13 to HCS#2 H offered & adopted (McCaherty)--(0835L07.01H) (H2373)
05/11/2011 HA 14 to HCS#2 H offered & adopted (Thomson)--(0835L07.02F) (H2374)
05/11/2011 HA 15 to HCS#2 H offered & adopted (Weter)--(0835L07.39H) (H2374-2385)
05/11/2011 HCS#2, as amended, H adopted (H2385)
05/11/2011 H Third Read and Passed - EC adopted (H2386-2387 / S1827-1865)
05/11/2011 S refuses to concur in HCS#2, as amended (S1866 / H2434)
05/11/2011 S requests H recede or grant conference (S1866 / H2434)
05/11/2011 H refuses to recede and grants conference (H2434-2435 / S1894)
05/11/2011 H conferees appointed: Flanigan, Keeney, Fitzwater, Hummel, Kelly-24 (H2435 / S1895)
05/12/2011 S conferees appointed: Engler, Crowell, Schmitt, Justus, Chappelle-Nadal (S1895 / H2458)
05/12/2011 H submits CCR
05/13/2011 CCR S offered & adopted
05/13/2011 CCS S Third Read and Passed - EC adopted
05/13/2011 CCR H adopted
05/13/2011 CCS H Third Read and Passed - EC adopted
05/13/2011 Truly Agreed To and Finally Passed

EFFECTIVE: Varies

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*** SB 118 *** HCS SS SB 118 0839L.03T

SENATE SPONSOR: Stouffer HOUSE HANDLER: Sater

HCS/SS/SB 118 - This act modifies provisions relating to long-term care facilities.

Current law requires long-term care facilities to install and maintain an approved sprinkler system by December 31,2012. This act extends the 2012 implementation date requirement to 2014. (Section 198.074)

This act removes a reference to a current state regulation regarding administrative, personnel and resident care requirements for new and existing residential care facilities in the definition of "appropriately trained and qualified individual" as it relates long-term care facilities and instead provides that such appropriately trained and qualified individual shall have received facility orientation training as required by Chapter 198, RSMo. (Section 198.006).
ADRIANE CROUSE

HA 1- REPEALS THE DECEMBER 31, 2013, DATE TO INSTALL AN APPROVED COMMERCIAL SPRINKLER SYSTEM FOR THOSE FACILITIES THAT WOULD HAVE TAKEN A SUBSTANTIAL STEP TO INSTALL A SYSTEM BY DECEMBER 31, 2012, BY APPLYING FOR A LOAN FROM THE STATE

TREASURER'S OFFICE.

01/13/2011 S First Read--SB 118-Stouffer (S91)
01/20/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S126)
02/01/2011 Hearing Cancelled S Health, Mental Health, Seniors and Families Committee
02/08/2011 Hearing Conducted S Health, Mental Health, Seniors and Families Committee
02/08/2011 Voted Do Pass S Health, Mental Health, Seniors and Families Committee
03/17/2011 Reported from S Health, Mental Health, Seniors and Families Committee to Floor (S492)
04/04/2011 SS S offered & adopted (Stouffer)--(0839S.02F) (S557)
04/04/2011 Perfected (S557)
04/05/2011 Reported Truly Perfected S Rules Committee (S574)
04/07/2011 S Third Read and Passed (S646-647)
04/07/2011 H First Read (H1176)
04/11/2011 H Second Read (H1184)
04/21/2011 Referred H Health Care Policy Committee (H1427)
04/27/2011 Hearing Conducted H Health Care Policy Committee
04/27/2011 HCS Voted Do Pass H Health Care Policy Committee
04/27/2011 HCS Reported Do Pass H Health Care Policy Committee (H1650)
04/27/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1650)
05/03/2011 HCS Voted Do Pass H Rules Pursuant Committee
05/03/2011 HCS Reported Do Pass H Rules Pursuant Committee (H1795)
05/09/2011 HA 1 to HCS H offered & adopted (Sater)--(0839L03.01H) (H2081)
05/09/2011 HCS, as amended, H adopted (H2082)
05/09/2011 H Third Read and Passed (H2083 / S1545)
05/11/2011 S concurs in HCS, as amended (S1750)
05/11/2011 S Third Read and Passed (S1751 / H2405)
05/11/2011 Truly Agreed To and Finally Passed (H2405)

EFFECTIVE: August 28, 2011

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*** SB 119 *** 0730S.01I

SENATE SPONSOR: Schaefer

SB 119 - The act creates the Private Landowner Protection Act.

Conservation easements, which are easements designed to preserve open space or to protect natural or cultural resources on land, may be created, conveyed, terminated, and modified in the same manner as other types of easements. Conservation easements must be accepted and recorded by the holder before any right or duty arises from the easement. Conservation easements shall exist in perpetuity unless the easement specifies otherwise.

Conservation easements do not affect an interest in real property unless the real property owner is a party to the easement or otherwise consents.

Actions affecting a conservation easement may be brought by a landowner, the easement holder, a third-party that holds a right of enforcement on the easement, or by any other person authorized by law. The act does not affect the power of a court to modify or terminate a conservation easement.

Conservation easements are valid even though they may have certain characteristics as specified in the act. The act does not invalidate any other type of lawful interest as a covenant, equitable servitude, restriction, or other easement.

This act is similar to SB 870 (2010) and SB 381 (2009).
ERIKA JAQUES

01/18/2011 S First Read--SB 119-Schaefer (S97)
01/20/2011 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S126)
02/16/2011 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee
02/23/2011 Voted Do Pass S Agriculture, Food Production and Outdoor Resources Committee
04/14/2011 Reported from S Agriculture, Food Production and Outdoor Resources Committee to Floor (S736)
05/13/2011 S Formal Calendar S Bills for Perfection--SB 119-Schaefer

EFFECTIVE: August 28, 2011

*** SB 120 *** 0897S.01I

SENATE SPONSOR: Stouffer

SS/SB 120 - LOCAL OUTDOOR ADVERTISING REGULATIONS - Under this act, local regulations relating to billboard size, lighting, and spacing may be more restrictive than state law standards provided such local regulations allow for customary usage, and comply with the intent of state law. Local regulations may not prohibit off-premise outdoor advertising structures on commercial or industrial property within 660 feet of federal aid primary or interstate highways. 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).

BILLBOARD MORATORIUM DURING PERIODS OF HIGHWAY CONSTRUCTION - Under this act, on the date the commission approves funding for any phase or portion of construction or reconstruction of any street or highway, 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 highway, 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.

The act requires all signs to be subject to biennial inspection fees.
STEPHEN WITTE

01/18/2011 S First Read--SB 120-Stouffer (S98)
01/20/2011 Second Read and Referred S Transportation Committee (S126)
02/02/2011 Hearing Cancelled S Transportation Committee
02/09/2011 Hearing Conducted S Transportation Committee
02/16/2011 Voted Do Pass S Transportation Committee
03/03/2011 Reported from S Transportation Committee to Floor (S388)
03/07/2011 Bill Placed on Informal Calendar (S400)
04/12/2011 SS S offered (Stouffer)--(0897S.02F) (S692)
04/12/2011 Bill Placed on Informal Calendar (S692)
05/13/2011 S Informal Calendar S Bills for Perfection--SB 120-Stouffer, with SS (pending)

EFFECTIVE: August 28, 2011

*** SB 121 *** 0889S.01I

SENATE SPONSOR: Stouffer

SB 121 - This act specifies how duty-related death benefits will be funded for the Missouri Local Government Employees' Retirement System (LAGERS). In the same way as when a disability benefit is due to a member of the LAGERS system, when a duty-related death benefit is due to a beneficiary, the accrued

service pension reserve will be calculated, as of the effective date of the disability benefit. Contributions from political subdivisions for duty-related death benefits will be held in the Casualty Reserve Fund. Political subdivisions that participate in LAGERS will have a portion of their contributions for duty-related death benefits determined on a one-year term basis in the same way that their contribution for a portion of disability benefits is determined.
EMILY KALMER

01/18/2011 S First Read--SB 121-Stouffer (S98)
01/20/2011 Second Read and Referred S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee (S126)

EFFECTIVE: August 28, 2011

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*** SB 122 *** SCS SB 122 0757S.02P

SENATE SPONSOR: Schaaf

SCS/SB 122 - Under this act, if the co-payment applied by a HMO or health insurer exceeds the usual and customary retail price of a prescription drug, the enrollee shall only be required to pay the usual and customary retail price of the prescription drug and there will be no further charge to the enrollee or plan sponsor for the prescription (Sections 354.535 and 376.387).

Under this act, health carriers are required, by July 1, 2012, to utilize a web-based estimating system or other mechanism, by which covered individuals, or their parents or guardians, will be able to enter, provide, or select from menus, the procedures, tests, or services the individual is considering having, and based upon the individual's benefit plan and the health carrier's internal data, receive estimates of the total cost and total out-of-pocket cost of the procedures, test, or services specific to all available contracted providers or facilities for which such estimates are requested. The estimates shall take into account any known unmet deductible obligation and shall be based upon assumptions of typical utilization and an assumption that, in the provision of the procedures, tests, or services, no complications or unexpected events would occur necessitating other expenses. The estimates shall include related estimates of typically needed and expected ancillary costs such as those for radiology, pathology, or anesthesiology services, and shall indicate when no contracted providers of such services are available under the individual's benefit plan at a selected health care facility or provider. Any estimate given shall not be a guarantee of coverage and the health carrier shall not be held liable for differences between the estimated costs and the ultimate charges to the individual. The provision of estimates under this act shall not be construed as violating any provider contract provisions with a health carrier that prohibits disclosure of a provider's fee schedule to third parties (Section 376.475).

Provisions in this act are identical to SB 153 (2011).
STEPHEN WITTE

01/18/2011 S First Read--SB 122-Schaaf (S98)
01/20/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S126)
02/15/2011 Hearing Conducted S Health, Mental Health, Seniors and Families Committee
02/22/2011 SCS Voted Do Pass S Health, Mental Health, Seniors and Families Committee - (0757S.02C)
03/31/2011 Reported from S Health, Mental Health, Seniors and Families Committee to Floor w/SCS (S540)
04/05/2011 SS for SCS S offered (Schaaf)--(0757S.04F) (S579)
04/05/2011 Bill Placed on Informal Calendar (S579)
04/06/2011 SS for SCS S withdrawn (S633)
04/06/2011 SCS S adopted (S633)
04/06/2011 Perfected (S633)
04/07/2011 Reported Truly Perfected S Rules Committee (S663)
04/07/2011 Referred S Ways & Means and Fiscal Oversight Committee (S668)
04/28/2011 Hearing Conducted S Ways and Means and Fiscal Oversight Committee
04/28/2011 Voted Do Pass S Ways & Means and Fiscal Oversight Committee
04/28/2011 Reported from S Ways & Means and Fiscal Oversight Committee to Floor (S1198)
04/28/2011 S Third Read and Passed (S1198)
04/28/2011 H First Read (H1688)
05/02/2011 H Second Read (H1694)
05/04/2011 Referred H Health Insurance Committee (H1857)

EFFECTIVE: August 28, 2011

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*** SB 123 *** 0988S.01I

SENATE SPONSOR: Keaveny

SB 123 – This act allows charter schools, whose mission includes foreign language immersion and whose instruction is wholly conducted in a foreign language for at least the first two years of a student's enrollment, to enroll four-year-old children and include them in their average daily attendance and weighted average daily attendance count for state aid. To be eligible for enrollment in a foreign language immersion charter school, a child must have attained the age of four before August 1st of the school year beginning in that calendar year. If the child resides in a school district that has authority to establish a resolution adopting a date between August 1st and October 1st for purposes of eligibility for enrollment, a child must have attained the age of four before the date established in the school district's resolution.

This act is identical to SB 956 (2010).
MICHAEL RUFF

01/18/2011 S First Read--SB 123-Keaveny (S98)
01/20/2011 Second Read and Referred S Education Committee (S127)
02/02/2011 Hearing Cancelled S Education Committee
02/09/2011 Hearing Conducted S Education Committee

EFFECTIVE: August 28, 2011

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*** SB 124 *** 0637S.01I

SENATE SPONSOR: Keaveny

SB 124 – Any parent or guardian who chooses to send his or her child to a public, private, parochial, parish school, or combination thereof, in the St. Louis City School District must do as at age five. This change will begin in the 2012-2013 school year. This change will not apply to any parent or guardian who intends to enroll his or her child in a home school.
MICHAEL RUFF

01/18/2011 S First Read--SB 124-Keaveny (S98)
01/20/2011 Second Read and Referred S Education Committee (S127)
02/02/2011 Hearing Cancelled S Education Committee
02/09/2011 Hearing Conducted S Education Committee

EFFECTIVE: August 28, 2011

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*** SB 125 *** 0791S.01I

SENATE SPONSOR: Keaveny

SCS/SB 125 - This act modifies the law relating to title loans.

This act specifies that the title loan laws apply to those who should be licensed as title lenders including those selling disguised title loans and those engaged in subterfuge for the purposes of evading title lender regulations.

This act caps the duration of a title loan agreement at 45 days.

Persons shall not use the terms "title loans", "title lending", or other designations indicating the person is a title lender.
CHRIS HOGERTY

01/18/2011 S First Read--SB 125-Keaveny (S98)
01/20/2011 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S127)
04/04/2011 Hearing Conducted S Financial and Governmental Organizations and Elections Committee
04/11/2011 SCS Voted Do Pass S Financial and Governmental Organizations and Elections Committee - (0791S.02C)

EFFECTIVE: August 28, 2011

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*** SB 126 *** 0605S.01I

SENATE SPONSOR: Wasson

SB 126 - This act provides that the MO HealthNet Division shall not discriminate between licensed marital

family therapists and licensed professional counselors when promulgating rules or when requiring or recommending services that legally may be performed by licensed marital family therapists and licensed professional counselors.
ADRIANE CROUSE

01/18/2011 S First Read--SB 126-Wasson (S98)
01/27/2011 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S160)
02/07/2011 Hearing Conducted S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2011

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*** SB 127 *** 0190S.01I

SENATE SPONSOR: Chappelle-Nadal

SB 127 - This act requires all state elected officials, state executive branch managerial staff, and all officers and leadership staff of the House and Senate to submit to drug tests before taking office and every two years thereafter.

General Assembly members arrested two times during the members' term shall vacate their office.

This act is identical to HB 1754 (2010).
CHRIS HOGERTY

01/18/2011 S First Read--SB 127-Chappelle-Nadal (S98)
01/27/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S160)

EFFECTIVE: August 28, 2011

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*** SB 128 *** 0891S.01I

SENATE SPONSOR: Lembke

SB 128 – This act allows the mayor of the City of St. Louis to be a charter school sponsor.

This act is identical to a provision contained in SB 64 (2009).
MICHAEL RUFF

01/18/2011 S First Read--SB 128-Lembke (S98)
01/27/2011 Second Read and Referred S Education Committee (S160)

EFFECTIVE: August 28, 2011

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*** SB 129 *** 0732S.02I

SENATE SPONSOR: Lembke

SB 129 - Current law requires the board of education of an unaccredited school district to pay the tuition and transportation of resident students who attend an accredited school in the same or an adjoining county. This act exempts the St. Louis City School District from this requirement when the district is governed by a special administrative board of the transitional school district.
MICHAEL RUFF

01/18/2011 S First Read--SB 129-Lembke (S98)
01/27/2011 Second Read and Referred S Education Committee (S160)
02/23/2011 Hearing Conducted S Education Committee

EFFECTIVE: August 28, 2011

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*** SB 130 *** SCS SB 130 0318S.03C

SENATE SPONSOR: Rupp

SS/SCS/SB 130 – This act creates two higher education financial aid programs to be administered by the Department of Higher Education.

EARLY HIGH SCHOOL GRADUATION SCHOLARSHIP PROGRAM: This act creates the "Early High School Graduation Scholarship Program," to be implemented and administered by the Department of Higher

Education. The Program will provide two different types of scholarships to students who graduate early from public high school in Missouri.

A student who graduates from high school in no more than thirty-six months and meets certain other requirements will be offered a scholarship in an amount, as described in the act. The student's school district will be offered a grant in an amount equal to ten percent of the district's state aid payments, divided by the district's average daily attendance for the year immediately preceding the student's graduation. A student can use the scholarship for tuition, mandatory fees, or both, if attending a public or private institution of higher education in Missouri. A student who has participated in a dual-credit or dual-enrollment program through his or her high school and an institution of higher education may also use the scholarship funds to pay any fees to receive official post-secondary credit for work completed through the program. When a scholarship recipient enrolls in a higher education institution, the institution must apply to the charges for tuition and mandatory fees the lesser of the amount of the scholarship or the actual tuition or mandatory fees.

A student who graduates from high school in no more than forty-one months will be offered a scholarship in an amount as described in the act. A student who receives such a scholarship must use the funds to participate in a dual enrollment program or to pay any fees necessary to receive official post-secondary credit for work completed through such program.

A scholarship recipient must use the scholarship within one year of graduating from high school. Exceptions exist for students who cannot attend an institution of higher education because of service to a nonprofit organization, a state or federal government agency, or a branch of the United States military. A scholarship recipient may seek an extension if he or she shows hardship or good cause, as described in the act.

This act creates two separate funds in the State Treasury. The Department of Elementary and Secondary Education must place an amount equal to the total of the scholarship and grant amounts in one of the funds, depending on how early a student graduates from high school. The Department of Higher Education will use these funds to distribute the scholarships and grants. After distributing the grant moneys, the Department will determine the scholarship amount for each student by dividing the remaining moneys in the fund by the number of eligible students.

The Department of Elementary and Secondary Education must confirm the student's graduation and higher education enrollment with the high school and institution of higher education, in cooperation with the Department of Higher Education.

Each public high school must provide information about the scholarship program to students and include the number and type of credits necessary to meet the program's eligibility requirements and the appropriate order in which those courses must be earned.

By January 31, 2012, the Department of Higher Education, in cooperation with the Department of Elementary and Secondary Education, must prepare a publication about the program and post it on its website. (Sections 173.1300 to 173.1309)

These provisions are similar to SB 907 (2010).

ADVANCED PLACEMENT INCENTIVE GRANT: This act creates the "Advanced Placement Incentive Grant." Any student who receives an Access Missouri award or receives funds under the A+ Schools Program and has also received a score of 3 or higher on two or more Advanced Placement tests in math or science will receive a $500 grant. In addition, a student must have earned the AP scores while attending a Missouri public high school. The Missouri Higher Education Loan Authority must transfer one million dollars in assets to fund the program by September 30, 2011. (Sections 173.385 & 173.1350)

This provision is similar to SB 265 (2011).
MICHAEL RUFF

01/18/2011 S First Read--SB 130-Rupp (S98)
01/27/2011 Second Read and Referred S Education Committee (S160)
02/16/2011 Hearing Conducted S Education Committee
03/02/2011 SCS Voted Do Pass S Education Committee - (0318S.03C)
03/03/2011 Reported from S Education Committee to Floor w/SCS (S389)
03/09/2011 Bill Placed on Informal Calendar (S418)
03/16/2011 SS for SCS S offered (Rupp)--(0318S.04F) (S463)
03/16/2011 Bill Placed on Informal Calendar (S463)

05/13/2011 S Informal Calendar S Bills for Perfection--SB 130-Rupp, with SCS & SS for SCS (pending)

EFFECTIVE: August 28, 2011

*** SB 131 *** HCS SCS SB 131 0996L.06C

SENATE SPONSOR: Rupp HOUSE HANDLER: Denison

HCS/SCS/SB 131 - This act modifies various provisions relating to transportation.

BI-STATE FARE EVASION - This act requires persons convicted of failing to pay a fare for the use of Bi-State Development Agency facilities and conveyances to reimburse the reasonable costs attributable to the enforcement, investigation and prosecution of such offense to the agency (Section 70.441).

HIGHWAY COMMISSION HEARINGS - The act allows the commission to delegate to a designated hearing examiner and/or appeals board the authority to conduct hearings and render final decisions and orders on behalf of it in all contested case administrative hearings that are required by federal or state law (Section 226.131).

ADVANCEMENT OF MONEYS FOR HIGHWAY CONSTRUCTION - Under this act, the state highways and transportation commission may enter into binding highway infrastructure improvement agreements to reimburse or repay any funds advanced by or for the benefit of a county, political subdivision, or private entity to expedite state road construction or improvement. Such highway infrastructure improvement agreements may provide for the assignment of the state highways and transportation commission's reimbursement or repayment obligations in order to facilitate the funding of such improvements. The funds advanced by or for the benefit of the county, political subdivision, or private entity for the construction or improvement of state highway infrastructure shall be repaid by the commission from funds from the state road fund in a manner, time period, and interest rate agreed to upon by the respective parties. The commission may condition the reimbursement or repayment of such advanced funds upon projected highway revenues and may delay repayment of the advanced funds if highway revenues fall below the projections used to determine the repayment schedule or if repayment would jeopardize the receipt of federal highway moneys (Section 226.224).

MEMORIAL HIGHWAY DESIGNATIONS - This act designates a portion of Interstate 40/64 in St. Louis County as the "Missouri State Highway Patrol Sergeant Joseph G. Schuengel Memorial Highway" (Section 227.424). This portion of the act is identical to HB 518 (2011).

This act designates the portion of Interstate 70 from the eastern city limits of Independence west to the Kansas state line as the "Truman/Eisenhower Presidential Highway." The designation is contingent upon the same designation being made by the State of Kansas of the portion of Interstate 70 in Kansas from the Missouri state line west to Abilene, Kansas (Section 227.425). This portion of the act is identical to HB 814 (2011).

This act designates the portion of State Highway 25 from U. S. Highway 412 to State Route U/State Route Z in the counties of Dunklin and Stoddard as the "Representative Otto Bean Jr. Memorial Highway" (Section 227.429). This portion of the act is identical to HB 895 (2011).

This act designates the portion of State Highway 30 from State Route NN north three miles to 1/10 of a mile southwest of old State Highway 30 in Jefferson County as the "SFC Wm. Brian Woods, Jr. Memorial Highway" (Section 227.430). This portion of the act is identical to HB 912 (2011).

SCRAP PROCESSOR/VANPOOL - The act makes technical modifications to the terms "mobile scrap processor", "scrap processor", and "vanpool" as used in Chapter 301 (Section 301.010 and 301.218).

RECREATIONAL OFF-HIGHWAY VEHICLE - The act modifies definition of recreational off-highway vehicle by increasing its maximum width from 60" to 64" (Section 301.010).

FLEET OWNERS - 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).

DRIVEAWAY LICENSE PLATES - 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 working 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 Class A misdemeanor (Section 301.069).

DISABLED PARKING SPACES - Under the terms of this act, when any political subdivision or owner of private property restripes a parking lot or constructs a new parking lot, one in every four accessible spaces, but not less than one, shall be served by an access aisle a minimum of 96 inches wide and shall be designated "lift van accessible only" with signs that meet the requirements of the federal Americans with Disabilities Act (Section 301.143).

DEPARTMENT INVESTIGATORS - Under the terms of this act, department investigators licensed as peace officers shall be deemed to be peace officers while conducting investigations into matters regarding motor vehicle registrations and any provisions relating to taxes, licenses or fees (Section 301.216).

INSPECTION OF SALVAGE POOL OPERATOR PREMISES - Under the terms of this act, representatives from the Department of Revenue may inspect the premises of salvage pool operators (Section 301.225).

VIN NUMBER/ODOMETER RECORDS - 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) (Section 301.280).

FALSE STATEMENTS VIS-A-VIS MONTHLY SALES REPORTS - 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).

FRAUDULENT PROCUREMENT OF TITLE, PLATES, ETC. - Under this act, if the Director of Revenue or a peace officer has probable cause to believe that a person has obtained a title, license plate, or license plate tab in a fraudulent manner, the person must surrender such items. Failure to surrender such items shall constitute a Class A misdemeanor (Section 301.425).

POLICE CHAPLAIN SPECIAL LICENSE PLATE - This act allows for a special license plate for a member of the International Conference of Police Chaplains who has completed the requirements for basic certification as a police chaplain. To obtain this plate, a person must submit an application to the director accompanied by an affidavit stating his or her identification and certification along with an additional $15 fee. Any person who is lawfully in possession of these plates and resigns, is removed, terminates, or is terminated from the international conference must return the plates to the department director within 15 days (Section 301.483). This provision is also contained in HB 69 (2011).

STAGGERING OF DEALER LICENSES - This act authorizes the director to issue a dealer's license valid for a period of up to two years and to stagger the license periods for administrative efficiency and equalization of workload (Section 301.559).

MISUSE OF DEALER PLATES/SURRENDER OF PLATES - This act allows any law enforcement officer or agent of the department to seize a dealer license plate or certificate of number if the officer or agent has probable cause to believe that it is being misused in violation of law (Section 301.560).

PROCEDURE FOR REVOKING OR SUSPENDING A DEALER'S LICENSE - The act provides that if a motor vehicle dealer who has his or her license suspended refuses to surrender his license and distinctive number license plates, then the department may direct a law enforcement officer to secure possession of the items.

The act establishes a new administrative procedure for revoking or suspending a motor vehicle dealer license in situations that are deemed to present a clear and present danger to the public welfare. For example, the director may suspend or revoke a dealer license under the new procedure if the dealer allows a corporate surety bond or irrevocable letter of credit to expire or be revoked without submitting replacement coverage. Alternatively, the failure to maintain a bona fide established place of business constitutes a ground for suspension or revocation. Suspension or revocation of a license under these grounds shall be administratively processed by the department through evidentiary hearings held by the director or the director's designated agent (foregoes the administrative hearing commission process established for other

types of offenses). The act sets forth the administrative procedure and notice requirements for the suspension or revocation of a license (Section 301.562).

MOTOR VEHICLE ADVERTISING STANDARDS - This act clarifies that the terms "free" OR "at no cost" shall not be used in an advertisement if it requires the purchase of a motor vehicle to receive the free item, merchandise or service (Section 301.567).

SALE OF 6 MOTOR VEHICLES OR MORE - This act provides that any person, partnership, corporation, company, or association who violates the state law prohibiting the sale of six or more vehicles in a year without a license shall be guilty of a Class D felony for a second or subsequent violation (Section 301.570).

CRIMINAL INVESTIGATORS OF THE DEPARTMENT OF REVENUE - This act authorizes a criminal investigator of the department who has received a concealed carry endorsement to carry a firearm at all times (Section 301.572).

SPECIAL EVENT MOTOR VEHICLE AUCTION LICENSE - 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. Licensees shall auction no more than 3% of the total number of vehicles presented for auction which are owned and titled in the name of the licensee or its owners. 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 167 (2011), SB 716 (2010), CCS/SS/SCS/HB 2111 (2010), and HB 979 (2009)(Section 301.580).

FAILURE TO APPEAR IN COURT- Under current law, if a person fails to timely dispose of a traffic ticket, the court will notify the director of revenue of such fact and the director will suspend the offender's driver's license until such time the person settles the matter by paying the fines and applicable court costs. Upon proof of disposition of the charges, and payment of a reinstatement fee, the director will return the license and remove the suspension from the person's driver's record. This act modifies this provision so that a commercial motor vehicle operator or a holder of a commercial driver's license will not be eligible to have such a suspension removed from his or her driving record (Section 302.341). The provisions of this section shall become effective May 11, 2013.

UNIFORM COMMERCIAL DRIVER'S LICENSE ACT - This act adds new definitions to Uniform Commercial Driver's License Act (sections 302.700 to 302.780) and makes modifications to the current statutory definitions relating to commercial driver license requirements. These modifications are made in order to comply with Federal Motor Carrier Safety regulations and support the implementation of the federal rule labeled "Medical Certification Requirements as part of the CDL". The act revises the definition section by adding the following terms:

1) CDLIS driver record;
2) CDLIS motor vehicle record;
3) Commercial driver's license downgrade;
4) Driver applicant;
5) Employee;
6) Endorsement;
7) Foreign;
8) Medical examiner;
9) Medical variance (Section 302.700).
The provisions of this section shall become effective May 11, 2013.

CDL MEDICAL CERTIFICATION COMPLIANCE - This act implements a Federal Motor Carrier Safety Regulation known as "Medical Certification Requirements as part of the CDL". This act requires commercial driver license applicants to complete certain self certifications and submit required medical examiner certification documents when applicable. The act specifies the certification process. Applicants certifying to the operation in nonexcepted interstate or nonexcepted intrastate commerce must provide the state with an original or copy of a current medical examiners certificate. The state is required to maintained such documents for a period of 3 years beyond the date the certificate was issued. The act requires applicants to provide updated medical certificates or variance documents in order to maintain commercial motor vehicle driving privileges. The director must post the medical examiners certificate information onto the CDLIS driver record within 10 calendar days. Under the act, any person who falsifies any information in an application for or an update of medical certification status information shall not be licensed to operate a commercial vehicle or the person's commercial driver's license must be canceled for a period of one year after the director discovers the falsification. This provision is also contained in HB 820 (2011) (Section 302.768). The provisions of this section shall become effective May 11, 2013.

HIGHWAY LANE USAGE BY TRUCKS-The act provides that the driver of a truck registered for a gross weight of over 48,000 pounds is prohibited from driving in the far left-hand lane on all interstate highways in urbanized areas having three or more lanes of traffic in the same direction unless it is reasonably necessary to operate in the left-hand lane in response to an emergency condition or the right or center lane is closed due to construction, maintenance, or repair. Under the terms of the act, any highway signs identifying the lane not to be used by trucks must be covered or hidden during the times of construction or repair within the designated work area and in the two miles preceding the work area. A driver violating this provision will be guilty of an infraction unless the violation causes an immediate threat of an accident in which case he or she will be guilty of a Class C misdemeanor. If an accident results from the violation, the driver will be guilty of a class A misdemeanor. (Section 304.015).

SCHOOL BUS DRIVERS AND TEXT MESSAGING AND CELL PHONE BAN- This act prohibits any person operating a school bus upon a highway or other public roadway in the state who is transporting children at the time from using a hand-held electronic wireless communications device to send, read, or write a text or electronic message or make or take part in a telephone call. These provisions do not apply if the device is being used to report illegal activity, summon medical or emergency help, prevent injury to a person or property, or relay information between a school bus operator and the dispatcher and the device is permanently affixed to the bus; if the bus is lawfully parked or stopped; or if the device is permanently embedded into the design of the bus. Anyone violating the provisions of this act shall be guilty of an infraction which will be deemed a moving violation for the purpose of assessing points against a person's driver's license. Any city or county has the authority to adopt ordinances or regulations that are equivalent to, but not more restrictive than, these provisions (Section 304.054).

USE OF PUBLIC STREETS - This act requires a municipality to allow at least one street, with lawful traffic movement and access from both directions, to be used by commercial vehicles to access any roads in the state highway system (Section 304.120). The act also prohibits any civil action for a public or private nuisance on the basis of an individual or business entity legally using a vehicle on a public street or highway (Section 537.293).

AIRPORT AUTHORITY - This act allows the governing body of Springfield to create an airport authority within its boundaries (Section 305.300).

USING VEHICLES IN LAWFUL FASHION SHALL NOT CONSTITUTE A NUISANCE - This act prohibits any civil action for a public or private nuisance on the basis of an individual or business entity legally using a vehicle on a public street or highway (Section 537.293).

PLUG-IN ELECTRIC DRIVE VEHICLES - This act exempts qualified plug-in electric drive vehicles from the motor vehicle emissions inspection program. The act defines a qualified plug-in electric drive vehicle as a plug-in electric drive vehicle that is made by a manufacturer, has not been modified from original manufacturer specifications, and can operate solely on electric power and is capable of recharging its battery from an on-board generation source and an off-board electricity source (Section 643.315).
STEPHEN WITTE

01/18/2011 S First Read--SB 131-Rupp (S98)
01/27/2011 Second Read and Referred S Transportation Committee (S160)
02/02/2011 Hearing Cancelled S Transportation Committee
02/09/2011 Hearing Conducted S Transportation Committee
03/02/2011 SCS Voted Do Pass S Transportation Committee - Consent - (0996S.03C)

03/03/2011 Reported from S Transportation Committee to Floor w/SCS - Consent (S388)
03/04/2011 Removed S Consent Calendar (S403)
03/10/2011 Reported from S Transportation Committee to Floor w/SCS (S433)
03/16/2011 SCS S adopted (S469)
03/16/2011 Perfected (S469)
03/16/2011 Reported Truly Perfected S Rules Committee (S479)
03/17/2011 S Third Read and Passed (S490-491)
03/17/2011 H First Read (H701)
03/18/2011 H Second Read (H707)
03/31/2011 Referred H Transportation Committee (H811)
04/05/2011 Hearing Conducted H Transportation Committee
04/12/2011 HCS Voted Do Pass H Transportation Committee
04/13/2011 HCS Reported Do Pass H Transportation Committee (H1266)
04/13/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1266)
05/03/2011 HCS Voted Do Pass H Rules Pursuant Committee

EFFECTIVE: August 28, 2011

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*** SB 132 *** HCS SS SCS SB 132 0896L.07T

SENATE SPONSOR: Rupp HOUSE HANDLER: Richardson

HCS/SS/SCS/SB 132 - This act modifies the law with respect to motor vehicle extended service contracts and surplus lines insurance.

MOTOR VEHICLE EXTENDED SERVICE CONTRACTS - This act modifies the law regarding motor vehicle extended service contracts.

DELIVERY OF MOTOR VEHICLE EXTENDED SERVICE CONTRACTS - This act makes it unlawful for a motor vehicle extended service contract provider to fail to deliver a fully executed motor vehicle extended service contract to the consumer within a commercially feasible time period (no more than 45 days), from the date the consumer's initial payment is processed. The act also makes it unlawful for any provider, administrator, or producer who sell such contracts to fail to deliver a copy of an unsigned copy of the written contract to the consumer, if requested, prior to the time the consumer's initial payment is processed. Offerors may also direct the consumer to a website containing an unsigned copy of the service contract. (Section 385.205).

LICENSING - The act also modifies who may sell motor vehicle extended service contracts. The authorized employees of motor vehicle dealers, motor vehicle manufacturers, lenders, and other entities may sell such contracts. Authorized employees of an administrator under contract to effect coverage, collect provider fees, and settle claims of a registered provider may sell motor vehicle extended service contracts provided that such administrators are licensed as business entities. Vehicle owners transferring an existing motor vehicle extended service contract to a subsequent owner of the same vehicle may legally sell or transfer motor vehicle extended service contracts (Section 385.206).

Business entity producers or individual producers licensed under the provisions of this act as may sell such contracts. Business entity producers must pay an initial and renewal licensure fee not to exceed $100. Individual producers must pay an initial and renewal licensure fee not to exceed $25. Examinations for individual producers are waived. Producer licenses issued under the act are valid for a period of 2 years and must be renewed biennially. Business entities must provide a list to the director of all of their locations at which they offer service contracts (Section 385.207).

FREE LOOK PERIOD - The act modifies the free look period provision for reviewing a motor vehicle extended service contract. Under the act, motor vehicle extended service contracts shall contain a free look period that allows the purchaser to return the contract to the provider within at least 20 business days of the mailing date of the contract or the purchase date if the contract is executed and delivered at the time of sale. A 10% penalty of the amount outstanding per month shall be added to the refund that is not paid within 45 days (current law 30 days) of return of the contract to the provider. If a claim is made under the contract during the free look period, the provider shall refund to the contract holder the full purchase price less any claims that have been paid (Section 385.206.14).

The act further provides that a motor vehicle extended service contract shall state that a service contract holder may cancel the contract after the free look period at any time and the provider must refund 100% of

the unearned pro rata provider fee, less any claims paid. A reasonable administrative fee may be surcharged by the provider in an amount not to exceed $50. The provider of the motor vehicle extended service contract must mail a written notice within 45 days of the date of termination (current law is 15 days) (Section 385.206.13).

DECEPTIVE PRACTICES - The act modifies the law regarding what constitutes a deceptive practice under the motor vehicle extended service contract act. The act forbids providers, administrators, and other sellers of such contracts from using the word "warranty" in their materials. In addition, such entities shall not represent in any manner a false or deceptive statement with respect to:

(1) An affiliation with a motor vehicle manufacturer or dealer;
(2) Possession of information regarding a motor vehicle owner's current motor vehicle manufacturer's original equipment warranty;
(3) The expiration of a motor vehicle owner's current motor vehicle manufacturer's original equipment warranty;
(4) A requirement that such motor vehicle owner register for a new motor vehicle extended service contract with such provider in order to maintain coverage under the motor vehicle owner's current motor vehicle extended service contract or manufacturer's original equipment warranty; or
(5) Any term or provision of a motor vehicle extended service contract.

The act also makes it unlawful for a person to use fraud in the connection with the offer or sale of a motor vehicle extended service contract. Employing fraud in connection with the sale of a motor vehicle extended service contract is a level 3 violation under the insurance code (civil penalties of $5,000 per violation, etc.). In addition, persons engaged in fraud in connection with the sale of a service contract shall be guilty of a felony, be subject to imprisonment for a term not to exceed 10 years, and be ordered to pay restitution (Section 385.208).

SUSPENSION AND REVOCATION OF LICENSE - The act establishes the statutory reasons for which the director may suspend or revoke a license to sell motor vehicle extended service contracts. For example, the director may suspend an individual's license for having been convicted of a felony. The act also establishes the appeals process an aggrieved license holder may follow if the holder's license is suspended or revoked. Appeals shall be made to the administrative hearing commission. The act also requires motor vehicle extended service contract producers to notify the director of address changes, license revocations, or civil actions within 30 days. In addition, producers must report to the director any felony proceedings initiated by any state or the federal government within 30 days of the initial pretrial hearing date or arraignment (Section 385.209).

REGISTRY OF MOTOR VEHICLE EXTENDED SERVICE PRODUCERS - Under the act, a provider registered to issue motor vehicle extended service contracts must maintain a register of business entity producers who are authorized to sell such contracts in this state. Within 30 days of a provider authorizing a producer to sell motor vehicle extended service contracts, the provider shall enter the name and license number of the producer in the company registry of appointed motor vehicle extended service contract producers. Within 30 days of a provider terminating a business entity producer's appointment to sell motor vehicle extended service contracts, the provider shall update the registry with the effective date of the termination. Under the act, providers having information relating to any cause for discipline under the act must notify the director of this information in writing (Section 385.211).

The motor vehicle extended service contract provisions have an effective date of January 1, 2012.

MISSOURI SURPLUS LINES INSURANCE LAW - This act adopts amendments to the insurance code to comply with the federal Nonadmitted and Reinsurance Reform Act of 2010 (NRRA) relating to surplus lines insurance. The NRRA will preempt certain state laws that are inconsistent with the act's provisions, which are designed to bring about a certain amount of uniformity in the areas of licensing of surplus lines insurance professionals, the standards under which surplus lines insurance may be sold, and the taxes that may be collected from the sale of surplus lines insurance.

The act adds definitions to "The Missouri Surplus Lines Law" (Sections 384.011 to 384.071). The act adds the terms "exempt commercial purchaser", "home state", "nonadmitted insurance" and "qualified risk manager" to the definition section of the Missouri Surplus Lines Law. The definitions for such terms are consistent with the NRRA (15 USC 8206)(Section 384.015).

Under the terms of the act, surplus lines insurance may be placed by a surplus lines licensee if the insurer is authorized to write the type of insurance in its domiciliary jurisdiction (Section 384.017).

The act modifies the requirements and qualifications for nonadmitted insurers to furnish coverage. A surplus lines licensee shall not place coverage with a nonadmitted insurer unless the licensee determines that the nonadmitted insurer:

(1) Meets the capital and surplus requirements of Missouri or $15 million (the director may waive the financial requirements if the nonadmitted insurer's capital and surplus is at least $4.5 million and the director finds the insurer is acceptable); and

(2) Appears on the most recent list or eligible surplus lines insurers published by the director or appears on the most recent quarterly listing of alien insurers maintained by the NAIC.

Under the terms of the act, a surplus lines licensee seeking to place nonadmitted insurance in Missouri for an exempt commercial purchaser shall not be required to satisfy any requirement to make a due diligence search to determine whether the full amount or type of insurance by the exempt commercial purchaser can be obtained from nonadmitted insurers if:

(1) The surplus lines licensee placing the surplus lines insurance has disclosed to such exempt commercial purchaser that the insurance may or may not be available from the admitted market that may provide greater protection with more regulatory oversight; and

(2) The exempt commercial purchaser has subsequently requested in writing the surplus lines licensee to place such insurance from a nonadmitted insurer (Section 384.021).

This act modifies the licensing requirements for insurance producers in the surplus lines insurance market. Beginning on or before July 1, 2012, the director shall participate in the national insurer database of the NAIC for the licensure of surplus lines licensees and the renewal of such licensees. Under the act, a person selling nonadmitted insurance with respect to an insured shall be required to obtain or possess a current surplus lines insurance issued by the director only if this state is the insured's home state (Section 384.043).

Under this act, every insured or self-insurer whose home state is Missouri who procures surplus lines insurance, other than through a surplus lines broker, must file a report describing the names of the insureds, the subject of the insurance and other prescribed information (Section 384.051).

Under the terms of this act, only the home state of the insured will have the authority to tax and regulate the placement of such policies, regardless of where portions of the risk is located. The act imposes the current 5% tax on insureds and self-insurers whose home state is this state on the gross amount of the premium (current law is net amount) (Section 384.051). The 5% tax shall be levied upon and only upon the entire gross premium for nonadmitted or surplus lines insurance policies for which the home state of the insured is Missouri. The placement of nonadmitted insurance shall be subject to the statutory and regulatory requirements of Missouri law only if this state is the insured's home state. A surplus lines broker is required to be licensed as a surplus lines licensee under the provisions of this chapter only if this state is the insured's home state (Section 384.061).

The surplus lines provisions are subject to an emergency clause. The surplus lines provisions may also be found in SCS/SB 392 and HB 773 (2011).
STEPHEN WITTE

01/18/2011 S First Read--SB 132-Rupp and Kehoe (S98)
01/27/2011 Second Read and Referred S Small Business, Insurance and Industry Committee (S160)
03/01/2011 Hearing Conducted S Small Business, Insurance and Industry Committee
03/17/2011 SCS Voted Do Pass S Small Business, Insurance and Industry Committee - (0896S.02C)
04/07/2011 Reported from S Small Business, Insurance and Industry Committee to Floor w/SCS (S662)
04/11/2011 SS for SCS S offered & adopted (Rupp)--(0896S.03F) (S678)
04/11/2011 Perfected (S678)
04/12/2011 Reported Truly Perfected S Rules Committee (S686)
04/14/2011 S Third Read and Passed (S726)
04/14/2011 H First Read (H1296)
04/18/2011 H Second Read (H1304)
04/26/2011 Referred H Financial Institutions Committee (H1619)

04/27/2011 Hearing Conducted H Financial Institutions Committee
04/27/2011 HCS Voted Do Pass H Financial Institutions Committee
05/02/2011 HCS Reported Do Pass H Financial Institutions Committee (H1710)
05/02/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1710)
05/04/2011 HCS Voted Do Pass H Rules Pursuant Committee
05/04/2011 HCS Reported Do Pass H Rules Pursuant Committee (H1858)
05/11/2011 HA 1 to HCS H offered & adopted (Richardson)--(0896L07.01H) (H2256)
05/11/2011 HA 2 to HCS H offered & adopted (Molendorp)--(0896L07.03H) (H2256-2260)
05/11/2011 HA 3 to HCS H offered & adopted (Gosen)--(0896L07.02H) (H2260)
05/11/2011 HA 4 to HCS H offered & adopted (Molendorp)--(0896L07.04H) (H2260-2262)
05/11/2011 HCS, as amended, H adopted (H2262)
05/11/2011 H Third Read and Passed - EC adopted (H2262-2264 / S1730-1737)
05/12/2011 S concurs in HCS, as amended (S1964)
05/12/2011 S Third Read and Passed - EC adopted (S1964-1965)
05/12/2011 Truly Agreed To and Finally Passed

EFFECTIVE: August 28, 2011

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*** SB 133 *** HCS SCS SB 133 0709L.04C

SENATE SPONSOR: Rupp HOUSE HANDLER: Denison

HCS/SCS/SB 133 - This act modifies the law with respect to highway design-build project contracts and sewer district design-build contracts.

HIGHWAY DESIGN-BUILD CONTRACTS - This act authorizes the state Highways and Transportation Commission to enter into an additional design-build contract for the improvement of the bridge on US40/I-64 located in St. Louis County and St. Charles County (Daniel Boone Bridge). The act also extends the sunset date for the commission to enter into design-build project contracts. Under current law, the commission's authority to enter into design-build projects expires on July 1, 2012. This act extends the date to July 1, 2018.

SEWER DESIGN-BUILD CONTRACTS - This act authorizes the Metropolitan St. Louis Sewer District to enter into a design-build contract for a construction project exceeding $1 million. Under the terms of the act, the sewer district must establish written procedures for prequalifying design-build contractors. The sewer district is authorized to issue a request for proposals to a maximum of 5 prequalified design-build contractors.

The act establishes advertising requirements and procedures for submitting and opening proposals and for readvertising when necessary. The act also specifies that payment bonds shall apply to the sewer design-build projects. The act further provides that performance bonds for design-build contractors do not need to cover design services if the contractors or subcontractors providing design services carry professional liability insurance in the amount established by the district in the request for proposal.

The act requires architects, engineers, and land surveyors to be licensed or authorized in this state to provide such services as required by law.

The act prohibits architects or engineers retained by the sewer district from acting as design-build contractors, subcontractors, joint venturers, or partners for the project.

The sewer design-build contract provisions are similar to the ones found in HB 659 (2011).
STEPHEN WITTE

01/18/2011 S First Read--SB 133-Rupp (S98)
01/27/2011 Second Read and Referred S Transportation Committee (S160)
02/16/2011 Hearing Conducted S Transportation Committee
02/23/2011 SCS Voted Do Pass S Transportation Committee - (0709S.02C)
02/24/2011 Reported from S Transportation Committee to Floor w/SCS (S329)
02/28/2011 Bill Placed on Informal Calendar (S345)
03/02/2011 SCS S adopted (S372)
03/02/2011 Perfected (S372)
03/02/2011 Reported Truly Perfected S Rules Committee (S381)
03/03/2011 S Third Read and Passed (S387)
03/03/2011 H First Read (H525)
03/07/2011 H Second Read (H532)

03/31/2011 Referred H Transportation Committee (H811)
04/05/2011 Hearing Conducted H Transportation Committee
04/13/2011 HCS Voted Do Pass H Transportation Committee
04/14/2011 HCS Reported Do Pass H Transportation Committee (H1295)
04/14/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1295)

EFFECTIVE: August 28, 2011

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*** SB 134 *** 0939S.01I

SENATE SPONSOR: Rupp

SB 134 - This act modifies provisions relating to termination of parental rights as it relates to parents with disabilities. The act specifies that the disability of a parent shall not constitute a basis for a determination that a child is in need of care, for the removal of custody of a child from the parent, or for the termination of parental rights without a specific showing that there is a causal relation between the disability and harm to the child. In such cases involving termination of parental rights, the court shall consider the availability and use of accommodations for the disability of the parent, including assistive technology and support services.
ADRIANE CROUSE

01/18/2011 S First Read--SB 134-Rupp and Justus (S98)
01/27/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S160)
02/14/2011 Hearing Cancelled S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2011

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*** SB 135 *** HCS SS SB 135 0583S.06T

SENATE SPONSOR: Schaefer HOUSE HANDLER: Jones

HCS/SS/SB 135 - This act modifies provisions pertaining to environmental protection.

SECTIONS 253.082, 256.055, and 640.045 - PETTY CASH FOR SALES TRANSACTIONS TO THE PUBLIC
The act allows the director of the Department of Natural Resources to request the Commissioner of the Office of Administration to provide up to $500 to any division director in the department to be used as a revolving fund for cash transactions for the sale of items by the division. All cash transactions must be made in accordance with rules established by the Commissioner.

These sections are similar to HB 190 (2011).

SECTION 253.090 - STATE PARK EARNINGS FUND
The act requires the State Treasurer to invest monies in the State Park Earnings Fund in the same manner as it invests monies in other funds, requires any interest earned by the investments to be retained in the Fund, and exempts monies in the Fund from being transferred to the General Revenue Fund in the biennial sweep.

This section is similar to HCS/HB 89 (2011), HB 823 (2011), and HB 191 (2011).

SECTION 260.262 - LEAD-ACID BATTERY FEE
The act extends the expiration date from June 30, 2011 to December 31, 2015 for the fee assessed per lead-acid battery sold in the state.

This section is similar to HB 98 (2011) and HB 2086 (2010).

SECTION 260.269 - SCRAP TIRES
The act allows the state or any political subdivision to transfer ownership of scrap tires or tire shred to any Missouri-based company if the cost of the transfer is less than the cost of disposal of the tires, and as long as the company does not put the tires in a landfill or burn them as a fuel source. The company must bear the cost of transporting the tires to its facility.

This section is similar to SCS/SB 230 (2011) and HCS/HB 578 (2011).

SECTIONS 260.380 AND 260.475 - HAZARDOUS WASTE FEES
The expiration date for fees assessed to generators, transporters, and disposers of hazardous waste is extended from December 31, 2011 to December 31, 2015.

These sections are identical to HB 98 (2011).

SECTION 260.965 - DRY-CLEANING FACILITIES
Under current law, the state statutes regarding dry-cleaning facility environmental remediation, including payments into the Dry-Cleaning Environmental Response Trust Fund, expire on August 28, 2012. The act extends the expiration date to August 28, 2017.

SECTION 306.109 - EXPANDED POLYPROPYLENE COOLERS
Current law prohibits the possession of expanded polypropylene coolers on or within 50 feet of certain rivers in the state except in certain areas. The act removes this prohibition.

SECTIONS 319.130 & 319.132 - PETROLEUM STORAGE TANK INSURANCE FUND
By April 1, 2012, the Board of Trustees of the Petroleum Storage Tank Insurance Fund must hold at least one public hearing to determine if it should create an underground storage tank operator training program. In making its decision, the Board must consider: input from the Departments of Natural Resources and Agriculture, the Board's advisory committee, and relevant portions of the private sector; federal financial ramifications; and other training programs already in use.

If the Board decides that a training program is necessary, the act lists requirements for the program. The program must meet federal requirements, be developed in collaboration with certain entities, be offered at no cost to individuals who are required to attend, specify certain standards and documentation requirements, and be developed by rule. The Board may contract with third parties to provide the training. The Board may modify or eliminate the program by rule. Records for the program must be made readily available to the Department of Natural Resources.

SECTION 414.072 - MOTOR FUEL
State and local governments may not use a manufacturer's expiration date on motor fuel measuring devices and dispensing equipment as the only reason to require repair or replacement of the equipment or issue a fine or penalty.

The required use of any automatic volumetric correction device for measuring fuel by gas stations must first be authorized by state statute before it may be imposed.

SECTION 640.905 - ENGINEERING WORK FOR PERMIT APPLICATIONS
If certain technical engineering documents have been prepared by a registered professional engineer and are submitted to the Department of Natural Resources in conjunction with a permit application or permit modification, the documents must be sealed by the engineer and the permit application or modification must include a statement that the documents were prepared in accordance with all applicable requirements. The department must use the documents in addition to other relevant information to develop comments and render a permit decision. Only a registered professional engineer or engineering intern may review the sealed engineering documents. The act also provides procedures for supervisory review of engineering documents.

SECTION 644.036 - 303(d) LIST
Under current law, the public notification requirements for the Clean Water Commission's development of the list of impaired waters required by Section 303(d) of the federal Clean Water Act expired on August 28, 2010. The act extends the expiration date to August 28, 2015.

This section is similar to SB 158 (2011), HB 89 (2011), HB 441 (2011), HB 97 (2011), and HB 2109 (2010).

SECTION 644.054 - CLEAN WATER PERMIT FEES
Under current law, the authority for the Department of Natural Resources to charge fees for clean water permits expired on December 31, 2010. This act extends the expiration date until December 31, 2015.

This section is similar to SB 158 (2011), SB 423 (2011), HB 89 (2011), HB 441 (2011), HB 97 (2011), and HB 2109 (2010).

SECTION 1. - MOTOR FUEL VAPOR RECOVERY FEES
Only the Department of Natural Resources may set Stage 1 and Stage 2 motor fuel vapor recovery fees and such fees may not be modified by local governments or local enforcement agencies.

This act contains provisions similar to SB 1040 (2010) and SB 885 (2010).

The act contains an emergency clause for the sections relating to the State Park Earnings Fund (253.090), lead-acid battery fee (260.262), hazardous waste fees (260.380 & 260.475), 303(d) List (644.036), and clean water permit fees (644.054).
ERIKA JAQUES

HA 1 - ADDS SECTION 640.116, WHICH EXEMPTS CERTAIN WELLS FROM WELL CONSTRUCTION REGULATIONS IF THE WELLS SERVE CERTAIN SMALL CHARITABLE OR BENEVOLENT ORGANIZATIONS EXCEPT IF THE WELLS PRESENT A THREAT TO GROUNDWATER OR PUBLIC HEALTH. THE AMENDMENT REQUIRES THE WELL OWNER TO ADDRESS CERTAIN COLIFORM CONTAMINANT VIOLATIONS. NO WELL CONSTRUCTED BEFORE AUGUST 28, 2011 THAT MEETS THE CRITERIA FOR THE EXEMPTION UNDER THE AMENDMENT SHALL BE REQUIRED TO BE UPGRADED OR ALTERED UNLESS THE WELL POSES A THREAT TO GROUNDWATER OR PUBLIC HEALTH OR HAS THE COLIFORM CONTAMINANT VIOLATIONS.

HA 2 - ADDS SECTION 306.108, WHICH CREATES SOUND LEVEL RESTRICTIONS ON THE LAKE OF THE OZARKS. NO PERSON SHALL USE A MECHANICAL OR ELECTRONIC DEVICE TO EMIT SOUND LEVELS GREATER THAN 80 DECIBELS BETWEEN THE HOURS OF 7 A.M. AND 10 P.M., OR 70 DECIBELS BETWEEN 10 P.M. AND 7 A.M., WHEN MEASURED FROM 50 FEET AWAY. THIS PROVISION DOES NOT SUPERSEDE LOCAL NOISE LAWS. VIOLATORS MAY BE SUBJECT TO IMPRISONMENT UP TO 90 DAYS OR A FINE UP TO $500, OR BOTH.

HA 3 - ALLOWS A BUSINESS TO BURN AS A FUEL ANY SCRAP TIRES THE BUSINESS ACCEPTS FROM THE STATE OR A POLITICAL SUBDIVISION IF THE BUSINESS HAS A PERMIT TO DO SO.

01/19/2011 S First Read--SB 135-Schaefer (S105)
01/27/2011 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S160)
02/15/2011 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee
02/23/2011 Voted Do Pass S Commerce, Consumer Protection, Energy and the Environment Committee
03/03/2011 Reported from S Commerce, Consumer Protection, Energy and the Environment Committee to Floor (S388)
03/07/2011 Bill Placed on Informal Calendar (S401)
03/08/2011 SS S offered & adopted (Schaefer)--(0583S.03F) (S412)
03/08/2011 Perfected (S412)
03/09/2011 Reported Truly Perfected S Rules Committee (S418)
03/09/2011 Referred S Ways & Means and Fiscal Oversight Committee (S418)
03/10/2011 Hearing Conducted S Ways and Means and Fiscal Oversight Committee
03/10/2011 Voted Do Pass S Ways & Means and Fiscal Oversight Committee
03/10/2011 Reported from S Ways & Means and Fiscal Oversight Committee to Floor (S426)
03/10/2011 S Third Read and Passed (S430-431)
03/10/2011 H First Read (H594)
03/14/2011 H Second Read (H602)
03/31/2011 Referred H Tourism & Natural Resources Committee (H811)
04/07/2011 Hearing Conducted H Tourism & Natural Resources Committee
04/14/2011 HCS Voted Do Pass H Transportation Funding & Public Institutions Committee
04/14/2011 HCS Reported Do Pass H Tourism & Natural Resources Committee (H1295)
04/14/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1295)
04/20/2011 Voted Do Pass H Rules Pursuant Committee
04/20/2011 HCS Reported Do Pass H Rules Pursuant Committee (H1419)
05/03/2011 HA 1 to HCS H offered & adopted (Cox)--(0583L05.03H) (H1789)
05/03/2011 HA 2 to HCS H offered & adopted (Schad)--(0583L05.01F) (H1789-1790)
05/03/2011 HA 3 to HCS H offered & adopted (Thomson)--(0583L05.04H) (H1790)
05/03/2011 HCS, as amended, H adopted (H1790)
05/03/2011 H Third Read and Passed - EC adopted (H1790-1792 / S1302-1303)
05/05/2011 S refuses to concur in HCS, as amended (S1347)
05/05/2011 S requests H recede or grant conference (S1347 / H1943)
05/05/2011 H refuses to recede and grants conference (H1945 / S1357)
05/05/2011 S conferees appointed: Schaefer, Lager, Munzlinger, Justus, Green (S1358 / H2078)
05/05/2011 H conferees appointed: Jones-89, Ruzicka, Pollock, Holsman, Brown-50 (H1968 / S1478)
05/10/2011 H submits CCR (H2249)

05/11/2011 CCR S offered & adopted (S1727-1728)
05/11/2011 CCS S Third Read and Passed - EC adopted (S1728-1729 / H2405)
05/13/2011 CCR H adopted
05/13/2011 CCS H Third Read and Passed - EC adopted
05/13/2011 Truly Agreed To and Finally Passed

EFFECTIVE: August 28, 2011

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*** SB 136 *** 1006S.01I

SENATE SPONSOR: Schaaf

SB 136 – This act prohibits a hospital from requiring a physician to agree to make patient referrals to the hospital-affiliated facility as a condition of receiving medical staff membership or medical staff privileges at the hospital. This act also prohibits a hospital from refusing to grant medical staff membership or privileges or participatory status in the hospital because the physician or his or her partner, associate, employee, or family member provides medical or health care services at, has ownership interest in, or has a leadership position on the medical staff of another hospital, hospital system, or health care facility.

This act is identical to HB 1855 (2010).
ADRIANE CROUSE

01/19/2011 S First Read--SB 136-Schaaf (S105)
01/27/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S160)
03/01/2011 Hearing Conducted S Health, Mental Health, Seniors and Families Committee

EFFECTIVE: August 28, 2011

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*** SB 137 *** 0873L.03I

SENATE SPONSOR: Brown

SCS/SB 137 – After August 28, 2011, all hospitals, ambulatory surgical centers and certain health care facilities shall require all newly hired personnel providing services in such facilities to wear identification badges prominently displaying the employee's photograph, first name, title and employer. The title of the employee shall include whether the employee is a physician, nurse or other titles as determined by the Department of Health and Senior Services. Personnel shall not be required to wear the badge while delivering direct care if not clinically feasible.

Compliance with this act for all current personnel may occur when any badges are issued or replaced within a reasonable time after August 28, 2011, but no later than by August 28, 2016. Nothing in this act requires the immediate replacement of identification badges worn by current personnel.
ADRIANE CROUSE

01/19/2011 S First Read--SB 137-Brown (S105)
01/27/2011 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S160)
02/07/2011 Hearing Conducted S Financial and Governmental Organizations and Elections Committee
02/14/2011 SCS Voted Do Pass S Financial and Governmental Organizations and Elections Committee (0873S.08C)

EFFECTIVE: August 28, 2011

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*** SB 138 *** 0048S.06I

SENATE SPONSOR: Keaveny

SB 138 - This act creates the Nonhuman Primate Act.

No person in the state may own, keep, breed, or otherwise possess certain non-human primates (baboon, chimpanzee, orangutan, gorilla, etc.) without a permit for such animals issued by the Department of Agriculture. Permits must be sought within 30 days of acquisition of such an animal. Certain organizations are exempt from the act's provisions as listed.

Permit applicants must be at least 21 years of age. The act requires certain information on the permit application to help locate and identify the animal. The department may only issue a permit to a person who meets all of the requirements of the act. Permits are valid for up to 5 years and are renewable. The

department may charge reasonable fees for an original permit and a renewal permit. The department may deny anyone a permit, or revoke a permit, if a person fails at any time to meet or comply with the act's requirements. The department may revoke a permit for a non-human primate if a permit holder pleads guilty to or is found guilty of the crime of animal abuse, abandonment, or animal neglect. Denied or revoked permits may be appealed.

Under the act, if a person can no longer care for a non-human primate in his or her possession, the person can transfer the primate to another person who has a valid permit or the person can contact the department or a wildlife sanctuary.

The act lists certain requirements for non-human primates. They shall be spayed or neutered and secured in a vehicle during transport. They shall not be allowed to run loose, mistreated or deprived of basic needs, brought to a public place or place of business, or released or allowed to escape. Owners of non-human primates must have certain signs posted on their property to notify the public of the animal's presence.

Owners of non-human primates must notify law enforcement immediately if the primate escapes and will be responsible for the costs involved in capture. Owners of non-human primates must allow enforcement agents reasonable access to the animal's premises to ensure the animal is being kept in compliance with the act. The department may confiscate any animal not kept in compliance with the act. The animal may be returned to the owner under certain conditions and may not be returned to the owner if the owner has had a primate previously confiscated. The act provides for disposition of a non-human primate if the department cannot return the animal to its owner.

A violation of the act is a Class A misdemeanor, except if a person intentionally releases a non-human primate, which is a Class D felony.

Cities and counties may enact laws that are more restrictive than the requirements of the act.
ERIKA JAQUES

01/19/2011 S First Read--SB 138-Keaveny (S105)
01/27/2011 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S160)
03/02/2011 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee

EFFECTIVE: August 28, 2011

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*** SB 139 *** 0563S.01I

SENATE SPONSOR: Crowell

SB 139 - This act modifies every state tax credit program in existence by limiting the amount of tax credits available for authorization in each fiscal year beginning FY 2013 based upon an appropriations made by the General Assembly in the appropriation bill for public debt.

The act creates a procedure for the appropriation of tax credit authorizations after June 30, 2012. The act establishes separate funds to receive appropriations for each tax credit program in existence. Unless specifically appropriated, no tax credits may be authorized after June 30, 2012. 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 appropriations. Where Missouri law allows the issuance of tax credits to a recipient over the course of several years, such tax credit authorization must be appropriated in the aggregate, and subsequent issuance of such tax credits will not be used in calculating any statutory limitation on the fiscal year authorization appropriation of tax credits. Fiscal year appropriations 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. Appropriated funds for tax credits which remain unauthorized at the end of the fiscal year, along with an interest earned on moneys within the funds, will be transferred to the general revenue fund on the last day of such fiscal year. As tax credits are redeemed, transfers from the various tax credit funds will be made to the general revenue fund to offset such redemptions.

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.

This act is similar to Senate Bill 954 (2010).

JASON ZAMKUS

01/19/2011 S First Read--SB 139-Crowell (S105)
01/27/2011 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S160)
02/17/2011 Hearing Cancelled S Ways and Means and Fiscal Oversight Committee

EFFECTIVE: August 28, 2011

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*** SB 140 *** 0692S.01I

SENATE SPONSOR: Crowell

SB 140 - This act repeals provisions of the Missouri property tax credit, commonly referred to as the circuit breaker tax credit, which allow renters to receive the property tax credit for rent constituting taxes paid.
JASON ZAMKUS

01/19/2011 S First Read--SB 140-Crowell (S105)
01/27/2011 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S160)
02/24/2011 Hearing Cancelled S Ways and Means and Fiscal Oversight Committee

EFFECTIVE: August 28, 2011

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*** SB 141 *** 0458S.01I

SENATE SPONSOR: Crowell

SB 141 - This act requires applicants to provide statements, that such applicant has not made a contribution to a state or federal campaign committee within the two years prior to application and will not make such a contribution for the two year period following receipt of tax credits, with all applications for:

1. Agricultural product utilization contributor tax credits;
2. New generation cooperative incentive tax credits;
3. Low-income housing tax credits;
4. Business facility tax credits;
5. Enterprise zone tax benefits;
6. Business use incentives for large-scale development tax credits (BUILD);
7. Development tax credits;
8. Rebuilding communities tax credits;
9. Film production tax credits;
10. Enhanced enterprise zone tax benefits;
11. Quality jobs tax benefits;
12. Capital tax credits;
13. Certified capital company tax credits;
14. Seed capital tax credits;
15. New enterprise creation tax credits;
16. Research tax credits;
17. Small business incubator tax credits;
18. Guarantee fee tax credits;
19. New generation cooperative tax credits;
20. Historic preservation tax credits;
21. Brownfield redevelopment program tax credits;
22. Community development corporations tax credits;
23. Missouri Development Finance Board (MDFB) infrastructure tax credits;
24. MDFB bond guarantee tax credits;
25. Disabled access tax credits;
26. New markets tax credits;
27. Distressed areas land assemblage tax credits; and
30. Any tax credits authorized under any tax credit program established by law after August 28, 2011.

The act prohibits recipients of such tax credits from making campaign contributions for the two years immediately following application for such credits. Any recipient of such tax credits who is found to have made a campaign contribution within the two year period immediately preceding, or following, application will be subject to recapture of all such credits.

Administering agencies must provide the Attorney General with annual reports containing all tax credit applications received. The Attorney General will commence legal proceedings to require the recapture and repayment of tax credits by tax credit recipients found to have made campaign contributions in violation of this

act.

This act is similar to Senate Bill 1054 (2010).
JASON ZAMKUS

01/19/2011 S First Read--SB 141-Crowell (S105)
01/27/2011 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S160)
02/17/2011 Hearing Cancelled S Ways and Means and Fiscal Oversight Committee

EFFECTIVE: August 28, 2011

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*** SB 142 *** 0153S.02I

SENATE SPONSOR: Crowell

SB 142 - This act removes all statewide elected officials from the Missouri Development Finance Board and the Missouri Housing Development Commission.

Board and commission members are barred from being employed by or having a business relationship with the respective board or commission for two years after serving.

Members of the General Assembly and statewide elected officials are barred from being employed by or having a business relationship with the respective board or commission for five years after serving.

This act is similar to SB 1053 (2010).
CHRIS HOGERTY

01/19/2011 S First Read--SB 142-Crowell (S106)
01/27/2011 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S160)

EFFECTIVE: August 28, 2011

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*** SB 143 *** 0695S.01I

SENATE SPONSOR: Crowell

SB 143 - This act prohibits the approval of new applications under the Missouri Downtown and Rural Stimulus Act after August 28, 2011.
JASON ZAMKUS

01/19/2011 S First Read--SB 143-Crowell (S106)
01/27/2011 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S160)
03/10/2011 Hearing Scheduled But Not Heard S Ways and Means and Fiscal Oversight Committee

EFFECTIVE: August 28, 2011

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*** SB 144 *** 0992S.01I

SENATE SPONSOR: Crowell

SB 144 - This act prohibits the authorization for issuance of Low Income Housing and Missouri Development Finance Board Infrastructure Development Fund Contribution Tax Credits for the one year period beginning on the effective date of the act.

This act contains an emergency clause.

This act is identical to Senate Bill 890 (2010).
JASON ZAMKUS

01/19/2011 S First Read--SB 144-Crowell (S106)
01/27/2011 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S160)
02/24/2011 Hearing Cancelled S Ways and Means and Fiscal Oversight Committee

EFFECTIVE: Emergency Clause

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*** SB 145 *** HCS SB 145 0990L.02C

SENATE SPONSOR: Dempsey

HCS/SB 145 - This act modifies provisions relating to political subdivisions.

COUNTY AUDITOR

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 $1,000 or more. Current law requires an inventory of county property with an original value of $250 or more.

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

PROSECUTING ATTORNEYS' RETIREMENT FUND

This act requires a surcharge of $4 be assessed against any person who pled guilty and paid a fine through a fine collection center. The surcharge is payable to the prosecuting attorneys and circuit attorneys' retirement fund.

WATER LINE REPAIR PROGRAM

This act authorizes cities, towns, and villages located in any county of the state to seek voter approval for the imposition of a fee on residential property to fund the repair or replacement of water lines on that property. The fee would be imposed for the repair or replacement of water service lines providing water service to residential properties having four or fewer dwelling units located within the city, town, or village. The fee cannot exceed one dollar per month.

Any city, town, or village which imposes the water service line fee may, by ordinance, provide for the administration of the program and define the terms "repair" and "water service line".

This provision is identical to SCS/SB 174 (2011).

TRANSFER OF GUARDIANSHIP AND CONSERVATORSHIP CASES

A public administrator may request the court to transfer any guardianship or conservatorship case to another county. If the other county meets the venue requirements and the public administrator of the other county consents to the transfer, the court is required to transfer the case. The court with jurisdiction over the other county is required to appoint the public administrator of that county as the person's new guardian or conservator.

The public administrator is required to file a final settlement of their conservatorship within thirty days of the court transferring the case. This final settlement will be filed in the court with jurisdiction over the original conservatorship and forwarded to the receiving county upon approval.

This provision is identical to HB 88 (2011) and SB 57 (2011).

SEWER LINE REPAIR PROGRAM

This act authorizes cities, towns, villages, and sewer and water supply districts to seek voter approval for the imposition of a fee on residential property to fund the repair or replacement of lateral sewer service lines on that property. The fee would be imposed for the repair or replacement of lateral sewer service lines providing service to residential properties having four or fewer dwelling units located within the city, town, village, or sewer or water supply district. The fee cannot exceed $4 per month.

Any city, town, or village which imposes the line fee may, by ordinance, provide for the administration of the program and define the terms "repair" and "lateral sewer service line".
MEGHAN LUECKE

HA 1 - THIS AMENDMENT ALLOWS ANY WINERY, DISTILLER, MANUFACTURER, WHOLESALER OR BREWER TO PROVIDE TASTING SAMPLES ON A LICENSED RETAIL PREMISES SO LONG AS THE SAMPLE PROVIDER HAS CERTAIN PERMITS, PERMISSION FROM THE RETAILER AND NO MONEY IS GIVEN TO THE RETAILERS FOR THE TASTING.

THE SAMPLES MAY BE DISPENSED BY AN EMPLOYEE OF THE SAMPLE PROVIDER OR A SAMPLING SERVICE. THE EMPLOYEES MUST COMPLETE A SERVER TRAINING PROGRAM APPROVED BY THE DIVISION OF ALCOHOL AND TOBACCO CONTROL.

ANY REMAINING SAMPLES AFTER THE TASTING MUST BE RETURNED TO THE RETAILER, WINERY,

DISTILLER, MANUFACTURER, WHOLESALER OR BREWER.

HA 2 - THIS AMENDMENT ALLOWS A COUNTY COLLECTOR TO ADD SPECIAL ASSESSMENTS LEVIED IN A COMMUNITY IMPROVEMENT DISTRICT TO THE ANNUAL REAL ESTATE TAX BILLS FOR THE PROPERTIES BEING BENEFITTED BY THE DISTRICT. UNPAID SPECIAL ASSESSMENTS ON THE FIRST DAY OF JANUARY ARE CONSIDERED DELINQUENT AND ENFORCEMENT OF THE COLLECTION OF DELINQUENT BILLS WILL BE GOVERNED BY THE LAWS CONCERNING DELINQUENT AND BACK TAXES. A LIEN MAY BE FORECLOSED IN THE SAME MANNER AS A TAX UPON REAL PROPERTY BY LAND TAX SALE.

HA 3 - THIS AMENDMENT ADDS THE COSTS OF ENVIRONMENTAL INSURANCE PREMIUMS AND THE BACKFILL OF AREAS WHERE CONTAMINATED SOIL EXCAVATION OCCURS TO THE LIST OF EXPENSES THAT QUALIFY FOR A REMEDIATION TAX CREDIT.

HA 4 - THIS AMENDMENT ALLOWS THE CITY, TOWN, OR VILLAGE TO REQUIRE ONE DAY OF WORK FOR THE GREATER OF: THE ACTUAL DAILY COST OF INCARCERATING THE PRISONER; OR THE AMOUNT THE STATE REIMBURSES FOR INCARCERATING THE PRISONER.

UPON APPROVAL BY THE COUNTY COMMISSION, THIS AMENDMENT ALLOWS GREENE COUNTY TO CHARGE AN ADDITIONAL $5 SURCHARGE TO ANY PARTY FILING A CIVIL CASE.

HA 1 TO HA 4 - UNDER CURRENT LAW, THE CITIES OF SPRINGFIELD, JOPLIN, AND ST. JOSEPH, AS WELL AS ANY CITIES IN JASPER OR BUTLER COUNTY MAY SEEK VOTER APPROVAL FOR THE IMPOSITION OF A SALES TAX OF UP TO ONE-HALF OF ONE PERCENT FOR ECONOMIC DEVELOPMENT PURPOSES. BUTLER COUNTY AND BUCHANAN COUNTY MAY ALSO SEEK VOTER APPROVAL FOR THE IMPOSITION OF SUCH A TAX. CURRENT LAW PROVIDES A NON-INCLUSIVE LIST OF ECONOMIC DEVELOPMENT PROJECTS FOR WHICH REVENUES DERIVED FROM THE TAX MAY BE USED. THIS AMENDMENT WOULD ALLOW LOCAL ECONOMIC DEVELOPMENT SALES TAX REVENUES TO ALSO BE USED FOR THE CONSTRUCTION OF JOB TRAINING AND EDUCATIONAL FACILITIES.

HA 5 - THIS AMENDMENT SPECIFIES THAT POLITICAL SUBDIVISIONS THAT HAVE FORMED A BUSINESS ENTITY FOR THE PURPOSE OF PROVIDING INSURANCE COVERAGE WILL NOT BE REQUIRED TO SOLICIT COMPETITIVE BIDS WHEN PROCURING RISK COVERAGES.

HA 6 - THIS AMENDMENT EXEMPTS CERTAIN VOLUNTARY ANNEXATIONS FROM BOUNDARY COMMISSION REVIEW IN ST. LOUIS COUNTY.

HA 7 - THIS AMENDMENT SPECIFIES THAT A DISTRIBUTEE OF THE COUNTY EMPLOYEES' RETIREMENT SYSTEM MAY ELECT TO HAVE ANY PORTION OF AN ELIGIBLE ROLLOVER DISTRIBUTION PAID DIRECTLY TO AN ELIGIBLE RETIREMENT PLAN SPECIFIED BY THE INDIVIDUAL IN A DIRECT ROLLOVER TO THE EXTENT AND IN THE TIME AND MANNER AS ESTABLISHED IN REGULATIONS AND AS OTHERWISE PROVIDED FOR BY THE BOARD OF THE SYSTEM.

HA 8 - UNDER CURRENT LAW, THE DEPARTMENT OF HEALTH AND SENIOR SERVICES PROCESSES CLAIMS SUBMITTED BY HEALTH CARE PROVIDERS REQUESTING SETOFFS OF INCOME TAX REFUNDS TO SATISFY OUTSTANDING DEBTS OWED BY TAXPAYERS. THIS AMENDMENT REPEALS THE AUTHORITY OF THE DEPARTMENT OF HEALTH AND SENIOR SERVICES TO ADMINISTER SUCH A PROGRAM AND CREATES A SYSTEM FOR AMBULANCE SERVICE PROVIDERS TO UTILIZE A PRIVATE CLAIM CLEARINGHOUSE TO PROCESS AND VERIFY REQUESTS FOR SETOFFS OF TAXPAYER INCOME TAX REFUNDS AND LOTTERY WINNINGS TO SATISFY OUTSTANDING DEBTS FOR AMBULANCE SERVICES RECEIVED. PRIOR TO UTILIZING THE CLEARINGHOUSE, AN AMBULANCE SERVICE PROVIDER MUST PROVIDE CERTAIN NOTICES TO PATIENTS AND ALLOW FOR VARIOUS LEVELS OF REVIEW AND APPEALS OF SUCH CLAIMS. TO OFFSET EXPENSES INCURRED IN COLLECTING DEBTS OWED TO AMBULANCE SERVICE PROVIDERS, A COLLECTION FEE IS ASSESSED TO EACH OFFSET WHICH IS ALLOCATED AMONG THE CLEARINGHOUSE AND THE DEPARTMENT OF REVENUE.

HA 9 - THIS IS A REDUNDANT AMENDMENT THAT CREATES THE SEWER SERVICE LINE REPAIR PROGRAM.

HA 10 - THIS ACT MODIFIES PROVISIONS THAT AFFECT CLAIMS BY FIREFIGHTERS FOR DISABILITY OR DEATH BENEFITS. IF AFTER FIVE YEARS OF SERVICE A FIREFIGHTER'S HEALTH IS IMPAIRED DUE TO CERTAIN INFECTIOUS DISEASES, IT WILL BE PRESUMED THAT THIS INFECTIOUS DISEASE WAS SUFFERED IN THE LINE OF DUTY, UNLESS THERE IS EVIDENCE TO THE CONTRARY. FIREFIGHTERS ARE REQUIRED TO SUBMIT TO AN ANNUAL PHYSICAL EXAMINATION, AT WHICH A BLOOD TEST IS ADMINISTERED, IN ORDER TO RECEIVE THE PRESUMPTION THAT THE INFECTIOUS DISEASE WAS CONTRACTED IN THE LINE OF DUTY.

HA 11 - THIS AMENDMENT PROVIDES THAT A PREMISES OWNER WHO TERMINATES SERVICE DUE TO DELINQUENT PAYMENTS SHALL NOT BE LIABLE FOR CIVIL OR CRIMINAL DAMAGES AND SUCH ACTION SHALL NOT BE CONSIDERED CONSTRUCTIVE EVICTION.

HA 1 TO HA 11 - THIS AMENDMENT PROVIDES THAT WATER SERVICE PROVIDERS AND PREMISES OWNERS ARE ONLY PROTECTED FROM CIVIL OR CRIMINAL DAMAGES THAT ARE FOR THE TERMINATION OF WATER OR SEWER SERVICES.

HA 12 - DRINKING WATER SUPPLY LAKE AUTHORITY

THIS AMENDMENT ALLOWS SULLIVAN AND CHRISTIAN COUNTIES TO CREATE A COUNTY DRINKING WATER SUPPLY LAKE AUTHORITY TO PROMOTE A SAFE DRINKING WATER SUPPLY THROUGH THE CONSTRUCTION, OPERATION, AND MAINTENANCE OF A DRINKING WATER SUPPLY LAKE. THE AUTHORITY SHALL BE A BODY CORPORATE AND POLITIC AND A POLITICAL SUBDIVISION OF THE STATE. ITS INCOME AND PROPERTY SHALL BE EXEMPT FROM STATE AND LOCAL TAXATION.

THE AUTHORITY SHALL HAVE POWER OVER THE RESERVOIR ENCOMPASSING A DRINKING WATER SUPPLY LAKE AND WITHIN THE LAKE’S WATERSHED TO ACQUIRE OR BUILD RECREATIONAL, WATER QUALITY, AND INFRASTRUCTURE IMPROVEMENT PROJECTS; ACQUIRE PERSONAL AND REAL PROPERTY; ENTER CONTRACTS; SUE AND BE SUED; ACCEPT MONEY FROM AND ENTER INTO AGREEMENTS WITH PRIVATE AND PUBLIC ENTITIES; HIRE EMPLOYEES AND FIX THEIR WAGES; SPEND MONEY; ADOPT RULES; FIX FEES; ISSUE REVENUE BONDS; SELL AND SUPPLY WATER; ADOPT TAX INCREMENT FINANCING; AND EXERCISE THE POWERS OF PLANNING AND ZONING.

MEMBERS OF THE NORTH CENTRAL MISSOURI REGIONAL WATER COMMISSION SHALL APPOINT MEMBERS TO THE COUNTY DRINKING WATER SUPPLY LAKE AUTHORITY FOR STAGGERED SIX YEAR TERMS. THE APPOINTEES MUST, FOR MORE THAN FIVE YEARS, BE REGISTERED VOTERS IN MISSOURI AND RESIDENTS OF SULLIVAN COUNTY, AND THE APPOINTEES MUST BE OVER THE AGE OF 25.

THE WATER COMMISSION SHALL ALSO ESTABLISH THE DATE AND TIME FOR THE LAKE AUTHORITY’S FIRST MEETING WHERE A CHAIRMAN, VICE CHAIRMEN, SECRETARY AND TREASURER ARE TO BE ELECTED OR APPOINTED. AN EXECUTIVE DIRECTOR WHO IS NOT A MEMBER OF THE LAKE AUTHORITY MAY ALSO BE APPOINTED WHO WILL BE COMPENSATED OR THE SECRETARY MAY BE DESIGNATED TO ACT AS EXECUTIVE DIRECTOR.

SURETY BONDS IN THE PENAL SUM OF $50,000 OR A BLANKET BOND COVERING THE MEMBERS OF THE AUTHORITY, SHALL BE PURCHASED AND CONDITIONED UPON THE FAITHFUL PERFORMANCE OF THE DUTIES OF THE OFFICES COVERED.

AUTHORITY MEMBERS ARE BARRED FROM PARTICIPATING IN ANY DELIBERATIONS OR DECISIONS IN WHICH THE MEMBER HAS A DIRECT FINANCIAL INTEREST. SUCH MEMBERS ARE SUBJECT TO THE LIMITATIONS REGARDING THE CONDUCT OF PUBLIC OFFICIALS PROVIDED IN CHAPTER 105.

THIS AMENDMENT DEFINES THE TERMS CONSERVATION STORAGE LEVEL, COSTS, PROJECT, WATER COMMISSION, AND WATERSHED.

IN ADDITION, THIS AMENDMENT ALLOWS THE HIGHWAYS AND TRANSPORTATION COMMISSION WITHIN THE DEPARTMENT OF TRANSPORTATION TO ENTER INTO A BINDING HIGHWAY INFRASTRUCTURE AGREEMENT TO REIMBURSE OR REPAY ANY FUNDS ADVANCED BY OR FOR THE BENEFIT OF A COUNTY, POLITICAL SUBDIVISION, OR PRIVATE ENTITY TO EXPEDITE

STATE ROAD CONSTRUCTION OR IMPROVEMENT.

HA 13 - THIS AMENDMENT AMENDS THE MISSOURI TRANSPORTATION DEVELOPMENT DISTRICT ACT TO EXPLICITLY INCLUDE PUBLIC MASS TRANSPORTATION SYSTEMS AS TRANSPORTATION DEVELOPMENT DISTRICT PROJECTS.

UNDER THE AMENDMENT, DISTRICTS FORMED BY LOCAL TRANSPORTATION AUTHORITIES FOR THE PURPOSE OF OPERATING A PUBLIC MASS TRANSPORTATION SYSTEM DO NOT HAVE TO SUBMIT THEIR PROJECT PLANS TO THE STATE HIGHWAYS AND TRANSPORTATION COMMISSION.

THE AMENDMENT 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.

HA 14 - THE AMENDMENT SPECIFIES THAT ANY PERSONAL IDENTIFYING INFORMATION THAT IS UTILIZED IN A VOLUNTARY REGISTRY OF PERSONS WITH HEALTH-RELATED AILMENTS CREATED BY A PUBLIC GOVERNMENTAL BODY TO ASSIST THESE INDIVIDUALS DURING A DISASTER OR EMERGENCY IS NOT TO BE CONSIDERED A PUBLIC RECORD UNDER THE OPEN MEETINGS AND RECORDS LAW, COMMONLY KNOWN AS THE SUNSHINE LAW. HOWEVER, A GOVERNMENTAL BODY CANNOT DENY A LAWFUL REQUEST FOR THE IDENTIFYING INFORMATION FROM ANY LAW ENFORCEMENT AGENCY OR PUBLIC GOVERNMENTAL BODY PROVIDING EMERGENCY SERVICES.

HA 15 - THIS AMENDMENT SPECIFIES HOW DUTY-RELATED DEATH BENEFITS WILL BE FUNDED FOR THE MISSOURI LOCAL GOVERNMENT EMPLOYEES' RETIREMENT SYSTEM (LAGERS).

HA 16 - THIS AMENDMENT REQUIRES THAT ONE OF THREE COMMISSIONERS APPOINTED IN CONDEMNATION CASES IN ST. LOUIS CITY, ST. LOUIS COUNTY, AND JACKSON COUNTY BE A REAL ESTATE BROKER OR APPRAISER.

HA 17 - THIS AMENDMENT PROVIDES THE PROCEDURES FOR HOW A COUNTY MAY DECREASE ITS ANNUAL BUDGET WHEN THE COUNTY EXPERIENCES AN UNEXPECTED DECREASE IN FUNDS OF AT LEAST 2 PERCENT.

THE DECREASE MAY NOT IMPACT A DEDICATED FUND OR UNDULY AFFECT AN INDEPENDENTLY ELECTED OFFICEHOLDER.

A COUNTY COMMISSION MAY REDUCE THE BUDGET OF ANY OF ITS DEPARTMENTS WITHOUT BEING SUBJECT TO THIS ACT.

THE PROVISION OF THIS ACT ALLOWING FOR A DECREASE IN A COUNTY BUDGET EXPIRES JULY 1, 2015.

HA 18 - UNDER CURRENT LAW, A MUNICIPALITY DESIRING TO APPROVE A TAX INCREMENT FINANCING PROJECT, WHICH HAS RECEIVED A RECOMMENDATION IN OPPOSITION FROM THE TAX INCREMENT FINANCE COMMISSION, MAY DO SO ONLY BY A TWO-THIRDS MAJORITY VOTE OF THE GOVERNING BODY OF SUCH MUNICIPALITY. THIS ACT WOULD LIMIT THE APPLICATION OF SUCH PROVISION TO MUNICIPALITIES LOCATED WITHIN ST. CHARLES, JEFFERSON, AND ST. LOUIS COUNTIES AND PROHIBIT THE GOVERNING BODY OF SUCH A MUNICIPALITY FROM APPROVING A TAX INCREMENT FINANCE PROJECT IF THE TAX INCREMENT FINANCE COMMISSION MAKES A RECOMMENDATION IN OPPOSITION TO SUCH PROJECT, UNLESS THE QUESTION IS SUBMITTED TO THE VOTERS OF THE MUNICIPALITY AND THE QUESTION IS APPROVED BY A TWO-THIRDS MAJORITY OF THE VOTERS.

HA 19 - THIS AMENDMENT MODIFIES THE PROVISIONS RELATING TO TRANSIENT GUEST TAXES, INCLUDING PROHIBITING CITIES AND COUNTIES FROM STACKING SUCH TAXES.

HA 20 - THE AMENDMENT REQUIRES A DISTRESSED MUNICIPALITY IN ST. LOUIS COUNTY TO

PROVIDE A MINIMUM LEVEL OF PUBLIC SERVICES INCLUDING: EMERGENCY TELEPHONE SERVICE; POLICE PROTECTION 24 HOURS PER DAY, SEVEN DAYS A WEEK; CONSTRUCTION CODE ENFORCEMENT REVIEW; ADEQUATE STREET MAINTENANCE; WEEKLY WASTE AND RECYCLING COLLECTION; AND REQUIRES A BALANCED ANNUAL BUDGET AND AN ANNUAL AUDIT. A DISTRESSED MUNICIPALITY IS ANY CITY, TOWN, OR VILLAGE DESIGNATED AS GROUP B UNDER THE PROVISIONS OF LAW REGARDING THE POOLING OF SALES TAX REVENUES FOR ST. LOUIS COUNTY. IF A DISTRESSED MUNICIPALITY FAILS TO PROVIDE ANY OF THE REQUIRED SERVICES OR MEET THE BUDGET AND AUDIT REQUIREMENTS, THE GOVERNING BODY OF THE COUNTY CAN PETITION AN APPROPRIATE COURT TO WITHHOLD THE GROUP B SALES TAX REVENUE UNTIL THE NONCOMPLIANT MUNICIPALITY DEVELOPS AND ADOPTS A PLAN TO PROVIDE ALL THE REQUIRED SERVICES OR TO AUTHORIZE THE COUNTY TO ADMINISTER THE GROUP B SALES TAX REVENUE ON BEHALF OF THE MUNICIPALITY TO PROVIDE THE SERVICES.

HA 1 TO HA 20 - THIS AMENDMENT REPEALS A PROVISION CHANGING THE TERM OF OFFICE FOR FIRE PROTECTION DISTRICT BOARD MEMBERS IN ST. CHARLES COUNTY FROM SIX TO FOUR YEARS.

HA 21 - THIS AMENDMENT ALLOWS THE SECRETARY OF STATE TO ENTER INTO AN AGREEMENT WITH A NONPROFIT ORGANIZATION TO PRINT AND DISTRIBUTE COPIES OF THE STATE'S "BLUE BOOK."

HA 22 - CURRENTLY, ANY COUNTY OF THE FIRST CLASSIFICATION WITHOUT A CHARTER FORM OF GOVERNMENT AND A POPULATION OF 50,000 INHABITANTS OR LESS MAY ESTABLISH A LAW ENFORCEMENT DISTRICT UNDER THE PROVISIONS OF THE MISSOURI LAW ENFORCEMENT DISTRICT ACT. THIS AMENDMENT AUTHORIZES ANY COUNTY OF THE FIRST CLASSIFICATION TO ESTABLISH A DISTRICT AND SPECIFIES THAT TWO AREAS MAY BE CONSIDERED CONTIGUOUS IF BOTH ARE ADJACENT TO THE SHORELINE OF THE SAME BODY OF WATER. IF ANY REAL PROPERTY OWNER OR REGISTERED VOTER WITHIN THE PROPOSED DISTRICT DOES NOT SIGN THE PETITION OR FILE AN ENTRY OF APPEARANCE AND WAIVER OF SERVICE OF PROCESS, A COPY OF THE PETITION MUST BE SERVED UPON THE OWNER OR VOTER. HE OR SHE MAY OBJECT TO THE PETITION BY FILING A TIMELY WRITTEN ANSWER.

THE DISTRICT MAY IMPOSE, UPON VOTER APPROVAL OF AT LEAST FOUR-SEVENTHS OF THE REGISTERED VOTERS, AN ANNUAL PROPERTY TAX. A NEW METHOD FOR REPEALING THE DISTRICT PROPERTY TAX IS SPECIFIED IN THE AMENDMENT.

HA 23 - THIS AMENDMENT ALLOWS THE CITY OF KANSAS CITY TO ESTABLISH A LAND BANK AGENCY FOR THE MANAGEMENT, SALE, TRANSFER, AND OTHER DISPOSITION OF TAX DELINQUENT LANDS AND OTHER LANDS IN ITS POSSESSION IN ORDER TO RETURN IT TO EFFECTIVE USE TO PROVIDE HOUSING, NEW INDUSTRY, AND JOBS AND TO CREATE NEW REVENUE FOR THE CITY.

HA 24 - THIS AMENDMENT INCREASES FROM FIVE TO SEVEN OR NINE THE NUMBER OF MEMBERS ON AN ECONOMIC DEVELOPMENT TAX BOARD ESTABLISHED BY A CITY. THE SCHOOL DISTRICT AND THE COUNTY WILL EACH APPOINT AN ADDITIONAL MEMBER AND, IF IT IS A NINE-MEMBER BOARD, THE CITY WILL APPOINT TWO ADDITIONAL MEMBERS. IF A BOARD IS ALREADY IN EXISTENCE, ANY INCREASE MUST BE DESIGNATED IN AN ORDER OR ORDINANCE.

HA 1 TO HA 24 - THIS AMENDMENT ALLOWS AMBULANCE AND FIRE PROTECTION DISTRICTS LOCATED WITHIN ST. LOUIS COUNTY TO SEEK VOTER APPROVAL TO IMPOSE THE SALES TAX.

HA 25 - THIS AMENDMENT PROHIBITS A PERSON WHO RETIRES BEFORE SIXTY AND CHOOSES THE PARTIAL-LUMP SUM PAYMENT FROM RECEIVING A MONTHLY BENEFIT OF MORE THAN NINETY PERCENT OF THE AMOUNT OF THEIR UNREDUCED MONTHLY BENEFIT.

HA 26 - THIS AMENDMENT PROHIBITS CERTAIN COMPANIES OR AGENCIES LOCATED PARTIALLY OR WHOLLY OUTSIDE MISSOURI FROM TAKING AND TRANSPORTING WATER FROM WITHIN THE SOUTHEAST MISSOURI REGIONAL WATER DISTRICT TO LOCATIONS OUTSIDE THE DISTRICT, IF SUCH TAKING AND TRANSPORTING INTERFERES WITH THE NORMAL WATER USAGE OF CERTAIN OTHER LARGE WATER CONSUMERS. IF SUCH INTERFERENCE OCCURS, THE ATTORNEY GENERAL

OR THE AFFECTED PARTIES MAY SEEK AN INJUNCTION. NO INJUNCTION MAY BE ISSUED IF IT WOULD HARM PUBLIC HEALTH OR SAFETY.

HA 27 - THIS AMENDMENT EXEMPTS THE CITY OF RIVERSIDE FROM THE REQUIREMENT THAT A MEMBER OF THE BOARD OF A TOURISM COMMUNITY ENHANCEMENT DISTRICT BE A RESIDENT, OWN PROPERTY, BE EMPLOYED, OR OPERATE A BUSINESS WITHIN THE DISTRICT.

HA 1 TO HA 27 - UNDER THIS AMENDMENT, A MUNICIPALITY MUST ALLOW AT LEAST ONE STREET TO BE USED BY COMMERCIAL VEHICLES TO ACCESS THE STATE HIGHWAY SYSTEM AND MAY NOT ADOPT AN ORDINANCE TO DENY THE USE OF SUCH VEHICLES. THIS AMENDMENT ALSO PROVIDES THAT THE USE OF VEHICLES ON A PUBLIC ROAD MAY NOT CONSIDERED BY A COURT TO BE A PUBLIC OR PRIVATE NUISANCE.

HA 28 - THIS AMENDMENT ESTABLISHES AN INTERIM COMMITTEE TO STUDY THE ISSUE OF CONSOLIDATING ALL THE FIRE PROTECTION DISTRICTS AND DEPARTMENTS IN ST. LOUIS COUNTY.

HA 29 - THIS AMENDMENT ALLOWS ANY CITY IN WHICH VOTERS HAVE APPROVED FEES TO RECOVER COSTS ASSOCIATED WITH THE ENFORCEMENT OF CERTAIN PROPERTY ORDINANCES TO ISSUE A SPECIAL TAX BILL TO RECOVER SUCH COSTS.

UNDER CURRENT LAW, THE CITIES OF ST. LOUIS AND KANSAS CITY MAY ESTABLISH ADMINISTRATIVE ADJUDICATION SYSTEMS TO HANDLE PARKING AND OTHER CIVIL MUNICIPAL CODE VIOLATIONS. THIS AMENDMENT ALLOWS THE CITY OF ST. JOSEPH TO ESTABLISH SUCH A SYSTEM AND ADDS HOUSING, PROPERTY MAINTENANCE, AND NUISANCE VIOLATIONS TO THE LIST OF OFFENSES THAT MAY BE HANDLED BY THE SYSTEM. IN ADDITION, THE CITIES MAY ISSUE A SPECIAL TAX BILL TO COLLECT FINES ISSUED FOR HOUSING, PROPERTY MAINTENANCE, AND NUISANCE CODE VIOLATIONS.

01/19/2011 S First Read--SB 145-Dempsey (S106)
01/27/2011 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S160)
02/02/2011 Hearing Cancelled S Jobs, Economic Development and Local Government Committee
02/09/2011 Hearing Conducted S Jobs, Economic Development and Local Government Committee
02/16/2011 Voted Do Pass S Jobs, Economic Development and Local Government Committee
02/23/2011 Motion to pass bill as consent taken by S Jobs, Economic Development and Local Government Committee - Consent vote adopted
02/24/2011 Reported from S Jobs, Economic Development and Local Government Committee to Floor - Consent (S330)
02/28/2011 Removed S Consent Calendar (S347)
03/03/2011 Reported from S Jobs, Economic Development and Local Government Committee to Floor (S389)
03/09/2011 Bill Placed on Informal Calendar (S419)
03/16/2011 Perfected (S463-464)
03/16/2011 Reported Truly Perfected S Rules Committee (S467)
03/17/2011 S Third Read and Passed (S488)
03/17/2011 H First Read (H701)
03/18/2011 H Second Read (H707)
03/31/2011 Referred H Local Government Committee (H811)
04/06/2011 Hearing Conducted H Local Government Committee
04/13/2011 HCS Voted Do Pass H Local Government Committee - Consent
04/13/2011 HCS Reported Do Pass H Local Government Committee - Consent (H1266)
04/13/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1266)
04/27/2011 HCS Voted Do Pass H Rules Pursuant Committee - NOT CONSENT
04/27/2011 HCS Reported Do Pass H Rules Pursuant Committee - NOT CONSENT (H1651)
05/04/2011 HA 1 to HCS H offered & adopted (Loehner)--(0990L02.26H) (H1845-1846)
05/04/2011 HA 2 to HCS H offered & adopted (Franz)--(0990L02.11H) (H1846-1847)
05/04/2011 HA 3 to HCS H offered & adopted (Hummel)--(0990L02.01F) (H1847-1850)
05/04/2011 HA 4 to HCS H offered (Hough)--(0990L02.03F) (H1850-1851)
05/04/2011 HA 1 to HA 4 to HCS H offered & adopted (Jones)--(0990L02.33H) (H1851-1853)
05/04/2011 HA 4 to HCS, as amended, H adopted (H1853)
05/04/2011 HA 5 to HCS H offered & adopted (Talboy)--(0990L02.04H) (H1853-1854)
05/04/2011 HA 6 to HCS H offered & adopted (Jones)--(0990L02.10H) (H1854-1855)

05/04/2011 HA 7 to HCS H offered & adopted (Franz)--(0990L02.21H) (H1855-1856)
05/04/2011 Bill placed back on Calendar (H1856)
05/05/2011 Taken up for Third Reading (H1877)
05/05/2011 HA 8 to HCS H offered & adopted (Gatchenberger)--(0990L02.15H) (H1877-1881)
05/05/2011 HA 9 to HCS H offered & adopted (Gatchenberger)--(0990L02.30H) (H1881-1882)
05/05/2011 HA 10 to HCS H offered & adopted (Hinson)--(0990L02.13H) (H1882-1883)
05/05/2011 HA 11 to HCS H offered (Schneider)--(0990L02.03H) (H1883-1884)
05/05/2011 HA 1 to HA 11 to HCS offered & adopted (Hinson)--(0990L02.35H) (H1884)
05/05/2011 HA 11, as amended, to HCS H adopted (H1884)
05/05/2011 HA 12 to HCS H offered & adopted (Weter)--(0990L02.17H) (H1884-1887)
05/05/2011 HA 13 to HCS H offered & adopted (Torpey)--(0990L02.02F) (H1887-1890)
05/05/2011 HA 14 to HCS H offered & adopted (Hummel)--(0990L02.06H) (H1890-1891)
05/05/2011 HA 15 to HCS H offered & adopted (Lair)--(0990L02.12L) (H1891-1892)
05/05/2011 HA 16 to HCS H offered & adopted (Nichols)--(0990L02.01L) (H1892-1893)
05/05/2011 HA 17 to HCS H offered & adopted (Asbury)--(0990L02.18H) (H1893-1894)
05/05/2011 HA 18 to HCS H offered & adopted (Funderburk)--(0990L02.29H) (H1895-1896)
05/05/2011 HA 19 to HCS H offered & adopted (Diehl)--(0990L02.05L) (H1896-1900)
05/05/2011 HA 20 to HCS H offered (Diehl)--(0990L02.08L) (H1900-1901)
05/05/2011 HA 1 to HA 20 to HCS H offered & adopted (Gatschengerger)--(0990L02.05H) (H1901-1902)
05/05/2011 HA 20 to HCS, as amended, H adopted (H1902)
05/05/2011 HA 21 to HCS H offered & adopted (Cauthorn)--(0990L02.07L) (H1903)
05/05/2011 HA 22 to HCS H offered & adopted (Franklin)--(0990L02.34H) (H1903-1909)
05/05/2011 HA 23 to HCS H offered & adopted (Nolte)--(0990L02.24H) (H1909-1926)
05/05/2011 HA 24 to HCS H offered (Ellinger)--(0990L02.16H) (H1926-1933)
05/05/2011 HA 1 to HA 24 to HCS H offered & adopted (Hinson)--(0990L02.36H) (H1933-1934)
05/05/2011 HA 24 to HCS, as amended, H adopted (H1934)
05/05/2011 HA 25 to HCS H offered & adopted (Weter)--(0990L02.25H) (H1935-1936)
05/05/2011 HA 26 to HCS H offered & adopted (Hampton)--(0990L02.19H) (H1936)
05/05/2011 HA 27 to HCS H offered (Schieber)--(0990L02.11L) (H1936-1937)
05/05/2011 HA 1 to HA 27 to HCS H offered & adopted (Hough)--(0990L02.04F) (H1937-1939)
05/05/2011 HA 2 to HA 27 to HCS H offered & withdrawn (Kelly-24)--(0990L02.06F) (H1939)
05/05/2011 HA 27 to HCS, as amended, H adopted (H1939)
05/05/2011 HA 28 to HCS H offered (McNary)--(0990L02.23H) (H1939-1940)
05/05/2011 HA 1 to HA 28 to HCS offered & defeated (Cookson)--(0990L02.39H) (H1940-1941)
05/05/2011 HA 28 to HCS H adopted (H1941)
05/05/2011 HA 29 to HCS H offered & adopted (Conway)--(0990L02.03L) (H1941-1942)
05/05/2011 HCS, as amended, H adopted (H1942)
05/05/2011 H Third Read and Passed (H1942-1943 / S1359-1455)
05/09/2011 S refuses to concur in HCS, as amended (S1486 / H2078)
05/09/2011 S requests H recede or grant conference (S1486 / H2078)
05/09/2011 H refuses to recede and grants conference (H2079 / S1530)
05/09/2011 S conferees appointed: Dempsey, Brown, Rupp, Callahan, Green (S1534 / H2155)
05/09/2011 H conferees appointed: Gatschenberger, Schneider, Diehl, Hummel, McManus (H2155 / S1628)
05/12/2011 H submits CCR
05/12/2011 H submits CCR
05/13/2011 In Conference--SB 145-Dempsey, with HCS, as amended

EFFECTIVE: August 28, 2011

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*** SB 146 *** 0568S.01I

SENATE SPONSOR: Schmitt

SCS/SB 146 - This act reduces the corporate income tax rate from its current six and one-forth percent by ten percent each year over five year period. For the 2011 tax year taxable corporate income will be taxed at five and five-eighths percent. Once fully phased-in, taxable corporate income will be taxed at three and one-eighth percent for the 2015 tax year and all subsequent tax years.

The act also creates an individual income tax deduction for business income and phases it in over a five-year period. Taxpayers will be allowed to deduct ten percent of business income for the 2011 tax year and, once fully phased-in, will be allowed a fifty percent deduction for all tax years after the 2014 tax year. Shareholders of S corporations and partners in partnerships will be allowed a proportional deduction based their share of ownership.

JASON ZAMKUS

01/19/2011 S First Read--SB 146-Schmitt (S106)
01/27/2011 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S160)
02/02/2011 Hearing Cancelled S Jobs, Economic Development and Local Government Committee
02/09/2011 Hearing Conducted S Jobs, Economic Development and Local Government Committee
02/16/2011 SCS Voted Do Pass S Jobs, Economic Development and Local Government Committee (0568S.02C)

EFFECTIVE: August 28, 2011

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*** SB 147 *** HCS SB 147 1033L.03C

SENATE SPONSOR: Schaefer HOUSE HANDLER: Dieckhaus

HCS/SB 147 – This act modifies provisions relating to education.

TEACHING CONTINUING CONTRACT ACT: This act modifies the teacher tenure system and administration of teacher contracts. Currently, two teacher tenure systems exist in the state, one for the St. Louis City School District and one for all other districts. These two systems will expire, and beginning on July 1, 2013, all teachers in the state will be governed by the "Teacher Continuing Contract Act." During the 2011-2012 school year, the Department of Elementary and Secondary Education must work with districts on the development of teaching standards. During the 2012-2013 school year, the standards must be implemented on a trial based. Beginning in the 2013-2014 school year, employment decisions must be based on the standards. (Sections 168.102, 168.221, 168.1000)

TEACHING STANDARDS: The teacher standards established in section 160.045 will be used for teacher evaluations under the Teacher Continuing Contract Act. In addition, the Missouri Teaching Standards Professional Continuum adopted by the State Board of Education may be adopted as a basis for such standards. (Section 160.045)

MINIMUM TEACHER SALARIES: This act removes the minimum teacher salary established for full-time teachers with a master's degree and at least ten years' teaching experience. (Section 163.172)

SCHOOL ADMINISTRATOR EVALUATIONS & CONTRACTS: School boards must currently conduct a comprehensive performance-based evaluation of administrators. This act requires them to be conducted annually. The Missouri Administration Standards Professional Continuum may be adopted as a basis for the standards. School administrators may enter into a contract for employment with the school district for a period of up to three years. (Section 168.410)

TEACHER CONTRACTS: Beginning July 1, 2013, school boards may employ legally certificated teachers in addition to employing teachers under the Teacher Continuing Contract Act. Procedures for the contract are described in the act. (Section 168.999)

CONTINUING CONTRACT: Beginning July 1, 2012, teachers may receive a "continuing contract," which is defined as a contract between a district and a teacher for a period of up to three consecutive years. (Sections 168.1002 & 168.1004)

TRANSITION FROM EXISTING TENURE SYSTEM TO CONTINUING CONTRACT SYSTEM: Beginning July 1, 2013, each school district must place a tenured teacher on a three-year continuing contract. A teacher who is not in the first teaching position of his or her career, but who is in the first to fourth year of employment with the district during the 2012-2013 school year whose contract will be renewed for the 2013-2014 school year, may have the contract renewed for one or two years, at the discretion of the district. Any teacher who is beginning his or her career's first teaching position and who is contract to begin as of July 1, 2013 will be placed on a one-year contract. (Section 168.1003)

FORM OF TEACHER CONTRACT: Standard language to be used for teacher contracts is identified. The school board may terminate a contract for cause at any time. The terms of a continuing contract, including salary, may be contingent upon available funding. In addition, a two or three-year continuing contract may not be renewed more than fourteen months before its expiration. A school board is prohibited from employing one of its members as a teacher. (Section 168.1006)

MODIFICATION OF TEACHER CONTRACTS: The school board may modify a continuing contract annually

on or before May 15. Modifications include school year starting and ending dates and annual compensation based on a salary schedule. Modifications will become effective at the beginning of the next school year. (Section 168.1008)

A permanent teacher and a school district may terminate or modify a continuing contract by mutual consent at any time. A teacher who desires to terminate his or her continuing contract at the end of a school term must give written notice before June 1 of that year. (Section 168.1010)

COMPENSATION PLAN: Each school district must develop a compensation plan for certificated personnel and update it annually. (Section 168.1009)

TERMINATION OF A CONTINUING CONTRACT: When an administrator recommends that a teacher contract not be renewed, he or she must provide written notice to the teacher no later than January 31. The administrator must present the name of each teacher to the school board by March 31. The board must vote to accept or reject the administrator's recommendation separately by April 15. (Section 168.1011)

The school board may terminate a continuing contract for one or more of the following causes: unsatisfactory performance based on teacher evaluation under section 168.1026; willful or persistent violation of, or failure to obey, the school laws of the state or school board policy; excessive or unreasonable absence from performance of duties; immoral conduct or conviction of a felony or a crime involving moral turpitude.

Determination of professional competency or efficiency of a continuing contract teacher, consideration will be given to regular and special evaluation reports prepared in accordance with school district policy and any standards the board may have adopted. (Section 168.1012)

DUE PROCESS CONSIDERATIONS: Each school district must develop a policy, adopted by board resolution, by May 15, 2013, to ensure due process for the dismissal of any teacher who holds a continuing contract under sections 168.1000 to 168.1030.

For purposes of administrative procedure and review (Chapter 536), the terms "agency" and "state agency" will not include a school district if it has established written procedures to assure that constitutionally required due process safeguards exist and apply to a proceeding that would otherwise constitute a "contested case." (Sections 168.1016 & 536.018)

LEAVE OF ABSENCE POLICIES: School boards may establish policies for leaves of absence. The school board may grant a leave of absence or place a teacher on a part-time teaching schedule for one year, subject to annual renewal. Leaves and military service will not impair the teacher's continuing contract. (Section 168.1020)

REDUCTION IN FORCE: A school board may place teachers on leave of absence because of a decrease in student enrollment, district reorganization, or financial condition. Criteria are established for which teachers may be placed on leave or reinstated. (Section 168.1022)

TEACHER RECORDS & EVALUATIONS: Each school district must maintain records showing periods of service, dates of appointment, and other necessary information.

The school board must undertake a system of comprehensive, performance-based formative and summative evaluation for each teacher. A portion of the summative evaluation may be based on the performance of students. Teachers must be evaluated annually by a certified administrator, a retired administrator, or other qualified personnel. The summative evaluation may be conducted with advance notice but at least one formative evaluation must involve observation without advance notice. Evaluations must be maintained in the teacher's personnel file. A copy must be provided to the teacher and appropriate administrator.

The Department of Elementary and Secondary Education must develop suggested procedures and models for student performance evaluations, as described in the act. (Section 168.1026)

SCHOOL BOARD MEMBER LIABILITY: A school board member will not be liable in a civil action based on a statement of charges against a school teacher. (Section 168.1028)

PROHIBITION ON TEACHER PARTICIPATION IN CERTAIN SCHOOL BOARD MEMBER CAMPAIGNS: This act prohibits a teacher from participating in the management of a campaign for the election or defeat of

school board members of his or her district of employment. A teacher who violates this provision will be terminated. (Section 168.1030)

These provisions are similar to SCS/SB 372 (2011), HB 628 (2011) and HB 2463 (2010).

CLASSIFICATION AND ACCREDITATION OF SCHOOLS: After the implementation of the fifth cycle of the Missouri School Improvement Program, the State Board of Education must adopt a system to accredit individual schools and to accredit school districts separately from individual schools. The State Board must submit a report to the Joint Committee on its progress, beginning on December 1, 2011.

This provision is identical to a provision contained in HB 994 (2011) and HCS/SB 147 (2011). (Section 160.080)

CHARTER SCHOOLS: (Section 160.400) – In addition to the St. Louis City and Kansas City School Districts, charter schools may be operated in unaccredited districts, provisionally accredited districts if certain criteria are met, and in districts accredited without provisions if sponsored by the local school board.

This act removes the restriction that a sponsoring public four-year college or university have its primary campus in the school district or in a county adjacent to the county in which the district is located. In addition, a community college whose service area encompasses some portion of the district may be a sponsor. Currently, any private four-year college or university located in St. Louis City with an enrollment of one thousand students and an approved teacher preparation program may be a sponsor. This act eliminates the requirement that the institution be located in St. Louis City but requires that its primary campus be located in Missouri. Additional sponsors include any two-year private vocational or technical school, as described in the act, the Missouri Charter Public School Commission, and a nonprofit or charitable organization, excluding a nonpublic sectarian or religious institution exempt from federal taxation under section 501(c)(3) or 501(c)(6).

Except for the St. Louis and Kansas City school districts, changes in a school district's accreditation status will be addressed in the following manner: as a district transitions from unaccredited to provisionally accredited, the district will fall under the requirements of an unaccredited district until it has three consecutive school years of provisional accreditation; and a charter school whose charter provides for the addition of grade levels may continue to add levels until the planned expansion is complete.

The mayor of St. Louis City may request a two-year private vocational or technical school, the Missouri Charter Public School Commission, or a nonprofit or charitable organization, excluding a nonpublic sectarian or religious institution exempt from federal taxation under section 501(c)(3) or 501(c)(6), to consider sponsoring a "workplace charter school."

When a charter school chooses to affiliate with a four-year college or university, the college or university will no longer required to be located within the county in which school district lies or in an adjacent county.

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. A sponsor that receives 1.5% funding to defray expenses associated with sponsorship must submit annual reports to the Joint Committee on Education demonstrating compliance with requirements.

A charter school sponsor must develop policies and procedures for the following: the review of a charter school proposal; the granting of a charter; the performance framework of a charter; the renewal, revocation, and nonrenewal processes; additional criteria for oversight of the charter; and procedures to be used when a school closes for the transfer or repository of student records and the disposition of school assets. The Department of Elementary and Secondary Education is required to provide guidance to sponsors in developing these procedures and policies.

Currently, the State Board of Education has authority to require remedial action for a sponsor, including withholding its funding and suspending, for a period of one year, its ability to sponsor a school. This act allows the State Board to suspend a sponsor's ability to sponsor a school until reauthorized by the Department of Elementary and Secondary Education under section 160.403. If the state board serves as interim sponsor of a charter school, the board shall revoke the school's charter if the school fails to meet academic performance or other goals in the charter.

This act allows the Special Administrative Board of the St. Louis City School District, in equal partnership with the Cooperating School Districts of St. Louis, to sponsor a charter school and declare itself as the local education agency of the charter school for school funding purposes. If the special administrative board if dissolved, the charter school may continue to operate provided it seeks and obtains a new sponsorship under the new governing board of the school district and the cooperating school districts.

Section 160.402 – An accredited school district or cooperative association of accredited districts may sponsor or operate a charter school in an unaccredited school district. In addition, an unaccredited school district with unused facilities must grant the right of first refusal for lease or purchase to such a charter school. If the school district regains accreditation without provisions and the district or cooperative wishes to discontinue the school, it must solicit proposals for the continuation of the school. This must be presented for a vote of the parents or guardians of the students attending the school in the school year during which the district undergoes its next accreditation review.

SECTION 160.403 – The Department of Elementary and Secondary Education must establish an annual application and approval process for all entities eligible to sponsor charter schools. All information and guidelines for eligible sponsors must be made available by January 1, 2012.

An eligible sponsor must submit an application by April 1 that includes the following: written notice of intent; evidence of budget and personnel capacity; an outline of the request for proposal that it would use to solicit charter school applicants; the performance framework that the applicant sponsor would use to guide the establishment of a charter contract, and oversee and evaluate the charter school it would sponsor; and its renewal, revocation, and nonrenewal processes.

By July 1 annually, the Department must grant or deny a sponsoring authority to a sponsor applicant. Within thirty days of the Department's decision, it must execute a renewable sponsoring contract with each approved sponsoring entity. The term will be ten years in length.

All entities sponsoring a charter school at the time of this act's effective date must apply to the Department of Elementary and Secondary Education for approval to continue as a sponsor by April 1, 2012. By July 1, 2012, the Department must decide whether to grant the sponsor the authority to continue. Charter sponsors that are granted the authority to continue as a sponsor may do so for ten years. A sponsor that is denied authority will lose authority to sponsor immediately. The Missouri Charter Public School Commission will become the interim sponsor for a period of up to three years until the charter school finds a new sponsor or until the charter contract period lapses.

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 a performance contract, as described in the act.

The term of a charter will be for five years, instead of the current provision that allows charters to be not less than five but not greater than ten years.

Any charter school that is sponsored by the Special Administrative Board of the St. Louis City School District in equal partnership with the Cooperating School Districts of St. Louis County, the charter may be for a period of three years and may be renewable. If such a charter school does not perform to the academic standards initially set out in the charter agreement, the SAB and CSD may close the school at the end of the three-year term and incorporate it into the school district.

A charter must contain the following additional items: description of the procedures that ensure admission of students with disabilities in a nondiscriminatory manner; a description of the school's grievance procedure for parents or guardians; a description of the agreement between the school and the sponsor as to when a charter will be revoked for failure to comply with certain requirements or will not be renewed; procedures to be implemented if the charter school were to close; and a description of the special education and related services that will be available to meet the needs of students with disabilities.

A charter must be submitted to the sponsor and follow the sponsor's policies and procedures for review and granting. In addition, the charter must be approved by the State Board of Education by December 1 prior to the proposed opening date of the charter school.

This act removes the requirement if a sponsor grants three or more charters that at least one-third of them be

schools actively recruiting dropout students or high-risk students. It also modifies the definition of "high risk" student.

Charter schools must conduct a background check of education personnel, including through the Family Care Safety Registry.

Audit reports and annual financial reports must be published on the charter school's website or on DESE's website. This act removes the reference to the annual financial report in chapter 165.

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 to annually monitor student academic performance, based upon grade levels offered by the school.

The performance standards for alternative and special purpose charter schools that target high-risk students must be based on academic growth measures.

Charter schools are required to comply with all applicable federal and state special education laws including IDEA and section 504 of the Rehabilitation Act of 1973.

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 after the most recent review, 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 direct access to federal grants and allows the school to become an agency if the sponsor and the governing board reach a written agreement to become an agency.

This act limits the length of probationary status for a charter school to no more than twelve months, provided that no more than one designation of probationary status is allowed for the duration of the charter contract.

This act eliminates judicial review of a sponsor's final decision to revoke a charter.

Beginning August 1, during the year in which a charter is up for renewal, a sponsor must demonstrate to the State Board of education that the charter school is in compliance with federal and state law on accountability, transparency, maintenance of parent, student, and employee rights, performance of charter requirements, and academic performance standards, as described in the act. For a charter school that offers high school grades, the sponsor must establish that the average graduation rate for the most recent three years is no lower than seventy percent in any of the last four years unless the school is engaged in dropout recovery and enrolls seventeen to twenty-one year old students. For all charter schools, the sponsor must establish that the school is not among the persistently lowest achieving five percent of schools by using three years of Missouri Assessment Program for communication arts and mathematics data. The State Board of Education must determine if the sponsor has demonstrated compliance. If compliance has not been achieved, the school and the sponsor must file a statement by October 31 stating why the school should not be closed. If no such statement is filed, the school must cease operation at the end of the current academic year. If a statement is timely filed, the State Board must hold a public hearing no later than January 10 to determine if the charter should be renewed. The State Board must vote by February 28 as to whether to continue school operations. The State Board may also impose certain conditions on continue operation or may close the charter school at the end of the current academic year.

A charter school must close at the end of the academic year if: the charter is revoked by the State Board of

Education; the charter is revoked by the school's sponsor; the charter is not renewed; or the charter is voluntarily relinquished. The decision of the State Board to revoke or not renew a charter is final.

A properly authorized charter school will have the right to purchase or lease an unused facility or unused portion of a facility from a school district. A purchase or lease will be made available to a charter school at a fair market value prior to any unused facility or unused portion of a facility being offered to any noncharter school entity. No school district may sell or lease a facility to another entity without doing so first.

The State Board of Education must immediately close all existing charter schools that have failed to attain the state's annual yearly performance standard established pursuant to the state's implementation plan for No Child Left Behind that are not outperforming the lowest performing district school in the district.

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 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. Charter alternative and special purpose schools may also give a preference for admission to high-risk students, as defined, when the school targets these students through its proposed mission, curriculum, teaching methods, and services.

Students of a charter school who are present for the January membership count in section 163.011 will be counted in the performance of the charter school on the statewide assessments in that calendar year, unless otherwise exempted as English language learners.

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 and will be considered a resident student. 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, or if action by the State Board of Education occurs under section 162.081, 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.

The Foster Care Bill of Rights (sections 167.018 and 167.019) apply to charter schools.

SECTION 160.415 – An educational cooperative of school districts may provide managerial academic services as a contractor.

If a proposed charter school intends to contract with an education services provider for substantial educational services, management services, or both, the request for proposals must require charter school applicants to: provide evidence of the service provider's success in serving student populations similar to the targeted population; provide a term sheet setting forth the proposed duration of the service contract, roles and responsibilities of governing board, school staff, and service provider, scope of services, performance evaluation measures and time lines, methods of contract oversight; disclose and explain any existing or potential conflicts of interest between the governing board and proposed service provider; disclose and explain any termination or nonrenewal of contracts for equivalent services for any other charter school within the past five years; ensure that the lead administrator and the legal counsel at the charter school shall be direct employees of the charter school governing board; and provide a process to ensure that the expenditures that the educational service provider intends to bill the charter school will receive prior approval of the governing board or its designee.

The Department of Elementary and Secondary Education may withhold funding at an adequate 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 160.417 – By October 1, 2011, and each October 1 thereafter, the Department of Elementary and Secondary education must identify charter schools experiencing financial stress using information from the

report required by section 162.821. A list of charter schools experiencing financial stress will be provided to the Governor, Speaker of the House of Representatives, and President Pro Tem of the Senate.

Parameters for financial stress are defined in the act.

By November 1, the Department must notify the charter school sponsor and the board of directors if it is identified as experiencing financial stress. The sponsor must develop and approve a budget and education plan, which must be submitted to the Department. The Department may withhold any payment of financial aid until such time as the charter school is in compliance with these requirements.

SECTION 160.420 - In addition to existing criminal background check requirements, charter schools must ensure that a Family Care Safety Registry check is conducted for employees. In addition, "certification by the National Standards Board" is updated to be "National Board for Professional Teaching Standards."

SECTION 160.425 – This act creates the Missouri Charter Public School Commission. It will have nine members, all appointed by the Governor with the advice and consent of the Senate. Members will serve a term of four years, except for the initial appointees, whose terms are staggered. Commission members will be: one member selected from a slate of three candidates recommended by the Commissioner of Education; one member selected from a slate of three candidates recommended by the Commissioner of Higher Education; one member selected from a slate of three recommended by the President Pro Tem of the Senate; a member selected from a slate of three recommended by the Speaker of the House of Representatives; and five additional members. Operating procedures for the Commission are included.

The Commission may approve proposed charters for its sponsorship, as described in the act. The Department of Elementary and Secondary Education must provide start-up funding for the Commission to operate, which will be reimbursed from funds the Commission receives as sponsor of any charter schools under section 160.400.

These provisions are identical to provisions contained in HCS/SB 243 (2011) and are substantially similar to HCS/HB 473 (2011), and are similar to HB 994 (2011), SCS/SBs 291, 184 & 294 (2011), SB 838 (2010), SB 835 (2010), HB 2200 (2010), SB 317 (2009), SB 1027 (2008) and SB 64 (2009).

GIFTED EDUCATION: This act requires school districts to include in their annual school accountability report card whether the school district currently has a state-approved gifted education program and the percentage and number of students being served by the program. Data collected on gifted students must be collected in a manner so as to make possible the tracking of postsecondary outcomes of gifted students in order to make comparisons between gifted students who participate in state-approved gifted programs and services and gifted students who do not participate in such programs and services.

This provision is similar to provisions contained in HCS/SB 243 (2011), HB 1295 (2010), SB 962 (2010), SB 498 (2009), and HB 2542 (2008). (Section 160.522)

SCHOOL ANTI-BULLYING POLICIES: This act modifies the requirements for school anti-bullying policies. The definition of "bullying" is modified to include discrimination and to include actions that substantially interfere with a student's educational performance, opportunities, or benefits, or that substantially disrupt the orderly operation of the school. Bullying is prohibited by school employees or students on school property, at school functions, or on school buses. Cyberbullying is defined.

This act requires that school policies treat all students equally and removes the prohibition that policies identify lists of protected classes of students.

School district policies must contain the following: a statement prohibiting bullying, including a definition of bullying, as described in the act; a statement requiring district employees and students to report an instance of bullying of which the employee or student has observed or been involved. The policy must be included in the student handbook. The district administration must notify the parents or legal guardians of the target of the bullying incident. Policies must also contain: a procedure for reporting an act of bullying, including anonymous reporting, as described in the act; a procedure for prompt investigations; how a school will respond to a confirmed incident of bullying; a statement prohibiting reprisal or retaliation against a person who reports an act of bullying; a statement of how the policy will be made public; and a process for discussing the policy with students and training employees and volunteers, as described in the act.

Any student alleging to be the target of an incident of bullying who has completed all procedures required by the district's reporting policy who continues to be subjected to bullying must be informed by the district of other remedies.

The State Board of Education must develop model anti-bullying policies to assist school districts no later than September 1, 2012 and has authority to promulgate rules and regulations under this act.

This section is substantially similar to HB 273 (2011), HB 829 (2011), SB 240 (2011), SB 946 (2010), HB 2036 (2010), SB 132 (2009), and HB 1751 (2008). (Section 160.775)

FOSTER CARE CHILDREN: This act requires the Department of Elementary and Secondary Education to ensure that school districts implement specific criteria relating to the enrollment of foster care children.

School districts will be required to: facilitate the timely enrollment of foster care children; facilitate the student placement process so that foster care children are not disadvantaged by variations between school districts; facilitate the qualification and eligibility for enrollment, educational programs, and participation in extracurricular academic, athletic, and social activities; facilitate the on-time graduation of foster care children; provide for uniform collection and sharing of information between and among schools, foster care children, and families; and promote flexibility and cooperation between the educational system, foster parents, and the student to achieve educational success for the student.

When a foster care student transfers before or during the school year, the receiving school district must initially honor the placement of the student in educational courses based on the student's enrollment or assessments conducted in the sending district. The receiving district may perform subsequent evaluations to ensure appropriate placement. The receiving district must initially provide comparable services to a foster care student with disabilities based on his or her current IEP and provide accommodations under section 504 of the Rehabilitation Act. The receiving district may conduct subsequent evaluations to ensure appropriate placement.

Schools must waive specific courses required for graduation if similar course work has been satisfactorily completed in another school or provide reasonable justification for denial of a waiver. If the school district does not grant a waiver, it must provide an alternative means of acquiring required course work so graduation may occur on time. Receiving schools must accept end-of-course exams required for graduation from the sending school, national norm-referenced achievement tests, or alternative testing in lieu of testing requirements for graduation.

If a foster care student transfers at the beginning or during the senior and is ineligible to graduate from the receiving school, the sending and receiving school must grant a diploma to the student from the sending school, provided the student meets the sending school's graduation requirements.

This section is identical to SB 342 (2011), HB 419 (2011), is identical to a provision contained in HCS/SB 243 (2011). (Section 160.1990)

COORDINATION OF STUDENT TRANSFERS FROM UNACCREDITED DISTRICTS: This act allows the governing board of the "Metropolitan Schools Achieving Value in Transfer Corporation" to coordinate student transfers from unaccredited districts. If this role is undertaken, the corporation would act as the central repository for student applications and establish an open enrollment period. The corporation would make student assignments based on available seats in accredited districts and the availability of transportation. School districts would be required to annually inform the corporation of anticipated open seats at each attendance center. A school district that does not report its anticipated open seats or distorts the availability of seats may be prosecuted.

This provision is identical to a provision contained in HB 994 (2011). (Section 162.1062)

KINDERGARTEN ATTENDANCE: Currently, once a student is enrolled in kindergarten or first grade, even though the student is below the compulsory attendance age of seven years, the student's parent or guardian is required to ensure regular attendance. However, any student below the compulsory attendance age may be withdrawn from the school's attendance rolls by written request. This provision requires the request to be because of transfer to a different school, health reasons, or the parent or guardian's belief that the child's best interests are served by withdrawal after discussing educational options with school personnel.

This provision is identical to HB 752 (2011). (Section 167.031)

STUDENT TRANSFERS FROM AN UNACCREDITED DISTRICT TO AN ACCREDITED DISTRICT: Currently, the school board of a school district that does not maintain an accredited school is required to pay the tuition and transportation of resident pupils who attend an accredited school in another district of the same or an adjoining county. This provision applies to both unaccredited school districts and K-8 school districts that do not offer high school grades.

This act differentiates between a K-8 school district that does not offer high school grades and a school district classified as unaccredited by the State Board of Education. This amendment specifies that the school board of an unaccredited district must pay the tuition and transportation of resident pupils who attend an accredited school in another district of the same or an adjoining county. A resident pupil of an unaccredited district may attend a school in another accredited district in the same or an adjoining county if the student was enrolled in and attending a public school in the district during the school year when the district lost its accreditation, or years subsequent to the year in which the district lost its accreditation.

The rate of tuition to be charged is the lesser of the nonresident tuition established by each district, or in the absence of nonresident tuition, the lesser of the two districts' average expenditure per pupil for the most recently completed year for which data are available. The residence district shall also pay the cost of education in the receiving district for any student with an IEP accepted in the receiving district.

Before a student who attends a public school in an unaccredited school district may transfer to a public school in an accredited district, the unaccredited district must determine if space is available in a district school that meets adequate yearly progress under No Child Left Behind. If space exists, the student must remain enrolled in the district attending that school. This right of first intervention by the unaccredited district will remain in effect as long as there are available spaces.

By June 30, 2011, each district must establish criteria for the admission of nonresident pupils from unaccredited districts. The primary criteria must be the availability of highly qualified teachers in existing classroom space. Each district must establish criteria for calculating available seats, taking into account the district's resident student population growth or decrease, such that the receiving district is not required to employ additional teachers or construct additional classrooms. In addition, resident pupils must not be displaced from the school building to which they are assigned. The receiving district will be responsible for assigning a student to a particular building.

When a student from an unaccredited district has been accepted in an accredited district, he or she may complete the educational program in the building to which he or she has been assigned, even if the district of residence regains accreditation. Upon a student's transition from an educational program in the building to which the student was assigned to a program in another building if the student's district of residence has regained accreditation, the student must return to his or her district of residence.

This provision is identical to a provision contained in HCS/SB 243 (2011) and is substantially similar to HB 763 (2011). This section contains an emergency clause. (Section 167.131)

CARDIOPULMONARY RESUSCITATION INSTRUCTION: Each school district that operates a high school and each charter school offering grades nine through twelve must provide instruction in CPR. Instruction may be embedded in any health education course in grades nine through twelve. Parameters for instruction are included in the act. Instruction will be required for high school graduation for students graduating in the 2014-2015 school year.

This section is identical to a provision contained in HCS/SB 243 (2011) and to HB 903 (2011). (Section 170.310)

SCHOOL CALENDAR: A school board may prepare a school calendar that contains at least 1088 hours of actual pupil attendance with no minimum number of days required.

This provision is identical to a provision contained in HCS/SB 243 (2011) and is identical to HB 765 (2011). (Section 171.031)

SMOKING: Currently, state law prohibits smoking or the use of tobacco products inside school facilities and an school buses but allows a school board to set policies regarding the permissible uses of tobacco products

in outdoor areas and nonstudent facilities. This act repeals a school board's authority to set policies that allow the use of tobacco products in certain areas and prohibits smoking and the use of tobacco products on all school property, as described in the act, and on school buses.

This provision is identical to HB 314 (2011). (Section 191.775)

CONTINUING PROFESSIONAL EDUCATION CURRICULUM ON RECOGNITION OF EATING DISORDERS: This act requires the Department of Mental Health to develop a continuing professional education curriculum for the recognition and response to eating disorders in young people by December 31, 2011. The Department must collaborate with the Department of Elementary and Secondary Education and the Missouri Eating Disorder Council.

Any school district may adopt and implement this curriculum for its school nurses, health care professionals, psychologists, counselors, and athletic coaches who are responsible for students in grades six through twelve.

This section is identical a provision contained in HCS/SB 243 (2011) and is identical to SB 192 (2011) and HB 586 (2011). (Section 630.590)

SECTION 1 – The Joint Committee on Education must review the fifth cycle school improvement program standards to determine what effects, if any, changes to performance standards may have on the number and type of charter schools and sponsorship as a consequence of a district's accreditation status. The Joint Committee must deliver a report, with any recommendations for changes to law or State Board of Education policy, no later than December 31, 2011.

This provision is also contained in HCS/HB 473 (2011) and HCS/SB 243 (2011).

This act contains an emergency clause on section 167.131.
MICHAEL RUFF

01/20/2011 S First Read--SB 147-Schaefer (S123)
01/27/2011 Second Read and Referred S Education Committee (S160)
03/09/2011 Hearing Conducted S Education Committee
03/14/2011 Voted Do Pass S Education Committee - Consent
03/15/2011 Reported from S Education Committee to Floor - Consent (S454)
03/15/2011 Removed S Consent Calendar (S457-458)
03/17/2011 Reported from S Education Committee to Floor (S494)
04/04/2011 SA 1 S offered & adopted (Cunningham)--(1033S01.02S) (S559)
04/04/2011 Perfected, as amended (S559)
04/05/2011 Reported Truly Perfected S Rules Committee (S574)
04/07/2011 S Third Read and Passed (S646)
04/07/2011 H First Read (H1176)
04/11/2011 H Second Read (H1184)
04/12/2011 Referred H Elementary and Secondary Education Committee (H1236)
04/20/2011 Hearing Conducted H Elementary and Secondary Education Committee
04/21/2011 HCS Voted Do Pass H Elementary and Secondary Education Committee
04/28/2011 HCS Reported Do Pass H Elementary and Secondary Education Committee (H1685)
04/28/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1685)

EFFECTIVE: Varies

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*** SB 148 *** 1007S.01I

SENATE SPONSOR: Schaefer

SB 148 - Under this act, reimbursement amounts and copays paid by health carriers for any particular health care service or procedure rendered by a physical therapist shall be in the same amount as reimbursements paid by health carriers to any other licensed physical therapist performing the same or similar procedures. Such uniform reimbursement requirement shall apply regardless of the setting or venue in which the health care services or procedures are rendered.
STEPHEN WITTE

01/20/2011 S First Read--SB 148-Schaefer (S123)
01/27/2011 Second Read and Referred S Small Business, Insurance and Industry Committee (S160)
02/15/2011 Hearing Conducted S Small Business, Insurance and Industry Committee

EFFECTIVE: August 28, 2011

*** SB 149 *** 1002S.02I

SENATE SPONSOR: Schaaf

SB 149 - This act prohibits an expert witness from testifying about the appropriate medical standard of care in a case against a physician alleging improper health care services, unless the witness is a licensed physician and was actively engaged in the clinical practice of medicine and devoting at least three-fourths of their professional time to active clinical practice of substantially the same specialty as the defendant. The court shall not permit an expert in one medical specialty to testify against a physician in another medical specialty, unless the expert shows that both standards of care and practice in the two specialties are substantially the same and the expert has substantial familiarity between the specialties.

The act also specifies that a physician licensed in another state who testifies as an expert witness in a lawsuit against a physician alleging improper health care shall be considered to have a temporary license to practice medicine in this state and shall be subject to the authority of the Board of Registration for the Healing Arts notwithstanding provisions of law to the contrary.

The act makes evidence inadmissible in cases against physicians alleging improper health care services, if the evidence was obtained under an agreement with a third party who receives a contingency fee for certain actions, or if the medical expert witness has agreed to provide testimony on a contingency fee basis.

Medical expert witnesses may have their license disciplined if they provide expert testimony on a contingency fee basis or knowingly provide expert testimony that they know or should have known is false, misleading, or without medical foundation.

This act is similar to HB 597 (2007).
EMILY KALMER

01/20/2011 S First Read--SB 149-Schaaf (S123)
01/27/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S160)

EFFECTIVE: August 28, 2011

*** SB 150 *** 1032S.01I

SENATE SPONSOR: Munzlinger

SB 150 - The act allows hand fishing for carp and catfish during the months of June and July in all the same waters of the state where hook-and-line fishing for carp and catfish is allowed by the Conservation Commission. Anyone hand fishing for carp or catfish must only use bare hands and may not use any spearing or capturing device, nor may use any artificial breathing apparatus. Persons engaging in hand fishing may not place any artificial structure in the water or raise or alter any natural or artificial structure in pursuit of the fish.

A violation of the act is a Class A misdemeanor.

This act is similar to SB 350 (2009) and the perfected SB 1107 (2006).
ERIKA JAQUES

01/20/2011 S First Read--SB 150-Munzlinger (S123)
01/27/2011 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S160)
03/30/2011 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee
04/06/2011 Voted Do Pass S Agriculture, Food Production and Outdoor Resources Committee
04/14/2011 Reported from S Agriculture, Food Production and Outdoor Resources Committee to Floor (S737)
05/13/2011 S Formal Calendar S Bills for Perfection--SB 150-Munzlinger

EFFECTIVE: August 28, 2011

*** SB 151 *** 0754S.01I

SENATE SPONSOR: Callahan

SB 151 - This act specifies that risk coverages procured by certain political subdivision associations shall not require the solicitation of competitive bids.

This act is identical to HB 2098 (2010).
STEPHEN WITTE

01/20/2011 S First Read--SB 151-Callahan and Stouffer (S123-124)
01/27/2011 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S160)
04/06/2011 Hearing Conducted S Jobs, Economic Development and Local Government Committee
04/20/2011 Voted Do Pass S Jobs, Economic Development and Local Government Committee

EFFECTIVE: August 28, 2011

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*** SB 152 *** 0567S.01I

SENATE SPONSOR: Crowell

SB 152 - This act modifies provisions of the retirement plan of the Police Retirement System of St. Louis to refer to federal tax law requirements, including provisions regarding annuity distributions, rollovers to individuals' retirement accounts and from other retirement plans and accounts, and the annual amount allowed to be distributed to a member.

The act also requires that if a member of the retirement system dies in qualified military service, then the member's surviving spouse or other dependents will be entitled to the benefits that would have been provided if the member had died while a police officer.

This act is similar to SA 1 to HB 2357 (2010).
EMILY KALMER

01/20/2011 S First Read--SB 152-Crowell (S127)
01/27/2011 Second Read and Referred S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee (S160)

EFFECTIVE: August 28, 2011

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*** SB 153 *** 1046S.02I

SENATE SPONSOR: Schaaf

SB 153 - Under this act, health carriers are required, by July 1, 2012, to utilize a web-based estimating system or other mechanism, by which covered individuals, or their parents or guardians, will be able to enter, provide, or select from menus, the procedures, tests, or services the individual is considering having, and based upon the individual's benefit plan and the health carrier's internal data, receive estimates of the total cost and total out-of-pocket cost of the procedures, test, or services specific to all available contracted providers or facilities for which such estimates are requested. The estimates shall take into account any known unmet deductible obligation and shall be based upon assumptions of typical utilization and an assumption that, in the provision of the procedures, tests, or services, no complications or unexpected events would occur necessitating other expenses. The estimates shall include related estimates of typically needed and expected ancillary costs such as those for radiology, pathology, or anesthesiology services, and shall indicate when no contracted providers of such services are available under the individual's benefit plan at a selected health care facility or provider. Any estimate given shall not be a guarantee of coverage and the health carrier shall not be held liable for differences between the estimated costs and the ultimate charges to the individual. The provision of estimates under this act shall not be construed as violating any provider contract provisions with a health carrier that prohibits disclosure of a provider's fee schedule to third parties.
STEPHEN WITTE

01/24/2011 S First Read--SB 153-Schaaf (S131)
01/27/2011 Second Read and Referred S Small Business, Insurance and Industry Committee (S160)
04/12/2011 Hearing Conducted S Small Business, Insurance and Industry Committee

EFFECTIVE: August 28, 2011

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*** SB 154 *** 1089S.01I

SENATE SPONSOR: Schaaf

SB 154 - Currently, a member of the Missouri Local Government Employees' Retirement System (LAGERS) may choose to receive a partial lump-sum payment of some of their retirement benefits. If the LAGERS member chooses the partial lump-sum payment their monthly benefit is reduced. The amount the person's monthly benefit is reduced varies based on the age of the person at retirement. This act prohibits a person who retires before sixty and chooses the partial-lump sum payment from receiving a monthly benefit of more than ninety percent of the amount of their unreduced monthly benefit.

This act is similar to HB 263 (2011).
EMILY KALMER

01/24/2011 S First Read--SB 154-Schaaf (S131)
01/27/2011 Second Read and Referred S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee (S160)

EFFECTIVE: August 28, 2011

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*** SB 155 *** SCS SB 155 1041S.04C

SENATE SPONSOR: Rupp

SCS/SB 155 - Under current law, a municipality desiring to approve a tax increment financing project, which has received a recommendation in opposition from the tax increment finance commission, may do so only by a two-thirds majority vote of the governing body of such municipality. This act would limit the application of such provision to municipalities located within St. Charles, Jefferson, and St. Louis Counties and prohibit the governing body of such a municipality from approving a tax increment finance project if the tax increment finance commission makes a recommendation in opposition to such project, unless the question is submitted to the voters of the municipality and the question is approved by a two-thirds majority of the voters.
JASON ZAMKUS

01/24/2011 S First Read--SB 155-Rupp (S131)
01/27/2011 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S160)
02/24/2011 Hearing Conducted S Ways and Means and Fiscal Oversight Committee
04/07/2011 SCS Voted Do Pass S Ways and Means and Fiscal Oversight Committee - (1041S.04C)
04/14/2011 Reported from S Ways and Means and Fiscal Oversight Committee to Floor w/SCS (S732)
04/19/2011 Bill Placed on Informal Calendar (S772)
05/13/2011 S Informal Calendar S Bills for Perfection--SB 155-Rupp, with SCS

EFFECTIVE: August 28, 2011

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*** SB 156 *** 1038S.01I

SENATE SPONSOR: Rupp

SB 156 – Under this act, a suspended imposition of sentence or a suspended execution of sentence may not be granted to a person found guilty of or pleading guilty to:

- First or second degree statutory rape;
- An attempt to commit first or second degree statutory rape;
- First or second degree statutory sodomy; or
- An attempt to commit first or second degree statutory sodomy.

This act is similar to SB 869 (2006).
MEGHAN LUECKE

01/24/2011 S First Read--SB 156-Rupp (S131-132)
01/27/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S160)

EFFECTIVE: August 28, 2011

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*** SB 157 *** 1019S.02I

SENATE SPONSOR: Schaefer

SB 157 – Under current law, a person who inflicts cruel and inhuman punishment on a child commits the crime of child abuse. This act removes "inhuman" from the current language and adds the word "excessive" in its place.

A person also commits the crime of child abuse when a person knowingly causes physical injury to a child by any means, including torturing, shaking, slamming, kicking, or neglecting the child.

Child abuse is a Class B felony if the physically injured child is under the age of two otherwise physically injuring a child is a Class C felony.
MEGHAN LUECKE

01/24/2011 S First Read--SB 157-Schaefer (S132)
01/27/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S160)

EFFECTIVE: August 28, 2011

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*** SB 158 *** 0489S.02I

SENATE SPONSOR: Keaveny

SB 158 - Under current law, the public notification requirements for the Clean Water Commission's development of the list of impaired waters required by Section 303(d) of the federal Clean Water Act expired on August 28, 2010. The act extends the expiration date to August 28, 2015.

Under current law, the authority for the Department of Natural Resources to charge fees for clean water permits expires on December 31, 2010. This act extends the expiration date until December 31, 2015.

The act contains an emergency clause.

The act is similar to HB 2109 (2010).
ERIKA JAQUES

01/24/2011 S First Read--SB 158-Keaveny (S132)
01/27/2011 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S161)
03/29/2011 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee

EFFECTIVE: Emergency Clause

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*** SB 159 *** 0825S.01I

SENATE SPONSOR: Cunningham

SB 159 - Persons who perform labor on vehicles and aircrafts who obtain a written memorandum of the work or material furnished signed by the owner, have a lien on the vehicle or aircraft. This act allows the memorandum to be signed by the authorized agent of the owner, or person in lawful possession thereof.

Currently, liens for aircraft are required to be filed 30 days after surrendering the property. This act extends that time period to 180 days.

This act allows persons who perform labor on parts of motor vehicles, trailers, vessels, outboard motors, or aircrafts to have a lien on the item.
CHRIS HOGERTY

01/24/2011 S First Read--SB 159-Cunningham (S132)
01/27/2011 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S161)

EFFECTIVE: August 28, 2011

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*** SB 160 *** 0895S.01I

SENATE SPONSOR: Cunningham

SB 160 – This act allows any winery, distiller, manufacturer, wholesaler or brewer to provide tasting samples on a licensed retail premises so long as the sample provider has certain permits, permission from the retailer and no money is given to the retailers for the tasting.

The samples may be dispensed by an employee of the sample provider or a sampling service. The employees must complete a server training program approved by the Division of Alcohol and Tobacco

Control.

Any remaining samples after the tasting must be returned to the retailer, winery, distiller, manufacturer, wholesaler or brewer.

This act is similar to SB 967 (2010), HCS/SB 795 (2010), HB 1367 (2010), SB 451 (2009), HB 1011 (2009) and HB 81 (2007).
MEGHAN LUECKE

01/24/2011 S First Read--SB 160-Cunningham (S132)
01/27/2011 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S161)
03/30/2011 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee
04/06/2011 Voted Do Pass S Agriculture, Food Production and Outdoor Resources Committee

EFFECTIVE: August 28, 2011

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*** SB 161 *** HCS SB 161 0993L.02T

SENATE SPONSOR: Munzlinger HOUSE HANDLER: Guernsey

01/24/2011 S First Read--SB 161-Munzlinger (S132)
01/27/2011 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S161)
02/09/2011 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee
02/16/2011 Voted Do Pass S Agriculture, Food Production and Outdoor Resources Committee - Consent
02/17/2011 Reported from S Agriculture, Food Production and Outdoor Resources Committee to Floor - Consent (S284)
02/21/2011 Removed S Consent Calendar (S292)
02/24/2011 Reported from S Agriculture, Food Production and Outdoor Resources Committee to Floor (S330)
03/07/2011 Bill Placed on Informal Calendar (S400)
03/09/2011 Perfected (S419)
03/10/2011 Reported Truly Perfected S Rules Committee (S425)
03/17/2011 S Third Read and Passed (S486)
03/17/2011 H First Read (H701)
03/18/2011 H Second Read (H707)
03/31/2011 Referred H Agri-Business Committee (H811)
04/05/2011 Hearing Conducted H Agri-Business Committee
04/07/2011 HCS Voted Do Pass H Agri-Business Committee
04/07/2011 HCS Reported Do Pass H Agri-Business Committee (H1170)
04/07/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1170)
04/20/2011 Voted Do Pass H Rules Pursuant Committee
04/20/2011 HCS Reported Do Pass H Rules Pursuant Committee (H1419)
04/27/2011 HA 1 to HCS H offered (Loehner)--(0993L02.02L) (H1628-1634)
04/27/2011 Placed back on Calendar (H1634)
04/27/2011 HA 1 to HCS H adopted (H1634)
04/27/2011 HA 2 to HCS H offered & adopted (Quinn)--(0993L02.08H) (H1635)
04/27/2011 HCS, as amended, H adopted (H1635)
04/27/2011 H Third Read and Passed - EC adopted (H1636-1637)
04/27/2011 S concurs in HCS, as amended (S1145-1146)
04/27/2011 S Third Read and Passed (S1146)
04/27/2011 Truly Agreed To and Finally Passed
04/27/2011 Bill Placed on Informal Calendar (S1146)
04/27/2011 Motion to reconsider Third Reading Vote, S adopted (S1147-1148)
04/27/2011 Motion to reconsider adoption of HCS, as amended, S adopted (S1148)
04/27/2011 S concurs in HCS, as amended (S1148-1149)
04/27/2011 S Third Read and Passed - EC adopted (S1149)
04/27/2011 Truly Agreed To and Finally Passed (H1644)
04/27/2011 Reported Duly Enrolled S Rules Committee (S1150)
04/27/2011 Signed by Senate President (S1150)
04/27/2011 Signed by House Speaker (H1644)
04/27/2011 Delivered to Governor (w/EC) (S1153)

04/27/2011 Signed by Governor (S1192)

EFFECTIVE: Emergency Clause

*** SB 162 *** HCS#2 SCS SB 162 0830L.06C

SENATE SPONSOR: Munzlinger HOUSE HANDLER: Guernsey

HCS#2/SCS/SB 162 - This act modifies provisions pertaining to agriculture.

SECTIONS 144.010 TO 144.070 - SALES TAX EXEMPTIONS
This act creates state and local sales and use tax exemptions for sales of captive wildlife and all sales of feed for captive wildlife including lime and fertilizer for crops which when harvested will be fed to captive wildlife that will be sold ultimately in processed form at retail.

The act: adds freight charges to the sales and use tax exemptions for agricultural-related items; includes "accessories" for farm machinery and equipment in the definition of "farm machinery and equipment"; and provides a sales and use tax exemption for rotary mowers that are used exclusively for agricultural purposes.

The act also repeals two incorrect intersectional references contained in Chapter 144.

These sections are similar to SB 241 (2011) and HB 346 (2011).

SECTION 262.950 - FARM-TO-TABLE ADVISORY BOARD
The act creates the Farm-to-Table Advisory Board, which shall be made up of the following 8 people: one person actively engaged in small agribusiness appointed by the director of the Department of Agriculture, and one representative from each of the following entities: the University of Missouri Extension Service, the Office of Administration, and the Departments of Agriculture, Corrections, Elementary and Secondary Education, Health & Senior Services and Economic Development. The board must meet at least twice, but may meet more often as needed.

The mission of the board is to develop recommendations for ways that allow schools and state facilities to more easily purchase products directly from local farms for use in their cafeterias and ways to increase public awareness about locally-produced food and its relationship to healthy communities and people. The act requires the board to investigate existing public and private resources that may be used to accomplish the mission objectives as well as identify barriers to the objectives.

The act requires the board to produce and deliver a report, containing its findings and recommendations, to the Governor, the General Assembly, and the directors of the represented agencies by August 31, 2012. This section expires on August 31, 2012.

The act is similar to HCS/HB 344 (2011).

SECTIONS 263.190 TO 263.240 - NOXIOUS WEEDS
Under current law, all landowners are required to control the growth and spread of the plants musk thistle, scotch thistle, and canada thistle. Additionally under current law, where a landowner does not control the thistle, the county commission has a duty to enter upon the property in order to control the thistle. This act expands these requirements to apply not only to the thistles, but to all plants that are designated by rule as a "noxious weed" by the Department of Agriculture. The act requires the department to maintain a list of all noxious weeds and make the list available to the public.

The act prohibits the sale of noxious weeds.

The act repeals the provisions of law that apply specifically to the following plants: multiflora rose, field bindweed, cut-leaved teasel, common teasel, kudzu, spotted knapweed, purple loosestrife, and johnson grass.

These sections are similar to SB 336 (2011) and HB 653 (2011).

SECTION 268.121 - LIVESTOCK BRAND BOOK
Under current law, the Department of Agriculture must publish a book of all livestock brands on record and must send copies of the book to all county recorders of deeds, livestock markets, and slaughter plants. This act removes the requirement that the Department must publish the list of brands in book form, and instead

requires the Department to make the list available to the public on the Internet. The act also removes the requirement that the Department send a book to the counties, livestock markets, and slaughter plants.

This section is identical to SB 337 (2011).

SECTION 275.360 - COMMODITY MERCHANDISING FEES FOR RICE
Current law allows agricultural producers or growers to request a refund of his or her commodity merchandising fees from the director of the Department of Agriculture. The act exempts rice producers and growers from this provision.

SECTIONS 276.421 TO 276.441 - GRAIN DEALERS
The act requires that all licensed grain dealers or applicants for a grain dealer license must maintain a minimum net worth of 5% of the total amount of grain purchased in the previous fiscal year. Additionally, all licensed grain dealers and applicants must maintain current assets at least equal to current liabilities and the act specifies certain requirements related to the determination of assets and liabilities.

The act raises the minimum surety bond requirement for licensed grain dealers from $20,000 to $50,000 and raises the maximum from $300,000 to $600,000. The act modifies the formula for determining the amount of surety bond required by specifying that the amount shall be equal to 2% of the dealer's previous year's grain purchases, instead of within a range of between 1% and 5% of such purchases. The act repeals the section of law that allows a grain dealer who has purchased less than $400,000 of grain the previous year to satisfy the bond requirement by filing bonds at the rate of $1,000 per $20,000 worth of grain purchased.

These sections are identical to SCS/SB 356 (2011).

SECTION 411.280 - GRAIN WAREHOUSES
Under current law, the owner of a licensed grain warehouse must maintain a net worth equal to 15 cents per bushel of storage capacity. The act increases the multiplication factor from 15 cents to 25 cents.

This section is identical to SCS/SB 356 (2011).
ERIKA JAQUES

HA1: ADDS SECTION 262.005 RELATING TO THE RIGHT TO RAISE LIVESTOCK IN A HUMANE MANNER WITHOUT UNDUE ECONOMIC BURDEN IMPOSED BY THE STATE.

HA2: ADDS SECTION 252.040 WHICH ALLOWS LANDOWNERS TO OBTAIN PERMISSION FROM THE DEPARTMENT OF CONSERVATION TO KILL WILD ELK THAT HAVE DAMAGED AGRICULTURAL PROPERTY.

HA3: ADDS SECTION 262.815 WHICH CREATES THE MISSOURI FARMLAND TRUST ACT, WHICH ALLOWS THE DEPARTMENT OF AGRICULTURE TO ACCEPT FARMLAND CONVEYED TO IT FOR THE PURPOSE OF MAKING LOW-COST LEASES OF FARMLAND TO BEGINNING FARMERS.

HA4: REMOVES THE SALES TAX EXEMPTION FOR FEED FOR CAPTIVE WILDLIFE AND FOR INPUTS FOR CROPS GROWN AS FOOD FOR CAPTIVE WILDLIFE; ALSO ADDS A PROVISION THAT THE SALES TAX EXEMPTION FOR CAPTIVE WILDLIFE DOES NOT APPLY TO HARVESTED ANIMALS.

HA5: TRANSFERS ADMINISTRATIVE AUTHORITY OVER THE LAND SURVEY PROGRAM FROM THE DEPARTMENT OF NATURAL RESOURCES TO THE DEPARTMENT OF AGRICULTURE, WITH A DELAYED EFFECTIVE DATE OF AUGUST 28, 2012.

HA6: APPOINTS A SIXTH MEMBER TO THE BOARD OF PHARMACY WHO SHALL BE A LICENSED VETERINARIAN; INCLUDES "LEGEND DRUGS" IN THE PRACTICE OF PHARMACY; AND REQUIRES LEGEND DRUGS TO ONLY BE DISPENSED BY A LICENSED PHARMACIST WITH A CLASS L PERMIT.

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| 01/24/2011 | S First Read--SB 162-Munzlinger |
| 01/27/2011 | Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S161) |
| 02/23/2011 | Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee |
| 03/02/2011 | SCS Voted Do Pass S Agriculture, Food Production and Outdoor Resources Committee - (0830S.02C) |
| 03/03/2011 | Reported from S Agriculture, Food Production and Outdoor Resources Committee to Floor w/SCS (S389) |

03/16/2011 Bill Placed on Informal Calendar (S464)
03/16/2011 SCS S adopted (S468)
03/16/2011 Perfected (S468)
03/16/2011 Reported Truly Perfected S Rules Committee (S479)
03/17/2011 S Third Read and Passed (S491-492)
03/17/2011 H First Read (H702)
03/18/2011 H Second Read (H707)
03/31/2011 Referred H Agri-Business Committee (H811)
04/05/2011 Hearing Conducted H Agri-Business Committee
04/07/2011 HCS Voted Do Pass H Agri-Business Committee - Consent
04/07/2011 HCS Reported Do Pass H Agri-Business Committee - Consent (H1170)
04/07/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1170)
04/14/2011 HCS Returned to Committee of origin (H1296)
05/03/2011 HCS#2 Voted Do Pass H Agri-Business Committee
05/03/2011 HCS#2 Reported Do Pass H Agri-Business Committee (H1792)
05/03/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1792)
05/04/2011 HCS#2 Voted Do Pass H Rules Pursuant Committee
05/04/2011 HCS#2 Reported Do Pass H Rules Pursuant Committee (H1858)
05/04/2011 Referred H Fiscal Review Committee (H1857)
05/05/2011 HCS#2 Voted Do Pass H Fiscal Review Committee
05/05/2011 HCS#2 Reported Do Pass H Fiscal Review Committee (H1877)
05/11/2011 HA 1 to HCS#2 H offered & adopted (Loehner)--(0830L06.05H) (H2277-2278)
05/11/2011 HA 2 to HCS#2 H offered (Dugger)--(0830L06.11H) (H2278)
05/11/2011 HA 1 to HA 2 to HCS#2 H offered & defeated (Holsman)--(0830L06.14H) (H2278-2280)
05/11/2011 HA 2 to HA 2 to HCS#2 H offered & adopted (Brattin)--(0830L06.17H) (H2280-2281)
05/11/2011 HA 2 to HCS#2, as amended, H adopted (H2281-2282)
05/11/2011 HA 3 to HCS#2 H offered & adopted (Klippenstein)--(0830L06.04H) (H2282-2284)
05/11/2011 HA 4 to HCS#2 H offered & adopted (Loehner)--(0830L06.10H) (H2284-2285)
05/11/2011 HA 5 to HCS#2 H offered & adopted (Korman)--(0830L06.16H) (H2285-2291)
05/11/2011 HA 6 to HCS#2 H offered & adopted (Jones-117)--(0830L06.12H) (H2291-2296)
05/11/2011 HCS#2, as amended, H adopted (H2296-2297)
05/11/2011 H Third Read and Passed (H2297-2298 / S1759-1775)
05/13/2011 S Calendar S Bills with H Amendments--SCS for SB 162-Munzlinger, with HCS#2, as amended

EFFECTIVE: August 28, 2011

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*** SB 163 *** HCS SCS SB 163 1045L.03T

SENATE SPONSOR: Pearce HOUSE HANDLER: Thomson

HCS/SCS/SB 163 – This act modifies the composition of the Coordinating Board for Higher Education, the Board of Curators for the University of Missouri and the governing board of Missouri State University. For each board, current law provides that no more than one person will be appointed from each congressional district. This act provides that at least one but no more than two persons will be appointed from each congressional district.

This act is identical to HCS/HB 174 (2011) and is similar to SB 255 (2009).
MICHAEL RUFF

01/25/2011 S First Read--SB 163-Pearce
01/27/2011 Second Read and Referred S Education Committee (S161)
02/16/2011 Hearing Conducted S Education Committee
03/02/2011 SCS Voted Do Pass S Education Committee - (1045S.02C)
03/03/2011 Reported from S Education Committee to Floor w/SCS (S389)
03/09/2011 SA 1 to SCS S offered & adopted (Green)--(1045S02.01S) (S418-419)
03/09/2011 SCS, as amended, S adopted (S419)
03/09/2011 Perfected (S419)
03/10/2011 Reported Truly Perfected S Rules Committee (S425)
03/17/2011 S Third Read and Passed (S485-486)
03/17/2011 H First Read (H702)
03/18/2011 H Second Read (H707)
03/31/2011 Referred H Higher Education Committee (H811)
04/05/2011 Hearing Conducted H Higher Education Committee
04/12/2011 HCS Voted Do Pass H Higher Education Committee

04/14/2011 HCS Reported Do Pass H Higher Education Committee (H1293)
04/14/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1293)
04/20/2011 Voted Do Pass H Rules Pursuant Committee
04/20/2011 HCS Reported Do Pass H Rules Pursuant Committee (H1419)
05/04/2011 HA 1 to HCS H offered & adopted (Thomas)--(1045L03.01L) (H1822)
05/04/2011 HA 2 to HCS H offered & defeated (Schupp)--(1045L03.01H) (H1822-1823)
05/04/2011 HCS, as amended, H adopted (H1823)
05/04/2011 H Third Read and Passed (H1823-1824 / S1320-1321)
05/05/2011 S concurs in HCS, as amended (S1347)
05/05/2011 S Third Read and Passed (S1347-1348)
05/05/2011 Truly Agreed To and Finally Passed (H1943)

EFFECTIVE: August 28, 2011

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*** SB 164 *** 1044S.01I

SENATE SPONSOR: Pearce

SCS/SB 164 – This act establishes the Missouri Science, Technology, Engineering and Mathematics Initiative within the Department of Higher Education. Matching funds may be provided by the Department and the General Assembly to fund the programs described in the act.

The Initiative will provide support to increase interest among K-12 students in science, technology, engineering, and math to increase the number of students who enter these fields at Missouri's public institutions of higher education.

Programs that may be supported through the Initiative include: endowed teaching professor programs to support faculty; scholarship programs to provide financial aid and loan forgiveness to Missouri students in science, technology, engineering, and mathematics areas, as described in the act; experiential youth programs at public colleges or universities; and career enhancement programs for current elementary and secondary teachers in science, technology, engineering, or mathematics fields to improve teaching quality.

This act is identical to SB 936 (2010).
MICHAEL RUFF

01/25/2011 S First Read--SB 164-Pearce (S141)
01/27/2011 Second Read and Referred S Education Committee (S161)
02/16/2011 Hearing Conducted S Education Committee
03/02/2011 SCS Voted Do Pass S Education Committee - (1044S.02C)

EFFECTIVE: August 28, 2011

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*** SB 165 *** 0440S.01T

SENATE SPONSOR: Goodman HOUSE HANDLER: Cox

SB 165 - This act extends the expiration date on the Basic Civil Legal Services Fund from December 31, 2012, to December 31, 2018.
EMILY KALMER

01/25/2011 S First Read--SB 165-Goodman (S141)
01/27/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S161)
02/14/2011 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee - Consent
03/09/2011 SCS Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee - (0440S.02C) - Consent
03/10/2011 Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor w/SCS - Consent (S434)
03/14/2011 Removed S Consent Calendar (S449)
03/17/2011 Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor w/SCS (S493)
04/04/2011 SCS S defeated (S558)
04/04/2011 Perfected (S558)
04/05/2011 Reported Truly Perfected S Rules Committee (S574)
04/07/2011 S Third Read and Passed (S645)
04/07/2011 H First Read (H1177)
04/11/2011 H Second Read (H1184)

04/11/2011 Referred H Judiciary Committee (H1205)
04/13/2011 Hearing Conducted H Judiciary Committee
04/13/2011 Voted Do Pass H Judiciary Committee - Consent
04/13/2011 Reported Do Pass H Judiciary Committee - Consent (H1266)
04/13/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1266)
04/27/2011 Voted Do Pass H Rules Pursuant Committee - NOT CONSENT
04/27/2011 Reported Do Pass H Rules Pursuant Committee - NOT CONSENT (H1651)
05/04/2011 H Third Read and Passed (H1844-1845)
05/04/2011 Truly Agreed To and Finally Passed (S1343)

EFFECTIVE: August 28, 2011

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*** SB 166 *** SCS SB 166 0280S.03P

SENATE SPONSOR: Goodman

SCS/SB 166 - This act imposes additional requirements for obtaining and maintaining a title insurance license. Under current law, it is unlawful for a title agencies or title agents to transact title insurance business unless they are licensed under Missouri law. As a condition of licensing, this act requires title agencies and title agents to maintain a physical place of business within Missouri substantially devoted to the conduct of the title insurance business, or in the case of title agents, be employed by title insurers licensed in Missouri.
STEPHEN WITTE

01/25/2011 S First Read--SB 166-Goodman (S142)
01/27/2011 Second Read and Referred S Small Business, Insurance and Industry Committee (S161)
02/15/2011 Hearing Conducted S Small Business, Insurance and Industry Committee
02/22/2011 SCS Voted Do Pass S Small Business, Insurance and Industry Committee - (0280S.03C)
02/24/2011 Reported from S Small Business, Insurance and Industry Committee to Floor w/SCS (S329)
02/28/2011 SCS S adopted (S345)
02/28/2011 Perfected (S345)
03/01/2011 Reported Truly Perfected S Rules Committee (S362-363)
03/02/2011 S Third Read and Passed (S374-375)
03/02/2011 H First Read (H505)
03/03/2011 H Second Read (H510)
03/31/2011 Referred H Insurance Policy Committee (H811)
04/11/2011 Hearing Conducted H Insurance Policy Committee

EFFECTIVE: August 28, 2011

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*** SB 167 *** 0130S.01I

SENATE SPONSOR: Goodman

SB 167 - 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), CCS/SS/SCS/HB 2111 (2010), and HB 979 (2009)(section 301.580).
STEPHEN WITTE

01/25/2011 S First Read--SB 167-Goodman (S142)
01/27/2011 Second Read and Referred S Transportation Committee (S161)
02/02/2011 Hearing Cancelled S Transportation Committee
02/09/2011 Hearing Scheduled But Not Heard S Transportation Committee

EFFECTIVE: August 28, 2011

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*** SB 168 *** 0815S.01I

SENATE SPONSOR: Crowell

SB 168 - This act makes it optional for the circuit court in Cape Girardeau county to hold court and maintain an office of the probate division in both the courthouses in Jackson and in Cape Girardeau.
EMILY KALMER

01/25/2011 S First Read--SB 168-Crowell (S142)
01/26/2011 Bill Withdrawn (S147)

EFFECTIVE: August 28, 2011

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*** SB 169 *** 0147S.01I

SENATE SPONSOR: Crowell

This bill has been combined with SB 7

01/25/2011 S First Read--SB 169-Crowell (S142)
01/27/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S161)
02/01/2011 Hearing Cancelled S Health, Mental Health, Seniors and Families Committee
02/08/2011 Hearing Conducted S Health, Mental Health, Seniors and Families Committee
02/08/2011 Bill Combined (w/SCS SBs 7, 5, 74 & 169)

EFFECTIVE: August 28, 2011

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*** SB 170 *** 0161S.02I

SENATE SPONSOR: Crowell

SB 170 - This act specifies that each public retirement system that provides a defined benefit retirement plan shall be required to submit a quarterly report about the plan's investment performance to the Joint Committee on Public Employee Retirement. If the plan fails to submit this report, the committee may subpoena witnesses, take testimony under oath, and compel the production of records regarding this information according to the committee's statutory authority.
EMILY KALMER

01/25/2011 S First Read--SB 170-Crowell (S142)
01/27/2011 Second Read and Referred S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee (S161)

EFFECTIVE: August 28, 2011

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*** SB 171 *** 0149S.02I

SENATE SPONSOR: Crowell

SB 171 - 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 is similar to SB 731 (2010).
MEGHAN LUECKE

01/25/2011 S First Read--SB 171-Crowell (S142)
01/27/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S161)

EFFECTIVE: August 28, 2011

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*** SB 172 *** 0155S.01I

SENATE SPONSOR: Crowell

SB 172 - This act modifies the State Legal Expense Fund. It prohibits the State Legal Expense Fund from paying claims against state officers or employees that arise out of criminal conduct for which the officer or employee has already plead guilty or been found guilty.

The act requires the Office of Administration and the Attorney General's office to jointly develop a fee matrix to be used to when the Attorney General's office hires outside legal counsel. When outside legal counsel is hired because the Attorney General determines there is a conflict with his office, the legal fees shall be monitored by legal counsel for the Office of Administration or a state agency not involved in the conflict.

The State Legal Expense Fund will no longer reimburse the St. Louis and Kansas City Boards of Police Commissioners for up to a maximum of one million dollars per fiscal year.

This act is similar to SB 1055 (2010).
EMILY KALMER

01/25/2011 S First Read--SB 172-Crowell (S142)
01/27/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S161)
02/14/2011 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2011

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*** SB 173 *** CCS HCS SB 173 1048S.04T

SENATE SPONSOR: Dixon HOUSE HANDLER: Cierpiot

HCS/SB 173 - This act modifies provisions relating to transportation and infrastructure.

JOINT COMMITTEE ON MISSOURI'S PROMISE - This act creates an additional area of study for the Joint Committee on Missouri's Promise. The Committee shall develop long-term strategies and plans for investing in, and maintaining, a modern infrastructure and transportation system and identifying potential sources of revenue to sustain such efforts.

MISSOURI STATE TRANSIT ASSISTANCE PROGRAM - The Missouri State Transit Assistance Program is established and shall be administered by the Department of Transportation to provide financial assistance to defray the operating and capital costs incurred by public mass transportation service providers. The distribution of any appropriated funds must be determined by evaluating certain factors of each service provider including population, ridership, cost and efficiency of the program, availability of alternative transportation in the area, and local effort or tax support. This provision is identical to HB 484 (2011).

HIGHWAY DESIGN-BUILD CONTRACTS - This act authorizes the state Highways and Transportation Commission to enter into an additional design-build contract for the improvement of the bridge on US40/I-64 located in St. Louis County and St. Charles County (Daniel Boone Bridge). The act also extends the sunset date for the commission to enter into design-build project contracts. Under current law, the commission's authority to enter into design-build projects expires on July 1, 2012. This act extends the date to July 1, 2018. This provision is similar to SCS/SB 133 (2011).

SEWER DESIGN-BUILD CONTRACTS - This act authorizes the Metropolitan St. Louis Sewer District to enter into a design-build contract for a construction project exceeding $1 million. Under the terms of the act, the sewer district must establish written procedures for prequalifying design-build contractors. The sewer district is authorized to issue a request for proposals to a maximum of 5 prequalified design-build contractors.

The act establishes advertising requirements and procedures for submitting and opening proposals and for readvertising when necessary. The act also specifies that payment bonds shall apply to the sewer design-build projects. The act further provides that performance bonds for design-build contractors do not need to cover design services if the contractors or subcontractors providing design services carry professional liability insurance in the amount established by the district in the request for proposal.

The act requires architects, engineers, and land surveyors to be licensed or authorized in this state to provide such services as required by law.

The act prohibits architects or engineers retained by the sewer district from acting as design-build contractors, subcontractors, joint venturers, or partners for the project.

The sewer design-build contract provisions are similar to the ones found in HB 659 (2011) and HCS/SCS/SB 133 (2011).

EXCAVATION NOTIFICATION CENTERS - This act extends, from December 31, 2011, to December 31, 2014, the requirement that the State Highways and Transportation Commission be a notification center participant regarding excavation involving underground facilities. The act removes a provision which requires the notification center to ask excavators, as part of the process to request the locating and marking of underground facilities, to identify whether or not the proposed excavation will be on a public right-of-way or easement dedicated to public use for vehicular traffic. These provisions are identical to HB 678 (2011).
JIM ERTLE

HA 1 - CHANGES THE TITLE TO JUST INFRASTRUCTURE RATHER THAN RELATING TO TRANSPORTATION AND INFRASTRUCTURE

HA 2 - THIS ACT DESIGNATES THE PORTION OF STATE HIGHWAY 30 FROM STATE ROUTE NN NORTH THREE MILES TO 1/10 OF A MILE SOUTHWEST OF OLD STATE HIGHWAY 30 IN JEFFERSON COUNTY AS THE "SFC WM. BRIAN WOODS, JR. MEMORIAL HIGHWAY" (SECTION 227.430). THIS PORTION OF THE ACT IS IDENTICAL TO HB 912 (2011) AND HCS/SB 77 (2011)

HA 3 - CURRENT STATE LAW (SECTION 302.309.3(2)) ALLOWS COURTS AND THE DEPARTMENT OF REVENUE TO ISSUE LIMITED DRIVING PRIVILEGES TO ALLOW REPEAT OFFENDERS TO DRIVE A MOTOR VEHICLE TO: (1) A BUSINESS, OCCUPATION OR EMPLOYMENT; (2) MEDICAL TREATMENT; (3) SCHOOL; (4) ALCOHOL OR DRUG TREATMENT PROGRAMS; (5) AN IGNITION INTERLOCK PROVIDER FOR REQUIRED SERVICE; AND (6) OTHER CIRCUMSTANCES THE COURT OR THE DEPARTMENT FINDS WOULD CREATE AN UNDUE HARDSHIP. HOWEVER, FOR PURPOSES OF FEDERAL TRANSPORTATION FUNDING, FEDERAL LAW (23 USC §164) ONLY ALLOWS THE ISSUANCE OF A LIMITED DRIVING PRIVILEGE IN CONNECTION WITH: (1) WORK; (2) ATTENDING SCHOOL; (3) ATTENDING ALCOHOL TREATMENT PROGRAMS; AND (4) SEEKING THE REQUIRED SERVICES OF AN IGNITION INTERLOCK PROVIDER. IN ORDER TO COMPLY WITH FEDERAL LAW, SECTION 302.309.3(2) MUST BE AMENDED SO THAT A REPEAT OFFENDER LIMITED DRIVING PRIVILEGE MAY ONLY BE GRANTED FOR THE FOUR PURPOSES AUTHORIZED BY SECTION 164. UNDER THE TERMS OF THIS ACT, THE COURTS AND THE DEPARTMENT WILL ONLY BE ABLE TO ISSUE LIMITED DRIVING PRIVILEGES TO REPEAT OFFENDERS FOR THE PURPOSE OF DRIVING TO OR FROM THE OPERATOR'S PLACE OF EMPLOYMENT, ATTENDING SCHOOL, ATTENDING ALCOHOL OR DRUG TREATMENT PROGRAMS, AND SEEKING THE SERVICES OF A CERTIFIED IGNITION INTERLOCK DEVICE PROVIDER. LIMITED DRIVING PRIVILEGES MAY NOT BE GRANTED FOR SEEKING MEDICAL TREATMENT OR OTHER CIRCUMSTANCES THAT CREATE UNDUE HARDSHIPS FOR THE DRIVER

CURRENT MISSOURI LAW (SECTION 577.023) ALLOWS PRIOR AND PERSISTENT OFFENDERS TO PARTICIPATE IN AND SUCCESSFULLY COMPLETE A DWI COURT IN LIEU OF JAIL TIME OR COMMUNITY SERVICE. A PRIOR OR PERSISTENT OFFENDER MAY ESCAPE THE STATUTORY MINIMUM DAYS OF IMPRISONMENT BY PERFORMING COMMUNITY SERVICE OR SUCCESSFULLY COMPLETING A DWI COURT PROGRAM. FEDERAL LAW, HOWEVER, DOES NOT AUTHORIZE DWI COURTS AS AN ALTERNATIVE TO MANDATORY JAIL OR COMMUNITY SERVICE. UNDER THE TERMS OF THIS ACT, PRIOR AND PERSISTENT OFFENDERS MAY AVOID THE MINIMUM DAYS OF IMPRISONMENT BY PERFORMING COMMUNITY SERVICE AND COMPLETING A DWI COURT PROGRAM, IF SUCH PROGRAM IS AVAILABLE. THE DWI COURT PROGRAM OR OTHER TREATMENT PROGRAM MUST INCLUDE THE MINIMAL PERIODS OF COMMUNITY SERVICE. THESE PROVISIONS ARE CONTAINED IN SB 254 (2011)

HA 3 - THIS ACT REPEALS THE RABBI ABRAHAM JOSHUA HESCHEL MEMORIAL HIGHWAY DESIGNATION FOR A SPECIFIED PORTION OF HIGHWAY 160 IN GREENE COUNTY. IN LIEU OF THIS DESIGNATION, THE ACT DESIGNATES A DIFFERENT PORTION OF U.S. HIGHWAY 160 IN GREEN COUNTY AS THE "RABBI ERNEST I. JACOB MEMORIAL HIGHWAY" (SECTION 227.410). THIS PROVISION IS CONTAINED IN HCS/SB 77 (2011)

HA 5 - THIS ACT BROADENS THE 85,500 LIVESTOCK WEIGHT EXEMPTION TO ALL HIGHWAYS. UNDER THE ACT, THE TOTAL GROSS WEIGHT OF ANY VEHICLE OR COMBINATION OF VEHICLES HAULING LIVESTOCK OR AGRICULTURAL PRODUCTS (NOT INCLUDING LOCAL LOG TRUCKS) MAY BE AS MUCH AS, BUT SHALL NOT EXCEED, 85,500 POUNDS (CURRENT LAW ONLY APPLIES TO SPECIFIED HIGHWAYS). THE ADDITIONAL WEIGHT LIMIT SHALL NOT APPLY TO VEHICLES OPERATED ON THE DWIGHT D. EISENHOWER SYSTEM OF INTERSTATE AND DEFENSE HIGHWAYS

(SECTION 304.180). A SIMILAR PROVISION IS CONTAINED IN HCS/SS/SCS/SB 58 (2011).

HA 6 - THIS ACT REQUIRES A MUNICIPALITY TO ALLOW AT LEAST ONE STREET, WITH LAWFUL TRAFFIC MOVEMENT AND ACCESS FROM BOTH DIRECTIONS, TO BE USED BY COMMERCIAL VEHICLES TO ACCESS ANY ROADS IN THE STATE HIGHWAY SYSTEM (SECTION 304.120). THE ACT ALSO PROHIBITS ANY CIVIL ACTION FOR A PUBLIC OR PRIVATE NUISANCE ON THE BASIS OF AN INDIVIDUAL OR BUSINESS ENTITY LEGALLY USING A VEHICLE ON A PUBLIC STREET OR HIGHWAY (SECTION 537.293). THIS PROVISION IS CONTAINED IN SCS/HCS/HB 430 (2011).

HA 7 - THIS ACT MODIFIES THE "MISSOURI TRANSPORTATION DEVELOPMENT DISTRICT ACT" TO INCLUDE PUBLIC MASS TRANSPORTATION PROJECTS(SECTION 238.202). THE AMENDMENT ALSO ALLOWS TRANSPORTATION DEVELOPMENT DISTRICTS LOCATED WITHIN KANSAS CITY TO INCLUDE THE OPERATION OF STREET CARS OR OTHER RAIL-BASED OR FIXED GUIDEWAY PUBLIC MASS TRANSPORTATION SYSTEMS. THE AMENDMENT FURTHER PROVIDES THAT DISTRICTS FORMED FOR PUBLIC MASS TRANSPORTATION SYSTEM PROJECTS SHALL NOT HAVE TO SUBMIT THE PROPOSED PROJECT TO THE STATE HIGHWAYS AND TRANSPORTATION COMMISSION FOR ITS PRIOR APPROVAL (SECTION 238.225). IN ADDITION, THE AMENDMENT PROVIDES THAT THE SALES TAXES IMPOSED BY A DISTRICT WHOSE PROJECT IS 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 (SECTION 238.235). THESE PROVISIONS MAY ALSO BE FOUND IN HCS/SS/SCS/SB 58 (2011).

HA 8 - THIS ACT DESIGNATES THE PORTION OF INTERSTATE 40/64 IN ST. LOUIS COUNTY FROM THE BOONE'S CROSSING OVERPASS AT MILE MARKER 17.0 WEST TO THE SPIRIT OF ST. LOUIS AIRPORT OVERPASS AT MILE MARKER 13.8 AS THE "MISSOURI STATE HIGHWAY PATROL SERGEANT JOSEPH G. SCHUENGEL MEMORIAL HIGHWAY" (SECTION 227.424). THIS PROVISION IS ALSO CONTAINED IN HCS/SB 77 (2011).

01/25/2011 S First Read--SB 173-Dixon and Kehoe (S142)
01/27/2011 Second Read and Referred S Transportation Committee (S161)
02/23/2011 Hearing Conducted S Transportation Committee
03/02/2011 Voted Do Pass S Transportation Committee
03/03/2011 Reported from S Transportation Committee to Floor (S388)
03/07/2011 Bill Placed on Informal Calendar (S400)
03/09/2011 Perfected (S419)
03/10/2011 Reported Truly Perfected S Rules Committee (S425)
03/17/2011 S Third Read and Passed (S484-485)
03/17/2011 H First Read (H702)
03/18/2011 H Second Read (H707)
03/31/2011 Referred H Transportation Funding & Public Institutions Committee (H811)
04/07/2011 Hearing Conducted H Transportation Funding & Public Institutions Committee
04/14/2011 HCS Voted Do Pass H Transportation Funding & Public Institutions Committee
04/14/2011 HCS Reported Do Pass H Transportation Funding & Public Institutions Committee (H1295)
04/14/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1295)
04/20/2011 Voted Do Pass H Rules Pursuant Committee
04/20/2011 HCS Reported Do Pass H Rules Pursuant Committee (H1419)
05/04/2011 HA 1 to HCS H offered & adopted (Cierpoit)--(1048L03.13H) (H1809)
05/04/2011 HA 2 to HCS H offered & adopted (McCaherty)--(1048L03.15H) (H1809)
05/04/2011 HA 3 to HCS H offered & adopted (Schad)--(1048L03.05H) (H1809-1813)
05/04/2011 HA 4 to HCS H offered & adopted (Lampe)--(1048L03.03H) (H1813-1814)
05/04/2011 HA 5 to HCS H offered & adopted (Smith-150)--(1048L03.08H) (H1814-1816)
05/04/2011 HA 6 to HCS H offered & adopted (Hough)--(1048L03.09H) (H1816-1817)
05/04/2011 HA 7 to HCS H offered & adopted (Torpey)--(1048L03.01F) (H1817-1820)
05/04/2011 HA 8 to HCS H offered & adopted (Schupp)--(1048L03.06H) (H1821)
05/04/2011 HCS, as amended, H adopted (H1821)
05/04/2011 H Third Read and Passed (H1821-1822 / S1303-1320)
05/04/2011 S refuses to concur in HCS, as amended (S1326 / H1862)
05/04/2011 S requests H recede or grant conference (S1326 / H1862)
05/05/2011 H refuses to recede and grants conference (H1944 / S1356)
05/05/2011 S conferees appointed: Dixon, Stouffer, Rupp, Callahan, Justus (S1357 / H1968)
05/05/2011 H conferees appointed: Cierpiot, Long, Smith-150, Fallert, Casey (H1968 / S1478)
05/11/2011 H submits CCR (H2436-2437)
05/11/2011 CCR S offered & adopted (S1748-1749)

05/11/2011 CCS S Third Read and Passed (S1749-1750 / H2406)
05/12/2011 CCR H adopted (S1975)
05/12/2011 CCS H Third Read and Passed (S1975)
05/12/2011 Truly Agreed To and Finally Passed (S1975)

EFFECTIVE: August 28, 2011

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*** SB 174 *** HCS SB 174 0102L.07C

SENATE SPONSOR: Dempsey

SB 174 - This act authorizes cities, towns, and villages located in any county of the state to seek voter approval for the imposition of a fee on residential property to fund the repair or replacement of water lines on that property. The fee would be imposed for the repair or replacement of water service lines providing water service to residential properties having four or fewer dwelling units located within the city, town, or village. The fee cannot exceed one dollar per month.

Any city, town, or village which imposes the water service line fee may, by ordinance, provide for the administration of the program and define the terms "repair" and "water service line".
MEGHAN LUECKE

01/25/2011 S First Read--SB 174-Dempsey (S142)
01/27/2011 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S161)
02/02/2011 Hearing Cancelled S Jobs, Economic Development and Local Government Committee
02/09/2011 Hearing Conducted S Jobs, Economic Development and Local Government Committee
02/16/2011 Voted Do Pass (w/SCA 1) S Jobs, Economic Development and Local Government Committee - (0102S04.02S)
02/17/2011 Reported from S Jobs, Economic Development and Local Government Committee to Floor w/SCA 1 (S284)
02/22/2011 SCA 1 S adopted (S300)
02/22/2011 Perfected, as amended (S300)
02/23/2011 Reported Truly Perfected S Rules Committee (S311)
02/24/2011 S Third Read and Passed (S327)
02/24/2011 H First Read (H458)
02/28/2011 H Second Read (H465)
03/16/2011 Referred H General Laws Committee (H670)
04/12/2011 Hearing Conducted H General Laws Committee
04/19/2011 HCS Voted Do Pass H General Laws Committee
04/22/2011 HCS Reported Do Pass H General Laws Committee (H1596)
04/22/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1596)

EFFECTIVE: August 28, 2011

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*** SB 175 *** 0707S.02I

SENATE SPONSOR: Munzlinger

SB 175 - Currently, contracts for public construction are barred from containing provisions that require or prohibit the parties from entering into agreements with labor unions on the project or discriminate against parties for doing so when the project is funded by greater than 50% of state funds. Under this act, the same requirements shall apply to contracts funded in any amount with public funds. The act defines "public funds" to include funds belonging to the state, any agency of the state, or any instrumentality or political subdivision thereof.

The act redefines "project labor agreement" to apply to agreements for projects of agencies and instrumentalities of the state. The act bars the usage of such agreements on all public construction projects in the state.

Standing to seek equitable relief and monetary damages for violations of the laws relating to state purchasing and printing are established.
CHRIS HOGERTY

01/26/2011 S First Read--SB 175-Munzlinger, et al (S146)
01/27/2011 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S161)

02/23/2011 Re-referred S Small Business, Insurance and Industry Committee (S306)
03/01/2011 Hearing Conducted S Small Business, Insurance and Industry Committee
03/08/2011 Voted Do Pass S Small Business, Insurance and Industry Committee
03/10/2011 Reported from S Small Business, Insurance and Industry Committee to Floor (S434)
03/16/2011 Bill Placed on Informal Calendar (S471)
03/29/2011 SA 1 S offered (Callahan)--(0707S02.13S) (S513)
05/13/2011 S Informal Calendar S Bills for Perfection--SB 175-Munzlinger, et al, with SA 1 (pending)

EFFECTIVE: August 28, 2011

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*** SB 176 *** 0786S.02I

SENATE SPONSOR: Munzlinger

SB 176 - This act modifies Missouri's prevailing wage law.

Under current law, a locality, for the purposes of determining the prevailing wage for an occupational title, may encompass two or more counties adjacent to the one in which the construction is to be performed in certain instances. This act only allows the county in which the work is to be performed to be used as a basis for determining the prevailing wage. If the department of labor is unable to determine the hourly rate for a particular occupational title by means of wage surveys, the prevailing wage shall be the median hourly estimated wage of the construction and extraction occupational code most closely resembling the occupational title as published in the Metropolitan and Non-Metropolitan Area Occupational Employment Wage Estimate published by the United States Bureau of Labor Statistics, or the median hourly wage estimate for occupational code 47-0000 in the construction and extraction occupational code.

Currently, the definition of "prevailing hourly rate of wages" includes contributions irrevocably made by a contractor or subcontractor to a trustee or to a third person pursuant to some plan or program. This act removes the requirement that the contributions be irrevocably made to a trustee or third person and only requires that they be contributions into a fund, plan or program to qualify as part of the prevailing wage calculation.

Wage rates established by collective bargaining agreements shall not be considered when determining wage rates and the rate shall be the average of the rates that are paid within the locality.

Under current law, when the Department of Labor finds a violation of the prevailing wage statutes, it provides a notice of penalty to the employer. This act changes references to "notices of penalty" to "notices of violation".

Under current law, prevailing wage penalties are not due until 45 days after the date of the notice of the penalty. This act removes that provision.

Under current law, if employers pay backwages before the department initiates an enforcement action to enforce monetary penalties, the department is precluded from initiating such an enforcement action. Under the act, the department is also precluded from initiating any administrative, civil, or criminal action and the employer shall not appear on the notice of conviction list that would otherwise bar the employer from participating in public works construction.

Under current law, the prevailing wage for each title may be adjusted in response to fluctuations in wages due to collective bargaining agreements. Those adjustments shall not be allowed under this act.

Provisions requiring contractor and subcontractor signage on motor vehicles and other motorized equipment and imposing a six month term of imprisonment on those violating the prevailing wage laws are removed.
CHRIS HOGERTY

01/26/2011 S First Read--SB 176-Munzlinger, et al (S146)
01/27/2011 Second Read and Referred S Small Business, Insurance and Industry Committee (S161)
02/22/2011 Hearing Conducted S Small Business, Insurance and Industry Committee
03/08/2011 Voted Do Pass S Small Business, Insurance and Industry Committee
03/10/2011 Reported from S Small Business, Insurance and Industry Committee to Floor (S434)
03/16/2011 Bill Placed on Informal Calendar (S471)
05/13/2011 S Informal Calendar S Bills for Perfection--SB 176-Munzlinger, et al

EFFECTIVE: August 28, 2011

*** SB 177 *** HCS SCS SB 177 1178L.04C

SENATE SPONSOR: Brown HOUSE HANDLER: Sater

HCS/SCS/SB 177 - This act modifies provisions relating to public health policies.

TAX EXEMPTION FOR CERTAIN DRUGS (Section 144.030)

The act modifies provisions of the current state and local sales and use tax exemption for sales of over-the-counter and nonprescription drugs to individuals with disabilities by requiring such items to be dispensed as prescribed by a practitioner and expands current state and local sales and use tax exemptions to include diabetic accessories and supplies, the rental of certain medical equipment including scooters and wheelchairs.

This provision is substantially similar to a provision in SS/SCS/HCS/HB 116 & 316 (2011).

VOLUNTEER HEALTH SERVICES ACT (Sections 191.100 to 191.1112)

This act establishes the Volunteer Health Services Act which allows a licensed health care provider to provide volunteer professional health care services for a sponsoring organization. Any person with a suspended or revoked license or who provides services outside the scope of his or her license is not eligible to provide services under the act.

Before a health care professional can provide volunteer services, the sponsoring organization shall register with the Department of Health and Senior Services and pay a $50 fee. A sponsoring organization shall file a quarterly voluntary services report with the department, keep its records of health care provider volunteers up to date, and maintain the records for five years following the service rendered by the health care provider volunteer.

An insurer providing professional liability coverage to a health care provider on or after August 28, 2011, cannot exclude coverage to a health care provider who volunteers his or her health care services if the sponsoring organization and the health care provider comply with the provisions of the act. Any health care provider volunteering his or her services shall not be liable for any civil damages for any act or omission resulting from his or her service unless there was gross negligence or willful misconduct. A volunteer cannot receive any form of direct or indirect compensation, benefits, or consideration for his or her health care services. The volunteer shall perform acts within the scope of his or her professional license and in compliance with all applicable health care regulations. Any volunteer crisis response team member who participates in a crisis intervention shall not be liable in tort for any personal injuries or emotional distress of any participant to the intervention that is caused by the act or omission of the team member during an intervention with certain specified exceptions.

These provisions are identical to HCS/HB 29 (2011).

MO HEALTHNET DENTAL BENEFITS (SECTION 208.240)

The MO HealthNet Division within the Department of Social Services, or a contractor of the division, is authorized to implement a statewide dental delivery system to ensure participation of and access to providers in all areas of the state. The division may administer the system or seek a third party experienced in the administration of dental benefits to administer the program under the supervision of the division.

This provision is identical to a provision in HB 579 (2011) and substantially similar to HB 201 (2011).

FOOD STAMPS ELIGIBILITY FOR CONVICTED FELONS (Section 208.247)

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 provision is identical to HB 74 (2011) and HB 509 (2011).

MENTAL HEALTH EARNINGS FUND (Sections 630.053 and 630.095) This act provides that subject to appropriations, the proceeds earned from the sale of Mental Health First Aid USA services shall be directed

to the Mental Health Earnings Fund. Such proceeds shall be used for the purpose of funding Mental Health First AID USA activities and shall be accounted for separately from all other revenues deposited in the fund.

This provision is identical to provisions in SCS/HCS/HB 555 (2011) and HB 557 (2011).

DEPARTMENT OF MENTAL HEALTH INVESTIGATIONS (Section 630.167)
This act also updates a statutory reference to reflect that Department of Mental Health investigative reports are automatically admissible in any hearing before the Administrative Hearing Commission.
ADRIANE CROUSE
HA 1- MODIFIES HOSPITAL LICENSURE AND REGULATION

HA 2-SUNSET OF CHILDREN'S VISION EXAMINATION PROGRAMS

HA 3- PROHIBITS MO HEALTHNET FROM REQUIRING A HEALTH INSURER TO EXCEED REQUIREMENTS RELATED TO NETWORK ADVOCACY

HA 4- EXTENDS FEDERAL REIMBURSEMENT ALLOWANCES TO 2015

HA 5- AUTHORIZATION OF THE FOOD PANTRY TAX CREDIT PROHIBITED AFTER AUGUST 28, 2015

HA 7- EXTENSION OF MO RX PRESCRIPTION PLAN TO AUGUST 28, 2016

HA 8- SCHIP RENEWAL PROCEDURES

HA 9- PROHIBITION OF HEALTH CARRIERS DISCRIMINATING BETWEEN EYE CARE PROVIDERS

HA 10- ENACTS PROVISIONS REGARDING CONTRACTS BETWEEN HEALTH CARRIERS AND DENTISTS

HA 12- INFLUENZA IMMUNIZATION FOR HOSPITAL EMPLOYEES

HA 13- REQUIRES HEALTH BENEFIT PLANS TO ESTABLISH EQUAL OUT-OF-POCKET REQUIREMENTS FOR ORAL ANTICANCER MEDICATIONS AND INTRAVENOUSLY ADMINISTERED CHEMOTHERAPY MEDICATIONS.

HA 15- CHILDREN'S SERVICES COMMISSION AND PREMATURITY TASK FORCE

HA 16- REQUIRES REIMBURSEMENT AMOUNTS PAID BY HEALTH CARRIERS TO LICENSED PHYSICAL THERAPISTS TO BE UNIFORM REGARDLESS OF THE SETTING OR VENUE IN WHICH THE HEALTH CARE SERVICES ARE RENDERED.

HA 17- HEALTH CARE PROFESSIONAL IDENTIFICATION BADGES

HA 18- COPIES OF MEDICAL RECORDS

HA 19- HOSPITAL DISTRICT SALES TAX

01/26/2011 S First Read--SB 177-Brown (S146)
01/27/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S161)
02/22/2011 Hearing Conducted S Health, Mental Health, Seniors and Families Committee
03/10/2011 SCS Voted Do Pass S Health, Mental Health, Seniors and Families Committee - (1178S.02C)
03/17/2011 Reported from S Health, Mental Health, Seniors and Families Committee to Floor w/SCS (S492)
04/04/2011 SA 1 to SCS S offered & adopted (Brown)--(1178S02.01S) (S557)
04/04/2011 SCS, as amended, S adopted (S557)
04/04/2011 Perfected (S558)
04/05/2011 Reported Truly Perfected S Rules Committee (S574)
04/07/2011 S Third Read and Passed (S644-645)
04/07/2011 H First Read (H1177)
04/11/2011 H Second Read (H1184)
04/12/2011 Referred H Health Care Policy Committee (H1236)
04/20/2011 Hearing Conducted H Health Care Policy Committee
04/27/2011 Hearing Conducted H Health Care Policy Committee
04/27/2011 HCS Voted Do Pass H Health Care Policy Committee

04/27/2011 HCS Reported Do Pass H Health Care Policy Committee (H1650)
04/27/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1650)
05/10/2011 HCS Voted Do Pass H Rules Pursuant Committee
05/10/2011 HCS Reported Do Pass H Rules Pursuant Committee (H2245)
05/10/2011 Referred H Fiscal Review Committee (H2245)
05/11/2011 HCS Voted Do Pass H Fiscal Review Committee
05/11/2011 HCS Reported Do Pass H Fiscal Review Committee (H2256)
05/12/2011 HA 1 to HCS H offered & adopted (Frederick)--(1178L04.23H) (H2472-2473)
05/12/2011 HA 2 to HCS H offered & adopted (Wells)--(1178L04.14H) (H2473-2474)
05/12/2011 HA 3 to HCS H offered & adopted (Molendorp)--(1178L04.02F) (H2474)
05/12/2011 HA 4 to HCS H offered & adopted (Kelly-24)--(1178L04.26H) (H2474-2477)
05/12/2011 HA 5 to HCS H offered & adopted (Riddle)--(1178L04.19H) (H2477-2478)
05/12/2011 HA 6 to HCS H offered & defeated (Jones-117)--(1178L04.30H) (H2478-2479)
05/12/2011 HA 7 to HCS H offered & adopted (Jones-63)--(1178L04.29H) (H2479)
05/12/2011 HA 8 to HCS H offered & adopted (Nance)--(1178L04.02H) (H2479-2480)
05/12/2011 Bill laid over (H2480)
05/12/2011 Taken up for third reading (H2480)
05/12/2011 HA 9 to HCS H offered & adopted (Allen)--(1178L04.18H) (H2480-2481)
05/12/2011 HA 10 to HCS H offered & adopted (Molendorp)--(1178L04.27H) (H2482)
05/12/2011 HA 11 to HCS H offered & withdrawn (Leara)--(1178L04.25H) (H2482)
05/12/2011 HA 12 to HCS H offered & adopted (Thomson)--(1178L04.28H) (H2482-2483)
05/12/2011 HA 13 to HCS H offered & adopted (Schad)--(1178L04.17H) (H2483-2484)
05/12/2011 HA 14 to HCS H offered & withdrawn (Scharnhorst)--(1178L04.03F) (H2484)
05/12/2011 HA 15 to HCS H offered (Grisamore)--(1178L04.12H) (H2484-2488)
05/12/2011 HSA 1 for HA 15 to HCS H offered & adopted (Stream)--(1178L04.32H) (H2488-2491)
05/12/2011 HA 16 to HCS H offered & adopted (Lichtenegger)--(1178L04.20H) (H2491-2492)
05/12/2011 HA 17 to HCS H offered & adopted (Wyatt)--(1178L04.13H) (H2493-2494)
05/12/2011 HA 18 to HCS H offered & adopted (Frederick)--(1178L04.21H) (H2494-2495)
05/12/2011 HA 19 to HCS H offered & adopted (Fitzwater)--(1178L04.04H) (H2495-2499)
05/12/2011 HCS, as amended, H adopted (H2499)
05/12/2011 H Third Read and Passed (H2499-2500 / S1935-1958)
05/12/2011 S refuses to concur in HCS, as amended (S1959 / H2543)
05/12/2011 S requests H recede or grant conference (S1959 / H2543)
05/12/2011 H refuses to recede and grants conference (H2543 / S1960)
05/12/2011 H conferees appointed: Frederick, Allen, Wells, Carter, Colona (H2548 / S1963)
05/12/2011 S conferees appointed: Brown, Schaaf, Schaefer, Callahan, Green (S1965)
05/12/2011 H submits CCR
05/13/2011 In Conference--SCS for SB 177-Brown, with HCS, as amended

EFFECTIVE: August 28, 2011

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*** SB 178 *** 1054L.01I

SENATE SPONSOR: Brown

SB 178 - This act requires a person who performs certain tasks related to surgeries to complete specific educational or training requirements, if the person was not employed to practice surgical technology before August 28, 2011, or working for the federal government.

If a person does not have a Certified Surgical Technologist credential from the National Board of Surgical Technology and Surgical Assisting, then the person is required to complete fifteen hours of continuing education to work as a surgical technologist. Health care facilities are required to verify that a person who performs certain tasks related to surgery meets these continuing education requirements.

A health care facility is allowed to employ a person who does not have the required education or training, but the facility must document that it is unable to employ or contract with a surgical technologist who meets the requirements of this act.

This act does not prohibit any licensed practitioner from performing surgical tasks, if the person is acting within the scope of their license.

The Department of Health and Senior Services is required to oversee compliance with this act.
EMILY KALMER

01/26/2011 S First Read--SB 178-Brown (S146)
01/27/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S161)

EFFECTIVE: August 28, 2011

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*** SB 179 *** 1141S.01I

SENATE SPONSOR: Brown

SB 179 - This act allows the board of aldermen in a fourth-class city to enact an ordinance so that the city marshal shall be appointed. The city marshal is an elected office under current law. The ordinance also may provide that the same person can hold the offices of city marshal and collector at the same time.
MEGHAN LUECKE

01/26/2011 S First Read--SB 179-Brown (S146)
01/27/2011 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S161)

EFFECTIVE: August 28, 2011

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*** SB 180 *** HCS SB 180 0670L.01T

SENATE SPONSOR: Kraus HOUSE HANDLER: Torpey

SB 180 - This act specifies that the month of October shall be designated as "Walk & Bike to School Month," the first Wednesday of October as "Walk and Bike to School Day," the month of May as "Missouri Bicycle Month," the third Friday in May as "Bike to Work Day," and the week of Bike to Work Day as "Bike to Work Week."

This act is similar to HB 1691 (2010).
JIM ERTLE

01/26/2011 S First Read--SB 180-Kraus and Justus (S146)
01/27/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S161)
02/01/2011 Hearing Cancelled S Health, Mental Health, Seniors and Families Committee
02/08/2011 Hearing Conducted S Health, Mental Health, Seniors and Families Committee
02/08/2011 Voted Do Pass S Health, Mental Health, Seniors and Families Committee
02/24/2011 Reported from S Health, Mental Health, Seniors and Families Committee to Floor (S328)
02/28/2011 Perfected (S345)
03/01/2011 Reported Truly Perfected S Rules Committee (S362-363)
03/02/2011 S Third Read and Passed (S375-376)
03/02/2011 H First Read (H505)
03/03/2011 H Second Read (H510)
03/31/2011 Referred H Tourism & Natural Resources Committee (H811)
04/07/2011 Hearing Conducted H Tourism & Natural Resources Committee
04/14/2011 HCS Voted Do Pass H Tourism & Natural Resources Committee
04/14/2011 HCS Reported Do Pass H Tourism & Natural Resources Committee (H1295)
04/14/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1295)
05/05/2011 HCS Voted Do Pass H Rules Pursuant Committee
05/05/2011 HCS Reported Do Pass H Rules Pursuant Committee (H2048)
05/11/2011 HCS H defeated (H2348)
05/11/2011 H Third Read and Passed (H2349 / S1826)
05/11/2011 Truly Agreed To and Finally Passed (S1826)

EFFECTIVE: August 28, 2011

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*** SB 181 *** 0729S.03I

SENATE SPONSOR: Stouffer

SB 181 - This act reinstates the Motorist Insurance Identification Database program which expired on June 30, 2007. Under the terms of the reinstated database program, the Missouri Highway Patrol shall by, January 1, 2012, enter into a contract with a designated agent to establish a motorist insurance identification database program to verify compliance with the motor vehicle financial responsibility laws (Section 303.406). The designated agent must, no later than June 20, 2012, develop, deliver, and maintain a computer database to verify compliance with Missouri's vehicle financial responsibility law.

Under the terms of the act, insurance companies will be required to provide information to the designated agent. Beginning July 1, 2012, insurance companies shall provide specified policy information to the designated agent (Section 303.412). The Department of Insurance may assess a fine (not to exceed $1,000 per day of noncompliance) against any insurer who fails to comply with the reporting requirements.

Once the database is operational, the designated agent shall, at least monthly, update the database with information provided by insurers and the department, and compare then-current motor vehicle registrations against the database to see if individuals are maintaining insurance.

Any person knowingly disclosing information from the database for an unauthorized purpose will be guilty of a Class A misdemeanor.

If the database indicates that the owner of a motor vehicle has failed to maintain financial responsibility for 3 consecutive months, the designated agent will notify the owner that the department will suspend the owner's registration if the owner does not present proof of insurance within 30 days of the notification. The notice of suspension shall also notify the owner's right to request a hearing. The act also sets forth the periods of suspension (including increased reinstatement fees for repeat violators)(Section 303.409).

The act requires motor vehicle owners to pay an annual fee of one dollar when the person registers or renews the registration of a motor vehicle. These fees shall be deposited to the credit of the state highways and transportation fund in an account known as the "Motorist Identification Database Account" and shall be used solely for operating and administering the program (Section 303.406).

Under this act, towing companies performing nonconsensual tows shall, within 45 minutes of completing such tows, notify the designated agent of such tows, and provide the following information to the designated agent:

(1) Date and time of service;
(2) The tow truck operator's name and address;
(3) The VIN number and license plate number of the motor vehicle towed;
(4) The name of the law enforcement agency requesting the tow, if applicable;
(5) The name, address, and telephone number of the storage facility where the motor vehicle has been towed to, if different than the address provided for in subdivision (2) of this subsection;
(6) Any additional information required by the Highway Patrol.

After receiving this information, the designated agent shall attempt to locate the automobile insurance company providing insurance coverage on the motor vehicle which was nonconsensually towed. Within 3 business days of receiving the information, the designated agent shall contact the automobile insurer with the information.

STEPHEN WITTE

01/26/2011 S First Read--SB 181-Stouffer (S146)
01/27/2011 Second Read and Referred S Small Business, Insurance and Industry Committee (S161)
02/15/2011 Hearing Conducted S Small Business, Insurance and Industry Committee

EFFECTIVE: August 28, 2011

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*** SB 182 *** 1180S.01I

SENATE SPONSOR: Ridgeway

SB 182 - This act allows the small business regulatory fairness board to hire a one-half full-time and a full-time equivalent employee for clerical support and for a professional position subject to appropriation. Those individuals shall be charged with numerous clerical and administrative tasks in support of the board as are enumerated in the act.

The board may use other appropriated funds for Internet upkeep, information technology, covering mileage costs for members, paying for publications, and outreach costs.

This act is similar to HB 1101 (2009).

CHRIS HOGERTY

01/26/2011 S First Read--SB 182-Ridgeway (S146)
01/27/2011 Second Read and Referred S Small Business, Insurance and Industry Committee (S161)
02/22/2011 Hearing Conducted S Small Business, Insurance and Industry Committee

03/08/2011 Voted Do Pass S Small Business, Insurance and Industry Committee

EFFECTIVE: August 28, 2011

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*** SB 183 *** 1087S.01I

SENATE SPONSOR: Ridgeway

SB 183 - Current law prohibits the public posting or required use of a person's social security number in certain circumstances. This act makes these restrictions applicable to the partial use of a Social Security number in addition to use of a social security number in its entirety.
ERIKA JAQUES

01/26/2011 S First Read--SB 183-Ridgeway (S147)
01/27/2011 Second Read and Referred S General Laws Committee (S161)

EFFECTIVE: August 28, 2011

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*** SB 184 *** 1008S.02I

SENATE SPONSOR: Wright-Jones

This bill has been combined with SB 291

01/26/2011 S First Read--SB 184-Wright-Jones (S147)
01/27/2011 Second Read and Referred S Education Committee (S161)
03/16/2011 Hearing Conducted S Education Committee
03/30/2011 Bill Combined (w/SCS SBs 291, 184 & 294)

EFFECTIVE: August 28, 2011

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*** SB 185 *** 0708S.01I

SENATE SPONSOR: Purgason

SB 185 - This act sunsets all tax credit programs, which are not currently subject to the Missouri Sunset Act, effective January 1, 2013.
JASON ZAMKUS

01/26/2011 S First Read--SB 185-Purgason (S147)
01/27/2011 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S161)

EFFECTIVE: August 28, 2011

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*** SB 186 *** 1177S.01I

SENATE SPONSOR: Crowell

SB 186 - This act makes it optional for the circuit court in Cape Girardeau county to hold court and maintain an office of the probate division in both the courthouses in Jackson and in Cape Girardeau.

This act also makes it optional for the circuit clerk to maintain offices in both the courthouses in Jackson and in Cape Girardeau.
EMILY KALMER

01/26/2011 S First Read--SB 186-Crowell (S147)
01/27/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S161)

EFFECTIVE: August 28, 2011

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*** SB 187 *** HCS SB 187 0974L.05T

SENATE SPONSOR: Lager HOUSE HANDLER: Guernsey

HCS/SB 187 - This act modifies the laws regarding nuisances.

This act adds Andrew County, Buchanan County, Cass County, Dade County, Jasper County, Livingston County, and Newton County to the list of counties that may enact nuisance abatement ordinances regarding the condition of real property. Counties enacting nuisance abatement ordinances under this act are not authorized to enact ordinances providing for the abatement of any condition related to agricultural structures

or agricultural operations or governing any railroad company.

Under the current law, no person or corporation may maintain a junkyard within 200 feet of a state or county road unless the junkyard is screened by a fence. A failure to screen such a junkyard from the motoring public is a misdemeanor. This section changes the penalties for junkyard screening violation by making the first violation a Class C misdemeanor and a 2nd or subsequent violation a Class A misdemeanor. In addition to the penalties, the violators shall be ordered to remove the junk or build a fence to screen the junk from the public.

This act specifies what types of compensatory damages may be awarded in a action for private nuisance where the alleged nuisance emanates from property primarily used for crop or animal production purposes. If the nuisance is a permanent nuisance, compensatory damages shall be measured by the reduction in the fair market value of the property. If the nuisance is a temporary nuisance, compensatory damages are measured by the decrease in the fair rental value of the property. The person who files the lawsuit may also recover compensatory damages for their medical condition, if there is objective and documented medical evidence that the medical condition was caused by the nuisance.

In a action for private nuisance where the alleged nuisance emanates from property primarily used for crop or animal production purposes, if a person or their successor brings any subsequent claim against another person or their successor for temporary nuisance, and the claims are related to a similar activity or use of the property, and that activity or use of property is deemed a nuisance, the activity or use of property shall be considered a permanent nuisance and the person and their successor shall be limited to the remedies available for permanent nuisance.

This act also requires that a nuisance be considered not capable of abatement, if the nuisance emanates from property used for crop or animal production purposes, if a defendant demonstrates a good faith effort to abate the nuisance, including substantial compliance with a court order.

Where the alleged nuisance emanates from property primarily used for crop or animal production purposes, no person has standing to bring an action for private nuisance unless they have an ownership interest in the property alleged to be affected by the nuisance.

A copy of the final judgment in any action alleging a private nuisance shall be filed with the recorder of deeds in the county in which the final judgment was issued and shall operate as notice to a purchaser of the property that the property was related to a previous claim.

The act does not prohibit the recovery of damages for crop destruction, crop damage, contamination of the seed supply, or a diminution of crop value resulting from contamination of the seed or grain supply, herbicide drift, or other diminution of crop value.

This act is similar to the truly agreed to SS/SCS/HB 209 (2011), SB 25 (2011), and HB 1303 (2010).
EMILY KALMER

01/26/2011 S First Read--SB 187-Lager, et al (S147)
01/27/2011 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S161)
02/09/2011 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee
02/16/2011 Voted Do Pass S Agriculture, Food Production and Outdoor Resources Committee
02/17/2011 Reported from S Agriculture, Food Production and Outdoor Resources Committee to Floor (S284)
02/23/2011 SA 1 S offered & adopted (Schaaf)--(0974S01.01S) (S308-310)
02/23/2011 SA 2 S offered & adopted (Callahan)--(0974S01.01F) (S310)
02/23/2011 SA 3 S offered & defeated (Justus)--()974S01.02S) (S310-311)
02/23/2011 Perfected, as amended (S311)
02/24/2011 Reported Truly Perfected S Rules Committee (S323)
02/28/2011 S Third Read and Passed (S345-346)
02/28/2011 H First Read (H476)
03/01/2011 H Second Read (H483)
03/03/2011 Referred H Agri-Business Committee (H521)
05/03/2011 Hearing Conducted H Agri-Business Committee
05/03/2011 HCS Voted Do Pass H Agri-Business Committee
05/03/2011 HCS Reported Do Pass H Agri-Business Committee (H1792)
05/03/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1792)

05/03/2011 HCS Voted Do Pass H Rules Pursuant Committee
05/03/2011 HCS Reported Do Pass H Rules Pursuant Committee (H1795)
05/05/2011 HCS H adopted (H2026)
05/05/2011 H Third Read and Passed (H2026-2027 / S1492)
05/10/2011 S concurs in HCS (S1685-1686)
05/10/2011 S Third Read and Passed (S1686)
05/10/2011 Truly Agreed To and Finally Passed
05/11/2011 Reported Duly Enrolled S Rules Committee (S1721)
05/11/2011 Signed by Senate President (S1721)
05/11/2011 Signed by House Speaker (H2264)
05/11/2011 Delivered to Governor (S1721)
05/11/2011 Signed by Governor (S1878)

EFFECTIVE: August 28, 2011

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*** SB 188 *** SCS SB 188 0790S.03P

SENATE SPONSOR: Lager HOUSE HANDLER: Elmer

SCS/SB 188 - 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. The plaintiffs in employment discrimination cases have the burden of proving this standard.

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.

In order to be unlawful, the employee's actions shall be a motivating factor leading to the discharge instead of a contributing factor, as is the case under current common law. Prevailing parties in such cases shall not be entitled to attorneys fees.

In employment discrimination cases, it shall only be unlawful if an employer aids and abets someone to violate the MHRA or discriminate against someone opposing practices prohibited by the MHRA or because they associate with someone protected by the MHRA.

The Human Rights chapter is intended to be consistent with Title VIII of the Civil Rights Act and follow the work sharing agreement between the commission and the Equal Employment Opportunity Commission. 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 and whistleblower actions 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 the public policy exceptions to the employment at-will doctrine. Employers are barred from discharging the following persons:

- a person who reports to an unlawful act of the employer or its agent to governmental or law enforcement

agencies, officer, or the employee's human resources representative employed by the employer;

- a person who reports to an employer serious misconduct of the employer or its agent that violates a clear mandate of public policy as articulated in a constitutional provision, statute, regulation promulgated pursuant to statute, or a rule created by a governmental body;
- a person who refuses to carry out a directive issued by an employer or its agent that, if completed, would be a violation of the law;
- or a person who engages in conduct otherwise protected by statute or regulation.

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), SB 852 (2010), and HB 205 (2011).
CHRIS HOGERTY

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|---|---|
| 01/26/2011 | S First Read--SB 188-Lager, et al (S147) |
| 01/27/2011 | Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S161) |
| 02/15/2011 | Hearing Cancelled S Commerce, Consumer Protection, Energy and the Environment Committee |
| 02/22/2011 | Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee |
| 02/23/2011 | SCS Voted Do Pass S Commerce, Consumer Protection, Energy and the Environment Committee - (0790S.03C) |
| 02/24/2011 | Reported from S Commerce, Consumer Protection, Energy and the Environment Committee to Floor w/SCS (S330) |
| 03/01/2011 | Bill Placed on Informal Calendar (S364) |
| 03/01/2011 | SA 1 to SCS S offered & adopted (Lager)--(0790S03.05S) (S364-365) |
| 03/01/2011 | SA 2 to SCS S offered & defeated (Keaveny)--(0790S03.06S) (S365) |
| 03/01/2011 | SA 3 to SCS S offered & adopted (Callahan)--(0790S03.01F) (S365) |
| 03/01/2011 | SA 4 to SCS S offered (Justus)--(0790S03.02F) (S365) |
| 03/01/2011 | Bill Placed on Informal Calendar (S365) |
| 03/02/2011 | Taken up for Perfection (S372) |
| 03/02/2011 | Bill Placed on Informal Calendar (S372) |
| 03/02/2011 | SA 4 to SCS S withdrawn (S378) |
| 03/02/2011 | SA 5 to SCS S offered & adopted (Justus)--(0790S03.18S) (S378-379) |
| 03/02/2011 | SA 6 to SCS S offered & adopted (Keaveny)--(0790S03.09S) (S379) |
| 03/02/2011 | SA 7 to SCS S offered & defeated (Ridgeway)--(0790S03.03F) (S379) |
| 03/02/2011 | SA 8 to SCS S offered & defeated (Lamping)--(0790S03.22S) (S379) |
| 03/02/2011 | SA 9 to SCS S offered & defeated (Ridgeway)--(0790S03.23S) (S379-380) |
| 03/02/2011 | SCS, as amended, S adopted (S380) |
| 03/02/2011 | Perfected (S380) |
| 03/02/2011 | Reported Truly Perfected S Rules Committee (S381) |
| 03/03/2011 | Referred S Ways & Means and Fiscal Oversight Committee (S386) |
| 03/10/2011 | Hearing Conducted S Ways and Means and Fiscal Oversight Committee |
| 03/10/2011 | Voted Do Pass S Ways & Means and Fiscal Oversight Committee |
| 03/10/2011 | Reported from S Ways & Means and Fiscal Oversight Committee to Floor (S426) |
| 03/10/2011 | S Third Read and Passed (S427) |
| 03/10/2011 | H First Read (H594) |
| 03/14/2011 | H Second Read (H602) |
| 03/16/2011 | Referred H Workforce Development & Workplace Safety Committee (H670) |
| 03/31/2011 | Hearing Conducted H Workforce Development & Workplace Safety Committee |
| 04/04/2011 | Voted Do Pass H Workforce Development & Workplace Safety Committee |
| 04/04/2011 | Reported Do Pass H Workforce Development & Workplace Safety Committee (H837) |
| 04/04/2011 | Referred to Rules Committee pursuant to Rule 25(32)(f) (H837) |
| 04/11/2011 | Hearing Conducted H Rules Pursuant Committee |
| 04/11/2011 | Voted Do Pass H Rules Pursuant Committee |
| 04/11/2011 | Reported Do Pass H Rules Pursuant Committee (H1206) |
| 04/13/2011 | HA 1 to Part I H offered (Webber)--(0790S03.04F) (H1251) |
| 04/13/2011 | HA 1 to HA 1 to Part I H offered & Ruled out of order (Fallert)--(0790S03.04H) (H1251-1252) |
| 04/13/2011 | HA 1 to Part I H defeated (H1252) |
| 04/13/2011 | Part I H adopted (H1253) |
| 04/13/2011 | HA 1 to Part II H offered & defeated (Taylor)--(0790L03.03H) (H1254-1255) |
| 04/13/2011 | HA 2 to Part II H offered & defeated (McManus)--(0790L03.02H) (H1255-1256) |
| 04/13/2011 | Part II H adopted (H1257-1258) |
| 04/13/2011 | HA 1 to Part III H offered & defeated (May)--(0790L03.01H) (H1258) |
| 04/13/2011 | Part III H adopted (H1258-1259) |
| 04/13/2011 | H Third Read and Passed (H1259-1260) |

04/13/2011 Truly Agreed To and Finally Passed (S717)
04/18/2011 Reported Duly Enrolled S Rules Committee (S747)
04/18/2011 Signed by Senate President (S750)
04/18/2011 Signed by House Speaker (H1304)
04/18/2011 Delivered to Governor (S752-753)
04/29/2011 Vetoed by Governor
05/02/2011 Vetoed by Governor-Message Received (S1222-1223)
05/13/2011 Vetoed by Governor (Calendar)--SCS for SB 188-Lager, et al

EFFECTIVE: August 28, 2011

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*** SB 189 *** SCS SBs 189, 217, 246, 252 & 79 0836S.03C

SENATE SPONSOR: Schmitt

SCS/SB's 189, 217, 246, 252 & 79 - This act adds businesses seeking to make energy improvements as an additional eligible recipient of the low-interest loans available through the State Treasurer's linked deposit loan program. The act directs the Department of Natural Resources to serve as a technical advisor and review each such loan application received by the State Treasurer's office and provide information to the Treasurer's office about the potential energy savings associated with each project. The State Treasurer shall give funding priority to projects with the greatest energy savings. A copy of an energy audit is a required part of the linked deposit loan application. (Sections 30.756 to 30.865 and Section 640.150)

The 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 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. Of the ten million dollars in tax credits available each fiscal year, no more than eight million dollars in tax credits will be available for all sporting events held in the City of St. Louis and any counties with a population in excess of three hundred thousand inhabitants. 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, 2017, but may certify game support contracts prior to such date which pertain to games to be held after August 10, 2017. (Section 67.3000)

Information technology companies, which create a minimum of twenty new jobs with an average wage equal to or exceeding ninety percent of the county average wage, will be eligible to receive up to three years of state and local sales tax exemption for purchases of tangible personal property and building materials used to construct, repair, or remodel a project facility. Information technology businesses may also receive up to five years of state and local sales tax exemptions for utilities and telecommunications services purchased for use at the project facility. The department of economic development will certify information technology companies for the state sales tax exemptions while local governments will have the option to certify such companies for exemptions from their local sales taxes. The act contains recapture provisions requiring repayment of tax incentives in the event an information technology company fails to meet program requirements. (Sections 144.062 and 144.810)

The act establishes the Missouri Science and Innovation Reinvestment Act. The act requires the advise and consent of the Senate for Gubernatorial appointments to the Missouri Technology Corporation's board of directors and sets the terms and requirements for the various members of the board of directors. The powers and duties of the Missouri Technology Corporation are expanded to allow the corporation to assume all monies and assets of the Missouri Seed Capital Investment Board and to establish a proof of concept finance program, an angel investment finance program, and a venture capital co-investment fund. The act provides application, approval, and reporting requirements for programs established by the Missouri Technology Corporation. In addition to the exceptions to open records and meetings requirements provided under the Sunshine Act, the act authorizes the Missouri Technology Corporation to close certain meetings and records held by the corporation. The directors of the department of economic development and the department of revenue must annually determine the incremental increase in gross wages paid within the state to science and innovation employees and apply a formula to such amount to determine the amount of funding necessary to administer the programs of the corporation. Once a determination is made, the directors of the department of economic development and the department of revenue must report their findings to the Governor and the General Assembly. The act replaces the Missouri Technology Fund with the Missouri Science and Innovation

Reinvestment Fund, which will receive annual appropriations made by the General Assembly, based upon recommendations made by the directors of the departments of economic development and revenue, and contributions made by private entities, the federal government, and local governments. The act requires that any contract entered into between the corporation and any not-for-profit organization must provide at least a one hundred percent match of funding received from the corporation. (Sections 196.1115, 348.250 to 348.265, 348.269 and 348.271)

The 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. (Section 348.268)

Subject to appropriation, the department of economic development is allowed to authorize tax credits encourage equity investment in technology-based early stage Missouri companies, commonly referred to as angel investments. Investors who contribute the first five hundred thousand dollars in equity investment to a qualified Missouri business may be issued a tax credit in the year in which the investment is made. Annual authorizations of the tax credits will be limited to the lesser of the amount appropriated by the general assembly or five million dollars. The tax credits will be equal to thirty percent of the investment. Investors are prohibited from receiving more than fifty thousand dollars in tax credits for a single investment or more than one hundred thousand dollars for investments in more than one qualified business per year. Tax credits for equity investment in technology-based early stage Missouri companies may be carried forward for up to three years or transferred. (Sections 348.273 and 348.274)

The act modifies provisions of the Missouri Quality Jobs Act to allow projects located within dormant manufacturing plant zones to receive benefits under the program. A project located within a dormant manufacturing plant zone will be capable of receiving benefits as a small and expanding business project if it creates at least ten jobs with an average wage for the new payroll equal to or in excess of eighty percent of the county average wage. The wage requirements for eligibility to receive benefits as a "technology business project" or "high impact project" are also modified to allow dormant manufacturing zone projects to receive benefits if the payroll for the new jobs created equals or exceeds eighty percent of the county average wage. (Sections 620.1878 and 620.1881)

The act modifies provisions of law which authorize a tax credit for qualified research expenses. The tax credit is limited to research expenses incurred in the research and development of agricultural biotechnology and plant genome products, and prescription pharmaceuticals consumed by animals. The act modifies the time-line for application and issuance of tax credits under the program. Under current law, no qualified research expense tax credits may be approved, awarded or issued after January 1, 2005. This act removes the prohibition on approval and issuance of tax credits and increases the annual tax credit cap from nine million seven hundred thousand to ten million dollars. The director of the department of economic development may allow taxpayers to transfer, sell, or assign up to forty percent of tax credits between January 1, 2011 and December 31, 2017, provided such taxpayer files an application providing certain information regarding such transfer. In the event the amount of claims for tax credits exceed the annual cap, the act provides a method for pro rating issuance of tax credits.
(Section 620.1039)

The act contains provisions which are identical to those contained in Senate Bill 248 (2011) and similar to Senate Bill 94 (2011) and Senate Bill 203 (2011).
JASON ZAMKUS

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|---|---|
| 01/27/2011 | S First Read--SB 189-Schmitt (S154) |
| 02/07/2011 | Second Read and Referred S Jobs, Economic Development and Local Government Committee (S204) |
| 02/16/2011 | Hearing Conducted S Jobs, Economic Development and Local Government Committee |
| 03/09/2011 | SCS Voted Do Pass (SCS/SBs 189, 217, 246, 252 & 79) S Jobs, Economic Development and Local Government Committee - (0836S.03C) |
| 03/17/2011 | Reported from S Jobs, Economic Development and Local Government Committee to Floor w/SCS (S494) |

04/05/2011 Bill Placed on Informal Calendar (S575)
05/13/2011 S Informal Calendar S Bills for Perfection--SBs 189, 217, 246, 252 & 79-Schmitt, with SCS

EFFECTIVE: August 28, 2011

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*** SB 190 *** 0422S.01I

SENATE SPONSOR: Pearce

SB 190 - 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 635 (2010), Senate Bill 420 (2009), and House Bill 809 (2009).
JASON ZAMKUS

01/27/2011 S First Read--SB 190-Pearce (S154)
02/07/2011 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S204)

EFFECTIVE: August 28, 2011

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*** SB 191 *** 1050S.01I

SENATE SPONSOR: Pearce

SB 191 – This act creates the Caring for Missourians Program within the Department of Higher Education for the awarding of grants to eligible Missouri public institutions of higher education. To be eligible for a grant, an institution must offer a nursing program that meets a predetermined category and area of need as established by the Department of Higher Education and the State Board of Nursing. When establishing categories and areas of need, the Department and Board may consider: data from licensure renewal and from the Department of Health and Senior Services; national nursing statistical data and trends for nursing shortages; and reports from the Institute of Medicine or Robert Wood Johnson Foundation.

The State Board of Nursing is authorized to provide funding to the program.

This act repeals the Nurse Training Incentive Fund.
MICHAEL RUFF

01/27/2011 S First Read--SB 191-Pearce (S154)
02/07/2011 Second Read and Referred S Education Committee (S204)
04/06/2011 Hearing Conducted S Education Committee

EFFECTIVE: August 28, 2011

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*** SB 192 *** 0887S.02I

SENATE SPONSOR: Pearce

SB 192 – This act requires the Department of Mental Health to develop a continuing professional education curriculum for the recognition and response to eating disorders in young people by December 31, 2011. The Department must collaborate with the Department of Elementary and Secondary Education and the Missouri Eating Disorder Council.

Any school district may adopt and implement this curriculum for its school nurses, health care professionals, psychologists, counselors, and athletic coaches who are responsible for students in grades six through twelve.
MICHAEL RUFF

01/27/2011 S First Read--SB 192-Pearce (S154-155)
02/07/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S204)

EFFECTIVE: August 28, 2011

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*** SB 193 *** 0972S.01I

SENATE SPONSOR: Pearce

SB 193 – This act allows the Cass County Commission to establish a county municipal court that would have jurisdiction over all violations of its county ordinances and may also prosecute and punish ordinance violations of any of its municipalities under a contract with the municipality. The county may elect to have ordinance violations relating to county building codes, on-site sewer treatment, and zoning orders prosecuted and punished by the county municipal court or by an associate circuit judge.

Procedures in the county municipal court are to be the same as those in municipal divisions of circuit courts. Court costs may be established by ordinance, but cannot exceed the level municipal courts charge for ordinance violations nor can costs be levied against a defendant who is unable to pay.

Cass County may appoint judges the same way its other officers are appointed. The number of judges and their qualifications are to be determined by county ordinance except that the judges must be licensed attorneys in Missouri and county residents. Municipal court judges cannot handle cases in their law practice that are inconsistent with their judicial duties and may not work as a judge or prosecutor for any other court.

This act requires the county to enact ordinances establishing the court's divisions, terms, evening hours, locations outside the county seat and allowing defendants to enter not guilty pleas, plead guilty and obtain trial dates via telephone or written communication. The ordinance must also allow defendants to pay fines and court costs by mail or electronic transfer.

Final decisions are appealable on the record to the appellate court with jurisdiction. If there is no record, an aggrieved person has the right to trial de novo.

This act gives defendants the option to request a trial by jury before a municipal court judge.
MEGHAN LUECKE

01/27/2011 S First Read--SB 193-Pearce (S155)
02/07/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S204)
02/14/2011 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2011

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*** SB 194 *** 1043S.01I

SENATE SPONSOR: Pearce

SB 194 – This act allows Cass County to enact nuisance abatement ordinances.
MEGHAN LUECKE

01/27/2011 S First Read--SB 194-Pearce (S155)
02/07/2011 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S204)
03/09/2011 Hearing Conducted S Jobs, Economic Development and Local Government Committee

EFFECTIVE: August 28, 2011

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*** SB 195 *** 1217S.01I

SENATE SPONSOR: Stouffer

SB 195 - Under this act, a noncommercial driver's license, nondriver's license, or instruction permit issued to an applicant who is not a citizen of the United States shall contain a notation or indication that the holder of such license or permit is not a citizen of the United States.
STEPHEN WITTE

01/27/2011 S First Read--SB 195-Stouffer (S155)
02/07/2011 Second Read and Referred S Transportation Committee (S204)
02/16/2011 Hearing Conducted S Transportation Committee

EFFECTIVE: August 28, 2011

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*** SB 196 *** 1174S.01I

SENATE SPONSOR: Cunningham

SB 196 - This act ensures that co-employees shall be released from liability for negligence in performing the non-delegable duty of an employer to provide a safe workplace when the negligence harms another employee unless the negligent employee engaged in purposeful, affirmatively dangerous conduct.

This act is identical to SB 8 (2011).
CHRIS HOGERTY

01/27/2011 S First Read--SB 196-Cunningham (S155)
02/07/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S204)

EFFECTIVE: August 28, 2011

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*** SB 197 *** 1247S.01I

SENATE SPONSOR: Ridgeway

SB 197 - Upon voter approval, employers are barred from requiring employees to become or refrain from becoming a member of a labor organization or pay dues or other charges required of labor organization members as a condition of employment. Employers who do so commit a Class C misdemeanor. Prosecuting attorneys and the Attorney General are charged with investigating complaints. This act contains a referendum clause.

This act is similar to HB 877 (2005), SB 888 (2010), SB 1 (2011), and SB 109 (2011).
CHRIS HOGERTY

01/27/2011 S First Read--SB 197-Ridgeway (S155)
02/07/2011 Second Read and Referred S General Laws Committee (S204)
02/08/2011 Hearing Conducted S General Laws Committee

EFFECTIVE: Upon voter approval

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*** SB 198 *** 0270S.01I

SENATE SPONSOR: Crowell

SB 198 - This act repeals the estate and generation-skipping credit taxes.
JASON ZAMKUS

01/27/2011 S First Read--SB 198-Crowell (S155)
02/07/2011 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S204)
03/17/2011 Hearing Scheduled But Not Heard S Ways and Means and Fiscal Oversight Committee

EFFECTIVE: August 28, 2011

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*** SB 199 *** 0425S.01I

SENATE SPONSOR: Crowell

SB 199 - 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.

This act contains provisions similar to provisions in SB 633 (2010), SB 663 (2010), SCS/SBs 65 & 43 (2009), SCS/SBs 840 & 857 (2008), SS/SCS/SBs 49, 65, 210, 251 (2007) and SCS/HB 801 (2007).
ERIKA JAQUES

01/27/2011 S First Read--SB 199-Crowell (S155)
02/07/2011 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S204)

EFFECTIVE: August 28, 2011

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*** SB 200 *** 0652S.02I

SENATE SPONSOR: Crowell

SB 200 – This act modifies the ability of state educational institutions to issue bonds and incur debt.

This act removes the authority of the Missouri Development Finance Board, Missouri Health and Educational Facilities Authority, Missouri Housing Development Commission, and the Environmental Improvement and Energy Resources Authority to issue loans to state educational institutions.

This act prohibits a state educational institution from issuing revenue bonds or incurring debt for the payment of revenue bonds from any source, unless approved by the Missouri Higher Education Loan Authority. The Authority may only approve the issuance of revenue bonds by a state educational institution or make a loan to a state educational institution when the following conditions are met: the institution must receive an "A" or better bond credit rating by an independent credit rating service; the authority has evaluated the ability of the institution to increase tuition and fees and finds no impediment for the payment of bonds or repayment of the loan; the institution has already put in place a tuition or fee increase, or other revenue stream, to pay the bonds or repay the loan prior to the actual bond issuance or incurrence of the debt; and the ability of the institution to pay the bonds or repay the loan is not contingent on state funding that has not been granted. If the institution has not already increased tuition or fees or put a new revenue stream in place, the authority may approve the bonds or loan if an independent credit rating service determines that the institution has existing tuition, fees, and revenues at a sufficient level to pay the bonds or repay the loan.

In addition, any issuance of revenue bonds by state educational institutions under chapter 176 must be approved by the Missouri Higher Education Loan Authority.
MICHAEL RUFF

01/27/2011 S First Read--SB 200-Crowell (S155)
02/07/2011 Second Read and Referred S Governmental Accountability Committee (S204)
02/23/2011 Hearing Conducted S Governmental Accountability Committee
03/09/2011 Voted Do Pass S Governmental Accountability Committee
03/10/2011 Reported from S Governmental Accountability Committee to Floor (S435)
04/04/2011 Bill Placed on Informal Calendar (S556)
05/13/2011 S Informal Calendar S Bills for Perfection--SB 200-Crowell

EFFECTIVE: August 28, 2011

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*** SB 201 *** 1220S.01I

SENATE SPONSOR: Crowell

SB 201 - This act makes enrollment in the state deferred compensation program automatic for those state employees eligible for the plan hired on or after July 1, 2012. These employees will automatically have

one percent of eligible compensation contributed to the deferred compensation plan. Employees who do not want to contribute to the program may opt out of the plan within the first thirty days of employment, and at a later date decide to participate. Employees who are automatically enrolled can change the amount of contribution. Employees of state colleges or universities would not be automatically enrolled.

On or after September 1, 2011, if a participant in the deferred compensation plan or the 401(a) plan established in Section 105.927 is married, their surviving spouse will be automatically designated as their primary beneficiary, unless the surviving spouse consented in writing to allow the participant to designate someone else as their beneficiary. This automatic beneficiary designation does not apply to designations made prior to September 1, 2011.

The Missouri State Employees Retirement System Board is also authorized to adopt and amend plan documents to change terms and conditions of the deferred compensation plan that are consistent with federal law.

If the General Assembly appropriated money for a state match, each participant in the deferred compensation plan would be eligible, rather than only state employees who have been employees for at least twelve consecutive months before the match and contribute at least twenty-five dollars a month.

The act also allows a state agency to credit funds directly to a participant in the deferred compensation plan if that agency's payroll is not issued through the State Treasurer.

This act is similar to SB 290 (2009).
EMILY KALMER

01/27/2011 S First Read--SB 201-Crowell (S155)
02/07/2011 Second Read and Referred S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee (S204)

EFFECTIVE: August 28, 2011

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*** SB 202 *** HCS SS SB 202 0281L.07C

SENATE SPONSOR: Crowell HOUSE HANDLER: Schoeller

HCS/SS/SB 202 - This act allows employers and all labor organizations to obtain political contributions from an employee or member by payroll deduction only if they consent annually. This provision shall not apply to voluntary member-owned trade associations wholly operating in the state or first responders.

This act is similar to SB 610 (2006) and HB 466 (2011).
CHRIS HOGERTY

HA 1 - BARS PUBLIC ENTITIES FROM DISCRIMINATING AGAINST BIDDERS FOR PUBLIC WORKS CONTRACTS BECAUSE OF UNION AFFILIATION.

HA 2 - NONEXEMPT STATE EMPLOYEES ARE ALLOWED TO KEEP UP TO 80 COMPENSATORY LEAVE TIME HOURS AT ANY TIME OF THE YEAR.

HA 3 - BARS LIENS ON BEHALF OF COLLECTIVE BARGAINING UNIT FRINGE BENEFIT FUNDS WITH RESPECT TO EMPLOYEE BENEFITS, DUES AND COSTS ARISING OUT OF WORK PERFORMED BY A SUBCONTRACTOR IN CERTAIN CIRCUMSTANCES.

01/27/2011 S First Read--SB 202-Crowell (S155)
02/07/2011 Second Read and Referred S Small Business, Insurance and Industry Committee (S204)
02/22/2011 Hearing Conducted S Small Business, Insurance and Industry Committee
03/08/2011 Voted Do Pass S Small Business, Insurance and Industry Committee
03/10/2011 Reported from S Small Business, Insurance and Industry Committee to Floor (S434)
03/16/2011 Bill Placed on Informal Calendar (S471)
04/06/2011 SS S offered (Crowell)--(0281S.02F) (S602)
04/06/2011 SA 1 to SS S offered (Lamping)--(0281S02.03S) (S602-603)
04/06/2011 SA 1 to SA 1 to SS S offered & adopted (Crowell)--(0281S02.04S) (S603)
04/06/2011 SA 1 to SS, as amended, S adopted (S603)
04/06/2011 SA 2 to SS S offered & defeated (Green)--(0281S02.02S) (S603)
04/06/2011 SS, as amended, S adopted (S604)
04/06/2011 Perfected (S604)

04/06/2011 Reported Truly Perfected S Rules Committee (S605)
04/06/2011 Referred S Ways & Means and Fiscal Oversight Committee (S605)
04/07/2011 Hearing Conducted S Ways and Means and Fiscal Oversight Committee
04/07/2011 Voted Do Pass S Ways & Means and Fiscal Oversight Committee
04/07/2011 Reported from S Ways & Means and Fiscal Oversight Committee to Floor (S643)
04/07/2011 S Third Read and Passed (S656-657)
04/07/2011 H First Read (H1177)
04/11/2011 H Second Read (H1184)
04/19/2011 Referred H Workforce Development & Workplace Safety Committee
04/26/2011 Hearing Conducted H Workforce Development & Workplace Safety Committee
04/26/2011 HCS Voted Do Pass H Workforce Development & Workplace Safety Committee
04/26/2011 HCS Reported Do Pass H Workforce Development & Workplace Safety Committee (H1619)
04/26/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1619)
05/03/2011 HCS Voted Do Pass H Rules Pursuant Committee
05/03/2011 HCS Reported Do Pass H Rules Pursuant Committee (H1795)
05/10/2011 HA1 to HCS H offered & adopted (Fisher)--(0281L07.04H) (H2235)
05/10/2011 HA 2 to HCS H offered & adopted (Jones-117)--(0281L07.01F) (H2235-2238)
05/10/2011 HA 3 to HCS H offered (Barnes)--(0281L07.01L) (H2238-2239)
05/10/2011 Bill laid over (H2239)
05/10/2011 Was taken up for Third Reading (H2240)
05/10/2011 HA 3 to HCS H adopted (H2241-2242)
05/10/2011 HCS, as amended, H adopted (H2242)
05/10/2011 H Third Read and Passed (H2242-2243 / S1709-1712)
05/12/2011 S refuses to concur in HCS, as amended (S1974)
05/12/2011 S requests H recede and pass the bill (S1974)
05/13/2011 Requests to Recede or Grant Conference Calendar--SS for SB 202-Crowell, with HCS, as amended (Senate requests House recede and pass the bill)

EFFECTIVE: August 28, 2011

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*** SB 203 *** 0043S.02I

SENATE SPONSOR: Schmitt

SS/SB 203 - 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 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. Of the ten million dollars in tax credits available each fiscal year, no more than eight million dollars in tax credits will be available for all sporting events held in the City of St. Louis and any counties with a population in excess of three hundred thousand inhabitants. 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, 2017, but may certify game support contracts prior to such date which pertain to games to be held after August 10, 2017.

This act is similar to Senate Bill 840 (2010) and House Bill 1786 (2010).
JASON ZAMKUS

01/27/2011 S First Read--SB 203-Schmitt, et al (S155)
02/07/2011 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S205)
02/23/2011 Hearing Scheduled S Jobs, Economic Development and Local Government Committee
02/23/2011 Hearing Conducted S Jobs, Economic Development and Local Government Committee
03/02/2011 Voted Do Pass S Jobs, Economic Development and Local Government Committee
03/03/2011 Reported from S Jobs, Economic Development and Local Government Committee to Floor (S389)
03/09/2011 Bill Placed on Informal Calendar (S419)
03/30/2011 SS S offered (Schmitt)--(0043S.03F) (S528)
03/30/2011 Bill Placed on Informal Calendar (S528)
05/13/2011 S Informal Calendar S Bills for Perfection--SB 203-Schmitt, et al, with SS (pending)

EFFECTIVE: August 28, 2011

*** SB 204 *** 1136S.01P

SENATE SPONSOR: Dempsey

SB 204 - Under current law, the provisions of law authorizing a tax credit for contributions to pregnancy resource centers will sunset August 28, 2012. This act reauthorizes such provisions until midnight on December 31, 2018, and allows for subsequent reauthorizations for any period up to six years by the passage of a bill or concurrent resolution.
JASON ZAMKUS

01/27/2011 S First Read--SB 204-Dempsey, et al (S162)
02/07/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S205)
02/15/2011 Hearing Conducted S Health, Mental Health, Seniors and Families Committee
02/22/2011 Voted Do Pass S Health, Mental Health, Seniors and Families Committee
02/24/2011 Reported from S Health, Mental Health, Seniors and Families Committee to Floor (S328)
02/28/2011 Bill Placed on Informal Calendar (S345)
04/06/2011 Perfected (S605)
04/06/2011 Reported Truly Perfected S Rules Committee (S633)
04/06/2011 Referred S Ways & Means and Fiscal Oversight Committee (S637)
05/13/2011 S Formal Calendar S Bills for Third Reading--SB 204-Dempsey, et al (In Fiscal Oversight)

EFFECTIVE: August 28, 2011

*** SB 205 *** 0971S.02I

SENATE SPONSOR: Stouffer

SB 205 - This act creates a system to allow voters to cast advance ballots in person at the location of the election authority in primary and general elections beginning January 1, 2012 and by mail. The advance voting period shall begin the third Wednesday prior to the election and end on the day of the election and shall be conducted between 7:00 a.m. and 7:00 p.m. and until 12:00 p.m. on Saturdays.

Advance ballots may be requested immediately after the election immediately prior to the election for which the ballot is sought and no later than four weeks prior to the election for those to be mailed to the applicant. Ballots shall be sent out by mail no later than three weeks prior to the election. Ballots mailed in to the election authority must be postmarked four days prior to the election day.

Those voting an advance ballot shall not vote a provisional ballot on election day. Those who do are guilty of a class one election offense.

Costs associated with the implementation of advance voting shall be paid from the general revenue of the state.

This act is similar to SB 859 (2006), SB 37 (2007), SB 1251 (2008), SB 523 (2009), SB 21 (2009), SB 651 (2010), and SB 105 (2011).
CHRIS HOGERTY

02/01/2011 S First Read--SB 205-Stouffer (S174-175)
02/07/2011 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S205)

EFFECTIVE: August 28, 2011

*** SB 206 *** 0123S.02I

SENATE SPONSOR: Purgason

This bill has been combined with SB 1

02/01/2011 S First Read--SB 206-Purgason (S175)
02/07/2011 Second Read and Referred S General Laws Committee (S205)
02/08/2011 Hearing Scheduled But Not Heard S General Laws Committee
02/15/2011 Hearing Conducted S General Laws Committee
02/15/2011 Bill Combined w/(SCS SBs 1 & 206)

EFFECTIVE: August 28, 2011

*** SB 207 *** HCS SB 207 1181L.02C

SENATE SPONSOR: Lager HOUSE HANDLER: Pollock

HCS/SB 207 - This act modifies provisions pertaining to energy and property taxation.

SECTIONS 137.010, 137.080, & 137.115 - HYDROELECTRIC POWER GENERATING EQUIPMENT
This act classifies hydroelectric power generating equipment as tangible personal property for purposes of property taxation. Hydroelectric power generating equipment will be assessed at one percent of its true value in money.

These sections are similar to SB 357 (2011).

SECTION 137.073 - PROPERTY TAX
This act allows any political subdivision that approved a tax increase after August 27, 2008, to levy a rate to collect substantially the same amount of tax revenue as would have been collected by applying the voter-approved increased tax rate ceiling to the total assessed valuation of the political subdivision on or before the election date, increased by the percentage increase in the federal Consumer Price Index.

This section is identical to the same section in the perfected HB 737 (2011).

SECTION 393.1075 - ENERGY EFFICIENCY PROGRAMS
Under current law, an electric utility customer who has received a tax credit for low-income housing or historic preservation is ineligible to participate in an energy-efficiency program offered by the utility if the program provides a monetary incentive. This act makes an exception to this prohibition if the program is designed for low-income customers.

SECTION 386.850 - MISSOURI ENERGY TASK FORCE
This act repeals the statute that requires the Missouri Energy Task Force to reconvene at least once per year to review and report on progress made toward accomplishing the recommendations contained in the task force's final report.
ERIKA JAQUES

HA 1: ALLOWS THE OWNER OF A CLEANFIELDS RENEWABLE ENERGY DEMONSTRATION PARK, WHICH CONTAINS A BIOMASS FACILITY, TO RECEIVE DOUBLE RENEWABLE ENERGY CREDITS FOR CERTAIN ENERGY GENERATION AND PURCHASES. ADDS AN EMERGENCY CLAUSE FOR THIS SECTION.

HA 2: REPLACES THE PROVISIONS PERTAINING TO PROPERTY TAX ASSESSMENT FOR HYDROELECTRIC POWER WITH PROVISIONS THAT ALLOW RENEWABLE ENERGY GENERATION ZONES TO BE DESIGNATED AS ENHANCED ENTERPRISE ZONES. CLASSIFIES HYDROELECTRIC POWER GENERATING EQUIPMENT AS REAL PROPERTY FOR PROPERTY TAX PURPOSES.

HA 3: MODIFIES APPEAL PROCEDURES FOR DECISIONS OR ORDERS MADE BY THE PUBLIC SERVICE COMMISSION (PSC). REQUIRES THE COURT OF APPEALS TO HEAR SUCH APPEALS INSTEAD OF THE CIRCUIT COURT. DOES NOT ALLOW A STAY OR SUSPENSION OF A PSC ORDER THAT ESTABLISHES NEW RATES OR CHARGES, BUT PROVIDES PROCEDURES FOR TEMPORARY RATE ADJUSTMENTS IN THE EVENT THE COURT DETERMINES THE PSC'S RATE ORDER WAS IN ERROR. ADDS AN EMERGENCY CLAUSE FOR THESE SECTIONS.

HA 5: ADDS A PROVISION REGARDING THE CALCULATION OF A SINGLE TAX RATE BY SCHOOL DISTRICTS WHEN VOTERS IN THE DISTRICT PREVIOUSLY APPROVED SEPARATE TAX RATES ON EACH SUBCLASS OF REAL PROPERTY AND PERSONAL PROPERTY IN THE AGGREGATE.

HA 6: MODIFIES PROVISIONS PERTAINING TO: NON-PAYMENT OF WATER OR SEWER BILLS FOR RENTAL PROPERTY IN ST. LOUIS AND KANSAS CITY, TERMINATION OF WATER SERVICE AT RENTAL PROPERTY DUE TO NON-PAYMENT, CUSTOMER NOTICE REQUIREMENTS FOR TERMINATION OF WATER SERVICE, RECOVERY OF BAD DEBT BY NATURAL GAS COMPANIES THROUGH RATE ADJUSTMENTS, INFRASTRUCTURE SYSTEM REPLACEMENT SURCHARGES (ISRS) FOR SMALL WATER COMPANIES AND ENERGY EFFICIENCY PROJECTS, AND PAYMENT OF UTILITY BILL ARREARAGES ACCRUED DURING THE COLD WEATHER RULE UNDER THE UTILICARE PROGRAM.

HA 7: REMOVES SECTION 393.1075 FROM THE BILL, RELATING TO TAX CREDITS FOR HISTORIC PRESERVATION AND LOW-INCOME HOUSING AND
PARTICIPATION IN AN ENERGY EFFICIENCY PROGRAM WITH A MONETARY BENEFIT.

HA 8: ADDS SECTIONS 393.1400 TO 393.1445 TO THE BILL, WHICH CREATE THE "RENEWABLE ENERGY ACT." THE AMENDMENT REPEALS THE CURRENT RENEWABLE ENERGY STANDARD, ALSO KNOWN AS "PROPOSITION C" APPROVED BY VOTERS IN 2008. THE RENEWABLE ENERGY ACT SETS MINIMUM REQUIREMENTS FOR ENERGY GENERATED FROM RENEWABLE SOURCES THAT MUST EITHER BE OWNED OR PURCHASED BY ELECTRIC UTILITIES TO SUPPLY TO THEIR MISSOURI CUSTOMERS BY CERTAIN YEARS. DIFFERENT REQUIREMENTS APPLY BASED ON THE RETAIL REVENUES OF THE UTILITY. THE AMENDMENT ALSO ADDS SECTION 620.2300 RELATING TO A CLEANFIELDS RENEWABLE ENERGY DEMONSTRATION PARK WITH AN EMERGENCY CLAUSE FOR THIS SECTION.

HA 9: ADDS SECTION 386.370, WHICH CREATES A FUNDING ASSESSMENT ON REGULATED UTILITIES FOR THE OFFICE OF PUBLIC COUNSEL. ADDS SECTION 393.135, WHICH ALLOWS AN ELECTRIC COMPANY TO RECOVER FROM ITS RATEPAYERS CERTAIN COSTS ASSOCIATED WITH ACQUIRING AN EARLY SITE PERMIT FOR A NUCLEAR POWER PLANT.

02/01/2011 S First Read--SB 207-Lager (S175)
02/07/2011 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S205)
02/15/2011 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee
02/23/2011 Voted Do Pass S Commerce, Consumer Protection, Energy and the Environment Committee
03/03/2011 Reported from S Commerce, Consumer Protection, Energy and the Environment Committee to Floor (S388)
03/07/2011 Perfected (S401)
03/08/2011 Reported Truly Perfected S Rules Committee (S410)
03/10/2011 S Third Read and Passed (S429)
03/10/2011 H First Read (H594)
03/14/2011 H Second Read (H602)
03/31/2011 Referred H Utilities Committee (H811)
04/05/2011 Hearing Conducted H Utilities Committee
04/12/2011 HCS Voted Do Pass H Utilities Committee
04/13/2011 HCS Reported Do Pass H Utilities Committee (H1267)
04/13/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1267)
04/20/2011 Voted Do Pass H Rules Pursuant Committee
04/20/2011 HCS Reported Do Pass H Rules Pursuant Committee (H1419)
04/26/2011 Referred H Fiscal Review Committee (H1619)
05/04/2011 HCS Voted Do Pass H Fiscal Review Committee
05/04/2011 HCS Reported Do Pass H Fiscal Review Committee (H1833)
05/04/2011 Taken up for Third Reading (H1839)
05/04/2011 Placed back on Calendar (H1839)
05/05/2011 HA 1 to HCS H offered & adopted (Pollock)--(1181L02.01F) (H1975-1976)
05/05/2011 HA 2 to HCS H offered & adopted (Pollock)--(1181L02.04H) (H1976-1982)
05/05/2011 HA 3 to HCS H offered & adopted (Smith-150)--(1181L02.12H) (H1982-1986)
05/05/2011 HA 4 to HCS H offered & defeated (Schneider)--(1181L02.03H) (H1986-1989)
05/05/2011 HA 5 to HCS H offered & adopted (Fuhr)--(1181L02.15H) (H1989)
05/05/2011 HA 6 to HCS H offered (Schoeller)--(1181L02.08H) (H1989-1992)
05/05/2011 HA 1 to HA 6 to HCS H offered & adopted (Schneider)--(1181L02.26H) (H1992-1993)
05/05/2011 HA 6 to HCS, as amended, H adopted (H1993)
05/05/2011 HA 7 to HCS H offered & adopted (Dugger)--(1182L02.06H) (H1993)
05/05/2011 HA 8 to HCS H offered (Holsman)--(1181L02.05L) (H1993-2004)
05/05/2011 HA 1 to HA 8 to HCS H offered & withdrawn (Wyatt) (H2004)
05/05/2011 HA 8 to HCS H adopted (H2005)
05/05/2011 HA 9 to HCS H offered (Riddle)--(1181L02.01H) (H2005-2008)
05/05/2011 HA 1 to HA 9 to HCS H offered & adopted (Schad)--(1181L02.30H) (H2008)
05/05/2011 HA 9 to HCS, as amended, H adopted (H2009-2010)
05/05/2011 Bill laid over (H2010)
05/13/2011 H Calendar S Bills for Third Reading w/HCS (pending)

EFFECTIVE: August 28, 2011

*** SB 208 *** 1173S.01I

SENATE SPONSOR: Lager

SB 208 - The act exempts telecommunications companies from complying with rules promulgated by the Public Service Commission when such companies are already subject to federal laws on the same subject under the Federal Communications Commission. The act also prohibits the Public Service Commission from requiring any telecommunications company to file tariffs or schedules of rates, rentals or charges for retail services offered to end user customers.
ERIKA JAQUES

02/01/2011 S First Read--SB 208-Lager (S175)
02/07/2011 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S205)
02/22/2011 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee
02/23/2011 Voted Do Pass S Commerce, Consumer Protection, Energy and the Environment Committee
03/17/2011 Reported from S Commerce, Consumer Protection, Energy and the Environment Committee to Floor (S493)
04/04/2011 Bill Placed on Informal Calendar (S558)
05/13/2011 S Informal Calendar S Bills for Perfection--SB 208-Lager

EFFECTIVE: August 28, 2011

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*** SB 209 *** 1143S.01I

SENATE SPONSOR: Lager

SB 209 - 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 reinstated 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 multi-tenant 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.

The act allows an ILEC to divest itself of its carrier of last resort designation in St. Louis County and the cities of St. Louis and Kansas City by providing notice of such decision to the PSC.

This act contains provisions similar to provisions in HB 495 (2009), HB 1372 (2010), and SB 698 (2010).
ERIKA JAQUES

02/01/2011 S First Read--SB 209-Lager (S175)
02/07/2011 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S205)
03/01/2011 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee

03/08/2011 Voted Do Pass S Commerce, Consumer Protection, Energy and the Environment Committee
03/17/2011 Reported from S Commerce, Consumer Protection, Energy and the Environment Committee to Floor (S493)
04/04/2011 Bill Placed on Informal Calendar (S558)
05/13/2011 S Informal Calendar S Bills for Perfection--SB 209-Lager

EFFECTIVE: August 28, 2011

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*** SB 210 *** 1182S.01I

SENATE SPONSOR: Lembke

SB 210 - Under current law, political subdivisions that levy different rates on subclasses of real property are required to revise their rates if the amount of revenue derived differs from the amount that would result from using a single rate on all real property. This act would require school districts that levy different rates on subclasses of real property to revise their tax rates if the amount of revenue derived differs from the amount that would result from using a blended rate on all real property.
JASON ZAMKUS

02/01/2011 S First Read--SB 210-Lembke (S175)
02/07/2011 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S205)

EFFECTIVE: August 28, 2011

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*** SB 211 *** 1299S.01I

SENATE SPONSOR: Lembke

SB 211 - This act modifies principles of comparative fault that apply to certain lawsuits. The act eliminates joint and several liability and provides that a defendant is only liable for the amount of damages allocated to that defendant in direct proportion to that defendant's percentage of fault.

The act requires a court to multiply the total amount of damages recoverable by the plaintiff with regard to each defendant by the percentage of each defendant's fault. That amount the maximum amount recoverable against that defendant.

The act requires the judge or jury to consider the fault of all people who contributed to the injury or damages in assessing percentages of fault, including people who are not parties to the lawsuit. When fault is assessed against people who are not parties in the lawsuit, this assessment cannot be introduced as evidence of liability in any court case.
EMILY KALMER

02/01/2011 S First Read--SB 211-Lembke (S175)
02/07/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S205)

EFFECTIVE: August 28, 2011

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*** SB 212 *** 1261S.01I

SENATE SPONSOR: Lembke

SB 212 - This act requires the Department of Transportation to establish minimal yellow light change interval times for traffic-control devices. The minimal yellow light change interval time shall be established in accordance with nationally recognized engineering standards set forth in the Manual on Uniform Traffic Control Devices, and any such established time shall not be less than the recognized national standard.
STEPHEN WITTE

02/01/2011 S First Read--SB 212-Lembke (S175)
02/07/2011 Second Read and Referred S Transportation Committee (S205)
02/16/2011 Hearing Conducted S Transportation Committee
02/23/2011 Voted Do Pass S Transportation Committee

EFFECTIVE: August 28, 2011

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*** SB 213 *** HCS SCS SB 213 0439L.06T

SENATE SPONSOR: Schaefer HOUSE HANDLER: Barnes

HCS/SCS/SB 213 - This act modifies what information is required in a petition for guardianship for a minor or an incapacitated person, adopts the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act (UAGPPJA), and modifies the procedures for autopsies.

Currently, the law sets out who may provide consent to have a doctor perform an autopsy and provides a list of the order in which relatives are consulted to obtain consent. This act allows a child, parent, brother or sister of a deceased individual to petition the court to order an autopsy, if the deceased individual was not capable of consenting to the autopsy before he or she died.

A petition for guardianship of a minor will be required to state the location and value of any real property owned by the minor outside of Missouri and the name and address of the trustees of any trust of which the minor is a qualified beneficiary and the purpose of the trust, in addition to the information the petition was previously required to state.

In addition to the information currently required to be included in a petition for guardianship of an alleged incapacitated person, the petition will also be required to state the three most recent addresses at which the incapacitated person lived in the three years before the filing of the petition, the location and value of any real property owned by the incapacitated person outside of Missouri, the name and address of the person's closest known relatives, the name of any adults living with the person, in some situations the name and address of the person's siblings and of their siblings' children, and the name and address of any agent of the person and of any trustee of any trust that the person is a beneficiary of, as well as the purpose of the power of attorney and the purpose of the trust.

The UAGPPJA deals with issues that arise when several states are involved with an adult who lacks the ability to care for their own needs or property. The UAGPPJA includes provisions regarding communication between courts in different states, requests for assistance from a court to a court of another state, and taking testimony in other states. The UAGPPJA allows a Missouri court to treat foreign countries as other states for the purposes of the provisions allowing communication among courts, determining jurisdiction, and transferring a guardianship or conservatorship.

The UAGPPJA establishes procedures for determining which state has jurisdiction over guardianship and conservator proceedings for an incapacitated adult. These procedures establish three levels of priority for a court to follow in deciding whether it has jurisdiction; the adult's home state, followed by states where the adult has significant connections, and then other states. Regardless of the level of priority, the UAGPPJA allows a court in the state where the person is present to appoint a guardian in an emergency, and a court in the state where the person has property has jurisdiction to issue orders regarding the property. If a court determines that it acquired jurisdiction based on unjustifiable conduct, the act allows the court to remedy the situation and assess fees and expenses against the person who engaged in the unjustifiable conduct.

The UAGPPJA also specifies a procedure for transferring a guardianship or conservatorship from one state to another state. This procedure requires the court in the state transferring the guardianship or conservatorship to issue a provisional order transferring the case after making certain findings. The guardian or conservator is required to petition the state that would accept the case and, after holding a hearing, that court is required to grant the transfer, unless someone objects to the transfer and establishes that the transfer would not be in the interest of the incapacitated person, or the guardian or conservator is not eligible to be appointed a guardian or conservator in that state.

The UAGPPJA also creates a procedure for registering orders in Missouri from other states that appointed a guardian or a conservator to manage an incapacitated adult's property. After registration of the guardianship or protective order in Missouri, the guardian or conservator may exercise all the powers authorized in the original states's order, except for powers that are illegal in Missouri.

The provisions of the act regarding transferring guardianship or conservatorship proceedings from one state to another state and that deal with enforcement of guardianship and protective orders in other states apply to proceedings begun before August 28, 2011.
EMILY KALMER

02/07/2011 S First Read--SB 213-Schaefer (S185)
02/10/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S234)
02/21/2011 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee
03/09/2011 SCS Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee - (0439S.03C)
03/31/2011 Reported from S (scomm) Committee to Floor w/SCS (S541)

04/06/2011 Bill Placed on Informal Calendar (S605)
04/06/2011 SCS S adopted (S631)
04/06/2011 Perfected (S631)
04/07/2011 Reported Truly Perfected S Rules Committee (S643)
04/11/2011 S Third Read and Passed (S679)
04/11/2011 H First Read (H1208)
04/12/2011 H Second Read (H1213)
04/26/2011 Referred H Judiciary Committee (H1619)
05/04/2011 Hearing Conducted H Judiciary Committee
05/04/2011 HCS Voted Do Pass H Judiciary Committee
05/04/2011 HCS Reported Do Pass H Judiciary Committee (H1858)
05/04/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1858)
05/10/2011 Voted Do Pass H Rules Pursuant Committee
05/10/2011 HCS Reported Do Pass H Rules Pursuant Committee (H2245)
05/12/2011 HA 1 to HCS H offered & Ruled out of order (Richardson)--(0439L06.02H) (H2500)
05/12/2011 HA 2 to HCS H offered & Ruled out of order (Jones-117)--(0439L06.04H) (H2500)
05/12/2011 HCS H adopted (H2501)
05/12/2011 H Third Read and Passed (H2501-2502 / S1958)
05/12/2011 S concurs in HCS
05/13/2011 S Third Read and Passed
05/13/2011 Truly Agreed To and Finally Passed

EFFECTIVE: August 28, 2011

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*** SB 214 *** 1369S.01I

SENATE SPONSOR: Schaaf

SB 214 - This act provides that any employment contract restricting the right of a physician to practice medicine in any geographic area for any period of time after the termination of a partnership, employment or professional relationship as described in the act shall be void and unenforceable with respect to such restriction.
ADRIANE CROUSE

02/07/2011 S First Read--SB 214-Schaaf (S185)
02/10/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S234)

EFFECTIVE: August 28, 2011

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*** SB 215 *** 1300S.01I

SENATE SPONSOR: Schaaf

SB 215 - This act requires every health carrier that credentials health care professionals in a health benefit plan to request credentialing information in a uniform format that includes data commonly requested by health carriers for the purpose of credentialing. "Credentialing" is defined as the process of assessing and validating the qualifications of a health care professional to provide patient care services. The determination is based on an evaluation of the individual's current license, training or experience, current competence, and ability to perform the privileges requested.

Every health carrier shall complete the process of verifying a health care professional's credentialing information and make a final determination to credential the health care professional within sixty calendar days of receipt of a complete application.

Immediately after a health care professional becomes credentialed, every health carrier shall retroactively compensate health care professionals for services rendered from the date of his or her application.

This act is identical to HB 347 (2011).
ADRIANE CROUSE

02/07/2011 S First Read--SB 215-Schaaf (S185)
02/10/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S234)

EFFECTIVE: August 28, 2011

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*** SB 216 *** 0826S.02I

SENATE SPONSOR: Schaaf

SB 216 – This act creates the "High School Sports Brain Injury Prevention Act." No later than December 31, 2011, each school board must work with the Brain Injury Association of Missouri and the Missouri State High School Activities Association to develop guidelines, information, and forms to inform and educate coaches, youth athletes and their parents or guardians about the nature and risk of concussions and brain injury. On an annual basis, an information sheet must be signed by athlete's parent or guardian, and submitted prior to the youth athlete's initiating practice or competition.

Any youth athlete who is suspected of sustaining a concussion or brain injury in a practice or game must be removed from competition for at least twenty-four hours. In addition, a youth athlete cannot return to play until he or she has been evaluated by a licensed physician trained in the management of concussion, as described in the act. The youth athlete must also receive written clearance to play from that provider.

A healthcare provider who is a volunteer who authorizes an athlete to return to play will not be liable for civil damages except for acts or omissions that constitute gross negligence or willful or wanton misconduct.

This act is similar to HB 1548 (2010).
MICHAEL RUFF

02/07/2011 S First Read--SB 216-Schaaf (S185)
02/10/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S234)

EFFECTIVE: August 28, 2011

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*** SB 217 *** 1218S.01I

SENATE SPONSOR: Richard

This bill has been combined with SB 189

02/07/2011 S First Read--SB 217-Richard and Schmitt (S185)
02/10/2011 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S234)
02/16/2011 Hearing Conducted S Jobs, Economic Development and Local Government Committee
03/17/2011 Bill Combined - SCS/SBs 189, 217,246, 252 & 79

EFFECTIVE: August 28, 2011

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*** SB 218 *** 0792S.01I

SENATE SPONSOR: Wasson

SB 218 - Currently, the thirty-eighth judicial circuit consists of Christian and Taney counties. This act removes Taney County from the thirty-eighth judicial circuit and creates a new forty-sixth judicial circuit for Taney County beginning on January 1, 2012. The circuit judge of the thirty-eighth judicial circuit on December 31, 2011 will be the circuit judge of the new thirty-eighth judicial circuit. The judge for the new forty-sixth judicial circuit will be elected in 2011.

This act is similar to HB 1503 (2010).
EMILY KALMER

02/07/2011 S First Read--SB 218-Wasson (S185-186)
02/10/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S234)
02/21/2011 Hearing Cancelled S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2011

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*** SB 219 *** HCS SCS SB 219 1084L.03C

SENATE SPONSOR: Wasson HOUSE HANDLER: Wells

HCS/SCS/SB 219 - This act allows excursion gambling boat licensees to accept credit instruments in exchange for tokens or chips that can be wagered. Multiple instruments may be accepted from the same person and lost or destroyed instruments shall remain valid and enforceable if the enforcing party can prove their existence and terms.

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.

This act is similar to SB 773 (2010), and HB 83 (2011).
CHRIS HOGERTY

HA 1 - REMOVES CASH RECEIVED IN PAYMENT OF CREDIT INSTRUMENTS AS TYPES OF ADJUSTED GROSS RECEIPTS WITH RESPECT TO EXCURSION GAMBLING BOATS.

HA 2 - POLITICAL SUBDIVISIONS ARE BARRED FROM IMPOSING RESTRICTIONS OR ENFORCING LOCAL LICENSING OR REGISTRATION ORDINANCES WITH RESPECT TO CLAIMS HANDLING DURING TIMES OF EMERGENCY.

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| 02/07/2011 | S First Read--SB 219-Wasson (S186) |
| 02/10/2011 | Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S234) |
| 02/14/2011 | Hearing Conducted S Financial and Governmental Organizations and Elections Committee |
| 02/21/2011 | SCS Voted Do Pass S Financial and Governmental Organizations and Elections Committee - (1084S.02C) - Consent |
| 02/24/2011 | Reported from S Financial and Governmental Organizations and Elections Committee to Floor w/SCS - Consent (S329) |
| 02/28/2011 | Removed S Consent Calendar (S347) |
| 03/03/2011 | Reported from S Financial and Governmental Organizations and Elections Committee to Floor w/SCS (S387-388) |
| 03/07/2011 | SCS S adopted (S400) |
| 03/07/2011 | Perfected (S400) |
| 03/08/2011 | Reported Truly Perfected S Rules Committee (S410) |
| 03/10/2011 | S Third Read and Passed (S428-429) |
| 03/10/2011 | H First Read (H594) |
| 03/14/2011 | H Second Read (H602) |
| 03/31/2011 | Referred H Financial Institutions Committee (H811) |
| 04/06/2011 | Hearing Conducted H Financial Institutions Committee |
| 04/07/2011 | HCS Voted Do Pass H Financial Institutions Committee |
| 04/07/2011 | HCS Reported Do Pass H Financial Institutions Committee (H1171) |
| 04/07/2011 | Referred to Rules Committee pursuant to Rule 25(32)(f) (H1171) |
| 04/20/2011 | Voted Do Pass H Rules Pursuant Committee |
| 04/20/2011 | HCS Reported Do Pass H Rules Pursuant Committee (H1419) |
| 05/04/2011 | HA 1 to HCS H offered & adopted (Wells)--(1084L03.01L) (H1824) |
| 05/04/2011 | HA 2 to HCS H offered & adopted (Gosen)--(1084L03.01H) (H1824) |
| 05/04/2011 | HCS, as amended, H adopted (H1824) |
| 05/04/2011 | H Third Read and Passed (H1825) |
| 05/13/2011 | S Calendar S Bills with H Amendments--SCS for SB 219-Wasson, with HCS, as amended |

EFFECTIVE: August 28, 2011

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*** SB 220 *** HCS SB 220 1039L.02T

SENATE SPONSOR: Wasson HOUSE HANDLER: Diehl

HCS/SB 220 - 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 changes the statute of limitations for actions against land surveyors from 5 years after the discovery of an error or omission to 10 years from the completion of the survey.

This act authorizes the establishment of a peer review process for architects, landscape architects, professional land surveyors, or professional engineers.

Peer reviewers and each person who testifies before them, provides information to them, acts upon their recommendation, or participates in the peer review process are immune from civil liability for these actions, as long as the actions are performed in good faith, without malice and are reasonably related to the scope of inquiry of the peer review process.

Certain documents created during the peer review process are privileged and are prohibited from being released to any person. These documents are not admissible in any judicial or administrative action for failure to provide appropriate architectural, landscape architectural, land surveying, or engineering services. A person who participated in the peer review process shall not be permitted or required to disclose information they learned from the peer review process.

This act does not limit the authority of the Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects to obtain information from a peer reviewer.

This act is similar to SB 1074 (2008), SB 267 (2009), SB 867 (2010), SB 326 (2011), SB 29 (2011), and HB 568 (2011).
CHRIS HOGERTY

02/07/2011 S First Read--SB 220-Wasson (S186)
02/10/2011 Second Read and Referred S General Laws Committee (S235)
03/01/2011 Hearing Conducted S General Laws Committee
03/08/2011 Voted Do Pass S General Laws Committee
03/10/2011 Reported from S General Laws Committee to Floor (S434)
03/16/2011 Perfected (S471)
03/16/2011 Reported Truly Perfected S Rules Committee (S471)
03/17/2011 S Third Read and Passed (S489-490)
03/17/2011 H First Read (H702)
03/18/2011 H Second Read (H707)
03/31/2011 Referred H Judiciary Committee (H811)
04/06/2011 Hearing Conducted H Judiciary Committee
04/13/2011 HCS Voted Do Pass H Judiciary Committee - Consent
04/13/2011 HCS Reported Do Pass H Judiciary Committee - Consent (H1266)
04/13/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1266)
04/20/2011 Voted Do Pass H Rules Pursuant Committee - NOT CONSENT
04/20/2011 HCS Reported Do Pass H Rules Pursuant Committee - NOT CONSENT (H1419)
05/04/2011 HA 1 to HCS H offered & adopted (Elmer)--(1039L02.01H) (H1826-1827)
05/04/2011 HCS, as amended, H adopted (H1827)
05/04/2011 H Third Read and Passed (H1827-1828 / S1321-1323)
05/05/2011 S refuses to concur in HCS, as amended (S1357 / H1968)
05/05/2011 S requests H recede or grant conference (S1357 / H1968)
05/05/2011 H refuses to recede and grants conference (H1973 / S1478)
05/09/2011 S conferees appointed: Wasson, Richard, Parson, Callahan, Justus (S1485 / H2078)
05/09/2011 H conferees appointed: Diehl, Elmer, Korman, Kelly-24, Carlson (H2155 / S1627)
05/11/2011 Motion to Dissolve Conference Committee S adopted (S1729)
05/11/2011 S concurs in HCS, as amended (S1729-1730)
05/11/2011 S Third Read and Passed (S1730)
05/11/2011 Truly Agreed To and Finally Passed (H2406)

EFFECTIVE: August 28, 2011

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*** SB 221 *** 0789S.01I

SENATE SPONSOR: Cunningham

SB 221 - Damages awarded for employment cases under the Missouri Human Rights Act (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 all MHRA cases.

The act establishes caps for damages for cases involving discrimination against employees who file workers' compensation claims that are identical to those created for MHRA cases with the exception of back pay and interest on back pay, which are not allowed.
CHRIS HOGERTY

02/07/2011 S First Read--SB 221-Cunningham (S186)
02/10/2011 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S235)
03/01/2011 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee
03/08/2011 Voted Do Pass S Commerce, Consumer Protection, Energy and the Environment Committee

EFFECTIVE: August 28, 2011

*** SB 222 *** 0938S.03I

SENATE SPONSOR: Cunningham

SB 222 – This act modifies the child labor laws. It eliminates the prohibition on employment of children under age fourteen. Restrictions on the number of hours and restrictions on when a child may work during the day are also removed. It also repeals the requirement that a child ages fourteen or fifteen obtain a work certificate or work permit in order to be employed. Children under sixteen will also be allowed to work in any capacity in a motel, resort or hotel where sleeping accommodations are furnished. It also removes the authority of the director of the Division of Labor Standards to inspect employers who employ children and to require them to keep certain records for children they employ. It also repeals the presumption that the presence of a child in a workplace is evidence of employment.
MICHAEL RUFF

02/07/2011 S First Read--SB 222-Cunningham (S186)
02/10/2011 Second Read and Referred S General Laws Committee (S235)

EFFECTIVE: August 28, 2011

*** SB 223 *** 0509S.02I

SENATE SPONSOR: Mayer

SB 223 - This act authorizes public library districts, located at least partially within Butler, Ripley, Wayne, Stoddard, New Madrid, Dunklin, or Pemiscot County, 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 is similar to Senate Bill 713 (2010).
JASON ZAMKUS

02/07/2011 S First Read--SB 223-Mayer (S186)
02/10/2011 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S235)
04/06/2011 Hearing Conducted S Jobs, Economic Development and Local Government Committee
04/06/2011 Voted Do Pass S Jobs, Economic Development and Local Government Committee
04/14/2011 Reported from S Jobs, Economic Development and Local Government Committee to Floor (S736)
05/13/2011 S Formal Calendar S Bills for Perfection--SB 223-Mayer

EFFECTIVE: August 28, 2011

*** SB 224 *** 1308S.01I

SENATE SPONSOR: Stouffer

SB 224 - This act authorizes the governing body of Macon County to designate areas within the county as blighted areas and exempt, in whole or in part, improvements made to real property in such areas from property taxes. The governing body is required to provide notice to affected taxpayers and political subdivisions and hold public hearings prior to the designation of a blighted area and before any specific grant of property tax exemption. The designation of a blighted area will expire after twenty-five years and properties may only receive an exemption during the time period in which such blight designation is effective.
JASON ZAMKUS

02/07/2011 S First Read--SB 224-Stouffer (S186)
02/10/2011 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S235)
03/10/2011 Hearing Conducted S Ways and Means and Fiscal Oversight Committee

EFFECTIVE: August 28, 2011

*** SB 225 *** 0828S.03I

SENATE SPONSOR: Engler

SB 225 - This act provides that beginning January 1, 2012, certain circuit and associate circuit judgeships in this state will become nonpartisan offices elected in nonpartisan elections on the primary election day.

The provisions of this act do not apply to elections involving incumbent candidates who were seated before January 1, 2012. These judges may continue to hold office as partisan judges. Judgeships selected pursuant to the nonpartisan court plan in the state constitution are excluded from the provisions involving the nonpartisan elections, but not the provisions requiring the offices to be nonpartisan and prohibiting the judges from certain partisan activities.

In the nonpartisan elections established under this act, the names of each judicial candidate will be included on all ballots, including each political party's primary ballots. Each candidate is to be designated as "nonpartisan."

If no candidate receives a majority vote in the primary election, the two candidates receiving the highest number of votes will be certified to a runoff election held at the next general election. Such candidates will also be designated as "nonpartisan" on general election ballots.

The filing period for judicial candidates begins at 8:00 a.m. on the last Tuesday in February of the election year and ends at 5:00 p.m. on the last Tuesday in March.

No circuit or associate circuit judge or judicial candidate may be publicly affiliated with any political party or participate in any of the political activities enumerated in this act.

This act is similar to SB 757 (2008).
MEGHAN LUECKE

02/08/2011 S First Read--SB 225-Engler (S208)
02/10/2011 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S235)
02/14/2011 Hearing Conducted S Financial and Governmental Organizations and Elections Committee
02/21/2011 Voted Do Pass S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2011

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*** SB 226 *** CCS HCS SS SB 226 1363S.05T

SENATE SPONSOR: Engler HOUSE HANDLER: Franz

HCS/SS/SB 226 - This act modifies provisions relating to ambulance and fire protection districts.

AMBULANCE DISTRICT SALES TAX
This act allows for the organization of ambulance districts which may impose a sales tax not to exceed one-half of one percent.

If the sales tax is authorized, then the governing body of the ambulance district must reduce its tax rate by an amount which reduces property tax revenues by an amount equal to 50% of the amount of sales tax collected in the preceding year. All revenue received by a district from the tax must be deposited in a special trust fund, and used solely for the ambulance district, except one percent of the taxes must be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in Section 32.087.

The Director of Revenue has certain responsibilities regarding the trust fund, but the moneys in the fund are not state funds and may not be commingled with any funds of the state. The director is to distribute money deposited into the fund no later than the tenth day of the next month to the board treasurer of the governing body of the district which levied the tax.

The ambulance district must notify the Director of Revenue at least 90 days prior to repealing the sales tax. Two percent of the amount collected after the notice is given may be kept to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year, the balance must be remitted to the district and the account must be closed.

Provisions of law governing local sales taxes apply to the ambulance district sales tax.

This provision is identical to SB 309 (2011), HB 542 (2011), and contains provisions that are identical to Senate Bill 826 (2010).

AMBULANCE DISTRICT RECALL ELECTIONS

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 provision is similar to SB 978 (2008), a provision of SS/SCS/HB 376 (2009), SB 122 (2009), and SB 741 (2010).

LOTTERY WINNINGS AND TAX REFUNDS

Under current law, the Department of Health and Senior Services processes claims submitted by health care providers requesting setoffs of income tax refunds to satisfy outstanding debts owed by taxpayers. This act repeals the authority of the department of health and senior services to administer such a program and creates a system for ambulance service providers to utilize a private claim clearinghouse to process and verify requests for setoffs of taxpayer income tax refunds and lottery winnings to satisfy outstanding debts for ambulance services received. Prior to utilizing the clearinghouse, an ambulance service provider must provide certain notices to patients and allow for various levels of review and appeals of such claims. To offset expenses incurred in collecting debts owed to ambulance service providers, a collection fee is assessed to each offset which is allocated among the clearinghouse and the Department of Revenue. The act establishes a priority, with regard to setoffs, in which debts owed to ambulance service providers receive the least priority.

This provision is identical SB 319 (2011), HB 312 (2011) and the SCS/SB 878 (2010).

FIRE PROTECTION DISTRICT BOARDS

This act repeals an obsolete provision regarding elections for fire protection district board members in St. Charles County. MEGHAN LUECKE

HA 1 - THIS AMENDMENT REORGANIZES THE PRIORITY GIVEN TO THE VARIOUS TYPES OF OFFSETS FOR TAX REFUNDS.

HA 2 - BEGINNING JANUARY 1, 2011, THIS AMENDMENT AUTHORIZES A CHECK-OFF BOX FOR THE ORGAN DONOR PROGRAM FUND TO BE ADDED TO THE INDIVIDUAL AND CORPORATE INCOME TAX FORMS. A TAXPAYER MAY DONATE TO THE FUND BY DESIGNATING ON THE FORM AT LEAST $2 ON AN INDIVIDUAL RETURN OR $4 ON A COMBINED RETURN OF HIS OR HER TAX REFUND AMOUNT OR BY SENDING A SEPARATE CHECK WITH THE PAYMENT OF HIS OR HER TAXES.

THE PROVISIONS OF THE BILL WILL EXPIRE DECEMBER 31 SIX YEARS FROM THE EFFECTIVE DATE.

HA 3 - THIS AMENDMENT PROVIDES THAT, WITH REGARD TO PROVISIONS OF LAW REQUIRING DISTRIBUTIONS OF POOLED SALES TAX REVENUES FROM THE ST. LOUIS COUNTY SALES TAX, ALL PORTIONS OF THE CITY OF FENTON WILL BE INCLUDED IN THE GROUP A CLASSIFICATION FOR THE PERIOD BEGINNING AUGUST 28, 2011 AND ENDING AUGUST 28, 2017.

HA 4 - THIS AMENDMENT REQUIRES EACH PUBLIC HIGH SCHOOL, INCLUDING A CHARTER SCHOOL, TO PROVIDE INSTRUCTION IN CARDIOPULMONARY RESUSCITATION AND THE USE OF AN AUTOMATED EXTERNAL DEFIBRILLATOR AND SPECIFIES THAT THE INSTRUCTION WILL BECOME A NEW REQUIREMENT FOR HIGH SCHOOL GRADUATION BEGINNING WITH STUDENTS GRADUATING IN THE 2014-2015 SCHOOL YEAR.

02/08/2011 S First Read--SB 226-Engler (S208-209)
02/10/2011 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S235)
02/14/2011 Hearing Conducted S Financial and Governmental Organizations and Elections Committee
02/21/2011 Voted Do Pass S Financial and Governmental Organizations and Elections Committee - Consent
02/24/2011 Reported from S Financial and Governmental Organizations and Elections Committee to Floor - Consent (S329)
02/28/2011 Removed S Consent Calendar (S347)
03/10/2011 Reported from S Financial and Governmental Organizations and Elections Committee to Floor (S433)
03/16/2011 Bill Placed on Informal Calendar (S469)
03/28/2011 SS S offered & adopted (Engler)--(1363S.03F) (S508)
03/28/2011 Perfected (S508)
03/28/2011 Reported Truly Perfected S Rules Committee (S508)
03/31/2011 S Third Read and Passed (S537-538)
03/31/2011 H First Read (H818)
04/01/2011 H Second Read (H823)
04/07/2011 Referred H General Laws Committee (H1170)
04/12/2011 Hearing Conducted H General Laws Committee
04/19/2011 HCS Voted Do Pass H General Laws Committee
04/20/2011 HCS Reported Do Pass H General Laws Committee (H1416)
04/20/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1416)
05/03/2011 HCS Voted Do Pass H Rules Pursuant Committee
05/03/2011 HCS Reported Do Pass H Rules Pursuant Committee (H1795)
05/03/2011 Referred H Fiscal Review Committee (H1796)
05/04/2011 HCS Voted Do Pass H Fiscal Review Committee
05/04/2011 HCS Reported Do Pass H Fiscal Review Committee (H1833)
05/05/2011 HA 1 to HCS H offered & adopted (Franz)--(1363L04.05H) (H2027)
05/05/2011 HA 2 TO HCS H offered & adopted (Kelly-24)--(1363L04.03H) (H2027-2028)
05/05/2011 HA 3 to HCS H offered & adopted (Leara)--(1363L04.02F) (H2028-2031)
05/05/2011 HA 4 to HCS H offered & adopted (Stream)--(1363L04.06H) (H2031-2032)
05/05/2011 HCS, as amended, H adopted (H2032)
05/05/2011 H Third Read and Passed (H2032-2033 / S1492-1499)
05/09/2011 S refuses to concur in HCS, as amended (S1525 / H2118)
05/09/2011 S requests H recede or grant conference (S1525 / H2118)
05/09/2011 H refuses to recede and grants conference (H2131 / S1546)
05/09/2011 S conferees appointed: Engler, Dixon, Parson, Callahan, Keaveny (S1621 / H2155)
05/09/2011 H conferees appointed: Franz, Bernskoetter, Hough, Sifton, Schupp (H2155 / S1627)
05/11/2011 H submits CCR (H2437)
05/11/2011 CCR S offered & adopted (S1747-1748)

05/11/2011 CCS S Third Read and Passed (S1748 / H2406)
05/13/2011 CCR H adopted
05/13/2011 CCS H Third Read and Passed
05/13/2011 Truly Agreed To and Finally Passed

EFFECTIVE: August 28, 2011

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*** SB 227 *** 1311S.01I

SENATE SPONSOR: Engler

SB 227 - This act makes certain types of field tests for controlled substances admissible, subject to other substantive or procedural objections, in preliminary hearings and applications for arrest warrants in cases involving violations of the drug control laws. The results of the tests are admissible as evidence of the identity of a controlled substance.

In order to be admissible, the law enforcement officer conducting the field test must be trained and certified in the appropriate procedures for the test.
MEGHAN LUECKE

02/08/2011 S First Read--SB 227-Engler (S209)
02/10/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S235)

EFFECTIVE: August 28, 2011

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*** SB 228 *** 1324S.01I

SENATE SPONSOR: Pearce

SB 228 – This act modifies the composition of the board of directors of the Kansas City School District. This act reduces the number of directors from nine to seven. Instead of three at-large directors, the board will have one at-large director. One at-large director will be elected at the election. The remaining six directors will continue to represent the six subdistricts. However, candidates for a director for a subdistrict will be voted on by the voters of the entire school district, not just the voters of that particular subdistrict. This change will begin for subdistricts 1, 3, and 5 at the 2012 election and for subdistricts 2, 4, and 6 at the 2014 election.
MICHAEL RUFF

02/08/2011 S First Read--SB 228-Pearce (S209)
02/10/2011 Second Read and Referred S Education Committee (S235)
03/16/2011 Hearing Conducted S Education Committee
03/30/2011 Voted Do Pass S Education Committee
03/31/2011 Reported from S Education Committee to Floor (S541)
04/06/2011 Taken up for Perfection (S606)
04/06/2011 Bill Placed on Informal Calendar (S606)
05/13/2011 S Informal Calendar S Bills for Perfection--SB 228-Pearce

EFFECTIVE: August 28, 2011

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*** SB 229 *** 1409S.01I

SENATE SPONSOR: Pearce

SB 229 - Under this act, each health carrier must provide coverage for the diagnosis and treatment of eating disorders beginning January 1, 2012. 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 provisions contained in this act are similar to ones contained in SB 744 (2010), SB 463 (2009), and HB 519 (2009).
STEPHEN WITTE

02/08/2011 S First Read--SB 229-Pearce (S209)
02/10/2011 Second Read and Referred S Small Business, Insurance and Industry Committee (S235)

EFFECTIVE: August 28, 2011

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*** SB 230 *** HCS SCS SB 230 1320L.06C

SENATE SPONSOR: Lager HOUSE HANDLER: Ruzicka

SCS/SB 230 - The act allows the state or any political subdivision to transfer ownership of scrap tires or tire shred to any Missouri-based company if the cost of the transfer is less than the cost of disposal of the tires, and as long as the company does not put the tires in a landfill or burn them as a fuel source. The company must bear the cost of transporting the scrap tires or shred to its facility.

This act is similar to HCS/HB 578 (2011).
ERIKA JAQUES

02/08/2011 S First Read--SB 230-Lager (S209)
02/10/2011 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S235)
03/08/2011 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee
03/15/2011 SCS Voted Do Pass S Commerce, Consumer Protection, Energy and the Environment Committee (1320S.02C)
04/07/2011 Reported from S Commerce, Consumer Protection, Energy and the Environment Committee to Floor w/SCS (S663)
04/12/2011 Bill Placed on Informal Calendar (S687)
04/12/2011 SCS S adopted (S694)
04/12/2011 Perfected (S694)
04/13/2011 Reported Truly Perfected S Rules Committee (S699)
04/14/2011 S Third Read and Passed (S730)
04/14/2011 H First Read (H1296)
04/18/2011 H Second Read (H1304)
04/26/2011 Referred H Tourism & Natural Resources Committee (H1619)
05/03/2011 Hearing Conducted H Tourism & Natural Resources Committee
05/03/2011 HCS Voted Do Pass H Tourism & Natural Resources Committee
05/05/2011 HCS reconsidered H Tourism & Natural Resources Committee
05/05/2011 HCS Voted Do Pass H Tourism & Natural Resources Committee
05/05/2011 HCS Reported Do Pass H Tourism & Natural Resources Committee (H2048)
05/05/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H2048)
05/10/2011 HCS Voted Do Pas H Rules Pursuant Committee
05/10/2011 HCS Reported Do Pass H Rules Pursuant Committee (H2245)
05/10/2011 Referred H Fiscal Review Committee (H2245)
05/11/2011 HCS Voted Do Pass H Fiscal Review Committee
05/11/2011 HCS Reported Do Pass H Fiscal Review Committee (H2256)
05/13/2011 H Calendar S Bills for Third Reading--SCS for SB 230-Lager, with HCS

EFFECTIVE: August 28, 2011

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*** SB 231 *** SS SB 231 1303S.05P

SENATE SPONSOR: Lager

SS/SB 231 - This act prohibits a political subdivision from restricting a paid member of a fire department or fire district from supporting or opposing any political party, candidate or petition while off duty and not in uniform.
MEGHAN LUECKE

02/08/2011 S First Read--SB 231-Lager, et al (S209)

02/10/2011 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S235)
03/02/2011 Hearing Conducted S Jobs, Economic Development and Local Government Committee
03/10/2011 Voted Do Pass S Jobs, Economic Development and Local Government Committee
03/17/2011 Reported from S Jobs, Economic Development and Local Government Committee to Floor (S494)
04/05/2011 SS S offered & adopted (Lager)--(1303S.05F) (S575)
04/05/2011 Perfected (S575)
04/05/2011 Reported Truly Perfected S Rules Committee (S586)
04/07/2011 Taken up for Third Reading (S653)
04/07/2011 Bill Placed on Informal Calendar (S653)
05/13/2011 S Informal Calendar S Bills for Third Reading--SS for SB 231-Lager

EFFECTIVE: August 28, 2011

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*** SB 232 *** 0426S.01I

SENATE SPONSOR: Crowell

SB 232 – This act repeals current authority that allows certain cities to enforce zoning regulations in areas located up to two miles outside of city limits.
MEGHAN LUECKE

02/08/2011 S First Read--SB 232-Crowell (S209)
02/10/2011 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S235)

EFFECTIVE: August 28, 2011

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*** SB 233 *** 1263S.01I

SENATE SPONSOR: Parson

SB 233 - This act requires health carriers to reimburse licensed athletic trainers in the same manner as other providers are reimbursed. If a health benefit plan provides coverage for a particular type of health service for any particular medical condition that is within the scope of practice of a licensed athletic trainer, then a licensed athletic trainer shall not be denied reimbursement by a health carrier or health benefit plan for those covered services if the health carrier or plan would reimburse another health care provider for such services. Services provided by licensed athletic trainers may be subject to reasonable deductibles, copayment, and coinsurance amounts, fee or benefit limits, practice parameters, and utilization review consistent with applicable rules adopted by the department of insurance.
STEPHEN WITTE

02/08/2011 S First Read--SB 233-Parson (S209)
02/10/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S235)

EFFECTIVE: August 28, 2011

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*** SB 234 *** 1265S.01I

SENATE SPONSOR: Dempsey

SB 234 - This act authorizes an income tax dependency exemption for the taxable year in which a stillborn child was born, if the child would otherwise have been a member of the taxpayer's household.

This act is similar to Senate Bill 620 (2007) and House Bill 816 (2007).
JASON ZAMKUS

02/08/2011 S First Read--SB 234-Dempsey (S209)
02/10/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S235)

EFFECTIVE: August 28, 2011

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*** SB 235 *** 1172S.01I

SENATE SPONSOR: Schaefer

SB 235 - This act extends the sunsets from September 30, 2011 to September 30, 2016, for the Ground

Ambulance, Nursing Facility, Medicaid Managed Care Organization, Hospital, Pharmacy, and Intermediate Care Facility for the Mentally Retarded Reimbursement Allowance Taxes.

This act is similar to SB 1015 (2010).
ADRIANE CROUSE

SCA 1 - CHANGES THE SUNSET DATES TO SEPTEMBER 30, 2013

02/09/2011 S First Read--SB 235-Schaefer (S215)
02/10/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S235)
03/01/2011 Hearing Conducted S Health, Mental Health, Seniors and Families Committee
03/10/2011 Voted Do Pass (w/SCA#1) S Health, Mental Health, Seniors and Families Committee - (1172S01.01S)

EFFECTIVE: August 28, 2011

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*** SB 236 *** 1364S.02I

SENATE SPONSOR: Schaefer

SCS/SB 236 - This act establishes provisions relating to pharmacy services.

ELECTRONIC PRESCRIBING

This act provides that all prescription drug orders communicated by way of electronic transmission shall allow for the physician to review the patient's current medication list and medication history information as well as view all the medications available to the physician for the patient's condition.

The transmission shall have the ability to electronically adjudicate prior authorization and step therapy protocols. An electronic prior authorization process for allowing approval of an exception to the plan formulary or other restriction is available, so long as adjudication occurs within forty-eight hours from the time the prescription drug order is received. The board of pharmacy shall promulgate rules regarding such an electronic prior authorization process.

The transmission shall also minimize interference between physician and patient through a neutral and open platform, except that information about the availability of a generic drug may be communicated.

Nothing in this act shall preclude the use of paper prescriptions. SECTION 338.098

PHARMACY BENEFIT AND PHARMACY BENEFIT MANAGERS

This act prohibits pharmacy benefit managers(PBMs) from automatically enrolling a pharmacy in a contract, modifying an existing contract without affirmation from the pharmacy, or requiring a pharmacy or pharmacist to participate in one PBM contract in order to participate in another contract. Nor shall a PBM discriminate between in-network pharmacies or pharmacists on the basis of copayments or days of supply unless such pharmacy declines to fill such prescriptions at the price allowed to other in-network pharmacies for such prescription.

A PBM is also prohibited from reassigning a prescription that has been presented in one pharmacy to another pharmacy in the PBM's network. When the PBM contacts the prescribing health care practitioner to affirm or modify the original prescription, the affirmed or modified prescription shall be filled at the in-network pharmacy of the patient's choice to which the insured presented the original prescription. SECTION 376.388

SWITCH COMMUNICATIONS

This act establishes procedures for governing switch communications. A switch communication is defined as a communication from a health insurance carrier or PBM to a patient or the patient's physician that recommends a patient's medication be switched by the original prescribing practitioner to a different medication than the medication originally prescribed.

The switch communication shall, among other requirements, explain any financial incentives that may be provided to, or have been offered to, the prescribing practitioner by the health carrier or PBM that could result in the switch to the different drug. In addition, the communication shall explain any clinical effects that the proposed medication may have on the patient which are different than those of the originally prescribed medication. The patient shall also be informed of any cost sharing changes for which the patient shall be responsible and advise the patient of his or her rights to discuss any proposed switch with the patient's prescribing practitioner.

Any time a patient's medication is recommended to be switched to a medication other than that originally

prescribed by the prescribing practitioner, a switch communication shall be sent to the patient and the patient's physician. Also, information shall be sent to the plan sponsor or health carrier using a PBM regarding, among other information, the recommended medication and the cost, shown in currency form, of the originally prescribed medication. These provisions do not apply to generic substitutions allowed under current law in section 338.056, RSMo, unless such substitution results in a higher cost to the patient or health insurance payer.

All health carriers and PBMs shall submit the format and language to the Department of Insurance, Financial Institutions, and Professional Registration for approval. The department shall have sixty days to review and inform the health carrier or PBM that the format and language of the switch communication either does or does not comply with the statute. If the department finds noncompliance with the statute, the department shall cite specific reasons for such decision.

The department shall promulgate rules governing switch communications. Such rules shall include procedures for verifying the accuracy of any switch communications from health carriers and PBMs to ensure that such switch communications are truthful, accurate, and not misleading. Also, except for a substitution due to the Food and Drug Administration's withdrawal of a drug for prescription, such rules shall include a requirement that all switch communications bear a prominent notification on a first page clearly indicating the switch communication is not a product safety notice.

This act also specifies that a PBM owes a fiduciary duty to a covered entity and shall discharge that duty in accordance with the provisions of state and federal law. A PBM shall notify the covered entity in writing of any activity, policy, or practice of the PBM that directly or indirectly presents any conflict of interest with the duties imposed by this act. SECTIONS 376.1460 and 376.1462

PHYSICIAN OVERRIDE OF MEDICATION RESTRICTIONS

This act governs the practice by health carriers and pharmacy benefit managers of restricting medications for the treatment of any medical condition by requiring step therapy or a fail first protocol. A prescribing practitioner may override such restrictions if the prescriber can demonstrate, based on sound clinical evidence, that the step therapy or fail first protocol treatment has been ineffective in treating the patient's disease or medical condition, is expected to be ineffective, or is likely to cause an adverse reaction. The duration of any step therapy or fail first protocol cannot last longer than 14 days when such treatment is deemed clinically ineffective by the prescribing physician. However, when the health carrier or PBM can show, through sound clinical evidence, the originally prescribed medication is likely to require more than two weeks to provide any relief to the patient, the step therapy or fail first protocol may be extended up to seven additional days.

Nothing in the act shall require coverage for a condition specifically excluded by the policy which is not otherwise mandated by law. SECTION 376.1464

This act also requires PBMs and health carriers to provide a website with a list of medications which require preauthorizations and the process required to comply with the PBM's or health carrier's policies. SECTION 376.1466

Portions of this act are substantially similar to SB 918 (2010).
ADRIANE CROUSE

02/09/2011 S First Read--SB 236-Schaefer (S215)
02/10/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S235)
03/01/2011 Hearing to be Continued S Health, Mental Health, Seniors and Families Committee
03/08/2011 Hearing Conducted S Health, Mental Health, Seniors and Families Committee
03/15/2011 SCS Voted Do Pass S Health, Mental Health, Seniors and Families Committee - (1364S.04C)

EFFECTIVE: August 28, 2011

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*** SB 237 *** 1413S.01T

SENATE SPONSOR: Schaefer HOUSE HANDLER: Barnes

SB 237 - This act requires that the September 1996 Missouri Supreme Court standards for representation by guardians ad litem be updated.

This act is similar to HB 165 (2011).
EMILY KALMER

02/09/2011 S First Read--SB 237-Schaefer and Justus (S216)
02/10/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S235)
02/28/2011 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee
03/09/2011 Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee - Consent
03/10/2011 Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor - Consent (S433)
03/14/2011 Removed S Consent Calendar (S449)
03/31/2011 Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor (S541)
04/06/2011 Perfected (S605)
04/06/2011 Reported Truly Perfected S Rules Committee (S605)
04/07/2011 S Third Read and Passed (S657)
04/07/2011 H First Read (H1177)
04/11/2011 H Second Read (H1184)
04/12/2011 Referred H Judiciary Committee (H1236)
04/27/2011 Hearing Conducted H Judiciary Committee
04/27/2011 Voted Do Pass H Judiciary Committee
04/27/2011 Reported Do Pass H Judiciary Committee (H1650)
04/27/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1650)
05/03/2011 Voted Do Pass H Rules Pursuant Committee
05/03/2011 Reported Do Pass H Rules Pursuant Committee (H1795)
05/09/2011 H Third Read and Passed (H2147-2148)
05/09/2011 Truly Agreed To and Finally Passed (S1568)

EFFECTIVE: August 28, 2011

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*** SB 238 *** SS SB 238 1042S.04T

SENATE SPONSOR: Schmitt

SS/SB 238 - This act modifies provisions that affect claims by firefighters for disability or death benefits. If after five years of service a firefighter's health is impaired due to certain infectious diseases, it will be presumed that this infectious disease was suffered in the line of duty, unless there is evidence to the contrary. Firefighters are required to submit to an annual physical examination, at which a blood test is administered, in order to receive the presumption that the infectious disease was contracted in the line of duty.
EMILY KALMER

HA 1 - THIS AMENDMENT REQUIRES EACH PUBLIC HIGH SCHOOL, INCLUDING A CHARTER SCHOOL, TO PROVIDE INSTRUCTION IN CARDIOPULMONARY RESUSCITATION AND THE USE OF AN AUTOMATED EXTERNAL DEFIBRILLATOR AND SPECIFIES THAT THE INSTRUCTION WILL BECOME A NEW REQUIREMENT FOR HIGH SCHOOL GRADUATION BEGINNING WITH STUDENTS GRADUATING IN THE 2014-2015 SCHOOL YEAR.

HA 2 - THE ACT SPECIFIES THAT THE RETIREMENT PLAN OF THE FIREMEN'S RETIREMENT SYSTEM OF ST. LOUIS IS INTENDED TO BE A QUALIFIED GOVERNMENTAL PLAN UNDER FEDERAL TAX LAW. THE BENEFITS AND CONDITIONS OF THE PLAN SHALL BE INTERPRETED AND THE SYSTEM SHALL BE OPERATED TO ENSURE THAT THE SYSTEM MEETS THE FEDERAL QUALIFICATION REQUIREMENTS.

THIS ACT ALSO MODIFIES THE SERVICE-CONNECTED DISABILITY BENEFITS FOR ST. LOUIS CITY FIREFIGHTERS WHO RETIRE ON OR AFTER AUGUST 28, 2011. CURRENTLY, THE SERVICE-CONNECTED DISABILITY BENEFIT IS 75 PERCENT OF THE TOP PAY OF THE RANK THE FIREFIGHTER IS AT WHEN THEY ARE RETIRED. THIS ACT MAKES THE SERVICE-CONNECTED DISABILITY BENEFIT VARY BASED ON THE NUMBER OF YEARS A PERSON HAS SERVED AS A FIREFIGHTER. FIREFIGHTERS WILL RECEIVE A BASE PENSION OF 25 PERCENT OF THE COMPENSATION PROVIDED FOR THE STEP IN THE RANGE OF SALARY THEY HOLD AT THE TIME THE FIREFIGHTER IS RETIRED. THOSE FIREFIGHTERS WITH 10 OR MORE YEARS OF SERVICE, BUT LESS THAN 25 YEARS OF SERVICE, WILL RECEIVE AN ADDITIONAL ACCIDENTAL RETIREMENT PENSION BENEFIT CALCULATED BY MULTIPLYING THEIR YEARS OF SERVICE BY 2 3/4 PERCENT OF THE STEP IN THE RANGE OF SALARY RECEIVED BY THE FIREFIGHTER AT THE TIME OF THEIR RETIREMENT. THOSE FIREFIGHTERS WITH MORE THAN 20 YEARS OF SERVICE, BUT LESS THAN 25 YEARS OF SERVICE HAVE THE OPTION TO WAIVE THE OTHER BENEFITS AND RECEIVE A BENEFIT THAT COMBINED WITH THEIR BASE PENSION WILL EQUAL 65 PERCENT OF THE COMPENSATION THEN PROVIDED FOR THE STEP IN THE RANGE OF SALARY RECEIVED BY THE

FIREFIGHTER AT THE TIME OF THEIR RETIREMENT. IF A FIREFIGHTER HAS MORE THAN 25 YEARS OF SERVICE, OR IS RETIRED BASED ON CONDITIONS OF THE HEART, LUNGS, OR CANCER, OR IS UNABLE TO PERFORM ANY OTHER WORK, AS DETERMINED BY BOARD OF TRUSTEES BASED ON MEDICAL EVIDENCE, THE FIREFIGHTER WILL RECEIVE A BENEFIT THAT IS EQUAL TO 75 PERCENT OF THE COMPENSATION PROVIDED FOR THE STEP IN THE RANGE OF SALARY THEY RECEIVE AT THE TIME OF THEIR RETIREMENT.

ST. LOUIS CITY FIREFIGHTERS WHO ARE RETIRED BASED ON A SERVICE-CONNECTED DISABILITY ON OR AFTER AUGUST 28, 2011, WILL HAVE THE OPTION AT RETIREMENT TO BE REIMBURSED FOR TUITION AT A COLLEGE, COMMUNITY COLLEGE, OR VOCATIONAL OR TECHNICAL SCHOOL. THESE FIREFIGHTERS MUST ENROLL IN SCHOOL AT THE FIRST OPPORTUNITY AFTER THEIR RETIREMENT. THESE FIREFIGHTERS WILL ALSO RECEIVE A SUPPLEMENTAL DISABILITY RETIREMENT PENSION, IF THEY HAVE TWENTY-FIVE YEARS OR LESS OF SERVICE, SO THAT THEIR TOTAL ACCIDENTAL DISABILITY RETIREMENT PENSION WILL EQUAL TO THE TOTAL COMPENSATION PROVIDED FOR THE STEP IN THE RANGE OF SALARY THEY RECEIVED AT THE TIME THEY WERE RETIRED. THIS EDUCATIONAL REIMBURSEMENT BENEFIT AND THE SUPPLEMENTAL DISABILITY RETIREMENT PENSION BENEFIT SHALL END WHEN THE FIREFIGHTER IS NOT A FULL-TIME STUDENT, OR RETURNS TO SERVICE AS A FIREFIGHTER, AND WILL ONLY BE AVAILABLE FOR FIVE YEARS AFTER THE FIREFIGHTER'S RETIREMENT.

THE COST-OF-LIVING ADJUSTMENT FOR FIREFIGHTERS WHO ARE RETIRED BASED ON A SERVICE-CONNECTED DISABILITY ON OR AFTER AUGUST 28, 2011 WILL BE EITHER ONE PERCENT A YEAR OR 2 1/4 PERCENT PER YEAR, BASED ON THE NUMBER OF YEARS OF SERVICE, RATHER THAN THREE PERCENT A YEAR, UP TO AGE SIXTY.

THIS AMENDMENT IS SIMILAR TO PROVISIONS OF SS/SCS/HCS/HB 664 (2011) AND SS/SCS/HB 282 (2011).

02/09/2011 S First Read--SB 238-Schmitt, et al (S216)
02/10/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S235)
02/21/2011 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee
03/09/2011 Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee
04/07/2011 Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor (S662)
04/11/2011 Bill Placed on Informal Calendar (S676)
04/12/2011 SS S offered & adopted (Schmitt)--(1042S.04F) (S689)
04/12/2011 Perfected (S689)
04/12/2011 Reported Truly Perfected S Rules Committee (S694)
04/14/2011 S Third Read and Passed (S729)
04/14/2011 H First Read (H1296)
04/18/2011 H Second Read (H1304)
04/26/2011 Referred H Crime Prevention & Public Safety Committee (H1619)
04/28/2011 Hearing Conducted H Crime Prevention & Public Safety Committee
04/28/2011 Voted Do Pass H Crime Prevention & Public Safety Committee
04/28/2011 Reported Do Pass H Crime Prevention & Public Safety Committee (H1684)
04/28/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1684)
05/04/2011 Voted Do Pass H Rules Pursuant Committee
05/04/2011 Reported Do Pass H Rules Pursuant Committee (H1858)
05/11/2011 HA 1 H offered (Stream)--(1042S04.02H) (H2298)
05/11/2011 HA 1 to HA 1 H offered & withdrawn (Kelly-24)--(1042S04.01F) (H2298-2300)
05/11/2011 HA 1 H adopted (H2300)
05/11/2011 HA 2 H offered & adopted (Leara)--(1042S04.01H) (H2300-2304)
05/11/2011 H Third Read and Passed, as amended (H2305-2306 / S1751-1755)
05/11/2011 S refuses to concur in HA 1 & HA 2 (S1866 / H2434)
05/11/2011 S requests H recede & take up and pass bill (S1866 / H2434)
05/13/2011 H recedes in HA 1 & HA 2 and Truly Agree to and Finally pass the bill
05/13/2011 H Third Read and Passed
05/13/2011 Truly Agreed To and Finally Passed

EFFECTIVE: August 28, 2011



SENATE SPONSOR: Justus

SB 239 - 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), SB 626 (2010) and HB 1850 (2010).
JIM ERTLE

02/09/2011 S First Read--SB 239-Justus, et al (S216)
02/10/2011 Second Read and Referred S Progress and Development Committee (S235)

EFFECTIVE: August 28, 2011

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*** SB 240 *** 0438S.01I

SENATE SPONSOR: Justus

SB 240 – This act modifies the requirements for school anti-bullying policies. The definition of "bullying" is modified to include discrimination and to include actions that substantially interfere with a student's educational performance, opportunities, or benefits, or that substantially disrupt the orderly operation of the school. Bullying is prohibited by school employees or students on school property, at school functions, or on school buses. This act removes the requirement that school policies treat all students equally and not identify lists of protected classes of students. Instead, bullying that is based on characteristics or categories, as described in the act, is prohibited.

A school employee, student, or volunteer who has witnessed or has reliable information that a student or school employee has been subject to discrimination or harassment must report the incident to the appropriate school official.

School district policies must contain the following: a statement prohibiting bullying, including a definition of bullying, as described in the act; a statement requiring district employees to report an instance of bullying of which an employee has reliable information; a procedure for reporting an act of bullying, including anonymous reporting, as described in the act; a procedure for prompt investigations; how a school will respond to a confirmed incident of bullying; a statement prohibiting reprisal or retaliation against a person who reports an act of bullying; a statement of how the policy will be made public; a process for discussing the policy with students and training employees and volunteers; and a procedure for implementing and maintaining annual confidential surveys of students and school employees that measure their perception and experiences of harassment and discrimination.

The State Board of Education must develop model anti-bullying policies to assist school districts no later than September 1, 2012 and has authority to promulgate rules and regulations under this act.

This act is identical to SB 946 (2010) and is substantially similar to HB 2036 (2010), SB 132 (2009), and HB 1751 (2008).
MICHAEL RUFF

02/09/2011 S First Read--SB 240-Justus, et al (S216)
02/10/2011 Second Read and Referred S Progress and Development Committee (S235)
04/05/2011 Hearing Conducted S Progress and Development Committee

EFFECTIVE: August 28, 2011

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*** SB 241 *** 1410S.01P

SENATE SPONSOR: Brown

SB 241 - This act creates state and local sales and use tax exemptions for sales of captive wildlife and all sales of feed for captive wildlife including liming and fertilizing crops which when harvested will be fed to captive wildlife that will be sold ultimately in processed form at retail. The act also repeals two incorrect intersectional references contained in Chapter 144.

This act is identical to House Bill 346 (2011).
JASON ZAMKUS

02/09/2011 S First Read--SB 241-Brown and Wasson (S216)
02/10/2011 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S235)
02/24/2011 Hearing Conducted S Ways and Means and Fiscal Oversight Committee
03/17/2011 Voted Do Pass S Ways and Means and Fiscal Oversight Committee
03/17/2011 Reported from S Ways and Means and Fiscal Oversight Committee to Floor (S492)
04/04/2011 Bill Placed on Informal Calendar (S558)
04/06/2011 Perfected (S632)
04/07/2011 Reported Truly Perfected S Rules Committee (S643)
04/11/2011 S Third Read and Passed (S680)
04/11/2011 H First Read (H1208)
04/12/2011 H Second Read (H1213)
04/26/2011 Referred H Ways and Means Committee (H1619)

EFFECTIVE: August 28, 2011

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*** SB 242 *** SCS SB 242 1307S.05C

SENATE SPONSOR: Cunningham

SS/SCS/SB 242 – A student whose residence is located closer to a school in an adjoining district than to his or her public school of enrollment in the district of residence may enroll in the adjoining district upon receiving approval from the adjoining district. In addition, a student whose residence is so located that attendance in the district of residence is an unusual or unreasonable transportation hardship may enroll in an adjoining school district upon approval of the adjoining district's school board. The receiving district shall enroll pupils if it has available space and the district's teacher-pupil ratio in the appropriate grade or placement level for the pupil, is not below the "desirable" teacher-pupil ratio identified in the resource standards under the Missouri school improvement program. Natural barrier is defined as an obstruction caused by streams, rivers, lakes and multilane highways with limited access.

The pupil's parent or guardian must contact the receiving district by March 15 of the preceding school year unless good cause is shown, as described in the act. The pupil's school district of residence must pay tuition to the receiving district, based on the two districts' rate of tuition. The pupil will be counted in the weighted average daily attendance of the school district of residence. The sending district must pay the receiving district the cost of the receiving district's tuition if the tuition is less than or equal to the sending district's tuition rate. If the receiving district's tuition rate is greater then the sending district's tuition rate, the sending district must pay the receiving district the amount of the tuition rate and the parent must pay the difference. The school district of residence must pay the receiving district up to twice annually, once at the start of the school year and once in the middle of the year if two payments are made. For late payments, a late charge of two and a half percent for every two weeks will be incurred. When a payment is more than three months past due, the Department of Elementary and Secondary Education must, upon notice from the receiving district, withhold the total tuition amount, including federal, state, and local funds, and interest, from the school district of residence's state school aid and send payment in full to the receiving district.

If the parent or guardian is dissatisfied after enrolling his or her child in the receiving, he or she may return the child to the school district of residence upon notification to both districts. However, the parent or guardian may not reenroll the child in the receiving district although the child may be eligible to enroll in another adjoining district.

For a child who enrolls in another district, the parent or guardian will be responsible for transportation without reimbursement. A school district may voluntarily provide transportation, as described in the act.

The parent or guardian of a child who is denied enrollment by an adjoining district may appeal such denial to the State Board of Education if the following conditions are met: the pupil has met the qualifications for transfer and the receiving district has available space and the district's teacher/pupil ratio in the appropriate grade or placement level for the pupil is not below the "desirable" standard established in Missouri School

Improvement Program resource standards. The State Board shall assign the pupil to the adjoining school district if it finds the district improperly denied enrollment to the pupil. The State Board may also charge an administrative fee of up to five hundred dollars to either the school district of residence or adjoining school district.

MICHAEL RUFF

02/09/2011 S First Read--SB 242-Cunningham (S216)
02/10/2011 Second Read and Referred S General Laws Committee (S235)
02/22/2011 Hearing Conducted S General Laws Committee
03/08/2011 SCS Voted Do Pass S General Laws Committee - (1307S.05C)
03/10/2011 Reported from S General Laws Committee to Floor w/SCS (S434)
03/16/2011 Bill Placed on Informal Calendar (S471)
03/30/2011 SS for SCS S offered (Cunningham)--(1307S.07F) (S529)
03/30/2011 Bill Placed on Informal Calendar (S529)
05/13/2011 S Informal Calendar S Bills for Perfection--SB 242-Cunningham, with SCS & SS for SCS (pending)

EFFECTIVE: August 28, 2011

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*** SB 243 *** HCS SB 243 0249L.06C

SENATE SPONSOR: Cunningham HOUSE HANDLER: Dieckhaus

HCS/SB 243 – This act modifies provisions relating to educational resources and services.

CLASSIFICATION AND ACCREDITATION OF SCHOOLS: After the implementation of the fifth cycle of the Missouri School Improvement Program, the State Board of Education must adopt a system to accredit individual schools and to accredit school districts separately from individual schools. The State Board must submit a report to the Joint Committee on its progress, beginning on December 1, 2011.

This provision is identical to a provision contained in HB 994 (2011) and HCS/SB 147 (2011). (Section 160.080)

CHARTER SCHOOLS: (Section 160.400) – In addition to the St. Louis City and Kansas City School Districts, charter schools may be operated in unaccredited districts, provisionally accredited districts if certain criteria are met, and in districts accredited without provisions if sponsored by the local school board.

This act removes the restriction that a sponsoring public four-year college or university have its primary campus in the school district or in a county adjacent to the county in which the district is located. In addition, a community college whose service area encompasses some portion of the district may be a sponsor. Currently, any private four-year college or university located in St. Louis City with an enrollment of one thousand students and an approved teacher preparation program may be a sponsor. This act eliminates the requirement that the institution be located in St. Louis City but requires that its primary campus be located in Missouri. Additional sponsors include any two-year private vocational or technical school, as described in the act, the Missouri Charter Public School Commission, and a nonprofit or charitable organization, excluding a nonpublic sectarian or religious institution exempt from federal taxation under section 501(c)(3) or 501(c)(6).

Except for the St. Louis and Kansas City school districts, changes in a school district's accreditation status will be addressed in the following manner: as a district transitions from unaccredited to provisionally accredited, the district will fall under the requirements of an unaccredited district until it has three consecutive school years of provisional accreditation; and a charter school whose charter provides for the addition of grade levels may continue to add levels until the planned expansion is complete.

The mayor of St. Louis City may request a two-year private vocational or technical school, the Missouri Charter Public School Commission, or a nonprofit or charitable organization, excluding a nonpublic sectarian or religious institution exempt from federal taxation under section 501(c)(3) or 501(c)(6), to consider sponsoring a "workplace charter school."

When a charter school chooses to affiliate with a four-year college or university, the college or university will no longer required to be located within the county in which school district lies or in an adjacent county.

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. A sponsor that receives 1.5%

funding to defray expenses associated with sponsorship must submit annual reports to the Joint Committee on Education demonstrating compliance with requirements.

A charter school sponsor must develop policies and procedures for the following: the review of a charter school proposal; the granting of a charter; the performance framework of a charter; the renewal, revocation, and nonrenewal processes; additional criteria for oversight of the charter; and procedures to be used when a school closes for the transfer or repository of student records and the disposition of school assets. The Department of Elementary and Secondary Education is required to provide guidance to sponsors in developing these procedures and policies.

Currently, the State Board of Education has authority to require remedial action for a sponsor, including withholding its funding and suspending, for a period of one year, its ability to sponsor a school. This act allows the State Board to suspend a sponsor's ability to sponsor a school until reauthorized by the Department of Elementary and Secondary Education under section 160.403. If the state board serves as interim sponsor of a charter school, the board shall revoke the school's charter if the school fails to meet academic performance or other goals in the charter.

This act allows the Special Administrative Board of the St. Louis City School District, in equal partnership with the Cooperating School Districts of St. Louis, to sponsor a charter school and declare itself as the local education agency of the charter school for school funding purposes. If the special administrative board if dissolved, the charter school may continue to operate provided it seeks and obtains a new sponsorship under the new governing board of the school district and the cooperating school districts.

Section 160.402 – An accredited school district or cooperative association of accredited districts may sponsor or operate a charter school in an unaccredited school district. In addition, an unaccredited school district with unused facilities must grant the right of first refusal for lease or purchase to such a charter school. If the school district regains accreditation without provisions and the district or cooperative wishes to discontinue the school, it must solicit proposals for the continuation of the school. This must be presented for a vote of the parents or guardians of the students attending the school in the school year during which the district undergoes its next accreditation review.

SECTION 160.403 – The Department of Elementary and Secondary Education must establish an annual application and approval process for all entities eligible to sponsor charter schools. All information and guidelines for eligible sponsors must be made available by January 1, 2012.

An eligible sponsor must submit an application by April 1 that includes the following: written notice of intent; evidence of budget and personnel capacity; an outline of the request for proposal that it would use to solicit charter school applicants; the performance framework that the applicant sponsor would use to guide the establishment of a charter contract, and oversee and evaluate the charter school it would sponsor; and its renewal, revocation, and nonrenewal processes.

By July 1 annually, the Department must grant or deny a sponsoring authority to a sponsor applicant. Within thirty days of the Department's decision, it must execute a renewable sponsoring contract with each approved sponsoring entity. The term will be ten years in length.

All entities sponsoring a charter school at the time of this act's effective date must apply to the Department of Elementary and Secondary Education for approval to continue as a sponsor by April 1, 2012. By July 1, 2012, the Department must decide whether to grant the sponsor the authority to continue. Charter sponsors that are granted the authority to continue as a sponsor may do so for ten years. A sponsor that is denied authority will lose authority to sponsor immediately. The Missouri Charter Public School Commission will become the interim sponsor for a period of up to three years until the charter school finds a new sponsor or until the charter contract period lapses.

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 a performance contract, as described in the act.

The term of a charter will be for five years, instead of the current provision that allows charters to be not less than five but not greater than ten years.

Any charter school that is sponsored by the Special Administrative Board of the St. Louis City School District

in equal partnership with the Cooperating School Districts of St. Louis County, the charter may be for a period of three years and may be renewable. If such a charter school does not perform to the academic standards initially set out in the charter agreement, the SAB and CSD may close the school at the end of the three-year term and incorporate it into the school district.

A charter must contain the following additional items: description of the procedures that ensure admission of students with disabilities in a nondiscriminatory manner; a description of the school's grievance procedure for parents or guardians; a description of the agreement between the school and the sponsor as to when a charter will be revoked for failure to comply with certain requirements or will not be renewed; procedures to be implemented if the charter school were to close; and a description of the special education and related services that will be available to meet the needs of students with disabilities.

A charter must be submitted to the sponsor and follow the sponsor's policies and procedures for review and granting. In addition, the charter must be approved by the State Board of Education by December 1 prior to the proposed opening date of the charter school.

This act removes the requirement if a sponsor grants three or more charters that at least one-third of them be schools actively recruiting dropout students or high-risk students. It also modifies the definition of "high risk" student.

Charter schools must conduct a background check of education personnel, including through the Family Care Safety Registry.

Audit reports and annual financial reports must be published on the charter school's website or on DESE's website. This act removes the reference to the annual financial report in chapter 165.

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 to annually monitor student academic performance, based upon grade levels offered by the school.

The performance standards for alternative and special purpose charter schools that target high-risk students must be based on academic growth measures.

Charter schools are required to comply with all applicable federal and state special education laws including IDEA and section 504 of the Rehabilitation Act of 1973.

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 after the most recent review, 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 direct access to federal grants and allows the school to become an agency if the sponsor and the governing board reach a written agreement to become an agency.

This act limits the length of probationary status for a charter school to no more than twelve months, provided that no more than one designation of probationary status is allowed for the duration of the charter contract.

This act eliminates judicial review of a sponsor's final decision to revoke a charter.

Beginning August 1, during the year in which a charter is up for renewal, a sponsor must demonstrate to the

State Board of education that the charter school is in compliance with federal and state law on accountability, transparency, maintenance of parent, student, and employee rights, performance of charter requirements, and academic performance standards, as described in the act. For a charter school that offers high school grades, the sponsor must establish that the average graduation rate for the most recent three years is no lower than seventy percent in any of the last four years unless the school is engaged in dropout recovery and enrolls seventeen to twenty-one year old students. For all charter schools, the sponsor must establish that the school is not among the persistently lowest achieving five percent of schools by using three years of Missouri Assessment Program for communication arts and mathematics data. The State Board of Education must determine if the sponsor has demonstrated compliance. If compliance has not been achieved, the school and the sponsor must file a statement by October 31 stating why the school should not be closed. If no such statement is filed, the school must cease operation at the end of the current academic year. If a statement is timely filed, the State Board must hold a public hearing no later than January 10 to determine if the charter should be renewed. The State Board must vote by February 28 as to whether to continue school operations. The State Board may also impose certain conditions on continue operation or may close the charter school at the end of the current academic year.

A charter school must close at the end of the academic year if: the charter is revoked by the State Board of Education; the charter is revoked by the school's sponsor; the charter is not renewed; or the charter is voluntarily relinquished. The decision of the State Board to revoke or not renew a charter is final.

A properly authorized charter school will have the right to purchase or lease an unused facility or unused portion of a facility from a school district. A purchase or lease will be made available to a charter school at a fair market value prior to any unused facility or unused portion of a facility being offered to any noncharter school entity. No school district may sell or lease a facility to another entity without doing so first.

The State Board of Education must immediately close all existing charter schools that have failed to attain the state's annual yearly performance standard established pursuant to the state's implementation plan for No Child Left Behind that are not outperforming the lowest performing district school in the district.

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 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. Charter alternative and special purpose schools may also give a preference for admission to high-risk students, as defined, when the school targets these students through its proposed mission, curriculum, teaching methods, and services.

Students of a charter school who are present for the January membership count in section 163.011 will be counted in the performance of the charter school on the statewide assessments in that calendar year, unless otherwise exempted as English language learners.

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 and will be considered a resident student. 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, or if action by the State Board of Education occurs under section 162.081, 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.

The Foster Care Bill of Rights (sections 167.018 and 167.019) apply to charter schools.

SECTION 160.415 – An educational cooperative of school districts may provide managerial academic services as a contractor.

If a proposed charter school intends to contract with an education services provider for substantial educational services, management services, or both, the request for proposals must require charter school

applicants to: provide evidence of the service provider's success in serving student populations similar to the targeted population; provide a term sheet setting forth the proposed duration of the service contract, roles and responsibilities of governing board, school staff, and service provider, scope of services, performance evaluation measures and time lines, methods of contract oversight; disclose and explain any existing or potential conflicts of interest between the governing board and proposed service provider; disclose and explain any termination or nonrenewal of contracts for equivalent services for any other charter school within the past five years; ensure that the lead administrator and the legal counsel at the charter school shall be direct employees of the charter school governing board; and provide a process to ensure that the expenditures that the educational service provider intends to bill the charter school will receive prior approval of the governing board or its designee.

The Department of Elementary and Secondary Education may withhold funding at an adequate 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 160.417 – By October 1, 2011, and each October 1 thereafter, the Department of Elementary and Secondary education must identify charter schools experiencing financial stress using information from the report required by section 162.821. A list of charter schools experiencing financial stress will be provided to the Governor, Speaker of the House of Representatives, and President Pro Tem of the Senate.

Parameters for financial stress are defined in the act.

By November 1, the Department must notify the charter school sponsor and the board of directors if it is identified as experiencing financial stress. The sponsor must develop and approve a budget and education plan, which must be submitted to the Department. The Department may withhold any payment of financial aid until such time as the charter school is in compliance with these requirements.

SECTION 160.420 - In addition to existing criminal background check requirements, charter schools must ensure that a Family Care Safety Registry check is conducted for employees. In addition, "certification by the National Standards Board" is updated to be "National Board for Professional Teaching Standards."

SECTION 160.425 – This act creates the Missouri Charter Public School Commission. It will have nine members, all appointed by the Governor with the advice and consent of the Senate. Members will serve a term of four years, except for the initial appointees, whose terms are staggered. Commission members will be: one member selected from a slate of three candidates recommended by the Commissioner of Education; one member selected from a slate of three candidates recommended by the Commissioner of Higher Education; one member selected from a slate of three recommended by the President Pro Tem of the Senate; a member selected from a slate of three recommended by the Speaker of the House of Representatives; and five additional members. Operating procedures for the Commission are included.

The Commission may approve proposed charters for its sponsorship, as described in the act. The Department of Elementary and Secondary Education must provide start-up funding for the Commission to operate, which will be reimbursed from funds the Commission receives as sponsor of any charter schools under section 160.400.

These provisions are identical to provisions contained in HCS/SB 147 (2011) and are substantially similar to HCS/HB 473 (2011), and are similar to HB 994 (2011), SCS/SBs 291, 184 & 294 (2011), SB 838 (2010), SB 835 (2010), HB 2200 (2010), SB 317 (2009), SB 1027 (2008) and SB 64 (2009).

GIFTED EDUCATION: This act requires school districts to include in their annual school accountability report card whether the school district currently has a state-approved gifted education program and the percentage and number of students being served by the program.

This provision is identical to the introduced version of SB 147 (2011) and is similar to provisions contained in HB 1295 (2010), SB 962 (2010), SB 498 (2009), and HB 2542 (2008).

FOSTER CARE CHILDREN: This act requires the Department of Elementary and Secondary Education to ensure that school districts implement specific criteria relating to the enrollment of foster care children.

School districts will be required to: facilitate the timely enrollment of foster care children; facilitate the student placement process so that foster care children are not disadvantaged by variations between school districts;

facilitate the qualification and eligibility for enrollment, educational programs, and participation in extracurricular academic, athletic, and social activities; facilitate the on-time graduation of foster care children; provide for uniform collection and sharing of information between and among schools, foster care children, and families; and promote flexibility and cooperation between the educational system, foster parents, and the student to achieve educational success for the student.

When a foster care student transfers before or during the school year, the receiving school district must initially honor the placement of the student in educational courses based on the student's enrollment or assessments conducted in the sending district. The receiving district may perform subsequent evaluations to ensure appropriate placement. The receiving district must initially provide comparable services to a foster care student with disabilities based on his or her current IEP and provide accommodations under section 504 of the Rehabilitation Act. The receiving district may conduct subsequent evaluations to ensure appropriate placement.

Schools must waive specific courses required for graduation if similar course work has been satisfactorily completed in another school or provide reasonable justification for denial of a waiver. If the school district does not grant a waiver, it must provide an alternative means of acquiring required course work so graduation may occur on time. Receiving schools must accept end-of-course exams required for graduation from the sending school, national norm-referenced achievement tests, or alternative testing in lieu of testing requirements for graduation.

If a foster care student transfers at the beginning or during the senior and is ineligible to graduate from the receiving school, the sending and receiving school must grant a diploma to the student from the sending school, provided the student meets the sending school's graduation requirements.

This section is identical to SB 342 (2011), HB 419 (2011), is identical to a provision in HCS/SB 147 (2011). (Section 160.1990)

COORDINATION OF STUDENT TRANSFERS FROM UNACCREDITED DISTRICTS: This act allows the governing board of the "Metropolitan Schools Achieving Value in Transfer Corporation" to coordinate student transfers from unaccredited districts. If this role is undertaken, the corporation would act as the central repository for student applications and establish an open enrollment period. The corporation would make student assignments based on available seats in accredited districts and the availability of transportation. School districts would be required to annually inform the corporation of anticipated open seats at each attendance center. A school district that does not report its anticipated open seats or distorts the availability of seats may be prosecuted.

This provision is identical to a provision contained in HB 994 (2011). (Section 162.1062)

VIRTUAL EDUCATION: This act allows students to enroll in a school district other than their school district of residence or a charter school for the purpose of attending virtual courses or programs. For purposes of state school aid, the student will be included in the average daily attendance of the school district of residence. The Department of Elementary and Secondary Education must pay the district or charter school an amount equal to eighty-five percent of its tuition fee or the state adequacy target, whichever is greater. This amount cannot exceed one and twenty-five hundredths times the state adequacy target for each enrolled virtual student. In addition, if the average local tax effort per average daily attendance of the student's district of residence does not exceed eighty-five percent of the amount paid to the school district or charter school enrolling the student, the Department of Elementary and Secondary Education must pay to the general revenue fund an amount equal to ten percent of the amount of the local educational agency's tuition fee, or of the state adequacy target, whichever is greater, for each student. The Department must also withhold from the student's district of residence an amount equal to the amount paid for the virtual education plus the amount deposited in the general revenue fund.

Any institution of higher education with its primary campus located in Missouri with an approved teacher education program may sponsor virtual charter schools. Virtual charter schools are subject to all charter school laws. They may only offer instruction in a virtual setting using technology, intranet and internet methods of communication.

This provision is identical to SB 329 (2011) and is similar to HB 463 (2011). (Section 162.1250)

STUDENT TRANSFERS FROM AN UNACCREDITED DISTRICT TO AN ACCREDITED DISTRICT:

Currently, the school board of a school district that does not maintain an accredited school is required to pay the tuition and transportation of resident pupils who attend an accredited school in another district of the same or an adjoining county. This provision applies to both unaccredited school districts and K-8 school districts that do not offer high school grades.

This act differentiates between a K-8 school district that does not offer high school grades and a school district classified as unaccredited by the State Board of Education. This amendment specifies that the school board of an unaccredited district must pay the tuition and transportation of resident pupils who attend an accredited school in another district of the same or an adjoining county. A resident pupil of an unaccredited district may attend a school in another accredited district in the same or an adjoining county if the student was enrolled in and attending a public school in the district during the school year when the district lost its accreditation, or years subsequent to the year in which the district lost its accreditation.

The rate of tuition to be charged is the lesser of the nonresident tuition established by each district, or in the absence of nonresident tuition, the lesser of the two districts' average expenditure per pupil for the most recently completed year for which data are available. The residence district shall also pay the cost of education in the receiving district for any student with an IEP accepted in the receiving district.

Before a student who attends a public school in an unaccredited school district may transfer to a public school in an accredited district, the unaccredited district must determine if space is available in a district school that meets adequate yearly progress under No Child Left Behind. If space exists, the student must remain enrolled in the district attending that school. This right of first intervention by the unaccredited district will remain in effect as long as there are available spaces.

By June 30, 2011, each district must establish criteria for the admission of nonresident pupils from unaccredited districts. The primary criteria must be the availability of highly qualified teachers in existing classroom space. Each district must establish criteria for calculating available seats, taking into account the district's resident student population growth or decrease, such that the receiving district is not required to employ additional teachers or construct additional classrooms. In addition, resident pupils must not be displaced from the school building to which they are assigned. The receiving district will be responsible for assigning a student to a particular building.

When a student from an unaccredited district has been accepted in an accredited district, he or she may complete the educational program in the building to which he or she has been assigned, even if the district of residence regains accreditation. Upon a student's transition from an educational program in the building to which the student was assigned to a program in another building if the student's district of residence has regained accreditation, the student must return to his or her district of residence.

This provision is identical to a provision contained in HCS/SB 147 (2011) and is substantially similar to HB 763 (2011). This section contains an emergency clause. (Section 167.131)

CARDIOPULMONARY RESUSCITATION INSTRUCTION: Each school district that operates a high school and each charter school offering grades nine through twelve must provide instruction in CPR. Instruction may be embedded in any health education course in grades nine through twelve. Parameters for instruction are included in the act. Instruction will be required for high school graduation for students graduating in the 2014-2015 school year.

This section is identical to a provision contained in HCS/SB 147 (2011) and to HB 903 (2011). (Section 170.310)

SCHOOL CALENDAR: A school board may prepare a school calendar that contains at least 1088 hours of actual pupil attendance with no minimum number of days required.

This provision is identical to a provision contained in HCS/SB 147 (2011) and is identical to HB 765 (2011). (Section 171.031)

SHARING OF SERVICES AND INCREASING EFFICIENCIES ACT: This section establishes the "Sharing of Services and Increasing Efficiencies Act."

A school district or charter school may cooperate and share resources with one or more school districts, charter schools or any public, private, or nonprofit entity, political subdivision, public institution of higher

education, or private institution of higher education to achieve efficiencies, become more cost-effective, reduce costs, and reduce and minimize duplicative operations, services, and purchasing. Examples of cooperative actions include: group purchases of supplies and insurance products; administration of certain services; participation in a deferred compensation plan; and joint use of school district facilities for education purposes. A school district or charter may also engage in the following with any of the previously identified entities: cooperate to share employees; enter into agreements relating to the use of sites, buildings, facilities, furnishings, and equipment; and enter into agreements for services.

In addition, nothing in this section may be construed to prohibit any of the identified entities from entering into any cooperative agreement, as described in the act, or to prohibit any identified entity from altering any current agreement it may have with another entity described in the act without agreement from all the parties to the agreement or expiration of the contract that is in force upon the effective date of the act.

This act also repeals a requirement that certain payments made from any source by a school district that result in the transfer of the title of real property to the school district be deducted as an adjustment to the funds payable to the district under the school funding formula. (Sections 177.088 & 177.250)

CONTINUING PROFESSIONAL EDUCATION CURRICULUM ON RECOGNITION OF EATING DISORDERS: This act requires the Department of Mental Health to develop a continuing professional education curriculum for the recognition and response to eating disorders in young people by December 31, 2011. The Department must collaborate with the Department of Elementary and Secondary Education and the Missouri Eating Disorder Council.

Any school district may adopt and implement this curriculum for its school nurses, health care professionals, psychologists, counselors, and athletic coaches who are responsible for students in grades six through twelve.

This section is identical a provision contained in HCS/SB 147 (2011) and is identical to SB 192 (2011) and HB 586 (2011). (Section 630.590)

SECTION 1 – The Joint Committee on Education must review the fifth cycle school improvement program standards to determine what effects, if any, changes to performance standards may have on the number and type of charter schools and sponsorship as a consequence of a district's accreditation status. The Joint Committee must deliver a report, with any recommendations for changes to law or State Board of Education policy, no later than December 31, 2011.

This provision is also contained in HCS/HB 473 (2011) and HCS/SB 147 (2011).

This act contains an emergency clause on section 167.131.
MICHAEL RUFF

02/09/2011 S First Read--SB 243-Cunningham (S216)
02/10/2011 Second Read and Referred S General Laws Committee (S235)
02/15/2011 Hearing Conducted S General Laws Committee
02/22/2011 Voted Do Pass S General Laws Committee
02/24/2011 Reported from S General Laws Committee to Floor (S330)
03/01/2011 SA 1 S offered & adopted (Chappelle-Nadal)--(0249S04.05S) (S364)
03/01/2011 Bill Placed on Informal Calendar (S364)
03/02/2011 SA 2 S offered & adopted (Chappelle-Nadal)--(0249S04.08S) (S372)
03/02/2011 Perfected, as amended (S372)
03/02/2011 Reported Truly Perfected S Rules Committee (S381)
03/03/2011 S Third Read and Passed (S386)
03/03/2011 H First Read (H526)
03/07/2011 H Second Read (H532)
03/31/2011 Referred H Elementary and Secondary Education Committee (H811)
04/13/2011 Hearing Conducted H Elementary and Secondary Education Committee
04/19/2011 HCS Voted Do Pass H Elementary and Secondary Education Committee
04/28/2011 HCS Reported Do Pass H Elementary and Secondary Education Committee (H1685)
04/28/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1685)
05/03/2011 HCS Voted Do Pass H Rules Pursuant Committee
05/03/2011 HCS Reported Do Pass H Rules Pursuant Committee (H1795)
05/03/2011 Referred H Fiscal Review Committee (H1796)
05/09/2011 HCS Voted Do Pass H Fiscal Review Committee

05/09/2011 HCS Reported Do Pass H Fiscal Review Committee (H2057)
05/13/2011 H Calendar S Bills for Third Reading w/HCS

EFFECTIVE: Varies

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*** SB 244 *** 1133S.01I

SENATE SPONSOR: Green

SB 244 - This act changes the name of the Missouri Head Injury Advisory Council to the Missouri Brain Injury Advisory Council and codifies the executive order transferring the Missouri Brain Injury Advisory Council to the Department of Health and Senior Services. The act provides for the decrease of members of the council from the present twenty-five to fifteen. Meetings of the full council shall be held four times a year or at the call of the council chairperson.

This act prescribes some additional duties for the department, including promulgating rules to prescribe polices or standards which affect charging and funding of adult brain injury rehabilitation services and reasonable rules relative to the implementation of participant rights for those using rehabilitation services. The department shall also promulgate rules to create a reasonable standard means test to be applied to all programs and services funded by the department. The administration of the Brain Injury Fund is also transferred to the department. This act also provides that services provided by the department shall be directed toward preparation for education or vocational achievement, independent living, and community participation.

This act is substantially similar to SB 908 (2010), SB 487 (2009) and SB 333 (2007).
ADRIANE CROUSE

02/09/2011 S First Read--SB 244-Green (S216)
02/10/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S235)
02/22/2011 Hearing Conducted S Health, Mental Health, Seniors and Families Committee
03/15/2011 Voted Do Pass S Health, Mental Health, Seniors and Families Committee

EFFECTIVE: August 28, 2011

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*** SB 245 *** 0319S.01I

SENATE SPONSOR: Lembke

SB 245 - This act provides that physician services currently covered under the MO HealthNet program shall include those services provided by chiropractors and in accordance with the chiropractic practice act.
ADRIANE CROUSE

02/09/2011 S First Read--SB 245-Lembke (S216)
02/10/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S235)

EFFECTIVE: August 28, 2011

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*** SB 246 *** 1248S.02I

SENATE SPONSOR: Lamping

This bill has been combined with SB 189

02/09/2011 S First Read--SB 246-Lamping and Schmitt (S216)
02/10/2011 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S235)
02/16/2011 Hearing Conducted S Jobs, Economic Development and Local Government Committee
03/17/2011 Bill Combined - SCS/SBs 189, 217,246, 252 & 79

EFFECTIVE: August 28, 2011

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*** SB 247 *** 1036S.03I

SENATE SPONSOR: Pearce

SS/SB 247 – This act modifies the elementary and secondary education foundation formula.

This act modifies the phase-in of the SB 287 formula (2005). Currently, the phase-in requires that school

districts receive a percentage of their payment from the old SB 380 formula and a percentage from the SB 287 formula. This act eliminates the portion of the payment that comes from the SB 380 formula. Instead, all payments will be based on the SB 287 formula with a proration method to accommodate available appropriations. This act provides proration benchmarks for appropriations beginning in fiscal year 2013 that increase and continue until fiscal year 2016.

In any year in which appropriations do not equal the amount necessary to fully fund the formula, payments will be modified to accommodate available appropriations. Payment reductions or increases will be calculated differently for hold-harmless and formula districts. If the formula is overfunded, payments to hold-harmless districts will be increased at half the rate of formula districts. If appropriations are less than what is required to fully fund the formula, payments to hold-harmless districts will be decreased at half the rate of formula districts.

In addition, current law allows the state adequacy target to be adjusted to accommodate available appropriations upon completion of the existing phase-in. This adjustment method is eliminated.

Language pertaining to the summer school penalty, which terminated at the end of the 2008-2009 school year, is repealed. (Sections 163.011 & 163.031)

Beginning with the 2011-2012 school year, summer school attendance to be included in average daily attendance will only count attendance hours based exclusively on academic areas of study or hours required by a student's individualized education program. Curriculum must be based on core subject areas. Each school district must verify to the Department of Elementary and Secondary Education that the district's summer school program conforms to this requirement. School districts may provide a summer school program that offers nonacademic or enrichment activities at the district's expense. (Section 163.036)

This act repeals language that would trigger an increase in state funding if summer school attendance were to decrease by twenty-five percent as compared to the 2005-2006 school year summer school attendance. (Section 163.037)

This act contains an emergency clause for the summer school provisions in sections 163.036 and 163.037. (Section B) This act also contains an effective date of July 1, 2012 for the changes to sections 163.011 and 163.031. (Section C)

This act contains provisions identical to SCS/SB 253 (2011).
MICHAEL RUFF

02/09/2011 S First Read--SB 247-Pearce (S216)
02/10/2011 Second Read and Referred S Education Committee (S235)
03/02/2011 Hearing Conducted S Education Committee
03/09/2011 Voted Do Pass S Education Committee
03/10/2011 Reported from S Education Committee to Floor (S435)
03/28/2011 SS S offered (Pearce)--(1036S.07F) (S508-509)
03/28/2011 Bill Placed on Informal Calendar (S509)
04/13/2011 Taken up for Perfection (S700)
04/13/2011 Bill Placed on Informal Calendar (S700)
05/13/2011 S Informal Calendar S Bills for Perfection--SB 247-Pearce, with SS (pending)

EFFECTIVE: Emergency Clause

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*** SB 248 *** 1310S.01I

SENATE SPONSOR: Parson

SB 248 - 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.

This act is similar to provisions contained within the SS/SCS/SB's 895, 813, 911, 924, & 802 (2010).
JASON ZAMKUS

02/09/2011 S First Read--SB 248-Parson (S226)
02/10/2011 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S235)
02/16/2011 Hearing Conducted S Jobs, Economic Development and Local Government Committee

EFFECTIVE: August 28, 2010

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*** SB 249 *** 1262S.02I

SENATE SPONSOR: McKenna

SCS/SB 249 - This act creates the "Political Subdivision Construction Bidding Standards Act". This act does not apply to political subdivisions that have specific state or local competitive bidding requirements that are equivalent to, 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 to, or stricter in, its requirements, it shall comply with the advertising and bidding requirements outlined in this act when soliciting bids and awarding contracts that exceed $25,000.

Bids shall be advertised in the following manner: through publication in a central repository developed by the office of administration, or a private firm under contract with the office, at no cost to the state; on the political subdivision's own website if it has a link to the central repository; in a newspaper of general circulation located in the same county as the political subdivision, or an adjoining county, for a period of once a week for two consecutive weeks; or through publication, at no cost to the public subdivision, in a central repository developed by an organization representing political subdivisions. The political subdivision may, in addition to advertising in the manner described above, also advertise the bids in business, trade, or minority newspapers.

The advertising requirements do not apply when a political subdivision has publicly stated, in writing, that the political subdivision is using a sole source method to award a construction contract because of the unique nature or limited availability of materials, equipment, or skills for the construction project.

The contract must be awarded to the lowest and best bidder, however, the political subdivision may reject any and all bids.

Bidding must comply with the following procedures: no bids may be opened in advance of the advertised deadline; bids must be written and sealed; no bids may be accepted after the advertised deadline; and bids must be held confidentially.

A person who would have bid on a contract had it been advertised also may seek a court order to have the contract rebid, but only within fifteen days of the date the political subdivision opened the bids.

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.

This act is similar to provisions of SB 729 (2010), HB 2218 (2010), SS/SCS/HCS/HB 1290 (2010), HCS/SB 716 (2010, and HCS/SCS/SB 887 (2010).
MEGHAN LUECKE

02/09/2011 S First Read--SB 249-McKenna, et al (S226)
02/10/2011 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S235)
03/09/2011 Hearing Conducted S Jobs, Economic Development and Local Government Committee
04/06/2011 SCS Voted Do Pass S Jobs, Economic Development and Local Government Committee - (1262S.05C)

EFFECTIVE: August 28, 2011

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*** SB 250 *** CCS#2 HCS SB 250 1451S.05T

SENATE SPONSOR: Kehoe HOUSE HANDLER: Schad

HCS/SB 250 - Under current law, sexual assault offenders imprisoned by the department of corrections must complete all treatment, education, and rehabilitation programs provided by the department of corrections. This act requires the offender to complete such programs before being eligible for probation or conditional release.

Current law prohibits certain sex offenders from living within 1,000 feet of public and private schools, and child-care facilities as that term is defined under section 210.201. This act expands the list of places certain sex offenders may not live within 1,000 feet of to include any child-care facility that is licensed under chapter 210 and any license-exempt child-care facility that is subject to state regulations regarding fire, safety, health, and sanitation inspections.

This act is similar to HB 384 (2011).
MEGHAN LUECKE

02/09/2011 S First Read--SB 250-Kehoe (S226)
02/10/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S236)
02/21/2011 Hearing Scheduled But Not Heard S Judiciary and Civil and Criminal Jurisprudence Committee
02/28/2011 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee
03/09/2011 Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee
03/10/2011 Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor (S434)
03/16/2011 SA 1 S offered & adopted (Callahan)--(1451S01.01S) (S470)
03/16/2011 Perfected, as amended (S470)
03/16/2011 Reported Truly Perfected S Rules Committee (S479)
03/17/2011 S Third Read and Passed (S488-489)
03/17/2011 H First Read (H702)
03/18/2011 H Second Read (H707)
03/31/2011 Referred H Crime Prevention & Public Safety Committee (H811)
04/06/2011 Hearing Conducted H Crime Prevention & Public Safety Committee
04/06/2011 Voted Do Pass H Crime Prevention & Public Safety Committee
04/11/2011 Commitee Vote Reconsidered H Crime Prevention & Public Safety Committee
04/21/2011 HCS Voted Do Pass H Crime Prevention & Public Safety Committee
04/21/2011 HCS Reported Do Pass H Crime Prevention & Public Safety Committee (H1428)
04/21/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1428)
05/03/2011 HCS Voted Do Pass H Rules Pursuant Committee
05/03/2011 HCS Reported Do Pass H Rules Pursuant Committee (H1795)
05/09/2011 HA 1 to HCS H offered & adopted (Schad)--(1451L03.03H) (H2131-2146)
05/09/2011 HCS, as amended, H adopted (H2146)
05/09/2011 H Third Read and Passed (H2146-2147 / S1546-1568)
05/10/2011 S refuses to concur in HCS, as amended (S1627 / H2192)
05/10/2011 S requests H recede or grant conference (S1627 / H2192)
05/10/2011 H refuses to recede and grants conference (H2192 / S1673)
05/10/2011 S conferees appointed: Kehoe, Goodman, Engler, Callahan, Keaveny (S1674 / H2204)
05/10/2011 H conferees appointed: Schad, Cierpiot, Higdon, Colona, Swearingen (H2204 / S1676)
05/11/2011 H submits CCR#2 (H2438)
05/12/2011 CCR#2 S offered & adopted (S1965-1966)
05/12/2011 CCS#2 S Third Read and Passed (S1966)
05/13/2011 CCR#2 H adopted
05/13/2011 CCS#2 H Third Read and Passed
05/13/2011 Truly Agreed To and Finally Passed

EFFECTIVE: August 28, 2011

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*** SB 251 *** 1224S.02I

SENATE SPONSOR: Kehoe

SB 251 - This act changes the classification of certain watercraft from personal property to real property for property tax purposes. To be classified as real property, the watercraft must: be the temporary or permanent residence of the taxpayer; have kitchen, bath, and toilet facilities; have a sleeping area; be registered as a watercraft by the state; and be eligible for the home mortgage deduction on the taxpayer's federal income tax return.

This act is similar to House Bill 1647 (2010).
JASON ZAMKUS

02/09/2011 S First Read--SB 251-Kehoe (S227)
02/10/2011 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S236)

EFFECTIVE: August 28, 2011

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*** SB 252 *** 0042S.01I

SENATE SPONSOR: Kehoe

This bill has been combined with SB 189

02/09/2011 S First Read--SB 252-Kehoe (S227)
02/10/2011 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S236)
02/16/2011 Hearing Conducted S Jobs, Economic Development and Local Government Committee
03/17/2011 Bill Combined - SCS/SBs 189, 217,246, 252 & 79

EFFECTIVE: August 28, 2011

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*** SB 253 *** SCS SB 253 1323S.03C

SENATE SPONSOR: Callahan

SCS/SB 253 – Beginning with the 2011-2012 school year, summer school attendance to be included in average daily attendance will only count attendance hours based exclusively on academic areas of study or hours required by a student's individualized education program. Curriculum must be based on core subject areas. Each school district must verify to the Department of Elementary and Secondary Education that the district's summer school program conforms to this requirement. School districts may provide a summer school program that offers nonacademic or enrichment activities at the district's expense. (Section 163.036)

This act repeals language that would trigger an increase in state funding if summer school attendance were to decrease by twenty-five percent as compared to the 2005-2006 school year summer school attendance. (Section 163.037)

This act contains an emergency clause.
MICHAEL RUFF

02/10/2011 S First Read--SB 253-Callahan and Cunningham (S231)
02/17/2011 Second Read and Referred S Education Committee (S284)
03/09/2011 Hearing Conducted S Education Committee
03/16/2011 SCS Voted Do Pass S Education Committee - (1323S.03C)
04/14/2011 Reported from S Education Committee to Floor w/SCS (S736)
05/13/2011 S Formal Calendar S Bills for Perfection--SB 253-Callahan and Cunningham, with SCS

EFFECTIVE: Emergency Clause

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*** SB 254 *** HCS SS SCS SB 254 1491L.07C

SENATE SPONSOR: Stouffer HOUSE HANDLER: Cox

HCS/SS/SCS/SB 254 - This act modifies the law governing intoxicated -related traffic offenses.

Current state law (Section 302.309.3(2)) allows courts and the Department of Revenue to issue limited driving privileges to allow repeat offenders to drive a motor vehicle to: (1) a business, occupation or employment; (2) medical treatment; (3) school; (4) alcohol or drug treatment programs; (5) an ignition interlock provider for required service; and (6) other circumstances the court or the department finds would create an undue hardship. However, for purposes of federal transportation funding, federal law (23 USC §164) only allows the issuance of a limited driving privilege in connection with: (1) work; (2) attending school; (3) attending alcohol treatment programs; and (4) seeking the required services of an ignition interlock provider. In order to comply with federal law, section 302.309.3(2) must be amended so that a repeat offender limited driving privilege may only be granted for the four purposes authorized by Section 164. Under the terms of this act, the courts and the department will only be able to issue limited driving privileges to repeat offenders for the purpose of driving to or from the operator's place of employment, attending school,

attending alcohol or drug treatment programs, and seeking the services of a certified ignition interlock device provider. Limited driving privileges may not be granted for seeking medical treatment or other circumstances that create undue hardships for the driver.

This act also modifies the "hard walk" provision contained in section 302.309.3(6)(a) from 30 days to 45 days in cases of a revocation so that certain repeat offenders will not be eligible for a limited driving privilege until such person has completed the first 45 days of the revocation.

Current Missouri law (Section 577.023) allows prior and persistent offenders to participate in and successfully complete a DWI court in lieu of jail time or community service. A prior or persistent offender may escape the statutory minimum days of imprisonment by performing community service or successfully completing a DWI court program. Federal law, however, does not authorize DWI courts as an alternative to mandatory jail or community service. Under the terms of this act, prior and persistent offenders may avoid the minimum days of imprisonment by performing community service and completing a DWI court program, if such program is available. The DWI court program or other treatment program must include the minimal periods of community service.

Under current law, in a jury trial involving a repeat DWI offender, the defendant's status as a prior, persistent, aggravated, or chronic offender must be pleaded, established and found prior to submission to the jury outside of its hearing. Some repeat offenders have not received a fully enhanced sentence under the law because the Missouri Supreme Court has held that the statutes requiring a defendant's prior offender status be pleaded and proven prior to the case being submitted to the jury is mandatory and that a trial court is not authorized to determine a defendant's repeat offender status after a case is submitted to a jury. This act attempts to remedy the applicable statutes (§558.021 and 577.023) by providing that any error or omission in pleading or proving an offender's repeat offender status may be corrected by amending the pleadings or supplementing the record, on notice and hearing, prior to sentencing. The act further provides that any error in pleading or proving a repeat offender's status shall not require vacation or reversal of sentence on appeal unless such error results in substantial prejudice to the rights of the defendant or a miscarriage of justice, and nothing in the statutes shall be construed to preclude a remand to permit correction of such error after notice and hearing (Sections 558.021 and 577.023).

Under current law, a prior offender of an intoxication-related traffic offense must perform at least 30 days of community service and a persistent offender must perform at least 60 days of service before being eligible for parole or probation. This act requires a prior offender perform at least 240 hours of service during those 30 days and a persistent offender perform at least 480 hours in 60 days (Section 577.023). This portion of the act can also be found in HB 199 (2011).

This act amends section 302.530 so that an administrative hearing to revoke or suspend a person's license for an excessive blood alcohol content violation may be conducted at a regional location designated by the director rather than the county where the arrest was made (Section 302.530).
STEPHEN WITTE

02/10/2011 S First Read--SB 254-Stouffer (S231)
02/17/2011 Second Read and Referred S Transportation Committee (S284)
02/23/2011 Hearing Conducted S Transportation Committee
03/02/2011 SCS Voted Do Pass S Transportation Committee - (1491S.02C)
03/03/2011 Reported from S Transportation Committee to Floor w/SCS (S388)
03/07/2011 Bill Placed on Informal Calendar (S400)
04/06/2011 SS for SCS S offered (Stouffer)--(1491S.05F) (S632)
04/06/2011 SA 1 to SS for SCS S offered & adopted (Stouffer)--(1491S05.01S) (S632)
04/06/2011 SA 2 to SS for SCS S offered & adopted (Callahan)--(1491S05.02S) (S632)
04/06/2011 SS for SCS, as amended, S adopted (S632)
04/06/2011 Perfected (S632)
04/07/2011 Reported Truly Perfected S Rules Committee (S643)
04/07/2011 Referred S Ways & Means and Fiscal Oversight Committee (S668)
04/14/2011 Hearing Conducted S Ways and Means and Fiscal Oversight Committee
04/14/2011 Voted Do Pass S Ways & Means and Fiscal Oversight Committee
04/14/2011 Reported from S Ways & Means and Fiscal Oversight Committee to Floor (S721)
04/14/2011 S Third Read and Passed (S723)
04/14/2011 H First Read (H1297)
04/18/2011 H Second Read (H1304)
04/26/2011 Referred H Crime Prevention & Public Safety Committee (H1619)
05/02/2011 Hearing Conducted H Crime Prevention & Public Safety Committee

05/04/2011 HCS Voted Do Pass H Crime Prevention & Public Safety Committee
05/04/2011 HCS Reported Do Pass H Crime Prevention & Public Safety Committee (H1857)
05/04/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1857)
05/05/2011 HCS Voted Do Pass H Rules Pursuant Committee
05/05/2011 HCS Reported Do Pass H Rules Pursuant Committee (H2048)
05/11/2011 HA 1 to HCS H offered & adopted (Cox)--(1491L07.07H) (H2349-2350)
05/11/2011 HA 2 to HCS H offered & adopted (Cox)--(1491L07.02H) (H2350)
05/11/2011 HCS, as amended H adopted (H2350)
05/11/2011 H Third Read and Passed (H2351 / S1826-1827)
05/12/2011 S refuses to concur in HCS, as amended (S1959 / H2543)
05/12/2011 S requests H recede or grant conference (S1959 / H2543)
05/12/2011 H refuses to recede and grants conference (H2543 / S1960)
05/12/2011 S conferees appointed: Stouffer, Kehoe, Engler, McKenna, Wright-Jones (S1963)
05/12/2011 H conferees appointed: Cox, Elmer, Barnes, Colona, Carlson (H2548 / S1963)
05/12/2011 H submits CCR
05/13/2011 In Conference--SS for SCS for SB 254-Stouffer, with HCS, as amended

EFFECTIVE: August 28, 2011

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*** SB 255 *** 0994S.02I

SENATE SPONSOR: Keaveny

SB 255 - This act bars current representatives and senators from contracting with or soliciting other current senators or representatives for political fund raising, campaigning, or consulting in relation to the election of any state or federal office.

Elected officials and staff members shall not act as a lobbyist except for a governmental entity.

Committee treasurers and deputy treasurers are required to reside in the district or county in which the committee sits and shall only act as such for one committee at a time. Those found to be acting as treasurer or deputy treasurer for more than one committee shall vacate such position for all committees. Each legislative and senatorial district committee shall retain only one address in the district it sits for the purposes of receiving contributions.

The act removes a provision of law barring political action committees from receiving contributions from other committees and a provision requiring committees to file campaign finance reports electronically.

Committees shall not transfer funds to any other committee. An exception is made for transfers from a continuing committee to a candidate committee. A knowing and intentional violation of the transfer restriction is a Class A misdemeanor. Willful violation with the intent to conceal the actual source or nature of such funds is a Class D felony.

The act establishes campaign contribution limits for individuals and committees. The limits are as follows for contributions made by or accepted from any person other than the candidate in an election and any committee:

- $2,000 for Governor, Lieutenant Governor, Secretary of State, Treasurer, Auditor, or Attorney General.
- $1,000 for Senators.
- $500 for Representatives.
- $500 for any other office, including judicial office, if the population of the area is under 100,000.
- $1,000 for any other office, including judicial office, if the population of the area is between 100,000 and 250,000.
- $2,000 for 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), SB 270 (2009), HCS/SS#2/SCS/SB 577 (2010), SB 800 (2010), HCS#2/SB 844 (2010), SB 648 (2010), HB 1322 (2010), HB 1326 (2010), HB 1337 (2010), HB 1727 (2010), HB 1846 (2010), HB 2039 (2010), HCS/HB 2300 (2010), and SB 75 (2011).
CHRIS HOGERTY

02/10/2011 S First Read--SB 255-Keaveny (S231)
02/17/2011 Second Read and Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S285)

EFFECTIVE: August 28, 2011

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*** SB 256 *** 1319S.01I

SENATE SPONSOR: Kraus

SB 256 - This act repeals the following tax credit programs:
1) The Wine and Grape Production Tax Credit;
2) The Charcoal Producers Tax Credit;
3) The Wood Energy Tax Credit;
4) The Self-Employed Health Insurance Tax Credit;
5) The Rebuilding Communities Tax Credit;
6) The Film Production Tax Credit;
7) The Small Business Incubator Tax Credit;
8) The Railroad Rolling Stock Tax Credit.

JASON ZAMKUS

02/10/2011 S First Read--SB 256-Kraus (S231)
02/17/2011 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S285)

EFFECTIVE: August 28, 2011

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*** SB 257 *** 1365S.01I

SENATE SPONSOR: Kraus

SB 257 - Under current law, low-income housing tax credits are allowed over a ten-year period. Beginning January 1, 2012, this act reduces the period of time in which low-income housing tax credits are allowed to a five-year period and limits the total amount of low-income tax credits issued annually to no more than sixteen million dollars. After January 1, 2012, priority will be given, in the issuance of low-income housing tax credits, to taxpayers that have not received such credits within five years. The issuance of four percent low-income housing tax credits will be prohibited after January 1, 2012. The act also prohibits stacking low-income housing tax credits with historic preservation tax credits.

JASON ZAMKUS

02/10/2011 S First Read--SB 257-Kraus (S231)
02/17/2011 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S285)

EFFECTIVE: August 28, 2011

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*** SB 258 *** 1362S.01I

SENATE SPONSOR: Kraus

SB 258 - Under current law, the Department of Economic Development is prohibited from issuing more than one hundred forty million dollars in historic preservation tax credits in any fiscal year for projects which will receive more than two hundred and seventy-five thousand dollars in tax credits. Beginning fiscal year 2013, and each fiscal year thereafter, this act would prohibit the Department of Economic Development from issuing more than seventy-five million dollars in historic preservation tax credits increased by the amount of any recisions of approved applications for tax such credits. Projects which would receive less than two hundred seventy-five thousand dollars in tax credits will be subject to the seventy-five million dollar cap.

The act prohibits the department from issuing more than fifty thousand dollars in historic preservation tax credits per project for non-income producing residential rehabilitation projects. Non-income producing residential rehabilitation projects involving a subject property with a purchase price in excess of one hundred fifty thousand dollars will be ineligible for tax credits. Applicants for projects that, as of June 30, 2012, have: received approval from the Department of Economic Development; incurred certain levels of expenses; or received certification from the state historical preservation officer will not be subject to the new limitations on tax credit issuance, but will be subject to the current law limitations on tax credit issuance. The act also prohibits the stacking of historic preservation tax credits with neighborhood preservation tax credits or low-income housing tax credits.

JASON ZAMKUS

02/10/2011 S First Read--SB 258-Kraus (S231)
02/17/2011 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S285)

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*** SB 259 *** 1326S.01I

SENATE SPONSOR: Kraus

SB 259 - This act subjects the following tax credit programs to two-year sunset provisions:

1) The Bank Franchise Tax Credit;
2) The Bank Tax Credit for S-Corporations;
3) The Examination Fee Tax Credit;
4) The Missouri Health Insurance Pool Tax Credit;
5) The Missouri Life and Health Insurance Guaranty Tax Credit; and
6) The Property and Casualty Insurance Guaranty Tax Credit.

The following tax credit programs will be subject to four-year sunset provisions:

1) The Brownfield Remediation Tax Credit;
2) The Neighborhood Preservation Tax Credit;
3) The BUILD Tax Credit;
4) The Business Facility Tax Credit;
5) The Development Tax Credit;
6) The Enhanced Enterprise Zone Tax Credit;
7) The MDFB Bond Guarantee Tax Credit;
8) The MDFB Infrastructure Development Contribution Tax Credit;
9) The Missouri Quality Jobs Act;
10) The Family Farm Breeding Livestock Tax Credit;
11) The Agricultural Product Utilization Tax Credit;
12) The New Generation Cooperative Tax Credit; and
13) The Neighborhood Assistance Tax Credit.

The following tax credit programs will be subject to six-year sunset provisions:

1) The Historic Preservation Tax Credit;
2) The Low-Income Housing Tax Credit;
3) The Domestic Violence Shelter Tax Credit;
4) The Maternity Home Tax Credit;
5) The Shared Care Tax Credit; and
6) The Youth Opportunities Tax Credit.

JASON ZAMKUS

02/10/2011 S First Read--SB 259-Kraus (S231)
02/17/2011 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S285)

EFFECTIVE: August 28, 2011

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*** SB 260 *** SCS SB 260 1312S.03C

SENATE SPONSOR: Wasson

SCS/SB 260 - This act increases penalties for moving violations and traffic offenses occurring within an active emergency zone. Such a zone is defined under this act as an area that is visibly marked by emergency responders on, or around, a highway, and where an active emergency or incident removal is temporarily occurring.

Any person convicted of a first moving violation or traffic offense within an active emergency zone shall be assessed a fine of $35 in addition to any other fine authorized by law. A second or subsequent offense within an active emergency zone shall be assessed a fine of $75.

Under this act, it is a Class C misdemeanor to pass another vehicle in an active emergency zone. Those who plead guilty to, or are convicted of, a speeding or passing violation shall be assessed a fine of $250 in addition to any other fine authorized by law. A second or subsequent speeding or passing violation shall result in a $300 fine.

A person commits the offense of endangerment of an emergency responder if, while in an active emergency zone while emergency responders are present, the person:

(1) Exceeds the posted speed limit by 15 mph or more;

(2) Passes another vehicle;

(3) Fails to stop for a flagman, an emergency responder, or a traffic control signal in the active emergency zone;

(4) Drives through, or around, an active emergency zone via any lane that is not for motorists;

(5) Physically assaults, threatens, or attempts to assault an emergency responder with a motor vehicle or other instrument;

(6) Intentionally strikes or moves barrels, barriers, signs or other devices for a reason other than to avoid an obstacle, emergency, or to protect the health and safety of another person; or

(7) Commits various offenses that allow for the assessment of points under section 302.302.

When no injury or death results, a person who pleads guilty to, or is convicted of, endangering an emergency responder shall be subject to a fine of not more than $1,000. If a death or injury results, the person commits aggravated endangerment of an emergency responder. The penalty for aggravated endangerment of an emergency responder is a fine of not more than $5,000 if a responder is injured, and not more than $10,000 if death resulted.

The act provides for the assessment of 4 points for endangerment of an emergency responder and 12 points for aggravated endangerment of an emergency responder.

If a person commits endangerment or aggravated endangerment of an emergency responder as a result of a vehicle's mechanical failure or the negligence of another person, then the person shall not be cited for, or convicted of, such offenses.

This section is similar to provisions of HCS/SCS/SB 887 (2010), HCS/HB 1541 (2010), and HB 1693 (2010).
STEPHEN WITTE

02/10/2011 S First Read--SB 260-Wasson (S232)
02/17/2011 Second Read and Referred S Transportation Committee (S285)
02/23/2011 Hearing Conducted S Transportation Committee
03/30/2011 SCS Voted Do Pass S Transportation Committee - (1312S.03C)
04/14/2011 Reported from S Transportation Committee to Floor w/SCS (S733)
05/13/2011 S Formal Calendar S Bills for Perfection--SB 260-Wasson, with SCS

EFFECTIVE: August 28, 2011

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*** SB 261 *** 1453S.02I

SENATE SPONSOR: Goodman

SB 261 - Under this section, a person commits criminal nonsupport if he or she knowingly fails to provide adequate support for his or her spouse or child as legally obligated. Currently, such an act is criminal if the person did so without good cause.

This section is similar to a provision of HCS/SCS/SB 829 (2010).
MEGHAN LUECKE

02/10/2011 S First Read--SB 261-Goodman (S232)
02/17/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S285)
04/04/2011 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee
04/18/2011 Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2011

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*** SB 262 *** 1411S.01I

SENATE SPONSOR: Goodman

SB 262 - Under this act, any health benefit plan that provides coverage and benefits for cancer chemotherapy treatment shall not require a higher copayment, deductible, or coinsurance amount for a prescribed, orally administered anticancer medication that is used to kill or slow the growth of cancerous cells than what the plan requires for an intravenously administered or injected cancer medication that is provided,

regardless of formulation or benefit category determination by the health carrier administering the health benefit plan. A health carrier shall not achieve compliance with the provisions of the act by imposing an increase in copayment, deductible, or coinsurance amount for an intravenously administered or injected cancer chemotherapy agent covered under the health benefit plan.
STEPHEN WITTE

02/10/2011 S First Read--SB 262-Goodman (S232)
02/17/2011 Second Read and Referred S Small Business, Insurance and Industry Committee (S285)
03/08/2011 Hearing Conducted S Small Business, Insurance and Industry Committee
03/29/2011 Voted Do Pass S Small Business, Insurance and Industry Committee

EFFECTIVE: August 28, 2011

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*** SB 263 *** 1005S.02I

SENATE SPONSOR: Green

SB 263 - This act requires pawnbrokers to make a photograph of anybody selling or pledging jewelry, gold, or silver and to complete a form for each transaction involving such items. In addition to descriptive information about the seller or pledgor and the sale, the transaction form must include the seller or pledgor's thumb print. The pawnbroker must display the photograph and fingerprint requirements in a prominent place.

The pawnbroker must hold onto the photograph and the form for a year. Sixty days before destroying the documents, the pawnbroker must notify the local police who may request the documents. The police may also request the documents at any other time within the year in connection with a specific item of stolen property and the pawnbroker must turn over the documents.

Pawnbrokers may not sell, trade, melt, dispose of, alter, or destroy jewelry, gold, or silver until a week after receiving the items unless the items are the subject of a hold order or needed as evidence.

A willful violation of this act is a misdemeanor punishable by a fine of up to $5,000 or up to six months confinement in the county jail. A second conviction will be punishable by fine or imprisonment and a permanent revocation of the pawnshop's license.
MEGHAN LUECKE

02/10/2011 S First Read--SB 263-Green (S232)
02/17/2011 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S285)
03/08/2011 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee

EFFECTIVE: August 28, 2011

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*** SB 264 *** SCS SB 264 1456S.02C

SENATE SPONSOR: Rupp

SB 264 - This act establishes that the state will consist of eight congressional districts effective with the election for the 113th Congress. The current congressional districts will remain in effect for any elections to the 112th Congress.

The act describes the congressional districts based on the results of the 2010 Census.
EMILY KALMER

02/10/2011 S First Read--SB 264-Rupp (S232)
02/17/2011 Second Read and Referred S Select Committee on Redistricting Committee (S285)
03/14/2011 Hearing Cancelled S Select Committee on Redistricting Committee
04/04/2011 Hearing Conducted S Select Committee on Redistricting Committee
04/04/2011 SCS Voted Do Pass S Select Committee on Redistricting Committee - (1456S.02C)
04/05/2011 Reported from S Select Committee on Redistricting Committee to Floor w/SCS (S597)
04/11/2011 Bill Placed on Informal Calendar (S676)
05/13/2011 S Informal Calendar S Bills for Perfection--SB 264-Rupp, with SCS

EFFECTIVE: August 28, 2011

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*** SB 265 *** 1417S.01I

SENATE SPONSOR: Rupp

SB 265 – This act creates the "Advanced Placement Incentive Grant." Any student who receives an Access Missouri award or receives funds under the A+ Schools Program and has also received a score of 3 or higher on two or more Advanced Placement tests in math or science will receive a $500 grant. In addition, a student must have earned the AP scores while attending a Missouri public high school.
MICHAEL RUFF

02/10/2011 S First Read--SB 265-Rupp (S232)
02/17/2011 Second Read and Referred S Education Committee (S285)
04/06/2011 Hearing Conducted S Education Committee

EFFECTIVE: August 28, 2011

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*** SB 266 *** 1457S.01I

SENATE SPONSOR: Dempsey

SB 266 - Under current law, the county clerk or the board of election commissioners is the election authority. This act designates the director of elections as the election authority in charter counties that do not have a board of election commissioners or a county clerk.
CHRIS HOGERTY

02/10/2011 S First Read--SB 266-Dempsey (S232)
02/17/2011 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S285)

EFFECTIVE: August 28, 2011

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*** SB 267 *** 1539S.01I

SENATE SPONSOR: Schaaf

SB 267 - This act requires hospitals to annually administer, or make available to be administered, immunizations against the influenza virus to hospital employees who have direct contact with patients of the hospital.

A hospital shall not require an employee to receive an immunization under this act if:
(1) The hospital has written documentation from the employee's physician or other health care provider indicating that the individual received an immunization and determines that no additional immunization is required;
(2) The immunization is medically contraindicated for the employee;
(3) Receiving the immunization is against the employee's religious beliefs; or
(4) The employee declines in writing the immunization after receiving education on the risks and benefits of an immunization against the influenza.
ADRIANE CROUSE

02/14/2011 S First Read--SB 267-Schaaf (S241)
02/17/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S285)

EFFECTIVE: August 28, 2011

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*** SB 268 *** 1452S.01P

SENATE SPONSOR: Stouffer

SB 268 – Under current law, the University of Missouri Board of Curators is given authority to award funds for research projects to advance knowledge in the area of Alzheimer's disease and related disorders. This act increases the statutory award amount per individual award from 30 thousand dollars to 50 thousand dollars per year.
ADRIANE CROUSE

02/14/2011 S First Read--SB 268-Stouffer (S241)
02/17/2011 Second Read and Referred S Education Committee (S285)
03/09/2011 Hearing Conducted S Education Committee
03/16/2011 Voted Do Pass S Education Committee
03/31/2011 Reported from S Education Committee to Floor (S541)
04/06/2011 Perfected (S606)
04/07/2011 Reported Truly Perfected S Rules Committee (S643)

04/11/2011 S Third Read and Passed (S680)
04/11/2011 H First Read (H1208)
04/12/2011 H Second Read (H1213)
04/26/2011 Referred H Higher Education Committee (H1619)

EFFECTIVE: August 28, 2011

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*** SB 269 *** 0391S.02I

SENATE SPONSOR: Brown

SB 269 - The act requires the State Auditor to audit every joint municipal utility commission in the state beginning in the year 2012 and at least once every two years thereafter. The municipalities that form a joint municipal utility commission must pay for the costs of the audit.

After conducting an audit of a joint municipal utility commission, the State Auditor must report the findings to the Governor and to the elected officers of each municipality that makes up the joint commission. The act lists certain financial disclosures that must be reported as part of any audit of a joint municipal utility commission.

The State Auditor must also report findings from an audit of a joint municipal utility commission to the General Assembly and may make legislative recommendations to improve accountability of the commissions.

The act requires at least one public hearing and voter approval prior to a third or fourth-class city entering into a contract to form a joint municipal utility commission or committing to an investment or project undertaken by a joint municipal utility commission where financial liability is held by the municipal citizens.
ERIKA JAQUES

02/14/2011 S First Read--SB 269-Brown (S241)
02/17/2011 Second Read and Referred S Governmental Accountability Committee (S285)

EFFECTIVE: August 28, 2011

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*** SB 270 *** HCS SCS SB 270 1258L.05C

SENATE SPONSOR: Kraus HOUSE HANDLER: Dugger

HCS/SCS/SB 270 - Currently, the Governor has statutory authority to fill vacancies until successors are elected for the office of United States Senator; various state and county offices filled by election; circuit attorney, prosecuting attorney, and assistant prosecuting attorney offices; and all statewide offices excluding Lieutenant Governor. This act requires the Governor to fill all vacated statewide offices and the office of United States Senator by special election for the remainder of each respective term.

In the case of vacancies for Lieutenant Governor, Secretary of State, and Treasurer, the Governor shall take charge of the vacated office and superintend business until the successor is elected by special election. In the case of a vacancy in the office of Auditor and Attorney General, the Governor shall appoint an acting Auditor and Attorney General who shall take charge of the vacated office and superintend business until the successor is elected by special election.

If the Lieutenant Governor, Attorney General, Auditor, or Treasurer are impeached, such individuals shall be suspended until the impeachment is determined. If convicted, the Governor shall fill the vacancy by special election. Currently, in the case of the impeachment of the Secretary of State, the office shall be filled by appointment until impeachment is determined. If convicted, the Governor shall then fill the vacancy by special election.

County collector-treasurers are required to be 21 years old, registered voters, current in the payment of all state income and personal and real property taxes, a resident of the county in which he or she is a candidate for at least one year prior to the election and remain a resident of the county in which he or she is elected throughout his or her term of office. Candidates for such office are required to present the election authority with a signed affidavit from a surety company indicating that the candidate meets the statutory bond requirements for the office. Collector-treasurers shall have the sole authority to appoint deputies.

This act removes the first Tuesday after the first Monday in June as a date available for public elections.

This act removes a provision that requires ballots of deceased absentee voters to be rejected when

sufficient evidence is shown to the election authority that the voter has died prior to the opening of the polls on election day.

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.

Party emblems shall not longer be printed on the ballot above the party caption.

This act is similar to SB 253 (2009), HB 681 (2009), HB 1497 (2010), HB 107 (2011), HCS/SB 282 (2011), and HB 54 (2011).
CHRIS HOGERTY

HA 1 - MOVES THE PRESIDENTIAL PREFERENCE PRIMARY FROM FEBRUARY TO MARCH.

HA 2 - ALLOWS THE BOARD OF DIRECTORS OF CERATIN PUBLIC LIBRARY DISTRICTS TO IMPOSE A RETAIL SALES TAX.

HA 3 - REMOVES A REQUIREMENT THAT CERTAIN OUT OF STATE COMMITTEES FILE A STATEMENT OF ORGANIZATION AND APPOINT A TREASURER RESIDING IN THE STATE AND OPEN A BANK ACCOUNT WITHIN THE STATE.

HA 4 - SETS THE AGE MINIMUM FOR MAYOR OF A THIRD CLASS CITY WITH A MANAGER FORM OF GOVERNMENT AT 24 YEARS.

HA 5 - ALLOWS THE SECRETARY OF STATE TO ENTER INTO AGREEMENTS WITH OTHER ORGANIZATIONS TO PRINT AND DISTRIBUTE COPIES OF THE OFFICIAL MANUAL, COMMONLY KNOWN AS THE BLUE BOOK.

HA 6 - ALLOWS ELECTION AUTHORITIES TO PROMULGATE RULES ESTABLISHING AN OPTION FOR VOTERS TO PROVIDE THEIR EMAIL ADDRESSES TO RECEIVE ELECTION INFORMATION.

02/14/2011 S First Read--SB 270-Kraus (S241)
02/17/2011 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S285)
02/21/2011 Hearing Conducted S Financial and Governmental Organizations and Elections Committee
02/28/2011 SCS Voted Do Pass S Financial and Governmental Organizations and Elections Committee (1258S.03C)
04/14/2011 Reported from S Financial and Governmental Organizations and Elections Committee to Floor w/SCS (S733)
04/19/2011 Bill Placed on Informal Calendar (S772)
04/19/2011 SCS S adopted (S777-778)
04/19/2011 Perfected (S778)
04/19/2011 Reported Truly Perfected S Rules Committee (S779)
04/21/2011 S Third Read and Passed (S810)
04/21/2011 H First Read (H1432)
04/22/2011 H Second Read (H1439)
04/26/2011 Referred H Elections Committee (H1619)
04/28/2011 Hearing Conducted H Elections Committee
04/28/2011 HCS Voted Do Pass H Elections Committee
04/28/2011 HCS Reported Do Pass H Elections Committee (H1684)
04/28/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1684)
05/03/2011 HCS Voted Do Pass H Rules Pursuant Committee
05/03/2011 HCS Reported Do Pass H Rules Pursuant Committee (H1795)
05/03/2011 Referred H Fiscal Review Committee (H1796)
05/04/2011 HCS Voted Do Pass H Fiscal Review Committee
05/04/2011 HCS Reported Do Pass H Fiscal Review Committee (H1833)
05/09/2011 HA 1 to HCS H offered & adopted (Dugger)--(1258L05.08H) (H2148-2149)
05/09/2011 HA 2 to HCS H offered & adopted (Richardson)--(1258L06.12H) (H2149-2151)
05/09/2011 HA 3 to HCS H offered & adopted (Molendorp)--(1258L05.07H) (H2151-2154)
05/09/2011 Bill Laid over (H2154)
05/09/2011 HA 4 to HCS H offered & adopted (Wyatt)--(1258L05.11H) (H2155)
05/09/2011 HA 5 to HCS H offered & adopted (Cauthorn)--(1258L05.10H) (H2156)
05/09/2011 HA 6 to HCS H offered & adopted (Nasheed)--(1258L05.09H) (H2156-2158)
05/09/2011 HCS, as amended, H adopted (H2158)
05/09/2011 H Third Read and Passed (H2158-2159 / S1628-1638)
05/10/2011 S refuses to concur in HCS, as amended (S1673 / H2204)
05/10/2011 S requests H recede or grant conference (S1673 / H2204)
05/10/2011 H refuses to recede and grants conference (H2227 / S1684)
05/10/2011 H conferees appointed: Dugger, Wells, Smith-150, Conway-27, Newman (H2234 / S1684)
05/10/2011 S conferees appointed: Kraus, Engler, Cunningham, Justus, Wright-Jones (S1685)
05/12/2011 H submits CCR
05/12/2011 Motion to adopt CCR offered & withdrawn (S1920-1921)
05/12/2011 CCR S offered & defeated (S1921)
05/13/2011 In Conference--SCS for SB 270-Kraus, with HCS, as amended (Senate defeated CCR)

EFFECTIVE: August 28, 2011

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*** SB 271 *** 1325S.02I

SENATE SPONSOR: Kraus

SB 271 - This act modifies laws regarding the Police Retirement System of Kansas City and the Civilian Employees' Retirement System of the Police Department of Kansas City.

POLICE RETIREMENT SYSTEM OF KANSAS CITY

This act specifies that the retirement benefits of members who retire after August 28, 2011 start on the first day of the month after the member retires. The member will not receive a prorated payment for the month in which the member retires.

The act also requires that all benefit payments will be paid on the last day of the month. When a member dies, certain benefits will be prorated for the portion of the month in which the member was alive, other benefits will not be prorated. The retirement system is required to withhold payment of benefits until the required documentation is filed to prove that a person is entitled to the payment.

Members are no longer able to receive credit toward retirement for unpaid leaves of absence of less than thirty days, except for leaves of absence for certain military service. If a member is on a leave of absence, to receive credit towards retirement for their leave, the person must return to active service and pay the actuarial cost of the service.

A person who has at least five years of service and returns to membership in the retirement system can purchase credit for prior service, but must pay the actuarial cost of the service, rather than repaying the amount of their accumulated contributions with interest.

If a person leaves the police department before retirement after at least fifteen years of service, the pension the person receives will start on the first day of the month after the person turns fifty-five, rather than the day the person turns fifty-five.

Civilian Employees' Retirement System of the Police Department of Kansas City

This act prohibits membership in the Civilian Employees' Retirement System of the Police Department of Kansas City by any employee appointed after August 28, 2011 who is eligible to receive a pension from any other Kansas City retirement system.

The act specifies that the retirement benefits of members who retire after August 28, 2011 start on the first day of the month after the member retires. The member will not receive a prorated payment for the month in which the member retires.

The act also requires that all benefit payments will be paid on the first day of the month. When a member dies, benefits to the surviving spouse will not be prorated. The retirement system is required to withhold payment of benefits until the required documentation is filed to prove that a person is entitled to the payment.

Members are prohibited from receiving credit toward retirement for unpaid leaves of absence, except for leaves of absence for certain military service. If a member is on a leave of absence, to receive credit towards retirement for their leave, the person must return to active service and pay the actuarial cost of the service.

A person who has at least three years of service and returns to membership in the retirement system can purchase credit for prior service, but must pay the actuarial cost of the service, rather than repaying the amount of their accumulated contributions with interest.

This act is similar to HB 183 (2011).
EMILY KALMER

02/14/2011 S First Read--SB 271-Kraus (S241)
02/17/2011 Second Read and Referred S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee (S285)

EFFECTIVE: August 28, 2011

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*** SB 272 *** 1327S.01I

SENATE SPONSOR: Green

SB 272 - This act provides that when a court awards attorney fees and other expenses against a state agency, such agency cannot request an additional appropriation of money to satisfy such an award. Within thirty days of the judgement awarding the fees and expenses becoming final, the agency shall forward the amount of awarded fees and expenses to the chairs of the House Budget Committee and the Senate Appropriations Committee.
JIM ERTLE

02/14/2011 S First Read--SB 272-Green (S242)
02/17/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S285)

EFFECTIVE: Contingent

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*** SB 273 *** 0566S.02I

SENATE SPONSOR: Lembke

SB 273 - This act modifies certain provisions of the Firemen's Retirement System of St. Louis.

The act specifies that the retirement plan is intended to be a qualified governmental plan under federal tax law. The benefits and conditions of the plan shall be interpreted and the system shall be operated to ensure that the system meets the federal qualification requirements.

This act also changes the method the system's actuaries use to determine the amount of the contribution required from the city each year from the current frozen initial liability method to the entry age normal method.
EMILY KALMER

02/14/2011 S First Read--SB 273-Lembke (S242)
02/17/2011 Second Read and Referred S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee (S285)

EFFECTIVE: August 28, 2011

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*** SB 274 *** 1458S.01I

SENATE SPONSOR: Lembke

SB 274 - The act specifies that a landlord or a landlord's water and sewer service billing provider shall not be considered a public utility or water or sewer corporation for purposes of regulation by the Public Service Commission.

Under the act, a landlord may apportion charges for water and sewer services to tenants by actually measuring individual tenant utility usage with a meter or by allocating charges through use of a mathematical formula. Landlords may use a mathematical formula to apportion water and sewer charges for common areas to each tenant. If using a meter, landlords must disclose certain information about the meter readings on the tenant's bill. If using a mathematical formula, landlords must disclose the formula to a prospective tenant prior to entering into a lease.

The total amount billed to tenants by a landlord for water and sewer service must not exceed the total amount owed by the landlord to the utility for service to the property, except that landlords may charge tenants for reasonable administrative costs, provided that the administrative costs are disclosed prior to the signing of a lease. Landlords may also charge late fees, which shall be considered part of a tenant's rent. Landlords may use third-party billing providers to bill tenants for water and sewer service, but the providers must comply with act's requirements in the same manner as landlords.
ERIKA JAQUES

02/14/2011 S First Read--SB 274-Lembke (S242)
02/17/2011 Second Read and Referred S General Laws Committee (S285)

EFFECTIVE: August 28, 2011

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*** SB 275 *** 1387S.01I

SENATE SPONSOR: Lembke

SB 275 - This act allows retirees who were public safety officers and who are part of the Missouri Local Government Employees' Retirement System (LAGERS) to authorize the LAGERS's board to deduct required health insurance or long-term care insurance premiums from the amount of their retirement benefit.

This act is similar to HB 360 (2011).
EMILY KALMER

02/14/2011 S First Read--SB 275-Lembke (S242)
02/17/2011 Second Read and Referred S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee (S285)

EFFECTIVE: August 28, 2011

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*** SB 276 *** 1175S.03I

SENATE SPONSOR: Schaefer

SB 276 - This act allows state agencies to accept credit and debit cards and charge surcharges for the use of credit and debit cards for the payment of fees and other services.
CHRIS HOGERTY

02/14/2011 S First Read--SB 276-Schaefer (S242)

02/17/2011 Second Read and Referred S General Laws Committee (S285)

EFFECTIVE: August 28, 2011

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*** SB 277 *** 1416S.01I

SENATE SPONSOR: Lager

SB 277 - Under current law, municipalities may enact ordinances that limit the use of certain designated streets to passenger vehicles. This act modifies this authorization by requiring municipalities to allow at least one street, with lawful traffic movement and access from both directions, to be available for use by commercial motor vehicles to access any roads in the state highway system. No municipality may pass an ordinance that denies the use of commercial motor vehicles on all streets within the municipality.

Under this act, the use of motor vehicles on a public street or highway in a manner which is legal under state and local law shall not constitute a public or private nuisance, and shall not be the basis of a civil action for public or private nuisance. No individual or business entity shall be subject to any civil action in law or equity for a public or private nuisance on the basis of such individual or business entity legally using motor vehicles on a public street. Any actions by a court to enjoin the use of a public street or highway and any damages awarded or imposed by a court, or assessed by a jury, against an individual or business entity for public or private nuisance in violation of this act shall be null and void.
STEPHEN WITTE

02/15/2011 S First Read--SB 277-Lager (S252)
02/17/2011 Second Read and Referred S General Laws Committee (S285)
04/12/2011 Hearing Conducted S General Laws Committee
04/19/2011 Voted Do Pass S General Laws Committee

EFFECTIVE: August 28, 2011

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*** SB 278 *** 1321S.03I

SENATE SPONSOR: Munzlinger

SB 278 - Private nuisance actions based upon an air emission or water or solid waste discharge, other than the placement of nuclear waste, are specifically prohibited, if the emission or discharge was expressly authorized by a statute, regulation, certain licenses or permits, or a court order and the emission or discharge does not violate a term of the statute, regulation, license, permit, or order. However, a person may file suit based on these types of actions, if the emission or discharge produces a result that was unknown or not reasonably foreseeable at the time it was authorized.
EMILY KALMER

02/15/2011 S First Read--SB 278-Munzlinger, et al (S252)
02/17/2011 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S285)
02/23/2011 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee
03/02/2011 Voted Do Pass S Agriculture, Food Production and Outdoor Resources Committee
03/03/2011 Reported from S Agriculture, Food Production and Outdoor Resources Committee to Floor (S389)
03/16/2011 Bill Placed on Informal Calendar (S464)
04/06/2011 Taken up for Perfection (S633)
04/06/2011 Bill Placed on Informal Calendar (S633)
05/13/2011 S Informal Calendar S Bills for Perfection--SB 278-Munzlinger, et al

EFFECTIVE: August 28, 2011

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*** SB 279 *** 1406S.02I

SENATE SPONSOR: Schmitt

SCS/SB 279 - This act establishes the Compete Missouri Program which combines six existing business incentive programs and will provide tax incentives for job creation and capital investment. The act also establishes the Compete Missouri Job Training Program which combines three existing job training programs and provides funding for job training.

COMPETE MISSOURI JOB TRAINING PROGRAM
The act establishes the Compete Missouri Job Training Program which will provide financial assistance

for job training for new jobs created by qualified companies. Financial assistance will also be available to business and technology centers established by Missouri community colleges, or state-owned postsecondary technical colleges, to provide business and training services for growth industries. The act provides for the diversion of withholding taxes from new or retained jobs of qualified companies to pay costs incurred by new or retained jobs training projects administered by local educational agencies such as community and technical colleges.

The provisions of the act creating the Compete Missouri Training Program will automatically sunset July 1, 2018, unless reauthorized.

COMPETE MISSOURI PROGRAM

The Compete Missouri Program is established to provide tax incentives in the form of sales and use tax exemptions, retained withholding taxes, and refundable income and financial institutions tax credits for qualified companies that create new jobs and make capital investments. The program provides both entitlement and discretionary benefits for qualified companies that offer health insurance to all employees and pay at least fifty percent of the premiums. Tax credits provided under the program are fully transferrable and must be used within one taxable year following the close of the taxable year in which they are issued.

SALES AND USE TAX EXEMPTIONS

Qualified companies, which create a minimum of twenty new jobs with an average wage equal to or exceeding ninety percent of the county average wage, will be eligible to receive up to three years of state and local sales tax exemption for purchases of tangible personal property and building materials used to construct, repair, or remodel a project facility. If a qualified company is an information technology business, it may also receive up to five years of state and local sales tax exemptions for utilities and telecommunications services purchased for use at the project facility. The department of economic development will certify qualified companies for the state sales tax exemptions while local governments will have the option to certify qualified companies for exemptions from their local sales taxes. The act contains recapture provisions requiring repayment of tax incentives in the event a qualified company fails to meet program requirements.

JOB CREATION BENEFITS

Qualified companies that create twenty or more new jobs with an average wage equal to or in excess of ninety percent of the county average wage will be entitled to retain withholding taxes from new payroll for a period of five years. Such a company will also be entitled to tax credits equal to up to two percent of new payroll to be issued each year for five years, provided that the combined tax credit and retained withholding benefits cannot exceed five percent of new payroll. The act gives the department of economic development the discretion to issue such company additional tax credits, equal to up to four percent of payroll, for five years provided that the total amount of all benefits received does not exceed nine percent of new payroll annually. In addition, discretionary tax credits authorized by the department cannot exceed the projected net state benefit.

If a qualified company is in a targeted industry and it creates ten or more new jobs with an average wage equal to or in excess of ninety percent of the county average wage, it will be entitled to retain withholding taxes from new payroll for a period of five years. Such a company will also be entitled to tax credits equal to up to three percent of new payroll to be issued each year for five years, provided that the combined tax credit and retained withholding benefits cannot exceed six percent of new payroll. The act gives the department of economic development the discretion to issue such company additional tax credits, equal to up to six percent of new payroll, for five years provided that the total amount of all benefits received does not exceed nine percent of new payroll annually. Discretionary tax credits authorized by the department cannot exceed the projected net state benefit.

Qualified companies, located within an enhanced enterprise zone, that create two or more new jobs with an average wage equal to or in excess of eighty percent of the county average wage and make a capital investment of at least one hundred thousand dollars will be entitled to retain withholding taxes for a period of five years. If a qualified company is located within a dormant manufacturing zone and it creates two or more jobs with an average wage equal to or in excess of eighty percent of the county average wage, it will be entitled to retain withholding taxes from the new payroll for five years.

Any qualified company that is an existing Missouri business and meets the aforementioned conditions under the compete Missouri program will be entitled to retain withholding taxes for an additional year.

As an alternative to all other benefits available under the program, the department of economic

development may provide up-front financing to qualified companies in the form of refundable tax credits capable of being issued upon approval of the project. To receive such benefits, a qualified company must enter into a written agreement with the department that provides performance requirements and clawback provisions. Qualified companies in targeted industries could receive tax credits equal to as much as nine percent of new payroll projected over a five year period. Non-targeted industry qualified companies could receive tax credits equal to as much as seven percent of new payroll projected over a five year period.

GENERAL PROGRAM REQUIREMENTS

The Department of Economic Development is required to respond to a request for a proposed benefit award under the Compete Missouri Program within five business days of the receipt of such request. The response must contain either a proposal of benefits or a written refusal stating the reasons no proposal will be provided. Failure by the department to approve or disapprove a notice of intent for benefits under the program will result in a deemed approval. Beginning January 1, 2012, the department of economic development must provide quarterly reports on the program to the general assembly, including a listing of all approved and disapproved applicants and the department's response time to requests for proposed benefit awards. Qualified companies that receive benefits under the program will be required to provide annual reports to the department, in order to document compliance with all applicable requirements and stating the amount of sales taxes exempted.

The act prohibits the approval of new projects after August 28, 2011, under the Quality Jobs, Enhanced Enterprise Zone, BUILD, Development, Rebuilding Communities, and Business Facilities programs.

The act limits the amount of up-front job creation tax credits that may be authorized each fiscal year to no more than:

1) $15 million for FY 2012;
2) $30 million for FY 2013;
3) $45 million for FY 2014; and
4) $60 million for FY 2015 and all subsequent fiscal years.

The total amount of all tax credits authorized for each fiscal year under the Compete Missouri Program including any up-front job creation tax credits and any outstanding authorizations for tax credits under the six programs prohibited from approving new projects after August 28, 2011, cannot exceed:

1) $111 million for FY 2012;
2) $126 million for FY 2013; and
3) $141 million for FY 2014 and each subsequent fiscal year.

The provisions of the act creating the Compete Missouri Program will automatically sunset six years after the effective date of the act unless reauthorized.

JASON ZAMKUS

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|---|---|
| 02/15/2011 | S First Read--SB 279-Schmitt, et al (S252) |
| 02/17/2011 | Second Read and Referred S Jobs, Economic Development and Local Government Committee (S285) |
| 03/02/2011 | Hearing Conducted S Jobs, Economic Development and Local Government Committee |
| 03/09/2011 | SCS Voted Do Pass S Jobs, Economic Development and Local Government Committee - (1406S.03C) |

EFFECTIVE: August 28, 2011

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*** SB 280 *** SCS SB 280 1537S.02C

SENATE SPONSOR: Purgason

SS/SCS/SB 280 - This act modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report.

BROWNFIELD REMEDIATION TAX CREDITS

The act prohibits the authorization of more than twenty-five million dollars in Brownfield remediation tax credits annually. The credit amount for soft costs is reduced from one hundred percent to twenty-five percent. The act prohibits the stacking of other state incentives with Brownfield remediation tax credits unless the project will generate a positive fiscal benefit to the state. The act requires the recapture of Brownfield remediation tax credits to the extent the amount issued exceeds the state benefit. The act prohibits the authorization of more than five million dollars in Brownfield tax credits each fiscal year for projects that receive benefits under the Distressed Areas Land Assemblage program. (Section 447.708)

NEIGHBORHOOD PRESERVATION TAX CREDITS

The "first-come, first-serve" requirement for tax credit issuance is repealed and replaced with a targeted neighborhood approach that would provide priority for projects which provide the highest impact. Neighborhood Associations will now be able to participate in the program. The annual cap on neighborhood preservation tax credits is reduced from sixteen million dollars to ten million dollars. Tax credits will be allocated among projects located within qualifying and eligible areas based upon demand. Residents which receive tax credits for owner-occupied residences will be subject to recapture if they fail to maintain residency in such home for a five-year period. (Sections 135.481 to 135.487)

LOW-INCOME HOUSING TAX CREDITS

Under current law, low-income housing tax credits are allowed over a ten-year period. Beginning July 1, 2011, this act reduces the period of time in which low-income housing tax credits are allowed to a five-year period and limits the total amount of low-income tax credits authorized annually to no more than eighty million dollars. The issuance of four percent low-income housing tax credits will be prohibited after June 30, 2011. The act also prohibits stacking low-income housing tax credits with historic preservation tax credits. Taxpayers will be capable of receiving tax credits once the first low-income unit is occupied by a qualified tenant. The carry-back provision for low-income housing tax credits is reduced from three years to two years. (Section 135.352)

AFFORDABLE HOUSING ASSISTANCE

Under current law, tax credits for contributions to non-profit organizations for the construction, rehabilitation, or acquisition of affordable housing are capped at ten million per fiscal year. This act reduces the cap to eight million five hundred thousand dollars per fiscal year. The one million dollar fiscal year cap on tax credits for contributions to non-profit housing organizations to assist with their basic operating expenses is increased to two million five hundred thousand dollars. The credit amount for affordable housing tax credits is reduced from fifty-five percent of an eligible donation or contribution to forty percent of such donation or contribution. (Sections 32.105 to 32.120)

HISTORIC PRESERVATION TAX CREDITS

Under current law, the Department of Economic Development is prohibited from issuing more than one hundred forty million dollars in historic preservation tax credits in any fiscal year for projects which will receive more than two hundred and seventy-five thousand dollars in tax credits. Beginning fiscal year 2012, and each fiscal year thereafter, this act would prohibit the Department of Economic Development from issuing more than seventy-five million dollars in historic preservation tax credits increased by the amount of any recisions of approved applications for tax such credits. Projects which would receive less than two hundred seventy-five thousand dollars in tax credits will be subject to the seventy-five million dollar cap.

The act prohibits the department from issuing more than fifty thousand dollars in historic preservation tax credits per project for non-income producing residential rehabilitation projects. Non-income producing residential rehabilitation projects involving a subject property with a purchase price in excess of one hundred fifty thousand dollars will be ineligible for tax credits. Applicants for projects that, as of June 30, 2011, have: received approval from the Department of Economic Development; incurred certain levels of expenses; been approved for 4% federal low-income housing tax credits; or received certification from the state historical preservation officer will not be subject to the new limitations on tax credit issuance, but will be subject to the current law limitations on tax credit issuance. The act also prohibits the stacking of historic preservation tax credits with neighborhood preservation tax credits or low-income housing tax credits. Historic preservation tax credits will now be capable of being carried back one year or forward five years. (Sections 253.545 to 253.559)

SOCIAL AND CONTRIBUTION TAX CREDITS

The definition of taxpayer contained in social and contribution tax credit programs is broadened to allow additional donors to participate. Social and contribution tax credits which under current law are non-transferrable will now be transferrable. For all taxable years beginning on or after January 1, 2012, the act decreases the Missouri Development Finance Board Infrastructure Contribution credit from a fifty percent credit for contributions received to a credit equal to thirty-five percent of the amount contributed. The Affordable Housing Assistance Program tax credit is also reduced from fifty-five percent of the eligible donation to forty percent of such donation. The Disabled Access Tax Credit is reduced from fifty percent to thirty-five percent of eligible access expenditures. The per donor contribution limit for food pantry tax credits is increased to $10,000 for donations of food and the per contribution limit for cash is eliminated. The act excludes international adoption expenses from qualifying under the special needs adoption tax credit

program. Beginning January 1, 2012, social and contribution tax credits will be equal to fifty percent of the first one thousand dollars of an eligible contribution or donation and thirty-five percent of any excess above one thousand dollars contributed or donated.

SUNSET PROVISIONS FOR CERTAIN TAX CREDIT PROGRAMS

Due to the commission's recommendation that reforms to programs be made on a prospective basis, rather than utilizing traditional sunset provisions, this act prohibits the authorization of tax credits under the following programs after August 28, 2014:

1) The Brownfield Remediation Tax Credit;
2) The Neighborhood Preservation Tax Credit
3) The MDFB Bond Guarantee Tax Credit;
4) The MDFB Infrastructure Development Contribution Tax Credit;
5) The Family Farm Breeding Livestock Tax Credit;
6) The Agricultural Product Utilization Tax Credit;
7) The New Generation Cooperative Tax Credit;
8) The Qualified Beef Tax Credit;
9) The Wine and Grape Producer Tax Credit; and
10) The Neighborhood Assistance Tax Credit.

The authorization of tax credits under the following programs will be prohibited after August 28, 2015:

1) The Historic Preservation Tax Credit;
2) The Low-Income Housing Tax Credit;
3) The Domestic Violence Shelter Tax Credit;
4) The Maternity Home Tax Credit;
5) The Pregnancy Resource Center Tax Credit;
6) The Shared Care Tax Credit;
7) The Youth Opportunities Tax Credit;
8) The Disabled Access Tax Credit;
9) The Family Development Account Tax Credit;
10) The Residential Treatment Agency Tax Credit;
11) The Food Pantry Tax Credit;
12) The Neighborhood Assistance Program; and
13) The Property Tax Credit (Circuit Breaker).

Where, under current law, a tax credit was subject to the sunset act, the sunset provision is modified to sunset such program on the date provided above.

The limitations on tax credit authorizations provided in the act will not impair an administering agencies ability to issue tax credits that were authorized prior to the date on which authorizations are prohibited, nor will they affect a taxpayer's ability to redeem such tax credits.

The act prohibits the approval of any new applicants under the Distressed Areas Land Assemblage Tax Credit program after August 28, 2011.

REPEAL OF CERTAIN TAX CREDIT PROGRAMS

This act repeals the following tax credit programs:
1) The Charcoal Producers Tax Credit;
2) The Self-Employed Health Insurance Tax Credit;
3) The Railroad Rolling Stock Tax Credit; and
4) The Brownfield Jobs/Investment Credit.

The act also repeals provisions of the Missouri property tax credit, commonly referred to as the circuit breaker tax credit, which allow renters to receive the property tax credit for rent constituting taxes paid.

COMPETE MISSOURI

This act establishes the Compete Missouri Program which combines six existing business incentive programs and will provide tax incentives for job creation, job retention, and capital investment. The act also establishes the Compete Missouri Job Training Program which combines three existing job training programs and provides funding for job training.

The act establishes the Compete Missouri Job Training Program which will provide financial assistance for job training for new jobs created by qualified companies. Financial assistance will also be available to business and technology centers established by Missouri community colleges, or state-owned postsecondary technical colleges, to provide business and training services for growth industries. The act provides for the diversion of withholding taxes from new or retained jobs of qualified companies to pay costs incurred by new or retained jobs training projects administered by local educational agencies such as community and technical colleges.

The provisions of the act creating the Compete Missouri Training Program will automatically sunset July 1, 2018, unless reauthorized. (Sections 620.800 to 620.809)

The Compete Missouri Program is established to provide tax incentives in the form of sales and use tax exemptions, retained withholding taxes, and refundable income and financial institutions tax credits for qualified companies that create new or retain existing jobs and make capital investments. The program provides both entitlement and discretionary benefits for qualified companies that offer health insurance to all employees and pay at least fifty percent of the premiums. Tax credits provided under the program are fully transferrable and must be used within one taxable year following the close of the taxable year in which they are issued. (Sections 620.2000 to 620.2020)

Qualified companies, which create a minimum of twenty new jobs with an average wage equal to or exceeding ninety percent of the county average wage or retain at least one hundred and twenty-five jobs with an average wage equal to or in excess of ninety percent of the county average wage and make at least fifteen million dollars in capital investment, will be eligible to receive up to three years of state and local sales tax exemption for purchases of tangible personal property and building materials used to construct, repair, or remodel a project facility. The Department of Economic Development will certify qualified companies for the state sales tax exemptions while local governments will have the option to certify qualified companies for exemptions from their local sales taxes. The act contains recapture provisions requiring repayment of tax incentives in the event a qualified company fails to meet program requirements. (Sections 144.062 and 144.540)

Qualified companies that create twenty or more new jobs with an average wage equal to or in excess of ninety percent of the county average wage will be entitled to retain withholding taxes from new payroll for a period of five years. Such a company will also be entitled to tax credits equal to up to two percent of new payroll to be issued each year for five years, provided that the combined tax credit and retained withholding benefits cannot exceed five percent of new payroll. The act gives the Department of Economic Development the discretion to issue such company additional tax credits, equal to up to four percent of payroll, for five years provided that the total amount of all benefits received does not exceed nine percent of new payroll annually. In addition, discretionary tax credits authorized by the department cannot exceed the projected net state benefit.

If a qualified company is in a targeted industry and it creates ten or more new jobs with an average wage equal to or in excess of ninety percent of the county average wage, it will be entitled to retain withholding taxes from new payroll for a period of five years. Such a company will also be entitled to tax credits equal to up to three percent of new payroll to be issued each year for five years, provided that the combined tax credit and retained withholding benefits cannot exceed six percent of new payroll. The act gives the Department of Economic Development the discretion to issue such company additional tax credits, equal to up to six percent of new payroll, for five years provided that the total amount of all benefits received does not exceed nine percent of new payroll annually. Discretionary tax credits authorized by the department cannot exceed the projected net state benefit.

Qualified companies, located within an enhanced enterprise zone, that create two or more new jobs with an average wage equal to or in excess of eighty percent of the county average wage and make a capital investment of at least one hundred thousand dollars will be entitled to retain withholding taxes for a period of five years.

Any qualified company that is an existing Missouri business and meets the aforementioned conditions under the compete Missouri program will be entitled to retain withholding taxes for an additional year.

As an alternative to all other benefits available under the program, the department of economic development may provide up-front financing to qualified companies in the form of refundable tax credits

capable of being issued upon approval of the project. To receive such benefits, a qualified company must enter into a written agreement with the department that provides performance requirements and clawback provisions. Qualified companies in targeted industries could receive tax credits equal to as much as nine percent of new payroll projected over a five year period. Non-targeted industry qualified companies could receive tax credits equal to as much as seven percent of new payroll projected over a five year period.

The Department of Economic Development may allow qualified companies, that agree to retain at least one hundred and twenty-five existing jobs with an average wage equal to or in excess of ninety percent of the county average wage for at least five years and agree to make a capital investment equal to three times the amount of state benefits provided within two years, to retain withholding taxes from the retained jobs for a period of five years. As an alternative to all other benefits available under the program, the Department of Economic Development may provide up-front financing to qualified companies in the form of refundable tax credits capable of being issued upon approval of the project. Qualified companies, that agree to retain at least one hundred and twenty-five existing jobs with an average wage equal to or in excess of ninety percent of the county average wage for at least five years and agree to make a capital investment equal to three times the amount of state benefits provided within two years, could receive tax credits equal to as much as eighty percent of withholdings from retained job payroll projected over a five year period. In order to receive the job retention benefits, a qualified company must enter into a written agreement with the department providing detailed performance requirements and recapture provisions.

The Department of Economic Development is required to respond to a request for a proposed benefit award under the Compete Missouri Program within five business days of the receipt of such request. The response must contain either a proposal of benefits or a written refusal stating the reasons no proposal will be provided. Failure by the department to approve or disapprove a notice of intent for benefits under the program will result in a deemed approval. Beginning January 1, 2012, the Department of Economic Development must provide quarterly reports on the program to the General Assembly, including a listing of all approved and disapproved applicants and the department's response time to requests for proposed benefit awards. Qualified companies that receive benefits under the program will be required to provide annual reports to the department, in order to document compliance with all applicable requirements and stating the amount of sales taxes exempted.

The act prohibits the approval of new projects after August 28, 2011, under the Quality Jobs, Enhanced Enterprise Zone, BUILD, Development, Rebuilding Communities, and Business Facilities programs.

The act limits the amount of up-front job creation and retention tax credits that may be authorized each fiscal year to no more than:
1) $15 million for FY 2012;
2) $30 million for FY 2013;
3) $45 million for FY 2014; and
4) $60 million for FY 2015 and all subsequent fiscal years.

The total amount of all tax credits authorized for each fiscal year under the Compete Missouri Program including any up-front job creation/retention tax credits and any outstanding authorizations for tax credits under the six programs prohibited from approving new projects after August 28, 2011, cannot exceed:
1) $111 million for FY 2012;
2) $126 million for FY 2013; and
3) $141 million for FY 2014 and each subsequent fiscal year.

The provisions of the act creating the Compete Missouri Program will automatically sunset six years after the effective date of the act unless reauthorized.

This act contains an emergency clause.
JASON ZAMKUS

02/15/2011 S First Read--SB 280-Purgason, et al (S252)
02/17/2011 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S285)
03/03/2011 Hearing Conducted S Ways and Means and Fiscal Oversight Committee
03/10/2011 SCS Voted Do Pass S Ways and Means and Fiscal Oversight Committee - (1537S.02C)
03/10/2011 Reported from S Ways and Means and Fiscal Oversight Committee to Floor w/SCS (S433)
03/16/2011 Bill Placed on Informal Calendar (S469)
03/30/2011 SS for SCS S offered (Purgason)--(1537S.05F) (S522-523)
03/30/2011 SA 1 to SS for SCS S offered & withdrawn (Ridgeway)--(1537S05.12S) (S523)
03/30/2011 Bill Placed on Informal Calendar (S523)

05/13/2011 S Informal Calendar S Bills for Perfection--SB 280-Purgason, et al, with SCS & SS for SCS (pending)

EFFECTIVE: Emergency Clause

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*** SB 281 *** 0940S.01I

SENATE SPONSOR: Kraus

SB 281 - This act requires sellers of property or services that are subject to sales tax to print the applicable cumulative state and local sales tax rate on the receipt provided to the consumer. This requirement will only apply to electronically printed receipts.
JASON ZAMKUS

02/16/2011 S First Read--SB 281-Kraus (S265)
02/17/2011 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S285)
03/17/2011 Hearing Conducted S Ways and Means and Fiscal Oversight Committee
04/14/2011 Voted Do Pass S Ways and Means and Fiscal Oversight Committee
04/28/2011 Reported from S Ways and Means and Fiscal Oversight Committee to Floor (S1207)
05/13/2011 S Formal Calendar S Bills for Perfection--SB 281-Kraus

EFFECTIVE: August 28, 2011

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*** SB 282 *** CCS HCS SB 282 1542S.04T

SENATE SPONSOR: Engler HOUSE HANDLER: Dugger

HCS/SB 282 - This act modifies numerous laws relating to elections and public contracts.

State agencies shall not contract with entities that have violated any election, tax, or immigration laws.

County clerks are required to be residents of the county in which they are elected at least one year prior to the election instead of six months.

County collectors are required to be 21 years old, a resident of the county in which he or she is a candidate for at least one year prior to the election and remain a resident of the county in which he or she is elected throughout his or her term of office. Candidates for such office are required to present the election authority with a signed affidavit from a surety company indicating that the candidate meets the statutory bond requirements for the office.

County collector-treasurers are required to be 21 years old, registered voters, current in the payment of all state income and personal and real property taxes, a resident of the county in which he or she is a candidate for at least one year prior to the election and remain a resident of the county in which he or she is elected throughout his or her term of office. Candidates for such office are required to present the election authority with a signed affidavit from a surety company indicating that the candidate meets the statutory bond requirements for the office. Collector-treasurers shall have the sole authority to appoint deputies.

Currently, the county commission is required to appoint an interim treasurer in the event of a vacancy of the office except in counties with a charter form of government. This act creates the same exception for counties having a township form of government for the office of collector-treasurer.

Third class cities are allowed to eliminate primary elections for mayor and councilmen offices.

Under current law, the county clerk or the board of election commissioners is the election authority. This act designates the director of elections as the election authority in charter counties that do not have a board of election commissioners or a county clerk.

The date of the presidential primary is moved from the first Tuesday after the first Monday in February to the first Tuesday after the first Monday in March.

The first Tuesday after the first Monday in February and June are no longer available as dates for public elections.

Currently, elections are not required to be held in nonpartisan elections in political subdivisions and special districts when the number of candidates equals the number of positions to be filled except in

municipal elections. This act modifies that exception to only include municipal elections in cities, towns, or villages with more than 35,000 inhabitants. Election authorities are required to publish notice including the names of officials to be seated by April 1 of each year in at least one newspaper of general circulation in the political subdivision or district when those elections are not held.

The filing period for offices filled by elections on the general municipal election day shall be between the first Tuesday in December of the year prior to the election and the first Tuesday after the first Monday in January of the election year. Elections in counties with a charter form of government, except Jefferson county, are excluded from this provision.

Election authorities may use electronic voter identification systems or an electronic signature pad to verify a voter's address, registration status, and signature information at a polling place. The system shall be able to read information from drivers and non-drivers licenses and allow an election authority to manually enter voter information.

This act removes a provision that requires ballots of deceased absentee voters to be rejected when sufficient evidence is shown to the election authority that the voter has died prior to the opening of the polls on election day.

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.

Candidates for public office (with the exception of those in special districts, townships, cities, towns, or villages) are required to declare under penalty of perjury that they are not aware of any information that would prohibit the candidate from fulfilling any bonding requirements. Such individuals filing for an election with a bonding requirement shall file an affidavit from a surety company indicating that the candidate meets the bonding requirements for the office with the department of revenue.

When certifying presidential and vice presidential nominees and requesting that such nominees be placed on the ballot, the state committees of each political party shall provide verifiable evidence of identity and proof of natural born citizenship.

Currently, candidates who are defeated by less than 1% and persons whose position on a question was defeated by less than 1% have the right to a recount. This act reduces those thresholds to less than ½ of 1%.

Discouraging, hampering, pressuring, or attempting to prevent another from filing for public office for the purpose of eliminating the requirement to hold special elections in certain instances is established as a class 4 election offense.

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.

Party emblems shall not longer be printed on the ballot above the party caption.

This act is similar to SCS/SB 84 (2005), SB 726 (2006), SB 138 (2007), SB 797 (2008), SB 70 (2009), SB 266 (2011), SB 292 (2011), SB 226 (2011), HB 187 (2011), HB 796 (2011), and HB 217 (2011).
CHRIS HOGERTY

HA 1 - RAISES THE PAYMENT A POTENTIAL PRESIDENTIAL CANDIDATE SHALL PAY THE STATE COMMITTEE OF THE PARTY ON WHOSE BALLOT THE CANDIDATE WISHES TO APPEAR FROM $1,000 TO $5,000 FOR ELECTIONS HELD ON OR BEFORE DECEMBER 1, 2012 AND $10,000 FOR ANY ELECTION THEREAFTER.

HA 2 - REQUIRES SPECIAL ELECTIONS WHEN STATEWIDE OFFICES AND THE OFFICE OF UNITED STATES SENATOR ARE VACANT.

HA 3 - ALLOWS THE SECRETARY OF STATE TO ENTER INTO AGREEMENTS WITH OTHER ORGANIZATIONS TO PRINT AND DISTRIBUTE COPIES OF THE OFFICIAL MANUAL, COMMONLY KNOWN AS THE BLUE BOOK.

HA 4 - SETS THE AGE MINIMUM FOR MAYOR OF A THIRD CLASS CITY WITH A MANAGER FORM OF GOVERNMENT AT 24 YEARS.

HA 5 - SPECIFIES THAT THE POWERS AND DUTIES OF ELECTION AUTHORITIES IN CHARTER COUNTIES WITHOUT A BOARD OF ELECTION COMMISSIONERS ARE SUBJECT TO THE COUNTY'S CHARTER.

HA 1 TO HA 5 - ADDS THE FIRST TUESDAY AFTER THE FIRST MONDAY IN FEBRUARY AS A DATE AVAILABLE FOR PUBLIC ELECTIONS.

02/16/2011 S First Read--SB 282-Engler (S265)
02/17/2011 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S285)
02/21/2011 Hearing Conducted S Financial and Governmental Organizations and Elections Committee
02/28/2011 Voted Do Pass S Financial and Governmental Organizations and Elections Committee - Consent
03/03/2011 Reported from S Financial and Governmental Organizations and Elections Committee to Floor - Consent (S388)
03/04/2011 Removed S Consent Calendar (S403)
03/10/2011 Reported from S Financial and Governmental Organizations and Elections Committee to Floor (S433)
03/16/2011 SA 1 S offered (Kraus)--(1542S01.01S) (S469)
03/16/2011 Bill Placed on Informal Calendar (S469)
03/16/2011 SA 1 S adopted (S471)
03/16/2011 SA 2 S offered & adopted (Lager)--(1542S01.02S) (S471-472)
03/16/2011 SA 3 S offered & Ruled out of order (Lager)--(1542S01.05S) (S472)
03/16/2011 SA 4 S offered & defeated (Schaefer)--(1542S01.08S) (S472-473)
03/16/2011 SA 5 S offered & Ruled out of order (Schaaf)--(1542S01.09S) (S473-474)
03/16/2011 Perfected (S474)
03/17/2011 Reported Truly Perfected S Rules Committee (S494)
03/31/2011 S Third Read and Passed (S537)

03/31/2011 H First Read (H818)
04/01/2011 H Second Read (H823)
04/04/2011 Referred H Elections Committee (H839)
04/12/2011 Hearing Conducted H Elections Committee
04/14/2011 HCS Voted Do Pass H Elections Committee
04/14/2011 HCS Reported Do Pass H Elections Committee (H1293)
04/14/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1293)
04/20/2011 Voted Do Pass H Rules Pursuant Committee
04/20/2011 HCS Reported Do Pass H Rules Pursuant Committee (H1419)
05/04/2011 HA 1 to HCS H offered & adopted (Hinson)--(1542L03.01H) (H1828)
05/04/2011 HA 2 to HCS H offered & adopted (Smith-150)--(1542L03.07H) (H1828-1830)
05/04/2011 HA 3 to HCS H offered & adopted (Cauthorn)--(1542L03.02L) (H1830-1831)
05/04/2011 HA 4 to HCS H offered & adopted (Wyatt)--(1542L03.09H) (H1831)
05/04/2011 HA 5 to HCS H offered (Funderburk)--(1542L03.01L) (H1831)
05/04/2011 HA 1 to HA 5 to HCS H offered (Thomson)--(1542L03.14H) (H1831-1832)
05/04/2011 Bill placed back on Calendar (H1832)
05/04/2011 Taken up for Third Reading (H1836)
05/04/2011 HA 1 to HA 5 to HCS H adopted (H1836-1837)
05/04/2011 HA 5 to HCS, as amended, H adopted (H1837-1838)
05/04/2011 HCS, as amended, H adopted (H1838)
05/04/2011 H Third Read and Passed (H1838-1839)
05/05/2011 S refuses to concur in HCS, as amended (S1347)
05/05/2011 S requests H recede or grant conference (S1347 / H1943)
05/05/2011 H refuses to recede and grants conference (H1944-1945 / S1357)
05/05/2011 S conferees appointed: Engler, Wasson, Richard, Justus, Wright-Jones (S1358 / H2079)
05/05/2011 H conferees appointed: Dugger, Smith-150, Cox, Conway, Newman (H1968 / S1478)
05/10/2011 CCR S offered & adopted (S1686-1687)
05/10/2011 CCS S Third Read and Passed (S1687-1688 / H2244)
05/10/2011 H submits CCR (H2249-2250)
05/13/2011 CCR H adopted
05/13/2011 CCS H Third Read and Passed
05/13/2011 Truly Agreed To and Finally Passed

EFFECTIVE: August 28, 2011

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*** SB 283 *** 1301S.03I

SENATE SPONSOR: Munzlinger

SB 283 - Under this act, for the period between October 15th and December 15th of each year, any motor vehicle or combination of motor vehicles carrying agricultural products may operate with a load that exceeds the maximum weight load permitted by this chapter by ten percent on any tandem axle, group of axles, and gross weight. If enforcement action is taken pursuant to this act, the fine or penalty shall only apply to that portion of the load that is more than ten percent above the legal limit. The weight tolerance authorized by the act shall apply to all highways within the state of Missouri except for the interstate highway system and the strategic highway network (STRAHNET).
STEPHEN WITTE

02/16/2011 S First Read--SB 283-Munzlinger (S265)
02/17/2011 Second Read and Referred S Transportation Committee (S285)
02/23/2011 Hearing Conducted S Transportation Committee

EFFECTIVE: August 28, 2011

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*** SB 284 *** CCS HCS SB 284 1412S.05T

SENATE SPONSOR: Wasson HOUSE HANDLER: Sater

HCS/SB 284 - This act exempts from state and local sales tax all sales of diabetic accessories and supplies, and rented medical oxygen, wheelchairs, scooters, reading machines, electronic print enlargers, electronic communication devices, and items used to modify motor vehicles for individuals with disabilities. The act also modifies the sales tax exemption for nonprescription drugs, so that nonprescription drugs prescribed by a practitioner are exempt. Any medical equipment, supplies, or devices that are ordered by a doctor, or paid for by a third-party insurer, Medicare, or Medicaid, will also be exempt from these taxes.

This act allows the Board of Pharmacy to refuse to issue a certificate of registration, permit, or license to an applicant for a pharmacy or drug distributor license if the designated pharmacist-in-charge, manager-in-charge, or any officer, owner, manager, or controlling shareholder of the applicant has committed an act that would be grounds for discipline under the Board of Pharmacy's disciplinary statute.

This act defines the term "legend drug" for the purpose of certain pharmacy laws. Legend drugs will mean any drug or biological product that is subject to a certain federal law, is required to be labeled in certain ways, or is required to be dispensed by prescription only or is restricted to use by practitioners only. The act excludes certain drugs and drug products that are being used in clinical trials.

This act has an emergency clause for the section regarding legend drugs.

This act is similar to HB 55 (2011) and HB 412 (2011).
EMILY KALMER

HA 1 - UNDER THIS AMENDMENT, ANY HEALTH BENEFIT PLAN THAT PROVIDES COVERAGE AND BENEFITS FOR CANCER CHEMOTHERAPY TREATMENT SHALL NOT REQUIRE A HIGHER COPAYMENT, DEDUCTIBLE, OR COINSURANCE AMOUNT FOR A PRESCRIBED, ORALLY ADMINISTERED ANTICANCER MEDICATION THAT IS USED TO KILL OR SLOW THE GROWTH OF CANCEROUS CELLS THAN WHAT THE PLAN REQUIRES FOR AN INTRAVENOUSLY ADMINISTERED OR INJECTED CANCER MEDICATION THAT IS PROVIDED, REGARDLESS OF FORMULATION OR BENEFIT CATEGORY DETERMINATION BY THE HEALTH CARRIER ADMINISTERING THE HEALTH BENEFIT PLAN. A HEALTH CARRIER SHALL NOT ACHIEVE COMPLIANCE WITH THE PROVISIONS OF THE ACT BY IMPOSING AN INCREASE IN COPAYMENT, DEDUCTIBLE, OR COINSURANCE AMOUNT FOR AN INTRAVENOUSLY ADMINISTERED OR INJECTED CANCER CHEMOTHERAPY AGENT COVERED UNDER THE HEALTH BENEFIT PLAN. COVERAGE UNDER THIS AMENDMENT IS LIMITED TO FEDERAL DRUG ADMINISTRATION APPROVED INDICATIONS AND NATIONAL COMPREHENSIVE CANCER NETWORK RECOMMENDATIONS AND MAY BE ADMINISTERED BY A SPECIALTY PHARMACY NETWORK.

02/16/2011 S First Read--SB 284-Wasson (S265)
02/17/2011 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S285)
02/21/2011 Hearing Conducted S Financial and Governmental Organizations and Elections Committee
02/28/2011 Voted Do Pass S Financial and Governmental Organizations and Elections Committee
03/03/2011 Reported from S Financial and Governmental Organizations and Elections Committee to Floor (S388)
03/07/2011 SA 1 S offered & adopted (Ridgeway)--(1412S02.02S) (S400)
03/07/2011 Perfected, as amended (S400)
03/08/2011 Reported Truly Perfected S Rules Committee (S410)
03/10/2011 S Third Read and Passed - EC adopted (S427-428)
03/10/2011 H First Read (H594)
03/14/2011 H Second Read (H602)
03/31/2011 Referred H Health Care Policy Committee (H811)
04/06/2011 Hearing Conducted H Health Care Policy Committee
04/13/2011 HCS Voted Do Pass H Health Care Policy Committee
04/14/2011 HCS Reported Do Pass H Health Care Policy Committee (H1293)
04/14/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1293)
05/03/2011 HCS Voted Do Pass H Rules Pursuant Committee
05/03/2011 HCS Reported Do Pass H Rules Pursuant Committee (H1795)
05/03/2011 Referred H Fiscal Review Committee (H1796)
05/04/2011 HCS Voted Do Pass H Fiscal Review Committee
05/04/2011 HCS Reported Do Pass H Fiscal Review Committee (H1833)
05/09/2011 HA 1 to HCS H offered & adopted (Schad)--(1412L04.04H) (H2159-2160)
05/09/2011 HA 2 to HCS H offered & defeated (Leara)--(1412L04.01F) (H2160-2164)
05/09/2011 HA 3 to HCS H offered & defeated (Atkins)--(1412L04.01H) (H2164)
05/09/2011 HA 4 to HCS H offered & withdrawn (Bernskoetter)--(1412L04.03H) (H2164-2168)
05/09/2011 HCS, as amended, H adopted (H2168)
05/09/2011 H Third Read and Passed - EC adopted (H2168-2170 / S1638)
05/10/2011 S refuses to concur in HCS, as amended (S1673-1674 / H2204)
05/10/2011 S requests H recede or grant conference (S1673-1674 / H2204)
05/10/2011 H refuses to recede and grants conference (H2227 / S1684)
05/10/2011 S conferees appointed: Wasson, Parson, Richard, Callahan, Curls (S1685)

05/10/2011 H conferees appointed: Sater, Smith-150, Weter, Jones-63, Swinger (H2240 / S1709)
05/12/2011 H submits CCR
05/12/2011 CCR S offered & adopted (S1927-1928 / H2527)
05/12/2011 CCS S Third Read and Passed - EC adopted (S1928-1929 / H2527)
05/13/2011 CCR H adopted
05/13/2011 CCS H Third Read and Passed - EC adopted
05/13/2011 Truly Agreed To and Finally Passed

EFFECTIVE: Emergency clause

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*** SB 285 *** 1514S.01I

SENATE SPONSOR: McKenna

SB 285 - This act removes February 12th (Lincoln's birthday) as a public holiday in the State of Missouri.

This act is similar to a provision in SS/HB 1268 (2010), SCS/HB 1677 (2010), and SCS/HB 1778 (2010).
JIM ERTLE

02/16/2011 S First Read--SB 285-McKenna and Lamping (S265)
02/17/2011 Second Read and Referred S General Laws Committee (S285)

EFFECTIVE: August 28, 2011

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*** SB 286 *** SS SB 286 1556S.02P

SENATE SPONSOR: McKenna

SS/SB 286 – 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. The Office may also mediate between alleged victims of sexual misconduct and school districts.

SECTION 160.261 - If a student reports alleged sexual misconduct by a teacher or other school employee to a school employee who is required to report to the Children's Division, the employee and the school district superintendent must forward the allegation to the Children's Division within twenty-four hours. Any reports made to the Children's Division must be investigated by the Division in accordance with Division procedures. The school district must not conduct an investigation for purposes of determining whether the allegations should be substantiated. A district may investigate the allegations for purposes of making a decision regarding the accused employee's employment. This act also requires the investigating officers to review the report using a preponderance of evidence standard.

SECTION 160.262 - This act authorizes the Office of the Child Advocate to offer mediation services when requested by both parties when child abuse allegations arise in a school setting. The mediator must not be a mandated reporter of child abuse. No student, parent of a student, school employee, or school district will be required to enter into mediation. If either party does not wish to enter into mediation, mediation will not occur. Procedures for mediation are described in the act.

SECTIONS 160.2100 & 160.2110: This act creates the Task Force on the Prevention of Sexual Abuse of Children. This act shall be known and may be cited as "Erin's Law."

Task Force members must be individuals who are actively involved in the prevention of child abuse and neglect and child welfare. The President Pro Tem of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives, and the Minority Leader of the Senate may each appoint one member of the General Assembly to the task force. The following additional members will be on the task force: the director of the Department of Social Services, or his or her designee; the Commissioner of Education, or his or her designee; the director of the Department of Health and Senior Services, or his or her designee; the director of the Office of Prosecution Services, or his or her designee; a representative representing law enforcement, appointed by the Governor; three active teachers employed in Missouri, appointed by the Governor; a representative of an organization involved in forensic investigation relating to child abuse, appointed by the Governor; a school superintendent, appointed by the Governor; a representative of the State Domestic Violence Coalition, appointed by the Governor; a representative from the juvenile and family court, appointed by the Governor; a representative from the Missouri Network of Child

Advocacy Centers, appointed by the Governor; and an at-large member appointed by the Governor.

The Task Force must make recommendations for reducing child sexual abuse. The Task Force must submit a final report with its recommendations to the Governor, General Assembly, and State Board of Education by January 1, 2013. The Task Force will end on January 1, 2013.

The Task Force may also adopt a policy addressing sexual abuse of children, including a curriculum.

SECTION 162.014 - A registered sex offender, or a person required to be registered as a sex offender, is prohibited from being a candidate for school board. A sitting school board member who is a registered sex offender or is required to be registered will not be eligible to serve as a board member at the conclusion of his or her term.

SECTION 162.068 - By July 1, 2012, every school district must adopt a written policy on information that the district may provide about former employees to other public schools.

The act grants civil immunity to school district employees who are permitted to respond to requests for information regarding former employees under a school district policy and who communicates only the information that the policy directs and who acts in good faith and without malice. If an action is brought against the employee, he or she may request that the Attorney General defend him or her in the suit, except 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 as a result of such allegations or as a result of such allegations being substantiated by the Child Abuse and Neglect Review Board 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 or when responding to a potential employer's request for information regarding such employee, the district will be liable for damages and have third-party liability for any legal liability, legal fees, costs, and expenses incurred by the employing district caused by the failure to disclose such information to the employing district.

When a school district employs a person who has been investigated by the Children's Division and for whom there has been a finding of substantiated from such investigation, the district must immediately suspend the person's employment. The district may return the person to his or her employment if the Child Abuse and Neglect Review Board's finding that the allegation is substantiated is reversed by a court on appeal. Nothing shall preclude a school district from otherwise lawfully terminating the employment of an employee about whom there has been a finding of unsubstantiated from such an investigation.

A school district that has employed a person for whom there was a finding of substantiated from a Children's Division investigation must disclose the finding of substantiated to any other public school that contacts it for a reference.

A school district is prohibited from discharging or discriminating against an employee who, acting in good faith, reports alleged sexual misconduct.

SECTION 162.069 - By January 1, 2012, 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, 2012, 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 - School districts are responsible for conducting the criminal background check on bus drivers they employ. For drivers employed by a pupil transportation company under contract with the district, the criminal background check must be conducted through the Highway Patrol's criminal record review and must conform to the requirements of the National Child Protection Act of 1993, as amended by the Volunteers for Children Act. A school district's criminal background check on school employees must include a search of publicly available information in an electronic format that displays information through a public index or single case display.

This act changes, from two to one, the number of sets of fingerprints an applicant must submit for a criminal history background check. 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.

A school district may conduct a new criminal background check and fingerprint collection for a newly hired employee at its own expense.

SECTION 210.135 - Third-party reporters of child abuse who report an alleged incident to any employee of a school district 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 the alleged perpetrator, alleged victim, or the Office of the Child Advocate if new, specific, and credible evidence is obtained that the Division's decision was based on fraud or misrepresentation of material facts relevant to the Division's decision. Procedures for reopening an investigation are described in the act. Any person who makes a request to reopen based on facts the person knows to be false will be guilty of a class A misdemeanor. The Division cannot reopen an investigation while the case is pending before a court or when a court has entered a final judgment after de novo judicial review.

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 modifies the current statute of limitations for the prosecution of unlawful sexual offenses involving a person eighteen years of age or younger so that such a prosecution must be commenced within thirty years after the victim reaches the age of eighteen.

This act is identical to the perfected version of SCS/SB 54 (2011), and is substantially similar to the perfected version of SCS/SB 631 (2010) and is similar to SB 286 (2011), SB 41 (2009), HCS/HB 1314 (2008), SB 1212 (2008) and contains provisions similar to HB 1911 (2010), HB 2334 (2008) and HB 2579 (2008).
MICHAEL RUFF

02/16/2011 S First Read--SB 286-McKenna (S266)
02/17/2011 Second Read and Referred S General Laws Committee (S285)
03/01/2011 Hearing Scheduled But Not Heard S General Laws Committee
03/08/2011 Hearing Conducted S General Laws Committee
03/29/2011 Voted Do Pass S General Laws Committee
03/31/2011 Reported from S General Laws Committee to Floor (S541)
04/06/2011 SS S offered (McKenna)--(1556S.02F) (S606)
04/06/2011 SA 1 to SS S offered & adopted (Cunningham)--(1556S02.02S) (S606-629)
04/06/2011 SS, as amended, S adopted (S630)
04/06/2011 Perfected (S606)
04/07/2011 Reported Truly Perfected S Rules Committee (S663)
04/07/2011 Referred S Ways & Means and Fiscal Oversight Committee (S668)
04/14/2011 Hearing Conducted S Ways and Means and Fiscal Oversight Committee

04/14/2011 Voted Do Pass S Ways & Means and Fiscal Oversight Committee
04/14/2011 Reported from S Ways & Means and Fiscal Oversight Committee to Floor (S721)
04/14/2011 S Third Read and Passed (S725)
04/14/2011 H First Read (H1297)
04/18/2011 H Second Read (H1304)
04/26/2011 Referred H Crime Prevention & Public Safety Committee (H1619)

EFFECTIVE: August 28, 2011

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*** SB 287 *** 0441S.01I

SENATE SPONSOR: Ridgeway

SB 287 – This act creates a special liquor license for wine shops to allow them to serve alcohol on Sundays from 9 a.m. to midnight. A wine shop is defined by the act as an establishment that serves wine by the drink out of dispensing accessories. There is a $200 fee for the special license.
MEGHAN LUECKE

02/16/2011 S First Read--SB 287-Ridgeway (S266)
02/17/2011 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S286)
03/15/2011 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee

EFFECTIVE: August 28, 2011

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*** SB 288 *** 1587S.01I

SENATE SPONSOR: Ridgeway

SB 288 - Under current law, all fees paid for admission or participation for any place of amusement, entertainment or recreation, games or athletic events, including museums, fairs, zoos, and planetariums, owned or operated by a municipality or other political subdivision are exempt from state and local sales and use taxes provided all proceeds derived from such fees do not inure to any private entity. This act removes the requirements that such places be owned or operated by a municipality or other political subdivision and that the proceeds from such fees not inure to private entities.
JASON ZAMKUS

02/16/2011 S First Read--SB 288-Ridgeway (S266)
02/17/2011 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S286)
03/31/2011 Hearing Conducted S Ways and Means and Fiscal Oversight Committee

EFFECTIVE: August 28, 2011

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*** SB 289 *** 1513S.01I

SENATE SPONSOR: Lembke

SB 289 - This act prohibits smoking or use of tobacco products in any area of a state correctional center or the surrounding grounds. Any person who violates the provisions of this act is guilty of an infraction.

This act is identical to HB 445 (2011).
ADRIANE CROUSE

02/16/2011 S First Read--SB 289-Lembke (S266)
02/17/2011 Second Read and Referred S General Laws Committee (S286)

EFFECTIVE: August 28, 2011

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*** SB 290 *** 1449S.01I

SENATE SPONSOR: Lembke

SB 290 - Under current law, §434.100, RSMo, most indemnities for construction work are considered void and against public policy. Unless one of the statute's exceptions applies, a party to a contract for construction work cannot transfer a significant portion of its project risks to others via a broad indemnity agreement. The current statute contains nine exceptions to the general rule that these types of indemnity agreements are void.

Under this act, the general prohibition against indemnity agreements is expanded to specifically prohibit agreements to hold harmless the negligence of the party's employees, or agents. The current law only specifically prohibits agreements that hold harmless another person from that person's own negligence.

Under current law, the anti-indemnity provision does not apply to a party's own promise to hold another party harmless from the party's own negligence. This act expands the exception to include the party's officers, employees, and agents.

The act modifies the additional insured exception by providing that the anti-indemnity prohibition does not apply to a party's promise to purchase project-specific insurance policies, other types of protective liability insurance policies, or builder's risk insurance.

The act expands the definition of "construction work" and defines the terms "indemnify" or "hold harmless" as including any requirement to name the indemnified party as an additional insured in the indemnitor's insurance coverage for the purpose of providing an indemnification for any liability not otherwise allowed.

This act is similar to SB 1013 (2010), SB 311 (2009) and SB 1077 (2008).
STEPHEN WITTE

02/16/2011 S First Read--SB 290-Lembke (S266)
02/17/2011 Second Read and Referred S Small Business, Insurance and Industry Committee (S286)

EFFECTIVE: August 28, 2011

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*** SB 291 *** SCS SBs 291, 184 & 294 1374S.04C

SENATE SPONSOR: Pearce

SCS/SBs 291, 184 & 294 – This act modifies the charter school laws.

SECTION 160.400 - Charter schools may be operated in school districts other than St. Louis and Kansas City provided they are sponsored by the school board of the district in which they are located.

This act prohibits a charter school governing board member from being selected by an employee of a company that provides substantial services to the school.

A charter school sponsor must develop policies and procedures for the review of a charter school proposal and the awarding of a charter, including procedures to be used when a school closes for the transfer or repository of student records and the disposition of school assets.

If the state board serves as interim sponsor of a charter school, the board may revoke the school's charter if the school fails to meet academic performance or other goals in the charter.

This act allows the Special Administrative Board of the St. Louis City School District to be the sponsor of a charter school and declare itself as the local education agency of the charter school for school funding purposes. If the special administrative board if dissolved, the charter school may continue to operate provided it seeks and obtains a new sponsorship under the new governing board of the school district.

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. If the charter school is operated by a management company, the charter must also contain a copy of the written contract.

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.

Charter schools may be classified as experiencing financial stress by the Department of Elementary and Secondary education. When a charter school finishes a school year with a combined fund balance of less than one percent of the amount spent from the previous fiscal year, the Department of Elementary and Secondary Education must notify the charter school.

Charter school board members who neglect or refuse to comply with statutory duties will be subject to a misdemeanor violation.

Charter schools will be subject to the annual financial report currently required of school districts in section 162.821.

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.

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.

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.

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 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 160.415 - Charter schools will be eligible to receive Proposition C funds. Charter school weighted average daily attendance will be included in the distribution of Proposition C funds.

SECTION 160.420 - In addition to existing criminal background check requirements, charter schools must ensure that a Family Care Safety Registry check is conducted for employees.

SECTION 160.539 – This act also allows charter schools to participate in the School Flex Program. In addition, the program will be expanded to include students ages seventeen to twenty-one who have not obtained a high school degree, who meet the other program requirements.

This act contains provisions similar to provisions contained in SB 838 (2010), SB 835 (2010) and HB 2200 (2010), SB 317 (2009), SB 1027 (2008) and SB 64 (2009).
MICHAEL RUFF

SA 1: WHEN A CHARTER SCHOOL CLOSES, THE SPONSOR MUST ENSURE THAT ANY REMAINING CASH ASSETS BE RETURNED TO THE DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION FOR THEIR DISPOSITION.

SA 3: THE STATE AUDITOR MAY AUDIT CHARTER SCHOOLS IN THE SAME MANNER IN WHICH IT MAY AUDIT AN AGENCY OF THE STATE.

02/17/2011 S First Read--SB 291-Pearce (S271)
02/24/2011 Second Read and Referred S Education Committee (S332)
03/16/2011 Hearing Conducted S Education Committee
03/30/2011 SCS Voted Do Pass (w/SCS SBs 291, 184 & 294) S Education Committee - (1374S.04C)
03/31/2011 Reported from S Education Committee to Floor w/SCS (S541)
04/06/2011 Taken up for Perfection (S633)
04/06/2011 Bill Placed on Informal Calendar (S633)
04/13/2011 SA 1 to SCS S offered & adopted (Kraus)--(1374S04.07S) (S703)
04/13/2011 SA 2 to SCS S offered (Lembke)--(1374S04.02S) (S703)
04/13/2011 SA 1 to SA 2 to SCS S offered & withdrawn (Pearce)--(1374S04.01F) (S704)

04/13/2011 SA 2 to SCS S withdrawn (S704)
04/13/2011 SA 3 to SCS S offered & adopted (Cunningham)--(1374S04.09S) (S704)
04/13/2011 SA 4 to SCS S offered (Cunningham)--(1374S04.11S) (S704-716)
04/13/2011 Bill Placed on Informal Calendar (S716)
05/13/2011 S Informal Calendar S Bills for Perfection--SBs 291, 184 & 294-Pearce, with SCS & SA 4 (pending)

EFFECTIVE: August 28, 2011

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*** SB 292 *** 1117S.03I

SENATE SPONSOR: Schaaf

SB 292 - Presidential and vice presidential candidates are required to provide evidence of being nationals and citizens of the United States at birth to the Secretary of State in order to be certified as candidates. Long form birth certificates that record the name or address of the birthing facility along with the signature of certain legally authorized persons in attendance will be required as proof if one exists. Those that don't, will not be accepted.

The Secretary of State shall post the proof of birth on the internet.

CHRIS HOGERTY

02/17/2011 S First Read--SB 292-Schaaf (S271)
02/24/2011 Second Read and Referred S General Laws Committee (S332)

EFFECTIVE: August 28, 2011

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*** SB 293 *** 1593S.01I

SENATE SPONSOR: Schaaf

SB 293 - Current allocations of tax revenues derived from the nonresident entertainer and athlete tax to the Missouri arts council trust fund, the Missouri state library networking fund, Missouri public television broadcasting corporation special fund, and the Missouri Department of Natural Resources Missouri historic preservation revolving fund are authorized to be made for all taxable years beginning on or after January 1, 1999, but ending on or before December 31, 2015. This act will allow such allocations perpetually.

This act is identical to House Bill 429 (2011).

JASON ZAMKUS

02/17/2011 S First Read--SB 293-Schaaf (S271)
02/24/2011 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S332)
03/10/2011 Hearing Conducted S Ways and Means and Fiscal Oversight Committee

EFFECTIVE: August 28, 2011

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*** SB 294 *** 1257S.03I

SENATE SPONSOR: Keaveny

This bill has been combined with SB 291

02/17/2011 S First Read--SB 294-Keaveny (S271)
02/24/2011 Second Read and Referred S Education Committee (S332)
03/16/2011 Hearing Conducted S Education Committee
03/30/2011 Bill Combined (w/SCS SBs 291, 184 & 294)

EFFECTIVE: August 28, 2011

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*** SB 295 *** 0560S.02I

SENATE SPONSOR: Keaveny

SB 295 - 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.

Lenders shall make certain disclosures to consumers at loan signing, including the duration of the loan, amount and date of payments due, and amount of interest and fees to be charged through the duration of the loan.

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 days for repayment and a payment shall be required every 2 weeks.

The lender's exclusive remedy against consumers who deliver checks that are not honored in relation to the loan shall be a breach of contract claim and lenders shall be barred from bringing a civil action for passing bad checks.

This act establishes a pilot program whereby the Division of Finance is charged to develop a real-time statewide compliance system for licensed payday lenders to record each payday loan transaction. The division shall deliver reports to the legislature documenting the usefulness of the system and the general compliance of licensees. The program shall be fully implemented by September 1, 2011 and sunset on August 31, 2012.

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), HB 2116 (2010), SB 593 (2010), SB 699 (2010), and SB 811 (2010).
CHRIS HOGERTY

02/17/2011 S First Read--SB 295-Keaveny (S271)
02/24/2011 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S332)
04/05/2011 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee

EFFECTIVE: August 28, 2011

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*** SB 296 *** 1370S.01I

SENATE SPONSOR: Schmitt

SB 296 - This act establishes the Compete Missouri Job Training Program which combines three existing job training programs that provide financial assistance for job training for new jobs created by qualified companies. Financial assistance will also be available to business and technology centers established by Missouri community colleges, or state-owned postsecondary technical colleges, to provide business and training services for growth industries. The act provides for the diversion of withholding taxes from new or retained jobs of qualified companies to pay costs incurred by new or retained jobs training projects administered by local educational agencies such as community and technical colleges.

The provisions of the act will automatically sunset July 1, 2018, unless reauthorized.
JASON ZAMKUS

02/17/2011 S First Read--SB 296-Schmitt, et al (S271)
02/24/2011 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S332)
03/02/2011 Hearing Conducted S Jobs, Economic Development and Local Government Committee

EFFECTIVE: August 28, 2011

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*** SB 297 *** 0834S.01I

SENATE SPONSOR: Munzlinger

SB 297 - Under current law, a Missouri resident conforming to all applicable state and federal gun laws may purchase rifles and shotguns in states contiguous to Missouri. Also, residents of the contiguous states who conform to applicable state and federal gun laws may purchase rifles and shotguns in Missouri.

This act allows Missouri residents to purchase rifles and shotguns in any state so long as the resident

follows all applicable provisions of the Federal Gun Control Act of 1968, Missouri law and the law of the state in which the purchase occurs. A resident of any state who abides by the applicable federal laws, Missouri laws and laws of the resident's home state may purchase rifles and shotguns in Missouri.

In addition, the current provisions regarding such gun purchases are moved from the merchandising practices chapter to the chapter on weapons offenses. As a result, certain provisions governing the entire merchandising practices chapter will no longer apply, including provisions that detail the power of the Attorney General to investigate violations of the law.

This act is identical to HB 1910 (2010).
MEGHAN LUECKE

02/17/2011 S First Read--SB 297-Munzlinger (S271)
02/24/2011 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S332)
03/15/2011 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee

EFFECTIVE: August 28, 2011

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*** SB 298 *** 0829S.02I

SENATE SPONSOR: Munzlinger

SB 298 - The minimum age for an applicant of a concealed carry endorsement is lowered from twenty-three to twenty-one.

This act is identical to SB 968 (2010) and similar to HB 1206 (2010).
MEGHAN LUECKE

02/17/2011 S First Read--SB 298-Munzlinger (S271)
02/24/2011 Second Read and Referred S General Laws Committee (S332)
04/12/2011 Hearing Conducted S General Laws Committee
04/19/2011 Voted Do Pass S General Laws Committee

EFFECTIVE: August 28, 2011

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*** SB 299 *** SCS SB 299 0348S.02C

SENATE SPONSOR: Munzlinger

SCS/SB 299 - Under the act, the Department of Conservation must compensate individuals for any damage caused to them by wild elk. Such damage may include damage to crops, pasture, livestock, property, or vehicles, as well as personal injury or death that results from a vehicle collision with an elk. The act allows landowners to kill any wild elk if the elk has damaged their property.

This act is almost identical to SB 38 (2001).
ERIKA JAQUES

02/17/2011 S First Read--SB 299-Munzlinger (S271)
02/24/2011 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S332)
03/09/2011 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee
03/16/2011 SCS Voted Do Pass S Agriculture, Food Production and Outdoor Resources Committee - (0348S.02C)
03/31/2011 Reported from S Agriculture, Food Production and Outdoor Resources Committee to Floor w/ SCS (S541)
04/11/2011 Taken up for Perfection (S676)
04/11/2011 Bill Placed on Informal Calendar (S676)
05/13/2011 S Informal Calendar S Bills for Perfection--SB 299-Munzlinger, with SCS (pending)

EFFECTIVE: August 28, 2011

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*** SB 300 *** SCS SB 300 0886S.02P

SENATE SPONSOR: Munzlinger

SCS/SB 300 - The act specifies that the use of centerfire handguns of any barrel length shall be an

allowable hunting method during the muzzleloader portion of the firearms deer season.
ERIKA JAQUES

02/17/2011 S First Read--SB 300-Munzlinger (S271)
02/24/2011 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S332)
03/02/2011 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee
03/16/2011 SCS Voted Do Pass S Agriculture, Food Production and Outdoor Resources Committee - (0886S.02C)
04/07/2011 Reported from S Agriculture, Food Production and Outdoor Resources Committee to Floor w/SCS (S663)
04/12/2011 SCS S adopted (S692)
04/12/2011 Perfected (S692)
04/12/2011 Reported Truly Perfected S Rules Committee (S694)
04/14/2011 S Third Read and Passed (S727-728)
04/14/2011 H First Read (H1297)
04/18/2011 H Second Read (H1304)
04/19/2011 Referred H General Laws Committee
04/26/2011 Hearing Conducted H General Laws Committee

EFFECTIVE: August 28, 2011

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*** SB 301 *** 1540S.01I

SENATE SPONSOR: Mayer

SB 301 - This act creates the Missouri Homeowners Mutual Insurance Company Act. The Missouri Homeowners Mutual Insurance Company is created as an independent public corporation for the purpose of providing insurance coverage for the physical and personal property of Missouri home and apartment owners and renters. The company will be organized as a mutual insurance company and shall not be a state agency. The company shall be a member of the Missouri property and casualty guaranty association and shall be subject to assessments. Members of that association shall bear responsibility in the event the company becomes insolvent.

BOARD OF DIRECTORS - The company shall be administered by a board of directors consisting of 5 members. The initial members shall be appointed by the Governor with the advice and consent of the Senate. The board shall hire an administrator who shall be in charge of the day-to-day operations and management of the company.

RATE SETTING AND INVESTMENTS - The board shall have full power and authority to establish rates to be charged by the company for homeowners insurance. Rates shall be set at amounts sufficient to carry all claims to maturity, meet the reasonable expenses of conducting the business of the company and maintain a reasonable surplus. The board shall invest and reinvest the surplus or reserves of the company.

PRODUCERS MAY SELL COMPANY POLICIES - Any insurance producer licensed to sell professional negligence insurance in Missouri shall be authorized to sell homeowners insurance policies for the company.

STATE APPROPRIATIONS/OPERATING EXPENSES - The company shall not receive any state appropriation, directly or indirectly, except it may receive loans from the State Treasurer. After October 1, 2011, the State Treasurer shall make one or more loans to the company not to exceed $5 million. These monies shall come from a fund known as the Missouri Homeowners Mutual Insurance Company Loan Fund which shall be funded by the legislature by an appropriation. The loans shall be for a term of 10 years and shall bear interest at the annual rate on the rate for linked deposit loans as calculated by the state treasurer pursuant to Section 30.758.

REVENUE BONDS - The board is authorized to issue revenue bonds in an amount not to exceed $50 million. The bonds shall have a maturity of no more than 10 years from the date of issuance. The bonds may be sold at a public or a private sale.

AUDITS - The board shall have an audit of its books, accounts, and funds conducted annually by a competent and independent CPA firm. A copy of the audit shall be filed with the director of the Department of Insurance and the administrator.

The incurred loss experience and expense of the company shall be ascertained each year to include but not

be limited to estimates of outstanding liabilities for claims reported to the company but not yet paid and liabilities for claims arising from losses which have occurred but have not yet been reported to the company.

The Department of Insurance shall conduct an examination of the company. The board shall pay the cost of the examination.
STEPHEN WITTE

02/17/2011 S First Read--SB 301-Mayer (S272)
02/24/2011 Second Read and Referred S Small Business, Insurance and Industry Committee (S332)
03/15/2011 Hearing Cancelled S Small Business, Insurance and Industry Committee
03/16/2011 Hearing Conducted S Small Business, Insurance and Industry Committee

EFFECTIVE: August 28, 2011

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*** SB 302 *** 1599S.01I

SENATE SPONSOR: Engler

SB 302 - This act subjects Chapter 383 malpractice associations to stricter insurance regulations.

383 ASSESSMENTS - Under the terms of this act, 383 malpractice association assessments are broken into 4 types of assessments: initial assessments, regular assessments, operating assessments, and special assessments. A 383 malpractice association's articles of association and bylaws must specify how the various assessments apply to current and former members. Under the act, special assessments made by an association after the 5th anniversary of the termination date of a former member's coverage under the association's policy shall not apply to the former member.

ARTICLES OF ASSOCIATION AND BYLAWS - Under the act, a copy of the articles of association and bylaws shall be attached to a policy issued by an assessable association (Section 383.018).

383 AUDITS - Under the terms of this act, 383 malpractice associations shall be subject to various auditing and financial reporting insurance laws (Section 383.035).

LIMITATIONS ON AMOUNT OF INSURANCE PREMIUM AN ASSOCIATION CAN WRITE - 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 (Section 383.035).

ASSOCIATION SURPLUS REQUIREMENTS - The act requires assessable associations to maintain a policyholder's surplus of at least $600,000. Assessable associations licensed under Chapter 383 as of February 9, 2011, may renew their licenses with lower surplus requirements over a three year period ($200,000 surplus after 2011, $400,000 surplus after 2012, and $600,000 surplus after 2013). Under current law, 383 malpractice associations are not required to maintain positive surpluses.

PREMIUMS WRITTEN/SURPLUS HELD MINIMUM RATIO - The act requires 383 associations to maintain a specified ratio of premiums written to surplus held. A 383 malpractice associations shall not cause the ratio of its net written premiums to its policyholder's surplus to exceed 3 to 1 without approval of the director. Assessable associations licensed under Chapter 383 as of February 9, 2011, may renew their licenses with higher ratios over a three year period (4 to 1 after 2011, 3.5 to 1 after 2012, and 3 to 1 after 2013).

Failure to comply with the surplus or premiums written/surplus ratio requirements constitutes grounds for revocation of an association's license (Section 383.035).

383 MALPRACTICE ASSOCIATION RATES - The act repeals a provision of law which currently provides that 383 malpractice association rates shall not be excessive or inadequate, nor shall they be unfairly discriminatory (Section 383.037).

DETERMINATION OF WHETHER A MEDICAL MALPRACTICE INSURANCE RATE IS EXCESSIVE, INADEQUATE, OR DISCRIMINATORY - Under current law, medical malpractice insurers are prohibited from issuing medical malpractice policies in which the rates are excessive, inadequate, or unfairly discriminatory. A determination of whether a base rate is excessive, inadequate, or unfairly discriminatory is determined by the director. This act clarifies this statute by requiring the director to hold a hearing before making such a finding and that the director must base the decision on competent and substantial evidence on the whole record rather than competent and compelling evidence (Section 383.206).

COMPLIANCE WITH THE NEW 383 ASSOCIATION LAWS - Assessable associations operating under the 383 malpractice association laws prior to August 28, 2011, shall have 180 days following such date to come into compliance with the requirements of the modified provisions and to file their articles of association and bylaws conforming to the modified provisions or the director may suspend the assessable association's certificate of authority or issue a cease and desist order prohibiting the assessable association from writing new business (Section 383.009).
STEPHEN WITTE

02/21/2011 S First Read--SB 302-Engler (S290)
02/24/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S332)

EFFECTIVE: August 28, 2011

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*** SB 303 *** 1624S.01I

SENATE SPONSOR: Engler

SCS/SB 303 - This act modifies disciplinary and administrative procedure provisions that apply to professions and businesses licensed by the Division of Professional Registration or by any board committee, commission or office within the Division of Professional Registration. The act also modifies the licensing requirements and disciplinary powers of the Board of Registration for the Healing Arts.

If a person who is licensed by any board, committee, commission, or office under the Division of Professional Registration does not defend against a disciplinary proceeding, the appropriate board or the Administrative Hearing Commission is required to enter a default decision against the person. The board or the Administrative Hearing Commission may set aside the default decision for good cause if the person files a motion within thirty days after the default decision.

Evidence contesting the basis of a criminal conviction or disciplinary action from another state will not be admissible in an administrative hearing.

The Administrative Hearing Commission is required to deliver the findings of fact and conclusions of law in disciplinary cases to the appropriate agency within one hundred and twenty days of the date the case became ready for decision.

BOARD OF REGISTRATION FOR THE HEALING ARTS
The Board of Registration for the Healing Arts is authorized to list certain information about individuals who are licensed by the board and applicants for licenses from the board on its website. The board is also required to disclose confidential information to applicants for licenses and licensees without a fee, if the information is less than five years old.

The board is no longer authorized to require doctors licensed in other states to take certain examinations prior to waiving the Missouri examination requirement. The board is authorized to require another examination, more education, or further training before issuing a permanent medical license to applicants who have not actively practiced clinical medicine or held a teaching position for two of the three years before their application.

Doctors are no longer required to display their certificate of registration in the office.

The board is authorized to impose civil penalties up to $25,000 in disciplinary actions against licensees.

The board is required to make individuals applying for a license or holding a license submit to an evaluation of their skills, a multi-disciplinary evaluation, or a substance abuse evaluation, if there is cause to believe that the individual is incompetent about the medical or osteopathic profession, mentally or physically incapacitated, or excessively uses or abuses drugs.

The disciplinary authority of the board is modified to allow the board to discipline licensees for prescribing drugs through the internet without a valid physician-patient relationship, for being listed on a sex offender registry, for a single act of negligence, for knowingly making a false statement to the board, for violating a settlement agreement with the board, for failing to comply with a treatment program, and for violating any professional trust or confidence.

The board's authority to issue an emergency suspension or restriction of a licensee's license is modified

to allow additional reasons for an emergency suspension or restriction, including: sexual conduct with a patient, sexual misconduct with a minor, possession or use of a controlled substance, a court finding that the licensee is incapacitated, habitual intoxication or dependence on alcohol or a controlled substance or failing to comply with a treatment program. The procedure for issuing emergency restrictions or suspensions is also modified. Emergency suspensions will take effect when the documents are served, rather than after a preliminary hearing before the Administrative Hearing Commission. The emergency restriction or suspension may be appealed to the circuit court.

The board is also authorized to initiate hearings before itself when disciplining a licensee's license for certain actions. The board's disciplinary decision is appealable to the circuit court.

The act requires a person prescribing a controlled substance to document certain information in a patient's medical record prior to prescribing the medication. If the prescription is for more than ninety days, a doctor is required to have the patient sign a medication agreement, unless the patient is unable to sign and abide by the agreement. The doctor is authorized to conduct random drug tests to document compliance with the prescribed medication.

Doctors who prescribe any drug, controlled substance, or other treatment through the Internet are required to meet certain requirements to establish that there is a valid physician-patient relationship.

The board's authority to discipline athletic trainers is also modified.
EMILY KALMER

02/21/2011 S First Read--SB 303-Engler (S290)
02/24/2011 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S332)
02/28/2011 Hearing Conducted S Financial and Governmental Organizations and Elections Committee
03/14/2011 SCS Voted Do Pass S Financial and Governmental Organizations and Elections Committee - (1624S.05C)

EFFECTIVE: August 28, 2011

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*** SB 304 *** 1623S.01I

SENATE SPONSOR: Rupp

SB 304 - This act modifies the Insurers Supervision, Rehabilitation and Liquidation Act. This act adopts a provision of the National Association of Insurance Commissioners Insurance Receivership Model Act ("IRMA"), which clarifies the handling of life and health reinsurance in the event that a Missouri domestic insurance company has been placed in conservation or rehabilitation proceedings pursuant to the Insurers Supervision, Rehabilitation and Liquidation Act.

Under the terms of the act, contracts reinsuring policies of life or health insurance or annuities issued by a ceding insurer that has been placed in conservation or rehabilitation proceedings shall be continued or terminated under the terms of each contract and the provisions of this act. Such reinsurance contracts shall be continued unless the contracts were terminated under their own terms prior to the date of the order of liquidation ("coverage date") or the contracts were terminated under an order of liquidation.

Within 180 days of the date of the order of liquidation, guaranty associations covering policies of life or health insurance or annuities may elect to succeed to the rights of the insolvent insurer with respect to its existing reinsurance contracts.

In order to facilitate the decision of whether to assume the reinsurance contracts, the act requires the receiver and reinsurer of a ceding insurer to make copies of the reinsurance contracts and all related files available to the applicable guaranty association.

If the guaranty association assumes the reinsurance contracts, then it shall be responsible for all unpaid premiums due under such contracts and shall be responsible for the performance of all other obligations to be performed after the coverage date. The guaranty association may charge policies or annuities covered by it the costs for reinsurance in excess of the obligations of the guaranty association.

The act requires the guaranty association and each reinsurer, within 30 days following the guaranty association's election to assume the reinsurance contracts, to calculate the net balance due on the reinsurance contracts. The reinsurer must pay the receiver any amounts due for losses or events prior to the

coverage date, subject to any setoff for premiums unpaid for periods prior to the date. Disputes over the amounts due to either the guaranty association or the reinsurer must be resolved by arbitration (either under the terms of the reinsurance contracts or the terms of this act).

Under the act, reinsurers shall not be entitled to terminate reinsurance contracts for failure to pay premiums if the guaranty association pays premiums due within 60 days of assumption.

The act also allows a receiver to elect to succeed to the rights or an reinsurance contract if the policies of insurance are not covered in whole or in part by one or more guaranty associations.

If a guaranty association elects not to assume a reinsurance contract by the election date, then the guaranty association shall no rights or obligations with respect to the reinsurance contract.

Under the act, reinsurance contracts may be transferred by the guaranty association to an assuming insurer when policies and annuities are transferred to the assuming insurer. The transferred reinsurance contract shall not cover any new policies or annuities unless the reinsurer and the assuming insurer agree otherwise.

The act sets forth procedures to follow when a reinsurance contract is terminated. Upon notice of termination, the reinsurer and receiver shall commence a mandatory negotiation and arbitration procedure. Each party must appoint an actuary to determine an estimated sum due as a result of the termination of the reinsurance contract. Each party shall provide the other party with its estimate of the sum due as a result of the termination of the reinsurance contract. If the parties cannot agree on a sum due, either party may initiate arbitration proceedings as provided in the reinsurance contract. If the reinsurance contract does not provide for arbitration, either party may initiate arbitration by providing the other party with a written demand for arbitration. The act establishes the procedures in which the arbitration must be conducted (venue, appointment of arbitrators, discovery, hearings, issuance of an award, etc.).
STEPHEN WITTE

02/21/2011 S First Read--SB 304-Rupp (S290)
02/24/2011 Second Read and Referred S Small Business, Insurance and Industry Committee (S332)

EFFECTIVE: August 28, 2011

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*** SB 305 *** 1492S.01I

SENATE SPONSOR: Parson

SB 305 - The act creates record-keeping requirements for businesses that purchase plastic bulk merchandise containers for recycling, shredding, or destruction. When such a business purchases ten or more containers at one time from a single seller, the business must: obtain proof that the containers are lawfully owned; create a record with the seller's name, address, telephone number and information about the transaction; and verify the identity of the seller by using a driver's license or other government-issued photo id.

Businesses must not conduct sales transactions in such a way so as to purposefully avoid the act's requirements. Businesses must retain the record of the sales transaction for one year and the record must be made available to law enforcement agents upon request.

A violation of the act is a class A misdemeanor.
ERIKA JAQUES

02/21/2011 S First Read--SB 305-Parson (S290)
02/24/2011 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S332)

EFFECTIVE: August 28, 2011

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*** SB 306 *** SS SB 306 1302S.02T

SENATE SPONSOR: Wasson HOUSE HANDLER: Wells

SS/SB 306 - This act modifies and updates the law relating to credit unions.

The act updates the credit union statutes to designate the Department of Insurance, Financial Institutions and Professional Registration as the department overseeing credit unions and designates the Director of

Credit Unions as the head of the Division of Credit Unions.

The director of the Division of Credit Unions and division employees and special agents shall take an oath of confidentiality and are barred from disclosing certain information. Certain exceptions are enumerated. Those individuals, other than the members of the credit union commission, who examine credit unions or make official decisions regarding credit unions shall not be an officer or director of, or receive payment from, a credit union the division regulates.

In the course of an investigation, the director may compel the production of documents and the attendance of persons having knowledge of pertinent issues, administer oaths, and seek enforcement of an administrative subpoena.

Officers, directors, and employees shall not be charged with libel, slander, or defamation for good faith communications with the director or employees of the division.

The act updates the process by which directors, officers, and employees may be removed from office or suspended by the director of the division of credit unions. The director of the division shall deliver a notice of intention to remove or prohibit the party from acting in connection with a credit union stating the grounds for such action and the time and place for a hearing for removal or prohibition. Those suspended or prohibited from participating in the affairs of the credit union may file a stay of such suspension or prohibition in circuit court.

If suspensions cause a lack of a quorum for a board of directors, the board may function under those not suspended. If all the directors are suspended, the director of the division shall appoint temporary directors to take their place.

This act removes a provision of law restricting credit unions from issuing certain loans to directors and credit and supervisory committee members exceeding $25,000.

The act removes provisions establishing requirements for reserve funds and instead requires credit unions to maintain reserves sufficient to qualify for federal share insurance and satisfy regulations relating to reserve fund requirements.

Currently, notice of a meeting at which a plan for merger is to be submitted shall be as provided in the credit unions bylaws or by letter to shareholders. This act requires notice to be mailed to each member between 14 and 30 days before the meeting. Members may vote remotely by electronic ballot. The same procedures shall be allowed when a state-chartered credit union votes to convert to a federal credit union.

This act is similar to HB 465 (2011).
CHRIS HOGERTY

02/21/2011 S First Read--SB 306-Wasson (S291)
02/24/2011 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S332)
02/28/2011 Hearing Conducted S Financial and Governmental Organizations and Elections Committee
03/07/2011 Voted Do Pass S Financial and Governmental Organizations and Elections Committee
03/10/2011 Reported from S Financial and Governmental Organizations and Elections Committee to Floor (S433)
03/16/2011 SS S offered & adopted (Wasson)--(1302S.02F) (S469)
03/16/2011 Perfected (S469)
03/16/2011 Reported Truly Perfected S Rules Committee (S479)
03/17/2011 S Third Read and Passed (S492)
03/17/2011 H First Read (H702)
03/18/2011 H Second Read (H707)
03/29/2011 Referred H Financial Institutions Committee (H753)
03/30/2011 Hearing Conducted H Financial Institutions Committee
04/07/2011 Voted Do Pass H Financial Institutions Committee
04/07/2011 Reported Do Pass H Financial Institutions Committee (H1171)
04/07/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1171)
04/20/2011 Voted Do Pass H Rules Pursuant Committee
04/20/2011 Reported Do Pass H Rules Pursuant Committee (H1419)
05/04/2011 H Third Read and Passed (H1839-1840)
05/04/2011 Truly Agreed To and Finally Passed (S1342)

EFFECTIVE: August 28, 2011

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*** SB 307 *** 1665S.01I

SENATE SPONSOR: Justus

SB 307 - This act allows Kansas City to charge an additional fourteen dollar per case court cost for municipal ordinance violation cases. This additional court cost shall be used to fund legal representation for indigent defendants who participate in the municipal court's mental health court, drug court, or veterans court. After funding legal representation for these individuals, the money may also be used to fund legal representation for indigent defendants in other municipal court matters or other expenses of the municipal court.
EMILY KALMER

02/21/2011 S First Read--SB 307-Justus (S291)
02/24/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S332)
04/18/2011 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2011

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*** SB 308 *** 1628S.01I

SENATE SPONSOR: Nieves

SCS/SB 308 - The act makes contracts that choose to apply a foreign law to contractual disputes or to have disputes settled in another country void and unenforceable in Missouri, if the foreign law would not grant the parties to the contract the same rights as the parties have under the United States and Missouri constitutions.

In some cases, a court may refuse to take jurisdiction over matters, where the court believes there is a more appropriate forum for the dispute. This act requires that the court hear the case in Missouri, if a state resident brings the case and if the court finds that not hearing the case in Missouri violates or would likely violate the rights of the person who brought the case.

This act is similar to HB 708 (2011).
EMILY KALMER

02/21/2011 S First Read--SB 308-Nieves (S291)
02/24/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S332)
04/04/2011 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee
04/28/2011 SCS Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee - (1628S.02C)

EFFECTIVE: August 28, 2011

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*** SB 309 *** 1663S.01I

SENATE SPONSOR: Kehoe

SB 309 - This act allows for the organization of ambulance districts which may impose either a property tax not to exceed thirty cents on the one hundred dollars of assessed valuation or a sales tax not to exceed one-half of one percent.

Under current law, ambulance and fire protection districts located in any 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.

This act contains provisions that are identical to Senate Bill 826 (2010).
JASON ZAMKUS

02/21/2011 S First Read--SB 309-Kehoe (S291)
02/24/2011 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S332)

EFFECTIVE: August 28, 2011

*** SB 310 *** 0753S.01I

SENATE SPONSOR: Justus

SB 310 - This act modifies provisions relating to lead abatement and renovation licensing and training, allowing the Department of Health and Senior Services to implement a renovation program authorized by the federal Environmental Protection Agency (EPA).

This act adds definitions for "dust sampling technician", "emergency", "minor repair and maintenance activities", "renovation", "renovation firm", "renovator", "replacement" and "target housing."

This act also modifies various current definitions. The term "lead abatement contractor" is changed to "licensed firm" and is modified to reflect such changes throughout the act. The term "lead bearing substance activity" is amended to include clearance sampling.

The licensed firm conducting the lead abatement project shall provide an occupant protection plan to the dwelling occupant notifying the occupant that information regarding potential lead hazards is available on the department's website. Also, the time frame for contractors to notify the department of a project was changed from ten days to five days.

This act authorizes representatives of the department to conduct training audits in addition to compliance inspections of licensed firms, renovations firms or training providers. This act also allows for the department to train as well as issue licenses to lead inspectors, risk assessors, lead abatement supervisors, lead abatement workers, project designers, dust sampling technicians and licensed firms.

This act adds licensing requirements for renovators, renovation firms and dust sampling technicians. Also, the department shall require a licensed firm to provide evidence of current insurance coverage prior to conducting lead-bearing substance activities.

This act provides that no person shall engage in or conduct renovation activities in target housing or child occupied facilities without having a licensed renovator on each renovation site. Also, the list of qualified individuals and companies available to the public is updated to include risk assessors, licensed firms, lead abatement supervisors, renovation firms, renovators and dust sampling technicians.
ADRIANE CROUSE

02/22/2011 S First Read--SB 310-Justus (S296)
02/24/2011 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S332)

EFFECTIVE: August 28, 2011

*** SB 311 *** 1595S.01I

SENATE SPONSOR: Pearce

SB 311 - Under current law, the Children's Vision Examination Program is set to sunset on June 30, 2012. This act repeals the sunset provision.
ADRIANE CROUSE

02/22/2011 S First Read--SB 311-Pearce (S296)
02/24/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S332)
04/19/2011 Hearing Cancelled S Health, Mental Health, Seniors and Families Committee

EFFECTIVE: August 28, 2011

*** SB 312 *** 1677S.01I

SENATE SPONSOR: Keaveny

SCS/SB 312 - This act gives administrative hearing officers from the Department of Social Services the authority to set aside administrative child support decisions on behalf of the Director to correct oversights and omissions due to mistake of law or fact, surprise, fraud, misrepresentation, excusable neglect or inadvertence. The hearing officer may correct the decision by amendment, after notice to the parties, on his or her own initiative or upon the motion of any party or the Family Support Division under the circumstances detailed in the act.

In cases of lack of jurisdiction, the hearing officer may, after notice to the parties, on his or her own initiative or upon the motion of any party or the Family Support Division, vacate the administrative order if it is found the order was without subject matter or personal jurisdiction or due process and the order had not been filed with the court and no party has filed a petition for judicial review with the court under the circumstances detailed in the act.
ADRIANE CROUSE

02/22/2011 S First Read--SB 312-Keaveny (S296)
02/24/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S332)
04/19/2011 Hearing Conducted S Health, Mental Health, Seniors and Families Committee
04/19/2011 SCS Voted Do Pass S Health, Mental Health, Seniors and Families Committee - (1677S.02C)

EFFECTIVE: August 28, 2011

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*** SB 313 *** 1622S.01I

SENATE SPONSOR: Schaaf

SB 313 - This act removes provisions of current law that require a member of a board of directors for a tourism community enhancement district to meet one of the following requirements: reside in the district; own real property within the district; or work in, or operate, a business in the district.

This act is identical to HB 545 (2011).
MEGHAN LUECKE

02/22/2011 S First Read--SB 313-Schaaf (S296)
02/24/2011 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S332)

EFFECTIVE: August 28, 2011

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*** SB 314 *** 0192S.01I

SENATE SPONSOR: Chappelle-Nadal

SB 314 - This act creates a Class B misdemeanor for employers who transmit an employee's or customer's name on a public address system or provides an employee's work schedule or personal information to another.

Employers are barred from evicting, harassing, dismissing, or retaliating against employees and patrons that have reported violations of the crime.

This act is identical to HB 1755 (2010).
CHRIS HOGERTY

02/22/2011 S First Read--SB 314-Chappelle-Nadal (S296)
02/24/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S332)

EFFECTIVE: August 28, 2011

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*** SB 315 *** 0181S.01I

SENATE SPONSOR: Chappelle-Nadal

SB 315 - Public bodies are barred from entering into public works contracts with a company that has conducted discriminatory employment practices.

Employers shall provide written cause to terminated employees.

This act is identical to HB 1356 (2010).
CHRIS HOGERTY

02/22/2011 S First Read--SB 315-Chappelle-Nadal (S296)
02/24/2011 Second Read and Referred S Small Business, Insurance and Industry Committee (S332)

EFFECTIVE: August 28, 2011

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*** SB 316 *** 1666S.01I

SENATE SPONSOR: McKenna

SB 316 - This act establishes a four day work week for state merit system employees. Full-time employment shall be fixed at 40 hours, Monday through Thursday, from 7 a.m. to 6 p.m. The division of personnel in cooperation with the departments shall establish alternative working hours for essential personnel. The four day work week shall be implemented by January 1, 2012.
CHRIS HOGERTY

02/22/2011 S First Read--SB 316-McKenna (S296)
02/24/2011 Second Read and Referred S General Laws Committee (S332)

EFFECTIVE: August 28, 2011

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*** SB 317 *** 1590S.01I

SENATE SPONSOR: Stouffer

SB 317 - This act exempts securities issued by agricultural cooperative corporations from security registration requirements, provided that the Commissioner of Securities is notified within 30 days of the sale of the securities. The notification must include the prospectus or other sales literature to be used and financial statements. The act defines what is considered to be an agricultural cooperative corporation for purposes of the exemption.
ERIKA JAQUES

02/22/2011 S First Read--SB 317-Stouffer (S297)
02/24/2011 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S333)

EFFECTIVE: August 28, 2011

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*** SB 318 *** 1671S.01I

SENATE SPONSOR: Dixon

SB 318 - This act requires the Secretary of State to provide voter registration application forms to the Department of Conservation to distribute from its offices and permit vendors authorized to issue resident hunting and fishing permits. Such offices and vendors may mail applications to applicants.

This act is similar to HB 845 (2007), SB 586 (2008), SB 1236 (2008), and HB 277 (2011).
CHRIS HOGERTY

02/22/2011 S First Read--SB 318-Dixon (S297)
02/24/2011 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S333)

EFFECTIVE: August 28, 2011

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*** SB 319 *** 1673S.01I

SENATE SPONSOR: Dixon

SB 319 - Under current law, the department of health and senior services processes claims submitted by health care providers requesting setoffs of income tax refunds to satisfy outstanding debts owed by taxpayers. This act repeals the authority of the department of health and senior services to administer such a program and creates a system for ambulance service providers to utilize a private claim clearinghouse to process and verify requests for setoffs of taxpayer income tax refunds and lottery winnings to satisfy outstanding debts for ambulance services received. Prior to utilizing the clearinghouse, an ambulance service provider must provide certain notices to patients and allow for various levels of review and appeals of such claims. To offset expenses incurred in collecting debts owed to ambulance service providers, a collection fee is assessed to each offset which is allocated among the clearinghouse and the department of revenue. The act establishes a priority, with regard to setoffs, in which debts owed to ambulance service providers receive the least priority.

This act is identical to the House Bill 312 (2011) and the Senate Committee Substitute for Senate Bill 878 (2010).
JASON ZAMKUS

02/22/2011 S First Read--SB 319-Dixon (S297)
02/24/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S333)

EFFECTIVE: August 28, 2011

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*** SB 320 *** SS#2 SCS SB 320 1450S.06T

SENATE SPONSOR: Lamping HOUSE HANDLER: Silvey

SS#2/SCS/SB 320 - This act modifies the provisions relating to domestic violence.

DEFINITIONS

This act provides the same definition for "domestic violence" and "family and household member" in various chapters and statutes relating to domestic violence and orders of protection. The definition sections pertaining to child orders of protection are repealed. Sections 43.545, 452.375, 455.010, 455.200, 455.501, 455.540, 527.290

ALIGNING ADULT AND CHILD ABUSE ORDERS OF PROTECTION

This act also provides consistency relating to adult and child orders of protection, including the definitions for "abuse", "adult", and "child". This act provides that the grounds for issuing ex parte or full orders of protection for both adults and children include stalking. In addition, adult and child orders now both prohibit communicating with the petitioner. This act also provides for enhanced penalties for violating child orders of protection as with repeated violations of adult orders. Sections 455.010; 455.035; 455.516; 455.520;455.523; 455.538

JUVENILE COURT JURISDICTION

This act provides juvenile court jurisdiction for respondents to orders of protection under the age of 17. A guardian ad litem shall be appointed for respondents less than 17 years of age only if such respondent is not represented by a parent or guardian. This act addresses the confidentiality of the juvenile records and when such records may be open. Sections 211.031; 455.035; 455.513; 455.800

AUTOMATIC ONE-YEAR RENEWAL

The court may, upon a finding that it is in the best interest of the parties, include a provision that any full order of protection for one year shall automatically renew unless the respondent requests a hearing by thirty days prior to the expiration of the order. Sections 455.040; 455.516

OTHER CHANGES TO ORDERS OF PROTECTION PROCESS

This act provides that terms of orders may reflect the individual circumstances of parties and allows for a judge to determine if a petitioner's dismissal of an order of protection proceeding is voluntary. Sections 455.050; 455.060; 455.520; 455.523

This act prescribes the types of violations that may result in criminal offenses. Section 455.085

This act prohibits a petitioner from being charged a filing fee in any action relating to adult orders of protection, including motions for contempt seeking to enforce an existing order of protection. Section 455.027

BATTERER INTERVENTION PROGRAMS

The Division of Probation and Parole shall promulgate rules to establish standards and to adopt a credentialing process for any court-ordered Batterer Intervention program. Section 455.549

REPEAT OFFENDERS AND MUNICIPAL OFFENSES

This act limits municipal jurisdiction over offenders who repeatedly commit domestic assault or violate an order of protection. Also, municipal offenses are allowed to be used to enhance the level of criminal offense that is charged by the prosecutor. Sections 455.085; 455.538; 565.074

SERVICES TO VICTIMS FUND

This act amends the Services to Victims Fund to provide that public or private agencies shall use no more than ten percent of any funds received for administrative purposes. Section 595.100

INFORMATION TO BE ENTERED IN MULES

This act requires service of orders of protection to be entered into the Missouri Uniform Law Enforcement System("MULES") within 24 hours. Section 455.038

This provision is identical to HB 118 (2011).

Also, law enforcement agencies maintaining MULES shall include certain child custody and visitation information when entering an order of protection. Section 455.040

This provision is substantially similar to HB 234 (2011).

SAFE AT HOME ADDRESS CONFIDENTIALITY PROGRAM

This act repeals the sunset provision to the Safe at Home confidentiality program, which is a program that provides victims of sexual assault, rape, stalking and domestic violence a substitute mailing address through the Secretary of State's Office. SECTION 589.683

SAFE EXAMS

This act requires the Department of Public Safety to establish maximum reimbursement rates for SAFE exam charges. Section 595.220

This act is substantially similar to HB 504 (2011) and HB 505 (2011).

ADRIANE CROUSE

02/22/2011 S First Read--SB 320-Lamping, et al (S297)
02/24/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S333)
03/14/2011 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee
03/30/2011 SCS Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee - (1450S.03C)
04/07/2011 Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor w/SCS (S662)
04/11/2011 SS for SCS S offered (Lamping)--(1450S.05F) (S677)
04/11/2011 Bill Placed on Informal Calendar (S677)
04/13/2011 SS for SCS S withdrawn (S699)
04/13/2011 SS#2 for SCS S offered & adopted (Lamping)--(1450S.06F) (S699)
04/13/2011 Perfected (S699)
04/13/2011 Reported Truly Perfected S Rules Committee (S716)
04/14/2011 Referred S Ways & Means and Fiscal Oversight Committee (S721)
04/21/2011 Hearing Conducted S Ways and Means and Fiscal Oversight
04/21/2011 Voted Do Pass S Ways & Means and Fiscal Oversight Committee
04/21/2011 Reported from S Ways & Means and Fiscal Oversight Committee to Floor (S808)
04/21/2011 S Third Read and Passed (S809)
04/21/2011 H First Read (H1432)
04/22/2011 H Second Read (H1439)
04/26/2011 Referred H Crime Prevention & Public Safety Committee (H1619)
04/28/2011 Hearing Conducted H Crime Prevention & Public Safety Committee
04/28/2011 Voted Do Pass H Crime Prevention & Public Safety Committee
04/28/2011 Reported Do Pass H Crime Prevention & Public Safety Committee (H1684)
04/28/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1684)
05/03/2011 Voted Do Pass H Rules Pursuant Committee
05/03/2011 Reported Do Pass H Rules Pursuant Committee (H1795)
05/03/2011 Referred H Fiscal Review Committee (H1796)
05/04/2011 Voted Do Pass H Fiscal Review Committee
05/04/2011 Reported Do Pass H Fiscal Review Committee (H1833)
05/05/2011 H Third Read and Passed (H2033-2034)
05/05/2011 Truly Agreed To and Finally Passed (S1516)

EFFECTIVE: August 28, 2011

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*** SB 321 *** 1004S.04I

SENATE SPONSOR: Kehoe

SB 321 - After October 1, 2011, any electric company seeking an Early Site Permit from the U.S. Nuclear Regulatory Commission must submit reports to the Missouri Public Service Commission (PSC) every 6 months during the entire permitting process. The reports must document the work completed and costs incurred up to that point toward the acquisition of the Early Site Permit as well as the projected amount of work and costs remaining.

Once the Early Site Permit is obtained, and provided the company complied with the reporting

requirement, the electric company may recover up to $45 million of the expenditures, plus interest, for the permit from its ratepayers through rates and charges over a period not to exceed 20 years. The company may begin the cost recovery on the effective date of tariffs approved by the PSC at the company's first general rate proceeding following the acquisition of the permit. Other electric companies that also incur expenses toward the Early Site Permit may similarly recover their costs through rates and charges.

If an electric company has recovered costs from its ratepayers for an Early Site Permit but the company's interest in the Early Site Permit is subsequently sold or transferred, or the company receives reimbursement for the costs from another source, the PSC must decide how the electric company will credit its ratepayers for the moneys received in the sale, transfer or reimbursement. The PSC must also decide how any profits from a sale or transfer of an Early Site Permit will be shared with ratepayers. Credits made to ratepayers must also include interest.

If the power plant for which the Early Site Permit was acquired is not constructed before the Early Site Permit expires, the PSC must hold a hearing to determine if the electric company acted imprudently by failing to construct the plant. If the PSC determines that the electric company acted imprudently, the PSC must order any company that recovered costs for the Early Site Permit to credit its ratepayers for the costs determined by the PSC to be imprudent. The companies must issue the credits, including interest, over a period of 5 to 10 years.

This act is similar to SB 50 (2011).
ERIKA JAQUES

02/23/2011 S First Read--SB 321-Kehoe, et al (S307)
03/03/2011 Second Read and Referred S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee (S390)
03/09/2011 Hearing Conducted S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee

EFFECTIVE: August 28, 2011

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*** SB 322 *** HCS SB 322 1743L.04C

SENATE SPONSOR: Schaefer HOUSE HANDLER: Kelly

HCS/SB 322 - This act extends the sunsets from September 30, 2011 to September 30, 2016, for the Ground Ambulance, Nursing Facility, Medicaid Managed Care Organization, Pharmacy, and Intermediate Care Facility for the Mentally Retarded Reimbursement Allowance Taxes. The sunset for the Hospital reimbursement allowance is extended from September 30, 2011, to September 30, 2013.

These provisions are similar to provisions contained in HCS/SS #2/SCS/SB 62 and to SB 235 (2011).

This act also extends the sunset date from August 28, 2011 to August 28, 2015, for the Missouri RX plan.

This provision is similar to SBs 408 & 80 (2011).
ADRIANE CROUSE

HA 1- CHANGES THE TITLE TO "THE COLLECTION AND DISTRIBUTION OF PUBLIC MONEY

HA 2- ADDS NUMEROUS PROVISIONS AMENDING LAWS REGARDING THE COLLECTION OF MONEYS OWED TO THE STATE

02/23/2011 S First Read--SB 322-Schaefer (S307)
03/03/2011 Second Read and Referred S Appropriations Committee (S390)
03/10/2011 Voted Do Pass S Appropriations Committee
03/10/2011 Reported from S Appropriations Committee to Floor (S435)
04/04/2011 Bill Placed on Informal Calendar (S556)
04/05/2011 SA 1 S offered & defeated (Schaaf)--(1743S01.10S) (S580-583)
04/05/2011 SA 2 S offered & defeated (Schaaf)--(1743S01.03S) (S583)
04/05/2011 SA 3 S offered & ruled out of order (Schaaf)--(1742S01.04S) (S584-585)
04/05/2011 SA 4 S offered & ruled out of order (Schaaf)--(1742S01.02S) (S585)
04/05/2011 Bill Placed on Informal Calendar (S585)
04/11/2011 SA 5 S offered & adopted (Schaaf)--(1734S01.14S) (S675)
04/11/2011 Perfected, as amended (S675)
04/12/2011 Reported Truly Perfected S Rules Committee (S686)
04/13/2011 S Third Read and Passed (S700)

04/13/2011 H First Read (H1269)
04/14/2011 H Second Read (H1273)
04/18/2011 Referred H Budget Committee (H1305)
04/20/2011 Hearing Conducted H Budget Committee
04/20/2011 HCS Voted Do Pass H Budget Committee
04/20/2011 HCS Reported Do Pass H Budget Committee (H1416)
04/20/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1416)
05/03/2011 HCS Voted Do Pass H Rules Pursuant Committee
05/03/2011 HCS Reported Do Pass H Rules Pursuant Committee (H1795)
05/03/2011 Referred H Fiscal Review Committee (H1796)
05/04/2011 HCS Voted Do Pass H Fiscal Review Committee
05/04/2011 HCS Reported Do Pass H Fiscal Review Committee (H1833)
05/05/2011 HA 1 to HCS H offered & adopted (Kelly-24)--(1743L04.02H) (H2034)
05/05/2011 HA 2 to HCS H offered & adopted (Flanigan)--(1743L04.04H) (H2034-2045)
05/05/2011 HCS, as amended, H adopted (H2046)
05/05/2011 H Third Read and Passed (H2046 / S1499-1516)
05/09/2011 S refuses to concur in HCS, as amended (S1525 / H2118)
05/09/2011 S requests H recede or grant conference (S1525 / H2118)
05/09/2011 H refuses to recede and grants conference (H2131 / S1546)
05/09/2011 H conferees appointed: Silvey, Stream, Flanigan, Kelly-24, Carter (H2155 / S1627)
05/13/2011 In Conference--SB 322-Schaefer, with HCS, as amended

EFFECTIVE: August 28, 2011

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*** SB 323 *** SCS SB 323 1627S.02P

SENATE SPONSOR: Schaefer HOUSE HANDLER: Allen

SCS/SB 323 - This act requires the State Auditor to conduct a one-time comparative audit of 5 to 10 of the largest state agencies by August 28, 2013. The Auditor shall issue a report containing recommendations including the optimal fiscal practices to be promoted across all state agencies and other efficiency or cost saving measures.
CHRIS HOGERTY

HA 1 - REQUIRES THE MISSOURI HOUSING DEVELOPMENT COMMISSION TO REPORT TO AN EXECUTIVE DIRECTOR APPOINTED BY THE GOVERNOR AND ONLY POLICIES PRESENTED BY THE EXECUTIVE DIRECTOR AND APPROVED BY THE COMMISSION SHALL BE IMPLEMENTED.

HA 3 - REQUIRES A COMPARATIVE AUDIT OF THE HOUSE OF REPRESENTATIVES AND THE SENATE.

02/23/2011 S First Read--SB 323-Schaefer (S307)
03/03/2011 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S390)
03/07/2011 Hearing Conducted S Financial and Governmental Organizations and Elections Committee
03/14/2011 SCS Voted Do Pass S Financial and Governmental Organizations and Elections Committee - (1627S.02C)
03/17/2011 Reported from S Financial and Governmental Organizations and Elections Committee to Floor w/SCS (S492)
04/04/2011 Bill Placed on Informal Calendar (S558)
04/06/2011 SCS S adopted (S631)
04/06/2011 Perfected (S631)
04/07/2011 Reported Truly Perfected S Rules Committee (S643)
04/07/2011 Referred S Ways & Means and Fiscal Oversight Committee (S668)
04/14/2011 Hearing Conducted S Ways and Means and Fiscal Oversight Committee
04/14/2011 Voted Do Pass S Ways & Means and Fiscal Oversight Committee
04/14/2011 Reported from S Ways & Means and Fiscal Oversight Committee to Floor (S721)
04/14/2011 S Third Read and Passed - EC adopted (S724)
04/14/2011 H First Read (H1297)
04/18/2011 H Second Read (H1304)
04/26/2011 Referred H Downsizing State Government Committee (H1619)
04/28/2011 Hearing Conducted H Downsizing State Government Committee
04/28/2011 Voted Do Pass H Downsizing State Government Committee
05/02/2011 Reported Do Pass H Downsizing State Government Committee (H1710)

05/02/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1710)
05/03/2011 Voted Do Pass H Rules Pursuant Committee
05/03/2011 Reported Do Pass H Rules Pursuant Committee (H1795)
05/03/2011 Referred H Fiscal Review Committee (H1796)
05/05/2011 Voted Do Pass H Fiscal Review
05/05/2011 Reported Do Pass H Fiscal Review Committee (H1877)
05/10/2011 HA 1 H offered & adopted (Jones-89)--(1627S02.12H) (H2227-2228)
05/10/2011 HA 2 H offered & ruled out of order (Rizzo)--(1627S02.14H) (H2228)
05/10/2011 HA 3 H offered & adopted (Talboy)--(1627S02.18H) (H2228-2229)
05/10/2011 HA 4 H offered & defeated (Jones-63)--(1627S02.07H) (H2229-2230)
05/10/2011 H Third Read and Passed, as amended - EC defeated (H2232-2233 / S1684-1685)
05/13/2011 S concurs in HA 1
05/13/2011 Motion to concur in HA 3 S withdrawn
05/13/2011 Motion to reconsider adoption of HA 1 S adopted
05/13/2011 S refuses to concur in HA 1 & HA 3
05/13/2011 S requests H recede and pass the bill
05/13/2011 H refuses to recede on HA 1 & HA 3 and requests S take up and pass bill
05/13/2011 Requests to Recede or Grant Conference Calendar--SCS for SB 323-Schaefer, with HA 1 & HA 3 (Senate requests House recede and pass the bill)

EFFECTIVE: Emergency clause

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*** SB 324 *** 1706S.01I

SENATE SPONSOR: Kraus

SB 324 - Under this act, the state will only issue one license plate beginning August 28, 2011, to motorists unless the registered owner is eligible to receive a second plate (property-carrying commercial motor vehicle applicants can request 2 plates) Currently, property-carrying commercial motor vehicles are only issued one license plate. This act allows the owners of these vehicles to request and be issued two plates. The Director of the Department of Revenue may assess and collect an additional fee for the second plate (Sections 301.064, 301.120, 301.130 and 301.144).

The provisions contained in this act were contained in SS/SCS/HB 2111 (2010).
STEPHEN WITTE

02/23/2011 S First Read--SB 324-Kraus and Nieves (S307)
03/03/2011 Second Read and Referred S Transportation Committee (S390)
03/09/2011 Hearing Conducted S Transportation Committee

EFFECTIVE: August 28, 2011

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*** SB 325 *** HCS SB 325 1709L.04T

SENATE SPONSOR: Wasson HOUSE HANDLER: Smith

HCS/SB 325 - This act modifies and enacts various provisions under the title relating to professional registration.

NOTIFYING EMPLOYERS REGARDING THE LICENSING STATUS OF EMPLOYEES
(Section 324.014)
This act requires any board, commission, committee, council, or office within the Division of Professional Registration to notify a licensee's current employer, if the employer is known, of a change in the licensee's license or disciplinary status. Employers may also provide a list of current licensed employees and make a written request to the appropriate board to be notified when there is a change in the licensing status of any of those employees.

LIMITED TEACHING LICENSE FOR DENTAL INSTRUCTORS
(Section 332.425)
This act allows the Missouri Dental Board to issue a limited teaching license to an instructor at an accredited dental school. This limited teaching license only allows the licensee to practice within the accredited dental school programs. Individuals who receive a limited teaching license must meet specified requirements, including successful passage of an examination of spoken and written proficiency in the English language, but will not be required to have graduated from an accredited dental school.

This provision is similar to HB 591 (2011).

BOARD OF EMBALMERS AND FUNERAL DIRECTORS
(Sections 333.041, 333.042, 333.051, 333.061, 333.091, 333.151, 333.171, 436.405, 436.412, 436.445, 436.450, 436.455, and 436.456)

This act modifies licensing requirements for funeral directors, embalmers, and funeral establishments and certain requirements for preneed funeral contracts.

The act modifies the requirements for applicants for funeral director and embalmer licenses. A general equivalency diploma, or equivalent education, as determined by the board of embalmers and funeral directors, will satisfy the requirement that a person seeking a funeral director or embalmer license have a high school diploma. An applicant for a license to practice funeral directing or embalming is no longer required to be a Missouri citizen or a resident of a county bordering Missouri. An applicant for an embalmer's license is required to complete a funeral service education program, rather than graduate from an institute of mortuary science education. An applicant for a funeral director's license is required to complete the apprenticeship in twelve consecutive months, rather than twelve months.

Also, funeral establishments will no longer be required to keep their register book or log in the preparation or embalming room. The log book must contain the name of each body that has been in the establishment, the date the body arrived, if applicable, the place the body was embalmed, and if the body was embalmed at the establishment, the date and time of the embalming and the name, signature, and license number of the embalmer.

The act changes the requirements for membership on the board of embalmers and funeral directors, reduces the number of members on the board from ten to six members, and allows a majority of the members of the board to constitute a quorum at meetings.

The act also modifies provisions that regulate preneed funeral contracts. Among other changes, the act modifies requirements for insurance-funded preneed contracts, so that these provisions apply to preneed contracts designated to be funded by deferred annuity contracts that are not classified as variable annuities and have death benefit proceeds that are never less than the sum of premiums paid. The amendment specifies that a trustee of a preneed trust is allowed to invest trust funds with authorized external investment advisors of a trustee, seller, or provider and allows preneed sellers and purchasers to agree to put the funds for the preneed contract in an account titled in the beneficiary's name and payable on the beneficiary's death to the seller. The act also changes the procedure for a funeral provider to receive funds after providing funeral services and merchandise and the procedure for a purchaser who want to cancel a preneed contract funded by a joint account.

These provisions are similar to SCS/SB 340 (2011).

LICENSED PRACTICAL NURSES
(Section 335.099)

This act specifies that a licensed practical nurse is qualified to teach an insulin administration course, if the nurse is an approved instructor for the level 1 medication aid program, and is qualified to perform diabetic nail care, onsite reviews of basic personal care recipients and dietary oversight of residents of residential care facilities or assisted living facilities.

VETERINARY LEGEND DRUGS
(Section 338.010, 338.140, 338.150, 338.210, 338.220, 338.240, 338.315)

This act modifies the authority of the Board of Pharmacy with regard to certain drugs used in veterinary medicine.

This act also adds a veterinarian to the advisory committee appointed by the Board of Pharmacy to make recommendations to it about rules and regulations dealing with drug distribution and manufacturing. The advisory committee is also required to review and make recommendations to the Board of Pharmacy regarding rules and regulations about veterinary legend drugs.

Businesses that only hold a class L pharmacy permit will not be required to have a pharmacist on site, except for when noncontrolled drugs for use in animals are being compounded. A pharmacist is responsible for reviewing the activities and records of class L pharmacies.

These provisions are similar to SB 29 (2011) and HB 1814 (2010).

LEGEND DRUGS
(Section 338.330)
This act defines the term "legend drug" for the purpose of certain pharmacy laws. Legend drugs will mean any drug or biological product that is subject to a certain federal law, is required to be labeled in certain ways, or is required to be dispensed by prescription only or is restricted to use by practitioners only. The act excludes certain drugs and drug products that are being used in clinical trials.

This provision has an emergency clause.

This provision is similar to SB 284 (2011).

REAL ESTATE LICENSEES
(Section 339.190)
Currently, licensed real estate brokers and salespersons have immunity from liability for statements made by certain individuals, such as an inspector, unless the individual was employed by the real estate licensee, selected by and engaged by the licensee, or the licensee knew the statement was false or acted in reckless disregard as to whether the statement was true or false. This act specifies that if the real estate broker or salesperson only orders a report or inspection, that does not mean the licensee selected or engaged the individual, so the real estate licensee would still have immunity from liability for the statements the individual made.

This provision is identical to HCS/HB 220 (2011) and a provision of HCS/SCS/SB 29 (2011).

LIENS FOR ARCHITECTS, ENGINEERS, LANDSCAPE ARCHITECTS, AND LAND SURVEYORS
(Section 429.015)

Currently, architects, engineers, landscape architects, land surveyors, and corporations registered to do the work of these professions who perform work on buildings or land have a lien on the building or land to the extent of one acre. This act increases the lien to encompass three acres.

This provision is identical to a provision of HB 402 (2011) HCS/SCS/SB 60 (2011) and HCS/SB 220 (2011) and similar to SB 1074 (2008), SB 267 (2009), and SB 867 (2010).

STATUTE OF LIMITATIONS FOR ACTIONS AGAINST LAND SURVEYORS
(Section 516.098)
Under current law, a person must file a lawsuit based on errors in a land survey within five years of discovering the error. This act modifies this deadline to require that the lawsuit against the land surveyor be filed within ten years from the completion of the survey.

This provision is identical to a provision of HB 402 (2011).
EMILY KALMER

HA 1 - THIS AMENDMENT CREATES THE NURSING EDUCATION INCENTIVE PROGRAM WITHIN THE DEPARTMENT OF HIGHER EDUCATION FOR THE AWARDING OF GRANTS. THIS PROGRAM WILL ALLOW GRANTS NOT TO EXCEED $150,000 TO BE AWARDED TO MISSOURI INSTITUTIONS OF HIGHER EDUCATION ACCREDITED BY THE HIGHER LEARNING COMMISSION OF THE NORTH CENTRAL ASSOCIATION THAT OFFER A NURSING EDUCATION PROGRAM. NO CAMPUS MAY RECEIVE MORE THAN ONE GRANT PER YEAR.

TO BE CONSIDERED FOR A GRANT, AN INSTITUTION MUST OFFER A NURSING PROGRAM THAT MEETS A PREDETERMINED CATEGORY AND AREA OF NEED AS ESTABLISHED BY THE DEPARTMENT OF HIGHER EDUCATION AND THE STATE BOARD OF NURSING. WHEN ESTABLISHING CATEGORIES AND AREAS OF NEED, THE DEPARTMENT AND BOARD MAY CONSIDER: DATA FROM LICENSURE RENEWAL AND FROM THE DEPARTMENT OF HEALTH AND SENIOR SERVICES AND NATIONAL NURSING STATISTICAL DATA AND TRENDS FOR NURSING SHORTAGES.

THE STATE BOARD OF NURSING IS AUTHORIZED TO PROVIDE FUNDING TO THE PROGRAM.

THIS AMENDMENT ALSO REPEALS THE OBSOLETE NURSE TRAINING INCENTIVE FUND.

THESE PROVISIONS ARE SIMILAR TO HB 223 (2011) AND SB 191 (2011).

02/23/2011 S First Read--SB 325-Wasson (S307)
03/03/2011 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S390)
03/07/2011 Hearing Conducted S Financial and Governmental Organizations and Elections Committee
03/14/2011 Voted Do Pass S Financial and Governmental Organizations and Elections Committee
04/07/2011 Reported from S Financial and Governmental Organizations and Elections Committee to Floor (S662)
04/11/2011 Perfected (S676)
04/12/2011 Reported Truly Perfected S Rules Committee (S686)
04/14/2011 S Third Read and Passed (S725)
04/14/2011 H First Read (H1297)
04/18/2011 H Second Read (H1304)
04/19/2011 Referred H Professional Registration and Licensing Committee
04/27/2011 Hearing Conducted H Professional Registration and Licensing Committee
04/27/2011 HCS Voted Do Pass H Professional Registration and Licensing Committee
04/27/2011 HCS Reported Do Pass H Professional Registration and Licensing Committee (H1651)
04/27/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1651)
05/04/2011 HCS Voted Do Pass H Rules Pursuant Committee
05/04/2011 HCS Reported Do Pass H Rules Pursuant Committee (H1858)
05/09/2011 Bill Laid over (H2083)
05/11/2011 HA 1 to HCS H offered & adopted (Wallingford)--(1709L04.01L) (H2306-2308)
05/11/2011 HCS, as amended, H adopted (H2308)
05/11/2011 H Third Read and Passed - EC adopted (H2308-2310 / S1756-1759)
05/11/2011 S refuses to concur in HCS, as amended (S1817)
05/11/2011 S requests H recede or grant conference (S1817)
05/11/2011 Motion to reconsider the motion to request H grant conference S adopted (S1818-1819)
05/11/2011 Motion to request H recede or grant conference S withdrawn (S1819)
05/11/2011 S concurs in HCS, as amended (S1819-1820)
05/11/2011 S Third Read and Passed - EC adopted (S1820 / H2434)
05/11/2011 Truly Agreed To and Finally Passed (S1820 / H2434)

EFFECTIVE: Varies

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*** SB 326 *** 1120S.03I

SENATE SPONSOR: Wasson

SB 326 - This act authorizes the establishment of a peer review process for architects, landscape architects, professional land surveyors, or professional engineers.

Peer reviewers and each person who testifies before them, provides information to them, acts upon their recommendation, or participates in the peer review process are immune from civil liability for these actions, as long as the actions are performed in good faith, without malice and are reasonably related to the scope of inquiry of the peer review process.

Certain documents created during the peer review process are privileged and are prohibited from being released to any person. These documents are not admissible in any judicial or administrative action for failure to provide appropriate architectural, landscape architectural, land surveying, or engineering services. A person who participated in the peer review process shall not be permitted or required to disclose information they learned from the peer review process.

This act does not limit the authority of the Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects to obtain information from a peer reviewer.
EMILY KALMER

02/23/2011 S First Read--SB 326-Wasson (S307)
03/03/2011 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S390)
03/28/2011 Hearing Conducted S Financial and Governmental Organizations and Elections Committee
04/04/2011 Voted Do Pass S Financial and Governmental Organizations and Elections Committee

04/14/2011 Reported from S Financial and Governmental Organizations and Elections Committee to Floor (S733)
04/19/2011 Bill Placed on Informal Calendar (S772)
05/13/2011 S Informal Calendar S Bills for Perfection--SB 326-Wasson

EFFECTIVE: August 28, 2011

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*** SB 327 *** 1703S.01I

SENATE SPONSOR: Richard

SB 327 - Any recycling company that converts animal parts into petroleum that violates any state air, water, or odor pollution standard at least 6 times in a 12-month period or 12 times in a 36-month period shall forfeit any air or water-related permits issued by the Department of Natural Resources.

Any such recycling company that violates any air, water, or odor pollution standard more than one time in a 36-month period shall be subject to a higher penalty than what is currently charged for a first violation. The higher penalty for subsequent violations in any 36-month period shall be between $10,000 and $30,000 per violation.

The act is identical to HB 96 (2010) and is similar to HB 127 (2009), the perfected SB 738 (2008), and SB 534 (2007).
ERIKA JAQUES

02/23/2011 S First Read--SB 327-Richard (S307)
03/03/2011 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S391)

EFFECTIVE: August 28, 2011

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*** SB 328 *** 1621S.01I

SENATE SPONSOR: Goodman

SB 328 - 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), and SB 833 (2010).
CHRIS HOGERTY

02/23/2011 S First Read--SB 328-Goodman (S307)
03/03/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S391)
04/11/2011 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2011

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*** SB 329 *** 1620S.02I

SENATE SPONSOR: Nieves

SB 329 – This act allows students to enroll in a school district other than their school district of residence or a charter school for the purpose of attending virtual courses or programs. For purposes of state school aid, the student will be included in the average daily attendance of the school district of residence. The Department of Elementary and Secondary Education must pay the district or charter school an amount equal to eighty-five percent of its tuition fee or the state adequacy target, whichever is greater. This amount cannot exceed one and twenty-five hundredths times the state adequacy target for each enrolled virtual student. In addition, if the average local tax effort per average daily attendance of the student's district of residence does not exceed eighty-five percent of the amount paid to the school district or charter school enrolling the student, the Department of Elementary and Secondary Education must pay to the general revenue fund an amount equal to ten percent of the amount of the local educational agency's tuition fee, or of the state adequacy target, whichever is greater, for each student. The Department must also withhold from the student's district of residence an amount equal to the amount paid for the virtual education plus the amount deposited in the general revenue fund.

Any institution of higher education with its primary campus located in Missouri with an approved teacher education program may sponsor virtual charter schools. Virtual charter schools are subject to all charter

school laws. They may only offer instruction in a virtual setting using technology, intranet and internet methods of communication.

This act is substantially similar to HB 463 (2011).
MICHAEL RUFF

02/23/2011 S First Read--SB 329-Nieves (S307)
03/03/2011 Second Read and Referred S General Laws Committee (S391)
03/15/2011 Hearing Cancelled S General Laws Committee
03/29/2011 Hearing Conducted S General Laws Committee
04/05/2011 Voted Do Pass S General Laws Committee
04/14/2011 Reported from S General Laws Committee to Floor (S735)
05/13/2011 S Formal Calendar S Bills for Perfection--SB 329-Nieves

EFFECTIVE: August 28, 2011

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*** SB 330 *** 1675S.01I

SENATE SPONSOR: Dixon

SB 330 - This act allows legislators, full time and legislative employees of the General Assembly, and statewide elected officials and their employees to carry concealed firearms in the state capitol building, or at any meeting in the building, if they have a concealed carry endorsement.
MEGHAN LUECKE

02/23/2011 S First Read--SB 330-Dixon (S307)
03/03/2011 Second Read and Referred S General Laws Committee (S391)

EFFECTIVE: August 28, 2011

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*** SB 331 *** 1267S.02I

SENATE SPONSOR: Lamping

This bill has been combined with SB 394

02/23/2011 S First Read--SB 331-Lamping and Goodman (S307-308)
03/03/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S391)
03/14/2011 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee
03/30/2011 Bill Combined (w/SCS SBs 394 & 331)

EFFECTIVE: August 28, 2011

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*** SB 332 *** 0888S.01I

SENATE SPONSOR: Justus

SB 332 - This act provides that any course materials relating to human sexuality shall not only be medically and factually accurate, but shall also be age appropriate and 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 as well as information regarding the vaccine for the human papillomavirus.

The instruction shall also help the students gain knowledge about the physical, biological, and hormonal changes of adolescence and subsequent states of human maturation. In addition, the students shall be encouraged to communicate with their family regarding sexuality. This act also requires instruction on the dangers of sexual predators, including online predators as well as the effects of electronic media on sexuality and relationships.

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.

This act is identical to the sexual education portion of SB 982 (2010).

ADRIANE CROUSE

02/23/2011 S First Read--SB 332-Justus, et al (S308)
03/03/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S391)

EFFECTIVE: August 28, 2011

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*** SB 333 *** 1755S.01I

SENATE SPONSOR: Schaaf

SB 333 - This act requires the Departments of Health and Senior Services; Social Services; Insurance, Financial Institutions, and Professional Registration; and Mental Health to update and verify the accuracy of the information on the respective websites, as the websites pertain to health care, at least twice annually.
ADRIANE CROUSE

02/24/2011 S First Read--SB 333-Schaaf (S321)
03/03/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S391)

EFFECTIVE: August 28, 2011

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*** SB 334 *** 1751S.01I

SENATE SPONSOR: Schaaf

SB 334 - This act requires each MO HealthNet managed care organization to provide to the MO HealthNet division all utilization, access, and spending data for the cost of care to each MO HealthNet participant covered under the organization. Such data shall be in the form of all payments made to health care providers for services rendered to MO HealthNet participants and shall also identify claim-specific data for each patient service or procedure. The Department of Social Services may require additional information through the promulgation of rules to meet the requirements of this act.
ADRIANE CROUSE

02/24/2011 S First Read--SB 334-Schaaf (S321)
03/03/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S391)

EFFECTIVE: August 28, 2011

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*** SB 335 *** 1746S.01I

SENATE SPONSOR: Schaaf

SB 335 - This act creates a exception to the prohibition on disclosure of information provided on reports or returns filed with the department of revenue for public disclosure of information relating to the number of cigarettes sold annually by each tobacco product manufacturer.
JASON ZAMKUS

02/24/2011 S First Read--SB 335-Schaaf (S321)
03/03/2011 Second Read and Referred S General Laws Committee (S391)

EFFECTIVE: August 28, 2011

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*** SB 336 *** 1711S.01I

SENATE SPONSOR: Munzlinger

SB 336 - Under current law, all landowners are required to control the growth and spread of the plants musk thistle, scotch thistle, and canada thistle. Additionally under current law, where a landowner does not control the thistle, the county commission has a duty to enter upon the property in order to control the thistle. This act expands these requirements to apply not only to the thistles, but to all plants that are designated by rule as a "noxious weed" by the Department of Agriculture. The act also allows an adjoining or aggrieved entity to take civil action against a landowner for not controlling the spread of any of the designated noxious weeds.

The act prohibits the sale of noxious weeds.

The act repeals the provisions of law that apply specifically to the following plants: multiflora rose, field bindweed, cut-leaved teasel, common teasel, kudzu, spotted knapweed, purple loosestrife, and johnson grass.

ERIKA JAQUES

02/24/2011 S First Read--SB 336-Munzlinger (S321)
03/03/2011 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S391)
03/16/2011 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee

EFFECTIVE: August 28, 2011

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*** SB 337 *** HCS SCS SB 337 1710L.04C

SENATE SPONSOR: Munzlinger HOUSE HANDLER: Loehner

SCS/SB 337 - This act modifies provisions pertaining to agriculture.

SECTIONS 263.190 TO 263.242 - NOXIOUS WEEDS
Under current law, all landowners are required to control the growth and spread of the plants musk thistle, scotch thistle, and Canada thistle. Additionally under current law, where a landowner does not control the thistle, the county commission has a duty to enter upon the property in order to control the thistle. This act expands these requirements to apply not only to the thistles, but to all plants that are designated by rule as a "noxious weed" by the Department of Agriculture. The act requires the department to maintain a list of all noxious weeds and make the list available to the public.

The act prohibits the sale of noxious weeds.

The act repeals the provisions of law that apply specifically to the following plants: multiflora rose, field bindweed, cut-leaved teasel, common teasel, kudzu, spotted knapweed, purple loosestrife, and Johnson grass.

These provisions are similar to HB 653 (2011).

SECTION 268.121 - BRAND BOOK
Under current law, the Department of Agriculture must publish a book of all livestock brands on record and must send copies of the book to all county recorders of deeds, livestock markets, and slaughter plants. This act removes the requirement that the department must publish the list of brands in book form, and instead requires the department to make the list available to the public on the internet. The act also removes the requirement that the department send a book to the counties, livestock markets, and slaughter plants.
ERIKA JAQUES

02/24/2011 S First Read--SB 337-Munzlinger (S321)
03/03/2011 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S391)
03/16/2011 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee
04/06/2011 SCS Voted Do Pass S Agriculture, Food Production and Outdoor Resources Committee - (1710S.02C)
04/07/2011 Reported from S Agriculture, Food Production and Outdoor Resources Committee to Floor w/SCS (S663)
04/12/2011 SCS S adopted (S692)
04/12/2011 Perfected (S692)
04/12/2011 Reported Truly Perfected S Rules Committee (S694)
04/14/2011 S Third Read and Passed (S728)
04/14/2011 H First Read (H1297)
04/18/2011 H Second Read (H1304)
04/26/2011 Referred H Agriculture Policy Committee (H1619)
05/03/2011 Hearing Conducted H Agriculture Policy Committee
05/03/2011 HCS Voted Do Pass H Agriculture Policy Committee
05/03/2011 HCS Reported Do Pass H Agriculture Policy Committee (H1792)
05/03/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1792)
05/10/2011 HCS Voted Do Pass H Rules Pursuant Committee
05/10/2011 HCS Reported Do Pass H Rules Pursuant Committee (H2245)

EFFECTIVE: August 28, 2011

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*** SB 338 *** 1741S.01I

SENATE SPONSOR: Lager

SB 338 - Under current law, the Supreme Court accumulates records for review of all cases in which the death penalty has been imposed and all cases in which life imprisonment without probation and parole has been imposed after May 26, 1977 or an earlier date deemed appropriate by the court. This act limits this requirement to only those cases in which the death penalty has been imposed, but removes the time limitation so that all death penalty cases must be accumulated for review.
MEGHAN LUECKE

02/24/2011 S First Read--SB 338-Lager (S321)
03/03/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S391)
04/04/2011 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2011

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*** SB 339 *** 1778S.01I

SENATE SPONSOR: Rupp

SB 339 – This act establishes "Sam Pratt's Law" and "Nathan's Law" and modifies provisions relating to child care providers.

SAM PRATT'S LAW
This act authorizes the Department of Health and Senior Services to investigate child care providers who are exempt from licensure if the department learns or is notified that such provider has pending criminal charges.

The department is also authorized to prohibit a licensure exempt child care provider from continuing to provide child care services if there are criminal charges pending against him or her that would similarly result in licensure actions for a licensed child care provider. Such licensure exempt provider shall be prohibited from continuing services pending a resolution of such criminal charges in favor of the provider.

Any licensure exempt child care provider who continues to provide child care services after notification by the department to stop such services shall be guilty of a Class B misdemeanor for the first violation and a Class A misdemeanor for any subsequent violation.

The department shall report any known violation to an appropriate prosecuting attorney's office or law enforcement agency. SECTION 210.165

This provision is identical to HB 156 (2011).

NATHAN'S LAW
Under current law, a child care provider may be exempt from licensure if the person is caring for four or fewer children and children who are related to the provider are not considered in the total number of children being cared for. This act provides that such relative children shall be included in the total number of children being counted, except that children of such person who live in the home and attend school for a full school day shall not be included in the total number cared for. Any child-care facility exempt from licensure shall disclose the licensure-exempt status to the parents or guardians of children for which the facility provides care.

This act increases the penalty for violations of child care licensure provisions to include a fine of two hundred dollars per day, not to exceed a total of ten thousand dollars for subsequent offenses.

This act also authorizes the Department of Health and Senior Services to immediately close any illegally operating unlicensed child-care facility. The prosecuting attorney of the county where such illegal child-care facility is located may file suit for a permanent order preventing the operation of a child-care facility. The order shall remain in effect until such time as the court determines that the child-care facility is in compliance with all licensure requirements. Any person who operates an illegal unlicensed child-care facility shall be subject to penalties prescribed under the act. SECTIONS 210.209, 210.211, 210.245

These provisions are identical to HB 603 (2011).
ADRIANE CROUSE

02/24/2011 S First Read--SB 339-Rupp (S321)
03/03/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S391)

EFFECTIVE: August 28, 2011

*** SB 340 *** SCS SB 340 1674S.03P

SENATE SPONSOR: Wasson

SCS/SB 340 - This act modifies licensing requirements for funeral directors, embalmers, and funeral establishments and certain requirements for preneed funeral contracts.

The act modifies the requirements for applicants for funeral director and embalmer licenses. A general equivalency diploma, or equivalent education, as determined by the board of embalmers and funeral directors, will satisfy the requirement that a person seeking a funeral director or embalmer license have a high school diploma. An applicant for a license to practice funeral directing or embalming is no longer required to be a Missouri citizen or a resident of a county bordering Missouri. An applicant for an embalmer's license is required to complete a funeral service education program, rather than graduate from an institute of mortuary science education. An applicant for a funeral director's license is required to complete the apprenticeship in twelve consecutive months, rather than twelve months.

Also, funeral establishments will no longer be required to keep their register book or log in the preparation or embalming room. The log book must contain the name of each body that has been in the establishment, the date the body arrived, if applicable, the place the body was embalmed, and if the body was embalmed at the establishment, the date and time of the embalming and the name, signature, and license number of the embalmer.

The act changes the requirements for membership on the board of embalmers and funeral directors and allows a majority of the members of the board to constitute a quorum at meetings.

The act also modifies provisions that regulate preneed funeral contracts. Among other changes, the act modifies requirements for insurance-funded preneed contracts, so that these provisions apply to preneed contracts designated to be funded by deferred annuity contracts that are not classified as variable annuities and have death benefit proceeds that are never less than the sum of premiums paid. The act specifies that a trustee of a preneed trust is allowed to invest trust funds with authorized external investment advisors of a trustee, seller, or provider and allows preneed sellers and purchasers to agree to put the funds for the preneed contract in an account titled in the beneficiary's name and payable on the beneficiary's death to the seller. The act also changes the procedure for a funeral provider to receive funds after providing funeral services and merchandise and the procedure for a purchaser who want to cancel a preneed contract funded by a joint account.
EMILY KALMER

02/24/2011 S First Read--SB 340-Wasson (S321)
03/03/2011 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S391)
03/07/2011 Hearing Cancelled S Financial and Governmental Organizations and Elections Committee
03/28/2011 Hearing Conducted S Financial and Governmental Organizations and Elections Committee
04/04/2011 SCS Voted Do Pass S Financial and Governmental Organizations and Elections Committee - (1674S.03C)
04/14/2011 Reported from S Financial and Governmental Organizations and Elections Committee to Floor w/SCS (S733)
04/19/2011 SCS S adopted (S772)
04/19/2011 Perfected (S772)
04/19/2011 Reported Truly Perfected S Rules Committee (S779)
04/21/2011 S Third Read and Passed (S810-811)
04/21/2011 H First Read (H1432)
04/22/2011 H Second Read (H1439)
04/26/2011 Referred H Professional Registration and Licensing Committee (H1619)

EFFECTIVE: August 28, 2011

*** SB 341 *** 1678S.02I

SENATE SPONSOR: Nieves

SB 341 – This act provides that no parking space upon the capitol grounds shall be specifically designated or set aside for any person that is not an official or employee of the state, however an appropriate

number of spaces may be designated for handicapped parking.

No person or entity that is not an official or employee of the state shall be allowed an office or reserved space in the State Capitol building, except for reserved space within the Senate and House chambers and galleries, and any non-public person or entity maintaining an office or space shall remove its office or space from the State Capitol building on or before August 28, 2011.
JIM ERTLE

02/24/2011 S First Read--SB 341-Nieves (S321)
03/03/2011 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S391)
03/14/2011 Hearing Conducted S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2011

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*** SB 342 *** 1555S.01I

SENATE SPONSOR: Justus

SB 342 – This act requires the Department of Elementary and Secondary Education to ensure that school districts implement specific criteria relating to the enrollment of foster care children.

School districts will be required to: facilitate the timely enrollment of foster care children; facilitate the student placement process so that foster care children are not disadvantaged by variations between school districts; facilitate the qualification and eligibility for enrollment, educational programs, and participation in extracurricular academic, athletic, and social activities; facilitate the on-time graduation of foster care children; provide for uniform collection and sharing of information between and among schools, foster care children, and families; and promote flexibility and cooperation between the educational system, foster parents, and the student to achieve educational success for the student.

When a foster care student transfers before or during the school year, the receiving school district must initially honor the placement of the student in educational courses based on the student's enrollment or assessments conducted in the sending district. The receiving district may perform subsequent evaluations to ensure appropriate placement. The receiving district must initially provide comparable services to a foster care student with disabilities based on his or her current IEP and provide accommodations under section 504 of the Rehabilitation Act. The receiving district may conduct subsequent evaluations to ensure appropriate placement.

Schools must waive specific courses required for graduation if similar course work has been satisfactorily completed in another school or provide reasonable justification for denial of a waiver. If the school district does not grant a waiver, it must provide an alternative means of acquiring required course work so graduation may occur on time. Receiving schools must accept end-of-course exams required for graduation from the sending school, national norm-referenced achievement tests, or alternative testing in lieu of testing requirements for graduation.

If a foster care student transfers at the beginning or during the senior and is ineligible to graduate from the receiving school, the sending and receiving school must grant a diploma to the student from the sending school, provided the student meets the sending school's graduation requirements.

This act is substantially similar to HB 419 (2011).
MICHAEL RUFF

02/24/2011 S First Read--SB 342-Justus (S321)
03/03/2011 Second Read and Referred S Education Committee (S391)

EFFECTIVE: August 28, 2011

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*** SB 343 *** 1554S.01I

SENATE SPONSOR: Wright-Jones

SB 343 - 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, C felony, or Class B misdemeanor, respectively.

This act is similar to SB 330 (2009) and identical to SB 814 (2010) and HB 487 (2009).
STEPHEN WITTE

02/24/2011 S First Read--SB 343-Wright-Jones (S321-322)
03/03/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S391)
03/28/2011 Hearing Scheduled S Judiciary and Civil and Criminal Jurisprudence Committee
03/28/2011 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2011

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*** SB 344 *** 1385S.01I

SENATE SPONSOR: Wright-Jones

SB 344 - Under this act, certain health insurance policies must provide coverage for comprehensive ultrasound screening of an entire breast or breasts if a mammogram demonstrates heterogeneous or dense breast tissue based on the Breast Imaging Reporting and Data System established by the American College of Radiology or if a woman is believed to be at increased risk for breast cancer due to family history or prior personal history of breast cancer, positive genetic testing or other indications as determined by a patient's physician. The act also requires each mammography report provided to a patient to include information about breast density, based on the Breast Imaging Reporting and Data System established by the American College of Radiology. The act further requires the report to include a notice, if applicable, informing the patient of the benefits of additional screening tests associated with dense breast tissue results.
STEPHEN WITTE

02/24/2011 S First Read--SB 344-Wright-Jones (S322)
03/03/2011 Second Read and Referred S Small Business, Insurance and Industry Committee (S391)
04/21/2011 Hearing Conducted S Small Business, Insurance and Industry Committee

EFFECTIVE: August 28, 2011

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*** SB 345 *** 1596S.01I

SENATE SPONSOR: Wright-Jones

SB 345 - The act creates the Council on Digital Inclusion.

The council shall be composed of 8 individuals appointed by the Governor to represent: community technology organizations, telecommunications providers, higher education, elementary and secondary education, public health, public housing, local governments engaged in community technology activities, and the Office of Administration. The council shall meet at least 4 times per year. Members serve three-year terms and may be re-appointed.

Duties of the council are listed in the act and include: serving in an advisory capacity to the Office of Administration regarding broadband deployment and digital inclusion; making recommendations regarding initiatives in communities and schools to ensure equitable digital access for all Missourians; researching and reviewing all funding sources for advancing the state's digital inclusion goals; and assisting with long-term technological planning.
ERIKA JAQUES

02/24/2011 S First Read--SB 345-Wright-Jones (S322)
03/03/2011 Second Read and Referred S Education Committee (S391)
04/13/2011 Hearing Conducted S Education Committee

EFFECTIVE: August 28, 2011

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*** SB 346 *** 1264S.02I

SENATE SPONSOR: Wright-Jones

SB 346 - This act creates the "Medical Harm Disclosure Act" to require reporting of medical harm events. A "medical harm event" is defined as harm to a patient as a result of medical care or in a health care setting including, but not limited to the National Quality Forum's list of Serious Reportable Events. The categories of events are described under the act, but include surgical, anesthesia, medication, product, device, care management or environmental death events. Death of a previously healthy person undergoing medical care is also included.

A health care facility, which includes both hospitals and long-term care facilities, shall report a medical harm event to the Department of Health and Senior Services no later than five days after the event has been detected. If the event is an ongoing urgent or emergent threat to the health, welfare or safety of patients, personnel, or visitors, such event shall be reported no later than 24 hours after the event has been detected. On a quarterly basis, each health care facility that has had no medical harm events to report during the quarter shall affirmatively declare this fact to the department.

Each health care facility shall create facility-wide patient safety programs to routinely review patient records for medical harm, analyze these events to determine if they were preventable and implement changes to prevent similar harmful events. Each health care facility shall provide an annual summary of its patient safety program to the department.

Each health care facility shall inform the patient, in a process prescribed under the act, of the medical harm event by the time the report is made to the department. Each health care facility shall interview patients, family members, and parties responsible for the patient about medical harm events and document a detailed summary of that interview in the patient's medical record. If the medical harm event contributed to the death of a patient, the health care facility shall include that event as a contributing cause on the patient's death certificate.

This act creates the "Medical Harm Reporting Advisory Committee." The members to be appointed by the director of the Department of Health and Senior Services are listed under the act. The advisory committee shall assist the department in the development of all aspects of the department's methodology for collecting, analyzing, and disclosing the information collected under this act. In developing the methodology for collecting the data on medical harm events, the department and advisory committee shall use the forms developed by the Agency for Healthcare Research and Quality as "Common Formats", or a similar standardized collection method.

The department shall also at least quarterly check the accuracy of information reported by health care facilities under this act by comparing the information with other available data such as patient safety indicators from hospital patient discharge data, complaints filed with the licensing division, death certificates, inspection and survey reports, and medical malpractice information. The department shall annually conduct random reviews of health care facility medical records.

Every three years, the department shall have an independent audit conducted by a state university not affiliated with any health care facility required to report under this act. The data collection, analysis and validation methodologies shall be disclosed to the public. The results of the audit shall be available to the public on the department's website within one month of receiving the final report.

Each quarter, the department shall publish details of the fines assessed to health care facilities for failure to report medical harm events and shall issue a news release about that publication. The department shall annually submit a report to the general assembly detailing medical harm events reported at each health care facility. The report may include policy recommendations, as appropriate. The list of items to be included in the report are detailed under the act. Each quarter, the department shall make information regarding outcomes of inspections and investigations conducted pursuant to its hospital and long-term care facility regulatory duties readily accessible to the public on the department website. No health care facility report or department public disclosure may contain information identifying a patient, employee, or licensed health care professional in connection with a specific infection incident. The act provides for patient social security numbers or any other information that could be used to identify an individual patient to kept private.

This act also prohibits health care facilities retaliating against any employee or applicant for employment for actions taken in furtherance of the enforcement of the provisions of this act.

This act creates the "Patient Safety Trust Fund" to be administered by the Department of Health and Senior Services which shall include funds from annual patient safety surcharges on licensing fees charged to medical facilities required to report under this act. Spending from the fund shall be used for regulatory oversight and public accountability for safe health care.

In any case in which the department receives a report from a health care facility indicating an ongoing threat or imminent danger of death or serious bodily harm, the department shall make an onsite inspection or investigation within 48 hours or two business days, whichever is greater, of the receipt of the report and shall complete that investigation within 45 days.

The department may assess the health care facility a civil penalty in an amount not to exceed 100 dollars for each day that the adverse event is not reported following the initial five-day period or twenty-four-hour period, as applicable. If the health care facility disputes a determination by the department regarding alleged failure to report an adverse event, the licensee may, within ten days, request an administrative hearing.

The department shall promote public awareness regarding where and how consumers can file complaints about health care facilities, including a requirement that information about filing complaints be posted in a visible manner on websites, public areas of the health care facilities and all health care facility correspondence and billing documents.
ADRIANE CROUSE

02/24/2011 S First Read--SB 346-Wright-Jones (S322)
03/03/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S391)

EFFECTIVE: August 28, 2011

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*** SB 347 *** 0837S.01I

SENATE SPONSOR: Wright-Jones

SB 347 - This act requires persons convicted of failing to pay a fare for the use of Bi-State Development Agency facilities and conveyances to reimburse the reasonable costs attributable to the enforcement, investigation and prosecution of such offense to the agency.
STEPHEN WITTE

02/24/2011 S First Read--SB 347-Wright-Jones (S322)
03/03/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S391)

EFFECTIVE: August 28, 2011

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*** SB 348 *** 0970S.01I

SENATE SPONSOR: Wright-Jones

SB 348 – This act relates to pregnancy and sexually transmitted disease prevention and abortion.

SEXUAL EDUCATION
This act provides that any course materials relating to human sexuality shall not only be medically and factually accurate, but shall also be based on peer reviewed projects that have been demonstrated to influence healthy behavior. The course instruction shall also present abstinence from sexual activity as the preferred choice of behavior in relation to all sexual activity as the only sure way to avoid pregnancy or sexually transmitted infections. The students shall also be presented with information about the health benefits and side effects of all contraceptives and barrier methods as a means to prevent pregnancy and to reduce the risk of contracting sexually transmitted infections or other diseases and well as information regarding the vaccine for the human papillomavirus. The instruction shall also help the students gain knowledge about the physical, biological, and hormonal changes of adolescence and subsequent states of human maturation. In addition, the students shall be encouraged to communicate with their family regarding sexuality. This act also requires instruction on the dangers of sexual predators, including online predators as well as the effects of electronic media on sexuality and relationships.

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 substantially similar to SB 696 (2010) and SB 982 (2010).

ADRIANE CROUSE

02/24/2011 S First Read--SB 348-Wright-Jones, et al (S322)
03/03/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S391)

EFFECTIVE: August 28, 2011

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*** SB 349 *** 1754S.01I

SENATE SPONSOR: Ridgeway

SB 349 - This act abolishes the Sentencing Advisory Commission.

This act is identical to HB 257 (2011).
MEGHAN LUECKE

02/24/2011 S First Read--SB 349-Ridgeway (S322)
03/03/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S391)

EFFECTIVE: August 28, 2011

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*** SB 350 *** 1455S.02I

SENATE SPONSOR: Dixon

SB 350 - This act provides that every state administrative rule that is proposed, adopted, or amended by any state agency after August 28, 2011, shall automatically sunset six years after their effective date. If an agency wants to continue the effectiveness of the rule beyond six years, the agency shall repromulgate the rule at least once every six years after its sunset.

For each rule repromulgated under this act, the agency shall review the rule to determine whether the rule needs changes or should be rescinded in order to reduce regulatory burdens on business, eliminate unnecessary paperwork, as well as the continued need for the rule in light of any relevant factors that have changed the subject matter affected by the rule.
JIM ERTLE

02/24/2011 S First Read--SB 350-Dixon and Ridgeway (S322)
03/03/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S391)

EFFECTIVE: August 28, 2011

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*** SB 351 *** HCS SS SCS SB 351 1626L.05T

SENATE SPONSOR: Lamping HOUSE HANDLER: Barnes

HCS/SS/SCS/SB 351 - This act modifies provisions regarding adoption records.

Current law allows for nonidentifying information, if known, concerning undisclosed biological parents or siblings to be furnished by the child placing agency or the juvenile court to the adoptive parents, legal guardians or adopted adult upon request. This act allows such nonidentifying information to also be furnished to the adopted adult's lineal descendants if the adopted adult is deceased. SECTION 453.121.3

This act provides that adopted adults may obtain identifying information on adult siblings with the sibling's consent without the court having to find that such information is necessary for health-related purposes. SECTION 453.121.9

This act modifies the provisions regarding adopted adults obtaining identifying information of the undisclosed biological parents by making a request to the circuit court having original jurisdiction. This act provides that such identifying information shall also be furnished to the adopted adult's lineal descendants if the adopted adult is deceased. SECTION 453.121.4

Current law allows the adopted adult to make a request and prescribes a procedure for obtaining consent from both the adoptive and biological parents if prior consent has not been given either through the adoption information registry or through contact by the child-placing agency or juvenile court personnel. This act modifies current law by requiring just the biological parents to be notified about the request for identifying information. SECTION 453.121.4 AND 5

This act modifies current law by providing that if the biological parent are deceased, the court shall disclose the identifying information of the biological parents to the adopted adult or the adopted adult's lineal descendants if the adopted adult is deceased. SECTION 453.121.8

Provisions of this act are similar to HB 427 (2011).
ADRIANE CROUSE

02/24/2011 S First Read--SB 351-Lamping (S322)
03/03/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S391)
03/29/2011 Hearing Conducted S Health, Mental Health, Seniors and Families Committee
03/29/2011 SCS Voted Do Pass S Health, Mental Health, Seniors and Families Committee - (1626S.02C)
03/31/2011 Reported from S Health, Mental Health, Seniors and Families Committee to Floor w/SCS (S540)

04/05/2011 SS for SCS S offered (Lamping)--(1626S.03F) (S577)
04/05/2011 SA 1 to SS for SCS S offered & adopted (Goodman)--(1626S03.01S) (S577)
04/05/2011 SS for SCS, as amended, S adopted (S577)
04/05/2011 Perfected (S577)
04/05/2011 Reported Truly Perfected S Rules Committee (S586)
04/07/2011 S Third Read and Passed (S653-654)
04/07/2011 H First Read (H1177)
04/11/2011 H Second Read (H1184)
04/12/2011 Referred H Judiciary Committee (H1236)
04/27/2011 Hearing Conducted H Judiciary Committee
04/27/2011 HCS Voted Do Pass H Judiciary Committee
05/02/2011 HCS Reported Do Pass H Judiciary Committee (H1711)
05/02/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1711)
05/04/2011 HCS Voted Do Pass H Rules Pursuant Committee
05/04/2011 HCS Reported Do Pass H Rules Pursuant Committee (H1858)
05/11/2011 HA 1 to HCS H offered & adopted (Barnes)--(1626L05.01L) (H2310-2311)
05/11/2011 HCS, as amended, H adopted (H2312)
05/11/2011 H Third Read and Passed (H2312-2313 / S1775)
05/12/2011 S concurs in HCS, as amended (S1962)
05/12/2011 S Third Read and Passed (S1962-1963)
05/12/2011 Truly Agreed To and Finally Passed

EFFECTIVE: August 28, 2011

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*** SB 352 *** 1740S.01I

SENATE SPONSOR: Engler

SB 352 - This act establishes a three-year pilot program that allows a judge in a participating county, upon a motion by the prosecutor, to request a criminal offender be placed in the department of corrections for 120 days for a mental health assessment and treatment. The victim must be given notice and an opportunity to be heard before the judge rules on the motion.

At the end of the 120 days, the department must send an assessment report to the sentencing court, which may release the offender on probation. The state probation and parole officer for the offender must work with the department of mental health to enroll eligible offenders into Community Psychiatric Rehabilitation programs.

Offenders are not eligible for the pilot program who have been found guilty of, or plead guilty to, second-degree murder, forcible or first-degree statutory rape, forcible or first-degree statutory sodomy, first degree child molestation that is classified as a Class A felony, or any other offense that does not allow probation or parole. Those found to be predatory sexual offenders are also ineligible.

The directors of the Departments of Corrections and Mental Health are to report to the Governor and the General Assembly by December 31, 2014 on whether the program should be statewide.

This act is substantially similar to HB 302 (2011).
MEGHAN LUECKE

02/24/2011 S First Read--SB 352-Engler (S322)
03/03/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S391)
04/11/2011 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2011

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*** SB 353 *** 1789S.01I

SENATE SPONSOR: Engler

SB 353 - This act allows the Missouri state Highway Patrol to sell surplus watercraft and watercraft motors and trailers in the same manner that the Highway Patrol may currently sell surplus Highway Patrol vehicles.

Proceeds from the sales will be directed to the "Highway Patrol's Motor Vehicle, Aircraft, and Watercraft Revolving Fund", which is administered by the superintendent of the highway patrol. Proceeds from the fund

are used to purchase highway patrol motor vehicles, and may be used under this act to also purchase watercraft, and watercraft motors and trailers.
MEGHAN LUECKE

02/28/2011 S First Read--SB 353-Engler (S342)
03/03/2011 Second Read and Referred S General Laws Committee (S391)
04/05/2011 Hearing Conducted S General Laws Committee
04/12/2011 Voted Do Pass S General Laws Committee
04/14/2011 Reported from S General Laws Committee to Floor (S736)
05/13/2011 S Formal Calendar S Bills for Perfection--SB 353-Engler

EFFECTIVE: August 28, 2011

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*** SB 354 *** 1781S.01I

SENATE SPONSOR: Schaaf

SB 354 - This act adds methylenedioxypyrovalerone (MPDV), which is also known as bath salts, to the list of schedule I controlled substances.

This act is identical to HB 551 (2011)and HB 572 (2011).
MEGHAN LUECKE

02/28/2011 S First Read--SB 354-Schaaf (S342)
03/03/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S391)

EFFECTIVE: August 28, 2011

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*** SB 355 *** 1851S.02I

SENATE SPONSOR: Schaaf

SB 355 - Currently, a prospective gubernatorial appointee to a board or commission must file a financial statement detailing all political contributions made within the four-year period prior to such appointment. This act increases that time period to the ten year period prior to such appointment.

For all gubernatorial appointments made after August 28, 2011, where the appointee is designated as a "public member", "consumer representative", "patient advocate" or similar designation where specialized knowledge is not a prerequisite to appointment, this act requires that such members shall not have, or have had, a financial interest in the subject regulated by the board or commission within at least the five years immediately preceding appointment. Further, such appointees shall not be, or have been, an employee of the state of Missouri within at least the five years immediately preceding appointment.

When state law requires that an organization or association recommend a prospective member of a board or commission, such organization or association must send a written letter of recommendation to the governor prior to the prospective member being appointed to such board or commission. No employee, or person on behalf of an employee, of the executive branch of the state of Missouri shall request that the organization or association recommend a specific individual for membership on such board or commission.
JIM ERTLE

02/28/2011 S First Read--SB 355-Schaaf (S342)
03/03/2011 Second Read and Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S391)
04/05/2011 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee

EFFECTIVE: August 28, 2011

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*** SB 356 *** CCS#2 HCS SCS SB 356 1787S.08T

SENATE SPONSOR: Munzlinger HOUSE HANDLER: Loehner

HCS/SCS/SB 356 - This act modifies provisions pertaining to agriculture.

SECTION 21.801 - JOINT COMMITTEE ON URBAN AGRICULTURE
This act changes the name of the Joint Committee on Urban Farming to the "Joint Committee on Urban Agriculture" and extends the date, from December 31, 2010 to December 31, 2012, by which the committee's final report must be submitted. Under current law, this section expired on January 1, 2011 but the act extends the expiration date until January 1, 2013.

SECTION 143.1014 - PUPPY PROTECTION TRUST FUND
The act allows individuals and corporations to donate a minimum of $1, or $2 for a combined return, of any tax refund owed to them by the state of Missouri for the purpose of making a donation to the Puppy Protection Trust Fund. The act creates the trust fund and designates all monies in the fund to be used by the Department of Agriculture for the administration of the Puppy Mill Cruelty Prevention Act. All interest accrued remains in the fund and the fund is exempt from the biennial sweep. The provisions of the act sunset after 6 years, unless reauthorized for another 6 years by the General Assembly.

This section is similar to HB 746 (2011).

SECTIONS 144.010 TO 144.070 - SALES TAX EXEMPTION FOR CAPTIVE WILDLIFE
This act creates state and local sales and use tax exemptions for sales of captive wildlife and all sales of feed for captive wildlife including lime and fertilizer for crops which when harvested will be fed to captive wildlife that will be sold ultimately in processed form at retail.

The act: adds freight charges to the sales and use tax exemptions for agricultural-related items; includes "accessories" for farm machinery and equipment in the definition of "farm machinery and equipment"; and provides a sales and use tax exemption for rotary mowers that are used exclusively for agricultural purposes.

The act also repeals two incorrect intersectional references contained in Chapter 144.

These sections are similar to SB 241 (2011) and HB 346 (2011).

SECTION 144.527 - SALES TAX EXEMPTION FOR FARMERS' MARKETS
The act creates an exemption from state and local sales and use tax for farm products sold at farmers' markets and provides definitions for "farmers' market" and "farm products."

This section is identical to HB 789 (2011).

SECTION 262.005 - RIGHT TO RAISE LIVESTOCK
Under the act, persons have the right to humanely raise livestock without the state imposing an undue economic burden on this activity.

This section is similar to HJR 3 (2011) and HJR 86 (2010).

SECTIONS 263.190 - 263.241 - NOXIOUS WEEDS
Under current law, all landowners are required to control the growth and spread of the plants musk thistle, scotch thistle, and canada thistle. Additionally under current law, where a landowner does not control the thistle, the county commission has a duty to enter upon the property in order to control the thistle. This act expands these requirements to apply not only to the thistles, but to all plants that are designated by rule as a "noxious weed" by the Department of Agriculture. The act requires the department to maintain a list of all noxious weeds and make the list available to the public.

The act prohibits the sale of noxious weeds.

The act repeals the provisions of law that apply specifically to the following plants: multiflora rose, field bindweed, cut-leaved teasel, common teasel, kudzu, spotted knapweed, purple loosestrife, and johnson grass.

These sections are similar to SB 336 (2011) and HB 653 (2011).

SECTION 268.121 - LIVESTOCK BRAND BOOK
Under current law, the Department of Agriculture must publish a book of all livestock brands on record and must send copies of the book to all county recorders of deeds, livestock markets, and slaughter plants. This act removes the requirement that the Department must publish the list of brands in book form, and instead requires the Department to make the list available to the public on the Internet. The act also removes the requirement that the Department send a book to the counties, livestock markets, and slaughter plants.

This section is identical to SB 337 (2011).

SECTION 275.360 - COMMODITY MERCHANDISING FEES FOR RICE
Current law allows agricultural producers or growers to request a refund of his or her commodity merchandising fees from the director of the Department of Agriculture. The act exempts rice producers and growers from this provision.

SECTIONS 276.401 TO 276.441 - GRAIN DEALERS

Under current law, a farmer who purchases less than $100,000 worth of grain for his or her own farming purposes is not considered a grain dealer. The act modifies the threshold to 50,000 bushels of grain instead of $100,000 worth of grain.

The act requires that all licensed grain dealers or applicants for a grain dealer license must maintain a minimum net worth of 5% of the total amount of grain purchased in the previous fiscal year. Additionally, all licensed grain dealers and applicants must maintain current assets at least equal to current liabilities and the act specifies certain requirements related to the determination of assets and liabilities.

The act raises the minimum surety bond requirement for licensed grain dealers from $20,000 to $50,000 and raises the maximum from $300,000 to $600,000. The act modifies the formula for determining the amount of surety bond required by specifying that the amount shall be equal to 2% of the dealer's previous year's grain purchases, instead of within a range of between 1% and 5% of such purchases. The act repeals the section of law that allows a grain dealer who has purchased less than $400,000 of grain the previous year to satisfy the bond requirement by filing bonds at the rate of $1,000 per $20,000 worth of grain purchased.

SECTION 411.280 - GRAIN WAREHOUSES
Under current law, the owner of a licensed grain warehouse must maintain a net worth equal to 15 cents per bushel of storage capacity. The act increases the multiplication factor from 15 cents to 25 cents.

SECTIONS 537.850 TO 537.862 - AGRITOURISM
The act creates the Agritourism Promotion Act.

The act creates a registration process for agritourism operators. Any person who provides an activity which allows members of the general public to view or enjoy rural activities for recreational, entertainment, or educational purposes may register with the Department of Agriculture. The Department is required to keep a list of and promote all registered agritourism operators, the activities they conduct, and the location where these activities occur. The department may charge a registration fee, not to exceed one hundred dollars.

Registered agritourism operators are required to post certain warning notices and include warning language in contracts.

The act provides that registered agritourism operators are not liable for injuries to, or the death of, a participant in agritourism, that result from the inherent risks of agritourism activities. The liability of an agritourism operator who engages in willful or wanton conduct or has actual knowledge of a dangerous condition in the land, facilities, or equipment, is not limited.

The act also creates the Agritourism Fee fund for the deposit of appropriated funds and registration fees. The Department must use the monies for administration of the Agritourism Promotion Act and for directional signage.

These provisions are almost identical to HB 2362 (2010).

The act contains an emergency clause for the Joint Committee on Urban Agriculture (section 21.801).
ERIKA JAQUES

02/28/2011 S First Read--SB 356-Munzlinger (S342)
03/03/2011 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S391)
03/09/2011 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee
03/16/2011 SCS Voted Do Pass S Agriculture, Food Production and Outdoor Resources Committee - (1787S.03C)
03/17/2011 Reported from S Agriculture, Food Production and Outdoor Resources Committee to Floor w/SCS (S494)

04/05/2011 SCS S adopted (S576)
04/05/2011 Perfected (S576)
04/05/2011 Reported Truly Perfected S Rules Committee (S586)
04/07/2011 S Third Read and Passed (S652-653)
04/07/2011 H First Read (H1177)
04/11/2011 H Second Read (H1184)
04/12/2011 Referred H Agriculture Policy Committee (H1236)
04/19/2011 Hearing Conducted H Agriculture Policy Committee
04/26/2011 HCS Voted Do Pass H Agriculture Policy Committee
04/26/2011 HCS Reported Do Pass H Agriculture Policy Committee (H1619)
04/26/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1619)
05/04/2011 HCS Voted Do Pass H Rules Pursuant Committee
05/04/2011 HCS Reported Do Pass H Rules Pursuant Committee (H1859)
05/04/2011 Referred H Fiscal Review Committee (H1857)
05/05/2011 HCS Voted Do Pass H Fiscal Review Committee
05/05/2011 HCS Reported Do Pass H Fiscal Review Committee (H1877)
05/11/2011 HA 1 to HCS H offered & adopted (Loehner)--(1787L06.11H) (H2313)
05/11/2011 HA 2 to HCS H offered & adopted (Cauthorn)--(1787L06.02H) (H2313-2314)
05/11/2011 HA 3 to HCS H offered (Schad)--(1787L06.12H) (H2314)
05/11/2011 HA 1 to HA 3 to HCS H offered & defeated (Brattin)--(1787L06.21H) (H2314-2316)
05/11/2011 HA 3 to HCS H adopted (H2317)
05/11/2011 HA 4 to HCS H offered & adopted (Klippenstein)--(178706.05H) (H2317-2319)
05/11/2011 HCS, as amended, H adopted (H2320)
05/11/2011 H Third Read and Passed - EC adopted (H2320-2322 / S1776-1779)
05/11/2011 S refuses to concur in HCS, as amended (S1866 / H2434)
05/11/2011 S requests H recede or grant conference (S1866 / H2434)
05/11/2011 H refuses to recede and grants conference (H2434 / S1894)
05/11/2011 H conferees appointed: Loehner, Schad, Wright, Holsman, Harris (H2435 / S1894)
05/12/2011 S conferees appointed: Munzlinger, Parson, Brown, Callahan, Justus (S1895)
05/12/2011 S requests H grant further conference (S1925 / H2527)
05/12/2011 H submits CCR
05/12/2011 H grants further conference (H2544 / S1960)
05/12/2011 H conferees re-appointed: Loehner, Schad, Wright, Holsman, Harris (H2548 / S1973)
05/12/2011 S conferees appointed: Munzlinger, Parson, Brown, Callahan, Justus (S1960 / H2458)
05/12/2011 H submits CCR#2
05/13/2011 CCR#2 S offered & adopted
05/13/2011 CCS#2 S Third Read and Passed - EC adopted
05/13/2011 CCR#2 H adopted
05/13/2011 CCS#2 H Third Read and Passed - EC adopted
05/13/2011 Truly Agreed To and Finally Passed

EFFECTIVE: Varies

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*** SB 357 *** 1779S.01I

SENATE SPONSOR: Munzlinger

SCS/SB 357 - This act classifies hydroelectric power generating equipment as utility, industrial, commercial, railroad and other real property and modifies the enhanced enterprise zone program definition of the term "blighted area" to include areas that are an unutilized or underutilized source for renewable energy generation.
JASON ZAMKUS

02/28/2011 S First Read--SB 357-Munzlinger (S342)
03/03/2011 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S391)
03/15/2011 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee
04/12/2011 SCS Voted Do Pass S Commerce, Consumer Protection, Energy and the Environment Committee - (1779S.03C)

EFFECTIVE: August 28, 2011

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*** SB 358 *** 1805S.01I

SENATE SPONSOR: Wasson

SCS/SB 358 -This act specifies that licensed professional counseling includes diagnosing, counseling, preventing, and ameliorating of mental, emotional, and behavioral disorders.

Beginning on August 28, 2013, any professional counselor who gives a diagnosis subject to this act is required to provide evidence of completion of a three hour course in diagnosis and assessment of people with mental and emotional disorders. This requirement will not apply to licensed professional counselors who were previously required to complete a three hour course in diagnostic skills.

The committee for professional counselors is required to maintain a public list of licensed professional counselors who have met this three hour course requirement, or who completed a three hour course in diagnostic skills.

This act is similar to SB 295 (2009).
EMILY KALMER

02/28/2011 S First Read--SB 358-Wasson (S342)
03/03/2011 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S391)
03/07/2011 Hearing Conducted S Financial and Governmental Organizations and Elections Committee
03/28/2011 SCS Voted Do Pass S Financial and Governmental Organizations and Elections Committee - (1805S.04C)

EFFECTIVE: August 28, 2011

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*** SB 359 *** 1785S.01I

SENATE SPONSOR: Lager

SB 359 - After October 1, 2011, any electric company seeking an Early Site Permit from the U.S. Nuclear Regulatory Commission must submit reports to the Missouri Public Service Commission (PSC) every 6 months during the entire permitting process. The reports must document the work completed and costs incurred up to that point toward the acquisition of the Early Site Permit as well as the projected amount of work and costs remaining.

Once the Early Site Permit is obtained, and provided the company complied with the reporting requirement, the electric company may recover up to $45 million of the expenditures, plus interest, for the permit from its ratepayers through rates and charges over a period not to exceed 20 years. The company may begin the cost recovery on the effective date of tariffs approved by the PSC at the company's first general rate proceeding following the acquisition of the permit. Other electric companies that also incur expenses toward the Early Site Permit may similarly recover their costs through rates and charges.

If an electric company has recovered costs from its ratepayers for an Early Site Permit but the company's interest in the Early Site Permit is subsequently sold or transferred, or the company receives reimbursement for the costs from another source, the PSC must decide how the electric company will credit its ratepayers for the moneys received in the sale, transfer or reimbursement. The PSC must also decide how any profits from a sale or transfer of an Early Site Permit will be shared with ratepayers. Credits made to ratepayers must also include interest.

If the power plant for which the Early Site Permit was acquired is not constructed before the Early Site Permit expires, the PSC must hold a hearing to determine if the electric company acted imprudently by failing to construct the plant. If the PSC determines that the electric company acted imprudently, the PSC must order any company that recovered costs for the Early Site Permit to credit its ratepayers for the costs determined by the PSC to be imprudent. The companies must issue the credits, including interest, over a period of 5 to 10 years.

This act is identical to SB 321 (2011) and similar to SB 50 (2011).
ERIKA JAQUES

02/28/2011 S First Read--SB 359-Lager (S342)
03/03/2011 Second Read and Referred S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee (S392)
03/09/2011 Hearing Scheduled But Not Heard S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee

EFFECTIVE: August 28, 2011

*** SB 360 *** HCS SS SB 360 1813L.07C

SENATE SPONSOR: Lager HOUSE HANDLER: Wyatt

HCS/SS/SB 360 - This act modifies provisions relating to rural community development.

DRINKING WATER SUPPLY LAKE AUTHORITY

This act allows Sullivan and Christian counties to create a county drinking water supply lake authority to promote a safe drinking water supply through the construction, operation, and maintenance of a drinking water supply lake. The authority shall be a body corporate and politic and a political subdivision of the state. Its income and property shall be exempt from state and local taxation.

The authority shall have power over the reservoir encompassing a drinking water supply lake and within the lake's watershed to acquire or build recreational, water quality, and infrastructure improvement projects; acquire personal and real property; enter contracts; sue and be sued; accept money from and enter into agreements with private and public entities; hire employees and fix their wages; spend money; adopt rules; fix fees; issue revenue bonds; sell and supply water; adopt tax increment financing; and exercise the powers of planning and zoning.

Members of the North Central Missouri Regional Water Commission shall appoint members to the county drinking water supply lake authority for staggered six year terms. The appointees must, for more than five years, be registered voters in Missouri and residents of Sullivan County, and the appointees must be over the age of 25.

The water commission shall also establish the date and time for the lake authority's first meeting where a chairman, vice chairmen, secretary and treasurer are to be elected or appointed. An executive director who is not a member of the lake authority may also be appointed who will be compensated or the secretary may be designated to act as executive director.

Surety bonds in the penal sum of $50,000 or a blanket bond covering the members of the authority, shall be purchased and conditioned upon the faithful performance of the duties of the offices covered.

Authority members are barred from participating in any deliberations or decisions in which the member has a direct financial interest. Such members are subject to the limitations regarding the conduct of public officials provided in chapter 105.

This act defines the terms conservation storage level, costs, project, water commission, and watershed.

RENEWABLE ENERGY GENERATION ZONES

This act modifies provisions of the enhanced enterprise zone program to allow renewable energy generation zones to be designated as enhanced enterprise zones. Upon designation of a renewable energy generation zone as an enhanced enterprise zone, subsequent locally assessed improvements to real property may, upon adoption of an authorizing resolution or ordinance by the governing authority having jurisdiction over such zone, be exempted from real property taxes for up to twenty-five years. The act prohibits the issuance of enhanced enterprise zone tax credits for facilities that produce or generate electrical energy from a renewable energy resource.

The act also classifies hydroelectric power generating equipment as real property for property tax purposes.

This provisions is identical to SCS/HB 737 (2011).

SAWMILLS AND PLANNING MILLS

This bill classifies sawmills and planing mills as defined in the United States Department of Labor's Standard Industrial Classification (SIC) Manual as agricultural and horticultural property instead of commercial property for property taxation purposes.

This provision is similar to HB 112 (2011).

ADVANCEMENT OF MONEYS FOR HIGHWAY CONSTRUCTION

Under this act, the state highways and transportation commission may enter into binding highway infrastructure improvement agreements to reimburse or repay any funds advanced by or for the benefit of a county, political subdivision, or private entity to expedite state road construction or improvement.

Such highway infrastructure improvement agreements may provide for the assignment of the state highways and transportation commission's reimbursement or repayment obligations in order to facilitate the funding of such improvements.

The funds advanced by or for the benefit of the county, political subdivision, or private entity for the construction or improvement of state highway infrastructure shall be repaid by the commission from funds from the state road fund in a manner, time period, and interest rate agreed to upon by the respective parties. The commission may condition the reimbursement or repayment of such advanced funds upon projected highway revenues and may delay repayment of the advanced funds if highway revenues fall below the projections used to determine the repayment schedule or if repayment would jeopardize the receipt of federal highway moneys.

This provision is similar to a provision in HB 1008 (2011) and HCS/SCS/SB 131 (2011).

BIOMASS FACILITY TAX CREDIT

This provision creates a tax credit for biomass renewable energy facilities that create new jobs.

This provision has an emergency clause.

MEGHAN LUECKE

02/28/2011 S First Read--SB 360-Lager (S342)
03/03/2011 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S392)
03/16/2011 Hearing Conducted S Jobs, Economic Development and Local Government Committee
04/06/2011 Voted Do Pass S Jobs, Economic Development and Local Government Committee
04/07/2011 Reported from S Jobs, Economic Development and Local Government Committee to Floor (S663)
04/12/2011 SS S offered & adopted (Lager)--(1813S.02F) (S690)
04/12/2011 Perfected (S691)
04/12/2011 Reported Truly Perfected S Rules Committee (S694)
04/14/2011 S Third Read and Passed (S729-730)
04/14/2011 H First Read (H1298)
04/18/2011 H Second Read (H1304)
04/21/2011 Referred H Rural Community Development Committee (H1427)
04/27/2011 Hearing Conducted H Rural Community Development Committee
04/28/2011 HCS Voted Do Pass H Rural Community Development Committee
04/28/2011 HCS Reported Do Pass H Rural Community Development Committee (H1685)
04/28/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1685)
05/04/2011 HCS Voted Do Pass H Rules Pursuant Committee
05/04/2011 HCS Reported Do Pass H Rules Pursuant Committee (H1859)
05/11/2011 HA 1 to HCS H offered (Kelly-24)--(1813L07.03F) (H2232)
05/11/2011 HA 1 to HA 1 to HCS H offered & adopted (Barnes)--(1813L07.11H) (H2322-2323)
05/11/2011 HA 2 to HA 1 to HCS H offered & adopted (Burlison)--(1813L07.18H) (H2323)
05/11/2011 HA 1 to HCS, as amended, H adopted (H2323)
05/11/2011 HA 2 to HCS H offered & adopted (Franklin)--(1813L07.01H) (H2323-2329)
05/11/2011 HA 3 to HCS H offered & adopted (Molendorp)--(1813L07.06F) (H2329-2331)
05/11/2011 HA 4 to HCS H offered & adopted (Largent)--(1813L07.05F) (H2331-2332)
05/11/2011 HA 5 to HCS H offered & adopted (Weter)--(1813L07.14H) (H2332)
05/11/2011 HA 6 to HCS H offered & adopted (Funderburk)--(1813L07.19H) (H2332-2333)
05/11/2011 HA 7 to HCS H offered & adopted (Franz)--(1813L07.06H) (H2333-2334)
05/11/2011 HA 8 to HCS H offered & Ruled out of order (Solon)--(1813L07.02F) (H2334-2335)
05/11/2011 HA 9 to HCS H offered & adopted (Nance)--(1813L07.05H) (H2335-2336)
05/11/2011 HA 10 to HCS H offered & adopted (Cookson)--(1813L07.09H) (H2336-2337)
05/11/2011 HA 11 to HCS H offered & defeated (Schneider)--(1813L07.01F) (H2337-2340)
05/11/2011 HCS, as amended, H adopted (H2341)
05/11/2011 H Third Read and Passed - EC adopted (H2342-2343 / S1783-1802)
05/13/2011 S Calendar S Bills with H Amendments--SS for SB 360-Lager, with HCS, as amended

EFFECTIVE: Varies

*** SB 361 *** 1815S.01I

SENATE SPONSOR: Justus

SB 361 - Currently, in cases where a foreclosed property is occupied by a residential tenant whose lease is not void due to certain illegal uses of the premises, the new owner of the property must give the occupant of the property notice that the foreclosure sale has occurred, that they are the new owner of the property, and if the new owner seeks possession of the property, that the occupant has ten business days from the date of the notice to vacate the premises. This act gives the occupant ninety days to vacate the premises, rather than ten business days. No unlawful detainer action or other action seeking possession of the premises may begin against the occupant until ninety days after the date the occupant is given notice that the foreclosure sale occurred.

When a court finds that a landlord or the landlord's agent removed or excluded a tenant from rental property without a court order, the tenant is authorized to receive all damages caused by the landlord excluding them from the property. These damages can include, prepaid rent, moving expenses, loss of utility deposits, loss of credit, damage to the tenant's rental history, damages for physical and emotional distress, and attorneys' fees.

Currently, if a landlord wrongfully withholds a security deposit, the tenant recovers no more than twice the amount wrongfully withheld. This act requires that the tenant recover exactly twice the amount wrongfully withheld.
EMILY KALMER

02/28/2011 S First Read--SB 361-Justus (S342)
03/03/2011 Second Read and Referred S General Laws Committee (S392)

EFFECTIVE: August 28, 2011

*** SB 362 *** 1814S.01I

SENATE SPONSOR: Justus

SB 362 - This act provides that, subject to appropriations, the Department of Public Safety shall contract with an entity with statewide expertise in domestic violence policy to coordinate review of domestic violence fatalities.

The coordinating entity shall be authorized to convene regional review panels, gather information and provide training and technical assistance to such panels. The coordinating entity shall also compile information and issue biennial reports to the department as well as establish a protocol for identifying domestic violence related fatalities and selecting which cases to review. The coordinating agency may convene a regional panel to review any domestic violence fatality.

Private citizens may request the coordinating agency to review a particular death within two years of the death. Of these requests, the appropriate regional review panel may review those cases which fit the criteria set forth in the protocol established by the coordinating entity.

The composition of the members of the regional review panels is prescribed in the act, including medical personnel, coroners or medical examiners, and law enforcement personnel. The regional review panels shall make periodic reports to the coordinating entity and a final report to the entity with regard to every fatality that is reviewed.
ADRIANE CROUSE

02/28/2011 S First Read--SB 362-Justus (S343)
03/03/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S392)

EFFECTIVE: August 28, 2011

*** SB 363 *** 1670S.01I

SENATE SPONSOR: Justus

SB 363 - This act modifies provisions relating to crime.

SENTENCING

The Department of Corrections shall not accept for commitment in its prisons any offender who pleads guilty to or is found guilty of a Class D felony unless such person has been found guilty of or pleaded guilty to at least two prior felonies. Nor shall the department accept for commitment any offender who pleads guilty to or is found guilty of certain Class C felonies, including passing bad checks, check kiting, forgery, and certain other offenses, unless such person has at least one prior felony.

Any such offender may be: 1) directed, with the agreement of the parties and the approval of the court, to participate in a drug court, DWI court, or any other treatment court approved by the drug courts coordinating commission, 2) sentenced to county jail, or 3) placed on probation.

For the purpose of calculating the savings to the state resulting from implementation of these provisions, the Department of Corrections shall calculate a state baseline number consisting of the average of the numbers of persons in the department on the last day of each month in fiscal year 2010, who were committed to the department solely for certain class C and D felonies as described above.

The department shall calculate the savings to the state each quarter by subtracting the average daily population of offenders housed in prison for such Class C and D felonies during the quarter from the state baseline number. The quarterly savings to the state shall be determined by multiplying the operational costs per offender by the difference between the state baseline number and the average daily population for the quarter and then subtracting from that number the cost of probation and parole and the cost of drug, DWI, or other treatment courts for the diverted offenders. If the population of such Class C and D felony offenders increases in any quarter, no calculations shall be required.

The savings shall be distributed in the following manner. One-half shall revert to the general revenue fund. Subject to appropriations, one-sixth shall be retained by the department of corrections for community supervision costs, one-sixth shall be distributed to the circuit courts, and one-sixth shall be distributed to the "County Corrections Stabilization Fund", which is created under this act to be used by counties to fund the housing of inmates who are serving sentences on such Class C and D felonies. The fund shall receive the first $2 million dollars of savings toward its share of the distribution.

The department shall administer the County Corrections Stabilization Fund. The money shall be disbursed to reimburse the actual costs of incarceration up to 180 days per individual offender if: 1) the prisoner pleads guilty to or is found guilty of a state offense for which he or she is sentenced to the department of corrections but received credit for the time served in the county jail prior to sentencing; or 2) the prisoner is held in a county jail for a state offense on a sentence or portion of a sentence following a plea or finding of guilty or is incarcerated under Section 559.026. Currently, these types of costs of incarceration are not reimbursed by the state to the counties under Section 221.105, but would be reimbursed under this act from the fund. If there are insufficient moneys in the fund, the department shall pay each county that has reduced the number of persons serving sentences for such felonies with the department a pro rata share of the available amount. The money in the fund shall not revert back to the general revenue fund.

Each month, the Department of Corrections shall provide to each county's prosecuting or circuit attorney a list of persons incarcerated by corrections for offenses from the attorney's county and their offenses. The list shall also include the risk assessment and parole release guidelines used by the probations and parole board for each offender and that person's conditional and board release date.

The "Criminal Justice Review Commission" is created to study the effects of these provisions and make recommendations for any proposed changes prior to August 28, 2014. The commission shall make annual reports to the Governor, Speaker of the House, and President Pro tem of the Senate. The commission shall include one House member, one Senate member, two judges, the executive director of the Missouri Office of Prosecution Services, a member named by the Public Defender system, a member named by the Sentencing Advisory Commission, the director of the Department of Corrections, the director of the Department of Public Safety, and the following individuals named by the Governor - a county sheriff, criminal defense attorney, and a representative of a victims' rights organization.

The Board of Probation and Parole may select nonviolent offenders for release upon their admission to a drug, DWI or treatment court upon agreement with the drug court commissioner or judge. Any such offender shall be subject to the jurisdiction of such court as if on original probation.

These provisions shall expire on August 28, 2014, except that savings resulting from implementation during the year ending on August 28, 2014 shall be calculated and distributed after such date.

This act repeals a provision making the county's cost of housing an inmate that is reimbursed by the state subject to the review and approval of the department.

Subject to appropriations, electronic monitoring supervised by counties prior to the plea or finding of guilt of an offender shall be eligible for reimbursement by the state at a rate not to exceed $8 per prisoner per day.

The circuit court shall retain jurisdiction over any person sentenced to a term of confinement in a county jail for the duration of the sentence or the term of probation granted under law.

CHILD MOLESTATION

Currently, the crime of child molestation in the first degree is a Class A felony if the person has previously committed a sexual offense under Chapter 566. Under this act, the penalty for such offense shall be the same when the person has committed a previous sexual offense in another jurisdiction equivalent to one under Chapter 566.

MEGHAN LUECKE

02/28/2011 S First Read--SB 363-Justus (S343)
03/03/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S392)

EFFECTIVE: August 28, 2011

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*** SB 364 *** 1816S.01I

SENATE SPONSOR: Pearce

SB 364 - This act allows for the creation of parks, trails and greenways districts within certain charter counties. The primary duty of such districts is the development, operation, and maintenance of a system of interconnecting parks and trails throughout the counties comprising the district. District membership is subject to approval by the voters of each participating county.

The district will be managed by a board of directors. Members of the Board will be appointed by the county executive of each participating county and the mayors of certain cities within such counties. Members of the board will serve without compensation for staggered terms.

This act authorizes parks, trails and greenways districts to seek voter approval for a one-tenth of one cent sales tax in participating counties to fund the district. Forty-five percent of the revenue shall be used by the district and fifteen percent shall be returned to the participating counties for local park improvement. The remaining forty percent of such revenues will be returned to the cities in proportion to their relative sales tax contributions to fund the planning, development, supervision, improvement, and maintenance of public parks, trails, and recreational facilities in the district.

The act authorizes parks, trails and greenways districts to issue bonds to fund proposed improvements. Such districts are prohibited from exercising the power of eminent domain. All purchases made by parks, trails and greenways districts over ten thousand dollars will be subject to competitive bidding.

JASON ZAMKUS

02/28/2011 S First Read--SB 364-Pearce (S343)
03/03/2011 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S392)
03/09/2011 Hearing Conducted S Jobs, Economic Development and Local Government Committee

EFFECTIVE: August 28, 2011

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*** SB 365 *** 0134S.01I

SENATE SPONSOR: Goodman

SB 365 - This act allows up to $9,999 to be set aside in an irrevocable trust designated to pay for funeral services, facilities, or merchandise, that is not part of a preneed funeral contract, without that trust being considered an asset when determining eligibility for public assistance. Any excess money after final disposition shall be paid to the state up to the amount of public assistance provided. Any money remaining after paying the state is paid to those designated in the trust.

This act is similar to SB 1025 (2010) and a provision within the perfected version of SB 1 (2009).

EMILY KALMER

02/28/2011 S First Read--SB 365-Goodman (S343)
03/03/2011 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S392)
03/28/2011 Hearing Conducted S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2011

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*** SB 366 *** HCS SCS SB 366 1676L.03T

SENATE SPONSOR: Goodman HOUSE HANDLER: Diehl

HCS/SCS/SB 366 - This act creates cooperative associations and modifies the law relating to the conversion of certain business organizations.

Limited liability companies, statutory trusts, business trusts or associations, real estate investment trusts, common-law trusts, and any other unincorporated businesses may convert to a corporation upon executing a certificate of conversion. Corporations are also allowed to convert to the aforementioned business organization in the same manner and upon the adoption of a resolution approving the conversion and approval of the shareholders.

All property, obligations, and liabilities shall follow the converting entity to the business organization into which it is converting. The converting entity shall not be required to required to wind up affairs, pay liabilities, or distribute assets and such conversion shall not constitute a dissolution.

Nonprofit corporations shall not be allowed to convert into another entity.

This act creates cooperative associations as a new type of business organization formed for any lawful purpose to conduct business in the state of Missouri. The association shall be comprised of members and governed by a board of directors. Members may be patron or nonpatron members. Patron members are those that conduct business through or with the cooperative. The cooperative may elect to be taxed as a corporation or as a partnership.

The articles of association may limit a director's liability except for a breach of the duty of loyalty, intentional misconduct, illegal distributions, and improper benefits. Cooperatives may indemnify persons in certain situations.

The act provides requirements for the organization of associations such as defining organizational purpose, who may organize, cooperative names, elements to be included in articles of organization and bylaws and requirements for amending both and the members right to inspect the cooperative's documents.

The act provides requirements governing the actions and liabilities of directors and officers including the number and election procedures for directors, quorum requirements, removal procedures for directors and officers, meeting requirements, limitation of liability and indemnification procedures.

The requirements governing members are enumerated including membership interests, member meeting requirements, voting rights, sale of assets, and contribution agreements.

The act sets forth the method for merger, consolidation, and dissolution.

This act is similar to HB 1983 (2008).

CHRIS HOGERTY

02/28/2011 S First Read--SB 366-Goodman (S343)
03/03/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S392)
03/09/2011 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee
03/30/2011 SCS Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee - (1676.02C)
03/31/2011 Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor w/SCS (S541)
04/06/2011 Bill Placed on Informal Calendar (S605)
04/06/2011 SCS S adopted (S606)
04/06/2011 Perfected (S606)
04/06/2011 Reported Truly Perfected S Rules Committee (S633)
04/07/2011 S Third Read and Passed (S658-659)

04/07/2011 H First Read (H1178)
04/11/2011 H Second Read (H1184)
04/13/2011 Referred H General Laws Committee (H1264)
04/19/2011 Hearing Conducted H General Laws Committee
04/19/2011 HCS Voted Do Pass H General Laws Committee
04/20/2011 HCS Reported Do Pass H General Laws Committee (H1416)
04/20/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1416)
04/22/2011 HCS Voted Do Pass H Rules Pursuant Committee
04/26/2011 HCS Reported Do Pass H Rules Pursuant Committee (H1620)
04/28/2011 HA 1 to HCS H offered & adopted (Diehl)--(1676L03.01L) (H1665-1666)
04/28/2011 HCS, as amended, H adopted (H1667)
04/28/2011 H Third Read and Passed (H1667-1668 / S1208-1210)
05/02/2011 S concurs in HCS, as amended (S1236)
05/02/2011 S Third Read and Passed (S1236-1237)
05/02/2011 Truly Agreed To and Finally Passed (H1782)

EFFECTIVE: August 28, 2011

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*** SB 367 *** 1791S.01I

SENATE SPONSOR: Nieves

SB 367 - This act establishes the Health Care Compact which specifies that each member state of the compact shall have the authority to enact state laws that supersede any and all federal laws regarding health care within its state. The compact specifies that each member state shall have the right to mandatory federal funds to support the exercise of member state authority under the compact and that the funding shall not be conditional on any action, regulation, policy, law or rule of any kind of the member state. The funding amount to be distributed to each member state shall be based on the Member State Current Year Funding Level, which formula is prescribed under the act.

This act creates the interstate advisory health care commission consisting of members appointed by each member state through a process to be determined by the laws of each member state. No state may appoint more than two members to the commission, and at any time a member state may withdraw its members from the commission.

The commission may study the issues of health care regulation of particular concern to the member states, such as the elimination of interstate barriers to the provision of health care. After consideration, the commission may make non-binding recommendations to the member states.

The commission shall also collect information and data to assist the member states in the regulation of health care, including assessing the performance of various state health care programs and compiling information on the cost of health care. The commission shall make this information and data available to the legislature of the member states.

The compact shall be effective upon its adoption by at least two member states and consent of the United States Congress.

This act is identical to HB 423 (2011).
ADRIANE CROUSE

02/28/2011 S First Read--SB 367-Nieves and Stouffer (S343)
03/03/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S392)

EFFECTIVE: Contingent

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*** SB 368 *** SCS SB 368 1702S.02P

SENATE SPONSOR: Stouffer

SCS/SB 368 - Under current law, land survey duties under Chapter 60, RSMo, are performed by the Department of Natural Resources. This act transfers the duties to the Department of Agriculture. The act prohibits the Department of Agriculture from charging the Land Survey Program more than it charges any of its other programs when assessing costs to each program for supporting general department administrative functions.
ERIKA JAQUES

02/28/2011 S First Read--SB 368-Stouffer (S343)
03/03/2011 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S392)
03/09/2011 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee
03/16/2011 SCS Voted Do Pass S Agriculture, Food Production and Outdoor Resources Committee - (1702S.02C)
03/17/2011 Reported from S Agriculture, Food Production and Outdoor Resources Committee to Floor w/SCS (S494)
04/05/2011 SCS S adopted (S576-577)
04/05/2011 Perfected (S577)
04/05/2011 Reported Truly Perfected S Rules Committee (S586)
04/07/2011 S Third Read and Passed (S651-652)
04/07/2011 H First Read (H1178)
04/11/2011 H Second Read (H1184)
05/04/2011 Referred H Tourism & Natural Resources Committee (H1857)

EFFECTIVE: August 28, 2011

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*** SB 369 *** SCS SBs 369 & 370 0349S.09C

SENATE SPONSOR: Cunningham

SCS/SBs 369 & 370 – This act modifies provisions relating to school enrollment. Current law provides that the school board of an unaccredited school district must pay the tuition and transportation for resident students who attend an accredited school in another district of the same or an adjoining county. This act establishes a scholarship program to allow resident students of an unaccredited district to enroll in an approved nonpublic school, charter school, virtual school, or accredited school district and adds enrollment procedures for students to follow when changing school districts. In addition, this act adds options for school districts to educate nonresident students and gives new enrollment options to residents students of an unaccredited district.

CHARTER SCHOOLS: Charter schools may operate in any accredited school district that may receive students from an unaccredited school district and may enroll resident students of the unaccredited district under section 167.131. A charter school that begins operation may continue to operate if the unaccredited district becomes classified as accredited or provisionally accredited. In addition, charter schools may be sponsored by: the school board of a district in collaboration with another district; the State Board of Education in an unaccredited district; the mayor of St. Louis City in an unaccredited district; or by the school board of an accredited district in an unaccredited district.

This act allows charter schools to charge tuition. A charter school that enrolls nonresident pupils from an unaccredited district may receive a scholarship or tuition payments for those students. (Sections 160.400, 160.410, 160.415, 160.420)

SCHOOL FUNDING: This act requires that a school district's weighted average daily attendance count be adjusted so that it will not receive state aid for any pupil who is no longer enrolled in the district as a result of transferring under subsections 3 to 20 of section 167.131. (Section 163.031)

TRANSFER PROCEDURES: Student transfers will be administered by the "administrator," which shall be the Department of Elementary and Secondary Education, or a neutral third party appointed by the Department. Students residing in an unaccredited district may enroll in an accredited district, an approved nonpublic school, virtual school, or charter school in the same or an adjoining county.

An approved nonpublic school must meet the criteria established in the act, which includes having a higher graduation rate, lower dropout rate, higher rate of student matriculation rate to higher education institutions, higher average ACT scores, and higher average scores on statewide assessments or nationally-norm referenced assessment, as described in the act, than the unaccredited district. A nonpublic school that receives students under this act must be approved by the mayor of St. Louis City or the county executive or presiding commissioner of the county in which it is located, as applicable.

This act requires the student's parent or guardian to notify the child's school district of residence and the student transfer administrator by March 15 of the intent to change the child's enrollment on an application prescribed by the Department of Elementary and Secondary Education. If a parent fails to provide notification by March 15, he or she may do so until May 15 provided that the parent has good cause to do so, as

described in the act. The parent or guardian may withdraw the request at any time prior to the start of the school year.

No accredited district is required to accept a nonresident pupil unless the pupil has been rejected by five schools. After five rejections, the administrator must assign the pupil to an accredited district that is located within a thirty mile radius of the district boundary line closest to the pupil's residence, as described in the act. Five rejections will only be required for the St. Louis and Kansas City school districts and any other district where at least five education options, other than accredited districts, exist within a thirty mile radius of the district of residence. Assignments will be made on a pro-rata basis, taking into account whether a district has already accepted any nonresident pupils, and if so, how many. The administrator must make counselors available to assist parents to enroll their child, who must advise the parent on education options available to the pupil and assist them in preparing any necessary applications or additional paperwork. The parent or guardian must identify five educational options for the administrator. At least one accredited district must be listed on the form if approved by the parent. The student transfer administrator must enroll the pupil in one of the five identified options, based on availability. If none of the options are available, the administrator must advise the parent on additional options that may be available. The student transfer administrator must obtain separate approval from the parent or guardian prior to enrolling the child in a program consisting mainly of virtual education. A pupil who enrolls in one of his or her five selected options may return to the school district of residence but may not enroll in another school under this section until the following school year.

The expenses associated with the administration of pupil transfers will be defrayed by the Department of Elementary and Secondary Education retaining funds from the funding withheld from the student's district of residence. This amount cannot exceed five hundred dollars per pupil.

A student who seeks to enroll in a charter school must follow existing procedures. (Section 167.131)

AMOUNT OF SCHOLARSHIP: The scholarship amount depends on the geographic location of the student's school district of residence. For the St. Louis City School District and Kansas City School District, the amount would be the cost of attendance at the receiving school, or two-thirds of the district of residence's per pupil expenditure, whichever is less. For all other districts, the scholarship amount will be the per pupil expenditure of the receiving school or the pupil's district of residence, whichever is less. The scholarship shall also include the amount needed to transport the pupil to and from school. (Section 167.131)

RECORDS: School districts must keep a record of all transfers requested into and out of the district. These records must be reported annually in the school report card, posted on the school district's website, and reported annually to the Department of Elementary and Secondary Education. (Section 167.131)

OPTIONS FOR A RECEIVING DISTRICT TO EDUCATE NONRESIDENT PUPILS: This act provides different options for receiving districts to educate nonresident students. First, a receiving district may enroll nonresident students in existing school facilities located within the district. Second, a receiving district may purchase or lease additional facilities, or use vacant school buildings located in another school district, and operate such facilities as part of the district with teachers employed by the district. Schools may use virtual education at such facilities. A receiving district may also collaborate with a charter school. Third, a receiving district may contract with an educational management company to educate nonresident pupils. Fourth, the receiving district's school board may sponsor charter schools and allow the nonresident students to attend. The school board of an accredited school district may also sponsor a charter school. Nonresident pupils may also attend any other charter school operating in the district. (Sections 160.400 and 167.131)

ADMINISTRATION OF STATEWIDE ASSESSMENTS: Any accredited school district that enrolls nonresident students under this act must administer the statewide assessments to them. The results must be reported in aggregate form. Any approved nonpublic school must inform and advise transfer students about the MAP test and refer them to the local school district; it may also administer the MAP test for those students. An approved nonpublic school may also administer a nationally recognized norm-referenced assessment, as described in the act. (Section 167.131)

TUITION AND TRANSPORTATION PAYMENTS: The school board of the unaccredited district must pay the tuition and transportation of its resident pupils who enroll in another school under this section. Tuition will be based on the cost of maintaining the grade level grouping in the receiving school.

The unaccredited district must report to the Department of Elementary and Secondary Education the number of its resident pupils who enroll in another educational option under this section and the amount of tuition paid

on behalf of each student. The Department must withhold the weighted state aid attributable to the pupil from the district of residence's state aid payments. The Department will use these funds to pay the tuition to the receiving schools, as described in the act. If the pupil attends an approved nonpublic school, the Department will send a check to the approved nonpublic school that is payable to the pupil's parent or guardian. The parent or guardian must restrictively endorse the check to the receiving approved nonpublic school. The school must credit the funds to the student's account.

Current law requires the unaccredited district to pay for the student's transportation. The student transfer administrator will be responsible for coordinating transportation for the transfer students. The student's parent or guardian may transport the student to the receiving district without reimbursement. In addition, the parent may transport the student to and from a point on a regular school bus route of the receiving district. (Sections 167.131, 167.241)

LENGTH OF TRANSFER PROGRAM: Student transfers will continue until the unaccredited district has been classified as accredited for five consecutive years. However, any pupil who has enrolled in another school may continue to attend that school and complete all grade levels offered in the school or school district. If the pupil's school does not offer all grade levels necessary for graduation, the pupil may transfer to another school to do so. (Section 167.131)

PUBLIC INFORMATION: Each school district must provide information to the parents and guardians of its pupils about each public school option available to them. This information must be included in the parent handbook and on its internet website. (Section 167.131)

SCHOOL DISTRICT TUITION POLICY: This act prohibits a school district, including any special school district, from adopting or maintaining a policy prohibiting the payment of tuition from a nonresident pupil. (Section 167.151)

PLACEMENT OF TRANSFER STUDENTS: When a pupil transfers into an accredited district, it must provide the pupil and parent with a written explanation of the enrollment and grade level placement policies. It must review the pupil's course work, test scores, and transcript, as described in the act. The district must provide a determination of the placement to the student and parent within thirty calendar days of the request for enrollment. (Section 171.171)

SCHOOL FACILITIES: This act also allows school districts to operate property it owns in another district for resident students of an unaccredited district who are enrolled in an accredited district under Section 167.131. In addition, any unaccredited school district that owns school buildings that have not been used for classroom instruction for two consecutive school years must sell them or make them available for use by an accredited school district, charter school, virtual school, approved nonpublic school, or nonpublic school free of charge. Maintenance, upkeep, and utility services will be the responsibility of the entity using the facility. If the district becomes accredited without provision, and remains accredited for five years, any buildings must be returned to it. The district may also sell the buildings but any sale or lease terms must not include a restriction on using the facilities for educational purposes. (Sections 177.011 & 177.015)

This act contains a severability clause. (Section 1)

This act will only become effective upon the repeal of Article IX, Section 8, and the repeal of the portion of Article I, Section 7 that prohibits the use of public funds for religious purposes. (Section B)
MICHAEL RUFF

02/28/2011 S First Read--SB 369-Cunningham (S343)
03/03/2011 Second Read and Referred S General Laws Committee (S392)
03/08/2011 Hearing Conducted S General Laws Committee
03/29/2011 SCS Voted Do Pass (w/SCS SBs 369 & 370) S General Laws Committee - (0349S.09C)
03/30/2011 Reported from S General Laws Committee to Floor w/SCS (S521-522)
04/05/2011 Bill Placed on Informal Calendar (S577)
05/13/2011 S Informal Calendar S Bills for Perfection--SBs 369 & 370-Cunningham, with SCS

EFFECTIVE: Contingent

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*** SB 370 *** 1669S.03I

SENATE SPONSOR: Cunningham

This bill has been combined with SB 369

02/28/2011 S First Read--SB 370-Cunningham (S343)
03/03/2011 Second Read and Referred S General Laws Committee (S392)
03/08/2011 Hearing Scheduled But Not Heard S General Laws Committee
03/15/2011 Hearing Cancelled S General Laws Committee
03/29/2011 Hearing Conducted S General Laws Committee
03/29/2011 Bill Combined (w/SCS SBs 369 & 370)

EFFECTIVE: August 28, 2011

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*** SB 371 *** 1782S.01I

SENATE SPONSOR: Cunningham

SB 371 – This act provides the State Board of Education an additional option to address the lapse and lack of accreditation of a school district. The State Board of Education may divide the territory of the district and attach seventy-five percent of it to adjoining accredited school districts. If the district becomes accredited and remains accredited for five consecutive years, the State Board may return the attached portion back to the district.

This act also removes the requirement that a portion of a lapsed school district with more than five thousand students cannot be attached to another district without the approval of the receiving district's school board.
MICHAEL RUFF

02/28/2011 S First Read--SB 371-Cunningham (S343)
03/03/2011 Second Read and Referred S General Laws Committee (S392)
03/08/2011 Hearing Scheduled But Not Heard S General Laws Committee

EFFECTIVE: August 28, 2011

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*** SB 372 *** 1839S.01I

SENATE SPONSOR: Cunningham

SCS/SB 372 – This act modifies the teacher tenure system and administration of teacher contracts. Currently, two teacher tenure systems exist in the state, one for the St. Louis City School District and one for all other districts. These two systems will expire, and beginning on July 1, 2012, all teachers in the state will be governed by the "Teacher Continuing Contract Act." (Sections 168.102, 168.221, 168.1000)

TEACHING STANDARDS: The teacher standards established in section 160.045 will be used for teacher evaluations under this act. In addition, the Missouri Teaching Standards Professional Continuum adopted by the State Board of Education may be adopted as a basis for such standards. (Section 160.045)

MINIMUM TEACHER SALARIES: This act removes the minimum teacher salary established for full-time teachers with a master's degree and at least ten years' teaching experience. (Section 163.172)

SCHOOL ADMINISTRATOR EVALUATIONS & CONTRACTS: School boards must currently conduct a comprehensive performance-based evaluation of administrators. This act requires them to be conducted annually. The Missouri Administration Standards Professional Continuum may be adopted as a basis for the standards. School administrators may enter into a contract for employment with the school district for a period of up to three years. (Section 168.410)

TEACHER CONTRACTS: Beginning July 1, 2012, school boards may employ legally certificated teachers in addition to employing teachers under the Teacher Continuing Contract Act. Procedures for the contract are described in the act. (Section 168.999)

CONTINUING CONTRACT: Beginning July 1, 2012, teachers may receive a "continuing contract," which is defined as a contract between a district and a teacher for a period of up to three consecutive years. (Sections 168.1002 & 168.1004)

TRANSITION FROM EXISTING TENURE SYSTEM TO CONTINUING CONTRACT SYSTEM: Beginning July 1, 2012, each school district must place a tenured teacher on a three-year continuing contract. A teacher who is not in the first teaching position of his or her career, but who is in the first to fourth year of employment with the district during the 2011-2012 school year whose contract will be renewed for the 2012-2013 school year, may have the contract renewed for one or two years, at the discretion of the district.

Any teacher who is beginning his or her career's first teaching position and who is contract to begin as of July 1, 2012 will be placed on a one-year contract.
(Section 168.1003)

FORM OF TEACHER CONTRACT: Standard language to be used for teacher contracts is identified. The school board may terminate a contract for cause at any time. The terms of a continuing contract, including salary, may be contingent upon available funding. In addition, a two or three-year continuing contract may not be renewed more than fourteen months before its expiration. A school board is prohibited from employing one of its members as a teacher. (Section 168.1006)

MODIFICATION OF TEACHER CONTRACTS: The school board may modify a continuing contract annually on or before May 15. Modifications include school year starting and ending dates and annual compensation based on a salary schedule. Modifications will become effective at the beginning of the next school year. (Section 168.1008)

A permanent teacher and a school district may terminate or modify a continuing contract by mutual consent at any time. A teacher who desires to terminate his or her continuing contract at the end of a school term must give written notice before June 1 of that year. (Section 168.1010)

COMPENSATION PLAN: Each school district must develop a compensation plan for certificated personnel and update it annually. (Section 168.1009)

TERMINATION OF A CONTINUING CONTRACT: When an administrator recommends that a teacher contract not be renewed, he or she must provide written notice to the teacher no later than January 31. The administrator must present the name of each teacher to the school board by March 31. The board must vote to accept or reject the administrator's recommendation separately by April 15. (Section 168.1011)

The school board may terminate a continuing contract for one or more of the following causes: unsatisfactory performance based on teacher evaluation under section 168.1026; willful or persistent violation of, or failure to obey, the school laws of the state or school board policy; excessive or unreasonable absence from performance of duties; immoral conduct or conviction of a felony or a crime involving moral turpitude.

Determination of professional competency or efficiency of a continuing contract teacher, consideration will be given to regular and special evaluation reports prepared in accordance with school district policy and any standards the board may have adopted. (Section 168.1012)

PROCEDURES FOR TERMINATION OF A CONTINUING CONTRACT: To terminate a continuing contract, the school board must serve written charges upon the teacher, notice of a hearing on charges, and conduct a hearing if the teacher requests it. At least thirty days before service of notice or charges, the school board or superintendent must give the teacher a written warning, stating the causes that may result in charges. The superintendent and the teacher must meet and confer in an effort to resolve the matter.

Notice of a hearing upon charges and a copy of the charges must be given to the teacher at least fifteen days prior to the date of the hearing. If the teacher does not request a hearing within ten days of receipt of the notice, the school board may, upon a majority vote, terminate the teacher's contract. If a hearing is request, it must take place no more than twenty days after notice of a hearing.

Procedures for the hearing are described in the act. In addition, during any time in which powers granted to a district's board of education are vested in a special administrative board, the special administrative board may appoint a hearing officer to conduct the hearing. (Section 168.1016)

LEAVE OF ABSENCE POLICIES: School boards may establish policies for leaves of absence. The school board may grant a leave of absence or place a teacher on a part-time teaching schedule for one year, subject to annual renewal. Leaves and military service will not impair the teacher's continuing contract. (Section 168.1020)

REDUCTION IN FORCE: A school board may place teachers on leave of absence because of a decrease in student enrollment, district reorganization, or financial condition. Criteria are established for which teachers may be placed on leave or reinstated. (Section 168.1022)

TEACHER RECORDS & EVALUATIONS: Each school district must maintain records showing periods of

service, dates of appointment, and other necessary information.

The school board must undertake a system of comprehensive, performance-based formative and summative evaluation for each teacher. A portion of the summative evaluation may be based on the performance of students. Teachers must be evaluated annually by a certified administrator, a retired administrator, or other qualified personnel. The formative evaluation may be conducted with advance notice but at least one summative evaluation must involve observation without advance notice. Evaluations must be maintained in the teacher's personnel file. A copy must be provided to the teacher and appropriate administrator.

The Department of Elementary and Secondary Education must develop suggested procedures and models for student performance evaluations, as described in the act. (Section 168.1026)

SCHOOL BOARD MEMBER LIABILITY: A school board member will not be liable in a civil action based on a statement of charges against a school teacher. (Section 168.1028)

PROHIBITION ON TEACHER PARTICIPATION IN CERTAIN SCHOOL BOARD MEMBER CAMPAIGNS: This act prohibits a teacher from participating in the management of a campaign for the election or defeat of school board members of his or her district of employment. A teacher who violates this provision will be terminated. (Section 168.1030)

This act is similar to HB 628 (2010) and HB 2463 (2010).
MICHAEL RUFF

02/28/2011 S First Read--SB 372-Cunningham (S343)
03/03/2011 Second Read and Referred S General Laws Committee (S392)
04/05/2011 Hearing Conducted S General Laws Committee
04/12/2011 SCS Voted Do Pass S General Laws Committee - (1839S.02C)

EFFECTIVE: August 28, 2011

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*** SB 373 *** 1806S.01I

SENATE SPONSOR: Dempsey

SB 373 - The act suspends workers' compensation benefits to incarcerated individuals and requires that employees must be entitled to legally work in the United States to receive benefits.

Compensation shall not be payable from the Second Injury Fund when employees elect to pursue workers' compensation outside of the state.

Life payments paid out of the Second Injury Fund shall be suspended for employees who receive permanent total disability awards but by the use of glasses, prosthetic appliances, or physical rehabilitation are restored to regular work or its equivalent.

Life payments paid out of the Second Injury Fund shall be suspended for all injured employees when the employee is able to obtain suitable gainful employment or be self-employed in view of the nature and severity of the injury. Life payments paid out of the Second Injury Fund may be suspended for any injured employee when the employee becomes eligible to receive Social Security benefits attributable to the employee's injury. The combined sum of the amount of monthly payments from the fund and monthly Social Security benefits shall not be less than the life payments otherwise payable out of the fund.

The act requires the department to use money contained in the fund at the end of the previous fiscal instead of calendar year for calculating the annual surcharge.

Outstanding advances from the workers' compensation fund to the Second Injury Fund shall not exceed 33 1/3% of the total amount of the annual surcharge and reimbursements for advances shall be made within 5 years instead of within the year.
CHRIS HOGERTY

02/28/2011 S First Read--SB 373-Dempsey (S344)
03/03/2011 Second Read and Referred S Small Business, Insurance and Industry Committee (S392)

EFFECTIVE: August 28, 2011

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*** SB 374 *** 1780S.01I

SENATE SPONSOR: Parson

SCS/SB 374 - Under current law, the clerk of a county commission must live in the county for six months prior to election. This act requires the clerk to live in the county for one year prior to election.

In addition, this act establishes qualifications and appointment procedures for county recorders where the offices of the court clerk and recorder of deeds are separate. These provisions do not apply in the city of St. Louis or charter counties.

The county recorder must be at least 21, a registered voter, and a resident of the state or county in which he or she is a candidate for a least one year prior to the general election. If elected, the recorder must continue to be a resident while in office.

The county commission is to appoint a recorder in the event of a vacancy in the office due to resignation or death until the governor appoints someone to the office pursuant to section 105.030.

A provision of this act is identical to HB 186 (2011).
MEGHAN LUECKE

02/28/2011 S First Read--SB 374-Parson (S344)
03/03/2011 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S392)
03/09/2011 Hearing Cancelled S Jobs, Economic Development and Local Government Committee
03/16/2011 Hearing Conducted S Jobs, Economic Development and Local Government Committee
04/13/2011 SCS Voted Do Pass S Jobs, Economic Development and Local Government Committee - (1780S.03C)

EFFECTIVE: August 28, 2011

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*** SB 375 *** 1700S.01I

SENATE SPONSOR: Parson

SB 375 - This act removes the allocable share release provision of the master settlement agreement, which allows nonparticipating tobacco product manufacturers to obtain a refund if they can establish that the amount such manufacturer paid into escrow exceeds the amount of the state's allocable share of the total payments the manufacturer would have been required to make in that year as a participating manufacturer under the master settlement agreement. Nonparticipating tobacco manufacturers will be able to obtain a refund to the extent they can establish that the amount such manufacturer paid into escrow exceeds the amount the manufacturer would have to pay, based upon the number of cigarettes sold, as a participating manufacturer under the master settlement agreement.

This act contains an emergency clause and is identical to House Bill 491 (2011).
JASON ZAMKUS

02/28/2011 S First Read--SB 375-Parson (S344)
03/03/2011 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S392)
04/19/2011 Hearing Cancelled S Commerce, Consumer Protection, Energy and the Environment Committee
05/03/2011 Hearing Cancelled S Commerce, Consumer Protection, Energy and the Environment Committee

EFFECTIVE: Emergency Clause

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*** SB 376 *** 1747S.01I

SENATE SPONSOR: Parson

SB 376 - Under current law, rate adjustments in the purchase price of natural gas that are approved by the Public Service Commission (PSC) are 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.

Under the act, 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 identical to SB 705 (2010) and HB 1610 (2010) and similar to SCS/SB 299 (2009) and HB 2279 (2008).
ERIKA JAQUES

02/28/2011 S First Read--SB 376-Parson (S344)
03/03/2011 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S392)
04/19/2011 Hearing Cancelled S Commerce, Consumer Protection, Energy and the Environment Committee
05/03/2011 Hearing Cancelled S Commerce, Consumer Protection, Energy and the Environment Committee

EFFECTIVE: August 28, 2011

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*** SB 377 *** 1788S.01I

SENATE SPONSOR: Parson

SB 377 - This act extends the sunset on the rolling stock tax credit to August 28, 2020.
JASON ZAMKUS

02/28/2011 S First Read--SB 377-Parson (S344)
03/03/2011 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S392)

EFFECTIVE: August 28, 2011

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*** SB 378 *** 1715S.01I

SENATE SPONSOR: Kehoe

SB 378 - This act extends the sunset date for the commission to enter into design-build project contracts. Under current law, the commission's authority to enter into design-build projects expires on July 1, 2012. This act extends the date to July 1, 2018. This act repeals the Highways and Transportation Commission's current authority to enter into specific design-build contracts.
STEPHEN WITTE

02/28/2011 S First Read--SB 378-Kehoe (S344)
03/03/2011 Second Read and Referred S Transportation Committee (S392)
03/09/2011 Hearing Conducted S Transportation Committee
03/09/2011 Voted Do Pass S Transportation Committee

EFFECTIVE: August 28, 2011

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*** SB 379 *** 1667S.01I

SENATE SPONSOR: Kehoe

SCS/SB 379 - This act modifies the laws regarding products liability claims. The act adopts a statute of repose for products liability claims. A statute of repose limits liability by limiting the time period during which a cause of action can arise. This act adopts a presumption that the useful safe life of a product is twelve years after the time of delivery. If harm is caused more than twelve years after the time of delivery of the product, the presumption can be rebutted by a preponderance of the evidence that the useful safe life of the product is longer. The useful safe life of a product shall also end, if the product is materially altered. A manufacturer or seller of a product may be subject to liability after the useful safe life of the product, if the product has a warranty for a longer period, or the manufacturer or seller intentionally misrepresents facts about the product and that conduct causes the individual's harm. A person bringing a products liability claim is required to bring a claim within five years from the time they discovered the harm and its cause. This act does not apply to actions arising out of a defective or unsafe condition of any improvement to real property.
EMILY KALMER

02/28/2011 S First Read--SB 379-Kehoe (S344)
03/03/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S392)

04/11/2011 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee
05/09/2011 SCS Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee (1667S.03C)

EFFECTIVE: August 28, 2011

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*** SB 380 *** 1846S,01I

SENATE SPONSOR: Green

SB 380 - This act requires the state treasurer to transfer the balance in any fund in excess of 200% of the previous fiscal year's expenditures into the state general revenue fund. The provisions of this act apply to any state fund or administratively created fund, with certain exceptions described in the act.
JIM ERTLE

02/28/2011 S First Read--SB 380-Green (S344)
03/03/2011 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S392)

EFFECTIVE: August 28, 2011

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*** SB 381 *** 1756S.02I

SENATE SPONSOR: Dixon

SB 381 - This act authorizes a court to assess certain court costs against a criminal defendant in a misdemeanor or infraction case when the criminal case is dismissed, if the defendant consents to pay the costs.
EMILY KALMER

02/28/2011 S First Read--SB 381-Dixon (S344)
03/03/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S392)
03/09/2011 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee
04/18/2011 Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2011

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*** SB 382 *** 1705S.01I

SENATE SPONSOR: Chappelle-Nadal

SB 382 - This act establishes licensing standards for different types of clinical laboratory science personnel. The act licenses medical laboratory scientists, categorical laboratory scientists, medical laboratory technicians and phlebotomists.

The act establishes the Clinical Laboratory Science Board consisting of nine members appointed by the Governor with the advice and consent of the Senate. Among other duties, the board shall establish educational standards and procedures for granting reciprocity for licensees from other states.

Applicants for licensing are required to be at least 18 years old, submit an application, pay a fee, submit to a background check, pass certain examinations, and meet specific educational requirements.

Current practitioners of clinical laboratory science, who are eligible for certification by an agency acceptable to the board and have applied to the board may continue to perform their duties until twelve months after the filing of their application. If a person does not meet the education, training, and experience requirements for a license before August 28, 2013, they shall be considered to meet the qualifications for a license if they have three years of acceptable experience in the five years before August 28, 2013.

Temporary licenses are allowed and licensees may be placed on inactive status under certain circumstances. Procedures are established for denial and discipline of licenses and for the review of those administrative decisions.

The board is also authorized to seek injunctions against unlicensed clinical laboratory science personnel and subpoena individuals and documents.

Any person who violates this act shall be guilty of a Class A misdemeanor.

This act is similar to SB 1099 (2006), SB 314 (2007), SB 1162 (2008), SB 365 (2009), and SB 1063 (2010).

EMILY KALMER

02/28/2011 S First Read--SB 382-Chappelle-Nadal (S344)
03/03/2011 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S392)
03/14/2011 Hearing Conducted S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2011

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*** SB 383 *** 1854S.01I

SENATE SPONSOR: Richard

SB 383 - This act provides that testing, installing, calibrating, maintaining, repairing, restoring, and all other activities essential to manufacturing, processing, compounding, mining, or producing are exempt from state sales and use tax.
JASON ZAMKUS

02/28/2011 S First Read--SB 383-Richard (S344)
03/03/2011 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S392)
03/31/2011 Hearing Cancelled S Ways and Means and Fiscal Oversight Committee

EFFECTIVE: August 28, 2011

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*** SB 384 *** 1808S.01I

SENATE SPONSOR: Schaefer

SCS/SB 384 - This act modifies provisions relating to prescription drugs.

Under this act, any health benefit plan that provides coverage and benefits for cancer chemotherapy treatment shall not require a higher copayment, deductible, or coinsurance amount for a prescribed, orally administered anticancer medication that is used to kill or slow the growth of cancerous cells than what the plan requires for an intravenously administered or injected cancer medication that is provided, regardless of formulation or benefit category determination by the health carrier administering the health benefit plan. A health carrier shall not achieve compliance with the provisions of the act by imposing an increase in copayment, deductible, or coinsurance amount for an intravenously administered or injected cancer chemotherapy agent covered under the health benefit plan.

This provision is identical to SB 262 (2011).

This act provides that a pharmacy benefit manager shall be civilly liable to a patient for any switch communication, decision, denial or action that damages the patient. Such patient may bring a civil action against the pharmacy benefit manager to recover the actual damages sustained by the patient, court costs, including reasonable attorney's fees, and punitive damages, when determined to be appropriate by the court. A "switch communication" is a communication to a patient or the patient's physician from a health carrier or pharmacy benefit manager that recommends a patient's medication or device be switched by the original prescribing practitioner to a different medication than the medication or device originally prescribed by the prescribing practitioner.
ADRIANE CROUSE

03/01/2011 S First Read--SB 384-Schaefer (S357)
03/03/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S392)
04/11/2011 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee
04/18/2011 SCS Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee (1808S.02C)

EFFECTIVE: August 28, 2011

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*** SB 385 *** 0890S.01I

SENATE SPONSOR: Munzlinger

SB 385 - This act imposes an additional one dollar admission fee on excursion gambling boat licensees effective August 28, 2011. The revenues generated by the additional admission fee will be deposited to the credit of the veteran's commission capital improvement trust fund.
JASON ZAMKUS

03/01/2011 S First Read--SB 385-Munzlinger (S357)

03/03/2011 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S392)

EFFECTIVE: August 28, 2011

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*** SB 386 *** 1784S.01I

SENATE SPONSOR: Richard

SB 386 - This act directs dealer plate fees to the Motor Vehicle Commission Fund. Dealer plate fees currently go to the Department of Transportation. The act also increases the temporary permit fee from $7.50 to $9.50.
STEPHEN WITTE

03/01/2011 S First Read--SB 386-Richard (S357)
03/03/2011 Second Read and Referred S Transportation Committee (S392)
03/09/2011 Hearing Cancelled S Transportation Committee

EFFECTIVE: August 28, 2011

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*** SB 387 *** HCS SCS SB 387 1786L.06C

SENATE SPONSOR: Wasson HOUSE HANDLER: Smith

HCS/SCS/SB 387 - This act allows a judge to release a person before trial on electronic monitoring or order a person serve part or all of a sentence of confinement on electronic monitoring unless the judge finds that the person cannot afford to pay the costs associated with the electronic monitoring. All costs associated with the electronic monitoring shall be charged to the person on house arrest.

The judge may, in his or her discretion, credit any period on electronic monitoring, against any period of confinement or incarceration ordered.

The circuit court may adopt a local rule allowing for the pretrial release on electronic monitoring in lieu of confinement for anyone charged with a crime who can afford to pay the costs of electronic monitoring.

This act is similar to HCS/HB 159 (2011).
MEGHAN LUECKE

03/01/2011 S First Read--SB 387-Wasson (S357)
03/03/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S392)
03/09/2011 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee
04/04/2011 SCS Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee (1786S.04C)
04/07/2011 Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor w/SCS (S662)
04/11/2011 SCS S adopted (S677)
04/11/2011 Perfected (S677)
04/12/2011 Reported Truly Perfected S Rules Committee (S686)
04/14/2011 S Third Read and Passed (S726-727)
04/14/2011 H First Read (H1298)
04/18/2011 H Second Read (H1304)
04/26/2011 Referred H Crime Prevention & Public Safety Committee (H1619)
05/02/2011 Hearing Conducted H Crime Prevention & Public Safety Committee
05/04/2011 HCS Voted Do Pass H Crime Prevention & Public Safety Committee
05/04/2011 HCS Reported Do Pass H Crime Prevention & Public Safety Committee (H1858)
05/04/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1858)

EFFECTIVE: August 28, 2011

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*** SB 388 *** 1588S.01I

SENATE SPONSOR: Wasson

SB 388 - This act eliminates, combines, and revises certain state boards, commissions, committees, and councils.

GOVERNOR'S COUNCIL ON DISABILITY
(Section 8.650, 37.735, 37.740, 37.745, 162.1000, 286.001, 286.005, 286.200, 286.205, 286.210)
This act codifies the assignment of the Governor's Council on Disability to the Office of Administration

from the Department of Labor and Industrial Relations.

WORKERS MEMORIAL COMMITTEE
(Section 8.900)
This act eliminates the Workers Memorial Committee, which was to organize a design competition for a memorial on the grounds of the capitol.

JOINT COMMITTEE ON WETLANDS
(Section 21.475)
This act eliminates the Joint Committee on Wetlands.

JOINT COMMITTEE ON COUNTY SALARIES
(Section 21.780)
This act eliminates the Joint Committee on County Salaries, which is required to review county salaries every ten years.

MISSOURI COMMUNITY SERVICE COMMISSION
(Sections 26.600, 26.603, 26.605, 26.607, 26.609, 26.611, 26.614, 620.580, 620.582, 620.584, 620.586, 620.588, 620.590, 620.592)
This act codifies the assignment of the Missouri Community Service Commission to the Department of Economic Development. Also, currently, the Missouri Community Service Commission is required to have at least fifteen, but no more than twenty-five voting members. This act reduces the total possible number of voting members to fifteen.

MULTISTATE TAX COMPACT ADVISORY COMMITTEE
(Sections 32.250, 32.260)
This act eliminates the Multistate Tax Compact Advisory Committee.

MISSOURI STATE EMPLOYEES' VOLUNTARY LIFE INSURANCE COMMISSION
(Sections 105.1006, 105.1010, 105.1012)
This act allows the Commissioner of Administration to administer the Missouri State Employees Voluntary Life Insurance Fund and eliminates the five member Missouri State Employees Voluntary Life Insurance Commission that previously administered the fund.

MISSOURI HEAD INJURY ADVISORY COUNCIL
(Sections 162.1000, 190.176, 192.735, 192.737, 192.739, 192.742, 192.745, 199.001, 199.003, 199.007, 199.009, 199.010, 199.029, 199.031, 199.037, 199.039, 199.041, 199.043, 199.051, 304.028)
This act changes the name of the Missouri Head Injury Advisory Council to the Missouri Brain Injury Advisory Council and codifies the transfer of the Missouri Brain Injury Advisory Council to the Department of Health and Senior Services. The act provides for the decrease of members of the council from twenty-five to fifteen and eliminates the legislative members of the council. Meetings of the full council shall be held four times a year or at the call of the council chairperson.

This act prescribes some additional duties for the department, including promulgating rules to prescribe policies or standards which affect charging and funding of adult brain injury rehabilitation services and reasonable rules relative to the implementation of participant rights for those using rehabilitation services. The department shall also promulgate rules to create a reasonable standard means test to be applied to all programs and services funded by the department. The administration of the renamed Brain Injury Fund is also transferred to the department. This act also provides that services provided by the department shall be directed toward preparation for education or vocational achievement, independent living, and community participation.

These sections are similar to SB 908 (2010).

JOINT COMMITTEE ON URBAN VOLUNTARY SCHOOL TRANSFER PROGRAMS
(Section 162.1060)
This act eliminates the Joint Committee on Urban Voluntary School Transfer Programs.

MISSOURI ACCESS TO HIGHER EDUCATION TRUST BOARD
(Section 166.200, 166.201, 166.203, 166.205, 166.207, 166.209, 166.212, 166.215, 166.218, 166.220, 166.222, 166.225, 166.228, 166.231, 166.233, 166.235, 166.237, 166.240, 166.242)

This act repeals the Missouri Access to Higher Education Trust and the ten member board of directors established to govern the trust. The trust was authorized to contract with individuals to provide for the advance payment of tuition for beneficiaries to attend any of the state institutions of higher education.

MISSOURI STATE ADVISORY COUNCIL ON PAIN AND SYMPTOM MANAGEMENT
(Sections 192.350, 192.352, 192.355)

This act eliminates the Missouri State Advisory Council on Pain and Symptom Management within the Department of Health and Senior Services.

MO RX PLAN ADVISORY COMMISSION
(Sections 208.175, 208.792)

This act eliminates the MO Rx Plan Advisory Commission, which provided advice on the benefit design and operational policy of the Missouri Rx plan. The Drug Utilization Review Board is given the power to provide advice on guidelines, policies, and procedures of the Missouri Rx plan.

MO HEALTHNET OVERSIGHT COMMITTEE
(Sections 208.195, 208.955)

This act eliminates the advisory committee appointed by the director of the Division of Family Services to provide technical advice regarding medical care for public assistance recipients and makes the MO Healthnet Oversight Committee serve as the medical care advisory committee to the Medicaid director. This act also eliminates the Comprehensive Entry Point System for Long-term Care Subcommittee of the MO Healthnet Oversight Committee.

COORDINATING COUNCIL ON SPECIAL TRANSPORTATION
(Section 208.275)

This act reduces the number of members of the Coordinating Council on Special Transportation within the Department of Transportation by eliminating the four legislative members of the council. The council shall expire on December 31, 2013.

COMMISSION ON THE SPECIAL HEALTH PSYCHOLOGICAL AND SOCIAL NEEDS OF MINORITY OLDER INDIVIDUALS
(Sections 208.530, 208.533, 208.535, 210.496)

This act eliminates the Commission on the Special Health, Psychological, and Social Needs of Minority Older Individuals.

MISSOURI CHILDREN'S SERVICES COMMISSION
(Sections 210.101, 210.102)

This act modifies the membership of the Missouri Children's Services Commission. The commission will have seventeen members, instead of sixteen. A representative from the Department of Labor and Industrial Relations, one of the two judges on the commission, and four of the legislative members are eliminated. Representatives from the departments of higher education and corrections and five members appointed by the Governor are added to the commission.

LOW-LEVEL RADIOACTIVE WASTE COMPACT ADVISORY COMMITTEE
(Sections 260.372, 260.705, 260.720, 260.725, 260.735)

The Low-Level Radioactive Waste Compact Advisory Committee is eliminated and the Hazardous Waste Management Commission within the Department of Natural Resources will assume the duties of the committee.

MOTORCYCLE SAFETY PROGRAM ADVISORY COMMITTEE
(Section 302.136)

This act eliminates the Motorcycle Safety Program Advisory Committee which was established in the Department of Public Safety to assist in the development and implementation of the motorcycle safety program.

MISSOURI FIRE EDUCATION TRUST FUND BOARD, MISSOURI FIRE EDUCATION COMMISSION, AND MISSOURI FIRE SAFETY ADVISORY BOARD
(Section 320.094, 320.205)

This act eliminates the seven member Missouri Fire Education Trust Board that administered the Missouri Fire Education Trust Fund. The act also eliminates the requirement that money be distributed to the Fire Education Trust Fund from the Fire Education Fund, before money in the Fire Education Fund can be

appropriated to the Division of Fire Safety.

The act also eliminates the six member Missouri Fire Safety Advisory Board who advised the State Fire Marshal.

The act adds four members to the Missouri Fire Education Commission and renames it the Missouri Fire Safety Education/Advisory Commission. This new commission shall administer the Missouri Fire Education Trust Fund.

BOARD OF LICENSED PRIVATE FIRE INVESTIGATOR EXAMINERS AND BOARD OF PRIVATE INVESTIGATOR EXAMINERS
(Sections 324.1100, 324.1102, 324.1103, 324.1104, 324.1106, 324.1108, 324.1110, 324.1112, 324.1114, 324.1116, 324.1118, 324.1120, 324.1122, 324.1124, 324.1128, 324.1130, 324.1132, 324.1134, 324.1136, 324.1138, and 324.1144)

This act eliminates the Board of Licensed Private Fire Investigator Examiners and the Board of Private Investigator Examiners. The new Board of Private Investigator and Private Fire Investigator Examiners will carry out the duties and powers of these boards. The new board's responsibilities with regard to fire investigators will not take effect until the governor appoints the fire investigator members and the appointments are confirmed by the senate. The members serving on the Board of Private Investigator Examiners shall continue to serve on the new board and the new board will have two additional members who have been actively engaged in private fire investigations for the previous five years.

The act also requires private fire investigator agencies to be licensed by the board and merges the two board's licensing statutes.

MISSOURI BOARD OF NURSING HOME ADMINISTRATORS
(Sections 344.060, 660.010)

Currently, the director of the Department of Health and Senior Services appoints the members of the Missouri Board of Nursing Home Administrators. This act gives the governor the authority to appoint the members of the Missouri Board of Nursing Home Administrators, with the advice and consent of the Senate.

STATE BANKING AND SAVINGS AND LOAN BOARD
(Sections 361.070, 361.092, 361.093, 361.094, 361.095, 361.096, 361.097, 361.098, 361.105, 362.040, 362.105, 362.111, 362.325, 369.014, 369.024, 369.144, 369.159, 369.294, 369.299, 369.304, 369.309, 369.314, 369.319, 369.329, 371.060, 371.090, 371.240)

This act combines the State Banking Board and the State Savings and Loan Commission into the State Banking and Savings and Loan Board. This board will have five members, one attorney, two members with at least five years of bank management experience, one member with at least five years of experience managing a savings and loan association, and one member not involved in the administration of a financial institution. The members shall serve six year terms.

The hearing and appeal procedures for determinations dealing with savings and loan associations will be governed by the hearing and appeal process as it currently exists for state banks.

MISSOURI SEED CAPITAL INVESTMENT BOARD
(Sections 620.638, 620.641, 620.644, 620.647, 620.650, 620.653)

This act eliminates the Missouri Seed Capital Investment Board and transfers its duties to the Missouri Technology Corporation.

SUICIDE PREVENTION ADVISORY COMMITTEE
(Sections 630.910, 630.915, 632.020)

This act eliminates the Suicide Prevention Advisory Committee within the Department of Mental Health and the requirement that the Department of Mental Health seek funding to participate in the National Violent Death Reporting System. The Missouri Advisory Council for Comprehensive Psychiatric Services is given the responsibility to provide oversight for suicide prevention activities.

ADVISORY COMMITTEE ON LEAD POISONING
(Section 701.302)

This act eliminates the Advisory Committee on Lead Poisoning which was required to make recommendations to the Governor and the General Assembly on ways to eliminate and screen for lead

poisoning, among other recommendations.

This act is similar to HB 464 (2011), SB 244 (2011), and SCS/SBs 991 & 645 (2010).
EMILY KALMER

03/01/2011 S First Read--SB 388-Wasson (S357-358)
03/03/2011 Second Read and Referred S General Laws Committee (S392)
04/05/2011 Hearing Conducted S General Laws Committee

EFFECTIVE: August 28, 2011

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*** SB 389 *** 1591S.01I

SENATE SPONSOR: McKenna

SB 389 - This act lowers the minimum age for an applicant of a concealed carry endorsement from twenty-three to twenty-one.

Current law allows persons who have a concealed carry endorsement or a valid permit or endorsement to carry concealed firearms issued by another state or one its political subdivisions to carry concealed weapons. Under this act, Missouri residents with a permit or endorsement issued in another state must apply to the director of revenue for an out-of-state endorsement on a Missouri driver's license or nondriver's license in order to carry concealed weapons. Nonresidents who have a permit or endorsement issued by another state may continue to carry concealed firearms in Missouri without such an endorsement.

An out-of-state concealed carry endorsement expires upon the expiration of the concealed carry endorsement or permit issued in the other state.
MEGHAN LUECKE

03/01/2011 S First Read--SB 389-McKenna (S358)
03/03/2011 Second Read and Referred S General Laws Committee (S392)

EFFECTIVE: August 28, 2011

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*** SB 390 *** 1807S.01I

SENATE SPONSOR: Schmitt

SB 390 - This act establishes the Aerotropolis Trade Incentive and Tax Credit Act, which authorizes the City of St. Louis or any county to designate certain areas as gateway zones. Any such municipality that designates an area as a gateway zone will be required to establish a board of supervisors that will annually levy special assessments on facilities located within the zone which receive benefits provided under the act. Revenues derived from the special assessments will be expended to promote and advertise the gateway zone.

For all taxable years beginning on or after January 1, 2011, the act authorizes air export tax credits for freight forwarders in an amount equal to twenty-five cents per chargeable kilo shipped on a qualifying outbound flight. In lieu of the previously mentioned tax credit, a freight forwarder will be entitled to an air export tax credit equal to thirty cents per chargeable kilo if the shipment contains perishable freight. The department of economic development is required to adjust the tax credit amounts based upon fluctuations in fuel costs for over-the-road transportation. In order to receive air export tax credits, freight forwarders must file an application with the department containing the master airway bill for the shipment. The act requires the department to establish procedures to allow freight forwarders to receive air export tax credits within five business days of the departure of the qualifying flight.

The total amount of air export tax credits which may be authorized under the act cannot exceed sixty million dollars. The act establishes fiscal year caps on issuance of air export tax credits, and to the extent that in any given fiscal year more tax credits are authorized than may be issued, the amount in excess of the cap on issuance will be carried forward for issuance in the following fiscal year. The authorization of air export tax credits is prohibited after January 1, 2019, but the act allows for the subsequent issuance of any tax credits which are authorized prior to such date.

For all taxable years beginning on or after January 1, 2013, any tenant or entity operating within an eligible facility which satisfies the requirements of the act will be entitled to an exemption from state income and corporate franchise taxes for a period of up to seven years. Such a tenant or entity will also be entitled to retain fifty percent of employee withholding taxes for a period of up to seven years.

For all taxable years beginning on or after January 1, 2013, owners of qualified facilities, in which at least sixty percent of the total cargo activity consists of international cargo, will be entitled to receive tax credits over a seven-year period equal to five percent of the eligible costs of such facility. The total amount of tax credits issued to such an owner cannot exceed twenty-five percent of the facility's eligible costs. Owners of qualified facilities, in which at least thirty percent of the total cargo activity consists of international cargo, as well as any qualifying assembly and manufacturing, or qualifying cold-chain facility will be entitled to receive tax credits over a seven-year period equal to three percent of the eligible costs of such facility. The total amount of tax credits issued to such an owner cannot exceed fifteen percent of the facility's eligible costs. Owners of eligible facilities will also be entitled to receive tax credits, over a three-year period, equal to seventy-five percent of interest costs on qualifying loans obtained for the development and construction of eligible facilities, provided the interest rate on such loan is equal to or less than seven percent per year.

In order to receive tax incentives provided under the act, owners and tenants of qualifying facilities and entities operating within such facilities must file applications with the department of economic development accompanied by a certificate of compliance. The act establishes limits on the amount of tax credits which may be issued annually to owners of qualifying facilities. No more than three hundred million dollars in tax credits, based upon the eligible costs of a qualifying facility, may be authorized for owners of qualified facilities under the act. The act limits the total amount of tax credits which may be authorized to owners of qualifying facilities, based upon loans, to no more than one hundred twenty million dollars.

All tax credits provided under the act will be fully transferrable and non-refundable, but may be carried forward up to six years.

The provisions of the act will automatically sunset six years from the effective date of the act unless reauthorized.
JASON ZAMKUS

03/01/2011 S First Read--SB 390-Schmitt, et al (S358)
03/03/2011 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S392)
03/16/2011 Hearing Conducted S Jobs, Economic Development and Local Government Committee
03/16/2011 Voted Do Pass S Jobs, Economic Development and Local Government Committee
03/17/2011 Reported from S Jobs, Economic Development and Local Government Committee to Floor (S494)
04/05/2011 Taken up for Perfection (S574)
04/05/2011 Bill Placed on Informal Calendar (S574)
05/13/2011 S Informal Calendar S Bills for Perfection--SB 390-Schmitt, et al

EFFECTIVE: August 28, 2011

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*** SB 391 *** 1853S.01I

SENATE SPONSOR: Lager

SB 391 – This act requires the school board of each school district and charter school to establish and maintain an evaluation system for teachers and teaching. The system must be established in collaboration with evaluators of instruction and teachers in the district or charter school.

The evaluation system must include performance reviews to provide feedback to teachers focused on instructional improvement and include summative evaluations. The evaluation system must evaluate teacher quality, teacher performance, and teacher effectiveness, as defined in the act. Multiple measures must be used. The school board must provide training for evaluators and use independent evaluators to ensure consistent application of criteria.

Districts are prohibited from disclosing individual teacher and administrator evaluation information to any state or federal agency.

Each school district and charter school must develop guidelines for professional improvement plans for teachers and principals by June 30, 2012. The development of the guidelines must include teachers chosen the district teaching staff, administrators, and others. The professional improvement plan will be used to assist teachers in obtaining a satisfactory level of performance. The process for developing the criteria and goals are described in the act.
MICHAEL RUFF

03/01/2011 S First Read--SB 391-Lager (S358)
03/03/2011 Second Read and Referred S Education Committee (S393)
03/16/2011 Hearing Conducted S Education Committee
04/06/2011 Voted Do Pass S Education Committee
04/14/2011 Reported from S Education Committee to Floor (S736)
05/13/2011 S Formal Calendar S Bills for Perfection--SB 391-Lager

EFFECTIVE: August 28, 2011

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*** SB 392 *** SCS SB 392 1857S.02C

SENATE SPONSOR: Rupp

SCS/SB 392 - This act adopts amendments to the insurance code to comply with the federal Nonadmitted and Reinsurance Reform Act of 2010 (NRRA) relating to surplus lines insurance. The NRRA will preempt certain state laws that are inconsistent with the act's provisions, which are designed to bring about a certain amount of uniformity in the areas of licensing of surplus lines insurance professionals, the standards under which surplus lines insurance may be sold, and the taxes that may be collected from the sale of surplus lines insurance.

The act adds definitions to "The Missouri Surplus Lines Law" (Sections 384.011 to 384.071). The act adds the terms "exempt commercial purchaser", "home state", "nonadmitted insurance" and "qualified risk manager" to the definition section of the Missouri Surplus Lines Law. The definitions for such terms are consistent with the NRRA (15 USC 8206)(Section 384.015).

Under the terms of the act, surplus lines insurance may be placed by a surplus lines licensee if the insurer is authorized to write the type of insurance in its domiciliary jurisdiction (Section 384.017).

The act modifies the requirements and qualifications for nonadmitted insurers to furnish coverage. A surplus lines licensee shall not place coverage with a nonadmitted insurer unless the licensee determines that the nonadmitted insurer:

(1) Meets the capital and surplus requirements of Missouri or $15 million (the director may waive the financial requirements if the nonadmitted insurer's capital and surplus is at least $4.5 million and the director finds the insurer is acceptable); and

(2) Appears on the most recent list or eligible surplus lines insurers published by the director or appears on the most recent quarterly listing of alien insurers maintained by the NAIC.

Under the terms of the act, a surplus lines licensee seeking to place nonadmitted insurance in Missouri for an exempt commercial purchaser shall not be required to satisfy any requirement to make a due diligence search to determine whether the full amount or type of insurance by the exempt commercial purchaser can be obtained from nonadmitted insurers if:

(1) The surplus lines licensee placing the surplus lines insurance has disclosed to such exempt commercial purchaser that the insurance may or may not be available from the admitted market that may provide greater protection with more regulatory oversight; and

(2) The exempt commercial purchaser has subsequently requested in writing the surplus lines licensee to place such insurance from a nonadmitted insurer (Section 384.021).

This act modifies the licensing requirements for insurance producers in the surplus lines insurance market. Beginning on or before July 1, 2012, the director shall participate in the national insurer database of the NAIC for the licensure of surplus lines licensees and the renewal of such licensees. Under the act, a person selling nonadmitted insurance with respect to an insured shall be required to obtain or possess a current surplus lines insurance issued by the director only if this state is the insured's home state (Section 384.043).

Under this act, every insured or self-insurer whose home state is Missouri who procures surplus lines insurance, other than through a surplus lines broker, must file a report describing the names of the insureds, the subject of the insurance and other prescribed information (Section 384.051).

Under the terms of this act, only the home state of the insured will have the authority to tax and regulate

the placement of such policies, regardless of where portions of the risk is located. The act imposes the current 5% tax on insureds and self-insurers whose home state is this state on the gross amount of the premium (current law is net amount) (Section 384.051). The 5% tax shall be levied upon and only upon the entire gross premium for nonadmitted or surplus lines insurance policies for which the home state of the insured is Missouri. The placement of nonadmitted insurance shall be subject to the statutory and regulatory requirements of Missouri law only if this state is the insured's home state. A surplus lines broker is required to be licensed as a surplus lines licensee under the provisions of this chapter only if this state is the insured's home state (Section 384.061).

This act contains an emergency clause.
STEPHEN WITTE

03/01/2011 S First Read--SB 392-Rupp (S358)
03/03/2011 Second Read and Referred S Small Business, Insurance and Industry Committee (S393)
03/29/2011 Hearing Conducted S Small Business, Insurance and Industry Committee
04/05/2011 SCS Voted Do Pass S Small Business, Insurance and Industry Committee - (1857S.02C)
04/14/2011 Reported from S Small Business, Insurance and Industry Committee to Floor w/SCS (S734)
05/13/2011 S Formal Calendar S Bills for Perfection--SB 392-Rupp, with SCS

EFFECTIVE: Emergency Clause

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*** SB 393 *** 0274S.01I

SENATE SPONSOR: Goodman

SB 393 - This act revises the laws regarding criminal background checks performed under the Family Care Safety Registry.

DEFINITIONS - This act modifies the definitions for "child care provider", "child care worker", and "employer" as well as adding a definition for "school district staff" to the list of definitions relating to the registry. Section 210.900

ADDITIONAL EMPLOYEES TO BE INCLUDED IN REGISTRY - This act requires certain employees of school districts, certain child care providers and individuals older than 17 years of age living with the provider, licensed and licensed-exempt child care providers, their employees and volunteers, and mental health providers to be included in the registry. Sections 168.133, 210.025, 210.221. 210.906.1 and 2

REGISTRY TO BE SOLE BACKGROUND CHECK REPOSITORY - This act specifies that the registry will be the sole background check repository for the state and requires all state departments and agencies to use the registry for background screening results.
Section 210.903.2

SUBJECT TO APPROPRIATIONS, TECHNOLOGICAL AND INFRASTRUCTURE UPDATES TO THE REGISTRY - The Department of Health and Senior Services is required, subject to appropriations or with funds from the federal American Recovery and Reinvestment Act of 2009, to update and enhance the technological capabilities of the registry and implement a new interdepartmental uniform infrastructure and procedures for the Departments of Public Safety, Social Services, Mental Health, and Elementary and Secondary Education to use for background screening results. The Department of Health and Senior Services shall also use such funds for the processing of the results of employees of these departments who are not currently registered. Section 210.903.2

FINGERPRINTS AND CHECKS CONDUCTED BY THE MISSOURI STATE HIGHWAY PATROL - The State Highway Patrol is required to collect fingerprints and conduct state and national criminal background checks with the resulting information to be retained in and reported out by the registry. Section 210.903.2

DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION REPORTING REQUIREMENTS - The Department of Elementary and Secondary Education is required to report results to the registry. Under current law, the registry only contains background screening results from applicants reported by the Departments of Social Services, Mental Health, and Health and Senior Services. Section 210.903.3

The registry shall contain information on certain specified individuals through the Department of Elementary and Secondary Education's employee disqualification registry, teacher certifications and revocation lists, and school district staff disqualifications or denials. By January 1, 2012, the registry shall also contain information from the Department of Revenue's records for suspended and revoked driver's

licenses. Section 210.903.3

TRANSPARENCY OF REGISTRY RECORDS - The contents of the registry shall include open and closed records and be accessible to the Departments of Health and Senior Services, Public Safety, Social Services, Mental Health, Elementary and Secondary Education and school districts. However, certain information which would violate federal privacy laws cannot be shared between departments. Section 210.903.4 and 5

APPEAL OF EMPLOYEE DISQUALIFICATION - If an employee is denied employment based on the results of screening reported by the registry, such individual may appeal, if applicable, directly from the department that disqualified him or her for employment. Section 210.903.6

SUBJECT TO APPROPRIATIONS, COST OF CHECKS TO BE PAID BY STATE -This act requires, subject to appropriations, the cost of criminal background checks to be paid by the state. Checks not covered by the state may be paid by the individual or by the provider. If no state appropriation is made to cover the cost of funding the checks and the applicant is employed, then the cost of the background check shall be paid by the employer if the cost of the background check when subtracted from the applicant's annual salary or wages results in the annualized salary or wages of the applicant to fall below the annualized full-time salary or wages for a minimum wage employee. Section 210.906.3

This act is substantially similar to HB 2437 (2010).
ADRIANE CROUSE

03/01/2011 S First Read--SB 393-Goodman (S358)
03/03/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S393)

EFFECTIVE: August 28, 2011

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*** SB 394 *** SCS SBs 394 & 331 1860S.03P

SENATE SPONSOR: Goodman

SCS/SBs 394 & 331 - This act modifies provisions relating to human trafficking. The act adds definitions for "blackmail", "coercion", "financial harm", "nudity", "sexual conduct", "sexual performance" and "victim of trafficking."

This act adds the elements of blackmail to the crime of abusing an individual through forced labor.

Blackmail, causing or threatening to cause financial harm as well as using force, abduction, coercion and deception were also added as elements to the crimes of trafficking for the purposes of slavery, trafficking for the purposes of sexual exploitation, sexual trafficking of a child, and sexual trafficking of a child under the age of twelve. This act also adds the elements of sexual performance and production of explicit sexual material to the crimes of trafficking for the purposes of sexual exploitation, sexual trafficking of a child and sexual trafficking of a child under the age of twelve.

This act increases the penalties and adds a monetary fine not to exceed $250,000 for all of the human trafficking crimes except sexual trafficking of a child under the age of 12.

This act enhances the penalty for the crimes of abuse through forced labor and trafficking for purposes of slavery if death results, if the human trafficking act includes kidnapping, an attempt to kidnap, sexual abuse when punishable as a class B felony, or an attempt to kill.

This act also enhances the penalty for the crimes of trafficking for the purposes of sexual exploitation and sexual trafficking of a child if the crimes were effected by force, abduction, or coercion.

A court sentencing a defendant under the human trafficking provisions shall order the defendant to pay restitution to the victim in the amount the court finds necessary to compensate the victim for the value of the victim's labor and for the mental and physical rehabilitation of the victim and any child of the victim.

It shall be an affirmative defense under any prosecution for prostitution that the defendant engaged in the conduct charged to constitute an offense because he or she was coerced to do so by the use of, or threatened use of, unlawful physical force upon himself or herself or a third person, which force or threatened force a person of reasonable firmness in his or her situation would have been unable to resist.

This act also authorizes the Department of Public Safety to establish procedures for identifying victims of

trafficking. The department may establish training programs as well as standard protocols for appropriate agencies to educate officials and employees on state statutes and federal laws regulating human trafficking and with the identification and assistance of victims of human trafficking. Such agencies may include but not be limited to state employees and contractors, including the Children's Division of the Department of Social Services, juvenile courts, state law enforcement agencies, health care professionals, and runaway and homeless youth shelter administrators.

Law enforcement officers shall notify the Department of Social Services and, where applicable, juvenile justice authorities, of persons who reasonably appear to be a victim of trafficking in order that such agencies may determine whether the person may be eligible for state or federal services, programs, or assistance. The department may coordinate with relevant state, federal, and local agencies to evaluate appropriate services for victims of trafficking.

State agencies may implement programs and enter into contracts with nonprofit agencies, domestic and sexual violence shelters and other nongovernment organizations to provide services to confirmed victims of trafficking, insofar as funds are available for that purpose. The list of possible services is prescribed under the act.

A victim of trafficking may bring a civil action against a person or persons who plead guilty to or are found guilty of a violation of human trafficking to recover the actual damages sustained by the victim, court costs, including reasonable attorney's fees, and punitive damages, when determined to be appropriate by the court. Any such action must be commenced within ten years after the later of (1) the final order in the related criminal case;(2) the victim's emancipation from the defendant; or(3) the victim's eighteenth birthday.

The Attorney General may bring a civil action, in the circuit court in which the victim of trafficking was found, to recover from any person or entity that benefits, financially or by receiving anything of value, from violations of human trafficking, a civil penalty of not more than fifty thousand dollars for each violation of human trafficking, and injunctive and other equitable relief as the court may, in its discretion, order. The first priority of any money or property collected under such an action shall be to pay restitution to the victims of trafficking on whose behalf the civil action was brought.

This act is substantially similar to HCS/HB 214 (2011).
ADRIANE CROUSE

03/01/2011 S First Read--SB 394-Goodman and Lamping (S358)
03/03/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S393)
03/14/2011 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee
03/30/2011 SCS Voted Do Pass (w/SCS SBs 394 & 331) S Judiciary and Civil and Criminal Jurisprudence Committee - (1860S.03C)
03/31/2011 Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor w/SCS (S540)
04/04/2011 Corrected Committee Report Submitted (S553)
04/06/2011 SCS S adopted (S604)
04/06/2011 Perfected (S605)
04/06/2011 Reported Truly Perfected S Rules Committee (S605)
04/07/2011 S Third Read and Passed (S657-658)
04/07/2011 H First Read (H1178)
04/11/2011 H Second Read (H1184)
04/26/2011 Referred H Crime Prevention & Public Safety Committee (H1619)

EFFECTIVE: August 28, 2011

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*** SB 395 *** 1844S.01I

SENATE SPONSOR: Goodman

SB 395 - This act modifies provisions governing the regulation of the bail bond industry by the Department of Insurance (department).

SECTION 374.702 - Currently, no judge, attorney, court official, law enforcement officer, or government employee who is elected or appointed can be licensed as any type of bail bond agent. This section prohibits employees, contractors, and volunteers of a court, law enforcement agency, or jail, or anyone who works at the location of a court, law enforcement agency or jail, to be licensed as a bail bond agent or general bail bond agent.

This section provides that the power of attorney shall be in the form and manner prescribed by the director.

SECTION 374.705 - This section increases the maximum amount that can be charged for a bail bond agent license or renewal from $150 to $300. Quarterly financial statement fees cannot exceed $50.

SECTION 374.710 and 374.784 - These sections increase the initial training requirement from twenty-four hours to forty hours. The director is required to adopt rules to prescribe an approval process for instructors, require all instruction to occur in a classroom, and to provide for the monitoring of training and continuing education classes to ensure approved curriculum is being followed.

Current law requires applicants to have a high school diploma or a general education development certificate. This act requires applicants to have a diploma or a high school equivalency certificate issued by the Missouri Department of Elementary and Secondary Education.

The fee charged by the director to issue a two-year license shall not exceed $300. The fee currently cannot exceed $150.

SECTION 374.715 - Under this section, applicants for general bail bond agents and bail bond agents cannot be convicted of a felony or crime of moral turpitude, whether a sentence was imposed or not. Those licensed as of August 28, 2011 shall not be required to meet this provision.

Current law requires applicants to have a high school diploma or a general education development certificate. This act requires applicants to have a diploma or a high school equivalency certificate issued by the Missouri Department of Elementary and Secondary Education.

The applicant must also have at least $10,000 of assets in a financial institution of the department's choosing. The assets may be in various forms, rather than as a liquid asset only. Currently, the director may require an additional amount, up to $25,000, to be held by the applicant. Under this section, such amount is increased to $50,000.

SECTION 374.720 - This section specifies what the examination for a license will be testing and provides guidelines for notification of the results and retaking of the test.

SECTION 374.730 - The department shall provide the director of the Department of Revenue with the name and Social Security number of each applicant or licensee renewing his or her license. The Department of Revenue shall verify if the person is delinquent on any state taxes or has failed to file an income tax return during the last three years. If such information is verified, the application shall be denied or the license shall not be renewed within 90 days, unless the situation is remedied.

SECTION 374.740 - This section provides that nonresidential general bail bond agents must deposit $25,000 of assets with the department for the security of its outstanding surety bond obligations. The director may require additional assets to be required, but such amount cannot exceed $50,000. Currently, the money is assigned to the department, and such assignment becomes effective upon a violation by the applicant.

SECTION 374.755 - Currently, the department may file a complaint with the administrative hearing commission regarding a licensee for being convicted of a felony or crime of moral turpitude within the past fifteen years if it is prior to the issuance of the license. This section would allow such complaint to be made regardless of when the conviction occurred. Under this section, a complaint may also be filed for submitting a fraudulent financial statement or statement of outstanding bonds, or for financial irresponsibility or untrustworthiness.

SECTION 374.760 - This section requires general bail bond agents to file certain information with the department. Certain required financial information, which is described in this section, must be filed with the initial application and then on an annual basis. Transfer of real estate listed as an asset must be provided to the director within 10 days.

Each general bail bond agent must file a quarterly financial statement and a monthly statement of outstanding bonds with the department. Failure to do so will result in removal from the preapproved list of such agents kept by the department and can be the basis to file a complaint against an agent with the

Administrative Hearing Commission.

The director shall provide a list of preapproved general bail bond agents to the courts. An agent's inclusion on the list is based on a permitted amount of outstanding bonds that may be written compared to the agent's assets. If the agent's amount of outstanding bonds reaches a certain level compared to its assets, the agent shall be removed from the list until such amount is within permitted limits.

For general bail bond agents acting as property bail bondsmen, the value of any particular bond shall not exceed 50% of the general bail bond agent's secured assets less encumbrances.

Intentionally providing fraudulent or misleading financial statements or statements of outstanding bonds is a class D felony.

SECTION 374.763 - Currently, if a judgement ordering a forfeiture of a defendant's bond is not paid within six months, the court shall extend the judgment date or notify the department, which shall then take appropriate action. Under this section, if a bond is posted and the defendant fails to appear, the court shall immediately issue an arrest warrant and enter a bond forfeiture for the state or municipality and against the general bail bond agent and insurer. The general bail bond agent shall be given 90 days before the forfeiture is considered final, unless the court grants an extension.

This section lists specific circumstances when a forfeiture shall be set aside, including the defendant being incarcerated elsewhere, being deported, dying, and other just causes. Thirty days after the judgment, the court shall distribute the amount tendered and notify the department. If the bond forfeiture is not paid within 30 days, the general bail bond agent's authorization to write bail bonds shall be immediately suspended until the judgment is satisfied.

Thirty days after the final judgement, if an insurer fails to pay a bond forfeiture, its authorization to transact business in the state shall be immediately suspended unless the judgement is satisfied.

SECTION 374.766 - If the director determines a person has violated, or aided in the violation of, the bail bond regulations, he or she may issue administrative orders. The civil penalties and forfeitures for various offenses are categorized under Section 374.049.

SECTION 374.770 - This section repeals the current provision regarding the effect of a defendant's incarceration elsewhere on a bond forfeiture.

SECTION 374.783 - This section increases the maximum amount that can be charged for a surety recovery agent license or renewal from $150 to $300.

This act is similar to SB 892 (2010).
MEGHAN LUECKE

03/01/2011 S First Read--SB 395-Goodman (S358)
03/03/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S393)

EFFECTIVE: August 28, 2011

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*** SB 396 *** 1859S.01I

SENATE SPONSOR: Wright-Jones

SB 396 - This act establishes the Compassionate Assistance for Rape Emergencies (CARE) Act and provides that hospitals and health care facilities are required to do the following:

- provide each sexual assault victim with medically and factually accurate information about emergency contraception;
- orally inform each victim that emergency contraception may be provided at the hospital;
- provide the complete regimen of emergency contraception immediately to the victim who requests it; and
- follow the Department of Justice protocols on HIV/STI screening and prophylactic treatment.

Hospitals and health care facilities must ensure that they provide their employees with medically and factually accurate information about emergency contraception. The department shall develop, prepare, and produce informational materials relating to emergency contraception to hospitals and health care facilities. The informational materials must be medically and factually accurate, clearly written, and explain the nature

of emergency contraception.

The department shall respond to complaints and shall periodically determine whether hospitals and health care facilities are in compliance. If a hospital or a health care facility is not in compliance, then the department shall impose an administrative penalty of $5,000/per woman who is denied information or emergency contraception and a fine of $5,000 for failure to comply with the provisions of this act. For every 30 days that a hospital or health care facility is not in compliance, an additional administrative penalty of $5,000 shall be imposed.
ADRIANE CROUSE

03/01/2011 S First Read--SB 396-Wright-Jones (S358)
03/03/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S393)

EFFECTIVE: August 28, 2011

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*** SB 397 *** 1716S.01I

SENATE SPONSOR: Cunningham

SB 397 - This act requires certification for contractors who engage in the installation of fire sprinkler systems or service fire sprinkler systems. The certification requirement does not apply to retailers, inspections by government officials, or special agent fire suppression systems. The registration statutes and rules have uniform effect throughout the state. However, municipalities, counties, and other local governmental bodies are authorized to enact or enforce additional registration or licensing requirements that meet or exceed the registration required by this act. A municipality, county, or other local governmental body can also require a contractor to obtain a permit, or pay a fee, in order to install a system.

This act also creates the Fire Sprinkler Advisory Council. The council shall have seven members with various experience in this field. The fire sprinkler advisory council is given authority to promulgate rules. Such rules shall concern registration of contractors, the standards for assessing competency as a fire sprinkler contractor, applicable fees, and procedures for reciprocity with other states. The State Fire Marshal shall administer these provisions.

A contractor must apply with the State Fire Marshal for a certificate of registration and pay an application fee for a certificate. The fee will be set by the advisory council. The fees will be deposited in the Fire Sprinkler Contractor Registration Fund. The act also sets out the requirements that a contractor must meet to obtain a certificate of registration, including demonstration of their own knowledge, or employment of persons with experience and certification in the area.

Certificates of registration are valid for two years and are not transferable. A fee shall be charged for duplicate certificates or changes to a certificate. Each certificate must be posted in a conspicuous place in the contractor's business. The act outlines the process and fees for renewal of unexpired or expired certificates. The State Fire Marshal is obligated to send out written notice at least thirty days prior to a certificate expiring.

The State Fire Marshal shall not issue a certificate of registration unless the applicant files evidence of general liability insurance of not less than one million dollars per year for all occurrences.

The State Fire Marshal is authorized to file a disciplinary complaint against certified contractors for specific violations. After the Administrative Hearing Commission finds that grounds for discipline are met, the advisory council may place the contractor on probation, or suspend or revoke the contractor's certification.

The State Fire Marshal is authorized to seek an injunction against contractors who operate without certification or present a danger to a state resident.

This act is similar to SB 927 (2010) and HB 2132 (2010).
EMILY KALMER

03/01/2011 S First Read--SB 397-Cunningham (S358)
03/03/2011 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S393)

EFFECTIVE: August 28, 2011

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*** SB 398 *** 1858S.01I

SENATE SPONSOR: Kraus

SB 398 - This act allows public school principals to opt out of the election authority designation that their school be used as a polling place.
CHRIS HOGERTY

03/01/2011 S First Read--SB 398-Kraus (S358-359)
03/03/2011 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S393)
03/28/2011 Hearing Scheduled But Not Heard S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2011

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*** SB 399 *** 1818S.01I

SENATE SPONSOR: Kraus

SB 399 - This act modifies the crime of failing to return leased or rented property and changes the name of the crime to stealing leased or rented property.

The following actions are added to the list of offenses that constitute the crime if the person commits the offense with the intent to deprive the owner of the property: aiding or abetting the concealment of leased or rented property; selling, encumbering, conveying, pawning, loaning, abandoning, or giving away the leased or rented property or any part thereof, without the written consent of the lessor or informing the person who receives the property that it is subject to a lease; and failing to pay lease charges after returning the property with the intent to deprive the lessor of the agreed upon charges.

Current law provides that it is evidence of the crime when a person who has leased or rented property, other than a motor vehicle, fails to return the property ten days after the owner has sent written demand by certified or registered mail to the address provided in the lease agreement. Such demand must include a statement that the failure to return the property may subject the person to criminal prosecution.

Under this act, evidence of intent to commit the crime is established if the lessee uses a false, fictitious, or not current name, address, or place of employment in obtaining the property or if the lessee fails to return the property or pay the lease charges within seven days after written demand sent by certified mail, return receipt requested, to the address provided in the lease agreement or the person's last known address.

Currently, failure to return leased or rented property is a Class A misdemeanor unless the property is valued at $500 or more, in which case it is a Class C felony. This act increases the property value cutoff so that the crime becomes a Class C felony if the property is valued at $1,000 or more.

This act is similar to HB 1448 (2010).
MEGHAN LUECKE

03/01/2011 S First Read--SB 399-Kraus (S359)
03/03/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S393)
04/04/2011 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee
04/18/2011 Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee
04/28/2011 Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor (S1207)
05/13/2011 S Formal Calendar S Bills for Perfection--SB 399-Kraus

EFFECTIVE: August 28, 2011

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*** SB 400 *** SCS SB 400 1864S.02C

SENATE SPONSOR: Kraus

SCS/SB 400 - Under current law, a person commits the crime of sexual contact with a student while on public school property if he or she is affiliated in certain ways with the school and he or she has sexual contact with a student while on any public school property.

This act removes the requirement that the contact occur on public school property and adds elected and appointed officials of the public school district to the types of people who may not have sexual contact with a student.

Under current law, volunteers of the school or an organization working with the school may not have sexual contact with a student. This act provides that the law only applies to volunteers who are not also students at the school.
MEGHAN LUECKE

03/01/2011 S First Read--SB 400-Kraus (S359)
03/03/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S393)
03/14/2011 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee
03/28/2011 SCS Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee (1864S.02C)
04/14/2011 Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor w/SCS (S734)
05/13/2011 S Formal Calendar S Bills for Perfection--SB 400-Kraus, with SCS

EFFECTIVE: August 28, 2011

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*** SB 401 *** 1697S.01I

SENATE SPONSOR: Lamping

SB 401 - Under current law, debt adjusters are authorized to enter debt management plans to alter terms of debt payments by receiving money or property from the debtor to pay creditors. This act modifies the definition of debt adjuster to allow such individuals to enter debt settlement plans to perform debt relief services. Such services include renegotiating, settling, or altering terms of payments. Debt adjusters are no longer required to collect funds from the debtor and deliver them to creditors.

The act requires debt adjusters to disclose certain information to debtors before performing services including the time-frame required for results to be achieved, details relating to settlement offers, and any possible adverse affects to the debtors creditworthiness.

Debt adjusters shall not receive payments until the following:
- the adjuster has renegotiated, settled, reduced, or altered the terms of at least one debt.
- the debtor has made at least one payment pursuant to a plan.
- the payment must either bear the same proportional relationship to the total fee for settling the entire debt balance as the individual debt amount bears to the entire debt amount or be a percentage of the amount saved as a result of settlement.

Debt adjusters may require debtors to place funds in an account to pay administrative fees and for payments to creditors or debt collectors. Debtors may withdraw all funds deposited in accounts for services at any time without penalty.
CHRIS HOGERTY

03/01/2011 S First Read--SB 401-Lamping (S359)
03/03/2011 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S393)
04/04/2011 Hearing Conducted S Financial and Governmental Organizations and Elections Committee
04/18/2011 Voted Do Pass S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2011

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*** SB 402 *** 1865S.01I

SENATE SPONSOR: Kehoe

SB 402 - This act requires a window sticker to be placed on the inside front windshield of a motor vehicle to show the current registration instead of the current license plate tab. A tab, instead of a window sticker, will be issued for a motorcycle or trailer registration.

This act is identical to HB 291 (2011). The act has an effective date of January 1, 2012.
STEPHEN WITTE

03/01/2011 S First Read--SB 402-Kehoe (S359)
03/03/2011 Second Read and Referred S Transportation Committee (S393)
03/09/2011 Hearing Conducted S Transportation Committee
03/30/2011 Voted Do Pass S Transportation Committee

EFFECTIVE: January 1, 2012

*** SB 403 *** 1882S.01I

SENATE SPONSOR: Nieves

SB 403 - Under current law, any party who is affected by a decision made by a state regulatory environmental commission may file an appeal with the Administrative Hearing Commission (AHC). The act modifies this provision by placing the condition that the party must be "aggrieved" or "adversely" affected by the decision in order to be able to file the appeal.

Under current law, the AHC has discretion as to whether or not it holds hearings on an appeal request. This act removes the discretion and, instead, requires the AHC to either hold hearings and make a recommended decision within 60 days of the date of the request or else make a recommended decision within the 60-day period based on stipulation of the parties, consent order, agreed settlement, disposition in the nature of default judgment, judgment on the pleadings, or summary determination.

The act requires the environmental commission for which an appeal has been made to the AHC to render its final decision on the matter within 90 days of the date of the appeal request.

The act prohibits a cause of action or court appeal of a decision made by an regulatory environmental commission unless the party has already filed an administrative appeal with the AHC and received a final decision on the appeal from the environmental commission.

The act specifies that any action seeking judicial review of a decision made by the Missouri Air Conservation Commission or the Clean Water Commission must be filed in a court of appeals instead of a circuit court.
ERIKA JAQUES

03/01/2011 S First Read--SB 403-Nieves (S359)
03/03/2011 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S393)
04/12/2011 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee
04/12/2011 Voted Do Pass S Commerce, Consumer Protection, Energy and the Environment Committee
04/14/2011 Reported from S Commerce, Consumer Protection, Energy and the Environment Committee to Floor (S734)
05/13/2011 S Formal Calendar S Bills for Perfection--SB 403-Nieves

EFFECTIVE: August 28, 2011

*** SB 404 *** 1843S.01I

SENATE SPONSOR: Ridgeway

SB 404 - This act provides that certain vested members of the Missouri State Employees' Retirement System (MOSERS) who terminate all employment with the state may elect to receive a lump sum payment for the present value of a deferred annuity. This provision shall apply to the closed plan of MOSERS and the year 2000 plan of MOSERS and the Missouri Department of Transportation and Highway Patrol Employees' Retirement System (MPERS). The act also provides that those members who choose the lump sum payment option shall forfeit, waive, and relinquish all accrued rights in the system, including accrued creditable service, which shall result in a complete discharge of the existing liability of the system with respect to such terminated member or person, however, this shall not be construed to affect a member's health care benefits.

This act is similar to SB 28 (2009).
EMILY KALMER

03/01/2011 S First Read--SB 404-Ridgeway (S359)
03/03/2011 Second Read and Referred S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee (S393)

EFFECTIVE: August 28, 2011

*** SB 405 *** 1809S.01I

SENATE SPONSOR: Ridgeway

SB 405 - This act modifies, as of September 12, 2012, provisions relating to criminal background

screenings for personal care attendants, long-term care providers, long-term care workers and provisions relating to the Family Care Safety Registry. New definitions for "long-term workers" and "long-term care providers" are included in the act to replace "elder care workers" and "elder-care providers".

As of September 30, 2012, the Family Care Safety Registry shall contain information on long-term care workers and all workers under the registry shall be checked through the National Sex Offender Public website. Also, after that date, the registry shall include a check of the certified nurse assistant registry, the nursing home administrator disciplinary action data, and the licensing data of medical and osteopathic physicians, physician's assistants and nurses. The registry shall also check the educator certification data maintained by the Department of Elementary and Secondary Education.

The Department of Health and Senior Services shall operate as the single state agency which shall coordinate the criminal background screening process and the employment eligibility determination process. Prior to the date of hire, the department shall make a determination of eligibility based on the results of the prospective employee's self-disclosure background information, completion of the Family Care Safety Registry background screening and submission of state and federal fingerprint-based criminal record check within 30 days of hire and prior to having direct access to patients or residents. The applicant shall not be eligible for employment if disqualifying findings are revealed under the criminal background screening process. The act prescribes the procedures for a provisional hiring process.

This act prohibits a personal care attendant with a disqualifying finding on a state or federal criminal background check from being reimbursed by the state for providing personal care assistant services. An applicant for a position with direct access to a patient, client, or consumer is required to disclose any findings that may appear on the registry. An applicant who fails to disclose any disqualifying finding shall be guilty of a class A misdemeanor.

Providers shall make an annual inquiry to the Family Care Safety Registry in order to maintain the employee's eligibility for employment.

Any provider required to deny employment to an applicant or to discharge a provisional employee as a result of information obtained from the screening process cannot be liable in any action brought by the applicant or provisional employee or charged for unemployment benefits in the case of the provisional employee.

The Department of Health and Senior Services is authorized to assess a fee to any provider to cover the cost of handling the criminal record review and to create an account for the deposit of the fees.

This act shall become effective on September 12, 2012.

This act is identical to HB 544 (2011).
ADRIANE CROUSE

03/01/2011 S First Read--SB 405-Ridgeway (S359)
03/03/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S393)
05/03/2011 Hearing Conducted S Health, Mental Health, Seniors and Families Committee

EFFECTIVE: September 30, 2012

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*** SB 406 *** 1745S.01I

SENATE SPONSOR: Crowell

SB 406 - SECTION 386.715 - Office of Public Counsel
The act requires the Office of Public Counsel (OPC) to, prior to the beginning of each fiscal year, inform the Public Service Commission (PSC) of its estimated expenses for the upcoming fiscal year. The OPC must specify how much of its estimated expenses are directly attributable to its work with each type of PSC-regulated public utility (i.e., electric, gas, water, heating, telephone, telegraph, and sewer) as well as the amount of expenses that are not directly attributable to one specific type of utility. Costs for telephone companies may not exceed 3% of the total directly attributable costs. Costs not directly attributable to one specific type of utility must be proportionately attributed to each utility type based on each utility type's percentage of total gross intrastate operating revenues across all utilities.

The PSC must levy an assessment to each regulated public utility to cover its share of the OPC's costs. The total amount levied to all utilities must not exceed 500ths of 1% of the total gross intrastate operating

revenues of all regulated utilities. The PSC must issue a statement of the assessment amount to each utility by July 1st of each year, which the utility may pay in full by July 15th or in four equal quarterly installments.

The payments are to be deposited in the Public Counsel Fund, created in the act, and may only be used to pay the expenses of the OPC. Any balance remaining in the fund at the end of the fiscal year must be proportionately credited to the next year's assessments.

The act does not grant authority to the PSC to determine how the OPC estimates its expenses or how the OPC will spend the assessments collected from the utilities.

By March 31st of each year, each regulated utility must file a statement with the PSC of its gross intrastate operating revenues for the preceding calendar year.

This section is similar to the same section number in HCS/SB 791 (2010).

SECTION 393.135 - Early Site Permit Cost Recovery
If an electric company obtains an Early Site Permit from the U.S. Nuclear Regulatory Commission (NRC), the PSC must allow the company to recover from its ratepayers the financing costs on up to $40 million of prudently-incurred expenditures spent by the company to obtain the permit. The company may recover such costs from its ratepayers through rates and charges over a period not to exceed 20 years, but the PSC shall not approve return on equity for these expenditures. The company may begin the cost recovery on the effective date of tariffs approved by the PSC at the company's first general rate proceeding following the NRC's issuance of the permit.

If an electric company has recovered costs from its ratepayers for an Early Site Permit but the company's interest in the Early Site Permit is subsequently sold or transferred, the company must refund its ratepayers up to the amount that the company collected from the ratepayers for the permit, plus interest. If the power plant for which the Early Site Permit was acquired is not constructed within 10 years of the issuance of the Early Site Permit, the electric company that recovered costs from ratepayers for the Early Site Permit must refund such costs to the ratepayers over a period of 5 years, including interest.

The act creates the Governor's Task Force on Electrical Generation Options, which shall review energy generation options to include other options in addition to large baseload nuclear plants. The act specifies representation on the task force. The task force must issue its report by September 30, 2011.

This section is similar to SB 50 (2011) and SB 321 (2011).

The act contains an emergency clause.
ERIKA JAQUES

03/01/2011 S First Read--SB 406-Crowell and Mayer (S359)
03/03/2011 Second Read and Referred S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee (S393)
03/09/2011 Hearing Conducted S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee

EFFECTIVE: Emergency Clause

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*** SB 407 *** 1707S.02I

SENATE SPONSOR: Crowell

SB 407 - This act prohibits the authorization of tax credits under the historic preservation, low-income housing, and Missouri Development Finance Board Infrastructure Development Fund contribution tax credit programs. The act also repeals provisions of the Missouri property tax credit, commonly referred to as the circuit breaker tax credit, which allow renters to receive the property tax credit for rent constituting taxes paid and makes the tax credit program subject to appropriation.

This act repeals the sunset provision of the Missouri RX prescription drug program and provides for the expiration of the program on August 28, 2014. This act also provides that the Missouri RX program will be funded by the cost savings realized by the prohibition of the tax credits listed above.

This act contains a nonseverability clause as to all provisions of the act.

This act contains an emergency clause.

JASON ZAMKUS

03/01/2011 S First Read--SB 407-Crowell (S359)
03/03/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S393)
03/29/2011 Hearing Conducted S Health, Mental Health, Seniors and Families Committee
04/14/2011 Motion to vote bill do pass failed S Health, Mental Health, Seniors and Families Committee

EFFECTIVE: Emergency Clause

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*** SB 408 *** SCS SBs 408 & 80 1750S.02C

SENATE SPONSOR: Crowell

SCS/SBs 408 & 80 - Under current law, the MO RX prescription drug plan is set to sunset on August 28, 2011. This act provides that the plan shall expire on August 28, 2014.
ADRIANE CROUSE

03/01/2011 S First Read--SB 408-Crowell (S359)
03/03/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S393)
03/29/2011 Hearing Conducted S Health, Mental Health, Seniors and Families Committee
04/12/2011 SCS Voted Do Pass (w/bills SCS SBs 408 & 80) S Health, Mental Health, Seniors and Families Committee - (1750S.02C)
04/14/2011 Reported from S Health, Mental Health, Seniors and Families Committee to Floor w/SCS (S732)
04/19/2011 Bill Placed on Informal Calendar (S772)
05/13/2011 S Informal Calendar S Bills for Perfection--SBs 408 & 80-Crowell, with SCS

EFFECTIVE: August 28, 2011

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*** SB 409 *** 1842S.01I

SENATE SPONSOR: Crowell

SB 409 – Currently, transportation aid is considered a categorical add-on to the elementary and secondary education foundation formula. This act requires transportation aid to be included as part of a district's state aid calculation.
MICHAEL RUFF

03/01/2011 S First Read--SB 409-Crowell (S359-360)
03/03/2011 Second Read and Referred S Education Committee (S393)
04/06/2011 Hearing Conducted S Education Committee

EFFECTIVE: August 28, 2011

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*** SB 410 *** 1817S.01I

SENATE SPONSOR: Crowell

SB 410 - This act requires that the Missouri Department of Transportation and Highway Patrol Employees' Retirement System (MPERS) and the Missouri State Employees' Retirement System (MOSERS) transfer money between the two systems when an employee transfers service between the two systems on or after September 1, 2011. The act specifies the method that the systems are required to use to calculate the amount of the transfer payment. The amount of the money transferred cannot be less than the amount of the employee's accumulated contributions plus interest.
EMILY KALMER

03/01/2011 S First Read--SB 410-Crowell (S360)
03/03/2011 Second Read and Referred S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee (S393)

EFFECTIVE: August 28, 2011

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*** SB 411 *** 1717S.02I

SENATE SPONSOR: Crowell

SB 411 - This act prohibits the approval of new applications by the Missouri Development Finance Board under the Missouri Downtown and Rural Stimulus Act after August 28, 2011.

This act prohibits the authorization for issuance of Missouri Development Finance Board Bond Guarantee

Tax Credits and Infrastructure Development Fund Contribution Tax Credits for the five year period beginning on the effective date of the act.

This act makes any full-time employee of the Missouri Development Finance Board on September 1, 2011 a state employee and member of the Missouri State Employee's Retirement System (MOSERS). However, these employees will not be covered under the Missouri consolidated health care plan (MCHCP), unless the board requests coverage and MCHCP's board approves the request. These employees may purchase credited service toward retirement for their employment with the board under the provisions that allow other nonfederal public employees to purchase service, except these employees will not be required to vest before they may purchase the service.

This act contains an emergency clause for certain sections.

Portions of this act are similar to SB 143 (2011), SB 144 (2011), SB 411 (2009) and HB 1070 (2009).
EMILY KALMER

03/01/2011 S First Read--SB 411-Crowell (S360)
03/03/2011 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S393)
03/17/2011 Hearing Scheduled But Not Heard S Ways and Means and Fiscal Oversight Committee

EFFECTIVE: Emergency Clause

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*** SB 412 *** 1811S.01I

SENATE SPONSOR: Crowell

SB 412 - The Auditor's authority to examine audits of the Missouri Department of Transportation and Highway Patrol Employees' Retirement System (MPERS) and of the Missouri State Employees' Retirement System (MOSERS) is modified to allow the auditor to audit the systems.

This act is similar to portions of SB 714 (2010).
EMILY KALMER

03/01/2011 S First Read--SB 412-Crowell (S360)
03/03/2011 Second Read and Referred S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee (S393)

EFFECTIVE: August 28, 2011

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*** SB 413 *** 1812S.01I

SENATE SPONSOR: Crowell

SB 413 - The Auditor's authority to examine audits of the Public School Retirement System of Missouri (PSRS) is modified to allow the Auditor to audit the systems.

This act is similar to a portion of SB 714 (2010).
EMILY KALMER

03/01/2011 S First Read--SB 413-Crowell (S360)
03/03/2011 Second Read and Referred S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee (S393)

EFFECTIVE: August 28, 2011

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*** SB 414 *** 1810S.01I

SENATE SPONSOR: Crowell

SB 414 - 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. The Auditor's authority to examine audits of the Prosecuting Attorneys' and Circuit Attorneys' Retirement System and Local Government Employees' Retirement System is modified to allow the Auditor to audit the systems.

This act is similar to portions of SB 714 (2010).
EMILY KALMER

03/01/2011 S First Read--SB 414-Crowell (S360)

03/03/2011 Second Read and Referred S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee (S393)

EFFECTIVE: August 28, 2011

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*** SB 415 *** 1819S.01I

SENATE SPONSOR: Crowell

SB 415 - Under this act, a person on probation for a felony offense commits the crime of unlawful possession of a firearm if he or she knowingly possesses a firearm. Unlawful possession of a firearm is a Class C felony.
MEGHAN LUECKE

03/01/2011 S First Read--SB 415-Crowell (S360)
03/03/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S393)

EFFECTIVE: August 28, 2011

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*** SB 416 *** 1704S.01I

SENATE SPONSOR: Crowell

SB 416 - This act exempts United States attorneys and assistant United States 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 exemption for prosecuting attorneys, assistant prosecuting attorneys, circuit attorneys, and assistant circuit attorneys.
MEGHAN LUECKE

03/01/2011 S First Read--SB 416-Crowell (S360)
03/03/2011 Second Read and Referred S General Laws Committee (S393)

EFFECTIVE: August 28, 2011

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*** SB 417 *** 1840S.01I

SENATE SPONSOR: Crowell

SB 417 - No new claims shall be filed against the Second Injury Fund after July 1, 2011.

Only awards granted prior to July 1, 2011, awards or settlements in cases filed before July 1, 2001 and medical bills incurred and filed by employees of uninsured employers before July 1, 2011 shall be paid by the fund.

The Attorney General shall transmit the projected cost of all legal expenses to the director of the division of workers' compensation. The director shall then withhold sufficient funds to meet the expenses not to exceed 1/4 of the annual appropriation for that purpose.

Under the act, an annual actuarial study shall be made taking into consideration any existing balance carried forward in the fund from a previous year.

The act establishes priority for paying liability of the fund in the following order:
1. Expenses related to the legal defense of the fund.
2. Permanent total disability awards in the order settled or finally adjudicated.
3. Permanent partial disability awards in the order settled or finally adjudicated.
4. Medical expenses incurred prior to July 1, 2011.

This act contains an emergency clause.
CHRIS HOGERTY

03/01/2011 S First Read--SB 417-Crowell (S360)
03/03/2011 Second Read and Referred S Small Business, Insurance and Industry Committee (S393)
03/29/2011 Hearing Cancelled S Small Business, Insurance and Industry Committee

EFFECTIVE: Emergency Clause

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*** SB 418 *** 1701S.01I

SENATE SPONSOR: Chappelle-Nadal

SCS/SB 418 - Current law requires electronic voting systems to permit voters to vote by use of a single punch or mark for candidates of one party or group for president and vice president. This act removes this provision.

The act requires that all electronic voting systems produce results from paper ballots marked by hand, or in the case of disabled voters who need assistance, from paper ballots marked by a paper ballot marking device designed to assist such voters.

The use of remaining direct-record electronic voting machines shall be phased out upon mechanical failure and finally by January 1, 2014 and paper ballot marking devices shall be used to assist disabled voters.

This act is similar to HB 1490 (2010).
CHRIS HOGERTY

03/01/2011 S First Read--SB 418-Chappelle-Nadal and Lamping (S363)
03/10/2011 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S437)
04/04/2011 Hearing Conducted S Financial and Governmental Organizations and Elections Committee
04/11/2011 SCS Voted Do Pass S Financial and Governmental Organizations and Elections Committee - (1701S.02C)

EFFECTIVE: August 28, 2011

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*** SB 419 *** 1893S.01I

SENATE SPONSOR: Kraus

SB 419 - This act repeals provisions of law which currently prohibit any Kansas City police officer from belonging to a political party committee; being a ward committeeman or committeewoman; or making contributions of any kind for political activity. Also repealed is a provision that prohibits any person from soliciting a police officer or a member of the police board for any political purpose.

Current law prohibits a Kansas City officer or employee from soliciting any person to vote for or against a candidate for public office, "poll precincts", or be connected with similar political work for a political organization, party, or candidate. This act prohibits those activities while the officer is on duty or in uniform.

Under this act, no officer or employee of the Kansas City Police Department may be a candidate for partisan public office.

This act is similar to SB 18 (2007), SB 189 (2009), and SB 579 (2010).
MEGHAN LUECKE

03/01/2011 S First Read--SB 419-Kraus (S363)
03/10/2011 Second Read and Referred S General Laws Committee (S437)

EFFECTIVE: August 28, 2011

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*** SB 420 *** SCS SB 420 0612S.03C

SENATE SPONSOR: Mayer

SCS/SB 420 - This act modifies the operation and maintenance of the second injury fund.

No new claims shall be filed against the second injury fund for injuries occurring after July 1, 2011 and injuries after that time will be adjudicated under the workers' compensation system.

Only awards for claims for injuries prior to July 1, 2011 and medical bills incurred relating to injuries occurring before July 1, 2011 shall be paid by the fund.

The Treasurer, with the advice and consent of the Attorney General, is authorized to enter into compromise settlements in any amount not to exceed the total sum of 100 weeks of the employee's total average weekly wage as of the date of the injury and with dependents of claimants arising from the Schoemehl decision.

Under the act, an annual actuarial study shall be made taking into consideration any existing balance carried forward in the fund from a previous year until there are no fund liabilities.

The act establishes priority for paying liability of the fund in the following order:
1. Expenses related to the legal defense of the fund.
2. Permanent total disability awards in the order settled or finally adjudicated.
3. Permanent partial disability awards in the order settled or finally adjudicated.
4. Medical expenses incurred prior to July 1, 2011.

The Director of the Division of Workers' Compensation shall transfer funds from the workers' compensation fund to the second injury fund to ensure solvency of the fund for the remainder of the fiscal year to be repaid on or before July 1, 2012. The funds to repay the transfer shall be collected with a supplemental surcharge during fiscal year 2012 and calculated in a similar fashion as the second injury fund surcharge is currently calculated. Notice shall be given to policyholders and self-insurers of the surcharge percentages to be imposed in 2011 and 2012.

If the fund is anticipated to be insolvent, the Director of the Division of Workers' Compensation shall determine the amount of revenue to maintain solvency and the funds shall be collected with a supplemental surcharge calculated in a similar fashion as the second injury fund surcharge is currently calculated.

The Attorney General shall reduce staff defending the second injury fund as appropriate.

This act contains an emergency clause.

This act is similar to SB 66 (2007), SB 606 (2007), SB 668 (2007), and SB 417 (2011).
CHRIS HOGERTY

03/01/2011 S First Read--SB 420-Mayer (S363)
03/10/2011 Second Read and Referred S Small Business, Insurance and Industry Committee (S437)
03/15/2011 Hearing Cancelled S Small Business, Insurance and Industry Committee
03/16/2011 Hearing Conducted S Small Business, Insurance and Industry Committee
03/29/2011 SCS Voted Do Pass S Small Business, Insurance and Industry Committee - (0612S.03C)
03/31/2011 Reported from S Small Business, Insurance and Industry Committee to Floor w/SCS (S541)
04/06/2011 Bill Placed on Informal Calendar (S606)
05/13/2011 S Informal Calendar S Bills for Perfection--SB 420-Mayer, with SCS

EFFECTIVE: August 28, 2011

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*** SB 421 *** 1889S.01I

SENATE SPONSOR: Pearce

SB 421 - This act bars a person who commits a felony in Missouri, or commits a crime in another jurisdiction that would constitute a felony in Missouri, from qualifying as a candidate for or holding public office.

This act is similar to SB 589 (2010).
EMILY KALMER

03/01/2011 S First Read--SB 421-Pearce (S363)
03/10/2011 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S437)
04/11/2011 Hearing Conducted S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2011

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*** SB 422 *** 1804S.02I

SENATE SPONSOR: Lager

SB 422 - The act modifies the state's renewable energy standard.

Under current law, each kilowatt-hour of renewable energy generated within the state can be counted as 1.25 kilowatt-hours for purposes of meeting the renewable energy standard. The act increases this weight factor to 1.75 kilowatt-hours.

The act specifies geographic sourcing requirements for the energy and renewable energy credits (RECs) used by an electric company to meet the renewable energy standard. During the years 2011-2016, the energy and RECs must be generated within the territory of regional transmission organizations that serve Missouri electric companies. After the year 2016, the energy and RECs must be generated either within Missouri or any contiguous state.

The use of RECs to comply with the renewable energy standard will not be allowable after December 31, 2022.

The act requires that, in meeting the renewable energy standard, an electric company must not incur annual net costs greater than 1% of the annual revenue requirement set by the Public Service Commission at the company's latest general rate proceeding. The act specifies how the annual net costs must be determined.
ERIKA JAQUES

03/01/2011 S First Read--SB 422-Lager (S363)
03/10/2011 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S437)

EFFECTIVE: August 28, 2011

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*** SB 423 *** 1748S.02I

SENATE SPONSOR: Lager

SB 423 - This act modifies provisions pertaining to natural resources.

SECTION 37.970 - TRANSPARENCY POLICY
Each state department must carry out its duties with full transparency to the public and the public must be able to access any of the department's data or information in a timely fashion. Each department must take a broad interpretation of the Missouri Sunshine Law and must respond accordingly to any request for information, regardless of the format in which the request is made.

SECTION 192.1250 - REAL-TIME WATER QUALITY TESTING
The Department of Health and Senior Services must examine the feasibility of implementing a real-time water quality testing system and report to the General Assembly by December 31, 2011.

SECTION 621.250 - ADMINISTRATIVE HEARING COMMISSION
If anyone other than the permit applicant files an appeal of a permit decision made by an environmental commission under the Department of Natural Resources, that entity must submit a surety bond payable to the permit applicant at the time of appeal.

SECTION 640.013 - SURETY BOND RULES
Each environmental commission for which the Administrative Hearing Commission has authority to hear appeals must promulgate rules to establish the surety bond requirements for filing appeals. The rules must be consistent with Missouri Supreme Court rules regarding bond amounts set by circuit courts in appeals.

SECTION 640.018 - ADDITIONAL PERMIT REQUIREMENTS
A permit application submitted to the Department of Natural Resources shall be considered automatically approved if the department has not rendered a permit decision by the expiration of its statutorily-required timeframe and the department has been in possession of all necessary application information throughout that time.

In any permit application to the Department of Natural Resources, if any of the associated plans have been approved by a licensed professional engineer, the department must consider the plans approved.

SECTION 640.085 - DIVISION OF ENERGY
The act transfers the Department of Natural Resources' Division of Energy to the Department of Economic Development. The transfer must be completed by June 30, 2012.

SECTION 640.100 - PUBLIC DRINKING WATER LABORATORY TESTS
Under current law, public water suppliers may request the Department of Natural Resources or the Department of Health and Senior Services to run lab tests of their water samples. The act removes the Department of Natural Resources from this provision. Additionally, current law requires analysis of drinking water samples to be conducted by the Department of Health and Senior Services laboratories, the Department of Natural Resources' laboratories, or other labs certified by the Department of Natural Resources. The act removes the Department of Natural Resources' laboratories from the provision and transfers the authority to certify other labs to the Department of Health and Senior Services, but allows the Department of Health to certify laboratories operated by the Department of Natural Resources.

SECTION 640.116 - EXEMPTION FOR WELL CONSTRUCTION REQUIREMENTS
Water systems that serve charitable or benevolent organizations that do not regularly serve an average of 100 persons or more for at least 60 days of the year and that are not used for a school or day-care are exempt from well construction rules unless the system is a threat to groundwater or public health. Such wells are not exempt from certain rules applicable to multi-family wells. The act lists certain actions that a well owner must take in the event of certain coliform contamination violations.

SECTION 640.128 - NOTIFICATION OF PUBLIC HEALTH RISK
The Department of Natural Resources must immediately notify the local public health authority and the Department of Health and Senior Services if it receives water quality test results voluntarily submitted by a permitted entity that indicate a risk to public health.

SECTION 640.850 - CONSOLIDATION OF SERVICES
The Governor must convene a committee made up of representatives from the departments of Agriculture, Conservation, Economic Development, Health & Senior Services, and Natural Resources to evaluate ways to consolidate services. The committee must provide recommendations to the Governor and the General Assembly by December 31, 2011.

SECTION 644.051 - CLEAN WATER COMMISSION PERMITS & APPEALS
The act allows potential permit applicants to appeal the terms and conditions of a water pollution control general permit template to the Clean Water Commission within 30 days of issuance of the template, or issuance of a general permit under the new template, by the Department of Natural Resources.

Under current law, the burden of proof in any appeal hearing regarding the issuance of a water pollution control permit is on the permit applicant. The act modifies the requirement such that the permit applicant has the burden of proof only for appeals relating to the denial of a permit, license, or registration, but for all other appeals, the Clean Water Commission shall have the burden of proof.

The act allows the Department of Natural Resources to modify, reissue, or terminate a water pollution control permit at the request of the permit holder. Any such request must be made in writing and must contain facts or reasons in support of the request.

Compliance with a water pollution control permit will be considered compliance with the state and federal requirements under the Federal Water Pollution Control Act, except for certain federal toxic pollutant limitations and disposal of sewage sludge requirements.

SECTION 644.054 - WATER POLLUTION CONTROL FEES
Under current law, the authority expires on December 31, 2010, for the Clean Water Commission to charge fees for construction permits, operating permits, and operator's certifications related to water pollution control. This act extends the expiration date to December 31, 2012.

The act requires the Department of Natural Resources to study the fees and present a plan for the fees to the General Assembly by December 31, 2011. The department must conduct stakeholder meetings and the plan must include timelines for permit issuance, expedited permits, and recommendations for improved services.

SECTION 644.200 - WATER QUALITY LABORATORY TESTING
The act requires that any water quality testing done for the purposes of administering the Missouri Clean

Water Law or the federal Safe Drinking Water Act must be performed by a laboratory either operated or certified by the Department of Health and Senior Services, which may include labs operated by the Department of Natural Resources. The Department of Health and Senior Services must make the results of any water quality test available to the public within 48 hours of getting the results, regardless of the circumstances. If the water samples were collected by any entity other than the Department of Health and Senior Services, the Department must also transmit the test results to the collecting entity within 48 hours of its receipt of the results. If any test results indicate a potential risk to public health or the environment, the Department may work with the Department of Natural Resources to assess the risk and develop a strategy to address the water issue. The Department of Natural Resources must follow these same procedures for data results for any water quality testing conducted in its labs.

SECTION 701.033 - PRIVATE SEPTIC SYSTEMS
The act allows the Department of Health and Senior Services to provide technical assistance, guidance, and oversight to local authorities that administer and enforce individual on-site sewage disposal system standards. The Department may provide such assistance at the request of the local government or in any case where the Department determines that its intervention is necessary to prevent a violation of state law.

Various provisions of the act are similar to provisions in SS/SCS/HB 2109 (2010).
ERIKA JAQUES

03/01/2011 S First Read--SB 423-Lager (S363)
03/10/2011 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S437)
03/29/2011 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee

EFFECTIVE: August 28, 2011

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*** SB 424 *** 1863S.01I

SENATE SPONSOR: Cunningham

SB 424 - Before the Secretary of State files any petition alleging any wrongdoing on the part of any business entity, the Secretary of State shall provide the business entity with a chance to appear before it to refute the allegations in an informal hearing.
CHRIS HOGERTY

03/01/2011 S First Read--SB 424-Cunningham (S364)
03/10/2011 Second Read and Referred S General Laws Committee (S437)

EFFECTIVE: August 28, 2011

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*** SB 425 *** SCS SB 425 1892S.03C

SENATE SPONSOR: Goodman

SCS/SB 425 - This act specifies that receiving stolen property is a Class A misdemeanor unless the value of the property or services exceeds $500, the property has been physically taken from the person of the victim, or if the property is of a certain description. In those cases, the offense is a Class C felony. Receiving stolen property is a Class B felony if the value of the property or services equals or exceeds $25,000.

The receipt of any item, property, or services which exceeds $500 may be considered a separate felony and be charged in separate counts.

A person who commits the crime of receiving stolen property who has a prior conviction involving livestock or captive wildlife, when the value of the stolen property exceeds $3,000, is guilty of a Class B felony. Such a person must serve a minimum prison term of not less than 80 percent of his or her sentence before being eligible for probation, parole, conditional release, or other early release.
MEGHAN LUECKE

03/01/2011 S First Read--SB 425-Goodman (S364)
03/10/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S437)
03/28/2011 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee
04/04/2011 SCS Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee (1892S.03C)
04/14/2011 Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor w/SCS (S733)
05/13/2011 S Formal Calendar S Bills for Perfection--SB 425-Goodman, with SCS

EFFECTIVE: August 28, 2011

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*** SB 426 *** 1783S.02I

SENATE SPONSOR: Lamping

SB 426 - Under the terms of this act, a landlord of 20 or more dwelling units is required to hold all security deposits in a federally insured account, separate from his or her own funds. The security deposit account shall not be subject to the claims of any creditor of the landlord. At the time of receiving a security deposit, a landlord must provide the tenant or renter with a signed receipt indicating the date, the amount of the deposit, the name of the person receiving the deposit or, in the case of an agent, the name of the landlord for whom the security deposit is received, a description of the leased dwelling unit, and the name and address of the financial institution that will hold the deposit.

The provision contained in this act is substantially similar to one contained in HB 404 (2011).
STEPHEN WITTE

03/01/2011 S First Read--SB 426-Lamping (S364)
03/10/2011 Second Read and Referred S General Laws Committee (S437)

EFFECTIVE: August 28, 2011

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*** SB 427 *** 1668S.01I

SENATE SPONSOR: Lamping

SB 427 - This act repeals state and local use taxes.
JASON ZAMKUS

03/01/2011 S First Read--SB 427-Lamping (S364)
03/10/2011 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S437)

EFFECTIVE: August 28, 2011

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*** SB 428 *** 1887S.01I

SENATE SPONSOR: Ridgeway

SB 428 - This act allows a sheriff to receive reimbursement for the actual costs of transporting a person to and from a mental health facility from a public or private hospital, a non-profit charitable organization, the state, or a political subdivision.
MEGHAN LUECKE

03/01/2011 S First Read--SB 428-Ridgeway (S366)
03/10/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S437)
03/28/2011 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee
04/04/2011 Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2011

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*** SB 429 *** 1886S.01I

SENATE SPONSOR: Ridgeway

SB 429 - This act requires, by December 31, 2012, the Department of Health and Senior Services to issue recommendations on adequate nurse staffing levels in health care facilities licensed under chapters 197 and 198. Such recommendations shall be issued through the promulgation of rules.
ADRIANE CROUSE

03/01/2011 S First Read--SB 429-Ridgeway (S366)
03/10/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S437)

EFFECTIVE: August 28, 2011

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*** SB 430 *** 1897S.01I

SENATE SPONSOR: Mayer

SB 430 - The act suspends workers' compensation benefits to incarcerated individuals and requires that

employees must be entitled to legally work in the United States to receive benefits.

The act allows the second injury fund to advance or reimburse employees for expenses when an employee is required to submit to medical treatment outside the area of the employee's principal place of employment.

Employees shall submit to vocational testing and a vocational rehabilitation assessment scheduled by the second injury fund if the employer has not obtained a vocational rehabilitation assessment. Similarly, employees shall submit to reasonable medical examinations at the request of the second injury fund.

Claims for permanent partial disability shall not be allowed against the second injury fund after the effective date of the act. Claims shall only be allowed going forward for instances when:

- there exists a medically documented preexisting permanent disability caused by military duty or a preexisting permanent partial disability,
- the preexisting disability equals a minimum of 50 weeks of compensation according to the medical standards that are used in determining compensation, and
- a subsequent injury occurs and when combined with the elements of the prior injury results in permanent total disability.

Employers at the time of the last injury are only liable for the disability resulting from the subsequent injury and the second injury fund shall be liable for the remainder that would be due for the permanent total disability.

The act caps the amount awarded in compromise settlements to an amount not to exceed the total sum of 100 weeks of the employee's total average weekly wage as of the date of the injury unless authorization is given by the Workers' Compensation Council, in which case, the caps would not apply.

The act allows the Treasurer, with the advice and consent of the Attorney General and the authorization of the Workers' Compensation Council to enter into compromise settlements with dependents of claimants arising from the Schoemehl v. Treasurer decision.

Compensation shall not be payable from the second injury fund when employees elect to pursue workers' compensation outside of the state.

Life payments paid out of the second injury fund shall be suspended for employees who receive permanent total disability awards but by the use of glasses, prosthetic appliances, or physical rehabilitation are restored to regular work or its equivalent.

Life payments paid out of the second injury fund shall be suspended for all injured employees when the employee is able to obtain suitable gainful employment or be self-employed in view of the nature and severity of the injury. Life payments paid out of the second injury fund may be suspended for any injured employee when the employee becomes eligible to receive Social Security benefits attributable to the employee's injury. The combined sum of the amount of monthly payments from the second injury fund and monthly Social Security benefits shall not be less than the life payments otherwise payable out of the second injury fund.

Currently, a 2% tax is levied on insurance carriers when the balance of the workers' compensation fund is estimated to be on hand on December 31 is less than 110% of the previous year's expenses. This act requires that amount to actually be on hand on July 1 of the year of the determination which shall be made on October 31.

The act repeals a provision allowing loans to be made to the Missouri Employers Mutual Insurance Company.

The act requires the department to use money contained in the second injury fund at the end of the previous fiscal instead of calendar year for calculating the annual surcharge.

Outstanding advances from the workers' compensation fund to the second injury fund shall not exceed 33 1/3% of the total amount of the annual surcharge and reimbursements for advances which shall be made within 5 years instead of within the year.

The act institutes a funding mechanism to bolster the second injury fund. The second injury fund

surcharge shall be set at 2010 levels ($40,862,081) until all workers' compensation administration fund advances have been reimbursed. The workers' compensation administration fund tax and surcharge are set at 4% to provide advances to the second injury fund until moneys collected under the annual surcharge exceed the total amount of the second injury fund for two quarters. If the administration fund tax and surcharge and the annual surcharge do not generate revenue of at least $100,000,000 in 2012 and 2013, the rates shall be adjusted to collect revenue at that level.

The act creates the Missouri State Workers' Compensation Council to advise the division of workers' compensation and submit recommendations to the Governor and the General Assembly relating to workers' compensation laws.
CHRIS HOGERTY

03/01/2011 S First Read--SB 430-Mayer (S366)
03/10/2011 Second Read and Referred S Small Business, Insurance and Industry Committee (S437)
03/15/2011 Hearing Cancelled S Small Business, Insurance and Industry Committee
03/16/2011 Hearing Conducted S Small Business, Insurance and Industry Committee
03/29/2011 Voted Do Pass S Small Business, Insurance and Industry Committee

EFFECTIVE: August 28, 2011

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*** SB 431 *** 1894S.01I

SENATE SPONSOR: Munzlinger

SB 431 - This act creates a Do-Not-Mail list, which shall contain a list of Missouri residents, age 70 or older, who request not to be sent direct mail solicitations.

The Attorney General must create and administer the list, must promulgate rules for the list by January 1, 2012, and must have the list in operation by July 1, 2012. The Attorney General must regularly update the state list with the names of eligible Missourians that appear on any similar federal list.

Information on the list is not considered a public record.

The Attorney General may seek an injunction and a civil penalty up to $5,000 for each knowing violation or threatened knowing violation of the act. Any person who has received more than one direct mail solicitation in a year in violation of the act may bring an action to enjoin or seek damages, or both. The act includes a statute of limitation on bringing such an action.
ERIKA JAQUES

03/01/2011 S First Read--SB 431-Munzlinger (S366)
03/10/2011 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S437)

EFFECTIVE: July 1, 2012

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*** SB 432 *** 1895S.01I

SENATE SPONSOR: Munzlinger

SCS/SB 432 - This act prohibits the state and any of its agents from entering into a contingency fee contract with a private attorney, unless the Attorney General makes specific written findings. The Attorney General is required to request proposals from private attorneys, unless the Attorney General makes a written determination that requesting proposals is not feasible. Private attorneys that enter into contingency fee contracts with the state are prohibited from receiving more than a twenty-five percent of the net recovery to the state.

A private attorney who is representing the state on a contingency fee basis is required to maintain records about their expenses for at least four years after the contract terminates. The attorney is required to make these records available to the public under the sunshine law.

The Attorney General is required to post certain information about the contingency fee arrangement on their website. The Attorney General is also required to submit an annual report regarding the use of contingency fee contracts.
EMILY KALMER

03/01/2011 S First Read--SB 432-Munzlinger (S366)

03/10/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S437)
03/28/2011 Hearing Scheduled S Judiciary and Civil and Criminal Jurisprudence Committee
03/28/2011 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee
04/18/2011 SCS Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee (1895S.02C)

EFFECTIVE: August 28, 2011

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*** SB 433 *** 1883S.01I

SENATE SPONSOR: Kraus

SB 433 - Beneficiaries of deeds of trust who are not the originating beneficiary shall record a document regarding the beneficiary's legal interest in the deed containing certain identifying information. The document shall be recorded in the same manner as the notice of trustee's sale.

Failure to properly record shall result in a voidable sale.

Those with an interest in the trust property may file an action to void the sale.
CHRIS HOGERTY

03/01/2011 S First Read--SB 433-Kraus (S366)
03/10/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S437)

EFFECTIVE: August 28, 2011

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*** SRM 1 *** 2006S.03I

SENATE SPONSOR: Schaaf

SRM 1 - The Senate remonstrates against the St. Louis press corps for its disregard of the proper role of a journalist to investigate and report upon corruption within the City of St. Louis regardless of the political implications or consequences to such investigation or reporting.
JIM ERTLE

03/14/2011 S First Read--SRM 1-Schaaf (S443)
03/16/2011 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S465)

EFFECTIVE: upon approval

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*** SCR 1 *** 0679S.01I

SENATE SPONSOR: Ridgeway HOUSE HANDLER: Smith

SCR 1 - This resolution disapproves a final order of rule making by the Public Service Commission with regards to the Electric Utility Renewable Energy requirements.
JIM ERTLE

01/05/2011 S First Read--SCR 1-Ridgeway (S16-17)
01/10/2011 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S69)
01/13/2011 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee
01/18/2011 Voted Do Pass S Rules, Joint Rules, Resolutions and Ethics Committee
01/18/2011 Reported from S Rules, Joint Rules, Resolutions and Ethics Committee to Floor (S100)
01/24/2011 S Third Read and Passed (S135-136)
01/26/2011 H Second Read (H233)
01/26/2011 Referred H Rules Committee (H237)
01/27/2011 Hearing Conducted H Rules Committee
01/27/2011 Voted Do Pass H Rules Committee
01/27/2011 Reported Do Pass H Rules Committee (H246)
02/01/2011 H Third Read and Passed (H276 / S180)
02/01/2011 Truly Agreed To and Finally Passed
02/07/2011 Reported Duly Enrolled S Rules Committee (S186)
02/07/2011 Signed by Senate President (S186)
02/07/2011 Signed by House Speaker (H298)
02/07/2011 Delivered to Governor (S187)
02/17/2011 Governor's Action appears on page 286 of Senate Journal (S286)

EFFECTIVE: upon approval

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*** SCR 2 *** 0475L.01I

SENATE SPONSOR: Schaaf

SCR 2 - This resolution urges the Department of Natural Resources to provide public education on light pollution and develop guidelines to address light pollution in new and existing state facilities.
ERIKA JAQUES

01/05/2011 S Offered--SCR 2-Schaaf (S17)
01/10/2011 Second Read and Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S69)
02/01/2011 Hearing Cancelled S Rules, Joint Rules, Resolutions and Ethics Committee
02/15/2011 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee

EFFECTIVE: upon approval

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*** SCR 3 *** 0459S.01I

SENATE SPONSOR: Lembke

SCR 3 - This concurrent resolution rejects the salary increases for judges, legislators and statewide elected officials recommended by the Citizen's Commission on Compensation for Elected Officials.

This resolution is similar to HCR 5 (2009).
JIM ERTLE

01/06/2011 S First Read--SCR 3-Lembke (S61)
01/10/2011 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S69)
01/13/2011 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee
01/18/2011 SCS Adopted Rules, Joint Rules, Resolutions and Ethics Committee
01/18/2011 Motion To Pass Bill Failed S Rules, Joint Rules, Resolutions and Ethics Committee

EFFECTIVE: upon approval

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*** SCR 4 *** 0658S.03I

SENATE SPONSOR: Crowell

SCR 4 - This concurrent resolution requires the Board of Public Buildings to reassign rooms in the State Capitol to the General Assembly that are currently assigned to the Office of Administration.
JIM ERTLE

01/06/2011 S First Read--SCR 4-Crowell (S61-62)
01/10/2011 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S69)

EFFECTIVE: upon approval

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*** SCR 5 *** 1040S.01I

SENATE SPONSOR: Justus

SCR 5 - This resolution urges ratification of the Equal Rights Amendment to the United States Constitution.

This SCR is similar to SCR 40 (2010), SCR 3 (2009), SCR 28 (2008) and SCR 30 (2008).
ADRIANE CROUSE

01/25/2011 S First Read--SCR 5-Justus (S141)
01/26/2011 Second Read and Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S148)

EFFECTIVE: upon approval

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*** SCR 6 *** 1119S.01I

SENATE SPONSOR: Munzlinger

SCR 6 - This resolution urges the U.S. Department of Agriculture to deregulate genetically-engineered alfalfa without any conditions as soon as possible.
ERIKA JAQUES

01/26/2011 S Offered--SCR 6-Munzlinger (S145-146)

01/27/2011 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S158)

EFFECTIVE: upon approval

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*** SCR 7 *** 1140S.01I

SENATE SPONSOR: Dempsey HOUSE HANDLER: Jones

SCR 7 - This concurrent resolution authorizes the employment of an independent certified public accountant to perform an audit on the condition and performance of the accounts, functions, programs and management of the State Auditor's office. The independent C.P.A. shall make written report of his or her findings to the General Assembly, the Governor, and the State Auditor.

This resolution is similar to SCR 47 (2010), SCR 18 (2007) and SCR 20 (2005).
JIM ERTLE

01/27/2011 S Offered--SCR 7-Dempsey (S154)
01/31/2011 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S171)
02/15/2011 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee
02/15/2011 Voted Do Pass S Rules, Joint Rules, Resolutions and Ethics Committee
03/03/2011 Reported from S Rules, Joint Rules, Resolutions and Ethics Committee to Floor (S390)
03/16/2011 S adopted (S471)
03/17/2011 Reported to the House (H700)
03/31/2011 Referred H Transportation Funding & Public Institutions Committee (H811)
04/07/2011 Hearing Conducted H Transportation Funding & Public Institutions Committee
04/14/2011 Hearing Conducted H Transportation Funding & Public Institutions Committee
04/14/2011 Voted Do Pass H Transportation Funding & Public Institutions Committee
04/14/2011 Reported Do Pass H Transportation Funding & Public Institutions Committee (H1295)
04/14/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1295)
05/03/2011 Voted Do Pass H Rules Pursuant Committee
05/03/2011 Reported Do Pass H Rules Pursuant Committee (H1794)
05/12/2011 H adopted (H2535-2536 / S1959)

EFFECTIVE: upon approval

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*** SCR 8 *** SS SCR 8 1383S.03F

SENATE SPONSOR: Rupp

SS/SCR 8 - The resolution urges Congress to support a comprehensive plan for the Upper Mississippi River Basin that enhances flood-control without creating adverse impacts on existing levees and areas. The resolution additionally asks the Missouri Congressional delegation to support the modification of Plan H by the U.S. Army Corps of Engineers for the Upper Mississippi River Basin.

This resolution is similar to HCR 17 (2011).
ERIKA JAQUES

02/08/2011 S Offered--SCR 8-Rupp (S210)
02/09/2011 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S217)
02/22/2011 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee
03/01/2011 Voted Do Pass S Rules, Joint Rules, Resolutions and Ethics Committee
03/03/2011 Reported from S Rules, Joint Rules, Resolutions and Ethics Committee to Floor (S390)
04/06/2011 SS S offered & adopted (Rupp)--(1383S.03F) (S606-631)
04/06/2011 S adopted (S606)
04/06/2011 Reported to the House (H1150-1151)
04/12/2011 Referred H Agri-Business Committee (H1235)

EFFECTIVE: upon approval

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*** SCR 9 *** 1179S.02I

SENATE SPONSOR: Rupp

SCR 9 - This concurrent resolution rescinds Missouri's 1983 call for a constitutional convention to adopt an amendment requiring a balanced federal budget.

This concurrent resolution is identical to SCR 38 (2010) and SCR 10 (2009).

JASON ZAMKUS

02/08/2011 S First Read--SCR 9-Rupp (S210-211)
02/09/2011 Second Read and Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S217)
03/01/2011 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee

EFFECTIVE: upon approval

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*** SCR 10 *** 0644S.02I

SENATE SPONSOR: Cunningham

SCR 10 - This concurrent resolution urges the U.S. Congress to adopt an amendment to the U.S. Constitution that permits the repeal of any federal law or regulation by vote of two-thirds of the state legislatures.
JIM ERTLE

02/14/2011 S First Read--SCR 10-Cunningham (S240-241)
02/15/2011 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S253)

EFFECTIVE: upon approval

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*** SCR 11 *** 1266S.01T

SENATE SPONSOR: Wright-Jones

SCR 11 - This resolution asks the Governor to recognize every third week in June as Diabetic Peripheral Neuropathy Week in Missouri.
ADRIANE CROUSE

02/17/2011 S First Read--SCR 11-Wright-Jones (S270-271)
02/21/2011 Second Read and Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S291)
03/01/2011 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee
04/05/2011 Voted Do Pass S Rules, Joint Rules, Resolutions and Ethics Committee
04/12/2011 Reported from S Rules, Joint Rules, Resolutions and Ethics Committee to Floor (S686)
04/21/2011 S Third Read and Passed (S811-812)
04/21/2011 H First Read (H1431)
04/22/2011 H Second Read (H1438)
04/26/2011 Referred H Tourism & Natural Resources Committee (H1618)
05/05/2011 Hearing Conducted H Tourism & Natural Resources Committee
05/05/2011 Voted Do Pass H Tourism & Natural Resources Committee
05/05/2011 Reported Do Pass H Tourism & Natural Resources Committee (H2047-2048)
05/05/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H2047-2048)
05/09/2011 Voted Do Pass H Rules Pursuant Committee
05/09/2011 Reported Do Pass H Rules Pursuant Committee (H2170)
05/12/2011 H Third Read and Passed (H2534-2535 / S1959)
05/12/2011 Truly Agreed To and Finally Passed (S1959)

EFFECTIVE: upon approval

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*** SCR 12 *** 2015S.01I

SENATE SPONSOR: Schaaf HOUSE HANDLER: Higdon

SCR 12 - This resolution urges the MO HealthNet Division to pursue the feasibility of implementing a program to assess chronic disease management of stroke prevention in atrial fibrillation.
ADRIANE CROUSE

03/28/2011 S First Read--SCR 12-Schaaf (S505-506)
03/30/2011 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S521)
04/05/2011 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee
04/12/2011 Voted Do Pass S Rules, Joint Rules, Resolutions and Ethics Committee
04/28/2011 Reported from S Rules, Joint Rules, Resolutions and Ethics Committee to Floor (S1211)
05/03/2011 S adopted (S1244-1245)
05/03/2011 Reported to the House (H1782)
05/04/2011 Referred H Health Care Policy Committee (H1857)
05/09/2011 Hearing Conducted H Health Care Policy Committee
05/09/2011 Voted Do Pass H Health Care Policy Committee

05/09/2011 Reported Do Pass H Health Care Policy Committee (H2170)
05/09/2011 Referred to Rules Committee pursuant to Rule 25(32)(f) (H2170)
05/10/2011 Voted Do Pass H Rules Pursuant Committee
05/10/2011 Reported Do Pass H Rules Pursuant Committee (H2245)
05/12/2011 H adopted (H2536-2537 / S1959)

EFFECTIVE: upon approval

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*** SCR 13 *** 2047S.01I

SENATE SPONSOR: Lembke

SCR 13 - This resolution urges Congress to: adopt legislation that would prohibit the U.S. Environmental Protection Agency from regulating greenhouse gas emissions; impose a minimum 2-year moratorium on new federal air quality regulations; and require the Obama Administration to conduct a study of the effect of proposed new federal air quality regulations on the U.S. economy.

This resolution is similar to HCR 42 (2011).
ERIKA JAQUES

03/31/2011 S First Read (S535-536)
04/04/2011 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S559)

EFFECTIVE: upon approval

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*** SJR 1 *** 0215S.01I

SENATE SPONSOR: Ridgeway

SJR 1 - 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, 2013. 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 similar to SJR 37 (2010) and HJR 56 (2010).
JASON ZAMKUS

12/01/2010 Prefiled
01/05/2011 S First Read--SJR 1-Ridgeway (S15)
01/20/2011 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S127)
04/21/2011 Hearing Conducted S Ways and Means and Fiscal Oversight Committee

EFFECTIVE: Upon Voter Approval

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*** SJR 2 *** HCS#2 SJR 2 0282L.05T

SENATE SPONSOR: Stouffer HOUSE HANDLER: Cox

HCS#2/SJR 2 - Upon voter approval, this constitutional amendment provides that a voter seeking to vote in person may be required by general law to identify himself or herself as a United States Citizen and a resident of the state by producing valid, government-issued photo identification. Exceptions may be provided for by general law.

Advance voting may be established by general law from the third Saturday before an election until the first

Tuesday before an election excluding Sundays.

This resolution is similar to HJR 64 (2010).

CHRIS HOGERTY

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|---|---|
| 12/01/2010 | Prefiled |
| 01/05/2011 | S First Read--SJR 2-Stouffer (S15) |
| 01/20/2011 | Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S127) |
| 01/24/2011 | Hearing Conducted S Financial and Governmental Organizations and Elections Committee |
| 01/31/2011 | Voted Do Pass S Financial and Governmental Organizations and Elections Committee |
| 02/10/2011 | Reported from S Financial and Governmental Organizations and Elections Committee to Floor (S233) |
| 02/14/2011 | SA 1 S offered & Ruled out of order (Callahan)--(0282S01.01S) (S245-247) |
| 02/14/2011 | SA 2 S offered & withdrawn (Callahan)--(0282S01.01F) (S247) |
| 02/14/2011 | SA 3 S offered (Green)--(0282S01.02F) (S247) |
| 02/14/2011 | Bill Placed on Informal Calendar (S247) |
| 02/16/2011 | SA 3 S withdrawn (S266) |
| 02/16/2011 | Perfected (S266) |
| 02/17/2011 | Reported Truly Perfected S Rules Committee (S284) |
| 02/17/2011 | Referred S Ways & Means and Fiscal Oversight Committee (S284) |
| 02/24/2011 | Hearing Conducted S Ways & Means and Fiscal Oversight Committee |
| 02/24/2011 | Voted Do Pass S Ways & Means and Fiscal Oversight Committee |
| 02/24/2011 | Reported from S Ways & Means and Fiscal Oversight Committee to Floor (S322) |
| 02/24/2011 | S Third Read and Passed (S324-325) |
| 02/24/2011 | H First Read (H457) |
| 03/01/2011 | H Second Read (H465) |
| 03/03/2011 | Referred H Elections Committee (H521) |
| 03/08/2011 | Hearing Conducted H Elections Committee |
| 03/09/2011 | HCS Voted Do Pass H Elections Committee |
| 03/10/2011 | HCS Reported Do Pass H Elections Committee |
| 03/10/2011 | Referred to Rules Committee pursuant to Rule 25(32)(f) |
| 03/16/2011 | Hearing Conducted H Rules Pursuant to Rule 25(32)(f) Committee |
| 03/16/2011 | Voted to return bill to committee of origin (H673) |
| 04/12/2011 | HCS#2 Voted Do Pass H Elections Committee |
| 04/12/2011 | HCS#2 Reported Do Pass H Elections Committee (H1236) |
| 04/12/2011 | Referred to Rules Committee pursuant to Rule 25(32)(f) (H1236) |
| 04/13/2011 | HCS#2 Voted Do Pass H Rules Pursuant Committee |
| 04/13/2011 | HCS#2 Reported Do Pass H Rules Pursuant Committee (H1268) |
| 04/26/2011 | Referred H Fiscal Review Committee (H1618) |
| 04/28/2011 | Voted Do Pass H Fiscal Review Committee |
| 04/28/2011 | Reported Do Pass H Fiscal Review Committee (H1665) |
| 05/02/2011 | HCS#2 H adopted (H1694-1695) |
| 05/02/2011 | H Third Read and Passed (H1695-1696) |
| 05/09/2011 | S concurs in HCS#2 (S1524) |
| 05/09/2011 | S Third Read and Passed (S1524-1525) |
| 05/09/2011 | Truly Agreed To and Finally Passed (H2078) |

EFFECTIVE: Upon Voter Approval

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*** SJR 3 *** 0132S.01I

SENATE SPONSOR: Goodman

SJR 3 - 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.

This amendment is similar to SJR 34 (2010).

EMILY KALMER

12/01/2010 Prefiled
01/05/2011 S First Read--SJR 3-Goodman (S15)
01/20/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S127)

EFFECTIVE: Upon Voter Approval

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*** SJR 4 *** 0247S.01I

SENATE SPONSOR: Lembke

SJR 4 - Currently, a person cannot serve as Governor or State Treasurer for more than two terms of four years each. This proposed constitutional amendment, if approved by the voters, extends this term limit to every other statewide elected official, including the Lieutenant Governor, Secretary of State, Attorney General and State Auditor.

JIM ERTLE

12/01/2010 Prefiled
12/17/2010 Bill Withdrawn (S15)

EFFECTIVE: Upon Voter Approval

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*** SJR 5 *** 0195S.01I

SENATE SPONSOR: Chappelle-Nadal

SJR 5 - Upon voter approval, this proposed constitutional amendment replaces the Highways and Transportation Commission with a Director of Transportation appointed by the Governor with the advice and consent of the Senate. The present members of the commission will serve until a director is appointed and confirmed.

This resolution is identical to HJR 55 (2010).

STEPHEN WITTE

12/01/2010 Prefiled
01/05/2011 S First Read--SJR 5-Chappelle-Nadal (S15)
01/20/2011 Second Read and Referred S Transportation Committee (S127)

EFFECTIVE: Upon Voter Approval

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*** SJR 6 *** 0194S.01I

SENATE SPONSOR: Chappelle-Nadal

SJR 6 - This proposed constitutional amendment, if approved by the voters, requires the St. Louis Board of Freeholders to hold monthly meetings from January 2013 through December 2016. The amendment also authorizes the people of the city of St. Louis and St. Louis County to modify the Missouri Constitution regarding the board. Any such modification must be submitted to voters of the city and county separately for their approval.

This SJR is similar to HJR 54 (2010).

MEGHAN LUECKE

12/01/2010 Prefiled
01/05/2011 S First Read--SJR 6-Chappelle-Nadal (S16)
01/20/2011 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S127)

EFFECTIVE: Upon Voter Approval

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*** SJR 7 *** 0539S.01I

SENATE SPONSOR: Lembke

SJR 7 - Currently, a person cannot serve as Governor or State Treasurer for more than two terms of four years each. This proposed constitutional amendment, if approved by the voters, extends this term limit to every other statewide elected official, including the Lieutenant Governor, Secretary of State, Attorney General and State Auditor.

JIM ERTLE

12/17/2010 Prefiled
01/05/2011 S First Read--SJR 7-Lembke (S16)
01/20/2011 Second Read and Referred S General Laws Committee (S127)

EFFECTIVE: Upon Voter Approval

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*** SJR 8 *** 0500S.01I

SENATE SPONSOR: Kraus

SJR 8 - This constitutional amendment, if approved by voters, would require refunds to taxpayers in any fiscal year that total state revenues increase over the preceding fiscal year's total state revenue by five percent or more. In any such fiscal year, nine and one-half percent of the excess total state revenues will be refunded to income taxpayers on a pro rata basis.

JASON ZAMKUS

01/04/2011 Prefiled
01/05/2011 S First Read--SJR 8-Kraus (S16)
01/20/2011 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S127)
03/17/2011 Hearing Conducted S Ways and Means and Fiscal Oversight Committee
04/14/2011 Voted Do Pass S Ways and Means and Fiscal Oversight Committee

EFFECTIVE: Upon Voter Approval

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*** SJR 9 *** 0727S.01I

SENATE SPONSOR: Engler

SJR 9 - Upon voter approval, this constitutional amendment provides that a voter seeking to vote in person shall be required by general law to identify himself or herself as a United States Citizen and a resident of the state by producing valid, government-issued photo identification. Exceptions may be provided for by general law.

This resolution is similar to HJR 64 (2010), and SJR 2 (2011).

CHRIS HOGERTY

01/10/2011 S First Read--SJR 9-Engler (S67)
01/20/2011 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S127)
01/24/2011 Hearing Conducted S Financial and Governmental Organizations and Elections Committee
01/31/2011 Voted Do Pass S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: Upon Voter Approval

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*** SJR 10 *** 0813S.01P

SENATE SPONSOR: Lembke

SJR 10 - This proposed constitutional amendment, if approved by voters, would reduce the House of Representatives from 163 members to 103 members beginning with the 102nd General Assembly in the year 2023.

This amendment is similar to a provision in SJR 21 (2007).

JIM ERTLE

01/10/2011 S First Read--SJR 10-Lembke and Green (S67)
01/20/2011 Second Read and Referred S Governmental Accountability Committee (S127)
02/23/2011 Hearing Conducted S Governmental Accountability Committee
03/09/2011 Voted Do Pass S Governmental Accountability Committee
03/17/2011 Reported from S Governmental Accountability Committee to Floor (S494)
04/04/2011 Perfected (S559)
04/05/2011 Reported Truly Perfected S Rules Committee (S574)
04/05/2011 Referred S Ways & Means and Fiscal Oversight Committee (S574)
04/07/2011 Hearing Conducted S Ways and Means and Fiscal Oversight Committee
04/07/2011 Voted Do Pass S Ways & Means and Fiscal Oversight Committee
04/21/2011 Hearing Cancelled S Ways and Means and Fiscal Oversight

04/21/2011 Reported from S Ways & Means and Fiscal Oversight Committee to Floor (S808)
04/21/2011 S Third Read and Passed (S808)
04/21/2011 H First Read (H1432)
04/22/2011 H Second Read (H1439)
04/26/2011 Referred H Downsizing State Government Committee (H1618)
04/28/2011 Hearing Conducted H Downsizing State Government Committee
04/28/2011 Motion to Do Pass - FAILED - H Downsizing State Government Committee

EFFECTIVE: Upon Voter Approval

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*** SJR 11 *** SCS SJR 11 0761S.03C

SENATE SPONSOR: Munzlinger

SCS/SJR 11 - Under this proposed constitutional amendment, if approved by the voters, the citizens of Missouri have the right to hunt, fish, and harvest wildlife. No laws or regulations shall unreasonably restrict these activities or the use of traditional devices or methods. Laws and regulations in this area shall be created only to conserve and manage wildlife and preserve the future of hunting and fishing. Hunting and fishing are preferred methods of wildlife population control.
ERIKA JAQUES

01/12/2011 S First Read--SJR 11-Munzlinger (S80)
01/20/2011 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S127)
03/02/2011 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee
03/09/2011 SCS Voted Do Pass S Agriculture, Food Production and Outdoor Resources Committee - (0761S.03C)
03/10/2011 Reported from S Agriculture, Food Production and Outdoor Resources Committee to Floor w/SCS (S435)
04/04/2011 Bill Placed on Informal Calendar (S557)
05/13/2011 S Informal Calendar S Bills for Perfection--SJR 11-Munzlinger, with SCS

EFFECTIVE: Upon Voter Approval

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*** SJR 12 *** 0811S.01P

SENATE SPONSOR: Green

SJR 12 - This proposed constitutional amendment, if approved by voters, would increase term limits from eight years to sixteen years total in any one house of the General Assembly. A person is still limited to sixteen years total in the General Assembly, but such person may split service between the House of Representatives and the Senate in any proportion as long as the individual serves no more than sixteen total years.

This amendment is identical to HJR 70 (2010) and is similar to SJR 15 (2007) and SJR 46 (2008).
JIM ERTLE

01/12/2011 S First Read--SJR 12-Green (S80)
01/20/2011 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S127)
02/21/2011 Hearing Conducted S Financial and Governmental Organizations and Elections Committee
02/28/2011 Voted Do Pass S Financial and Governmental Organizations and Elections Committee
04/14/2011 Reported from S Financial and Governmental Organizations and Elections Committee to Floor (S732-733)
04/19/2011 Bill Placed on Informal Calendar (S772)
04/19/2011 Taken up for Perfection (S778)
04/19/2011 Bill Placed on Informal Calendar (S778)
04/19/2011 SA 1 S offered & adopted (Green)--(0811S01.03) (S778-779)
04/19/2011 Perfected, as amended (S779)
04/20/2011 Reported Truly Perfected S Rules Committee (S784)
04/20/2011 Referred S Ways & Means and Fiscal Oversight Committee (S784)
04/28/2011 Hearing Conducted S Ways and Means and Fiscal Oversight Committee
04/28/2011 Voted Do Pass S Ways & Means and Fiscal Oversight Committee
04/28/2011 Reported from S Ways & Means and Fiscal Oversight Committee to Floor (S1198)
04/28/2011 S Third Read and Passed (S1199)
04/28/2011 H First Read (H1688)

05/02/2011 H Second Read (H1694)

EFFECTIVE: Upon Voter Approval

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*** SJR 13 *** 1138S.01I

SENATE SPONSOR: Justus

SJR 13 - Upon voter approval, petitions for a referendum shall be signed by 5% of the legal voters in each of the congressional districts in the state instead of by 5% of the legal voters in each of 2/3 of the districts. Similarly, petitions for initiatives proposing constitutional changes shall be signed by 8% of the legal voters in each of the congressional districts in the state instead of by 8% of the legal voters in each of 2/3 of the districts.
CHRIS HOGERTY

01/24/2011 S First Read--SJR 13-Justus (S132)
01/27/2011 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S161)
02/07/2011 Hearing Conducted S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: Upon Voter Approval

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*** SJR 14 *** 1142S.01I

SENATE SPONSOR: Schaaf

SJR 14 - Under the current Missouri Constitution, the Department of Revenue cannot receive more than three percent of the highway-related taxes and fees the department collects. This proposed constitutional amendment, if approved by the voters, would remove the three percent cap so that the Department of Revenue can receive its actual cost of collecting the highway-related taxes and fees.
STEPHEN WITTE

01/26/2011 S First Read--SJR 14-Schaaf (S147)
01/27/2011 Second Read and Referred S Transportation Committee (S161)

EFFECTIVE: Upon Voter Approval

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*** SJR 15 *** 1183S.01I

SENATE SPONSOR: Nieves

SJR 15 - Upon approval by the voters, this constitutional amendment prohibits the Missouri legislative, executive, and judicial branches of government from recognizing, enforcing, or acting in furtherance of any federal action that exceeds the powers delegated to the federal government.

The state also shall not recognize, enforce, or act in furtherance of any federal actions that: restrict the right to bear arms; legalize or fund abortions, or the destruction of any embryo from the zygote stage; require the sale or trade of carbon credits or impose a tax on the release of carbon emissions; involve certain health care issues; mandate the recognition of same sex marriage or civil unions; increase the punishment for a crime based on perpetrator's thoughts or designate a crime as a hate crime; interpret the establishment clause as creating a separation between church and state; or restrict the right of parents or guardians to home school or enroll their children in a private or parochial school or restrict school curriculum.

The state is also required to interpret the U.S. Constitution based on its language and the original intent of the signers of the Constitution. Amendments to the U.S. Constitution shall be interpreted based on their language and the intent of the congressional sponsor and co-sponsors of the amendment.

The amendment also declares that Missouri citizens have standing to enforce the provisions of the amendment and that enforcement of the amendment applies to federal actions taken after the amendment is approved by the voters, federal actions specified in the amendment, and any federal action, regardless of when it occurred, that the general assembly or the Missouri Supreme Court determines to exceed the powers enumerated and delegated to the federal government by the U.S. Constitution.

This act is similar to HJR 88 (2010).
EMILY KALMER

02/08/2011 S First Read--SJR 15-Nieves, et al (S209)

02/10/2011 Second Read and Referred S General Laws Committee (S236)
03/01/2011 Hearing Conducted S General Laws Committee
03/08/2011 Voted Do Pass S General Laws Committee
03/17/2011 Reported from S General Laws Committee to Floor (S493-494)
04/04/2011 Bill Placed on Informal Calendar (S558)
04/05/2011 Taken up for Perfection (S575)
04/05/2011 Bill Placed on Informal Calendar (S575)
04/19/2011 SS S offered (Nieves)--(1183S.02F) (S778)
04/19/2011 Bill Placed on Informal Calendar (S778)
05/13/2011 S Informal Calendar S Bills for Perfection--SJR 15-Nieves, et al, with SS (pending)

EFFECTIVE: upon voter approval

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*** SJR 16 *** SCS SJR 16 1222S.02C

SENATE SPONSOR: Goodman

SCS/SJR 16 - -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 SJR 31 (2010), SCS/SJR 12 (2009), SS/HJR 11 (2009), HJR 55 (2008), and HJR 19 (2007).
EMILY KALMER

02/10/2011 S First Read--SJR 16-Goodman (S232)
02/17/2011 Second Read and Referred S General Laws Committee (S286)
03/15/2011 Hearing Cancelled S General Laws Committee
03/29/2011 Hearing Conducted S General Laws Committee
04/05/2011 SCS Voted Do Pass S General Laws Committee - (1222S.02C)
04/14/2011 Reported from S General Laws Committee to Floor w/SCS (S736)
05/13/2011 S Formal Calendar S Bills for Perfection--SJR 16-Goodman, with SCS

EFFECTIVE: Upon Voter Approval

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*** SJR 17 *** 0694S.01I

SENATE SPONSOR: Lembke

SJR 17 - This constitutional amendment, if approved by the voters, would modify the selection process for certain judgeships and the composition of the commissions that submit names of prospective judges to the Governor.

Currently, when there is a vacancy on the Supreme Court, the court of appeals, or the circuit or associate circuit court in St. Louis City, St. Louis County, Jackson County, Greene County, Platte County, or Clay County, a judicial commission gives the

Governor a list of three nominees to select from to fill the position. The Governor is required to select one of these nominees within sixty days, or then the commission is required to select the nominee to fill the vacancy. This amendment would increase the number of nominees on the list to four. The Governor would have thirty days to select one of these nominees. If the governor does not select a nominee from this list, the commission is required to submit a second list of nominees. If the Governor does not select a nominee from this second list within thirty days, then the commission is required to select the nominee from the second list to fill the vacancy.

Beginning on the second Tuesday of January 2013, this amendment would also modify the composition of the commissions. The appellate judicial commission would increase from seven to nine members; three attorneys and six individuals who are not attorneys. Each of the circuit judicial commissions would increase from five to seven members; two attorneys and five individuals who are not attorneys. A Supreme Court judge would no longer serve on the appellate judicial commission and the chief judge of the court of appeals district would no longer serve on each of the circuit judicial commissions. The members of the Appellate Judicial Commission first appointed by the Governor after the second Tuesday of January 2013 shall serve four year terms. Upon the expiration of the terms of the current non-attorney members of the Appellate Judicial Commission, the members of the commission that replace these members shall serve a four year term, a two year term, and a four year term.
EMILY KALMER

02/14/2011 S First Read--SJR 17-Lembke (S242)
02/17/2011 Second Read and Referred S General Laws Committee (S286)
04/27/2011 Re-referred S Judiciary and Civil and Criminal Jurisprudence Committee (S1152)
05/02/2011 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: Upon Voter Approval

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*** SJR 18 *** 1598S.01I

SENATE SPONSOR: Munzlinger

SCS/SJR 18 - This constitutional amendment, if approved by voters, would require the state lottery commission to develop and begin selling a veterans lottery ticket by July 1, 2013. The net proceeds received from the sale of such tickets, after payment of prizes and administrative expenses, will be deposited in the veterans' commission capital improvements trust fund.
JASON ZAMKUS

02/22/2011 S First Read--SJR 18-Munzlinger (S297)
02/24/2011 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S333)
03/10/2011 Hearing Conducted S Ways and Means and Fiscal Oversight Committee
03/31/2011 SCS Voted Do Pass S Ways and Means and Fiscal Oversight Committee - (1598S.02C)

EFFECTIVE: upon voter approval

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*** SJR 19 *** 1139S.01I

SENATE SPONSOR: Chappelle-Nadal

SJR 19 - This proposed constitutional amendment, if approved by voters, would make the city of St. Louis a part of St. Louis County and provide that the city shall exist in the same manner as any other city in the county.

Article VI, sections 30 to 33 of the Missouri Constitution, which govern the amendment and revision of the St. Louis charter and intergovernmental relations between the county and the city are repealed.
MEGHAN LUECKE

02/22/2011 S First Read--SJR 19-Chappelle-Nadal (S297)
02/24/2011 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S333)

EFFECTIVE: Contingent

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*** SJR 20 *** 1597S.01I

SENATE SPONSOR: Lager

SJR 20 - 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 35 (2010), SJR 13 (2009), and SJR 50 (2008).
JASON ZAMKUS

02/22/2011 S First Read--SJR 20-Lager (S297)
02/24/2011 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S333)

EFFECTIVE: Upon voter approval

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*** SJR 21 *** 1386S.02I

SENATE SPONSOR: Lembke

SJR 21 - This constitutional amendment, if approved by the voters, would put a question on the ballot in the city of St. Louis asking whether the city charter should be amended to make the following changes:
- Reduce the number of wards to four and the number of aldermen to eight with one member elected by each ward and the other four to be elected by the City of St. Louis at large;
- Provide the mayor with the authority to appoint, with the advice and consent of the board of aldermen, the collector of revenue, license collector, recorder of deeds, sheriff, and treasurer;
- Establish a public safety commission to manage, control and conduct the department of public safety.

Elections for the board of aldermen would include one in which the residents of the odd-numbered wards elect a member for a term of two years and residents of the even-numbered wards elect a member for a term of four years. Also, four members of the board would be elected by the city at large with two serving for a term of two years and two serving for four years. It would be determined by lot which members elected at large would serve for two years. Upon the expiration of the terms of all the members of the board of aldermen, their successors would serve four-year terms.

The public safety commission would include six members appointed by the mayor with the advice and consent of the board of aldermen. The commissioners would serve staggered six-year terms and be removable for cause. Each member must be a city resident for at least one year, no member could be an employee of the city or a contractor with the city, and no more than three members could be affiliated with the same political party.

If a majority of St. Louis city residents vote in favor of the question, the board of aldermen would have eight years to reduce its membership to eight and its wards to four. The charter amendments would take effect when such reductions have taken place. Such amendments could be changed the same way other provisions within the charter may be changed. Voters in St. Louis could not be asked the question more than once under the authority of the constitutional amendment.
MEGHAN LUECKE

02/23/2011 S First Read--SJR 21-Lembke and Chappelle-Nadal (S308)
03/03/2011 Second Read and Referred S General Laws Committee (S393)

EFFECTIVE: Upon voter approval

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*** SJR 22 *** 1753S.01I

SENATE SPONSOR: Parson

SJR 22 - This proposed constitutional amendment, if approved by the voters, would require a member of the General Assembly to vacate his or her office if the member removes himself or herself from the state during a session of the member's respective body for the purpose of avoiding any official duty or vote.
JIM ERTLE

02/28/2011 S First Read--SJR 22-Parson (S344)
03/03/2011 Second Read and Referred S General Laws Committee (S393)
04/12/2011 Hearing Conducted S General Laws Committee

04/19/2011 Voted Do Pass S General Laws Committee

EFFECTIVE: Upon voter approval

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*** SR 10 *** 0705S.02I

SENATE SPONSOR: Mayer

01/05/2011 S Offered--SR 10-Mayer (S53-56)
01/06/2011 S adopted (S63)

EFFECTIVE: upon approval

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*** SR 27 *** 0784S.03I

SENATE SPONSOR: Cunningham

SR 27 - This resolution urges Attorney General Koster to file an independent lawsuit, join Lt. Governor Kinder's lawsuit or join the other state attorneys general from across the nation in challenging the constitutionality of the "Patient Protection and Affordable Care Act", commonly known as the federal health reform act and to aggressively defend the validity of Proposition C as voted on by the people of Missouri in a 2010 Missouri General Election.

This resolution is substantially similar to HR 39 (2011).
ADRIANE CROUSE

01/11/2011 S Offered--SR 27-Cunningham
01/12/2011 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S78)
01/18/2011 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee
01/18/2011 Voted Do Pass S Rules, Joint Rules, Resolutions and Ethics Committee
01/18/2011 Reported from S Rules, Joint Rules, Resolutions and Ethics Committee to Floor (S100)
01/19/2011 S adopted (S106)

EFFECTIVE: upon approval

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*** SR 65 ***

SENATE SPONSOR: Dempsey

01/18/2011 S Offered--SR 65-Dempsey (S95-97)
01/19/2011 S adopted (S106)

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*** SR 125 *** 1101SR.01I

SENATE SPONSOR: Kehoe

01/25/2011 S Offered (S139-140)
01/25/2011 S Adopted (S140)

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*** SR 126 *** 1103SR.01I

SENATE SPONSOR: Kehoe

01/25/2011 S Offered (S140)
01/25/2011 S Adopted (S140)

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*** SR 127 *** 1102SR.01I

SENATE SPONSOR: Kehoe

01/25/2011 S Offered (S140)

01/25/2011 S Adopted (S140)

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*** SR 178 *** 0832S.01I

SENATE SPONSOR: Purgason

SR 178 - This resolution amends the Senate Rules to allow for the use of laptop computers on the floor of the Senate, provided that any Senator engaged in debate must close the screen of his or her laptop completely while the Senator is engaged in debate.
JIM ERTLE

01/31/2011 S Offered--SR 178-Purgason (S166)
02/07/2011 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S195)
02/22/2011 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee
03/01/2011 Motion to vote bill do pass failed S Rules, Joint Rules, Resolutions and Ethics Committee

EFFECTIVE: upon approval

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*** SR 179 *** 0833S.01I

SENATE SPONSOR: Purgason

SR 179 - This resolution amends the Senate Rules to prohibit the consideration of a conference committee report by the Senate until the report has been distributed to each member of the Senate for at least one legislative day.
JIM ERTLE

01/31/2011 S First Read--SR 179-Purgason (S166)
02/07/2011 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S195)
02/22/2011 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee
03/01/2011 Voted Do Pass S Rules, Joint Rules, Resolutions and Ethics Committee
03/03/2011 Reported from S Rules, Joint Rules, Resolutions and Ethics Committee to Floor (S389)
05/13/2011 Resolutions Calendar--SR 179-Purgason

EFFECTIVE: upon approval

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*** HB 1 *** HCS HB 1 0001L.02T

SENATE SPONSOR: Schaefer HOUSE HANDLER: Silvey

HB 1 - Public Debt

| . | Governor | House |
|---|---|---|
| GR | $ 75,335,644 | $ 75,335,664 |
| FEDERAL | 0 | 0 |
| OTHER | 2,030,806 | 2,030,806 |
| TOTAL | $ 77,366,450 | $ 77,366,450 |

| . | Senate | Final |
|---|---|---|
| GR | $ 75,335,664 | $ 75,335,664 |
| FEDERAL | 0 | 0 |
| OTHER | 2,030,806 | 2,030,806 |
| TOTAL | $ 77,366,450 | $ 77,366,450 |

DAN HAUG

02/10/2011 Introduced and Read First Time (H) (H345)
02/14/2011 Read Second Time (H) (H356)
02/14/2011 Referred: Budget (H) (H356)
03/15/2011 Public Hearing Completed (H)
03/15/2011 Executive Session Completed (H)
03/15/2011 HCS Voted Do Pass (H)
03/15/2011 HCS Reported Do Pass (H) (H634)
03/15/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H634)
03/17/2011 Rules - Executive Session Completed (H)
03/17/2011 Rules - Voted Do Pass with Time Limit (H)
03/17/2011 Rules - Reported Do Pass with Time Limit (H) (H697)
03/28/2011 Taken Up for Perfection (H) (H713)
03/28/2011 Laid Over (H) (H713)
03/29/2011 Taken Up for Perfection (H) (H745)
03/29/2011 HCS Adopted (H) (H745)
03/29/2011 Perfected (H) (H745)
03/30/2011 Third read and passed (H) (H764-765)
03/30/2011 S First Read--HCS for HB 1 (S523-524)
03/31/2011 Second Read and Referred S Appropriations Committee (S546)
04/12/2011 Hearing Conducted S Appropriations Committee
04/12/2011 Voted Do Pass S Appropriations Committee
04/18/2011 Reported from S Appropriations Committee to Floor (S749)
04/20/2011 S Third Read and Passed (S785)
04/20/2011 Truly Agreed To and Finally Passed (H1419)
04/22/2011 Signed by House Speaker (H1595)
04/26/2011 Signed by Senate President (S1067)
04/26/2011 Delivered to Governor (H1665)
05/02/2011 Signed by Governor (H1737)

EFFECTIVE: July 1, 2011

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*** HB 2 *** CCS SCS HCS HB 2 0002L.05T

SENATE SPONSOR: Schaefer HOUSE HANDLER: Silvey

CCS/SCS/HCS/HB 2 - Elementary and Secondary Education

| . | Governor | House |
|---|---|---|
| GR | $2,727,052,010 | $2,743,887,010 |
| FEDERAL | 981,586,860 | 981,586,860 |
| FEDERAL | | |

| | | |
|---|---|---|
| STABILIZATION | 64,918,743 | 64,918,743 |
| OTHER | 1,373,084,270 | 1,469,872,553 |
| . | | |
| TOTAL | $5,146,641,883 | $5,260,265,166 |

| . | Senate | Final |
|---|---|---|
| GR | $2,757,372,141 | $2,749,599,010 |
| FEDERAL | 981,586,860 | 981,586,860 |
| FEDERAL STABILIZATION | 64,918,743 | 64,918,743 |
| OTHER | 1,470,010,553 | 1,470,310,553 |
| . | | |
| TOTAL | $5,273,888,297 | $5,266,415,166 |

DAN HAUG

02/10/2011 Introduced and Read First Time (H) (H345)
02/14/2011 Read Second Time (H) (H356)
02/14/2011 Referred: Budget (H) (H356)
03/15/2011 Public Hearing Completed (H)
03/15/2011 Executive Session Completed (H)
03/15/2011 HCS Voted Do Pass (H)
03/15/2011 HCS Reported Do Pass (H) (H634)
03/15/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H634)
03/17/2011 Rules - Executive Session Completed (H)
03/17/2011 Rules - Voted Do Pass with Time Limit (H)
03/17/2011 Rules - Reported Do Pass with Time Limit (H) (H697)
03/28/2011 Taken Up for Perfection (H) (H713)
03/28/2011 Laid Over (H) (H713)
03/29/2011 Taken Up for Perfection (H) (H745)
03/29/2011 HCS Adopted (H) (H745)
03/29/2011 Perfected with Amendments (H) (H745)
03/30/2011 Third read and passed (H) (H765-766)
03/30/2011 S First Read--HCS for HB 2 (S524)
03/31/2011 Second Read and Referred S Appropriations Committee (S546)
04/12/2011 Hearing Conducted S Appropriations Committee
04/12/2011 SCS Voted Do Pass S Appropriations Committee (0002S.04C)
04/18/2011 Reported from S Appropriations Committee to Floor w/SCS (S749)
04/20/2011 SCS S adopted (S786)
04/20/2011 S Third Read and Passed (S786 / H1419)
04/26/2011 H refuses to concur in SCS (H1610)
04/26/2011 H requests S recede or grant conference (H1616 / S1069)
04/26/2011 S refuses to recede and grants conference (S1071 / H1616)
04/26/2011 S conferees appointed: Schaefer, Rupp, Pearce, Green, Curls (S1071 / H1616)
04/26/2011 H conferees appointed: Silvey, Stream, Flanigan, Lampe, Nasheed (H1618 / S1098)
05/04/2011 H submits CCR (H1862-1863)
05/05/2011 CCR H adopted (H1946)
05/05/2011 CCS H Third Read and Passed (H1947 / S1358-1359)
05/05/2011 CCR S offered & adopted (S1456-1457)
05/05/2011 CCS S Third Read and Passed (S1457)
05/05/2011 Truly Agreed To and Finally Passed (H1966)

EFFECTIVE: July 1, 2011

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*** HB 3 *** CCS SCS HCS HB 3 0003L.05T

SENATE SPONSOR: Schaefer HOUSE HANDLER: Silvey

CCS/SCS/HCS/HB 3 - Higher Education

| . | Governor | House |
|---|---|---|
| GR | $ 821,542,370 | $ 833,552,030 |
| FEDERAL | 7,268,774 | 7,268,774 |
| OTHER | 283,974,913 | 314,921,077 |

| | | |
|---|---|---|
| TOTAL | $1,112,786,057 | $1,155,741,881 |

| | Senate | Final |
|---|---|---|
| GR | $ 841,554,422 | $ 834,133,784 |
| FEDERAL | 7,268,774 | 7,268,774 |
| OTHER | 314,074,913 | 313,921,077 |
| TOTAL | $1,162,898,109 | $1,155,323,635 |

DAN HAUG

02/10/2011 Introduced and Read First Time (H) (H345)
02/14/2011 Read Second Time (H) (H356)
02/14/2011 Referred: Budget (H) (H356)
03/15/2011 Public Hearing Completed (H)
03/15/2011 Executive Session Completed (H)
03/15/2011 HCS Voted Do Pass (H)
03/15/2011 HCS Reported Do Pass (H) (H635)
03/15/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H635)
03/17/2011 Rules - Executive Session Completed (H)
03/17/2011 Rules - Voted Do Pass with Time Limit (H)
03/17/2011 Rules - Reported Do Pass with Time Limit (H) (H697)
03/28/2011 Taken Up for Perfection (H) (H714)
03/28/2011 Laid Over (H) (H715)
03/29/2011 Taken Up for Perfection (H) (H745)
03/29/2011 HCS Adopted (H) (H745)
03/29/2011 Perfected with Amendments (H) (H745)
03/30/2011 Third read and passed (H) (H766-767)
03/30/2011 S First Read--HCS for HB 3 (S524)
03/31/2011 Second Read and Referred S Appropriations Committee (S546)
04/12/2011 Hearing Conducted S Appropriations Committee
04/12/2011 SCS Voted Do Pass S Appropriations Committee (0003S.04C)
04/18/2011 Reported from S Appropriations Committee to Floor w/SCS (S749)
04/20/2011 SCS S adopted (S787)
04/20/2011 S Third Read and Passed (S787 / H1420)
04/26/2011 H refuses to concur in SCS (H1610)
04/26/2011 H requests S recede or grant conference (H1616 / S1069-1070)
04/26/2011 S refuses to recede and grants conference (S1071 / H1616)
04/26/2011 S conferees appointed: Schaefer, Rupp, Pearce, Green, Curls (S1071 / H1616)
04/26/2011 H conferees appointed: Silvey, Stream, Flanigan, Lampe, Kelly (24) (H1618 / S1098)
05/04/2011 H submits CCR (H1863)
05/05/2011 CCR H adopted (H1948)
05/05/2011 CCS H Third Read and Passed (H1949 / S1359)
05/05/2011 CCR S offered & adopted (S1457-1458)
05/05/2011 CCS S Third Read and Passed (S1458-1459)
05/05/2011 Truly Agreed To and Finally Passed (H1966)

EFFECTIVE: July 1, 2011

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*** HB 4 *** CCS SCS HCS HB 4 0004L.05T

SENATE SPONSOR: Schaefer HOUSE HANDLER: Silvey

CCS/SCS/HCS/HB 4 - Revenue & Transportation

REVENUE

| | Governor | House |
|---|---|---|
| GR | $ 80,539,880 | $ 77,478,230 |
| FEDERAL | 6,865,545 | 6,865,545 |
| OTHER | 353,097,010 | 344,925,010 |
| TOTAL | $ 440,502,435 | $ 429,268,785 |

| . | Senate | Final |
|---|---|---|
| GR | $ 74,708,732 | $ 75,481,322 |
| FEDERAL | 6,865,545 | 6,865,545 |
| OTHER | 357,225,010 | 351,225,010 |
| TOTAL | $ 438,799,287 | $ 433,571,877 |

TRANSPORTATION

| . | Governor | House |
|---|---|---|
| GR | $ 9,294,129 | $ 9,094,129 |
| FEDERAL | 100,164,748 | 102,164,748 |
| OTHER | 2,131,752,017 | 2,131,752,017 |
| TOTAL | $2,241,210,894 | $2,243,010,894 |

| . | Senate | Final |
|---|---|---|
| GR | $ 9,294,129 | $ 9,094,129 |
| FEDERAL | 114,946,746 | 116,946,746 |
| OTHER | $2,131,752,017 | 2,131,752,017 |
| TOTAL | $2,255,992,892 | $2,257,792,892 |

DAN HAUG

02/10/2011 Introduced and Read First Time (H) (H345)
02/14/2011 Read Second Time (H) (H356)
02/14/2011 Referred: Budget (H) (H356)
03/15/2011 Public Hearing Completed (H)
03/15/2011 Executive Session Completed (H)
03/15/2011 HCS Voted Do Pass (H)
03/15/2011 HCS Reported Do Pass (H) (H635)
03/15/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H635)
03/17/2011 Rules - Executive Session Completed (H)
03/17/2011 Rules - Voted Do Pass with Time Limit (H)
03/17/2011 Rules - Reported Do Pass with Time Limit (H) (H697)
03/28/2011 Taken Up for Perfection (H) (H716)
03/28/2011 Laid Over (H) (H716)
03/29/2011 Taken Up for Perfection (H) (H745)
03/29/2011 HCS Adopted (H) (H745)
03/29/2011 Perfected with Amendments (H) (H745)
03/30/2011 Third read and passed (H) (H767-768)
03/30/2011 S First Read--HCS for HB 4 (S524)
03/31/2011 Second Read and Referred S Appropriations Committee (S546)
04/12/2011 Hearing Conducted S Appropriations Committee
04/12/2011 SCS Voted Do Pass S Appropriations Committee (0004S.04C)
04/18/2011 Reported from S Appropriations Committee to Floor w/SCS (S749)
04/20/2011 SA 1 to SCS S offered & defeated (Lembke)--(0004S04.01S) (S788-789)
04/20/2011 SCS S adopted (S789)
04/20/2011 S Third Read and Passed (S789 / H1420)
04/26/2011 H refuses to concur (SCS) (H1610)
04/26/2011 H requests S recede or grant conference (H1610 / S1070)
04/26/2011 S refuses to recede and grants conference (S1071 / H1616)
04/26/2011 S conferees appointed: Schaefer, Rupp, Pearce, Green, Curls (S1071 / H1616)
04/26/2011 H conferees appointed: Silvey, Stream, Flanigan, Lampe, Kelly (24) (H1618 / S1099)
05/04/2011 H submits CCR (H1864)
05/05/2011 CCR H adopted (H1950)
05/05/2011 CCS H Third Read and Passed (H1951 / S1455)
05/05/2011 CCR S offered & adopted (S1459-1460)
05/05/2011 CCS S Third Read and Passed (S1460-1461)

05/05/2011 Truly Agreed To and Finally Passed (H1966)

EFFECTIVE: July 1, 2011

*** HB 5 *** CCR SCS HCS HB 5 0005L.05T

SENATE SPONSOR: Schaefer HOUSE HANDLER: Silvey

CCS/SCS/HCS/HB 5 - Office of Administration

OFFICE OF ADMINISTRATION

| . | Governor | House |
|---|---|---|
| GR | $118,246,897 | $113,677,858 |
| FEDERAL | 72,030,935 | 72,104,464 |
| OTHER | 60,328,550 | 55,428,550 |
| TOTAL | $250,606,382 | $241,210,872 |

| . | Senate | Final |
|---|---|---|
| GR | $116,058,476 | $116,167,198 |
| FEDERAL | 74,104,464 | 74,104,464 |
| OTHER | 56,045,301 | 56,145,301 |
| TOTAL | $246,208,241 | $246,416,963 |

EMPLOYEE BENEFITS

| . | Governor | House |
|---|---|---|
| GR | $497,956,215 | $ 497,806,215 |
| FEDERAL | 177,358,959 | 177,358,959 |
| OTHER | 145,573,725 | 145,573,725 |
| TOTAL | $820,888,899 | $ 820,738,899 |

| . | Senate | Final |
|---|---|---|
| GR | $494,438,215 | $ 494,438,215 |
| FEDERAL | 175,358,959 | 175,358,959 |
| OTHER | 144,573,725 | 144,573,725 |
| TOTAL | $814,370,889 | $ 814,370,899 |

DAN HAUG

02/10/2011 Introduced and Read First Time (H) (H345)
02/14/2011 Read Second Time (H) (H356)
02/14/2011 Referred: Budget (H) (H356)
03/15/2011 Public Hearing Completed (H)
03/15/2011 Executive Session Completed (H)
03/15/2011 HCS Voted Do Pass (H)
03/15/2011 HCS Reported Do Pass (H) (H635)
03/15/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H635)
03/17/2011 Rules - Executive Session Completed (H)
03/17/2011 Rules - Voted Do Pass with Time Limit (H)
03/17/2011 Rules - Reported Do Pass with Time Limit (H) (H697)
03/28/2011 Taken Up for Perfection (H) (H718)
03/28/2011 Laid Over (H) (H718)
03/29/2011 Taken Up for Perfection (H) (H737)
03/29/2011 HCS Adopted (H) (H745)
03/29/2011 Perfected with Amendments (H) (H745)
03/30/2011 Third Read and Passed (H) (H768-769)

03/30/2011 S First Read--HCS for HB 5 (S525)
03/31/2011 Second Read and Referred S Appropriations Committee (S546)
04/12/2011 Hearing Conducted S Appropriations Committee
04/12/2011 SCS Voted Do Pass S Appropriations Committee (0005S.04C)
04/18/2011 Reported from S Appropriations Committee to Floor w/SCS (S749)
04/20/2011 SCS S adopted (S790)
04/20/2011 S Third Read and Passed (S790 / H1420)
04/26/2011 H refuses to concur in SCS (H1610)
04/26/2011 H requests S recede or grant conference (H1610 / S1070)
04/26/2011 S refuses to recede and grants conference (S1071 / H1616)
04/26/2011 S conferees appointed: Schaefer, Rupp, Pearce, Green, Curls (S1071 / H1616)
04/26/2011 H conferees appointed: Silvey, Stream, Flanigan, Lampe, Kelly (24) (H1618 / S1099)
05/04/2011 H submits CCR (H1864-1865)
05/05/2011 CCR H adopted (H1952)
05/05/2011 CCS H Third Read and Passed (H1953 / S1456)
05/05/2011 CCR S offered & adopted (S1461-1462)
05/05/2011 CCS S Third Read and Passed (S1462-1463)
05/05/2011 Truly Agreed To and Finally Passed (H1966)

EFFECTIVE: July 1, 2011

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*** HB 6 *** CCR SCS HCS HB 6 0006L.04T

SENATE SPONSOR: Schaefer HOUSE HANDLER: Silvey

CCS/SCS/HCS/HB 6 - Agriculture, Natural Resources & Conservation

. AGRICULTURE

| . | Governor | House |
|---|---|---|
| GR | $ 25,037,319 | $ 25,027,940 |
| FEDERAL | 4,475,585 | 4,475,585 |
| OTHER | 19,563,633 | 19,643,886 |
| TOTAL | $ 49,076,537 | $ 49,147,411 |

| . | Senate | Final |
|---|---|---|
| GR | $ 26,253,828 | $ 26,244,449 |
| FEDERAL | 4,475,585 | 4,475,585 |
| OTHER | 19,640,134 | 19,616,014 |
| TOTAL | $ 50,369,547 | $ 50,336,048 |

. NATURAL RESOURCES

| . | Governor | House |
|---|---|---|
| GR | $ 9,304,428 | $ 9,098,158 |
| FEDERAL | 44,529,253 | 44,513,863 |
| OTHER | 256,231,161 | 255,750,101 |
| TOTAL | $310,064,842 | $309,362,122 |

| . | Senate | Final |
|---|---|---|
| GR | $ 9,104,428 | $ 9,098,158 |
| FEDERAL | 50,029,253 | 44,513,863 |
| OTHER | 256,231,161 | 256,195,821 |
| TOTAL | $315,364,842 | $309,807,842 |

. CONSERVATION

| . | Governor | House |
|---|---|---|
| GR | $ 0 | $ 0 |
| FEDERAL | 0 | 0 |
| OTHER | 145,534,841 | 145,534,841 |
| TOTAL | $145,534,841 | $145,534,841 |

| . | Senate | Final |
|---|---|---|
| GR | $ 0 | $ 0 |
| FEDERAL | 0 | 0 |
| OTHER | 145,534,841 | 145,467,841 |
| TOTAL | $145,534,841 | $145,467,841 |

DAN HAUG

02/10/2011 Introduced and Read First Time (H) (H345)
02/14/2011 Read Second Time (H) (H356)
02/14/2011 Referred: Budget (H) (H356)
03/15/2011 Public Hearing Completed (H)
03/15/2011 Executive Session Completed (H)
03/15/2011 HCS Voted Do Pass (H)
03/15/2011 HCS Reported Do Pass (H) (H635)
03/15/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H635)
03/17/2011 Rules - Executive Session Completed (H)
03/17/2011 Rules - Voted Do Pass with Time Limit (H)
03/17/2011 Rules - Reported Do Pass with Time Limit (H) (H697)
03/28/2011 Taken Up for Perfection (H) (H719)
03/28/2011 Laid Over (H) (H719)
03/29/2011 Taken Up for Perfection (H) (H745)
03/29/2011 HCS Adopted (H) (H745)
03/29/2011 Perfected with Amendments (H) (H745)
03/30/2011 Third Read and Passed (H) (H769-770)
03/30/2011 S First Read--HCS for HB 6 (S525-526)
03/31/2011 Second Read and Referred S Appropriations Committee (S546)
04/12/2011 Hearing Conducted S Appropriations Committee
04/12/2011 SCS Voted Do Pass S Appropriations Committee (0006S.03C)
04/18/2011 Reported from S Appropriations Committee to Floor w/SCS (S749)
04/20/2011 SCS S adopted (S791)
04/20/2011 S Third Read and Passed (S791 / H1420)
04/26/2011 H refuses to concur in SCS (H1610)
04/26/2011 H requests S recede or grant conference (S1070 / H1610)
04/26/2011 S refuses to recede and grants conference (S1071 / H1616)
04/26/2011 S conferees appointed: Schaefer, Rupp, Pearce, Green, Curls (S1071 / H1616)
04/26/2011 H conferees appointed: Silvey, Stream, Flanigan, Lampe, Kelly (24) (H1618 / S1099)
05/04/2011 H submits CCR (H1865)
05/05/2011 CCR H adopted (H1954)
05/05/2011 CCS H Third Read and Passed (H1955 / S1456)
05/05/2011 CCR S offered & adopted (S1463-1464)
05/05/2011 CCS S Third Read and Passed (S1464)
05/05/2011 Truly Agreed To and Finally Passed (H1972)

EFFECTIVE: July 1, 2011

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*** HB 7 *** CCR SCS HCS HB 7 0007L.05T

SENATE SPONSOR: Schaefer HOUSE HANDLER: Silvey

CCS/SCS/HCS/HB 7 - Economic Development, Insurance & Labor and Industrial Relations

. ECONOMIC DEVELOPMENT

| . | Governor | House |
|---|---|---|

| | | |
|---|---|---|
| GR | $ 41,000,983 | $ 40,091,603 |
| FEDERAL | 164,124,647 | 164,105,100 |
| OTHER | 53,157,678 | 52,953,105 |
| TOTAL | $258,283,308 | $257,149,808 |

| | Senate | Final |
|---|---|---|
| GR | $ 39,674,482 | $ 39,690,102 |
| FEDERAL | 174,124,647 | 174,105,100 |
| OTHER | 48,707,678 | 51,028,105 |
| TOTAL | $262,506,807 | $264,823,307 |

INSURANCE

| | Governor | House |
|---|---|---|
| GR | $ 0 | $ 0 |
| FEDERAL | 3,112,803 | 3,112,803 |
| OTHER | 37,079,977 | 37,022,977 |
| TOTAL | $ 40,192,780 | $ 40,135,780 |

| | Senate | Final |
|---|---|---|
| GR | $ 0 | $ 0 |
| FEDERAL | 3,112,803 | 3,112,803 |
| OTHER | 36,996,873 | 36,991,595 |
| TOTAL | $ 40,109,676 | $ 40,104,398 |

LABOR AND INDUSTRIAL RELATIONS

| | Governor | House |
|---|---|---|
| GR | $ 1,893,302 | $ 1,513,519 |
| FEDERAL | 48,189,442 | 48,189,442 |
| OTHER | 62,269,681 | 62,269,681 |
| TOTAL | $112,352,425 | $111,972,672 |

| | Senate | Final |
|---|---|---|
| GR | $ 1,893,302 | $ 1,822,336 |
| FEDERAL | 48,189,442 | 48,189,442 |
| OTHER | 62,269,681 | 62,269,681 |
| TOTAL | $112,352,425 | $112,281,459 |

DAN HAUG

02/10/2011 Introduced and Read First Time (H) (H346)
02/14/2011 Read Second Time (H) (H356)
02/14/2011 Referred: Budget (H) (H356)
03/15/2011 Public Hearing Completed (H)
03/15/2011 Executive Session Completed (H)
03/15/2011 HCS Voted Do Pass (H)
03/15/2011 HCS Reported Do Pass (H) (H635)
03/15/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H635)
03/17/2011 Rules - Executive Session Completed (H)
03/17/2011 Rules - Voted Do Pass with Time Limit (H)
03/17/2011 Rules - Reported Do Pass with Time Limit (H) (H697)
03/28/2011 Taken Up for Perfection (H) (H719)

03/28/2011 Laid Over (H) (H719)
03/29/2011 Taken Up for Perfection (H) (H745)
03/29/2011 HCS Adopted (H) (H745)
03/29/2011 Perfected with Amendments (H) (H745)
03/30/2011 Third Read and Passed (H) (H770-771)
03/30/2011 S First Read--HCS for HB 7 (S526)
03/31/2011 Second Read and Referred S Appropriations Committee (S546)
04/12/2011 Hearing Conducted S Appropriations Committee
04/12/2011 SCS Voted Do Pass S Appropriations Committee (0007S.04C)
04/18/2011 Reported from S Appropriations Committee to Floor w/SCS (S749)
04/20/2011 SA 1 to SCS S offered & adopted (Schaefer)--(0007S04.03S) (S792)
04/20/2011 SCS, as amended, S adopted (S792)
04/20/2011 S Third Read and Passed (S792-793 / H1421)
04/26/2011 H refuses to concur in SCS, as amended (H1610)
04/26/2011 H requests S recede or grant conference (H1610 / S1070)
04/26/2011 S refuses to recede and grants conference (S1071 / H1617)
04/26/2011 S conferees appointed: Schaefer, Rupp, Pearce, Green, Curls (S1071 / H1617)
04/26/2011 H conferees appointed: Silvey, Stream, Flanigan, Lampe, Kelly (24) (H1618 / S1099)
05/04/2011 H submits CCR (H1866)
05/05/2011 CCR H adopted (H1956)
05/05/2011 CCS H Third Read and Passed (H1957 / S1465)
05/05/2011 CCR S offered & adopted (S1465-1466)
05/05/2011 CCS S Third Read and Passed (S1466-1467)
05/05/2011 Truly Agreed To and Finally Passed (H1972)

EFFECTIVE: July 1, 2011

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*** HB 8 *** CCR SCS HCS HB 8 0008L.05T

SENATE SPONSOR: Schaefer HOUSE HANDLER: Silvey

CCS/SCS/HCS/HB 8 - Public Safety

| . | Governor | House |
|---|---|---|
| GR | $ 56,463,293 | $ 56,769,789 |
| FEDERAL | 115,503,598 | 115,503,598 |
| OTHER | 370,272,188 | 370,272,190 |
| TOTAL | $542,239,079 | $542,545,577 |

| . | Senate | Final |
|---|---|---|
| GR | $ 54,703,289 | $ 55,697,789 |
| FEDERAL | 115,503,598 | 115,503,598 |
| OTHER | 365,872,190 | 371,272,190 |
| TOTAL | $536,079,077 | $542,473,577 |

DAN HAUG

02/10/2011 Introduced and Read First Time (H) (H346)
02/14/2011 Read Second Time (H) (H356)
02/14/2011 Referred: Budget (H) (H356)
03/15/2011 Public Hearing Completed (H)
03/15/2011 Executive Session Completed (H)
03/15/2011 HCS Voted Do Pass (H)
03/15/2011 HCS Reported Do Pass (H) (H635)
03/15/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H635)
03/17/2011 Rules - Executive Session Completed (H)
03/17/2011 Rules - Voted Do Pass with Time Limit (H)
03/17/2011 Rules - Reported Do Pass with Time Limit (H) (H697)
03/28/2011 Taken Up for Perfection (H) (H720)
03/28/2011 Laid Over (H) (H720)
03/29/2011 Taken Up for Perfection (H) (H746)

03/29/2011 HCS Adopted (H) (H746)
03/29/2011 Perfected with Amendments (H) (H746)
03/30/2011 Third Read and Passed (H) (H771-772)
03/30/2011 S First Read--HCS for HB 8 (S526)
03/31/2011 Second Read and Referred S Appropriations Committee (S546)
04/12/2011 Hearing Conducted S Appropriations Committee
04/12/2011 SCS Voted Do Pass S Appropriations Committee (0008S.04C)
04/18/2011 Reported from S Appropriations Committee to Floor w/SCS (S749)
04/20/2011 SCS S adopted (S793)
04/20/2011 S Third Read and Passed (S793-784 / H1421)
04/26/2011 H refuses to concur in SCS (H1611)
04/26/2011 H requests S recede or grant conference (H1611 / S1070)
04/26/2011 S refuses to recede and grants conference (S1071 / H1617)
04/26/2011 S conferees appointed: Schaefer, Rupp, Pearce, Green, Curls (S1071 / H1617)
04/26/2011 H conferees appointed: Silvey, Stream, Flanigan, Lampe, Kelly (24) (H1618 / S1099)
05/04/2011 H submits CCR (H1866-1867)
05/05/2011 CCR H adopted (H1958)
05/05/2011 CCS H Third Read and Passed (H1959 / S1465)
05/05/2011 CCR S offered & adopted (S1467-1468)
05/05/2011 CCS S Third Read and Passed (S1468)
05/05/2011 Truly Agreed To and Finally Passed (H1972)

EFFECTIVE: July 1, 2011

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*** HB 9 *** CCR SCS HCS HB 9 0009L.04T

SENATE SPONSOR: Schaefer HOUSE HANDLER: Silvey

CCS/SCS/HCS/HB 9 - Corrections

| . | Governor | House |
|---|---|---|
| GR | $596,333,121 | $593,281,878 |
| FEDERAL | 10,003,791 | 10,003,791 |
| OTHER | 54,441,661 | 54,441,661 |
| TOTAL | $660,778,573 | $657,727,330 |

| . | Senate | Final |
|---|---|---|
| GR | $598,333,121 | $595,281,878 |
| FEDERAL | 10,003,791 | 10,003,791 |
| OTHER | 54,441,661 | 54,441,661 |
| TOTAL | $662,778,573 | $659,727,330 |

DAN HAUG

02/10/2011 Introduced and Read First Time (H) (H346)
02/14/2011 Read Second Time (H) (H356)
02/14/2011 Referred: Budget (H) (H356)
03/15/2011 Public Hearing Completed (H)
03/15/2011 Executive Session Completed (H)
03/15/2011 HCS Voted Do Pass (H)
03/15/2011 HCS Reported Do Pass (H) (H635)
03/15/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H635)
03/17/2011 Rules - Executive Session Completed (H)
03/17/2011 Rules - Voted Do Pass with Time Limit (H)
03/17/2011 Rules - Reported Do Pass with Time Limit (H) (H698)
03/28/2011 Taken Up for Perfection (H) (H720)
03/28/2011 Laid Over (H) (H720)
03/29/2011 Taken Up for Perfection (H) (H746)
03/29/2011 HCS Adopted (H) (H746)
03/29/2011 Perfected with Amendments (H) (H746)
03/30/2011 Third Read and Passed (H) (H772-773)

03/30/2011 S First Read--HCS for HB 9 (S526)
03/31/2011 Second Read and Referred S Appropriations Committee (S546)
04/12/2011 Hearing Conducted S Appropriations Committee
04/12/2011 SCS Voted Do Pass S Appropriations Committee (0009S.03C)
04/18/2011 Reported from S Appropriations Committee to Floor w/SCS (S749)
04/20/2011 SCS S adopted (S794)
04/20/2011 S Third Read and Passed (S794-795 / H1421)
04/26/2011 H refuses to concur in SCS (H1611)
04/26/2011 H requests S recede or grant conference (H1611 / S1070)
04/26/2011 S refuses to recede and grants conference (S1071 / H1617)
04/26/2011 S conferees appointed: Schaefer, Rupp, Pearce, Green, Curls (S1071 / H1617)
04/26/2011 H conferees appointed: Silvey, Stream, Flanigan, Lampe, Kelly (24) (H1618 / S1099)
05/04/2011 H submits CCR (H1867)
05/05/2011 CCR H adopted (H1960)
05/05/2011 CCS H Third Read and Passed (H1961 / S1465)
05/05/2011 CCR S offered & adopted (S1468-1469)
05/05/2011 CCS S Third Read and Passed (S1469-1470)
05/05/2011 Truly Agreed To and Finally Passed (H1972)

EFFECTIVE: July 1, 2011

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*** HB 10 *** CCR SCS HCS HB 10 0010L.05S

SENATE SPONSOR: Schaefer HOUSE HANDLER: Silvey

CCS/SCS/HCS/HB 10 - Mental Health & Health

MENTAL HEALTH

| | Governor | House |
|---|---|---|
| GR | $ 562,326,162 | $ 564,897,361 |
| FEDERAL | 633,713,469 | 633,935,672 |
| OTHER | 42,948,339 | 42,469,399 |
| TOTAL | $1,238,987,970 | $1,241,302,432 |

| | Senate | Final |
|---|---|---|
| GR | $ 561,298,059 | $ 563,509,258 |
| FEDERAL | 632,094,832 | 632,094,832 |
| OTHER | 42,469,399 | 42,469,399 |
| TOTAL | $1,235,862,290 | $1,238,073,489 |

HEALTH

| | Governor | House |
|---|---|---|
| GR | $252,977,240 | $ 262,429,639 |
| FEDERAL | 683,546,632 | 697,909,684 |
| OTHER | 18,676,450 | 18,676,450 |
| TOTAL | $955,200,322 | $ 979,015,773 |

| | Senate | Final |
|---|---|---|
| GR | $250,925,057 | $ 260,631,836 |
| FEDERAL | 682,434,710 | 697,909,685 |
| OTHER | 18,476,450 | 18,676,450 |
| TOTAL | $951,836,217 | $ 977,217,971 |

DAN HAUG

02/10/2011 Introduced and Read First Time (H) (H346)
02/14/2011 Read Second Time (H) (H356)
02/14/2011 Referred: Budget (H) (H356)
03/15/2011 Public Hearing Completed (H)
03/15/2011 Executive Session Completed (H)
03/15/2011 HCS Voted Do Pass (H)
03/15/2011 HCS Reported Do Pass (H) (H635)
03/15/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H635)
03/17/2011 Rules - Executive Session Completed (H)
03/17/2011 Rules - Voted Do Pass with Time Limit (H)
03/17/2011 Rules - Reported Do Pass with Time Limit (H) (H698)
03/28/2011 Taken Up for Perfection (H) (H721)
03/28/2011 Laid Over (H) (H721)
03/29/2011 Taken Up for Perfection (H) (H746)
03/29/2011 HCS Adopted (H) (H746)
03/29/2011 Perfected with Amendments (H) (H746)
03/30/2011 Third Read and Passed (H) (H773-774)
03/30/2011 S First Read--HCS for HB 10 (S527)
03/31/2011 Second Read and Referred S Appropriations Committee (S546)
04/12/2011 Hearing Conducted S Appropriations Committee
04/12/2011 SCS Voted Do Pass S Appropriations Committee (0010S.04C)
04/18/2011 Reported from S Appropriations Committee to Floor w/SCS (S750)
04/20/2011 SCS S adopted (S795)
04/20/2011 S Third Read and Passed (S795-796 / H1421-1422)
04/26/2011 H refuses to concur in SCS (H1611)
04/26/2011 H requests S recede or grant conference (H1611 / S1070)
04/26/2011 S refuses to recede and grants conference (S1071 / H1617)
04/26/2011 S conferees appointed: Schaefer, Rupp, Pearce, Green, Curls (S1071 / H1617)
04/26/2011 H conferees appointed: Silvey, Stream, Flanigan, Lampe, Kelly (24) (H1618 / S1099)
05/04/2011 H submits CCR (H1868)
05/05/2011 CCR H adopted (H1962)
05/05/2011 CCS H Third Read and Passed (H1963 / S1465)
05/05/2011 CCR S offered & adopted (S1470-1471)
05/05/2011 CCS S Third Read and Passed (S1471-1472)
05/05/2011 Truly Agreed To and Finally Passed (H1972)

EFFECTIVE: July 1, 2011

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*** HB 11 *** CCR SCS HCS HB 11 0011L.05T

SENATE SPONSOR: Schaefer HOUSE HANDLER: Silvey

CCS/SCS/HCS/HB 11 - Social Services

| . | Governor | House |
|---|---|---|
| GR | $1,632,483,265 | $1,595,651,784 |
| FEDERAL | 4,344,786,997 | 4,341,198,617 |
| OTHER | 2,196,073,575 | 2,201,696,597 |
| TOTAL | $8,173,343,837 | $8,138,546,998 |

| . | Senate | Final |
|---|---|---|
| GR | $1,579,102,035 | $1,594,286,317 |
| FEDERAL | 4,324,448,967 | 4,326,035,467 |
| OTHER | 2,210,030,740 | 2,203,530,740 |
| TOTAL | $8,113,581,742 | $8,123,852,524 |

DAN HAUG

02/10/2011 Introduced and Read First Time (H) (H346)
02/14/2011 Read Second Time (H) (H356)
02/14/2011 Referred: Budget (H) (H356)

03/15/2011 Public Hearing Completed (H)
03/15/2011 Executive Session Completed (H)
03/15/2011 HCS Voted Do Pass (H)
03/15/2011 HCS Reported Do Pass (H) (H635)
03/15/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H635)
03/17/2011 Rules - Executive Session Completed (H)
03/17/2011 Rules - Voted Do Pass with Time Limit (H)
03/17/2011 Rules - Reported Do Pass with Time Limit (H) (H698)
03/28/2011 Taken Up for Perfection (H) (H712)
03/28/2011 Laid Over (H) (H713)
03/29/2011 Taken Up for Perfection (H) (H736)
03/29/2011 HCS Adopted (H) (H746)
03/29/2011 Perfected with Amendments (H) (H746)
03/30/2011 Third read and passed (H) (H774-775)
03/30/2011 S First Read--HCS for HB 11 (S527)
03/31/2011 Second Read and Referred S Appropriations Committee (S546)
04/12/2011 Hearing Conducted S Appropriations Committee
04/12/2011 SCS Voted Do Pass S Appropriations Committee (0011S.04C)
04/18/2011 Reported from S Appropriations Committee to Floor w/SCS (S750)
04/20/2011 SA 1 to SCS S offered & defeated (Schaaf)--(0011S04.01S) (S797)
04/20/2011 SA 2 to SCS S offered & defeated (Lembke)--(0011S04.02S) (S797)
04/20/2011 SCS S adopted (S797)
04/20/2011 S Third Read and Passed (S797 / H1422)
04/26/2011 H refuses to concur in SCS (H1611-1612)
04/26/2011 H requests S recede or grant conference (H1612 / S1070)
04/26/2011 S refuses to recede and grants conference (S1071 / H1617)
04/26/2011 S conferees appointed: Schaefer, Rupp, Pearce, Green, Curls (S1071 / H1617)
04/26/2011 H conferees appointed: Silvey, Stream, Flanigan, Lampe, Kelly (24) (H1618 / S1099)
05/04/2011 H submits CCR (H1868-1869)
05/05/2011 CCR H adopted (H1964)
05/05/2011 CCS H Third Read and Passed (H1965 / S1472)
05/05/2011 CCR S offered & adopted (S1472-1473)
05/05/2011 CCS S Third Read and Passed (S1473-1474)
05/05/2011 Truly Agreed To and Finally Passed (H1973)

EFFECTIVE: July 1, 2011

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*** HB 12 *** CCR SCS HCS HB 12 0012L.05T

SENATE SPONSOR: Schaefer HOUSE HANDLER: Silvey

SCS/HCS/HB 12 - Elected Officials, Judiciary, Public Defender & General Assembly

. ELECTED OFFICIALS

| . | Governor | House |
|---|---|---|
| GR | $ 44,810,381 | $ 44,261,351 |
| FEDERAL | 19,639,231 | 23,562,611 |
| OTHER | 42,304,463 | 43,105,931 |
| . | | |
| TOTAL | $106,754,075 | $110,929,893 |

| . | Senate | Final |
|---|---|---|
| GR | $ 45,160,381 | $ 44,296,948 |
| FEDERAL | 19,974,231 | 19,974,231 |
| OTHER | 42,304,463 | 42,282,788 |
| . | | |
| TOTAL | $107,439,075 | $106,553,967 |

. JUDICIARY

| . | Governor | House |
|---|---|---|
| GR | $169,074,144 | $172,074,144 |
| FEDERAL | 10,474,989 | 10,474,989 |
| OTHER | 10,292,942 | 10,292,942 |
| TOTAL | $189,842,075 | $192,842,075 |

| . | Senate | Final |
|---|---|---|
| GR | $170,074,144 | $170,074,144 |
| FEDERAL | 10,474,989 | 10,474,989 |
| OTHER | 10,292,942 | 10,292,942 |
| TOTAL | $190,842,075 | $190,842,075 |

PUBLIC DEFENDER

| . | Governor | House |
|---|---|---|
| GR | $34,707,100 | $34,707,100 |
| FEDERAL | 125,001 | 125,000 |
| OTHER | 2,980,263 | 2,980,263 |
| TOTAL | $37,812,363 | $37,812,363 |

| . | Senate | Final |
|---|---|---|
| GR | $34,707,100 | $34,707,100 |
| FEDERAL | 125,000 | 125,000 |
| OTHER | 2,980,263 | 2,980,263 |
| TOTAL | $37,812,363 | $37,812,363 |

GENERAL ASSEMBLY

| . | Governor | House |
|---|---|---|
| GR | $33,063,211 | $ 33,537,841 |
| FEDERAL | 0 | 0 |
| OTHER | 292,255 | 292,255 |
| TOTAL | $33,355,466 | $ 32,830,096 |

| . | Senate | Final |
|---|---|---|
| GR | $32,681,341 | $ 32,645,341 |
| FEDERAL | 0 | 0 |
| OTHER | 292,255 | 292,255 |
| TOTAL | $32,973,596 | $ 32,937,596 |

DAN HAUG

02/10/2011 Introduced and Read First Time (H) (H346)
02/14/2011 Read Second Time (H) (H356)
02/14/2011 Referred: Budget (H) (H356)
03/15/2011 Public Hearing Completed (H)
03/15/2011 Executive Session Completed (H)
03/15/2011 HCS Voted Do Pass (H)
03/15/2011 HCS Reported Do Pass (H) (H635)
03/15/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H635)
03/17/2011 Rules - Executive Session Completed (H)
03/17/2011 Rules - Voted Do Pass with Time Limit (H)

03/17/2011 Rules - Reported Do Pass with Time Limit (H) (H698)
03/28/2011 Taken Up for Perfection (H) (H713)
03/28/2011 Laid Over (H) (H713)
03/29/2011 Taken Up for Perfection (H) (H738)
03/29/2011 HCS Adopted (H) (H746)
03/29/2011 Perfected with Amendments (H) (H746)
03/30/2011 Third read and passed (H) (H775-776)
03/30/2011 S First Read--HCS for HB 12 (S527)
03/31/2011 Second Read and Referred S Appropriations Committee (S546)
04/12/2011 Hearing Conducted S Appropriations Committee
04/12/2011 SCS Voted Do Pass S Appropriations Committee (0012S.04C)
04/18/2011 Reported from S Appropriations Committee to Floor w/SCS (S750)
04/20/2011 SA 1 to SCS S offered & defeated (Lembke)--(0012S04.01S) (S798-799)
04/20/2011 SCS S adopted (S799)
04/20/2011 S Third Read and Passed (S799 / H1422)
04/26/2011 H refuses to concur in SCS (H1612)
04/26/2011 H requests S recede or grant conference (H1612 / S1070-1071)
04/26/2011 S refuses to recede and grants conference (S1071 / H1617)
04/26/2011 S conferees appointed: Schaefer, Rupp, Pearce, Green, Curls (S1072 / H1617)
04/26/2011 H conferees appointed: Silvey, Stream, Flanigan, Lampe, Kelly (24) (H1618 / S1099)
05/04/2011 H submits CCR (H1869)
05/05/2011 CCR H adopted (H1968-1969)
05/05/2011 CCS H Third Read and Passed (H1969-1970 / S1472)
05/05/2011 CCR S offered & adopted (S1474-1475)
05/05/2011 CCS S Third Read and Passed (S1475)
05/05/2011 Truly Agreed To and Finally Passed (H1973)

EFFECTIVE: July 1, 2011

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*** HB 13 *** CCR SCS HCS HB 13 0013L.04T

SENATE SPONSOR: Schaefer HOUSE HANDLER: Silvey

CCS/SCS/HCS/HB 13 - Statewide Leasing

| . | Governor | House |
|---|---|---|
| GR | $115,307,171 | $115,307,171 |
| FEDERAL | 22,111,571 | 22,022,899 |
| OTHER | 12,457,475 | 12,457,475 |
| TOTAL | $149,876,217 | $149,787,545 |

| . | Senate | Final |
|---|---|---|
| GR | $115,307,171 | $115,307,171 |
| FEDERAL | 22,022,899 | 22,022,899 |
| OTHER | 12,457,475 | 12,457,475 |
| TOTAL | $149,787,545 | $149,787,545 |

DAN HAUG

02/10/2011 Introduced and Read First Time (H) (H347)
02/14/2011 Read Second Time (H) (H356)
02/14/2011 Referred: Budget (H) (H356)
03/15/2011 Public Hearing Completed (H)
03/15/2011 Executive Session Completed (H)
03/15/2011 HCS Voted Do Pass (H)
03/15/2011 HCS Reported Do Pass (H) (H635)
03/15/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H635)
03/17/2011 Rules - Executive Session Completed (H)
03/17/2011 Rules - Voted Do Pass with Time Limit (H)
03/17/2011 Rules - Reported Do Pass with Time Limit (H) (H698)

03/28/2011 Taken Up for Perfection (H) (H713)
03/28/2011 Laid Over (H) (H713)
03/29/2011 Taken Up for Perfection (H) (H744)
03/29/2011 HCS Adopted (H) (H746)
03/29/2011 Perfected (H) (H746)
03/30/2011 Third read and passed (H) (H776-777)
03/30/2011 S First Read--HCS for HB 13 (S528)
03/31/2011 Second Read and Referred S Appropriations Committee (S546)
04/12/2011 Hearing Conducted S Appropriations Committee
04/12/2011 SCS Voted Do Pass S Appropriations Committee (0013S.03C)
04/18/2011 Reported from S Appropriations Committee to Floor w/SCS (S750)
04/20/2011 SCS S adopted (S800)
04/20/2011 S Third Read and Passed (S800 / H1422)
04/26/2011 H refuses to concur in SCS (H1612)
04/26/2011 H requests S recede or grant conference (H1612 / S1071)
04/26/2011 S refuses to recede and grants conference (S1071 / H1618)
04/26/2011 S conferees appointed: Schaefer, Rupp, Pearce, Green, Curls (S1072 / H1618)
04/26/2011 H conferees appointed: Silvey, Stream, Flanigan, Lampe, Kelly (24) (H1618 / S1099)
05/04/2011 H submits CCR (H1870)
05/05/2011 CCR H adopted (H1970-1971)
05/05/2011 CCS H Third Read and Passed (H1971-1972 / S1476)
05/05/2011 CCR S offered & adopted (S1476-1477)
05/05/2011 CCS S Third Read and Passed (S1477)
05/05/2011 Truly Agreed To and Finally Passed (H1973)

EFFECTIVE: July 1, 2011

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*** HB 14 *** SCS HCS HB 14 0014S.03T

SENATE SPONSOR: Schaefer HOUSE HANDLER: Silvey

SS/SCS/HCS/HB 14 - Supplemental Appropriations

| . | Governor | House |
|---|---|---|
| GR | $106,332,610 | $103,445,300 |
| FEDERAL | 306,731,141 | 108,125,234 |
| OTHER | 21,094,723 | 21,846,723 |
| TOTAL | $434,158,474 | $233,417,257 |

| . | Senate | Final |
|---|---|---|
| GR | $103,445,300 | $103,445,300 |
| FEDERAL | 108,125,234 | 108,125,234 |
| OTHER | 15,446,723 | 15,446,723 |
| TOTAL | $227,017,257 | $227,017,257 |

DAN HAUG

01/31/2011 Introduced and Read First Time (H) (H264)
02/01/2011 Read Second Time (H) (H273)
02/02/2011 Referred: Budget (H) (H284)
02/09/2011 Public Hearing Completed (H)
02/09/2011 Executive Session Completed (H)
02/09/2011 HCS Voted Do Pass (H)
02/09/2011 HCS Reported Do Pass (H) (H332)
02/09/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H332)
02/15/2011 Rules - Executive Session Completed (H)
02/15/2011 Rules - Voted Do Pass (H)
02/15/2011 Rules - Reported Do Pass (H) (H369)
02/22/2011 HCS Adopted (H) (H416)
02/22/2011 Perfected (H) (H416)
02/24/2011 Third read and passed (H) (H444-445)

02/24/2011 S First Read--HCS for HB 14 (S330-331)
02/28/2011 Second Read and Referred S Appropriations Committee (S345)
03/01/2011 Hearing Conducted S Appropriations Committee
03/01/2011 SCS Voted Do Pass S Appropriations Committee (0014S.03C)
03/03/2011 Reported from S Appropriations Committee to Floor w/SCS (S389)
04/12/2011 Bill Placed on Informal Calendar (S688)
04/18/2011 SS for SCS S offered & adopted (Schaefer)--(0014S.04F) (S752)
04/18/2011 S Third Read and Passed (S752 / H1305)
04/19/2011 H concurs in SS for SCS (H1315)
04/19/2011 H Third Read & Passed (H1316)
04/19/2011 Truly Agreed To and Finally Passed (S779)
04/22/2011 Signed by House Speaker (H1595)
04/26/2011 Signed by Senate President (S1067)
04/26/2011 Delivered to Governor (H1665)
05/02/2011 Signed by Governor (H1738)

EFFECTIVE: upon approval

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*** HB 15 *** 0015L.01T

SENATE SPONSOR: Schaefer HOUSE HANDLER: Silvey

HB 15 - Supplemental appropriations for various state departments

| . | Governor | House |
|---|---|---|
| GR | $ 0 | $ 0 |
| FEDERAL | 0 | 189,727,725 |
| OTHER | 0 | 0 |
| TOTAL | $ 0 | $189,727,725 |

| . | Senate | Final |
|---|---|---|
| GR | $ 0 | $ 0 |
| FEDERAL | 189,727,725 | 189,727,725 |
| OTHER | 0 | 0 |
| TOTAL | $189,727,725 | $189,727,725 |

DAN HAUG

01/31/2011 Introduced and Read First Time (H) (H264)
02/01/2011 Read Second Time (H) (H273)
02/02/2011 Referred: Budget (H) (H284)
02/09/2011 Public Hearing Completed (H)
02/09/2011 Executive Session Completed (H)
02/09/2011 Voted Do Pass (H)
02/09/2011 Reported Do Pass (H) (H333)
02/09/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H333)
02/15/2011 Rules - Executive Session Completed (H)
02/15/2011 Rules - Voted Do Pass (H)
02/15/2011 Rules - Reported Do Pass (H) (H369)
02/22/2011 Perfected (H) (H416)
02/24/2011 Third read and passed (H) (H445-446)
02/24/2011 S First Read--HB 15-Silvey (S331)
02/28/2011 Second Read and Referred S Appropriations Committee (S345)
03/01/2011 Hearing Conducted S Appropriations Committee
03/01/2011 Voted Do Pass S Appropriations Committee
03/03/2011 Reported from S Appropriations Committee to Floor (S389)
04/12/2011 Bill Placed on Informal Calendar (S687)
04/18/2011 S Third Read and Passed (S752-753)
04/18/2011 Truly Agreed To and Finally Passed (H1305)
04/22/2011 Signed by House Speaker (H1595)

04/26/2011 Signed by Senate President (S1067)
04/26/2011 Delivered to Governor (H1665)
05/02/2011 Signed by Governor (H1738)

EFFECTIVE: upon approval

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*** HB 17 *** SCS HCS HB 17 0017S.03T

SENATE SPONSOR: Schaefer HOUSE HANDLER: Silvey

SCS/HCS/HB 17 - This act appropriates money for capital improvement and other purposes as provided in Article IV, Section 28.
DAN HAUG

04/07/2011 Introduced and Read First Time (H) (H1174)
04/11/2011 Read Second Time (H) (H1183)
04/11/2011 Referred: Budget (H) (H1204)
04/13/2011 Public Hearing Completed (H)
04/13/2011 Executive Session Completed (H)
04/13/2011 HCS Voted Do Pass (H)
04/13/2011 HCS Reported Do Pass (H) (H1264)
04/13/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H1264)
04/20/2011 Rules - Executive Session Completed (H)
04/20/2011 Rules - Voted Do Pass (H)
04/20/2011 Rules - Reported Do Pass (H) (H1417)
04/26/2011 HCS Adopted (H) (H1613)
04/26/2011 Perfected (H) (H1613)
04/28/2011 Third read and passed (H) (H1668-1669)
04/28/2011 S First Read--HCS for HB 17 (S1210)
04/29/2011 Second Read and Referred S Appropriations Committee (S1216)
05/02/2011 Hearing Conducted S Appropriations Committee
05/02/2011 SCS Voted Do Pass S Appropriations Committee (0017S.03C)
05/02/2011 Reported from S Appropriations Committee to Floor w/SCS (S1237)
05/03/2011 SA1 to SCS S offered & adopted (Crowell)--(0017S03.01S) (S1291)
05/03/2011 SCS, as amended, S adopted (S1291)
05/03/2011 S Third Read and Passed (S1291 / H1796)
05/05/2011 H concurs in SCS (H2010-2011)
05/05/2011 H Third Read & Passed (H2011-2012)
05/05/2011 Truly Agreed To and Finally Passed (S1486)

EFFECTIVE: July 1, 2011

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*** HB 18 *** SCS HCS HB 18 0018S.04T

SENATE SPONSOR: Schaefer HOUSE HANDLER: Silvey

SCS/HCS/HB 18 - This act appropriates money for capital improvement projects involving the maintenance, repair, replacement, and improvement of state buildings and facilities.
DAN HAUG

04/07/2011 Introduced and Read First Time (H) (H1174)
04/11/2011 Read Second Time (H) (H1183)
04/11/2011 Referred: Budget (H) (H1204)
04/13/2011 Public Hearing Completed (H)
04/13/2011 Executive Session Completed (H)
04/13/2011 HCS Voted Do Pass (H)
04/13/2011 HCS Reported Do Pass (H) (H1264)
04/13/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H1264)
04/20/2011 Rules - Executive Session Completed (H)
04/20/2011 Rules - Voted Do Pass (H)
04/20/2011 Rules - Reported Do Pass (H) (H1417)
04/26/2011 HCS Adopted (H) (H1613)
04/26/2011 Perfected (H) (H1613)
04/28/2011 Third read and passed (H) (H1669-1670)
04/28/2011 S First Read--HCS for HB 18 (S1210-1211)
04/29/2011 Second Read and Referred S Appropriations Committee (S1216)

05/02/2011 Hearing Conducted S Appropriations Committee
05/02/2011 SCS Voted Do Pass S Appropriations Committee (0018S.04C)
05/02/2011 Reported from S Appropriations Committee to Floor w/SCS (S1237)
05/03/2011 SA 1 to SCS S offered & defeated (Lembke)--(0018S04.01S) (S1293)
05/03/2011 SA 2 to SCS S offered (Lembke)--(0018S04.02S) (S1294)
05/03/2011 SA 1 to SA 2 to SCS S offered (Kraus)--(0018S04.15S) (S1294)
05/03/2011 SA 2 to SCS S withdrawn (S1294)
05/03/2011 SA 3 to SCS S offered & adopted (Lager)--(0018S04.18S) (S1294)
05/03/2011 SCS, as amended, S adopted (S1294)
05/03/2011 S Third Read and Passed (S1295 / H1832)
05/05/2011 H concurs in SCS, as amended (H2012-2013)
05/05/2011 H Third Read & Passed (H2013-2014)
05/05/2011 Truly Agreed To and Finally Passed (S1486)

EFFECTIVE: July 1, 2011

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*** HB 21 *** SCS HCS HB 21 0021S.03T

SENATE SPONSOR: Schaefer HOUSE HANDLER: Silvey

SCS/HCS/HB 21 - Appropriates money for capital improvement projects involving maintenance, repair, replacement, and improvement of state buildings and facilities

YEAR 1 (2012)

| . | Governor | House |
|---|---|---|
| GR | $ 70,882,154 | $ 70,882,154 |
| FEDERAL | 163,246 | 163,246 |
| OTHER | 9,947,209 | 9,947,210 |
| TOTAL | $ 80,992,609 | $ 80,992,610 |

| . | Senate | Final |
|---|---|---|
| GR | $ 70,882,154, | $ 70,882,154 |
| FEDERAL | 163,246 | 163,246 |
| OTHER | 10,997,210 | 10,997,210 |
| TOTAL | $ 82,042,610 | $ 82,042,610 |

YEAR 2 (2013)

| . | Governor | House |
|---|---|---|
| GR | $70,000,000 | $ 70,000,000 |
| FEDERAL | 163,243 | 163,243 |
| OTHER | 3,790,000 | 3,790,000 |
| TOTAL | $73,953,243 | $ 73,953,243 |

| . | Senate | Final |
|---|---|---|
| GR | $ 70,000,000 | $ 70,000,000 |
| FEDERAL | 163,243 | 163,243, |
| OTHER | 3,790,000 | 3,790,000 |
| TOTAL | $ 73,953,243 | $ 73,953,243 |

DAN HAUG

04/07/2011 Introduced and Read First Time (H) (H1174)
04/11/2011 Read Second Time (H) (H1183)
04/11/2011 Referred: Budget (H) (H1204)
04/13/2011 Public Hearing Completed (H)
04/13/2011 Executive Session Completed (H)

04/13/2011 HCS Voted Do Pass (H)
04/13/2011 HCS Reported Do Pass (H) (H1265)
04/13/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H1265)
04/20/2011 Rules - Executive Session Completed (H)
04/20/2011 Rules - Voted Do Pass (H)
04/20/2011 Rules - Reported Do Pass (H) (H1417)
04/26/2011 HCS Adopted (H) (H1613)
04/26/2011 Perfected (H) (H1613)
04/28/2011 Third read and passed (H) (H1670-1671)
04/28/2011 S First Read--HCS for HB 21 (S1211)
04/29/2011 Second Read and Referred S Appropriations Committee (S1216)
05/02/2011 Hearing Conducted S Appropriations Committee
05/02/2011 SCS Voted Do Pass S Appropriations Committee (0021S.03C)
05/02/2011 Reported from S Appropriations Committee to Floor w/SCS (S1238)
05/03/2011 SCS S adopted (S1292)
05/03/2011 S Third Read and Passed (S1292 / H1796)
05/05/2011 H concurs in SCS (H2014)
05/05/2011 H Third Read & Passed (H2015)
05/05/2011 Truly Agreed To and Finally Passed (S1486)

EFFECTIVE: July 1, 2011

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*** HB 22 *** SCS HCS HB 22 0022S.03T

SENATE SPONSOR: Schaefer HOUSE HANDLER: Silvey

SCS/HCS/HB 22 - Money for capital improvement projects, for grants, land acquisition, planning, expenses, and to transfer money among certain funds

YEAR 1 (2012)

| . | Governor | House |
|---|---|---|
| GR | $ 250,000 | $ 18,750,000 |
| FEDERAL | 25,002 | 25,002 |
| OTHER | 28,800,600 | 29,300,600 |
| TOTAL | $ 29,075,602 | $ 48,075,602 |

| . | Senate | Final |
|---|---|---|
| GR | $ 17,750,000 | $ 18,750,000 |
| FEDERAL | 25,002 | 25,002 |
| OTHER | 31,350,600 | 31,350,600 |
| TOTAL | $ 49,125,602 | $ 50,125,602 |

YEAR 2 (2013)

| . | Governor | House |
|---|---|---|
| GR | $ 0 | $ 0 |
| FEDERAL | 25,000 | 0 |
| OTHER | 27,725,000 | 0 |
| TOTAL | $27,750,000 | $ 0 |

| . | Senate | Final |
|---|---|---|
| GR | $ 0 | $ 0 |
| FEDERAL | 25,000 | 25,000 |
| OTHER | 26,225,000 | 26,225,000 |
| TOTAL | $ 26,250,000 | $26,250,000 |

DAN HAUG

04/07/2011 Introduced and Read First Time (H) (H1174)
04/11/2011 Read Second Time (H) (H1183)
04/11/2011 Referred: Budget (H) (H1204)
04/13/2011 Public Hearing Completed (H)
04/13/2011 Executive Session Completed (H)
04/13/2011 HCS Voted Do Pass (H)
04/13/2011 HCS Reported Do Pass (H) (H1265)
04/13/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H1265)
04/20/2011 Rules - Executive Session Completed (H)
04/20/2011 Rules - Voted Do Pass (H)
04/20/2011 Rules - Reported Do Pass (H) (H1418)
04/26/2011 HCS Adopted (H) (H1614)
04/26/2011 Perfected (H) (H1614)
04/28/2011 Third read and passed (H) (H1671-1672)
04/28/2011 S First Read--HCS for HB 22 (S1211)
04/29/2011 Second Read and Referred S Appropriations Committee (S1216)
05/02/2011 Hearing Conducted S Appropriations Committee
05/02/2011 SCS Voted Do Pass S Appropriations Committee (0022S.03C)
05/02/2011 Reported from S Appropriations Committee to Floor w/SCS (S1238)
05/04/2011 SA 1 to SCS S offered & adopted (Schaefer)--(0022S03.01S) (S1323-1324)
05/04/2011 SA 2 to SCS S offered & adopted (Schaefer)--(0022S03.02S) (S1324)
05/04/2011 SCS, as amended, S adopted (S1324)
05/04/2011 S Third Read and Passed (S1324 / H1859)
05/05/2011 H concurs in SCS (H2016)
05/05/2011 H Third Read & Passed (H2017)
05/05/2011 Truly Agreed To and Finally Passed (S1486)

EFFECTIVE: July 1, 2011

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*** HB 28 *** HCS HB 28 0337L.02P

SENATE SPONSOR: Goodman HOUSE HANDLER: Sater

HCS/HB 28 - ABORTION-INDUCING DRUGS SAFETY ACT - This act establishes the "Abortion-inducing Drugs Safety Act" which places restrictions on abortion-inducing drugs. Any person who is not a physician is prohibited from knowingly prescribing or administering RU-486 (mifepristone) or any other abortion-inducing drug. RU-486 or any other abortion-inducing drug can only be prescribed by a physician who at least 24 hours prior to the administration of the drug:

(1) Complies with all other legal requirements;

(2) Performs a physical examination of the patient;

(3) Documents in the patient's medical record the gestational age of the fetus and that there is no ectopic pregnancy; and

(4) Provides the patient with a copy the U.S. Food and Drug Administration (FDA) approved label for the drug or drugs used to induce the abortion.

RU-486 or any other abortion-inducing drug shall only be administered in a hospital or abortion facility. The facility shall also be licensed as an ambulatory surgical center if a certain number of abortions per month are performed or induced at the facility. The drug can only be administered by the prescribing physician or another physician acting under the prescribing physician's authority and who is in the physical presence of the patient or by the patient herself at the direction of and while in the physical presence of the physician.

A physician is prohibited from prescribing or administering RU-486 or any other abortion-inducing drug unless he or she has clinical privileges which allow the physician to perform surgeries at a hospital or at the abortion facility where the drug was administered offering obstetrical or gynecological care that is within 30 miles of the location where the abortion is being induced. If a patient who was administered RU-486 or any other abortion-inducing drug decides to carry her unborn child to term before the abortion is completed, the patient shall be immediately referred to another physician to receive medical assistance for herself and her unborn child.

Due to malformations or other birth defects which can occur in a child who survives an attempted abortion and is born alive after the administration of RU-486, and due to the cost of caring for such child throughout his or her lifetime and that such costs may otherwise fall on the state, any physician who prescribes or administers RU-486 or any abortion-inducing drug shall, in addition to complying with current law as to

medical malpractice insurance, shall obtain and maintain a tail or occurrence-based insurance policy of at least $1 million per occurrence and $3 million in the aggregate per year for the personal injury to or death of a child who is born alive. The insurance policy cannot expire until the child reaches 20 years of age.

Any person who is not a physician who prescribes or administers RU-486 or any other abortion-inducing drug shall be guilty of a class C felony, except that, if prescribed or administered without the knowledge or consent of the patient, he or she shall be guilty of a class B felony. A physician who violates any other provision of the act shall be guilt of a class A misdemeanor.

These provisions are identical to HB 328 (2011).

IMMUNITY FROM LIABILITY FOR PHARMACIES

A licensed pharmacy cannot be required to perform, assist, recommend, refer to, or participate in any act or service in connection with any drug or device that cause a pregnancy to end prematurely resulting in an abortion. The pharmacy shall be immune from civil and criminal liability. Such pharmacy cannot have it license revoked, denied, or suspended nor be denied or discriminated against in eligibility for public assistance for refusing to do any of these activities.

ADRIANE CROUSE

12/01/2010 Prefiled (H)
01/05/2011 Read First Time (H) (H20)
01/06/2011 Read Second Time (H) (H71)
01/20/2011 Referred: Children and Families (H) (H198)
01/26/2011 Public Hearing Completed (H)
02/16/2011 Executive Session Completed (H)
02/16/2011 HCS Voted Do Pass (H)
03/10/2011 HCS Reported Do Pass (H) (H589)
03/10/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H589)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass (H)
03/28/2011 Rules - Reported Do Pass (H) (H723)
03/30/2011 Taken Up for Perfection (H) (H780)
03/30/2011 Laid Over (H) (H780)
04/05/2011 Taken Up for Perfection (H) (H847)
04/05/2011 HCS Adopted (H) (H847)
04/05/2011 Perfected with Amendments (H) (H848)
04/05/2011 Referred: Fiscal Review (H) (H906)
04/06/2011 Executive Session Completed (H)
04/06/2011 Voted Do Pass (H)
04/06/2011 Reported Do Pass (H) (H916)
04/07/2011 Third Read and Passed (H) (H1161-1163)
04/07/2011 S First Read--HCS for HB 28 (S665)
04/14/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S737)

EFFECTIVE: August 28, 2011

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*** HB 29 *** HCS HB 29 0068L.02P

SENATE SPONSOR: Schaaf HOUSE HANDLER: Sater

HCS/HB 29 - This act establishes the Volunteer Health Services Act which allows a licensed health care provider to provide volunteer professional health care services for a sponsoring organization. Any person with a suspended or revoked license or who provides services outside the scope of his or her license is not eligible to provide services under the act.

Before a health care professional can provide volunteer services, the sponsoring organization shall register with the Department of Health and Senior Services and pay a $50 fee. A sponsoring organization shall file a quarterly voluntary services report with the department, keep its records of health care provider volunteers up to date, and maintain the records for five years following the service rendered by the health care provider volunteer.

An insurer providing professional liability coverage to a health care provider on or after August 28, 2011, cannot exclude coverage to a health care provider who volunteers his or her health care services if the sponsoring organization and the health care provider comply with the provisions of the act. Any health care provider volunteering his or her services shall not be liable for any civil damages for any act or omission

resulting from his or her service unless there was gross negligence or willful misconduct. A volunteer cannot receive any form of direct or indirect compensation, benefits, or consideration for his or her health care services. The volunteer shall perform acts within the scope of his or her professional license and in compliance with all applicable health care regulations. Any volunteer crisis response team member who participates in a crisis intervention shall not be liable in tort for any personal injuries or emotional distress of any participant to the intervention that is caused by the act or omission of the team member during an intervention with certain specified exceptions.
ADRIANE CROUSE

12/01/2010 Prefiled (H)
01/05/2011 Read First Time (H) (H20)
01/06/2011 Read Second Time (H) (H71)
01/20/2011 Referred: Health Care Policy (H) (H198)
01/26/2011 Public Hearing Completed (H)
02/09/2011 Executive Session Completed (H)
02/09/2011 HCS Voted Do Pass (H)
02/22/2011 HCS Reported Do Pass (H) (H418)
02/22/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H418)
03/09/2011 Rules - Executive Session Completed (H)
03/09/2011 Rules - Voted Do Pass (H)
03/09/2011 Rules - Reported Do Pass (H) (H572)
03/14/2011 HCS Adopted (H) (H605)
03/14/2011 Perfected (H) (H605)
03/17/2011 Third Read and Passed (H) (H692)
03/28/2011 S First Read--HCS for HB 29 (S507)
03/31/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S546)
04/19/2011 Hearing Conducted S Health, Mental Health, Seniors and Families Committee

EFFECTIVE: August 28, 2011

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*** HB 32 *** HCS HB 32 0064L.02P

SENATE SPONSOR: Goodman HOUSE HANDLER: Sater

HCS/HB 32 – This act allows the State Registrar, within the Department of Health Senior Services, to create and sell Heritage Birth Certificates for a fifty dollar fee. The heritage certificates shall represent the birth of the individual named on the original record or certificate and shall be accepted as an original record.

The heritage birth 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 in Missouri.

The fees from the sale of the heritage birth certificates shall be deposited in the state treasury with 15 dollars distributed to the general revenue fund, 10 dollars to the children's trust fund for use in supporting children in the special health care needs program, 5 dollars to provide financial assistance to shelters for victims of domestic violence, 5 dollars to the crippled children's services fund and 15 dollars to the Missouri public health services fund.

This act is similar to SB 855 (2010) and HB 1682 (2010).
ADRIANE CROUSE

12/01/2010 Prefiled (H)
01/05/2011 Read First Time (H) (H20)
01/06/2011 Read Second Time (H) (H71)
02/10/2011 Referred: Children and Families (H) (H342)
02/16/2011 Public Hearing Completed (H)
03/02/2011 Executive Session Completed (H)
03/02/2011 HCS Voted Do Pass - Consent (H)
03/10/2011 HCS Reported Do Pass by Consent (H) (H589)
03/10/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H589)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass - Consent (H)
03/28/2011 Rules - Reported Do Pass Consent (H) (H723)
04/04/2011 Perfected by Consent - Pursuant to House Rules (H) (H839)
04/05/2011 Third Read and Passed (H) (H853-854)

04/05/2011 S First Read--HCS for HB 32 (S586)
04/07/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S667)

EFFECTIVE: August 28, 2011

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*** HB 38 *** SCS HCS HB 38 0119S.04T

SENATE SPONSOR: Wright-Jones HOUSE HANDLER: Pace

SCS/HCS/HB 38 - Under current law, a city, town, or village may require a person convicted of an ordinance violation who has not paid a fine imposed as punishment to work one day for every $10 owed.

This act allows the city, town, or village to require one day of work for the greater of: the actual daily cost of incarcerating the prisoner; or the amount the state reimburses for incarcerating the prisoner.

This act requires jail administrators to notify the Missouri uniform law enforcement system (MULES) when certain dangerous felons escape no more than five hours after the escape.
MEGHAN LUECKE

12/01/2010 Prefiled (H)
01/05/2011 Read First Time (H) (H20)
01/06/2011 Read Second Time (H) (H71)
01/27/2011 Referred: Corrections (H) (H245)
02/09/2011 Public Hearing Completed (H)
03/02/2011 Executive Session Completed (H)
03/02/2011 HCS Voted Do Pass - Consent (H)
03/03/2011 HCS Reported Do Pass by Consent (H) (H521)
03/03/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H521)
03/09/2011 Rules - Executive Session Completed (H)
03/09/2011 Rules - Voted Do Pass - Consent (H)
03/09/2011 Rules - Reported Do Pass Consent (H) (H572)
03/17/2011 Perfected by Consent - Pursuant to House Rules (H) (H698)
03/31/2011 Third read and passed (H) (H794-795)
03/31/2011 S First Read--HCS for HB 38 (S543)
04/07/2011 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S666)
04/27/2011 Hearing Conducted S Jobs, Economic Development and Local Government Committee
04/27/2011 SCS Voted Do Pass S Jobs, Economic Development and Local Government Committee (0119S.04C)
05/05/2011 Reported from S Jobs, Economic Development and Local Government Committee to Floor w/SCS (S1345)
05/10/2011 SCS S adopted (S1679)
05/10/2011 S Third Read and Passed (S1679 / H2239)
05/12/2011 H concurs in SCS (S1976)
05/12/2011 H Third Read & Passed (S1976)
05/12/2011 Truly Agreed To and Finally Passed (S1976)

EFFECTIVE: August 28, 2011

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*** HB 45 *** SS SCS HCS HB 45 0145S.06T

SENATE SPONSOR: Pearce HOUSE HANDLER: Hoskins

SS/SCS/HCS/HB 45 - Under current law, the Big Government Get Off My Back Act prohibits user fees imposed by the state from increasing for the four-year period beginning on August 28, 2009, unless the fee increase is to implement a federal program administered by the state or is a result of an act of the General Assembly. For the same four-year period, any state agency proposing a rule must certify that: it does not have an adverse impact on small businesses with fewer than twenty-five employees; it is necessary to protect the life, health, or safety of the public; or small businesses with fewer than twenty-five employees are exempt from such rule. This act increases the time period of the prohibition on user fee increases and the rule making requirements to a five year-period beginning on August 28, 2009. During the five-year period beginning August 28, 2009, any state agency proposing a rule must certify that: it does not have an adverse impact on small businesses with fewer than fifty employees; it is necessary to protect the life, health, or safety of the public; or small businesses with fewer than fifty employees are exempt from such rule. The act also provides that any federal mandate compelling the state to enact, enforce, or administer a federal regulatory

program will be subject to authorization through appropriation or statutory enactment.

The act creates an income tax deduction for tax years 2011 through 2014 for small businesses that create new full-time jobs paying wages equal to, or greater than, the county average wage. A small business will be able to deduct ten thousand dollars for each full-time job created or twenty thousand dollars per new job if the employer offers health insurance for the new employees and pays at least half of the premiums for such insurance.

The provisions of the act creating the income tax deduction for small business job creation will automatically sunset on December 31st three years from the effective date of the act unless reauthorized.
JASON ZAMKUS

12/02/2010 Prefiled (H)
01/05/2011 Read First Time (H) (H21)
01/06/2011 Read Second Time (H) (H71)
01/06/2011 Referred: Small Business (H) (H85)
01/12/2011 Public Hearing Completed (H)
01/12/2011 Executive Session Completed (H)
01/12/2011 HCS Voted Do Pass (H)
01/12/2011 HCS Reported Do Pass (H) (H142)
01/12/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H142)
01/13/2011 Rules - Executive Session Completed (H)
01/13/2011 Rules - Voted Do Pass (H)
01/13/2011 Rules - Reported Do Pass (H) (H155)
01/19/2011 HCS Adopted (H) (H172)
01/19/2011 Perfected with Amendments (H) (H173)
01/19/2011 Referred: Fiscal Review (H) (H190)
01/20/2011 Executive Session Completed (H)
01/20/2011 Voted Do Pass (H)
01/20/2011 Reported Do Pass (H) (H197)
01/20/2011 Third Read and Passed (H) (H198)
01/24/2011 S First Read--HCS for HB 45 (S134)
02/21/2011 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S291)
03/10/2011 Hearing Conducted S Ways and Means and Fiscal Oversight Committee
03/17/2011 SCS Voted Do Pass S Ways and Means and Fiscal Oversight Committee - (0145S.04C)
04/07/2011 Reported from S Ways and Means and Fiscal Oversight Committee to Floor w/SCS (S662)
04/11/2011 Referred S Ways & Means & Fiscal Oversight Committee (S682)
04/14/2011 Hearing Conducted S Ways and Means and Fiscal Oversight Committee
04/14/2011 Voted Do Pass S Ways and Means and Fiscal Oversight Committee
04/14/2011 Reported from S Ways and Means and Fiscal Oversight Committee to Floor (S721)
04/18/2011 SS for SCS S offered (Pearce)--(0145S.06F) (S753)
04/18/2011 SA 1 to SS for SCS S offered & adopted (Crowell)--(0145S06.02S) (S754)
04/18/2011 SA 2 to SS for SCS S offered (Ridgeway)--(0145S06.03S) (S754-757)
04/18/2011 SA 1 to SA 2 to SS for SCS S offered (Justus)--(0146S06.01F) (S757)
04/18/2011 SA 2 to SS for SCS S Ruled out of order (S757)
04/18/2011 SA 3 to SS for SCS S offered & defeated (Green)--(0145S06.05S) (S757)
04/18/2011 SS for SCS, as amended, S adopted (S757)
04/18/2011 S Third Read and Passed (S757-758 / H1305-1306)
04/27/2011 H concurs in SS for SCS, as amended (H1642)
04/27/2011 H Third Read & Passed (H1643)
04/27/2011 Truly Agreed To and Finally Passed (S1171)

EFFECTIVE: August 28, 2011

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*** HB 46 *** HCS HB 46 0114L.03P

HOUSE HANDLER: Diehl

HCS/HB 46 - Currently, provisions of law concerning the installation of fire sprinklers in certain home dwellings are set to expire on December 31, 2011. This act changes the expiration date to December 31, 2019.

Current law applies the fire sprinkler installation provisions to single-family dwellings or residences or multi-unit dwellings of four or fewer units. This act changes the terminology to one- or two-family dwellings or

townhouses. The act further provides that if a political subdivision adopts certain codes for one- or two-family dwellings that do not mandate automatic fire sprinkler systems, the political subdivision shall retain language from a previous version of such code that requires certain wall thickness to prevent fires for two-family dwellings and townhouses.

This act is similar to SB 108 (2011).
MEGHAN LUECKE

12/02/2010 Prefiled (H)
01/05/2011 Read First Time (H) (H21)
01/06/2011 Read Second Time (H) (H71)
01/20/2011 Referred: General Laws (H) (H198)
02/01/2011 Public Hearing Completed (H)
02/01/2011 Executive Session Completed (H)
02/01/2011 HCS Voted Do Pass (H)
02/01/2011 HCS Reported Do Pass (H) (H277)
02/01/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H277)
02/07/2011 Rules - Executive Session Completed (H)
02/07/2011 Rules - Voted Do Pass (H)
02/07/2011 Rules - Reported Do Pass (H) (H299)
02/09/2011 HCS Adopted (H) (H322)
02/09/2011 Perfected with Amendments (H) (H323)
02/10/2011 Third Read and Passed (H) (H341)
02/14/2011 S First Read--HCS for HB 46 (S242-243)
03/10/2011 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S437)

EFFECTIVE: August 28, 2011

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*** HB 61 *** HCS HB 61 0206L.02P

HOUSE HANDLER: Nolte

HCS/HB 61 - The minimum wage shall not exceed the federal minimum wage and employers shall pay a wage of $3.63 per hour to tipped employees.

This act is similar to SB 889 (2010) and SB 110 (2011).
CHRIS HOGERTY

12/07/2010 Prefiled (H)
01/05/2011 Read First Time (H) (H22)
01/06/2011 Read Second Time (H) (H71)
01/13/2011 Referred: International Trade & Job Creation (H) (H154)
01/26/2011 Public Hearing Completed (H)
02/09/2011 Executive Session Completed (H)
02/09/2011 HCS Voted Do Pass (H)
02/10/2011 HCS Reported Do Pass (H) (H344)
02/10/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H344)
02/15/2011 Rules - Executive Session Completed (H)
02/15/2011 Rules - Voted Do Pass (H)
02/15/2011 Rules - Reported Do Pass (H) (H369)
03/01/2011 HCS Adopted (H) (H486)
03/01/2011 Perfected (H) (H486)
03/03/2011 Third Read and Passed (H) (H518)
03/07/2011 S First Read--HCS for HB 61 (S402)
03/17/2011 Second Read and Referred S Small Business, Insurance and Industry Committee (S496)
03/29/2011 Hearing Conducted S Small Business, Insurance and Industry Committee
04/05/2011 Voted Do Pass S Small Business, Insurance and Industry Committee
04/07/2011 Reported from S Small Business, Insurance and Industry Committee to Floor (S662)
04/12/2011 Bill Placed on Informal Calendar (S688)
05/13/2011 S Informal Calendar H Bills for Third Reading--HCS for HB 61

EFFECTIVE: August 28, 2011

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*** HB 68 *** 0463L.01T

SENATE SPONSOR: Nieves HOUSE HANDLER: Scharnhorst

HB 68 - The act prohibits a political subdivision from assessing a fine or penalty on the owner of a pay phone or the owner of property upon which a pay phone is located for calls made to 911 from the pay phone.

The act is similar to HB 1372 (2010), HB 1770 (2010), HCS/HB 495 (2009), HB 878 (2009), and HB 2269 (2008).
ERIKA JAQUES

12/15/2010 Prefiled (H)
01/05/2011 Read First Time (H) (H22)
01/06/2011 Read Second Time (H) (H71)
01/27/2011 Referred: Small Business (H) (H245)
02/02/2011 Public Hearing Scheduled, Bill not Heard (H)
02/16/2011 Public Hearing Completed (H)
03/02/2011 Executive Session Completed (H)
03/02/2011 Voted Do Pass - Consent (H)
03/07/2011 Reported Do Pass by Consent (H) (H538)
03/07/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H538)
03/09/2011 Rules - Executive Session Completed (H)
03/09/2011 Rules - Voted Do Pass - Consent (H)
03/09/2011 Rules - Reported Do Pass Consent (H) (H572)
03/17/2011 Perfected by Consent - Pursuant to House Rules (H) (H698)
03/31/2011 Third read and passed (H) (H795-796)
03/31/2011 S First Read--HB 68-Scharnhorst (S543)
04/07/2011 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S666)
04/20/2011 Hearing Conducted S Jobs, Economic Development and Local Government Committee
04/20/2011 Voted Do Pass S Jobs, Economic Development and Local Government Committee
05/05/2011 Reported from S Jobs, Economic Development and Local Government Committee to Floor (S1345)
05/10/2011 S Third Read and Passed (S1680 / H2243)
05/10/2011 Truly Agreed To and Finally Passed (H2243)

EFFECTIVE: August 28, 2011

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*** HB 70 *** HCS HB 70 0379L.02T

SENATE SPONSOR: Goodman HOUSE HANDLER: Phillips

HCS/HB 70 - This act changes the compensation for members of the county highway commission who are not also members of the county's governing body from $15 per day for the first meeting of each month and $5 for each additional meeting during the month to
an amount per meeting not to exceed $100 as established by the county's governing body. The mileage allowance for members of the county highway commission is also changed from eight cents per mile actually and necessarily traveled in the performance of their duties to the same amount per mile received by the members of the county's governing body. Under the terms of the act, a member of the commission who is also a member of the county's governing body will not receive any compensation or mileage allowance for his or her service to the commission.
STEPHEN WITTE

12/15/2010 Prefiled (H)
01/05/2011 Read First Time (H) (H22)
01/06/2011 Read Second Time (H) (H71)
02/10/2011 Referred: Local Government (H) (H342)
02/23/2011 Public Hearing Completed (H)
03/16/2011 Executive Session Completed (H)
03/16/2011 HCS Voted Do Pass - Consent (H)
03/16/2011 HCS Reported Do Pass by Consent (H) (H671)
03/16/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H671)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass - Consent (H)
03/28/2011 Rules - Reported Do Pass Consent (H) (H723)
04/04/2011 Perfected by Consent - Pursuant to House Rules (H) (H839)

04/05/2011 Third Read and Passed (H) (H854-855)
04/05/2011 S First Read--HCS for HB 70 (S587)
04/07/2011 Second Read and Referred S Transportation Committee (S667)
04/20/2011 Hearing Conducted S Transportation Committee
04/27/2011 Voted Do Pass S Transportation Committee
04/27/2011 Reported from S Transportation Committee to Floor (S1151)
04/28/2011 S Third Read and Passed (S1201-1202)
04/28/2011 Truly Agreed To and Finally Passed (H1685)

EFFECTIVE: August 28, 2011

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*** HB 71 *** SS HB 71 0030S.06F

SENATE SPONSOR: Engler HOUSE HANDLER: Nasheed

SS/HCS/HB 71 - This act modifies provisions relating to the St. Louis police force.

Under this act, no officer, employee, or representative of the St. Louis police force may engage in certain activities with a licensed dealer or private seller of firearms. These acts are punishable as a class D felony.

In addition, this act prohibits an officer or employee of a St. Louis police force from taking certain political actions. Violations may result in a fine of $50 to $500 and imprisonment of not more six months.

This act allows the City of St. Louis to establish a municipal police force, no sooner than Jan. 1, 2012, after certain conditions have been met and according to certain procedures. The terms of the commissioners of the board of police shall expire upon the establishment of the police force and several provisions of current law shall no longer apply to the city or its municipal police force, but the act shall not be construed as changing the retirement benefits provided under current law.

The municipal police force shall initially employ, without a reduction in rank, salary, or benefits, all commissioned and civilian personnel of the board of police commissioners.

The residency rules established by the board shall apply to the commissioned and civilian personnel of the board who transfer to the new police force, but the city may enforce any residency rule for those hired after the transfer.

Under this act, the city may adopt rules for the police force, but disciplinary decisions shall be governed by the civil service commission's rules. The commission shall issue decisions in appeals of disciplinary actions, which shall be subject to appeal.

The city must provide or contract for certain benefits. Health, medical, and life insurance must be available for purchase by the spouses or dependents of deceased retired officers and employees who receive benefits from the Police Retirement System of St. Louis.

This act requires the city to create a transition committee to coordinate and implement the transition of the police force to the city.

This act provides that the city shall not be restricted in any way in the selection of a police chief. Under this act, the police chief may require the city's sheriff and other law enforcement officers to act under the chief's control when needed.

This act further provides that any person who acts as a private watchman, private detective, or private policeman in St. Louis without having obtained a written license is guilty of a class A misdemeanor.

This act provides that sections 84.345 to 84.348 are nonseverable.

This act modifies the definition of "earnable compensation" and "police officer" for purposes of the St. Louis police retirement system to remove references to Section 84.160 which will expire upon passage of this act. "Earnable compensation" shall include any compensation for academic work and shift differential that may be provided by any official or board that manages the police force.

Also, the president of the board of police commissioners is removed from the board of trustees for the St. Louis police retirement system.

This act provides that in the event the state or any state official is ordered to provide state funds to St. Louis City to satisfy pension obligations for members of the Police Retirement System of St. Louis, the amount of the funds shall constitute a first lien on the funds of the city. The state treasurer and director of the department of revenue are required to withhold all money due to the city until the amount, together with interest, is satisfied.

This act is similar to SB 23 (2011) and HB 71 (2011).
MEGHAN LUECKE

SA 1 - THE CHIEF OF POLICE IS PROHIBITED FROM ENGAGING IN CERTAIN SPECIFIED POLITICAL ACTIVITIES. ANY PERSON WHO VIOLATES THE PROHIBITION FACES A $5000 PENALTY AND IMMEDIATE FORFEITURE OF HIS OR HER OFFICE. THE CITY MAY NOT PAY THE PENALTY AND THE CHIEF OF POLICE IS REQUIRED TO FILE A PERSONAL FINANCIAL DISCLOSURE STATEMENT WITH THE MISSOURI ETHICS COMMISSION.

THIS AMENDMENT PROVIDES THAT ST. LOUIS MAY ESTABLISH A POLICE FORCE ON OR AFTER JULY 1, 2011.

THE CITY IS REQUIRED TO HIRE A HEARING OFFICER TO HEAR APPEALS IN DISCIPLINARY DECISIONS THAT INVOLVE A SUSPENSION OF GREATER THAN FIFTEEN DAYS, DEMOTION, OR TERMINATION.

ALL THE PROVISIONS OF THIS ACT ARE NONSEVERABLE EXCEPT A PROVISION REQUIRING A POLICE CHIEF TO FORFEIT OFFICE IF THE CHIEF ENGAGES IN CERTAIN POLITICAL ACTIVITIES AND SECTION 84.344, WHICH RELATES TO THE PURCHASE OF GUNS AND AMMUNITION.

NO ELECTED OR APPOINTED OFFICIAL OF THE STATE OR A POLITICAL SUBDIVISION MAY INTERFERE WITH ANY MEMBER OF THE ST. LOUIS POLICE FORCE IN THE PERFORMANCE OF HIS OR HER JOB DUTIES OR IN ANY INVESTIGATION OR ELSE FACE A PENALTY OF $2,500 AND DISQUALIFICATION FROM OFFICE UNDER THIS ACT.

THIS ACT ALSO MAKES IT AN UNLAWFUL EMPLOYMENT PRACTICE TO TAKE CERTAIN ADVERSE EMPLOYMENT ACTIONS AGAINST AN EMPLOYEE OF THE ST. LOUIS POLICE FORCE FOR REPORTING THE ILLEGAL CONDUCT OF A CO-WORKER. ANY MEMBER OF THE POLICE FORCE MAY SUE FOR DAMAGES UNDER THIS PROVISION.

IN ADDITION, THIS AMENDMENT REMOVES THE MAYOR'S ABILITY TO APPOINT THREE MEMBERS TO A TRANSITION COMMITTEE. INSTEAD, THE POLICE CHIEF OF THE MUNICIPAL POLICE FORCE, THE CITY'S DIRECTOR OF PUBLIC SAFETY AND A RETIREE APPOINTED BY A POLICE OFFICER'S ASSOCIATION SHALL SERVE ON THE TRANSITION COMMITTEE.

THE MAYOR'S APPOINTMENTS TO THE ST. LOUIS POLICE RETIREMENT SYSTEM BOARD OF TRUSTEES IS DECREASED FROM THREE TO TWO UNDER THIS AMENDMENT, AND THE MAYOR IS PROHIBITED FROM APPOINTING THE POLICE CHIEF, THE CITY'S PUBLIC SAFETY DIRECTOR, OR THE PRESIDENT OF THE BOARD OF POLICE COMMISSIONERS. THE NUMBER OF RETIREES ON THE BOARD IS INCREASED FROM TWO TO THREE.

SA 1 TO SA 1 - THIS AMENDMENT CHANGES THE DATE THE POLICE FORCE MAY BE ESTABLISHED BACK TO JANUARY 1, 2012. ALSO IT REMOVES THE PROVISION PROHIBITING A POLICE CHIEF FROM WORKING ON POLITICAL CAMPAIGN OR FOR A CANDIDATE ON A VOLUNTARY BASIS.

SA 2 TO SA 1 - THIS AMENDMENT MODIFIES THE PROVISION INVOLVING THE POLITICAL ACTIVITIES OF POLICE CHIEFS.

12/20/2010 Prefiled (H)
01/05/2011 Read First Time (H) (H22)
01/06/2011 Read Second Time (H) (H71)
01/13/2011 Referred: Urban Issues (H154)
01/19/2011 Public Hearing Completed (H)
01/19/2011 Executive Session Completed (H)
01/19/2011 Voted Do Pass (H)
01/19/2011 Reported Do Pass (H) (H190)

01/19/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H190)
01/25/2011 Rules - Executive Session Completed (H)
01/25/2011 Rules - Voted Do Pass (H)
01/25/2011 Rules - Reported Do Pass (H) (H222)
02/17/2011 Perfected with Amendments (H) (H392)
02/22/2011 Third Read and Passed (H) (H415-416)
02/23/2011 S First Read--HB 71-Nasheed, et al (S311)
03/10/2011 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S437)
03/28/2011 Hearing Conducted S Financial and Governmental Organizations and Elections Committee
04/04/2011 Voted Do Pass S Financial and Governmental Organizations and Elections Committee
04/07/2011 Reported from S Financial and Governmental Organizations and Elections Committee to Floor (S662)
04/12/2011 Bill Placed on Informal Calendar (S687)
05/09/2011 SS S offered (Engler)--(0030S.06F) (S1526)
05/09/2011 SA 1 to SS S offered (Chappell-Nadal)--(0030S06.05S) (S1526-1529)
05/09/2011 Bill Placed on Informal Calendar (S1529)
05/09/2011 Taken up for Third Reading
05/10/2011 Bill Placed on Informal Calendar
05/09/2011 SA 1 to SA 1 to SS S offered & adopted (Chappelle-Nadal)--(0030S06.09S) (S1621)
05/09/2011 SA 2 to SA 1 to SS S offered & adopted (Crowell)--(0030S06.12S) (S1621)
05/09/2011 SA 1 to SS, as amended, S adopted (S1621)
05/09/2011 SS, as amended, S adopted (S1622)
05/09/2011 Bill Placed on Informal Calendar (S1622)
05/12/2011 Referred S Ways & Means & Fiscal Oversight Committee (S1930)
05/13/2011 S Inf Calendar H Bills for Third Reading--SS for HB 71-Nasheed, et al (Engler) (In Fiscal Oversight)

EFFECTIVE: August 28, 2011

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*** HB 73 *** SS SCS HCS HB 73 & 47 0434S.05T

SENATE SPONSOR: Crowell HOUSE HANDLER: Brandom

SS/SCS/HCS/HBs 73 & 47 - This act requires the Department of Social Services to develop a program to screen each applicant or recipient of temporary assistance for needy families (TANF) benefits, and then test, using a urine dipstick five panel test, each one 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 decision. However, such person shall continue to receive benefits if such person successfully completes a substance abuse treatment program 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. If the individual tests positive for the use of illegal drugs a second time, then such individual 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.

Case workers of applicants or recipients shall be required to report or cause a report to be made to the Children's Division in instances where the case worker has reasonable suspicion to believe that such individual is engaging in illegal use of a controlled substance, such individual has tested positive for the illegal use of a controlled substance or has refused to be tested.

Other members of a household which includes a person who has been declared ineligible for TANF 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 act.

This act provides that all electronic benefits cards distributed to TANF recipients shall have imprinted on the card a photograph of the recipient or protective payee authorized to use the card. The card shall not be accepted for use by a retail establishment if the photograph of the recipient does not match the person presenting the card. Such card shall expire and be subject to renewal after a period of three years.

This act is substantially similar to SCS/SBs 7,5, 74 &169 (2011).

ADRIANE CROUSE

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| 12/21/2010 | Prefiled (H) |
| 01/05/2011 | Read First Time (H) (H22) |
| 01/06/2011 | Read Second Time (H) (H71) |
| 01/06/2011 | Referred: General Laws (H) (H85) |
| 01/12/2011 | Public Hearing Completed (H) |
| 01/12/2011 | Executive Session Completed (H) |
| 01/12/2011 | HCS Voted Do Pass (H) |
| 01/12/2011 | HCS Reported Do Pass (H) (H141) |
| 01/12/2011 | Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H141) |
| 01/13/2011 | Rules - Executive Session Completed (H) |
| 01/13/2011 | Rules - Voted Do Pass (H) |
| 01/13/2011 | Rules - Reported Do Pass (H) (H155) |
| 01/26/2011 | HCS Adopted (H) (H236) |
| 01/26/2011 | Perfected with Amendments (H) (H236) |
| 01/26/2011 | Referred: Fiscal Review (H) (H237) |
| 01/27/2011 | Public Hearing Completed (H) |
| 01/27/2011 | Executive Session Completed (H) |
| 01/27/2011 | Reported Do Pass (H) (H246) |
| 01/31/2011 | Third Read and Passed (H) (H259) |
| 02/01/2011 | S First Read--HCS for HBs 73 & 47 (S180) |
| 02/21/2011 | Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S291) |
| 04/12/2011 | Hearing Conducted S Health, Mental Health, Seniors and Families Committee |
| 04/14/2011 | SCS Voted Do Pass S Health, Mental Health, Seniors and Families Committee (0434S.04C) |
| 04/14/2011 | Reported from S Health, Mental Health, Seniors and Families Committee to Floor w/SCS (S732) |
| 04/18/2011 | Referred S Ways & Means & Fiscal Oversight Committee (S751) |
| 04/21/2011 | Hearing Conducted S Ways and Means and Fiscal Oversight |
| 04/21/2011 | Voted Do Pass S Ways & Means & Fiscal Oversight Committee |
| 04/21/2011 | Reported from S Ways & Means and Fiscal Oversight Committee to Floor (S808) |
| 04/26/2011 | SS for SCS S offered (Crowell)--(0434S.05F) (S1063) |
| 04/26/2011 | SA 1 to SS for SCS S offered (Crowell)--(0434S05.02S) (S1063) |
| 04/26/2011 | SSA 1 for SA 1 to SS for SCS S offered & defeated (Callahan)--(0434S05.06S) (S1063-1064) |
| 04/26/2011 | SSA 2 for SA 1 to SS for SCS S offered & adopted (Schaaf)--(0434S05.11S) (S1064) |
| 04/26/2011 | SA 2 to SS for SCS S offered & adopted (Crowell)--(0434S05.01S) (S1064) |
| 04/26/2011 | SA 3 to SS for SCS S offered (Lembke)--(0434S05.05S) (S1064) |
| 04/26/2011 | SA 1 to SA 3 to SS for SCS S offered & adopted (Justus)--(0434S05.09S) (S1064) |
| 04/26/2011 | SA 2 to SA 3 to SS for SCS S offered & adopted (Ridgeway)--(0434S05.15S) (S1065) |
| 04/26/2011 | SA 3 to SS for SCS, as amended, S adopted (S1065) |
| 04/26/2011 | SA 4 to SS for SCS S offered & Ruled out of order (Chappelle-Nadal)--(0434S04.14S) (S1065-1066) |
| 04/26/2011 | SA 5 to SS for SCS S offered & adopted (Ridgeway)--(0434S05.07S) (S1066) |
| 04/26/2011 | SA 6 to SS for SCS S offered & adopted (Justus)--(0434S05.18S) (S1066) |
| 04/26/2011 | SA 7 to SS for SCS S offered & Ruled out of order (Chappelle-Nadal)--(0434S05.17S) (S1066-1067) |
| 04/26/2011 | SS for SCS, as amended, S adopted (S1067) |
| 04/26/2011 | Referred S Ways & Means & Fiscal Oversight Committee (S1067) |
| 04/28/2011 | Hearing Conducted S Ways and Means and Fiscal Oversight Committee |
| 04/28/2011 | Voted Do Pass S Ways & Means & Fiscal Oversight Committee |
| 04/28/2011 | Reported from S Ways & Means & Fiscal Oversight Committee to Floor (S1198) |
| 04/28/2011 | S Third Read and Passed (S1199 / H1685-1687) |
| 05/10/2011 | Motion to concur in SS for SCS, as amended (H2192) |
| 05/10/2011 | Substitute motion to refuse to concur and request Senate recede or grant conference offered & defeated (H2192-2193) |
| 05/10/2011 | H concurs in SS for SCS, as amended (H2195) |
| 05/10/2011 | H Third Read & Passed (H2196 / S1676) |
| 05/10/2011 | Truly Agreed To and Finally Passed (S1676) |

EFFECTIVE: August 28, 2011

HCS/HB 76 - This act caps corporate franchise tax liabilities at the amount of each corporation's tax liability for the 2010 tax year. If a corporation did have a corporate franchise tax liability in 2010 because such corporation was not doing business within the state or did not exist, such corporation's franchise tax liability will be capped at the amount of such corporation's franchise tax liability for its first full-year of existence. Beginning January 1, 2012, the corporate franchise tax rate will be gradually reduced over a five year period until it is completely phased-out. Effective January 1, 2016, no corporate franchise tax will be imposed.

Under current law, banking institutions are allowed to use bank tax credits against their bank tax liability and any remaining credits may be used to offset corporate income tax liability. Limited liability companies and limited liability partnerships will be able to use bank tax credits against their bank tax liability and any remaining tax credits may be used to offset corporate income taxes on all returns filed on or after January 1, 2012.

This act is similar to the perfected version of the Senate Committee Substitute for Senate Bill 19 (2011).
JASON ZAMKUS

12/21/2010 Prefiled (H)
01/05/2011 Read First Time (H) (H23)
01/06/2011 Read Second Time (H) (H71)
01/13/2011 Referred: Tax Reform (H) (H154)
01/26/2011 Public Hearing Completed (H)
02/09/2011 Executive Session Completed (H)
02/09/2011 HCS Voted Do Pass (H)
02/09/2011 HCS Reported Do Pass (H) (H333)
02/09/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H333)
02/15/2011 Rules - Executive Session Completed (H)
02/15/2011 Rules - Voted Do Pass (H)
02/15/2011 Rules - Reported Do Pass (H) (H369)
02/28/2011 HCS Adopted (H) (H470)
02/28/2011 Perfected with Amendments (H) (H470)
03/01/2011 Referred: Fiscal Review (H) (H486)
03/02/2011 Executive Session Completed (H)
03/02/2011 Voted Do Pass (H)
03/02/2011 Reported Do Pass (H) (H502)
03/03/2011 Third Read and Passed (H) (H512)
03/07/2011 S First Read--HCS for HB 76 (S401)
03/17/2011 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S495)

EFFECTIVE: August 28, 2011

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*** HB 79 *** 0172L.01P

HOUSE HANDLER: Nolte

HB 79 - This act allows a veteran who served in a unit of the Missouri national guard to receive a medallion, medal, and certificate for serving in World War II, the Korean conflict, or Vietnam War, regardless of whether the veteran is or ever was a legal resident of Missouri.
EMILY KALMER

12/21/2010 Prefiled (H)
01/05/2011 Read First Time (H) (H23)
01/06/2011 Read Second Time (H) (H71)
01/20/2011 Referred: Veterans (H) (H199)
01/25/2011 Public Hearing Completed (H)
03/15/2011 Executive Session Completed (H)
03/15/2011 Voted Do Pass - Consent (H)
03/15/2011 Reported Do Pass by Consent (H) (H637)
03/15/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H637)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass - Consent (H)
03/28/2011 Rules - Reported Do Pass Consent (H) (H723)
04/04/2011 Perfected by Consent - Pursuant to House Rules (H) (H839)

04/05/2011 Third Read and Passed (H) (H855-856)
04/05/2011 S First Read--HB 79-Nolte, et al (S587)
04/07/2011 Second Read and Referred S General Laws Committee (S667)

EFFECTIVE: August 28, 2011

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*** HB 83 *** HCS HB 83 0444L.02T

SENATE SPONSOR: Wasson HOUSE HANDLER: Nolte

HCS/HB 83 - 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.

This act is similar to SB 773 (2010), and SB 219 (2011).
CHRIS HOGERTY

12/21/2010 Prefiled (H)
01/05/2011 Read First Time (H) (H23)
01/06/2011 Read Second Time (H) (H71)
01/20/2011 Referred: Financial Institutions (H) (H199)
02/09/2011 Public Hearing Completed (H)
02/16/2011 Executive Session Completed (H)
02/16/2011 HCS Voted Do Pass - Consent (H)
02/21/2011 HCS Reported Do Pass by Consent (H) (H404)
02/21/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H404)
02/28/2011 Rules - Executive Session Completed (H)
02/28/2011 Rules - Voted Do Pass - Consent (H)
02/28/2011 Rules - Reported Do Pass Consent (H) (H473)
03/09/2011 Perfected by Consent - Pursuant to House Rules (H) (H573)
03/15/2011 Third Read and Passed (H) (H622-623)
03/16/2011 S First Read--HCS for HB 83 (S465)
03/31/2011 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S545)
04/11/2011 Hearing Conducted S Financial and Governmental Organizations and Elections Committee
04/18/2011 Voted Do Pass S Financial and Governmental Organizations and Elections Committee
04/21/2011 Reported from S Financial and Governmental Organizations and Elections Committee to Floor (S812)
04/26/2011 S Third Read and Passed (S1092)
04/26/2011 Truly Agreed To and Finally Passed (H1652)

EFFECTIVE: August 28, 2011

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*** HB 88 *** 0377L.02P

HOUSE HANDLER: Gatschenberger

HB 88 - This act allows a public administrator to request the court to transfer any guardianship or conservatorship case to another county. If the other county meets the venue requirements and the public administrator of the other county consents to the transfer, the court is required to transfer the case. The court with jurisdiction over the other county is required to appoint the public administrator of that county as the person's new guardian or conservator without holding a hearing.

The public administrator is required to file a final settlement of their conservatorship within thirty days of the court transferring the case. This final settlement will be filed in the court with jurisdiction over the original conservatorship and forwarded to the receiving county upon audit and approval.

This act is similar to SB 57 (2011) & HB 1676 (2010).
EMILY KALMER

12/22/2010 Prefiled (H)
01/05/2011 Read First Time (H) (H23)
01/06/2011 Read Second Time (H) (H71)
01/20/2011 Referred: Judiciary (H) (H199)
01/26/2011 Public Hearing Completed (H)
02/09/2011 Executive Session Completed (H)
02/09/2011 HCS Voted Do Pass - Consent (H)

03/02/2011 Executive Session Completed (H)
03/02/2011 Voted Do Pass - Consent (H)
03/08/2011 Reported Do Pass by Consent (H) (H554)
03/08/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H554)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass - Consent (H)
03/28/2011 Rules - Reported Do Pass Consent (H) (H723)
04/04/2011 Perfected by Consent - Pursuant to House Rules (H) (H839)
04/05/2011 Third Read and Passed (H) (H856-857)
04/05/2011 S First Read--HB 88-Gatschenberger (S587)
04/07/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S667)

EFFECTIVE: August 28, 2011

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*** HB 89 *** SS#2 SCS HCS HB 89 0385S.12T

SENATE SPONSOR: Lager HOUSE HANDLER: Pollock

SS/SCS/HCS/HB 89 - This act modifies provisions pertaining to natural resources.

SECTION 37.970 - TRANSPARENCY POLICY
Each state department must carry out its duties with full transparency to the public and the public must be able to access any of the department's data or information in a timely fashion. Each department must take a broad interpretation of the Missouri Sunshine Law and must respond accordingly to any request for information, regardless of the format in which the request is made.

SECTIONS 67.4500-67.4520 - DRINKING WATER SUPPLY LAKE AUTHORITY
This act creates a county drinking water supply lake authority in Sullivan County to promote a safe drinking water supply through the construction, operation, and maintenance of a drinking water supply lake. The authority shall be a body corporate and politic and a political subdivision of the state. Its income and property shall be exempt from state and local taxation.

The authority shall have power over the reservoir encompassing a drinking water supply lake and within the lake's watershed to acquire or build recreational, water quality, and infrastructure improvement projects; acquire personal and real property; enter contracts; sue and be sued; accept money from and enter into agreements with private and public entities; hire employees and fix their wages; spend money; adopt rules; fix fees; issue revenue bonds; sell and supply water; adopt tax increment financing; and exercise the powers of planning and zoning.

Members of the North Central Missouri Regional Water Commission shall appoint members to the county drinking water supply lake authority for staggered six year terms. The appointees must, for more than five years, be registered voters in Missouri and residents of Sullivan County, and the appointees must be over the age of 25.

The water commission shall also establish the date and time for the lake authority's first meeting where a chairman, vice chairmen, secretary and treasurer are to be elected or appointed. An executive director who is not a member of the lake authority may also be appointed who will be compensated or the secretary may be designated to act as executive director.

Surety bonds in the penal sum of $50,000 or a blanket bond covering the members of the authority, shall be purchased and conditioned upon the faithful performance of the duties of the offices covered.

Authority members are barred from participating in any deliberations or decisions in which the member has a direct financial interest. Such members are subject to the limitations regarding the conduct of public officials provided in chapter 105.

These sections are identical to the perfected SB 360 (2011).

SECTION 192.1250 - REAL-TIME WATER QUALITY TESTING
The Department of Health and Senior Services must examine the feasibility of implementing a real-time water quality testing system for measuring the bacterial water quality at state-owned public beaches and report to the General Assembly by December 31, 2011.

SECTION 247.060 - PUBLIC WATER SUPPLY DISTRICTS
The act removes the provision in current law that requires members of the board of directors of a public water supply district to serve without pay. Board members are allowed up to $100 for attending a board meeting or special meeting and must be reimbursed for their actual expenditures in the course of their duties. The president of the board may receive an additional $50 per meeting. The act provides limitations on the number of meetings for which board members may receive compensation and requires the completion of certain training prior to receipt of such compensation.

The act additionally provides the circuit court in the jurisdiction of the district certain authorities to suspend or remove board members from office for cause or to prevent a board member from acting against the interests of the district.

This section is similar to HB 210 (2011).

SECTION 253.090 - STATE PARK EARNINGS FUND
The act exempts monies in the State Park Earnings Fund from being transferred to the General Revenue Fund in the biennial sweep.

This section is similar to HB 823 (2011) and HB 191 (2011).

SECTION 442.014 - CONSERVATION EASEMENTS
The act creates the Private Landowner Protection Act.

Conservation easements, which are easements designed to preserve open space or to protect natural or cultural resources on land, may be created, conveyed, terminated, and modified in the same manner as other types of easements. Conservation easements must be accepted and recorded by the holder before any right or duty arises from the easement. Conservation easements shall exist in perpetuity unless the easement specifies otherwise.

Conservation easements do not affect an interest in real property unless the real property owner is a party to the easement or otherwise consents.

Actions affecting a conservation easement may be brought by a landowner, the easement holder, a third-party that holds a right of enforcement as designated in the easement, or by any other person authorized by law. The act does not affect the power of a court to modify or terminate a conservation easement.

Conservation easements are valid even though they may have certain characteristics as specified in the act. The act does not invalidate any other type of lawful interest as a covenant, equitable servitude, restriction, or other easement.

This section is similar to HCS/HB 597 (2011) and SB 119 (2011).

SECTION 444.771 - PERMITS FOR MINING NEAR SCHOOLS
No surface mining permits or air or water quality permits shall be issued to any person for mining activity when the mine plan boundary for the activity is within 1,000 feet of an accredited school that has been in that location for at least 5 years, except this prohibition does not apply to requests to expand existing mines or to underground mining activities.

SECTION 444.773 - SURFACE MINING PERMITS
Under current law, if the Land Reclamation Commission holds a public hearing regarding the issuance of a surface mining permit, the burden of proof is on the permit applicant to prove that the permit would not unduly impair the health, safety, or livelihood of any person. This act removes this burden of proof provision.

This section is identical to HB 686 (2011).

SECTION 537.292 - MOTOR VEHICLES AND NUISANCE
Under this act, the use of motor vehicles on a public street or highway in a manner which is legal under state and local law shall not constitute a public or private nuisance, and shall not be the basis of a civil action for public or private nuisance. No individual or business entity shall be subject to any civil action in law or equity for a public or private nuisance on the basis of such individual or business entity legally using motor vehicles

on a public street. Any actions by a court to enjoin the use of a public street or highway and any damages awarded or imposed by a court, or assessed by a jury, against an individual or business entity for public or private nuisance in violation of this act shall be null and void.

This section is identical to the same section in SB 277 (2011).

SECTION 621.250 - ADMINISTRATIVE HEARING COMMISSION
Under current law, any party who is affected by a decision made by a state regulatory environmental commission may file an appeal with the Administrative Hearing Commission (AHC). The act modifies this provision by placing the condition that the party must be "aggrieved" or "adversely" affected by the decision in order to be able to file the appeal.

Under current law, the AHC has discretion as to whether or not it holds hearings on an appeal request. This act removes the discretion and, instead, requires the AHC to either hold hearings and make a recommended decision within 60 days of the date of the request or else make a recommended decision within the 60-day period based on stipulation of the parties, consent order, agreed settlement, disposition in the nature of default judgment, judgment on the pleadings, or summary determination.

The act requires the environmental commission for which an appeal has been made to the AHC to render its final decision on the matter within 90 days of the date of the appeal request.

The act prohibits a cause of action or court appeal of a decision made by an regulatory environmental commission unless the party has already filed an administrative appeal with the AHC and received a final decision on the appeal from the environmental commission.

This section contains provisions similar to SB 403 (2011).

SECTION 640.018 - ADDITIONAL PERMIT REQUIREMENTS
A permit shall be automatically issued by the Department of Natural Resources if the department has not rendered a permit decision by the expiration of a statutorily-required permit application processing timeframe and the department has been in possession of all necessary application information throughout that time.

If certain technical engineering documents have been prepared by a registered professional engineer and are submitted to the Department of Natural Resources in conjunction with a permit application or permit modification, the documents must be sealed by the engineer and the permit application or modification must include a statement that the documents were prepared in accordance with all applicable requirements. The department must use the documents in addition to other relevant information to develop comments and render a permit decision. Only a registered professional engineer or engineering intern may review the sealed engineering documents. The act also provides procedures for supervisory review of engineering documents.

SECTION 640.128 - NOTIFICATION OF PUBLIC HEALTH RISK
The Department of Natural Resources must immediately notify the local public health authority and the Department of Health and Senior Services if it receives water quality test results voluntarily submitted by a permitted entity that indicate a risk to public health.

SECTION 640.850 - CONSOLIDATION OF SERVICES
The Governor must convene a committee made up of representatives from the departments of Agriculture, Conservation, Economic Development, Health & Senior Services, and Natural Resources to evaluate ways to consolidate services. The committee must provide recommendations to the Governor and the General Assembly by December 31, 2011. In its evaluation, the committee must review the transfer of the division of energy from the Department of Natural Resources to the Department of Economic Development and the consolidation of laboratory testing for water quality under the Department of Health & Senior Services.

SECTIONS 643.020 TO 643.250 (except not 643.130) - ASBESTOS AND AIR QUALITY
The act modifies several definitions pertaining to asbestos. The minimum project dimensions for "asbestos abatement projects" are increased. The act removes the "by weight" requirement for the percentage of asbestos in the definition of "asbestos containing material." A reference to federal law is modified in the definition of "competent person." The definition of "friable asbestos containing material" is modified. The act removes a reference to the Asbestos Hazard Emergency Response Act of 1986 in the definition of "inspector" and the act adds definitions for "grinding," "nonfriable asbestos-containing material," and "regulated

asbestos-containing material."

The act expands the citation range of statutes in Chapter 643 that refer to the regulation of air quality and responsibilities of the Air Conservation Commission and makes this change in numerous places. In several places the act modifies an incorrect federal law reference for asbestos requirements under Occupational Safety and Health Administration (OSHA) regulations.

Under current law, the Air Conservation Commission or its authorized representative may enter upon public or private property believed to be an air contaminant source. The act also allows these entities to enter upon public or private property deemed to have material information relevant to an air contaminant source.

Currently, in order to qualify for a renewal of an asbestos-related certificate, an individual must complete an annual refresher course that is accredited by either the U.S. Environmental Protection Agency (USEPA) or the state of Missouri. The act removes the USEPA option. The act reduces from 24 months to 12 months, the amount of time after expiration of a certificate in which an individual must complete the annual refresher course or else is required to retake the original training course.

Under current law, certain persons who are subject to USEPA and OSHA asbestos regulations are eligible to apply for an exemption from certain state asbestos requirements for asbestos certification and registration. The act removes this exemption.

The act reduces from 20 working days to 10 working days, the number of days in advance of an asbestos abatement project that a person must submit an application to the Department of Natural Resources. The application must include a copy of an asbestos inspection survey for the structure.

The act removes the notification requirements for asbestos abatement projects that are between 10 square feet and 160 square feet or between 16 linear feet and 260 linear feet.

Current law requires analysis of asbestos air samples to be conducted according to OSHA standards. The act allows the analysis to meet USEPA standards as an alternative.

The act removes the current requirement that civil penalties paid for asbestos-related violations be deposited in the Natural Resources Protection Fund.

These sections are similar to SB 958 (2010) and HB 2355 (2010).

SECTIONS 643.130 & 644.071 - JUDICIAL REVIEW
The act specifies that any action seeking judicial review of a decision made by the Missouri Air Conservation Commission or the Clean Water Commission must be filed in a court of appeals instead of a circuit court.

These sections are identical to the same sections in SB 403 (2011).

SECTION 644.036 - 303(d) LIST
The act removes the expiration date (which was August 28, 2010) for the public notification requirements for the Clean Water Commission's development of the list of impaired waters required by Section 303(d) of the federal Clean Water Act.

This section is similar to SB 158 (2011), HB 441 (2011), HB 97 (2011), and HB 2109 (2010).

SECTION 644.051 - CLEAN WATER COMMISSION PERMITS & APPEALS
The act allows potential permit applicants to appeal the terms and conditions of a water pollution control general permit template to the Clean Water Commission within 30 days of issuance of the template by the Department of Natural Resources.

Under current law, the burden of proof in any appeal hearing regarding the issuance of a water pollution control permit is on the permit applicant. The act modifies the requirement such that the permit applicant has the burden of proof only for appeals relating to the denial of a permit, license, or registration, but for all other appeals, the Clean Water Commission shall have the burden of proof.

The act allows the Department of Natural Resources to modify, reissue, or terminate a water pollution control permit at the request of the permit holder. Any such request must be made in writing and must contain facts

or reasons in support of the request.

The Department of Natural Resources must implement permit shield provisions that are equivalent to what is required under federal law and guidance.

SECTION 644.054 - CLEAN WATER PERMIT FEES
Under current law, the authority expired on December 31, 2010 for the Clean Water Commission to charge fees for construction permits, operating permits, and operator's certifications related to water pollution control. This act extends the expiration date to September 1, 2013.

The act requires the Department of Natural Resources to study the fees and present a plan for the fees to the General Assembly by December 31, 2012. The department must conduct stakeholder meetings and the plan must include timelines for permit issuance, expedited permits, and recommendations for improved services.

SECTION 644.145 - AFFORDABILITY DETERMINATIONS
The act requires the Department of Natural Resources to study and make a determination regarding the affordability to communities and their residents of permit requirements and other department decisions related to combined or separate sanitary sewer systems or publicly-owned treatment works. The affordability determination must be made prior to issuing a permit or rendering a decision or else the permit or decision is void and unenforceable.

The act lists criteria the department must use in developing its procedures for determining affordability. The criteria include: a community's financial resources; affordability of pollution control options; an evaluation of the overall costs and environmental benefits of the control technologies; ways to reduce economic impacts on distressed populations in the community; an assessment of other community investments relating to environmental improvements; an assessment of factors in certain federal guidance; and other relevant local community economic conditions. Affordability determinations must be made in the context of all relevant factors and indicators, and should not be based on the achievement of one single economic or social factor or measure.

SECTION 701.033 - PRIVATE SEPTIC SYSTEMS
The act allows the Department of Health and Senior Services to provide technical assistance and guidance to local authorities that administer and enforce individual on-site sewage disposal system standards. The Department may provide such assistance at the request of the local government or in any case where the Department determines that its intervention is necessary to prevent a violation of state law.

SECTION 701.058 - STUDY AND REPORT ON PRIVATE SEPTIC SYSTEMS
The Departments of Natural Resources and Health & Senior Services must jointly hold stakeholder meetings and study the issues of permits and inspections for on-site sewage disposal systems and submit a report to the General Assembly by December 31, 2011.

SECTION 1. - NONSEVERABILITY CLAUSE
All of the sections in the act are nonseverable.

REPEALED SECTIONS
386.850 - MISSOURI ENERGY TASK FORCE
This section repeals the statute that requires the Missouri Energy Task Force to reconvene at least once per year to review and report on progress made toward accomplishing the recommendations contained in the task force's final report.

This section is identical to SB 207 (2011).

643.253 & 643.260 - ASBESTOS-RELATED DEFINITIONS
These sections repeal definitions related to asbestos.

701.332 - ASBESTOS
The act repeals section 701.332, which provides an exemption to certain requirements for state asbestos abatement projects for single-family owner-occupied dwellings and vacant public or privately owned residential buildings of four units or less that are being demolished for public health or welfare reasons. The repealed section also provides an exemption for similar dwelling structures in the City of St. Louis.

The act contains an emergency clause for certain sections.

Various provisions of the act are similar to provisions in SB 423 (2011) and SS/SCS/HB 2109 (2010).
ERIKA JAQUES

SSA 1 for SA 1: REMOVES SECTION 537.292 FROM THE BILL RELATING TO LEGAL USE OF MOTOR VEHICLES AND NUISANCE PROTECTION.

SA 2: EXPANDS ELIGIBILITY TO SERVE ON A PUBLIC WATER SUPPLY DISTRICT BOARD TO INCLUDE PERSONS WHO HAVE BEEN SERVED BY THE DISTRICT FOR AT LEAST THE PREVIOUS YEAR AT HIS OR HER PRIMARY RESIDENCE.

SA 3: ADDS SECTION 620.2300 TO THE BILL RELATING TO CLEANFIELDS RENEWABLE ENERGY DEMONSTRATION PROJECTS

12/22/2010 Prefiled (H)
01/05/2011 Read First Time (H) (H23)
01/06/2011 Read Second Time (H) (H71)
01/27/2011 Referred: Tourism and Natural Resources (H245)
02/10/2011 Public Hearing Completed (H)
02/10/2011 Executive Session Completed (H)
02/10/2011 HCS Voted Do Pass (H)
02/15/2011 HCS Reported Do Pass (H) (H369)
02/15/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H369)
03/03/2011 Rules - Executive Session Completed (H)
03/03/2011 Rules - Voted Do Pass (H)
03/09/2011 Rules - Reported Do Pass (H) (H572)
03/14/2011 HCS Adopted (H) (H606)
03/14/2011 Perfected with Amendments (H) (H606)
03/15/2011 Referred: Fiscal Review (H) (H634)
03/16/2011 Executive Session Completed (H)
03/16/2011 Voted Do Pass (H)
03/16/2011 Reported Do Pass (H) (H670)
03/17/2011 Third Read and Passed (H) (H690)
03/17/2011 Emergency Clause Adopted (H) (H691)
03/28/2011 S First Read--HCS for HB 89 (S507)
03/31/2011 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S546)
04/12/2011 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee
04/28/2011 SCS Voted Do Pass S Commerce, Consumer Protection, Energy and the Environment Committee (0385S.10C)
04/28/2011 Reported from S Commerce, Consumer Protection, Energy and the Environment Committee to Floor w/SCS (S1207)
05/02/2011 Referred S Ways & Means & Fiscal Oversight Committee (S1226)
05/05/2011 Hearing Conducted S Ways and Means and Fiscal Oversight Committee
05/05/2011 Voted Do Pass S Ways & Means & Fiscal Oversight Committee
05/05/2011 Reported from S Ways & Means & Fiscal Oversight Committee to Floor (S1346)
05/05/2011 SS for SCS S offered (Lager)--(0385S.11F) (S1353-1354)
05/05/2011 Bill Placed on Informal Calendar (S1354)
05/11/2011 SS for SCS S withdrawn (S1723)
05/11/2011 SS#2 for SCS S offered (Lager)--(0385S.12F) (S1723)
05/11/2011 SA 1 to SS#2 for SCS S offered (Lager)--(0385S12.10S) (S1723-1724)
05/11/2011 SSA 1 for SA 1 to SS#2 for SCS S offered & adopted (Lager)--(0385S12.12S) (S1724)
05/11/2011 SA 2 to SS#2 for SCS S offered & adopted (Ridgeway)--(0385S12.06S) (S1724)
05/11/2011 SA 3 to SS#2 for SCS S offered & adopted (McKenna)--(0385S12.09S) (S1724-1726)
05/11/2011 SS#2 for SCS, as amended, S adopted (S1726)
05/11/2011 S Third Read and Passed - EC adopted (S1727 / H2388-2390)
05/12/2011 H concurs in SS#2 for SCS, as amended (H2546 / S1973)
05/12/2011 H Third Read & Passed - EC adopted (H2546-2547 / S1973)
05/12/2011 Truly Agreed To and Finally Passed (S1973)

EFFECTIVE: Emergency Clause

HOUSE HANDLER: Ruzicka

HB 98 - This act modifies provisions pertaining to environmental control.

SECTION 260.262 - LEAD-ACID BATTERY FEE
The act extends the expiration date from June 30, 2011 to December 31, 2015 for the fee assessed per lead-acid battery sold in the state.

This section is similar to HB 2086 (2010).

SECTIONS 260.380 TO 260.475 - HAZARDOUS WASTE FEES
The expiration date for fees assessed to generators, transporters, and disposers of hazardous waste is extended from December 31, 2011 to December 31, 2015.

The act contains an emergency clause.
ERIKA JAQUES

01/05/2011 Introduced and Read First Time (H) (H24)
01/06/2011 Read Second Time (H) (H71)
02/10/2011 Referred: Tourism and Natural Resources (H342)
02/24/2011 Public Hearing Completed (H)
03/03/2011 Executive Session Completed (H)
03/03/2011 Voted Do Pass - Consent (H)
03/03/2011 Reported Do Pass by Consent (H) (H522)
03/03/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H522)
03/09/2011 Rules - Executive Session Completed (H)
03/09/2011 Rules - Voted Do Pass - Consent (H)
03/09/2011 Rules - Reported Do Pass Consent (H) (H572)
03/17/2011 Perfected by Consent - Pursuant to House Rules (H) (H698)
03/31/2011 Third read and passed (H) (H796-797)
03/31/2011 S First Read--HB 98-Ruzicka (S543)
04/07/2011 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S666)
04/19/2011 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee

EFFECTIVE: Emergency Clause

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*** HB 101 *** CCS SCS HB 101 0059L.04T

SENATE SPONSOR: Cunningham HOUSE HANDLER: Loehner

SCS/HB 101 - This act allows any winery, distiller, manufacturer, wholesaler or brewer to provide tasting samples on a licensed retail premises so long as the sample provider has certain permits, permission from the retailer and no money is given to the retailers for the tasting.

The samples may be dispensed by an employee of the sample provider or a sampling service. The sampling service employees must complete a server training program approved by the Division of Alcohol and Tobacco Control.

Any remaining samples after the tasting must be returned to the retailer, winery, distiller, manufacturer, wholesaler or brewer.

In addition, this act creates a special liquor license for wine shops to allow them to serve alcohol on Sundays from 9 a.m. to midnight. A wine shop is defined by the act as an establishment that serves wine by the drink out of dispensing accessories. There is a $200 fee for the special license.

This act contains a provision identical to SB 287 (2011), and is similar to SB 160 (2011), SB 967 (2010), HCS/SB 795 (2010), HB 1367 (2010), SB 451 (2009), HB 1011 (2009), and HB 81 (2007).
MEGHAN LUECKE

01/05/2011 Introduced and Read First Time (H) (H24)
01/06/2011 Read Second Time (H) (H71)
01/20/2011 Referred: Local Government (H) (H199)
02/09/2011 Public Hearing Completed (H)

02/16/2011 Executive Session - No Action Taken
03/16/2011 Executive Session Completed (H)
03/16/2011 Voted Do Pass - Consent (H)
03/16/2011 Reported Do Pass by Consent (H) (H671)
03/16/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H671)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass - Consent (H)
03/28/2011 Rules - Reported Do Pass Consent (H) (H723)
04/04/2011 Perfected by Consent - Pursuant to House Rules (H) (H839)
04/05/2011 Third Read and Passed (H) (H857-858)
04/05/2011 S First Read--HB 101-Loehner (S587)
04/07/2011 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S667)
04/13/2011 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee
04/21/2011 SCS Voted Do Pass S Agriculture, Food Production and Outdoor Resources Committee (0059S.03C)
04/27/2011 Reported from S Agriculture, Food Production and Outdoor Resources Committee to Floor w/SCS (S1152)
05/04/2011 SA 1 to SCS S offered & adopted (McKenna)--(0059S03.02S) (S1328-1330)
05/04/2011 SA 2 to SCS S offered & adopted (Justus)--(0059S03.01S) (S1330-1331)
05/04/2011 SCS, as amended, S adopted (S1331)
05/04/2011 S Third Read and Passed (S1331 / H1859-1861)
05/05/2011 H refuses to concur in SCS, as amended (H1972 / S1478)
05/05/2011 H requests S recede or grant conference (H1972 / S1478)
05/09/2011 S refuses to recede and grants conference (S1485-1486 / H2078)
05/09/2011 H conferees appointed: Loehner, Fitzwater, Johnson, Quinn, Talboy (H2079 / S1530)
05/09/2011 S conferees appointed: Cunningham, Ridgeway, Lembke, Justus, McKenna (S1534 / H2154)
05/10/2011 H submits CCR (H2246)
05/12/2011 CCR H adopted (H2529-2530 / S1959)
05/12/2011 CCS H Third Read and Passed (H2530-2531 / S1959)
05/12/2011 CCR S offered & adopted (S1960-1961)
05/12/2011 CCS S Third Read and Passed (S1961-1962)
05/12/2011 Truly Agreed To and Finally Passed

EFFECTIVE: August 28, 2011

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*** HB 107 *** 0534L.02P

HOUSE HANDLER: Smith

HB 107 - Currently, the Governor has statutory authority to fill vacancies until successors are elected for the office of United States Senator; various state and county offices filled by election; circuit attorney, prosecuting attorney, and assistant prosecuting attorney offices; and all statewide offices excluding Lieutenant Governor. This act requires the Governor to fill all vacated statewide offices and the office of United States Senator by special election for the remainder of each respective term.

In the case of vacancies for Lieutenant Governor, Secretary of State, and Treasurer, the Governor shall take charge of the vacated office and superintend business until the successor is elected by special election. In the case of a vacancy in the office of Auditor and Attorney General, the Governor shall appoint an acting Auditor and Attorney General who shall take charge of the vacated office and superintend business until the successor is elected by special election.

If the Lieutenant Governor, Attorney General, Auditor, or Treasurer are impeached, such individuals shall be suspended until the impeachment is determined. If convicted, the Governor shall fill the vacancy by special election. Currently, in the case of the impeachment of the Secretary of State, the office shall be filled by appointment until impeachment is determined. If convicted, the Governor shall then fill the vacancy by special election.

If a vacancy occurs in the office of Lieutenant Governor, Attorney General, Secretary of State, Auditor, Treasurer, or United States Senator less than one year prior to the end of the term of office, the Governor may appoint a person to fill the term until the next regular election.

This act is similar to SB 253 (2009), HB 681 (2009), and HB 1497 (2010).

CHRIS HOGERTY

01/05/2011 Introduced and Read First Time (H) (H24)
01/06/2011 Read Second Time (H) (H71)
01/20/2011 Referred: Elections (H) (H199)
01/25/2011 Public Hearing Completed (H)
02/01/2011 Executive Session Completed (H)
02/01/2011 Voted Do Pass (H)
02/07/2011 Reported Do Pass (H) (H298)
02/07/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H298)
02/09/2011 Rules - Executive Session Completed (H)
02/09/2011 Rules - Voted Do Pass (H)
02/09/2011 Rules - Reported Do Pass (H) (H333)
02/23/2011 Perfected with Amendments (H)
02/23/2011 Referred: Fiscal Review (H)
02/24/2011 Reported Do Pass H Fiscal Review (H444)
02/24/2011 Third read and passed (H) (H448-449)
02/24/2011 S First Read--HB 107-Smith (150), et al (S331)
03/17/2011 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S495)
04/04/2011 Hearing Conducted S Financial and Governmental Organizations and Elections Committee
04/11/2011 Voted Do Pass S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2011

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*** HB 108 *** HCS HB 108 0650L.02P

SENATE SPONSOR: Curls HOUSE HANDLER: Smith

HCS/HB 108 - This act removes a provision in current law only allowing political action committees to receive contributions from certain entities formed under chapters 347 to 360 and instead allows such committees to receive contributions from all individuals, unions, federal political action committees, corporations, associations, and partnerships.

The act specifies that candidate committees may purchase tickets, membership dues, meals, advertising, and other similar items from a political action committee and elected officials are allowed to incur expenses from a political action committee if they are related to education or service in office.

Under current law, committee agents are required to deliver detailed accounts of certain transactions within five days of a request of that committee's treasurer, deputy treasurer or candidate. This act requires the agent to deliver the information to those individuals within 30 days of the transaction.

Currently, certain agents are allowed to receive contributions on account of a committee but shall not keep the contributions in an account for more than five days. This act allows the agent to keep the contributions in the account for thirty days.
CHRIS HOGERTY

SCA 1 - CURRENTLY, CERTAIN STATE AND COUNTY OFFICIAL CANDIDATES ARE BARRED FROM PARTICIPATING IN ELECTIONS IF THEY ARE DELINQUENT IN THE PAYMENT OF INCOME OR PERSONAL OR REAL PROPERTY TAXES AND CANDIDATES FOR MUNICIPAL OFFICE ARE NOT QUALIFIED TO RUN FOR OFFICE IF THEY OWE CITY TAXES OR MUNICIPAL USER FEES. THIS AMENDMENT DISQUALIFIES ALL CANDIDATES FROM QUALIFYING AS A CANDIDATE FOR ANY PUBLIC OFFICE IF THEY OWE ANY OF THE AFOREMENTIONED TAXES.

SA 1 - REMOVES A PROVISION ALLOWING ELECTION OFFICIALS TO INCUR EXPENSES FROM POLITICAL ACTION COMMITTEES IF THEY ARE RELATED TO EDUCATION OR SERVICES IN OFFICE.

01/05/2011 Introduced and Read First Time (H) (H24)
01/06/2011 Read Second Time (H) (H71)
01/20/2011 Referred: General Laws (H) (H199)
01/31/2011 Public Hearing Completed (H)
01/31/2011 Executive Session Completed (H)
01/31/2011 Voted Do Pass (H)
02/10/2011 Reported Do Pass (H) (H344)
02/10/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H344)

02/21/2011 Rules - Executive Session Completed (H)
02/21/2011 Rules - Voted to Return to Committee of Origin (H)
02/21/2011 Rules - Returned to the Committee of Origin (H) (H406)
02/22/2011 Executive Session Completed (H)
02/22/2011 HCS Voted Do Pass (H)
02/23/2011 HCS Reported Do Pass (H) (H435)
02/23/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H435)
02/28/2011 Rules - Executive Session Completed (H)
02/28/2011 Rules - Voted Do Pass (H)
02/28/2011 Rules - Reported Do Pass (H) (H473)
03/03/2011 HCS Adopted (H) (H511)
03/03/2011 Perfected (H) (H511)
03/07/2011 Third Read and Passed (H) (H532-533)
03/07/2011 S First Read--HCS for HB 108 (S402)
03/17/2011 Second Read and Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S496)
04/05/2011 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee
04/12/2011 Voted Do Pass (w/SCA 1) S Rules, Joint Rules, Resolutions and Ethics Committee - (8014S11.01S)
04/14/2011 Reported from S Rules, Joint Rules, Resolutions and Ethics Committee to Floor w/SCA 1 (S734-735)
04/19/2011 Bill Placed on Informal Calendar (S767)
04/19/2011 SCA 1 S adopted (S769)
04/19/2011 SA 1 S offered & adopted (Crowell)--(0650L02.02S) (S769)
04/19/2011 S Third Read and Passed, as amended (S769-770 / H1373-1374)
05/13/2011 H Calendar H Bills with S Amendments (SCA 1 & SA 1)

EFFECTIVE: August 28, 2011

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*** HB 109 *** 0409L.01T

SENATE SPONSOR: Wasson HOUSE HANDLER: Wells

HB 109 - Under current law the Treasurer is prohibited from investing in linked deposits the value of which is to be lent to recipients other than eligible water supply systems or eligible student borrowers after December 31, 2015 and investing in linked deposits the value of which is to be lent to any new eligible facility borrower after January 1, 2020. This act repeals those provisions.

The act contains an emergency clause.
CHRIS HOGERTY

01/05/2011 Introduced and Read First Time (H) (H24)
01/06/2011 Read Second Time (H) (H71)
01/20/2011 Referred: Financial Institutions (H) (H199)
02/09/2011 Public Hearing Completed (H)
02/16/2011 Executive Session Completed (H)
02/16/2011 Voted Do Pass - Consent (H)
02/21/2011 Reported Do Pass by Consent (H) (H404)
02/21/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H404)
02/28/2011 Rules - Executive Session Completed (H)
02/28/2011 Rules - Voted Do Pass - Consent (H)
02/28/2011 Rules - Reported Do Pass Consent (H) (H473)
03/09/2011 Perfected by Consent - Pursuant to House Rules (H) (H573)
03/15/2011 Third Read and Passed (H) (H624)
03/15/2011 Emergency Clause Adopted (H) (H625)
03/16/2011 S First Read--HB 109-Wells, et al (S465)
03/31/2011 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S545)
04/11/2011 Hearing Conducted S Financial and Governmental Organizations and Elections Committee
04/20/2011 Voted Do Pass S Financial and Governmental Organizations and Elections Committee
04/21/2011 Reported from S Financial and Governmental Organizations and Elections Committee to Floor (S812)
04/27/2011 S Third Read and Passed (S1100)
04/27/2011 Truly Agreed To and Finally Passed (H1652)

EFFECTIVE: Emergency clause

*** HB 111 *** SS#2 SCS HCS HB 111 0593S.13T

SENATE SPONSOR: Goodman HOUSE HANDLER: Cox

HCS/HB 111 - This act enacts and modifies various provisions of law relating to the judiciary.

BLUE BOOK
(Section 11.010 and 11.025)
These provisions allow the secretary of state to enter into an agreement with a nonprofit organization, so that the nonprofit organization may print and distribute the official manual of the state. The nonprofit organization is required to charge a fee for a copy of the manual to cover the cost of production and distribution.

These provisions are similar to HB 714 (2011) and HCS/HB 889 (2011).

DEPARTMENT OF REVENUE RECORDS
(Section 32.056)
Currently, the Department of Revenue is prohibited from releasing the home address or any information contained in the motor vehicle or driver registration records of parole officers, federal pretrial officers, peace officers, and their immediate family members. This act also prohibits the department from releasing this information for certain federal and state court judges.

This provision is similar to HB 784 (2011), HCS/HB 253 (2011) and HB 1811 (2010).

CHARTER COUNTIES
(Section 56.061)
This provision provides that nothing in the sections regarding the election and authority of a county prosecuting attorney shall be construed to interfere with a charter county's ability to determine the time of election cycles.

This provision is similar to HCS/HB 253 (2011).

PROSECUTION DIVERSION PROGRAMS
(Section 56.089)
This provision allows a prosecuting attorney to divert a criminal case to a prosecution diversion program with the consent of the criminal defendant for a period of six months to two years. The statute of limitations on that criminal case will be tolled during the diversionary program. The prosecuting attorney may divert any criminal case, except for cases where the accused person's participation in a diversion program would prevent a conviction from appearing on the driving record of a commercial driver's license holder in violation of federal regulations.

The prosecuting attorney has the sole authority to develop the diversionary program requirements and may impose conditions, including the payment of restitution and the payment of an administrative handling cost that will go to fund the expenses of the prosecuting attorney's office. The prosecuting attorney may also collect money for the Missouri Office or Prosecution Services Fund from the person accused of a crime. When a person accused of a crime completes the diversionary program, the person is entitled to not have the case filed or the criminal charges dismissed.

Any person or organization involved in supervising activities that are part of the prosecution diversion program will have immunity from lawsuits by the person accused of a crime, except for suits for intentional tort or gross negligence.

JUVENILE COURT JURISDICTION
(Section 211.031)
Currently, juvenile courts do not have jurisdiction over a child who is fifteen and a half years old and is accused of violating a non-felony state or municipal traffic ordinance or regulation. This provision lowers the age to fifteen, so that the juvenile court will not have jurisdiction over traffic cases involving these children.

This provision is similar to HB 164 (2011), HB 1421 (2010), and a provision of HCS#2/HBs 1692, 1209, 1405, 1499, 1535 & 1811 (2010).

ELECTRONIC MONITORING OF CERTAIN OFFENDERS

(Sections 221.025, 221.105, 544.455, 544.470, and 557.011)

This act allows a judge to release a person convicted of certain offenses on electronic monitoring. The individual will receive credit for any period on electronic monitoring against any period of confinement or incarceration ordered.

The judge may charge the costs of the electronic monitoring to the individual as a condition of their sentence. If the judge finds the individual unable to afford the costs of electronic monitoring, the state is required to reimburse the county, subject to appropriations, up to twelve dollars per day per individual.

The act also allows a judge to order a person charged with a bailable nonviolent offense who does not post bail prior to appearing before the judge to be placed on house arrest with electronic monitoring.

The circuit court may adopt a local rule allowing for the pretrial release on electronic monitoring in lieu of confinement of individuals charged with certain offenses specified in the court rule.

This section is similar to SB 387 (2011), HB 159 (2011), HCS/HB 253 (2011), and .

LICENSE PLATES AND DRIVERS LICENSES OF JUDGES
(Section 301.146)

This provision allows certain state and federal judges to request special license plates and drivers licenses.

This section is similar to HCS/HB 253 (2011), HB 1811 (2010), and a provision of HCS#2/HBs 1692, 1209, 1405, 1499, 1535 & 1811 (2010).

PUNISHMENTS FOR CERTAIN CRIMES
(Sections 302.020, 302.021, 303.025, and 311.325)

These provisions modify the punishments for several crimes, including operating a vehicle without a valid license, operating a motorcycle without passing an examination for the operation of a motorcycle, operating a vehicle with another person's license, driving while revoked, failing to maintain financial responsibility, and purchasing, possessing, or being intoxicated when a person is under twenty-one. These provisions also specify that prior guilty pleas and findings of guilt in criminal cases for these crimes must be plead and proved in the same way that prior convictions are plead and proved when a criminal defendant is found to be a prior offender, persistent offender, dangerous offender, persistent sexual offender, or predatory sexual offender.

These provisions are similar to HCS/HB 253 (2011).

COURT RECORDS
(Section 452.430)

Currently, any pleadings other than interlocutory or final judgments in divorce or legal separation cases or modification proceedings filed prior to August 28, 2009, shall only be inspected by the parties and certain other individuals, unless the document was filed more than 72 years before the request for inspection. This provision allows other individuals to receive records from these cases and requires court clerks to redact the Social Security number from any copy of a filing, pleading, judgment or satisfaction of judgment in these cases upon request.

FULL ORDERS OF PROTECTION
(Section 455.007)

This provision allows appeals of expired orders of protection, by requiring that the public interest exception to the mootness doctrine be applied to these appeals.

This section is similar to HCS/HB 253 (2011), and HB 1406 (2010).

INFORMATION TO BE ENTERED INTO MULES
(Section 455.040)

Law enforcement agencies maintaining the Missouri Uniform Law Enforcement System ("MULES") shall include certain child custody and visitation information when entering an order of protection into the system.

This section is similar to HB 234 (2011), HCS/HB 253 (2011), HCS/HBs 504, 505 & 874 (2011), and SS#2/SCS/SB 320 (2011).

GUARDIANSHIP
(Sections 475.060, 475.061, 475.501, 475.502, 475.503, 475.504, 475.505, 475.506, 475.521, 475.522, 475.523, 475.524, 475.525, 475.526, 475.527, 475.528, 475.529, 475.531, 475.532, 475.541, 475.542, 475.543, 475.544, 475.551, 475.552, 475.555)

These provisions modify what information is required in a petition for guardianship for a minor or an incapacitated person and adopt the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act (UAGPPJA).

A petition for guardianship of a minor will be required to state the location and value of any real property owned by the minor outside of Missouri and the name and address of the trustees of any trust of which the minor is a qualified beneficiary and the purpose of the trust, in addition to the information the petition was previously required to state.

In addition to the information currently required to be included in a petition for guardianship of an alleged incapacitated person, the petition will also be required to state the three most recent addresses at which the incapacitated person lived in the three years before the filing of the petition, the location and value of any real property owned by the incapacitated person outside of Missouri, the name and address of the person's closest known relatives, the name of any adults living with the person, in some situations the name and address of the person's siblings and of their siblings' children, and the name and address of any agent of the person and of any trustee of any trust that the person is a beneficiary of, as well as the purpose of the power of attorney and the purpose of the trust.

The UAGPPJA deals with issues that arise when several states are involved with an adult who lacks the ability to care for their own needs or property. The UAGPPJA includes provisions regarding communication between courts in different states, requests for assistance from a court to a court of another state, and taking testimony in other states. The UAGPPJA allows a Missouri court to treat foreign countries as other states for the purposes of the provisions allowing communication among courts, determining jurisdiction, and transferring a guardianship or conservatorship.

The UAGPPJA establishes procedures for determining which state has jurisdiction over guardianship and conservator proceedings for an incapacitated adult. These procedures establish three levels of priority for a court to follow in deciding whether it has jurisdiction; the adult's home state, followed by states where the adult has significant connections, and then other states. Regardless of the level of priority, the UAGPPJA allows a court in the state where the person is present to appoint a guardian in an emergency, and a court in the state where the person has property has jurisdiction to issue orders regarding the property. If a court determines that it acquired jurisdiction based on unjustifiable conduct, the act allows the court to remedy the situation and assess fees and expenses against the person who engaged in the unjustifiable conduct.

The UAGPPJA also specifies a procedure for transferring a guardianship or conservatorship from one state to another state. This procedure requires the court in the state transferring the guardianship or conservatorship to issue a provisional order transferring the case after making certain findings. The guardian or conservator is required to petition the state that would accept the case and, after holding a hearing, that court is required to grant the transfer, unless someone objects to the transfer and establishes that the transfer would not be in the interest of the incapacitated person, or the guardian or conservator is not eligible to be appointed a guardian or conservator in that state.

The UAGPPJA also creates a procedure for registering orders in Missouri from other states that appointed a guardian or a conservator to manage an incapacitated adult's property. After registration of the guardianship or protective order in Missouri, the guardian or conservator may exercise all the powers authorized in the original states's order, except for powers that are illegal in Missouri.

The provisions of the act regarding transferring guardianship or conservatorship proceedings from one state to another state and that deal with enforcement of guardianship and protective orders in other states apply to proceedings begun before August 28, 2011.

These provisions are similar to SB 213 (2011), HB 130 (2011), and HCS/HB 253 (2011).

PUBLIC ADMINISTRATORS
(Section 475.115)

This act allows a public administrator to request the court to transfer any guardianship or conservatorship case to another county. If the other county meets the venue requirements and the public administrator of the other county consents to the transfer, the court is required to transfer the case. The court with jurisdiction over the other county is required to appoint the public administrator of that county as the person's new guardian or conservator without holding a hearing.

The public administrator is required to file a final settlement of their conservatorship within thirty days of the court transferring the case. This final settlement will be filed in the court with jurisdiction over the original conservatorship and forwarded to the receiving county upon audit and approval.

This act is similar to SB 57 (2011), HB 88 (2011), SCS/HB 142 (2011), HCS/HB 253 (2011), HCS/HB 889 (2011), HCS/SB 145 (2011), and HB 1676 (2010).

MUNICIPAL JUDGES
(Section 479.020)

Currently, a person may serve as a municipal judge until age seventy-five. This provision allows a municipal judge to serve until age seventy-eight.

This provision is similar to a provision of HCS/HB 889 (2011).

COURT SURCHARGE
(Section 488.432)

Currently, a person or organization other than a city, county, or the state of Missouri may be required to pay a certain court surcharge when the party files a civil case. If the person wins the lawsuit, then that amount of money is collected from the losing party. This provision requires a person or organization who loses a lawsuit to a city, county, or the state to pay the city, county, or the state the amount of the surcharge. The city, county, or the state, is then required to pay this amount to the clerk of the appropriate court.

This provision is similar to HB 128 (2011) and HCS/HB 253 (2011).

CRIMINAL CASE SURCHARGE
(Section 488.5026)

Currently, upon the approval of the governing body of a city, county, or St. Louis City, a two dollar surcharge shall be assessed as costs in criminal cases, including cases involving infractions and municipal ordinance violations. This surcharge is deposited into the Inmate Security Fund to develop biometric verification systems for identifying and tracking inmates within the local jail system. This provision requires that all cities, counties, and St. Louis City assess this surcharge and that the money in this fund be used to develop and maintain information sharing systems.

This provision is similar to HB 663 (2011).

INJURIOUS FALSEHOOD
(Section 516.140)

This act specifies that the statute of limitations for an action for injurious falsehood is two years

This section is similar to HB 158 (2011), HCS/HB 253 (2011), and HCS/SB 893 (2010).

ACTIONS FOR CONDUCT OR SPEECH AT PUBLIC MEETINGS
(Section 537.528)

Currently, an action seeking monetary damages against a person for conduct or speech at a public hearing, public meeting, or quasi-judicial proceeding is subject to a special motion to dismiss, motion for judgment on the pleadings, or summary judgment motion, which the court is required to consider on an expedited basis. This act allows any action against a person for conduct or speech at a public hearing, public meeting or quasi-judicial proceeding to be subject to these special procedures, even if the action does not seek monetary damages.

This section is similar to HB 585 (2011), HB 1874 (2010), and a provision of HCS#2/HBs 1692, 1209, 1405, 1499, 1535 & 1811 (2010).

FRAUDULENT PURCHASE OF A FIREARM
(Section 571.063)

This section creates the crime of fraudulent purchase of a firearm and makes this crime a class D felony.

This section is similar to HCS/HB 294 (2011).

PETITIONS TO REMOVE CERTAIN DISQUALIFICATIONS RELATING TO FIREARMS
(Sections 475.375 and 571.092)

These provisions repeal the current procedure and enact a different procedure for an incapacitated adult, or a person who has been involuntarily committed, to petition to remove certain disqualifications regarding firearms.

These provisions are similar to HB 341 (2011) and HCS/HB 253 (2011).

MONEY LAUNDERING
(Section 574.105)

This section changes the crime of money laundering, so that the transaction does not have to include currency of the United States, but can be a transfer of funds by means of another country's currency, or by travelers' check, personal check, bank check, money order, investment securities, and any other form of negotiable instrument.
EMILY KALMER

01/06/2011 Introduced and Read First Time (H) (H85)
01/10/2011 Read Second Time (H) (H91)
01/20/2011 Referred: Judiciary (H) (H199)
01/26/2011 Public Hearing Completed (H)
02/16/2011 Executive Session Continued
03/02/2011 Executive Session Completed (H)
03/07/2011 HCS Voted Do Pass (H)
03/07/2011 HCS Reported Do Pass (H) (H537)
03/07/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H537)
04/04/2011 Rules - Executive Session Completed (H)
04/04/2011 Rules - Voted Do Pass (H)
04/04/2011 Rules - Reported Do Pass (H) (H838)
04/11/2011 HCS Adopted (H) (H1194)
04/11/2011 Perfected with Amendments (H) (H1194)
04/14/2011 Third Read and Passed (H) (H1277)
04/14/2011 S First Read--HCS for HB 111 (S738)
04/18/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S751)
04/26/2011 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee
04/28/2011 SCS Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee (0593S.06C)
05/05/2011 Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor w/SCS (S1344)
05/10/2011 Bill Placed on Informal Calendar (S1672)
05/12/2011 SS for SCS S offered (Goodman)--(0593S.10F) (S1899)
05/12/2011 SA 1 to SS for SCS S offered & adopted (Goodman)--(0593S10.13S) (S1899-1900)
05/12/2011 SA 2 to SS for SCS S offered & withdrawn (McKenna)--(0593S10.15S) (S1900-1901)
05/12/2011 SA 3 to SS for SCS S offered & adopted (Munzlinger)--(0593S10.09S) (S1901-1903)
05/12/2011 SA 4 to SS for SCS S offered & adopted (Munzlinger)--(0593S10.06S) (S1903)
05/12/2011 SA 5 to SS for SCS S offered & adopted (Keaveny)--(0593S10.03S) (S1903-1904)
05/12/2011 Bill Placed on Informal Calendar (S1904)
05/13/2011 SS for SCS S withdrawn
05/13/2011 SS#2 for SCS S offered (Goodman)--(0593S.13F)
05/13/2011 SA 1 to SS#2 for SCS S offered & adopted (Goodman)--(0593S13.04S)
05/13/2011 Bill Placed on Informal Calendar
05/13/2011 SA 2 to SS#2 for SCS S offered & adopted (Lembke)--(0593S13.05S)
05/13/2011 SS#2 for SCS, as amended, S adopted
05/13/2011 S Third Read and Passed - EC adopted
05/13/2011 H concurs in SS#2 for SCS, amended

05/13/2011 H Third Read & Passed - EC adopted
05/13/2011 Truly Agreed To and Finally Passed

EFFECTIVE: August 28, 2011

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*** HB 112 *** HCS HB 112 & 285 0135S.03C

SENATE SPONSOR: Brown HOUSE HANDLER: Day

SCS/HCS/HB's 112 & 285 - This act classifies sawmills and planing mills, as defined in the United States Department of Labor's Standard Industrial Classification Manual, as agricultural and horticultural property instead of commercial property for property taxation purposes. Land and associated residential related structures which are a part of a residential subdivision, condominium, time-share development, or similar residential common ownership community will be classified as residential property for property tax purposes. For purposes of transient housing classified as residential property, such housing will now include all sleeping rooms and units within a structure which are continuously available for rent.

This act is similar to the Senate Substitute for Senate Bill 55 (2011).
JASON ZAMKUS

01/06/2011 Introduced and Read First Time (H) (H86)
01/10/2011 Read Second Time (H) (H91)
01/20/2011 Referred: Rural Community Development (H) (H199)
02/08/2011 Public Hearing Completed (H)
02/15/2011 Executive Session Completed (H)
02/15/2011 HCS Voted Do Pass (H)
02/15/2011 HCS Reported Do Pass (H) (H369)
02/15/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H369)
02/28/2011 Rules - Executive Session Completed (H)
02/28/2011 Rules - Voted Do Pass (H)
02/28/2011 Rules - Reported Do Pass (H) (H473)
03/07/2011 HCS Adopted (H) (H535)
03/07/2011 Perfected with Amendments (H) (H536)
03/10/2011 Third Read and Passed (H) (H582)
03/10/2011 S First Read--HCS for HBs 112 & 285 (S436)
03/17/2011 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S496)
03/30/2011 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee
04/13/2011 SCS Voted Do Pass S Agriculture, Food Production and Outdoor Resources Committee (0135S.03C)
04/21/2011 Reported from S Agriculture, Food Production and Outdoor Resources Committee to Floor w/SCS (S813)
04/28/2011 Bill Placed on Informal Calendar (S1200)
05/13/2011 S Informal Calendar H Bills for Third Reading--HCS for HBs 112 & 285, with SCS (Brown)

EFFECTIVE: August 28, 2011

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*** HB 116 *** SS SCS HCS HB 116 & 316 0053S.13F

SENATE SPONSOR: Purgason HOUSE HANDLER: Flanigan

SS/SCS/HCS/HB's 116 & 316 - This act modifies laws regarding the collection of moneys owed to the state. The Director of the Department of Revenue is authorized to retain one percent of the amount of any local sales or use taxes collected by the department for the cost of collection. Beginning January 1, 2012, a statement of no tax due will be required for the issuance or renewal of all city and county occupation licenses as well as all state licenses required to conduct business. Such statement must be dated not more than sixty days from the date of application for license to be valid. The Director of Revenue may enter into an agreement with any state agency responsible for issuing any state license requiring the agency to provide the department with the name and tax identification number of each applicant for licensure within one month of the date the application is filed or at least one month prior to the anticipated license renewal. If an applicant is delinquent on any taxes, the department director must send a notice to the licensing agency and the applicant. An applicant's license must be suspended within 90 days after the notice unless: the taxes are paid; an arrangement has been made with the department to pay the taxes; the taxes were paid under protest; or the tax liability is found to be reasonably disputed.

Anyone making a claim or having a judgment under the provisions of the State Legal Expense Fund must have a no-tax due statement from the department before any moneys can be expended from the fund for the settlement of any liability claim. The act allows an offset from the State Legal Expense Fund to satisfy any delinquent tax debt owed before payment is made to the person. Payments of $10,000 or greater from the fund for property damage claims are not required to have a no-tax due statement.

The act provides taxpayers with amnesty from the assessment or payment of all penalties, additions to tax, and interest on delinquencies of unpaid taxes administered by the department which occurred on or prior to December 31, 2010. To receive amnesty under the act, a taxpayer must: apply for amnesty; file a tax return for each tax period for which amnesty is requested; pay the unpaid taxes in full from August 1, 2011, to October 31, 2011; and agree to comply with state tax laws for the next eight years from the date of the agreement. All new revenues resulting from the tax amnesty program will be deposited into the General Revenue Fund unless otherwise earmarked by the Missouri Constitution. State agencies may refer any debt owed to them to the department for the collection. The department and the referring state agency may exchange necessary information but must comply with federal and state laws regarding the confidentiality of information and records. The department may compromise any referred state debt and use all general remedies afforded creditors of Missouri, remedies specific to the referring state agency, and remedies afforded the state in general.

The department can employ staff, attorneys,, prosecuting attorneys, and private collection agencies to aid in the collection of debt. The department must add 10% to the amount of debt to be collected for the cost of collection which may be waived under certain conditions.

The Director of Revenue may issue an administrative garnishment once he or she has filed a certificate of lien in the circuit court for delinquent income or sales or use taxes. Any person receiving this order must turn over any of the taxpayer's assets in his or her possession and any assets that are to become due the taxpayer including wages, salaries, commissions, bonuses, workers' compensation benefits, disability benefits, pension or retirement payments, and interest less a fee to cover costs of no more than $6 per month. The taxpayer may obtain relief from the garnishment by paying the total amount owed.

Fee offices will be allowed to retain two percent of sales taxes collected on motor vehicles.

The act modifies provisions of the current state and local sales and use tax exemption for sales of over-the-counter and nonprescription drugs to individuals with disabilities by requiring such items be dispensed pursuant to a lawful prescription and expands current state and local sales and use tax exemptions to include diabetic accessories and supplies, the rental of certain medical equipment including scooters and wheelchairs.

Beginning January 1, 2012, the Department of Elementary and Secondary Education must provide the Director of Revenue, at least annually, the name and Social Security number of each certificate holder or applicant for a certificate of license to teach in Missouri. The Director of the Department of Revenue must at least annually a year verify that all income taxes have been paid and state income tax returns have been filed in the past three years and send a notice to the Department of Elementary and Secondary Education and the certificate holder or applicant if a person has not paid his or her taxes or filed the tax returns. A certificate holder's license will be suspended within 90 days after the notice, and an applicant's license cannot be issued unless: the taxes are paid; an arrangement has been made with the Department of Revenue to pay the taxes; the taxes were paid under protest; or the tax liability is found to be reasonably disputed.

The Director of the Department of Revenue and the Commissioner of the Office of Administration may enter into a reciprocal agreement with the federal government or any other state to offset vendor and contractor payments for any type of debt owed to the state. Currently, the department has a reciprocal agreement with the United States Treasury to offset income tax overpayments.

This act also modifies provisions of Missouri tax credit programs in accordance with recommendations made by the Missouri Tax Credit Review Commission Report.

TAX CREDITS TO ATTRACT SPORTING EVENTS

The act creates a refundable income and financial institutions tax credit which may 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 five dollars for each admission ticket sold for the event or one hundred percent of eligible expenses incurred. No more than three 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, 2017, but may certify game support contracts prior to such date which pertain to games to be held after August 10, 2017.

The act also 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 certified sponsor or local organizing committee for the purposes of attracting sporting events to the state. 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. Certified sponsors and local organizing committees may apply to the Department of Economic Development for the tax credits. Applications for tax credits must be accompanied by payment in an amount equal to the tax credits requested. The Department of Economic Development is prohibited from issuing more than ten million dollars in tax credits each fiscal year. The provisions of this act shall automatically sunset four years after the effective date of the act unless reauthorized.

AEROTROPOLIS TRADE INCENTIVE AND TAX CREDIT ACT

The Aerotropolis Trade Incentive and Tax Credit Act is established, which authorizes the City of St. Louis or any county to designate certain areas as gateway zones. Any such municipality that designates an area as a gateway zone will be required to establish a board of supervisors that will annually levy special assessments on facilities located within the zone which receive benefits provided under the act. Revenues derived from the special assessments will be expended to promote and advertise the gateway zone.

For all taxable years beginning on or after January 1, 2011, the act authorizes air export tax credits for freight forwarders in an amount equal to thirty cents per chargeable kilo shipped on a qualifying outbound flight. In lieu of the previously mentioned tax credit, a freight forwarder will be entitled to an air export tax credit equal to thirty-five cents per chargeable kilo if the shipment contains perishable freight. The department of economic development is required to adjust the tax credit amounts based upon fluctuations in fuel costs for over-the-road transportation. In order to receive air export tax credits, freight forwarders must file an application with the department containing the master airway bill for the shipment. The act requires the department to establish procedures to allow freight forwarders to receive air export tax credits within fifteen business days of the departure of the qualifying flight.

The total amount of air export tax credits which may be authorized under the act cannot exceed sixty million dollars. The act establishes annual caps on issuance of air export tax credits, and to the extent that in any given year more tax credits are authorized than may be issued, the amount in excess of the cap on issuance will be carried forward for issuance in the following year. The authorization of air export tax credits is prohibited after January 1, 2019, but the act allows for the subsequent issuance of any tax credits which are authorized prior to such date.

For all taxable years beginning on or after January 1, 2013, any tenant operating within an eligible facility which satisfies the requirements of the act and employees of such tenant will be entitled to an exemption from local earnings taxes imposed by the City of St. Louis for a period of up to seven years.

For all taxable years beginning on or after January 1, 2013, owners of qualified facilities, in which at least twenty percent of the total cargo activity consists of international cargo, will be entitled to receive tax credits over a seven-year period equal to six percent of the eligible costs of such facility. The total amount of tax credits issued to such an owner cannot exceed thirty percent of the facility's eligible costs. Owners of qualified facilities, in which at least ten percent of the total cargo activity consists of international cargo, as well as any qualifying assembly and manufacturing, or qualifying cold-chain facility will be entitled to receive tax credits over a seven-year period equal to four percent of the eligible costs of such facility. The total amount of tax credits issued to such an owner cannot exceed twenty percent of the facility's eligible costs.

In order to receive tax incentives provided under the act, owners and tenants of qualifying facilities and entities operating within such facilities must file applications with the department of economic development accompanied by a certificate of compliance. The act establishes limits on the amount of tax credits which may be issued annually to owners of qualifying facilities. No more than three hundred million dollars in tax credits, based upon the eligible costs of a qualifying facility, may be authorized for owners of qualified facilities under the act.

All tax credits provided under the act will be fully transferrable and non-refundable, but may be carried forward up to six years.

The provisions of the act establishing the aerotropolis trade incentive and tax credit act will automatically sunset eight years from the effective date of the act unless reauthorized.

BROWNFIELD REMEDIATION TAX CREDITS

The act prohibits the authorization of more than twenty-five million dollars in Brownfield remediation tax credits annually. The credit amount for soft costs is reduced from one hundred percent to twenty-five percent. The act prohibits the authorization of more than ten million dollars in Brownfield tax credits each fiscal year for projects that receive benefits under the Distressed Areas Land Assemblage program. (Section 447.708)

NEIGHBORHOOD PRESERVATION TAX CREDITS

The "first-come, first-serve" requirement for tax credit issuance is repealed and replaced with a targeted neighborhood approach that would provide priority for projects which provide the highest impact. Neighborhood Associations will now be able to participate in the program. The annual cap on neighborhood preservation tax credits is reduced from sixteen million dollars to ten million dollars. Tax credits will be allocated among projects located within qualifying and eligible areas based upon demand. Residents which receive tax credits for owner-occupied residences will be subject to recapture if they fail to maintain residency in such home for a five-year period. (Sections 135.481 to 135.487)

LOW-INCOME HOUSING TAX CREDITS

Under current law, low-income housing tax credits are allowed over a ten-year period. Beginning July 1, 2011, this act reduces the period of time in which low-income housing tax credits are allowed to a five-year period and limits the total amount of low-income tax credits authorized annually to no more than eighty million dollars. The issuance of four percent low-income housing tax credits will be prohibited after June 30, 2011. The act also prohibits stacking low-income housing tax credits with historic preservation tax credits. Taxpayers will be capable of receiving tax credits once the first low-income unit is occupied by a qualified tenant. The carry-back provision for low-income housing tax credits is reduced from three years to two years. (Section 135.352)

AFFORDABLE HOUSING ASSISTANCE

Under current law, tax credits for contributions to non-profit organizations for the construction, rehabilitation, or acquisition of affordable housing are capped at ten million per fiscal year. This act reduces the cap to eight million five hundred thousand dollars per fiscal year. The one million dollar fiscal year cap on tax credits for contributions to non-profit housing organizations to assist with their basic operating expenses is increased to two million five hundred thousand dollars. The credit amount for affordable housing tax credits is reduced from fifty-five percent of an eligible donation or contribution to forty percent of such donation or contribution. (Sections 32.105 to 32.120)

HISTORIC PRESERVATION TAX CREDITS

Under current law, the Department of Economic Development is prohibited from issuing more than one hundred forty million dollars in historic preservation tax credits in any fiscal year for projects which will receive more than two hundred and seventy-five thousand dollars in tax credits. Beginning fiscal year 2012, and each fiscal year thereafter, this act would prohibit the Department of Economic Development from issuing more than seventy-five million dollars in historic preservation tax credits increased by the amount of any recisions of approved applications for tax such credits. Projects which would receive less than two hundred seventy-five thousand dollars in tax credits will be subject to the seventy-five million dollar cap.

The act prohibits the department from issuing more than fifty thousand dollars in historic preservation tax credits per project for non-income producing residential rehabilitation projects. Non-income producing residential rehabilitation projects involving a subject property with a purchase price in excess of one hundred fifty thousand dollars will be ineligible for tax credits. Applicants for projects that, as of June 30, 2011, have: received approval from the Department of Economic Development; incurred certain levels of expenses; been approved for 4% federal low-income housing tax credits; or received certification from the state historical preservation officer will not be subject to the new limitations on tax credit issuance, but will be subject to the current law limitations on tax credit issuance. The act also prohibits the stacking of historic preservation tax credits with neighborhood preservation tax credits or low-income housing tax credits. Historic preservation tax credits will now be capable of being carried back one year or forward five years. (Sections 253.545 to 253.559)

SOCIAL AND CONTRIBUTION TAX CREDITS

The definition of taxpayer contained in social and contribution tax credit programs is broadened to allow additional donors to participate. Social and contribution tax credits which under current law are non-transferrable will now be transferrable. For all taxable years beginning on or after January 1, 2012, the act decreases the Missouri Development Finance Board Infrastructure Contribution credit from a fifty percent credit for contributions received to a credit equal to thirty-five percent of the amount contributed. The Affordable Housing Assistance Program tax credit is also reduced from fifty-five percent of the eligible donation to forty percent of such donation. The Disabled Access Tax Credit is reduced from fifty percent to thirty-five percent of eligible access expenditures. The per donor contribution limit for food pantry tax credits is increased to $10,000 for donations of food and the per contribution limit for cash is eliminated. The act excludes international adoption expenses from qualifying under the special needs adoption tax credit program. Beginning January 1, 2012, social and contribution tax credits will be equal to fifty percent of the first one thousand dollars of an eligible contribution or donation and thirty-five percent of any excess above one thousand dollars contributed or donated.

The act reduces the fiscal year cap on tax credits for contributions to food pantries is reduced to one million dollars and a new tax credit for contributions to food banks is created. At the discretion of the food bank, a taxpayer may receive a tax credit equal to thirty-five percent of donations of food or cash made to a food bank after August 28, 2011. The tax credit is non-refundable, but may be carried forward three years and is fully transferrable. Taxpayers that knowingly employ persons who are not authorized to work in the United States are ineligible to receive the credit.

The Department of Social Services will administer the credit and allocate tax credits to food banks based upon the distribution of benefits provided under the federal emergency food assistance program. The department is prohibited from allocating more than one million dollars in tax credits each fiscal year. Food banks must submit plans for how they intend to maximize resources to provide hunger relief and their annual budgets to the Department of Social Services prior to receiving tax credits. The amendment prohibits the authorization of food bank tax credits after June 30, 2015.

SUNSET PROVISIONS FOR CERTAIN TAX CREDIT PROGRAMS

Due to the commission's recommendation that reforms to programs be made on a prospective basis, rather than utilizing traditional sunset provisions, this act prohibits the authorization of tax credits under the following programs after August 28, 2014:

1) The Brownfield Remediation Tax Credit;
2) The Neighborhood Preservation Tax Credit
3) The MDFB Bond Guarantee Tax Credit;
4) The MDFB Infrastructure Development Contribution Tax Credit;
5) The Family Farm Breeding Livestock Tax Credit;
6) The Agricultural Product Utilization Tax Credit;
7) The New Generation Cooperative Tax Credit;
8) The Qualified Beef Tax Credit;
9) The Wine and Grape Producer Tax Credit; and
10) The Neighborhood Assistance Tax Credit.

The authorization of tax credits under the following programs will be prohibited after August 28, 2015:

1) The Historic Preservation Tax Credit;
2) The Low-Income Housing Tax Credit;
3) The Domestic Violence Shelter Tax Credit;
4) The Maternity Home Tax Credit;
5) The Pregnancy Resource Center Tax Credit;
6) The Shared Care Tax Credit;
7) The Youth Opportunities Tax Credit;
8) The Disabled Access Tax Credit;
9) The Family Development Account Tax Credit;
10) The Residential Treatment Agency Tax Credit;
11) The Food Pantry Tax Credit;
12) The Neighborhood Assistance Program; and
13) The Property Tax Credit (Circuit Breaker).

Where, under current law, a tax credit was subject to the sunset act, the sunset provision is modified to sunset such program on the date provided above.

The limitations on tax credit authorizations provided in the act will not impair an administering agencies ability to issue tax credits that were authorized prior to the date on which authorizations are prohibited, nor will they affect a taxpayer's ability to redeem such tax credits.

COMPETE MISSOURI

This act establishes the Compete Missouri Program which combines six existing business incentive programs and will provide tax incentives for job creation, job retention, and capital investment. The act also establishes the Compete Missouri Job Training Program which combines three existing job training programs and provides funding for job training.

The act establishes the Compete Missouri Job Training Program which will provide financial assistance for job training for new jobs created by qualified companies. Financial assistance will also be available to business and technology centers established by Missouri community colleges, or state-owned postsecondary technical colleges, to provide business and training services for growth industries. The act provides for the diversion of withholding taxes from new or retained jobs of qualified companies to pay costs incurred by new or retained jobs training projects administered by local educational agencies such as community and technical colleges.

The provisions of the act creating the Compete Missouri Training Program will automatically sunset July 1, 2018, unless reauthorized. (Sections 620.800 to 620.809)

The Compete Missouri Program is established to provide tax incentives in the form of sales and use tax exemptions, retained withholding taxes, and refundable income and financial institutions tax credits for qualified companies that create new or retain existing jobs and make capital investments. The program provides both entitlement and discretionary benefits for qualified companies that offer health insurance to all employees and pay at least fifty percent of the premiums. Tax credits provided under the program are fully transferrable and must be used within one taxable year following the close of the taxable year in which they are issued. (Sections 620.2000 to 620.2020)

Qualified companies, which create a minimum of twenty new jobs with an average wage equal to or exceeding ninety percent of the county average wage or retain at least one hundred and twenty-five jobs with an average wage equal to or in excess of ninety percent of the county average wage and make at least fifteen million dollars in capital investment, will be eligible to receive up to three years of state and local sales tax exemption for purchases of tangible personal property and building materials used to construct, repair, or remodel a project facility. The Department of Economic Development will certify qualified companies for the state sales tax exemptions while local governments will have the option to certify qualified companies for exemptions from their local sales taxes. The act contains recapture provisions requiring repayment of tax incentives in the event a qualified company fails to meet program requirements. (Sections 144.062 and 144.540)

Qualified companies that create twenty or more new jobs with an average wage equal to or in excess of ninety percent of the county average wage will be entitled to retain withholding taxes from new payroll for a period of five years. Such a company will also be entitled to tax credits equal to up to two percent of new payroll to be issued each year for five years, provided that the combined tax credit and retained withholding benefits cannot exceed five percent of new payroll. The act gives the department of economic development the discretion to issue such company additional tax credits, equal to up to four percent of payroll, for five years provided that the total amount of all benefits received does not exceed nine percent of new payroll annually. In addition, discretionary tax credits authorized by the department cannot exceed the projected net state benefit.

If a qualified company is in a targeted industry and it creates ten or more new jobs with an average wage equal to or in excess of ninety percent of the county average wage, it will be entitled to retain withholding taxes from new payroll for a period of five years. Such a company will also be entitled to tax credits equal to up to three percent of new payroll to be issued each year for five years, provided that the combined tax credit and retained withholding benefits cannot exceed six percent of new payroll. The act gives the Department of Economic Development the discretion to issue such company additional tax credits, equal to up to six percent of new payroll, for five years provided that the total amount of all benefits received does not exceed nine percent of new payroll annually. Discretionary tax credits authorized by the department cannot exceed the

projected net state benefit.

Qualified companies, located within an enhanced enterprise zone, that create two or more new jobs with an average wage equal to or in excess of eighty percent of the county average wage and make a capital investment of at least one hundred thousand dollars will be entitled to retain withholding taxes for a period of five years.

Any qualified company that is an existing Missouri business and meets the aforementioned conditions under the compete Missouri program will be entitled to retain withholding taxes for an additional year.

The Department of Economic Development may provide up-front financing to qualified companies in the form of refundable tax credits capable of being issued upon approval of the project. To receive such benefits, a qualified company must enter into a written agreement with the department that provides performance requirements and clawback provisions. Qualified companies in targeted industries could receive tax credits equal to as much as nine percent of new payroll projected over a five year period. Non-targeted industry qualified companies could receive tax credits equal to as much as seven percent of new payroll projected over a five year period.

The Department of Economic Development may allow qualified companies, that agree to retain at least one hundred and twenty-five existing jobs with an average wage equal to or in excess of ninety percent of the county average wage for at least five years and agree to make a capital investment equal to three times the amount of state benefits provided within two years, to retain withholding taxes from the retained jobs for a period of five years. The Department of Economic Development may provide up-front financing to qualified companies in the form of refundable tax credits capable of being issued upon approval of the project. Qualified companies, that agree to retain at least one hundred and twenty-five existing jobs with an average wage equal to or in excess of ninety percent of the county average wage for at least five years and agree to make a capital investment equal to three times the amount of state benefits provided within two years, could receive tax credits equal to as much as eighty percent of withholdings from retained job payroll projected over a five year period. In order to receive the job retention benefits, a qualified company must enter into a written agreement with the department providing detailed performance requirements and recapture provisions.

The Department of Economic Development is required to respond to a request for a proposed benefit award under the Compete Missouri Program within five business days of the receipt of such request. The response must contain either a proposal of benefits or a written refusal stating the reasons no proposal will be provided. Failure by the department to approve or disapprove a notice of intent for benefits under the program will result in a deemed approval. Beginning January 1, 2012, the Department of Economic Development must provide quarterly reports on the program to the General Assembly, including a listing of all approved and disapproved applicants and the department's response time to requests for proposed benefit awards. Qualified companies that receive benefits under the program will be required to provide annual reports to the department, in order to document compliance with all applicable requirements and stating the amount of sales taxes exempted.

The act prohibits the approval of new projects after August 28, 2011, under the Quality Jobs, Enhanced Enterprise Zone, BUILD, Development, Rebuilding Communities, and Business Facilities programs.

The act limits the amount of up-front job creation and retention tax credits that may be authorized each fiscal year to no more than the amount appropriated.

The total amount of all tax credits authorized for each fiscal year under the Compete Missouri Program including any up-front job creation/retention tax credits and any outstanding authorizations for tax credits under the six programs prohibited from approving new projects after August 28, 2011, cannot exceed:

1) $111 million for FY 2012;
2) $126 million for FY 2013; and
3) $141 million for FY 2014 and each subsequent fiscal year.

The provisions of the act creating the Compete Missouri Program will automatically sunset six years after the effective date of the act unless reauthorized.

REPEAL OF CERTAIN TAX CREDIT PROGRAMS

This act repeals the following tax credit programs:

1) The Charcoal Producers Tax Credit;

2) The Self-Employed Health Insurance Tax Credit;
3) The Railroad Rolling Stock Tax Credit; and
4) The Brownfield Jobs/Investment Credit.

The act also repeals provisions of the Missouri property tax credit, commonly referred to as the circuit breaker tax credit, which allow renters to receive the property tax credit for rent constituting taxes paid.

Provisions contained in this act are similar to provisions contained in the SS/SCS/SB 280 (2011).

This act contains an emergency clause.
JASON ZAMKUS

SA #1 - CORRECTS AN INTERSECTIONAL REFERENCE

SA #2 - ADDS PROVISIONS ESTABLISHING THE MISSOURI SCIENCE AND INNOVATION REINVESTMENT ACT

SA #1 TO SA #2 - SUBJECTS THE MISSOURI SCIENCE AND INNOVATION REINVESTMENT ACT TO APPROPRIATIONS

SA #3 - REMOVES SECTION 33.088, WHICH REQUIRED NO TAX DUE STATEMENTS AS A PREREQUISITE FOR ISSUANCE AND RENEWAL OF STATE AND LOCAL OCCUPATIONAL LICENSES, FROM THE BILL

SA #6 - MAKES THE LEVY OF ASSESSMENTS ON ELIGIBLE FACILITIES RECEIVING BENEFITS UNDER THE AEROTROPOLIS TRADE INCENTIVE AND TAX CREDIT ACT DISCRETIONARY RATHER THAN MANDATORY

SA #8 - 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 THE ACT CREATING THE TAX CREDIT FOR DONATIONS TO QUALIFYING DEVELOPMENTAL DISABILITY CARE PROVIDERS SHALL AUTOMATICALLY SUNSET FOUR YEARS AFTER THE EFFECTIVE DATE OF THE ACT UNLESS REAUTHORIZED

SA #9 - PROHIBITS THE APPROVAL OF NEW APPLICATIONS UNDER THE MISSOURI DOWNTOWN AND RURAL STIMULUS ACT AFTER AUGUST 28, 2011

SA #10 - REMOVES SECTION 168.071 FROM THE BILL, WHICH REQUIRED THE DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION TO PROVIDE THE DIRECTOR OF REVENUE, AT LEAST ANNUALLY, THE NAME AND SOCIAL SECURITY NUMBER OF EACH CERTIFICATE HOLDER OR APPLICANT FOR A CERTIFICATE OF LICENSE TO TEACH IN MISSOURI AND ALLOWED A CERTIFICATE HOLDER'S LICENSE TO BE SUSPENDED WITHIN 90 DAYS FOLLOWING NOTICE THAT SUCH CERTIFICATE HOLDER HAD FAILED TO PAY TAXES DUE, AND SUCH APPLICANT'S LICENSE COULD NOT BE ISSUED UNLESS: THE TAXES ARE PAID; AN ARRANGEMENT HAS BEEN MADE WITH THE DEPARTMENT OF REVENUE TO PAY THE TAXES; THE TAXES WERE PAID UNDER PROTEST; OR THE TAX LIABILITY IS FOUND TO BE REASONABLY DISPUTED

SA #11 - REMOVED PROVISIONS FROM THE BILL WHICH MODIFIED CERTAIN SOCIAL AND CONTRIBUTION TAX CREDITS BY EXPANDING THE DEFINITION OF TAXPAYER, REDUCING THE AMOUNT OF TAX CREDIT AWARDS FOR CONTRIBUTIONS RECEIVED, AND ALLOWING SUCH TAX CREDITS TO BE TRANSFERRABLE

SA #12 - MODIFIES PROVISIONS OF THE JOB RETENTION BENEFITS PROVIDED UNDER THE COMPETE MISSOURI PROGRAM BY SUBJECTING WITHHOLDING TAX RETENTION BENEFITS TO A SIX MILLION DOLLAR FISCAL YEAR CAP AND ALLOWING RETENTION OF UP TO ONE HUNDRED PERCENT OF WITHHOLDINGS TAXES OVER A TEN YEAR PERIOD

SA #15 - PROVIDES A SMALL PROJECT EXEMPTION FROM THE SEVENTY-FIVE MILLION DOLLAR FISCAL YEAR CAP ON HISTORIC PRESERVATION TAX CREDITS AND REMOVES THE EXEMPTION FROM SUCH CAP, CONTAINED IN THE BILL, FOR PROJECTS FUNDED AT LEAST PARTIALLY BY TAX EXEMPT BOND ISSUANCE THAT ARE ELIGIBLE TO RECEIVE FEDERAL 4% LOW INCOME HOUSING TAX CREDITS

SA #16 - CAPS AUTHORIZATIONS OF LOW INCOME HOUSING TAX CREDITS AT NO MORE THAN ONE HUNDRED MILLION DOLLARS PER FISCAL YEAR, PROHIBITS TAXPAYERS FROM CARRYING BACK LOW INCOME HOUSING TAX CREDITS TO PREVIOUS TAXABLE YEARS AND INCREASES THE DATE ON WHICH AUTHORIZATIONS OF LOW INCOME HOUSING TAX CREDITS WILL BE PROHIBITED TO AUGUST 28, 2019. THE AMENDMENT PROHIBITS THE AUTHORIZATION OF NEIGHBORHOOD PRESERVATION TAX CREDITS AFTER JULY 1, 2011, AND SUBJECTS INDIVIDUALS EMPLOYED AS THE EXECUTIVE DIRECTOR OF THE MISSOURI HOUSING DEVELOPMENT COMMISSION TO THE ADVICE AND CONSENT OF THE SENATE. THE AMENDMENT ALSO ADDS A PROVISION THAT PROVIDES THAT INSURANCE COMPANIES THAT CLAIM PREMIUM TAX CREDITS OR DEDUCTIONS WILL NOT BE REQUIRED TO PAY ANY ADDITIONAL RETALIATORY TAX AS A RESULT OF CLAIMING SUCH CREDIT OR DEDUCTION

SA # 1 TO SA #16 - PROHIBITS THE AUTHORIZATION OF LOW INCOME HOUSING TAX CREDITS AFTER AUGUST 28, 2015 RATHER THAN AUGUST 28, 2019

SA #17 - REMOVES SECTION 137.1018 FROM THE BILL, WHICH REPEALED THE TAX CREDIT FOR RAILROAD ROLLING STOCK

01/06/2011 Introduced and Read First Time (H) (H86)
01/10/2011 Read Second Time (H) (H91)
01/20/2011 Referred: Ways and Means (H) (H199)
01/27/2011 Public Hearing Completed (H)
02/17/2011 Executive Session Completed (H)
02/17/2011 HCS Voted Do Pass (H)
02/21/2011 HCS Reported Do Pass (H) (H405)
02/21/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H405)
02/24/2011 Rules - Executive Session Completed (H)
02/24/2011 Rules - Voted Do Pass (H)
02/24/2011 Rules - Reported Do Pass (H) (H453)
03/02/2011 HCS Adopted (H) (H499)
03/02/2011 Perfected with Amendments (H) (H499)
03/03/2011 Third Read and Passed (H) (H514)
03/03/2011 Emergency Clause Adopted (H) (H514)
03/07/2011 S First Read--HCS for HBs 116 & 316 (S401)
03/17/2011 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S495)
04/14/2011 Hearing Conducted S Ways and Means and Fiscal Oversight Committee
04/14/2011 SCS Voted Do Pass S Ways and Means and Fiscal Oversight Committee (0053S.09C)
04/14/2011 Reported from S Ways and Means and Fiscal Oversight Committee to Floor w/SCS (S732)
04/18/2011 Referred S Governmental Accountability & Fiscal Oversight Committee (S751)
04/21/2011 Hearing Conducted S Ways and Means and Fiscal Oversight Committee
04/21/2011 Voted Do Pass S Ways & Means & Fiscal Oversight Committee
04/21/2011 Reported from S Ways & Means and Fiscal Oversight Committee to Floor (S808)
04/26/2011 Bill Placed on Informal Calendar (S1072)
04/27/2011 SS for SCS S offered (Purgason)--(0053S.13F) (S1154)
04/27/2011 SA 1 to SS for SCS S offered & adopted (Purgason)--(0053S13.22S) (S1154-1155)
04/27/2011 SA 2 to SS for SCS S offered (Richard)--(0053S09.05S) (S1155-1171)
04/27/2011 SA 1 to SA 2 to SS for SCS S offered (Crowell)--(0053S13.25S) (S1171)
04/27/2011 Bill Placed on Informal Calendar (S1171)
04/27/2011 SA 1 to SA 2 to SS for SCS S adopted (S1173)
04/27/2011 SA 2 to SS for SCS, as amended, S adopted (S1173)
04/27/2011 SA 3 to SS for SCS S offered & adopted (Engler)--(0053S13.06S) (S1173-1174)
04/27/2011 SA 4 to SS for SCS S offered & defeated (Lembke)--(0053S13.24S) (S1174)
04/27/2011 SA 5 to SS for SCS S offered & withdrawn (Green)--(0053S13.03S) (S1174)
04/27/2011 SA 6 to SS for SCS S offered & adopted (Green)--(0053S13.32S) (S1174)
04/27/2011 SA 7 to SS for SCS S offered & defeated (Green)--(0053S13.10S) (S1174)
04/27/2011 SA 8 to SS for SCS S offered & adopted (Stouffer)--(0053S13.29S) (S1174-1176)
04/27/2011 SA 9 to SS for SCS S offered & adopted (Crowell)--(0053S13.11S) (S1176-1177)

04/27/2011 SA 10 to SS for SCS S offered & adopted (Pearce)--(0053S13.34S) (S1177)
04/27/2011 SA 11 to SS for SCS S offered & adopted (Lamping)--(0053S13.27S) (S1177-1188)
04/27/2011 SA 12 to SS for SCS S offered & adopted (Kraus)--(0053S13.37S) (S1188)
04/27/2011 SA 13 to SS for SCS S offered & defeated (Stouffer)--(0053S13.01F) (S1188)
04/27/2011 SA 14 to SS for SCS S offered & defeated (Ridgeway)--(0053S13.38S) (S1188)
04/27/2011 SA 15 to SS for SCS S offered & adopted (Lager)--(0053S13.40S) (S1188-1189)
04/27/2011 SA 16 to SS for SCS S offered (Schaefer)--(0053S13.39S) (S1189-1191)
04/27/2011 SA 1 to SA 16 to SS for SCS S offered & adopted (Purgason)--(0053S13.02F) (S1191)
04/27/2011 SA 16 to SS for SCS, as amended, S adopted (S1191)
04/27/2011 SA 17 to SS for SCS S offered & adopted (Mayer)--(0053S13.42S) (S1191)
04/27/2011 SS for SCS, as amended, S adopted (S1191)
04/27/2011 Referred S Ways & Means & Fiscal Oversight Committee (S1191)
05/02/2011 Hearing Conducted S Ways and Means and Fiscal Oversight Committee
05/02/2011 Voted Do Pass S Ways & Means & Fiscal Oversight Committee
05/02/2011 Reported from S Ways & Means & Fiscal Oversight Committee to Floor (S1226)
05/02/2011 S Third Read and Passed - EC adopted (S1226-1227 / H1711-1735)
05/11/2011 H refuses to concur in SS for SCS, as amended (H2343-2344 / S1803)
05/11/2011 H requests S recede or grant conference (H2343-2444 / S1803)
05/11/2011 S refuses to recede and grants conference (S1816 / H2390)
05/11/2011 S conferees appointed: Purgason, Schmitt, Lager, Callahan, Chappelle-Nadal (S1816 / H2390)
05/11/2011 H conferees appointed: Flanigan, Diehl, Jones-117, Kelly-24, Talboy (H2406 / S1827)
05/13/2011 In Conference--HCS for HBs 116 & 316, with SS for SCS, as amended (Purgason)

EFFECTIVE: Emergency Clause

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*** HB 118 *** 0532L.01P

HOUSE HANDLER: Peters-Baker

HB 118 - This act requires service of orders of protection to be entered into the Missouri Uniform Law Enforcement System("MULES") within 24 hours.

This provision is identical to provisions in SCS/SB 320 (2011).
ADRIANE CROUSE

01/06/2011 Introduced and Read First Time (H) (H86)
01/10/2011 Read Second Time (H) (H91)
02/10/2011 Referred: Crime Prevention and Public Safety (H) (H342)
02/23/2011 Public Hearing Completed (H)
02/28/2011 Executive Session Completed (H)
02/28/2011 Voted Do Pass - Consent (H)
02/28/2011 Reported Do Pass by Consent (H) (H472)
02/28/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H472)
03/09/2011 Rules - Executive Session Completed (H)
03/09/2011 Rules - Voted Do Pass - Consent (H)
03/09/2011 Rules - Reported Do Pass Consent (H) (H572)
03/17/2011 Perfected by Consent - Pursuant to House Rules (H) (H698)
03/31/2011 Third read and passed (H) (H798-799)
03/31/2011 S First Read--HB 118-Peters-Baker (S544)
04/07/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S666)

EFFECTIVE: August 28, 2011

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*** HB 127 *** 0667L.01P

HOUSE HANDLER: Barnes

HB 127 - This act requires that a sheriff elected at a special election to serve a partial term receive credit for the entire term for the purposes of receiving retirement benefits from the Sheriffs' Retirement System.
EMILY KALMER

01/06/2011 Introduced and Read First Time (H) (H87)
01/10/2011 Read Second Time (H) (H91)
01/20/2011 Referred: Retirement (H) (H199)
02/17/2011 Public Hearing Completed (H)
02/17/2011 Executive Session Completed (H)

02/17/2011 Voted Do Pass - Consent (H)
02/21/2011 Reported Do Pass by Consent (H) (H404)
02/21/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H404)
02/28/2011 Rules - Executive Session Completed (H)
02/28/2011 Rules - Voted Do Pass - Consent (H)
02/28/2011 Rules - Reported Do Pass Consent (H) (H474)
03/09/2011 Perfected by Consent - Pursuant to House Rules (H) (H573)
03/17/2011 Third read and passed (H)
03/17/2011 S First Read--HB 127-Barnes (S495)
03/31/2011 Second Read and Referred S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee (S546)

EFFECTIVE: August 28, 2011

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*** HB 136 *** HCS HB 136 0797L.04T

SENATE SPONSOR: Brown HOUSE HANDLER: Day

HCS/HB 136 - This act allows certain spouses of members of the military who leave employment to relocate with their spouse and qualify for unemployment compensation.

This act also requires that state agencies or boards that regulate professional licenses grant temporary courtesy licenses to certain military spouses under certain conditions. These temporary courtesy licenses are valid for one hundred and eighty days and may be extended for another one hundred and eighty days. Attorneys are not eligible for these temporary courtesy licenses.

Provisions of this act are similar to SB 27 (2011), SB 34 (2011), HB 238 (2011), and HB 303 (2011).
EMILY KALMER

01/10/2011 Introduced and Read First Time (H) (H93)
01/11/2011 Read Second Time (H) (H100)
01/20/2011 Referred: Veterans (H) (H199)
01/25/2011 Public Hearing Completed (H)
02/15/2011 Executive Session Completed (H)
02/15/2011 HCS Voted Do Pass (H)
02/15/2011 HCS Reported Do Pass (H) (H369)
02/15/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H369)
02/21/2011 Rules - Executive Session Completed (H)
02/21/2011 Rules - Voted Do Pass (H)
02/21/2011 Rules - Reported Do Pass (H) (H406)
03/02/2011 HCS Adopted (H) (H500)
03/02/2011 Perfected with Amendments (H) (H500)
03/03/2011 Third Read and Passed (H) (H515)
03/07/2011 S First Read--HCS for HB 136 (S401)
03/17/2011 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S496)
04/11/2011 Hearing Conducted S Financial and Governmental Organizations and Elections Committee
04/18/2011 Voted Do Pass S Financial and Governmental Organizations and Elections Committee
04/21/2011 Reported from S Financial and Governmental Organizations and Elections Committee to Floor (S812)
04/27/2011 S Third Read and Passed (S1101)
04/27/2011 Truly Agreed To and Finally Passed (H1652)

EFFECTIVE: August 28, 2011

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*** HB 137 *** SS SCS HB 137 0570S.04T

SENATE SPONSOR: Pearce HOUSE HANDLER: Thomson

SS/SCS/HB 137 – This act modifies provisions relating to the transfer of property.

Section 37.005: Current law provides that the boards of governors of certain state institutions of higher education may convey or transfer, except in fee simple, the title to certain real property without authorization from the General Assembly until August 28, 2011. This act requires that such a conveyance or transfer of title be for fair market value. This act extends the expiration date until August 28, 2014.

This act also updates the name of the University of Central Missouri to reflect the name change authorized by its board of governors.

This provision is similar to SB 82 (2011), SB 88 (2011), SB 778 (2010) and HB 1494 (2010).

Section 1: This authorizes the Governor to convey the Algoa Correctional Center in Jefferson City, Cole County, Missouri.

Section 2: This authorizes the Governor to convey the Boonville Correctional Center in Boonville, Cooper County, Missouri.

Section 3: This authorizes the Governor to convey the Western Reception and Diagnostic Correctional Center in St. Joseph, Buchanan County, Missouri.

Section 4: This authorizes the Governor to convey the Central Missouri Correctional Center in Jefferson City, Cole County, Missouri.

Section 5: This authorizes the Governor to convey the Farmington Correctional Center in Farmington, St. Francois County, Missouri.

Section 6: This authorizes the Governor to convey property in Farmington, St. Francois County, Missouri.

Section 7: This authorizes the Governor to convey the Fulton Reception and Diagnostic Correctional Center in Fulton, Callaway County, Missouri.

Section 8: This authorizes the Governor to convey the Maryville Treatment Center in Maryville, Nodaway County, Missouri.

Section 9: This authorizes the Governor to convey the Eastern Reception Diagnostic Correctional Center in Bonne Terre, St. Francois County, Missouri.

Section 10: This authorizes the Governor to convey the Missouri Eastern Correctional Center in Pacific, St. Louis County, Missouri.

Section 11: This authorizes the Governor to convey the South Central Correctional Center in Licking, Texas County, Missouri.

Section 12: This authorizes the Governor to convey the Potosi Correctional Center in Potosi, Washington County, Missouri.

Section 13: This authorizes the Governor to convey the Chillicothe Correctional Center in Chillicothe, Livingston County, Missouri.

Section 14: This authorizes the Governor to convey the Tipton Correctional Center in Tipton, Moniteau County, Missouri.

Section 15: This authorizes the Governor to convey the Women's Eastern Reception and Diagnostic Correctional Center in Vandalia, Audrain County, Missouri.

Section 16: This authorizes the Governor to convey the Moberly Correctional Center in Moberly, Randolph County, Missouri.

Section 17: This authorizes the Governor to convey the St. Francois County Correctional Facility in Farmington, St. Francois County, Missouri to St. Francois County.

Section 18: This authorizes the Governor to convey a permanent sidewalk easement at the Adrians Island, Cole County, Missouri to Jefferson City.

Section 19: This authorizes the Governor to convey a permanent levee easement at the Church Farm in Cole County, Missouri to the Cole Junction Levee District.

Section 20: This authorizes the Governor to convey a permanent pipeline easement to the Moberly Correctional Center in Randolph County, Missouri to the Panhandle Eastern Pipeline Company.

Section 21: This authorizes the Governor to convey the South East Missouri Mental Health Center in Farmington, St. Francois County to the Missouri Highways and Transportation Commission.

Section 22: This authorizes the Governor to convey the South East Missouri Mental Health Center located in Farmington, St. Francois County.

Section 23: This authorizes the Governor to convey the National Guard site located in Centertown, Cole County, Missouri.

Section 24: This authorizes the Governor to convey a permanent drainage easement at the Department of Mental Health Regional Office and the Department of Elementary and Secondary Education State School for the Severely Disabled located in Joplin, Jasper County, Missouri.

This act contains an emergency clause.
MICHAEL RUFF

SA 2 - THIS AMENDMENT REMOVES THE AUTHORITY OF THE UNIVERSITY OF CENTRAL MISSOURI, MISSOURI STATE UNIVERSITY, MISSOURI SOUTHERN STATE UNIVERSITY, SOUTHEAST MISSOURI STATE UNIVERSITY, NORTHWEST MISSOURI STATE UNIVERSITY, HARRIS-STOWE UNIVERSITY, AND LINCOLN UNIVERSITY TO CONVEY OR OTHERWISE TRANSFER, EXCEPT IN FEE SIMPLE, THE TITLE TO OR OTHER INTEREST IN SUCH REAL PROPERTY WITHOUT AUTHORIZATION BY AN ACT OF THE GENERAL ASSEMBLY.

01/10/2011 Introduced and Read First Time (H) (H93)
01/11/2011 Read Second Time (H) (H100)
01/20/2011 Referred: Transportation Funding & Public Institutions (H199)
01/27/2011 Public Hearing Completed (H)
02/17/2011 Executive Session Completed (H)
02/17/2011 Voted Do Pass - Consent (H)
02/21/2011 Reported Do Pass by Consent (H) (H405)
02/21/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H405)
02/28/2011 Rules - Executive Session Completed (H)
02/28/2011 Rules - Voted Do Pass - Consent (H)
02/28/2011 Rules - Reported Do Pass Consent (H) (H474)
03/09/2011 Perfected by Consent - Pursuant to House Rules (H) (H573)
03/15/2011 Third Read and Passed (H) (H625-626)
03/16/2011 S First Read--HB 137-Thomson, et al (S465)
03/31/2011 Second Read and Referred S Governmental Accountability Committee (S545)
04/20/2011 Hearing Conducted S Governmental Accountability Committee
04/20/2011 SCS Voted Do Pass S Governmental Accountability Committee (0570S.03C)
04/21/2011 Reported from S Governmental Accountability Committee to Floor w/SCS (S813)
04/27/2011 SS for SCS S offered (Pearce)--(0570S.04F) (S1132)
04/27/2011 SA 1 to SS for SCS S offered (Crowell)--(0570S04.02S) (S1132-1133)
04/27/2011 Bill Placed on Informal Calendar (S1133)
04/27/2011 SA 1 to SS for SCS S withdrawn (S1146)
04/27/2011 SA 2 to SS for SCS S offered & adopted (Green)--(0570S04.03S) (S1146-1147)
04/27/2011 SS for SCS, as amended, S adopted (S1147)
04/27/2011 Referred S Ways & Means & Fiscal Oversight Committee (S1147)
05/02/2011 Hearing Conducted S Ways and Means and Fiscal Oversight Committee
05/02/2011 Voted Do Pass S Ways & Means & Fiscal Oversight Committee
05/02/2011 Reported from S Ways & Means & Fiscal Oversight Committee to Floor (S1226)
05/02/2011 S Third Read and Passed - EC adopted (S1227-1228 / H1735-1736)
05/10/2011 H concurs in SS for SCS, as amended (H2205)
05/10/2011 H Third Read & Passed - EC adopted (H2206-2207 / S1683)
05/10/2011 Truly Agreed To and Finally Passed (S1683)

EFFECTIVE: Emergency Clause

HOUSE HANDLER: Thomson

HB 138 - This act allows a school or a school district in any county except for a county with a charter form of government to exempt itself from the prevailing wage laws.
CHRIS HOGERTY

01/10/2011 Introduced and Read First Time (H) (H93)
01/11/2011 Read Second Time (H) (H100)
01/20/2011 Referred: Elementary and Secondary Education (H) (H199)
01/26/2011 Public Hearing Completed (H)
02/09/2011 Executive Session Completed (H)
02/09/2011 Voted Do Pass (H)
03/28/2011 Reported Do Pass (H) (H722)
03/28/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H722)
04/06/2011 Rules - Executive Session Completed (H)
04/06/2011 Rules - Voted Do Pass (H)
04/07/2011 Rules - Reported Do Pass (H) (H1172)
05/02/2011 Perfected (H) (H1697)
05/09/2011 Third Read and Passed (H) (H2073)
05/09/2011 S First Read--HB 138-Thomson, et al (S1530)
05/10/2011 Second Read and Referred S General Laws Committee (S1639)

EFFECTIVE: August 28, 2011

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*** HB 139 *** 0655L.02P

SENATE SPONSOR: Cunningham HOUSE HANDLER: Smith

HB 139 - This act requires the Office of Administration to include information about public schools, county and municipal governments and the Governor's travel on the Missouri accountability portal.

Financial and policy information for schools and country governments shall be maintained including salary schedules, extra duty compensation, employee benefits, school calendars, budgets and policies.

Departure dates and times and arrival dates and times shall be included for the Governor's travel along with other specific trip information including duration, purpose, destination, travel expenses, and accompanying passengers.

Financial information for municipalities shall be maintained including account balances, receipts, bonded indebtedness, and property tax rates.
CHRIS HOGERTY

01/10/2011 Introduced and Read First Time (H) (H93)
01/11/2011 Read Second Time (H) (H100)
01/13/2011 Referred: Downsizing State Government (H) (H154)
01/27/2011 Public Hearing Completed (H)
02/07/2011 Executive Session Completed (H)
02/07/2011 Voted Do Pass (H)
02/07/2011 Reported Do Pass (H) (H298)
02/07/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H298)
02/09/2011 Rules - Executive Session Completed (H)
02/09/2011 Rules - Voted Do Pass (H)
02/09/2011 Rules - Reported Do Pass (H) (H333)
02/23/2011 Perfected with Amendments (H)
02/23/2011 Referred: Fiscal Review (H)
02/24/2011 Reported Do Pass H Fiscal Review (H444)
02/24/2011 Third read and passed (H) (H446-447)
02/24/2011 S First Read--HB 139-Smith (150), et al (S331)
03/10/2011 Second Read and Referred S General Laws Committee (S437)
04/26/2011 Hearing Conducted S General Laws Committee
05/03/2011 Voted Do Pass S General Laws Committee
05/05/2011 Reported from S General Laws Committee to Floor (S1345)
05/09/2011 Referred S Ways & Means & Fiscal Oversight Committee (S1524)

05/13/2011 S Formal Calendar H Bills for Third Reading--HB 139-Smith (150), et al (Cunningham) (In Fiscal Oversight)

EFFECTIVE: August 28, 2011

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*** HB 141 *** 0486L.01P

HOUSE HANDLER: Black

This bill has been combined with HB 798

01/10/2011 Introduced and Read First Time (H) (H93)
01/11/2011 Read Second Time (H) (H100)
01/27/2011 Referred: Transportation (H) (H245)
02/01/2011 Public Hearing Scheduled, Bill not Heard (H)
02/08/2011 Public Hearing Completed (H)
02/15/2011 Executive Session Completed (H)
02/15/2011 Voted Do Pass - Consent (H)
02/21/2011 Reported Do Pass by Consent (H) (H405)
02/21/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H405)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass - Consent (H)
03/28/2011 Rules - Reported Do Pass Consent (H) (H723)
04/04/2011 Perfected by Consent - Pursuant to House Rules (H) (H839)
04/05/2011 Third Read and Passed (H) (H858-859)
04/05/2011 S First Read--HB 141-Black, et al (S587)
04/07/2011 Second Read and Referred S Transportation Committee (S667)
04/13/2011 Hearing Conducted S Transportation Committee
04/13/2011 Bill Combined (w/SCS/HB 798, HB 141, HB 153, HB 363, HB 415 & HB 813)

EFFECTIVE: August 28, 2011

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*** HB 142 *** CCS SCS HB 142 0720L.04T

SENATE SPONSOR: Dempsey HOUSE HANDLER: Gatschenberger

SCS/HB 142 - COUNTY AUDITOR

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 $1,000 or more. Current law requires an inventory of county property with an original value of $250 or more.

JACKSON COUNTY JUDICIAL CIRCUIT

This act allows Jackson County's judicial circuit to impose and collect any fee, cost, or surcharge authorized under chapter 488 for any other judicial circuit in any civil, criminal, or domestic action provided that the cost, fee, or surcharge is authorized by the county's voters at an election. Such funds may be used for the needs of the judicial circuit.

TRANSFER OF GUARDIANSHIP AND CONSERVATORSHIP CASES

Under this act, a public administrator may request the court to transfer any guardianship or conservatorship case to another county. If the other county meets the venue requirements and the public administrator of the other county consents to the transfer, the court is required to transfer the case. The court with jurisdiction over the other county is required to appoint the public administrator of that county as the person's new guardian or conservator.

The public administrator is required to file a final settlement of their conservatorship within thirty days of the court transferring the case. This final settlement will be filed in the court with jurisdiction over the original conservatorship and forwarded to the receiving county upon approval.

Provisions of this act are similar to SB 145 (2011), SB 57 (2011) and HB 88 (2011).
MEGHAN LUECKE

SA 1 - THIS AMENDMENT REMOVES THE SECTION ALLOWING JACKSON COUNTY'S JUDICIAL COURT TO IMPOSE A FEE FOR THE NEEDS OF THE JUDICIAL CIRCUIT.

SA 2 - THIS AMENDMENT AUTHORIZES CITIES, TOWNS, AND VILLAGES LOCATED IN ANY COUNTY

OF THE STATE TO SEEK VOTER APPROVAL FOR THE IMPOSITION OF A FEE ON RESIDENTIAL PROPERTY TO FUND THE REPAIR OR REPLACEMENT OF WATER LINES ON THAT PROPERTY. THE FEE WOULD BE IMPOSED FOR THE REPAIR OR REPLACEMENT OF WATER SERVICE LINES PROVIDING WATER SERVICE TO RESIDENTIAL PROPERTIES HAVING FOUR OR FEWER DWELLING UNITS LOCATED WITHIN THE CITY, TOWN, OR VILLAGE. THE FEE CANNOT EXCEED ONE DOLLAR PER MONTH.

ANY CITY, TOWN, OR VILLAGE WHICH IMPOSES THE WATER SERVICE LINE FEE MAY, BY ORDINANCE, PROVIDE FOR THE ADMINISTRATION OF THE PROGRAM AND DEFINE THE TERMS "REPAIR" AND "WATER SERVICE LINE".

SA 3 - UNDER THIS AMENDMENT, ANY CITY IN WHICH VOTERS HAVE APPROVED FEES TO RECOVER COSTS ASSOCIATED WITH THE ENFORCEMENT OF CERTAIN PROPERTY ORDINANCES MAY ISSUE A SPECIAL TAX BILL TO RECOVER SUCH COSTS. A CITY MAY PROVIDE BY ORDINANCE FOR THE DISCHARGE OF THE SPECIAL TAX BILL UPON A DETERMINATION THAT THE DISCHARGE WILL RESULT IN A PUBLIC BENEFIT.

UNDER CURRENT LAW, THE CITIES OF ST. LOUIS AND KANSAS CITY MAY ESTABLISH ADMINISTRATIVE ADJUDICATION SYSTEMS TO HANDLE PARKING AND OTHER CIVIL MUNICIPAL CODE VIOLATIONS. THIS AMENDMENT ALLOWS THE CITY OF ST. JOSEPH TO ESTABLISH SUCH A SYSTEM AND ADDS HOUSING, PROPERTY MAINTENANCE, AND NUISANCE VIOLATIONS TO THE LIST OF OFFENSES THAT MAY BE HANDLED THROUGH THE SYSTEM. IN ADDITION, THE CITIES MAY ISSUE A SPECIAL TAX BILL TO COLLECT FINES ISSUED FOR HOUSING, PROPERTY MAINTENANCE, AND NUISANCE CODE VIOLATIONS.

SA 6 - THIS AMENDMENT CREATES THE "POLITICAL SUBDIVISION CONSTRUCTION BIDDING STANDARDS ACT". THIS AMENDMENT DOES NOT APPLY TO POLITICAL SUBDIVISIONS THAT HAVE SPECIFIC STATE OR LOCAL COMPETITIVE BIDDING REQUIREMENTS THAT ARE EQUIVALENT TO, 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 TO, OR STRICTER IN, ITS REQUIREMENTS, IT SHALL COMPLY WITH THE ADVERTISING AND BIDDING REQUIREMENTS OUTLINED IN THIS ACT WHEN SOLICITING BIDS AND AWARDING CONTRACTS THAT EXCEED $25,000.

BIDS SHALL BE ADVERTISED IN THE FOLLOWING MANNER: THROUGH PUBLICATION IN A CENTRAL REPOSITORY DEVELOPED BY THE OFFICE OF ADMINISTRATION, OR A PRIVATE FIRM UNDER CONTRACT WITH THE OFFICE, AT NO COST TO THE STATE; ON THE POLITICAL SUBDIVISION'S OWN WEBSITE IF IT HAS A LINK TO THE CENTRAL REPOSITORY; IN A NEWSPAPER OF GENERAL CIRCULATION LOCATED IN THE SAME COUNTY AS THE POLITICAL SUBDIVISION, OR AN ADJOINING COUNTY, FOR A PERIOD OF ONCE A WEEK FOR TWO CONSECUTIVE WEEKS; OR THROUGH PUBLICATION, AT NO COST TO THE PUBLIC SUBDIVISION, IN A CENTRAL REPOSITORY DEVELOPED BY AN ORGANIZATION REPRESENTING POLITICAL SUBDIVISIONS. THE POLITICAL SUBDIVISION MAY, IN ADDITION TO ADVERTISING IN THE MANNER DESCRIBED ABOVE, ALSO ADVERTISE THE BIDS IN BUSINESS, TRADE, OR MINORITY NEWSPAPERS.

THE ADVERTISING REQUIREMENTS DO NOT APPLY WHEN A POLITICAL SUBDIVISION HAS PUBLICLY STATED, IN WRITING, THAT THE POLITICAL SUBDIVISION IS USING A SOLE SOURCE METHOD TO AWARD A CONSTRUCTION CONTRACT BECAUSE OF THE UNIQUE NATURE OR LIMITED AVAILABILITY OF MATERIALS, EQUIPMENT, OR SKILLS FOR THE CONSTRUCTION PROJECT.

THE CONTRACT MUST BE AWARDED TO THE LOWEST AND BEST BIDDER, HOWEVER, THE POLITICAL SUBDIVISION MAY REJECT ANY AND ALL BIDS.

BIDDING MUST COMPLY WITH THE FOLLOWING PROCEDURES: NO BIDS MAY BE OPENED IN ADVANCE OF THE ADVERTISED DEADLINE; BIDS MUST BE WRITTEN AND SEALED; NO BIDS MAY BE ACCEPTED AFTER THE ADVERTISED DEADLINE; AND BIDS MUST BE HELD CONFIDENTIALLY.

A PERSON WHO WOULD HAVE BID ON A CONTRACT HAD IT BEEN ADVERTISED ALSO MAY SEEK A COURT ORDER TO HAVE THE CONTRACT REBID, BUT ONLY WITHIN FIFTEEN DAYS OF THE DATE

THE POLITICAL SUBDIVISION OPENED THE BIDS.

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.

SA 7 - UNDER CURRENT LAW, ANY COUNTY MAY AMEND ITS BUDGET UPON AN UNEXPECTED INCREASE IN FUNDS. THIS AMENDMENT PROVIDES THAT A COUNTY MAY ALSO AMEND ITS BUDGET UPON A DECREASE IN FUNDS.

SA 8 - THIS AMENDMENT ALLOWS A COUNTY COLLECTOR TO ADD SPECIAL ASSESSMENTS LEVIED IN A COMMUNITY IMPROVEMENT DISTRICT TO THE ANNUAL REAL ESTATE TAX BILLS FOR THE PROPERTIES BEING BENEFITTED BY THE DISTRICT. UNPAID SPECIAL ASSESSMENTS ON THE FIRST DAY OF JANUARY ARE CONSIDERED DELINQUENT AND ENFORCEMENT OF THE COLLECTION OF DELINQUENT BILLS WILL BE GOVERNED BY THE LAWS CONCERNING DELINQUENT AND BACK TAXES. A LIEN MAY BE FORECLOSED IN THE SAME MANNER AS A TAX UPON REAL PROPERTY BY LAND TAX SALE.

SA 9 - THIS AMENDMENT REQUIRES CANDIDATES FOR THE SPRINGFIELD SCHOOL BOARD IN AN ELECTION IN WHICH MORE THAN ONE SEAT IS OPEN TO DECLARE THEIR CANDIDACY FOR A PARTICULAR SEAT ON THE SCHOOL BOARD. WHEN MORE THAN ONE SEAT IS OPEN, THE ELECTION AUTHORITY SHALL DESIGNATE THE OPEN SEATS BY LETTER.

SA 10 - THE AMENDMENT ADDS SUBSECTION 1 TO SECTION 90.101 TO ALLOW THE BOARD OF COMMISSIONERS OF TOWER GROVE PARK TO CHANGE THE SIZE OF THE BOARD BY A MAJORITY VOTE OF THE BOARD MEMBERS.

01/10/2011 Introduced and Read First Time (H) (H93)
01/11/2011 Read Second Time (H) (H100)
01/20/2011 Referred: Local Government (H) (H199)
02/09/2011 Public Hearing Completed (H)
02/16/2011 Executive Session - No Action Taken
02/23/2011 Executive Session Completed (H)
02/23/2011 Voted Do Pass - Consent (H)
02/23/2011 Reported Do Pass by Consent (H) (H435)
02/23/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H435)
02/28/2011 Rules - Executive Session Completed (H)
02/28/2011 Rules - Voted Do Pass - Consent (H)
02/28/2011 Rules - Reported Do Pass Consent (H) (H474)
03/09/2011 Perfected by Consent - Pursuant to House Rules (H) (H573)
03/15/2011 Third Read and Passed (H) (H626-627)
03/16/2011 S First Read--HB 142-Gatschenberger (S466)
03/31/2011 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S545)
04/13/2011 Hearing Conducted S Jobs, Economic Development and Local Government Committee
04/13/2011 SCS Voted Do Pass S Jobs, Economic Development and Local Government Committee (0720S.02C) - Consent
04/14/2011 Reported from S Jobs, Economic Development and Local Government Committee to Floor w/SCS - Consent (S736)
04/18/2011 Removed S Consent Calendar (S758)
04/18/2011 Reported from S Jobs, Economic Development and Local Government Committee to Floor w/SCS (S748)
04/26/2011 SA 1 to SCS S offered & adopted (Callahan)--(0720S02.02S) (S1073)
04/26/2011 SA 2 to SCS S offered & adopted (Dempsey)--(0720S02.03S) (S1073-1074)
04/26/2011 SA 3 to SCS S offered & adopted (Schaaf)--(0720S02.01S) (S1074-1076)
04/26/2011 SA 4 to SCS S offered & Ruled out of order (Munzlinger)--(8132S11.03S) (S1076-1084)
04/26/2011 SA 5 to SCS S offered & Ruled out of order (Lager)--(8140S11.01S) (S1084-1085)
04/26/2011 SA 6 to SCS S offered & adopted (McKenna)--(0720S02.04S) (S1085-1087)

04/26/2011 SA 7 to SCS S offered & adopted (Rupp)--(0720S02.07S) (S1087-1088)
04/26/2011 SA 8 to SCS S offered & adopted (Schaefer)--(0720S02.05S) (S1088-1089)
04/26/2011 SA 9 to SCS S offered & adopted (Dixon)--(8097S11.01S) (S1089-1090)
04/26/2011 SA 10 to SCS S offered & adopted (Keaveny)--(8038S11.01S) (S1090-1091)
04/26/2011 SCS, as amended, S adopted (S1091)
04/26/2011 S Third Read and Passed (S1091 / H1652-1658)
05/05/2011 H refuses to concur (H1945)
05/05/2011 H requests S recede or grant conference (H1945 / S1357)
05/05/2011 S refuses to recede and grants conference (S1357 / H1966)
05/05/2011 H conferees appointed: Gatschenberger, Diehl, Lauer, Quinn, Taylor (H1968 / S1478)
05/05/2011 S conferees appointed: Dempsey, Mayer, Parson, McKenna, Curls (S1478 / H1973)
05/10/2011 H submits CCR (H2247)
05/12/2011 CCR H adopted (H2527-2528 / S1958)
05/12/2011 CCS H Third Read and Passed (H2528-2529 / S1958)
05/12/2011 CCR S offered & adopted (S1968-1969)
05/12/2011 CCS S Third Read and Passed (S1969)
05/12/2011 Truly Agreed To and Finally Passed

EFFECTIVE: August 28, 2011

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*** HB 143 *** HCS HB 143 0235L.05P

SENATE SPONSOR: Goodman HOUSE HANDLER: Schoeller

HCS/HB 143 - This act modifies the provisions relating to hotline calls received and investigations of suspected child abuse or neglect conducted by the Children's Division within the Department of Social Services.

HOTLINE CALLS AND INVESTIGATIONS

The act requires each hotline and division case worker and the circuit manager of the county where an investigation occurs that involves a case of a child's death or serious injury to receive a preliminary evaluation by the division to determine if a performance assessment to assess if the worker's or manager's ability to competently perform his or duties is required. If an assessment is required, it shall be completed within three days of the child's death.

The Children's Division is also required to review a case when three or more calls regarding the same child are made to the hotline within a 72-hour time period to determine if the calls meet the criteria and statutory definition for a child abuse and neglect report to be accepted. The review shall include contacting the hotline caller or callers to collect information if the calls meet the criteria for harassment. A hotline worker is required to instruct an individual to call 911 when a child may be in immediate danger.

HOME VISITS

Division workers responding to a child abuse and neglect investigation are prohibited from calling prior to a home visit or leaving a business card, pamphlet, or other similar identifying information at a residence if (1) no person is present at the time of home visit and the alleged perpetrator resides in the home or the child's safety may be compromised if the alleged perpetrator becomes aware of the visit; (2) the alleged perpetrator becomes aware of the attempted visit; or (3) the family has a history of domestic violence of fleeing the community.

If the alleged perpetrator is present during the visit, a division worker responding to or investigating a child abuse and neglect report shall provide written material to the alleged perpetrator informing the person of his or her rights regarding the visit, including the right to contact an attorney. The alleged perpetrator shall be given a reasonable amount of time, not to exceed five minute, to read the material or have the material read to him or her before the visit commences. This requirement shall not apply in a case where the child faces an immediate threat or danger or if the person responding to or investigating a report feels threatened or in danger or physical harm.

ADRIANE CROUSE

01/10/2011 Introduced and Read First Time (H) (H93)
01/11/2011 Read Second Time (H) (H100)
01/27/2011 Referred: Children and Families (H) (H245)
02/09/2011 Public Hearing Completed (H)
03/09/2011 Executive Session Completed (H)
03/09/2011 HCS Voted Do Pass - Consent (H)

03/10/2011 HCS Reported Do Pass by Consent (H) (H589)
03/10/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H589)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass - Consent (H)
03/28/2011 Rules - Reported Do Pass Consent (H) (H723)
04/04/2011 Perfected by Consent - Pursuant to House Rules (H) (H839)
04/05/2011 Third Read and Passed (H) (H859-860)
04/05/2011 S First Read--HCS for HB 143 (S588)
04/07/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S667)
04/19/2011 Hearing Conducted S Health, Mental Health, Seniors and Families Committee
04/19/2011 Voted Do Pass S Health, Mental Health, Seniors and Families Committee
04/27/2011 Reported from S Health, Mental Health, Seniors and Families Committee to Floor (S1150)
04/28/2011 Bill Placed on Informal Calendar (S1200)
05/13/2011 S Informal Calendar H Bills for Third Reading--HCS for HB 143 (Goodman)

EFFECTIVE: August 28, 2011

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*** HB 149 *** SCS HB 149 0523S.02T

SENATE SPONSOR: Brown HOUSE HANDLER: Day

SCS/HB 149 - This act eliminates the expiration date on the provision that allows an individual or corporation to credit part of a tax refund to the Missouri Military Family Relief Fund.
EMILY KALMER

01/11/2011 Introduced and Read First Time (H) (H133)
01/12/2011 Read Second Time (H) (H141)
01/20/2011 Referred: Veterans (H) (H199)
01/25/2011 Public Hearing Completed (H)
01/25/2011 Executive Session Completed (H)
01/25/2011 Voted Do Pass - Consent (H)
02/21/2011 Reported Do Pass by Consent (H) (H405)
02/21/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H405)
02/28/2011 Rules - Executive Session Completed (H)
02/28/2011 Rules - Voted Do Pass - Consent (H)
02/28/2011 Rules - Reported Do Pass Consent (H) (H474)
03/09/2011 Perfected by Consent - Pursuant to House Rules (H) (H573)
03/15/2011 Third Read and Passed (H) (H627-628)
03/16/2011 S First Read--HB 149-Day, et al (S466)
03/31/2011 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S545)
04/11/2011 Hearing Conducted S Financial and Governmental Organizations and Elections Committee
04/18/2011 SCS Voted Do Pass S Financial and Governmental Organizations and Elections Committee (0523S.02C)
04/21/2011 Reported from S Financial and Governmental Organizations and Elections Committee to Floor w/SCS (S812)
04/27/2011 SCS S adopted (S1102)
04/27/2011 S Third Read and Passed (S1102 / H1658)
05/10/2011 H concurs in SCS (H2190)
05/10/2011 H Third Read & Passed (H2191 / S1673)
05/10/2011 Truly Agreed To and Finally Passed (S1673)

EFFECTIVE: August 28, 2011

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*** HB 151 *** 0579L.01T

SENATE SPONSOR: Schaefer HOUSE HANDLER: Kelly

HB 151 - This act creates a check-off on the Missouri individual and corporate income tax forms for contributions to the Organ Donor Program Fund. A taxpayer may donate to the fund by designating on the form at least $2 on an individual return or $4 on a combined return of his or her tax refund amount or by sending a separate check with the payment of his or her taxes.

The provisions of this act will automatically sunset December 31, six years from the effective date of the act.

ADRIANE CROUSE

01/11/2011 Introduced and Read First Time (H) (H133)
01/12/2011 Read Second Time (H) (H141)
01/20/2011 Referred: Ways and Means (H) (H199)
01/27/2011 Public Hearing Completed (H)
02/10/2011 Executive Session Completed (H)
02/10/2011 Voted Do Pass - Consent (H)
02/21/2011 Reported Do Pass by Consent (H) (H406)
02/21/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H406)
02/28/2011 Rules - Executive Session Completed (H)
02/28/2011 Rules - Voted Do Pass - Consent (H)
02/28/2011 Rules - Reported Do Pass Consent (H) (H474)
03/09/2011 Perfected by Consent - Pursuant to House Rules (H) (H573)
03/15/2011 Third Read and Passed (H) (H628-629)
03/16/2011 S First Read--HB 151-Kelly (24) and Molendorp (S466)
03/31/2011 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S545)
04/21/2011 Hearing Conducted S Ways and Means and Fiscal Oversight Committee
04/28/2011 Voted Do Pass S Ways and Means and Fiscal Oversight Committee
05/05/2011 Reported from S Ways and Means and Fiscal Oversight Committee to Floor (S1343)
05/09/2011 Referred S Ways & Means & Fiscal Oversight Committee (S1524)
05/11/2011 Hearing Conducted S Ways and Means and Fiscal Oversight Committee
05/11/2011 Voted Do Pass S Ways & Means & Fiscal Oversight Committee
05/11/2011 Reported from S Ways & Means & Fiscal Oversight Committee to Floor (S1779)
05/11/2011 S Third Read and Passed (S1781 / H2390)
05/11/2011 Truly Agreed To and Finally Passed (H2390)

EFFECTIVE: August 28, 2011

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*** HB 153 *** 0260L.01P

HOUSE HANDLER: Black

This bill has been combined with HB 798

01/11/2011 Introduced and Read First Time (H) (H134)
01/12/2011 Read Second Time (H) (H141)
01/27/2011 Referred: Transportation (H) (H245)
02/08/2011 Public Hearing Completed (H)
02/15/2011 Executive Session Completed (H)
02/15/2011 Voted Do Pass - Consent (H)
02/21/2011 Reported Do Pass by Consent (H) (H405)
02/21/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H405)
02/28/2011 Rules - Executive Session Completed (H)
02/28/2011 Rules - Voted Do Pass - Consent (H)
02/28/2011 Rules - Reported Do Pass Consent (H) (H474)
03/09/2011 Perfected by Consent - Pursuant to House Rules (H) (H573)
03/15/2011 Third Read and Passed (H) (H629-630)
03/16/2011 S First Read--HB 153-Black, et al (S466)
03/31/2011 Second Read and Referred S Transportation Committee (S545)
04/13/2011 Hearing Conducted S Transportation Committee
04/13/2011 Bill Combined (w/SCS/HB 798, HB 141, HB 153, HB 363, HB 415 & HB 813)

EFFECTIVE: August 28, 2011

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*** HB 161 *** SS SCS HCS HB 161 0781S.05T

SENATE SPONSOR: Parson HOUSE HANDLER: Cox

SCS/HCS/HB 161 - This act modifies the definition of the term "transient guests", for purposes of collecting transient guest taxes authorized under Sections 67.1000 and 67.1002, by providing that such term means a person or persons who occupy a room in a hotel or motel for 31 days or less during any calendar quarter with the exception of Pulaski County where the term means a person or persons who occupy a room in a hotel or motel for 90 days or less during any calendar quarter. Under current law the transient guest tax is imposed solely for the promotion of tourism, this act would allow the imposition of the tax to fund a convention and visitors bureau as well as the promotion of tourism.

Any city or county that already imposes a tax on transient guest room charges of a hotel or motel located wholly or partially within the city or county under sections 67.1000 and 67.1002 or any other section of law will be prohibited from imposing an additional transient guest tax pursuant to Section 67.1000 or Section 67.1002. The act prohibits any city that does not already impose a transient guest tax pursuant to Section 67.1000 or Section 67.1002 from imposing a transient guest tax under those provisions if the city is located wholly or partially within a county that already imposes a tax on transient guest room charges of a hotel or motel located wholly or partially within the county under these sections or any other section of law. However, any city or county with more than three hundred fifty hotel and motel rooms within such city or county will be exempt from such prohibition and is authorized to impose an additional transient guest tax of up to 0.5% per occupied room, per night. The act allows Pettis County, upon voter approval, to change its transient guest tax from $2 per room, per night to up to 5% per occupied room, per night. The number of members on the Pettis County Tourism Commission is increased from five to seven and the way appointments are made to the commission is modified.

The act also authorizes the City of St. Joseph, upon voter approval, to impose a sales tax not to exceed one-half of one percent to fund public safety improvements.
JASON ZAMKUS

01/11/2011 Introduced and Read First Time (H) (H134)
01/12/2011 Read Second Time (H) (H141)
01/20/2011 Referred: Local Government (H) (H199)
02/09/2011 Public Hearing Completed (H)
02/16/2011 Executive Session - No Action Taken
03/16/2011 Executive Session Completed (H)
03/16/2011 HCS Voted Do Pass - Consent (H)
03/16/2011 HCS Reported Do Pass by Consent (H) (H672)
03/16/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H672)
04/06/2011 Rules - Executive Session Completed (H)
04/06/2011 Rules - Voted Do Pass (H)
04/07/2011 Rules - Reported Do Pass (H) (H1173)
04/20/2011 HCS Adopted (H) (H1408)
04/20/2011 Perfected with Amendments (H) (H1408)
04/26/2011 Third read and passed (H) (H1608)
04/26/2011 S First Read--HCS for HB 161 (S1069)
05/02/2011 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S1238)
05/04/2011 Hearing Conducted S Jobs, Economic Development and Local Government Committee
05/04/2011 SCS Voted Do Pass S Jobs, Economic Development and Local Government Committee (0781S.03C)
05/05/2011 Reported from S Jobs, Economic Development and Local Government Committee to Floor w/SCS (S1346)
05/10/2011 SS for SCS S offered & adopted (Parson)--(0781S.05F) (S1680-1681)
05/10/2011 S Third Read and Passed (S1681 / H2243)
05/12/2011 H concurs in SS for SCS (H2537-2538)
05/12/2011 H Third Read & Passed (H2538-2539 / S1960)
05/12/2011 Truly Agreed To and Finally Passed (S1960)

EFFECTIVE: August 28, 2011

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*** HB 162 *** 0735L.01P

HOUSE HANDLER: Fisher

HB 162 - Employers are required to furnish workers' compensation for injury or death caused by occupational disease.

Employers and employees shall not be liable for any injury or death for which compensation is recoverable under the workers' compensation statutes.

This act is similar to SB 8 (2011).
CHRIS HOGERTY

01/11/2011 Introduced and Read First Time (H) (H134)
01/12/2011 Read Second Time (H) (H141)

01/13/2011 Referred: Workforce Development & Workplace Safety (H) (H154)
01/20/2011 Public Hearing Completed (H)
01/27/2011 Executive Session Completed (H)
01/27/2011 Voted Do Pass (H)
01/27/2011 Reported Do Pass (H) (H246)
01/27/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H246)
01/31/2011 Rules - Executive Session Completed (H)
01/31/2011 Rules - Voted Do Pass (H)
01/31/2011 Rules - Reported Do Pass (H) (H264)
02/08/2011 Perfected with Amendments (H) (H308)
02/10/2011 Third Read and Passed (H) (H340)
02/14/2011 S First Read--HB 162-Fisher, et al (S242)
03/02/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S380)

EFFECTIVE: August 28, 2011

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*** HB 163 *** SS SCS HCS HB 163 0747S.06T

SENATE SPONSOR: Pearce HOUSE HANDLER: Fisher

SS/SCS/HCS/HB 163 - This act allows the state to continue to receive extended federal unemployment benefit funds until August 28, 2013.

Currently, the maximum total amount of benefits payable to worker during a benefit year shall not exceed the lesser of 26 times the weekly benefit amount or 33 1/3% of his or her wage credits. This act changes that threshold to the lesser of 20 times the weekly benefit amount or 33 1/3% of his or her wage credits.

Claimants are denied unemployment benefits for any week the claimant has an outstanding overpayment penalty.

This act contains an emergency clause.

This act is similar to SB 1026 (2010), and SB 10 (2011).
CHRIS HOGERTY

01/11/2011 Introduced and Read First Time (H) (H134)
01/12/2011 Read Second Time (H) (H141)
01/19/2011 Referred: Workforce Development & Workplace Safety (H) (H190)
01/24/2011 Public Hearing Completed (H)
01/24/2011 Executive Session Completed (H)
01/24/2011 HCS Voted Do Pass (H)
01/24/2011 HCS Reported Do Pass (H) (H209)
01/24/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H209)
01/26/2011 Rules - Executive Session Completed (H)
01/26/2011 Rules - Voted Do Pass (H)
01/26/2011 Rules - Reported Do Pass (H) (H237)
01/31/2011 HCS Adopted (H) (H263)
01/31/2011 Perfected with Amendments (H) (H260-263)
02/01/2011 H Third Read and Passed - EC adopted (H274-275)
02/01/2011 S First Read--HCS for HB 163 (S180)
02/21/2011 Second Read and Referred S Small Business, Insurance and Industry Committee (S291)
02/23/2011 Hearing Conducted S Small Business, Insurance and Industry Committee
02/23/2011 SCS Voted Do Pass S Small Business, Insurance and Industry Committee - (0747.05C)
02/24/2011 Reported from S Small Business, Insurance and Industry Committee to Floor w/SCS (S329)
03/01/2011 SS for SCS S offered (Pearce)--(0747S.06F) (S361)
03/01/2011 SA 1 to SS for SCS S offered (Lembke)--(0747S06.05S) (S361)
03/01/2011 Bill Placed on Informal Calendar (S361)
03/02/2011 Taken up for Third Reading (S376)
03/02/2011 Bill Placed on Informal Calendar (S376)
03/16/2011 Taken up for Third Reading (S463)
03/16/2011 Bill Placed on Informal Calendar (S463)
04/07/2011 SA 1 to SS for SCS S withdrawn (S659)
04/07/2011 SA 2 to SS for SCS S offered & adopted (Kehoe)--(0747S06.10S) (S659-660)
04/07/2011 SA 3 to SS for SCS S offered & adopted (Crowell)--(0747S06.07S) (S660-661)

04/07/2011 SA 4 to SS for SCS S offered & defeated (Kraus)--(0747S06.11S) (S661)
04/07/2011 SA 5 to SS for SCS S offered & defeated (Kraus)--(0747S06.12S) (S661)
04/07/2011 SS for SCS, as amended, S adopted (S661)
04/07/2011 Referred S Ways & Means & Fiscal Oversight Committee (S661)
04/11/2011 Hearing Conducted S Ways and Means and Fiscal Oversight Committee
04/11/2011 Voted Do Pass S Ways and Means and Fiscal Oversight Committee
04/11/2011 Reported from S Governmental Accountability & Fiscal Oversight Committee to Floor (S674)
04/11/2011 S Third Read and Passed - EC adopted (S674-675 / H1206-1207)
04/12/2011 H concurs in SS for SCS, as amended (H1221-1222)
04/12/2011 H Third Read & Passed - EC adopted (H1223-1224)
04/12/2011 Truly Agreed To and Finally Passed (w/EC) (H1222-1223 / S694)
04/13/2011 Signed by House Speaker (H1244)
04/13/2011 Signed by Senate President (S700)
04/13/2011 Delivered to Governor (H1244)
04/13/2011 Signed by Governor (H1269)

EFFECTIVE: Emergency Clause

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*** HB 167 *** 0547L.01P

SENATE SPONSOR: Nieves HOUSE HANDLER: Nolte

HB 167 - This act requires Missouri driver's license examinations to only be administered in English so that the applicant can demonstrate his or her ability to sufficiently understand highway traffic signs and safety warnings. Under the terms of the act, the director is prohibited from supplying or permitting the use of spoken language interpreters, in connection with the written and driving tests. Sign language interpreters, however, may be provided upon request.
STEPHEN WITTE

01/11/2011 Introduced and Read First Time (H) (H134)
01/12/2011 Read Second Time (H) (H141)
01/13/2011 Referred: Transportation (H) (H154)
02/03/2011 Public Hearing Continued (H)
02/15/2011 Public Hearing Completed (H)
02/15/2011 Executive Session Completed (H)
02/15/2011 Voted Do Pass (H)
02/16/2011 Reported Do Pass (H) (H379)
02/16/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H379)
02/21/2011 Rules - Executive Session Completed (H)
02/21/2011 Rules - Voted Do Pass (H)
02/21/2011 Rules - Reported Do Pass (H) (H406)
03/07/2011 Taken Up for Perfection (H) (H536)
03/07/2011 Laid Over (H) (H536)
03/08/2011 Taken Up for Perfection (H) (H553)
03/08/2011 Laid Over (H) (H553)
03/09/2011 Taken Up for Perfection (H) (H565)
03/09/2011 Perfected with Amendments (H) (H566)
03/10/2011 Third Read and Passed (H) (H585-586)
03/10/2011 S First Read--HB 167-Nolte, et al (S436)
03/17/2011 Second Read and Referred S General Laws Committee (S496)
04/19/2011 Hearing Conducted S General Laws Committee
04/19/2011 Voted Do Pass (w/SCA 1) S General Laws Committee - (0547L01.01S)
05/05/2011 Reported from S General Laws Committee to Floor w/SCA 1 (S1345)
05/10/2011 Taken up for Third Reading (S1677)
05/10/2011 Bill Placed on Informal Calendar (S1677)
05/13/2011 S Informal Calendar H Bills for Third Reading--HB 167-Nolte, et al, with SCA 1 (pending) (Nieves)

EFFECTIVE: August 28, 2011

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*** HB 171 *** 0768L.01P

HOUSE HANDLER: Ruzicka

HB 171 - This act allows certain third class cities organized under Sections 78.010 to 78.400, RSMo, to

cancel, by order or ordinance, any primary election for the office of mayor and councilman and conduct the elections for mayor and councilman by adding all candidates to the ballot who request to be placed on it.

In order to request to be placed on the ballot, the candidate shall file with the city clerk a sworn or affirmed signed statement of candidacy, including statements that the person is a city resident, qualified voter of the city, and eligible for the office.

The names of the candidates are to appear on the ballots in the order the statements were filed with the city clerk. The ballot shall also include a warning that voting for more than the total number of candidates to be elected will invalidate the ballot.
MEGHAN LUECKE

01/11/2011 Introduced and Read First Time (H) (H135)
01/12/2011 Read Second Time (H) (H141)
01/20/2011 Referred: Elections (H) (H199)
01/25/2011 Public Hearing Completed (H)
02/01/2011 Executive Session Completed (H)
02/01/2011 Voted Do Pass - Consent (H)
02/21/2011 Reported Do Pass by Consent (H) (H403)
02/21/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H403)
02/28/2011 Rules - Executive Session Completed (H)
02/28/2011 Rules - Voted Do Pass - Consent (H)
02/28/2011 Rules - Reported Do Pass Consent (H) (H474)
03/09/2011 Perfected by Consent - Pursuant to House Rules (H) (H573)
03/15/2011 Third Read and Passed (H) (H630-631)
03/16/2011 S First Read--HB 171-Ruzicka, et al (S466)
03/31/2011 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S545)
04/11/2011 Hearing Conducted S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2011

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*** HB 174 *** HCS HB 174 0823L.02T

SENATE SPONSOR: Pearce HOUSE HANDLER: Thomson

HCS/HB 174 – This act modifies the composition of the Coordinating Board for Higher Education, the Board of Curators for the University of Missouri and the governing board of Missouri State University. For each board, current law provides that no more than one person will be appointed from each congressional district. This act provides that at least one but no more than two persons will be appointed from each congressional district. However, nothing relating to a change in the composition and configuration of congressional districts in this state will prohibit a member serving a term on August 28, 2011 from completing his or her term.

This act is substantially similar to SCS/SB 163 (2011) and is similar to SB 255 (2009).
MICHAEL RUFF

01/12/2011 Introduced and Read First Time (H) (H142)
01/13/2011 Read Second Time (H) (H148)
01/20/2011 Referred: Higher Education (H) (H200)
02/08/2011 Public Hearing Completed (H)
02/15/2011 Executive Session Completed (H)
02/15/2011 HCS Voted Do Pass (H)
02/17/2011 HCS Reported Do Pass (H) (H393)
02/17/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H393)
02/28/2011 Rules - Executive Session Completed (H)
02/28/2011 Rules - Voted Do Pass (H)
02/28/2011 Rules - Reported Do Pass (H) (H474)
03/07/2011 HCS Adopted (H) (H535)
03/07/2011 Perfected (H) (H535)
03/10/2011 Third Read and Passed (H) (H581)
03/10/2011 S First Read--HCS for HB 174 (S435-436)
03/17/2011 Second Read and Referred S Education Committee (S496)
03/30/2011 Hearing Conducted S Education Committee
04/06/2011 Voted Do Pass S Education Committee
04/07/2011 Reported from S Education Committee to Floor (S663)

04/12/2011 Taken up for Third Reading (S688)
04/12/2011 Bill Placed on Informal Calendar (S688)
04/12/2011 SA 1 S offered & adopted (Crowell)--(0832L02.01S) (S689-690)
04/12/2011 S Third Read and Passed, as amended (S690)
04/14/2011 H concurs in SA 1 (H1291)
04/14/2011 H Third Read & Passed (H1292)
04/14/2011 Truly Agreed To and Finally Passed (S751)
04/18/2011 Signed by House Speaker (H1304)
04/18/2011 Signed by Senate President (S753)
04/18/2011 Delivered to Governor (H1304)
05/02/2011 Signed by Governor (H1739)

EFFECTIVE: August 28, 2011

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*** HB 182 *** 0363L.01T

SENATE SPONSOR: Chappelle-Nadal HOUSE HANDLER: Gray

HB 182 - This act designates the first Friday in March of each year as "Dress in Blue for Colon Cancer Awareness Day."

This act is similar to HB 1677 (2010).

JIM ERTLE

01/12/2011 Introduced and Read First Time (H) (H143)
01/13/2011 Read Second Time (H) (H148)
02/08/2011 Referred: Tourism and Natural Resources (H308)
03/17/2011 Public Hearing Completed (H)
03/17/2011 Executive Session Completed (H)
03/17/2011 Voted Do Pass - Consent (H)
03/17/2011 Reported Do Pass by Consent (H) (H697)
03/17/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H697)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass - Consent (H)
03/28/2011 Rules - Reported Do Pass Consent (H) (H723)
04/04/2011 Perfected by Consent - Pursuant to House Rules (H) (H839)
04/05/2011 Third Read and Passed (H) (H860-861)
04/05/2011 S First Read--HB 182-Walton Gray, et al (S588)
04/07/2011 Second Read and Referred S Progress and Development Committee (S667)
04/12/2011 Hearing Conducted S Progress and Development Committee - Consent
04/12/2011 Voted Do Pass S Progress and Development Committee - Consent
04/14/2011 Reported from S Progress and Development Committee to Floor - Consent (S731)
04/18/2011 Removed S Consent Calendar (S758)
04/18/2011 Reported from S Progress and Development Committee to Floor (S748)
04/19/2011 SA 1 S offered & Ruled out of order (Stouffer)--(0363L01.01S) (S774)
04/19/2011 S Third Read and Passed (S774)
04/19/2011 Truly Agreed To and Finally Passed (H1374)
04/22/2011 Signed by House Speaker (H1595)
04/26/2011 Signed by Senate President (S1067)
04/26/2011 Delivered to Governor (H1665)
05/05/2011 Signed by Governor (H2049)

EFFECTIVE: August 28, 2011

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*** HB 183 *** 0651L.01T

SENATE SPONSOR: Kraus HOUSE HANDLER: Silvey

HB 183 - This act modifies laws regarding the Police Retirement System of Kansas City and the Civilian Employees' Retirement System of the Police Department of Kansas City.

POLICE RETIREMENT SYSTEM OF KANSAS CITY

This act specifies that the retirement benefits of members who retire after August 28, 2011 start on the first day of the month after the member retires. The member will not receive a prorated payment for the month in which the member retires.

The act also requires that all benefit payments will be paid on the last day of the month. When a member dies, certain benefits will be prorated for the portion of the month in which the member was alive, other benefits will not be prorated. The retirement system is required to withhold payment of benefits until the required documentation is filed to prove that a person is entitled to the payment.

Members are no longer able to receive credit toward retirement for unpaid leaves of absence of less than thirty days, except for leaves of absence for certain military service. If a member is on a leave of absence, to receive credit towards retirement for their leave, the person must return to active service and pay the actuarial cost of the service.

A person who has at least five years of service and returns to membership in the retirement system can purchase credit for prior service, but must pay the actuarial cost of the service, rather than repaying the amount of their accumulated contributions with interest.

If a person leaves the police department before retirement after at least fifteen years of service, the pension the person receives will start on the first day of the month after the person turns fifty-five, rather than the day the person turns fifty-five.

Civilian Employees' Retirement System of the Police Department of Kansas City

This act prohibits membership in the Civilian Employees' Retirement System of the Police Department of Kansas City by any employee appointed after August 28, 2011 who is eligible to receive a pension from any other Kansas City retirement system.

The act specifies that the retirement benefits of members who retire after August 28, 2011 start on the first day of the month after the member retires. The member will not receive a prorated payment for the month in which the member retires.

The act also requires that all benefit payments will be paid on the first day of the month. When a member dies, benefits to the surviving spouse will not be prorated. The retirement system is required to withhold payment of benefits until the required documentation is filed to prove that a person is entitled to the payment.

Members are prohibited from receiving credit toward retirement for unpaid leaves of absence, except for leaves of absence for certain military service. If a member is on a leave of absence, to receive credit towards retirement for their leave, the person must return to active service and pay the actuarial cost of the service.

A person who has at least three years of service and returns to membership in the retirement system can purchase credit for prior service, but must pay the actuarial cost of the service, rather than repaying the amount of their accumulated contributions with interest.

This act is similar to SB 271 (2011).
EMILY KALMER

01/12/2011 Introduced and Read First Time (H) (H143)
01/13/2011 Read Second Time (H) (H148)
01/20/2011 Referred: Retirement (H) (H200)
02/17/2011 Public Hearing Completed (H)
02/17/2011 Executive Session Completed (H)
02/17/2011 Voted Do Pass - Consent (H)
02/21/2011 Reported Do Pass by Consent (H) (H404)
02/21/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H404)
02/28/2011 Rules - Executive Session Completed (H)
02/28/2011 Rules - No Action Taken (H)
03/09/2011 Rules - Executive Session Completed (H)
03/09/2011 Rules - Voted Do Pass - Consent (H)
03/09/2011 Rules - Reported Do Pass Consent (H) (H572)
03/17/2011 Perfected by Consent - Pursuant to House Rules (H) (H698)
03/31/2011 Third read and passed (H) (H799-800)
03/31/2011 S First Read--HB 183-Silvey (S544)
04/07/2011 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S666)
04/20/2011 Hearing Conducted S Jobs, Economic Development and Local Government Committee

04/20/2011 Voted Do Pass S Jobs, Economic Development and Local Government Committee
04/28/2011 Reported from S Jobs, Economic Development and Local Government Committee to Floor (S1208)
05/09/2011 Bill Placed on Informal Calendar (S1536)
05/11/2011 S Third Read and Passed (S1817 / H2390)
05/11/2011 Truly Agreed To and Finally Passed (H2390)

EFFECTIVE: August 28, 2011

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*** HB 184 *** SS SCS HB 184 0801S.03T

SENATE SPONSOR: Purgason HOUSE HANDLER: Dugger

SCS/HB 184 - Under this act, road district commissioners may receive compensation for their services of up to $100 per month. The compensation of a commissioner shall not change during the time of his or her term of office. Under current law, road district commissioners are not authorized to receive compensation for their services (only the payment of expenses is authorized).

This act specifies that risk coverages procured by certain political subdivision associations shall not require the solicitation of competitive bids. This portion of the act is identical to SB 151 (2011) and HB 2098 (2010).

STEPHEN WITTE

01/12/2011 Introduced and Read First Time (H) (H143)
01/13/2011 Read Second Time (H) (H148)
02/02/2011 Referred: Local Government (H) (H284)
02/16/2011 Public Hearing Completed (H)
02/23/2011 Executive Session Completed (H)
02/23/2011 Voted Do Pass - Consent (H)
02/23/2011 Reported Do Pass by Consent (H) (H435)
02/23/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H435)
02/28/2011 Rules - Executive Session Completed (H)
02/28/2011 Rules - Voted Do Pass - Consent (H)
02/28/2011 Rules - Reported Do Pass Consent (H) (H474)
03/09/2011 Perfected by Consent - Pursuant to House Rules (H) (H573)
03/15/2011 Third Read and Passed (H) (H631-632)
03/16/2011 S First Read--HB 184-Dugger (S467)
03/31/2011 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S545)
04/27/2011 Hearing Conducted S Jobs, Economic Development and Local Government Committee
04/27/2011 SCS Voted Do Pass S Jobs, Economic Development and Local Government Committee (0801S.02C)
05/05/2011 Reported from S Jobs, Economic Development and Local Government Committee to Floor w/SCS (S1346)
05/11/2011 SS for SCS S offered & adopted (Purgason)--(0801S.03F) (S1782)
05/11/2011 S Third Read and Passed (S1782 / H2390)
05/12/2011 H concurs in SS for SCS (S1973)
05/12/2011 H Third Read & Passed (S1973)
05/12/2011 Truly Agreed To and Finally Passed (S1973)

EFFECTIVE: August 28, 2011

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*** HB 186 *** SCS HB 186 0818S.02T

SENATE SPONSOR: Parson HOUSE HANDLER: Entlicher

SCS/HB 186 - Under current law, the clerk of a county commission must live in the county for six months prior to election. This act requires the clerk to live in the county for one year prior to election.

In addition, this act establishes qualifications and appointment procedures for county recorders where the offices of the court clerk and recorder of deeds are separate. These provisions do not apply in the City of St. Louis or charter counties.

The county recorder must be at least 21, a registered voter, and a resident of the state and county in which he or she is a candidate for a least one year prior to the general election. If elected, the recorder must

continue to be a resident while in office.

The county commission is to appoint a recorder in the event of a vacancy in the office due to resignation or death until the
Governor appoints someone to the office pursuant to Section 105.030, RSMo.

This act is similar to SB 374 (2011).
MEGHAN LUECKE

01/12/2011 Introduced and Read First Time (H) (H143)
01/13/2011 Read Second Time (H) (H148)
01/20/2011 Referred: Elections (H) (H200)
01/25/2011 Public Hearing Completed (H)
02/01/2011 Executive Session Completed (H)
02/01/2011 Voted Do Pass - Consent (H)
02/21/2011 Reported Do Pass by Consent (H) (H403)
02/21/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H403)
02/28/2011 Rules - Executive Session Completed (H)
02/28/2011 Rules - Voted Do Pass - Consent (H)
02/28/2011 Rules - Reported Do Pass Consent (H) (H474)
03/09/2011 Perfected by Consent - Pursuant to House Rules (H) (H573)
03/15/2011 Third Read and Passed (H) (H632-633)
03/16/2011 S First Read--HB 186-Entlicher, et al (S467)
03/31/2011 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S545)
04/13/2011 Hearing Conducted S Jobs, Economic Development and Local Government Committee
04/13/2011 SCS Voted Do Pass S Jobs, Economic Development and Local Government Committee (0818S.02C) - Consent
04/14/2011 Reported from S Jobs, Economic Development and Local Government Committee to Floor w/SCS - Consent (S736)
04/18/2011 Removed S Consent Calendar (S758)
04/18/2011 Reported from S Jobs, Economic Development and Local Government Committee to Floor w/SCS (S748-749)
04/26/2011 SCS S adopted (S1091)
04/26/2011 S Third Read and Passed (S1092 / H1658)
05/10/2011 H concurs in SCS (H2188)
05/10/2011 H Third Read & Passed (H2189 / S1673)
05/10/2011 Truly Agreed To and Finally Passed (S1673)

EFFECTIVE: August 28, 2011

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*** HB 187 *** HCS HB 187 & 54 0808L.02P

SENATE SPONSOR: Schaaf HOUSE HANDLER: Conway

SCS/HCS/HBs 187 & 54 - This act removes the first Tuesday after the first Monday in February and June as dates available for public elections.

This act repeals a provision requiring party emblems to be printed on the ballot above the party caption.

This act is similar to HB 2315 (2010), SB 282 (2011), SCS/HB 503 (2011), and SB 270 (2011).
CHRIS HOGERTY

01/12/2011 Introduced and Read First Time (H) (H143)
01/13/2011 Read Second Time (H) (H148)
01/27/2011 Referred: Elections (H) (H245)
02/08/2011 Public Hearing Scheduled, Bill not Heard (H)
02/15/2011 Public Hearing Scheduled, Bill not Heard (H)
02/22/2011 Public Hearing Completed (H)
03/01/2011 Executive Session Completed (H)
03/01/2011 HCS Voted Do Pass - Consent (H)
03/02/2011 HCS Reported Do Pass by Consent (H) (H502)
03/02/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H502)
03/09/2011 Rules - Executive Session Completed (H)
03/09/2011 Rules - Voted Do Pass - Consent (H)

03/09/2011 Rules - Reported Do Pass Consent (H) (H572)
03/17/2011 Perfected by Consent - Pursuant to House Rules (H) (H698)
03/31/2011 Third read and passed (H) (H800-801)
03/31/2011 S First Read--HCS for HBs 187 & 54 (S544)
04/07/2011 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S666)
04/18/2011 Hearing Conducted S Financial and Governmental Organizations and Elections Committee
05/02/2011 SCS Voted Do Pass S Financial and Governmental Organizations and Elections Committee (0808S.02C)

EFFECTIVE: August 28, 2011

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*** HB 189 *** 0772L.01P

SENATE SPONSOR: Munzlinger HOUSE HANDLER: Ruzicka

HB 189 - This act repeals a provision prohibiting a person from possessing expanded polypropylene coolers on or within 50 feet of certain rivers.
MEGHAN LUECKE

01/12/2011 Introduced and Read First Time (H) (H143)
01/13/2011 Read Second Time (H) (H148)
01/20/2011 Referred: Tourism and Natural Resources (H200)
01/27/2011 Public Hearing Completed (H)
02/10/2011 Executive Session Completed (H)
02/10/2011 Voted Do Pass - Consent (H)
02/21/2011 Reported Do Pass by Consent (H) (H404)
02/21/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H404)
02/28/2011 Rules - Executive Session Completed (H)
02/28/2011 Rules - Voted Do Pass - Consent (H)
02/28/2011 Rules - Reported Do Pass Consent (H) (H474)
03/09/2011 Perfected by Consent - Pursuant to House Rules (H) (H573)
03/15/2011 Third Read and Passed (H) (H633-634)
03/16/2011 S First Read--HB 189-Ruzicka (S467)
03/31/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S545)

EFFECTIVE: August 28, 2011

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*** HB 190 *** 0774L.01T

SENATE SPONSOR: Brown HOUSE HANDLER: Ruzicka

HB 190 - The act allows the director of the Department of Natural Resources to request the Commissioner of the Office of Administration to provide up to $500 to any division director in the department to be used as a revolving fund for cash transactions for the sale of items by the division. All cash transactions must be made in accordance with rules established by the Commissioner.
ERIKA JAQUES

01/12/2011 Introduced and Read First Time (H) (H143)
01/13/2011 Read Second Time (H) (H148)
01/20/2011 Referred: Tourism and Natural Resources (H200)
01/27/2011 Public Hearing Completed (H)
02/10/2011 Executive Session Completed (H)
02/10/2011 Voted Do Pass - Consent (H)
02/21/2011 Reported Do Pass by Consent (H) (H405)
02/21/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H405)
02/28/2011 Rules - Executive Session Completed (H)
02/28/2011 Rules - Voted Do Pass - Consent (H)
02/28/2011 Rules - Reported Do Pass Consent (H) (H474)
03/09/2011 Perfected by Consent - Pursuant to House Rules (H) (H573)
03/15/2011 Taken Up for Third Reading (H) (H634)
03/15/2011 Laid Over - Third Reading (H) (H634)
03/16/2011 Taken Up for Third Reading (H) (H652)
03/16/2011 Third Read and Passed (H) (H652-653)
03/16/2011 S First Read--HB 190-Ruzicka (S474)

03/31/2011 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S545)
04/13/2011 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee
04/21/2011 Voted Do Pass S Agriculture, Food Production and Outdoor Resources Committee
04/27/2011 Reported from S Agriculture, Food Production and Outdoor Resources Committee to Floor (S1152)
05/04/2011 S Third Read and Passed (S1326-1327)
05/04/2011 Truly Agreed To and Finally Passed (H1862)

EFFECTIVE: August 28, 2011

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*** HB 192 *** HCS HB 192 0577L.02P

HOUSE HANDLER: Jones

HCS/HB 192 - This act modifies provision pertaining to environmental protection.

SECTIONS 253.082, 256.055, and 640.045 - PETTY CASH FOR SALES TRANSACTIONS TO THE PUBLIC
The act allows the director of the Department of Natural Resources to request the Commissioner of the Office of Administration to provide up to $500 to any division director in the department to be used as a revolving fund for cash transactions for the sale of items by the division. All cash transactions must be made in accordance with rules established by the Commissioner.

These sections are identical to HB 190 (2011).

SECTION 253.090 - STATE PARK EARNINGS FUND
The act requires the State Treasurer to invest monies in the State Park Earnings Fund in the same manner as it invests monies in other funds and requires any interest earned by the investments to be retained in the Fund.

This section is similar to HCS/HB 89 (2011), HB 823 (2011), and HB 191 (2011).

SECTION 260.262 - LEAD-ACID BATTERY FEE
The act extends the expiration date from June 30, 2011 to December 31, 2015 for the fee assessed per lead-acid battery sold in the state.

This section is similar to HB 98 (2011) and HB 2086 (2010).

SECTION 260.269 - SCRAP TIRES
The act allows the state or any political subdivision to transfer ownership of scrap tires or tire shred to any Missouri-based company if the cost of the transfer is less than the cost of disposal of the tires, and as long as the company does not put the tires in a landfill or burn them as a fuel source. The company must bear the cost of transporting the scrap tires or shred to its facility.

This section is similar to SCS/SB 230 (2011) and HCS/HB 578 (2011).

SECTIONS 260.380 AND 260.475 - HAZARDOUS WASTE FEES
The expiration date for fees assessed to generators, transporters, and disposers of hazardous waste is extended from December 31, 2011 to December 31, 2015.

These sections are identical to HB 98 (2011).

SECTION 260.965 - DRY-CLEANING FACILITIES
Under current law, the state statutes regarding dry-cleaning facility environmental remediation, including payments into the Dry-Cleaning Environmental Response Trust Fund, expire on August 28, 2012. The act extends the expiration date to August 28, 2017.

This section is identical to SS/SB 135 (2011).

SECTION 319.130 - PETROLEUM STORAGE TANK INSURANCE FUND
By April 1, 2012, the Board of Trustees of the Petroleum Storage Tank Insurance Fund must hold at least one public hearing to determine if it should create an underground storage tank operator training program. In making its decision, the Board must consider: input from the Departments of Natural Resources and

Agriculture, the Board's advisory committee, and relevant portions of the private sector; federal financial ramifications; and other training programs already in use.

If the Board decides that a training program is necessary, the act lists requirements for the program. The program must meet federal requirements, be developed in collaboration with certain entities, be offered at no cost to individuals who are required to attend, specify certain standards and documentation requirements, and be developed by rule. The Board may contract with third parties to provide the training. The Board may modify or eliminate the program by rule. Records for the program must be made readily available to the Department of Natural Resources.

This section is identical to SS/SB 135 (2011).

SECTION 414.072 - MOTOR FUEL
State and local governments may not use a manufacturer's expiration date on motor fuel measuring devices and dispensing equipment as the only reason to require repair or replacement of the equipment or issue a fine or penalty.

The required use of any automatic volumetric correction device for measuring fuel by gas stations must first be authorized by state statute before it may be imposed.

This section is similar to SS/SB 135 (2011).

SECTION 640.116 - WELL REQUIREMENTS
Water systems that exclusively serve charitable or benevolent organizations that do not regularly serve an average of 100 persons or more for at least 60 days of the year and that are not used for a school or day-care are exempt from well construction rules unless the system is a threat to groundwater or public health. Such wells are not exempt from certain rules applicable to multi-family wells. The act lists certain actions that a well owner must take in the event of certain coliform contamination violations.

No charitable or benevolent organization that is exempt from the well construction rules will be required to replace, change, upgrade, or alter any well if the well was constructed before August 28, 2011, unless the well poses a threat to groundwater or public health or has certain coliform contamination violations.

This section is similar to SB 423 (2011) and HB 250 (2011).

SECTION 644.036 - 303(d) LIST
Under current law, the public notification requirements for the Clean Water Commission's development of the list of impaired waters required by Section 303(d) of the federal Clean Water Act expired on August 28, 2010. The act extends the expiration date to August 28, 2015.

This section is similar to SB 158 (2011), HB 89 (2011), HB 441 (2011), HB 97 (2011), and HB 2109 (2010).

SECTION 644.054 - CLEAN WATER PERMIT FEES
Under current law, the authority for the Department of Natural Resources to charge fees for clean water permits expired on December 31, 2010. This act extends the expiration date until December 31, 2015.

This section is similar to SB 158 (2011), SB 423 (2011), HB 89 (2011), HB 441 (2011), HB 97 (2011), and HB 2109 (2010).

SECTION 1. - MOTOR FUEL VAPOR RECOVERY FEES
Only the Department of Natural Resources may set Stage 1 and Stage 2 motor fuel vapor recovery fees and such fees may not be modified by local governments or local enforcement agencies.

This provision is similar to SS/SB 135 (2011).

The act contains an emergency clause for the sections pertaining to the State Park Earnings Fund, lead-acid battery fees, hazardous waste fees, 303(d) list, and clean water permit fees.
ERIKA JAQUES

01/12/2011 Introduced and Read First Time (H) (H143)
01/13/2011 Read Second Time (H) (H148)
01/20/2011 Referred: Tourism and Natural Resources (H200)
01/27/2011 Public Hearing Completed (H)

03/10/2011 Executive Session Completed (H)
03/10/2011 HCS Voted Do Pass (H)
03/14/2011 HCS Reported Do Pass (H) (H607)
03/14/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H607)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass (H)
03/28/2011 Rules - Reported Do Pass (H) (H723)
04/04/2011 HCS Adopted (H) (H836)
04/04/2011 Perfected (H) (H836)
04/05/2011 Referred: Fiscal Review (H) (H906)
04/06/2011 Executive Session Completed (H)
04/06/2011 Voted Do Pass (H)
04/06/2011 Reported Do Pass (H) (H916)
04/07/2011 Third Read and Passed (H) (H1157-1158)
04/07/2011 Emergency Clause Adopted (H) (H1158-1159)
04/07/2011 S First Read--HCS for HB 192 (S664-665)
04/14/2011 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S737)
04/26/2011 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee

EFFECTIVE: August 28, 2011

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*** HB 193 *** CCS SS HCS HB 193 0609L.18T

SENATE SPONSOR: Rupp HOUSE HANDLER: Diehl

CCS/SS/HCS/HB 193 - This act establishes that the state will consist of eight congressional districts effective with the election for the 113th Congress. The current congressional districts will remain in effect for any elections to the 112th Congress.

The act describes the congressional districts based on the results of the 2010 Census.
EMILY KALMER

01/13/2011 Introduced and Read First Time (H) (H155)
01/18/2011 Read Second Time (H) (H163)
01/20/2011 Referred: Special Standing Committee on Redistricting (H200)
03/02/2011 Public Hearing Continued (H)
03/03/2011 Public Hearing Continued (H)
03/03/2011 Public Hearing Continued (H)
03/31/2011 Public Hearing Continued (H)
04/05/2011 Public Hearing Completed (H)
04/05/2011 Executive Session Completed (H)
04/05/2011 HCS Voted Do Pass (H)
04/05/2011 HCS Reported Do Pass (H) (H851)
04/05/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H851)
04/05/2011 Rules - Executive Session Completed (H)
04/05/2011 Rules - Voted Do Pass (H)
04/05/2011 Rules - Reported Do Pass (H) (H851)
04/06/2011 HCS Adopted (H) (H1136)
04/06/2011 Perfected (H) (H1136)
04/06/2011 Third read and passed (H) (H1145-1146)
04/06/2011 S First Read--HCS for HB 193 (S637)
04/07/2011 Second Read and Referred S Select Committee on Redistricting Committee (S668)
04/11/2011 Hearing Conducted S Select Committee on Redistricting Committee
04/11/2011 Voted Do Pass S Select Committee on Redistricting Committee
04/11/2011 Reported from S Select Committee on Redistricting Committee to Floor (S674)
04/12/2011 Taken up for Third Reading (S686)
04/12/2011 Bill Placed on Informal Calendar (S686)
04/13/2011 SS S offered & adopted (Rupp)--(0609LS.08F) (S702)
04/13/2011 Motion to reconsider adoption of SS S defeated (S702-703)
04/13/2011 Bill Placed on Informal Calendar (S703)
04/13/2011 S Third Read and Passed (S716)
04/14/2011 H refuses to concur in SS (H1275)
04/14/2011 H requests S recede or grant conference (H1275)

04/20/2011 S refuses to recede and grants conference (S787)
04/20/2011 H conferees appointed: Diehl, Cox, Loehner, Hubbard, Nasheed (H1412 / S800)
04/20/2011 S conferees appointed: Rupp, Crowell, Lager, Callahan, Wright-Jones (S796 / H1422)
04/27/2011 H submits CCR/CCS (0609L.18S) (H1644-1645)
04/27/2011 CCR H adopted (H1646)
04/27/2011 CCS H Third Read and Passed (H1647)
04/27/2011 CCR S offered & adopted (S1171-1172)
04/27/2011 CCS S Third Read and Passed (S1172-1173)
04/27/2011 Truly Agreed To and Finally Passed (H1648)
04/27/2011 Signed by House Speaker (H1648)
04/27/2011 Signed by Senate President (S1192 / H1648)
04/27/2011 Delivered to Governor (H1648)
04/30/2011 Vetoed by Governor (H1739)
05/04/2011 House motion to override Governor's veto - Passed (H1805-1807 / S1325)
05/04/2011 Senate motion to override Governor's veto - Passed (S1326 / H1862)
05/06/2011 Delivered to Secretary of State

EFFECTIVE: August 28, 2011

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*** HB 197 *** HCS HB 197 0698L.02T

SENATE SPONSOR: Lembke HOUSE HANDLER: Jones

HCS/HB 197 - This act requires the Department of Health and Senior Services to make publicly available on its website, resources relating to umbilical cord blood that have been developed by the Parent's Guide to Cord Blood Foundation. Such resources include an explanation of the potential value and uses of umbilical cord blood, including cord blood cells and stem cells, and the various options for storing cord blood. The full details of the information to be included are listed in the act.

Beginning October 1, 2011, every licensed physician who provides obstetrical or gynecological care to a pregnant woman may, prior to the third trimester of pregnancy or, if later, at the first visit of such pregnant woman to the physician, make available to the patient information developed by the Parent's Guide to Cord Blood Foundation required to be posted on the Department of Health and Senior Services website. This notification shall not apply to physicians providing emergency medical care to a pregnant woman.

This act is substantially similar to SB 17 (2011).
ADRIANE CROUSE

SCA 1 - REMOVES THE EMERGENCY CARE PHYSICIAN EXEMPTION FROM SECTION 191.758

01/13/2011 Introduced and Read First Time (H) (H156)
01/18/2011 Read Second Time (H) (H163)
02/10/2011 Referred: Health Care Policy (H) (H343)
03/09/2011 Public Hearing Completed (H)
03/09/2011 Executive Session Completed (H)
03/09/2011 HCS Voted Do Pass - Consent (H)
03/09/2011 HCS Reported Do Pass by Consent (H) (H570)
03/09/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H570)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass - Consent (H)
03/28/2011 Rules - Reported Do Pass Consent (H) (H723)
04/04/2011 Perfected by Consent - Pursuant to House Rules (H) (H839)
04/05/2011 Third Read and Passed (H) (H861-862)
04/05/2011 S First Read--HCS for HB 197 (S588)
04/07/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S667)
04/19/2011 Hearing Conducted S Health, Mental Health, Seniors and Families Committee
04/19/2011 Voted Do Pass (w/SCA 1) S Health, Mental Health, Seniors and Families Committee - (0698L02.01S)
04/27/2011 Reported from S Health, Mental Health, Seniors and Families Committee to Floor w/SCA 1 (S1150)
04/28/2011 SCA 1 S adopted (S1200)
04/28/2011 S Third Read and Passed, as amended (S1200)
05/10/2011 H concurs in SCA 1 (S2210)
05/10/2011 H Third Read & Passed, as amended (H2211 / S1683)

05/10/2011 Truly Agreed To and Finally Passed (S1683)

EFFECTIVE: August 28, 2011

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*** HB 199 *** 0533L.01T

SENATE SPONSOR: Parson HOUSE HANDLER: Kelley

HB 199 - Under current law, a prior offender of an intoxication-related traffic offense must perform at least 30 days of community service and a persistent offender must perform at least 60 days of service before being eligible for parole or probation.

This act requires a prior offender perform at least 240 hours of service during those 30 days and a persistent offender perform at least 480 hours in 60 days.
MEGHAN LUECKE

01/13/2011 Introduced and Read First Time (H) (H156)
01/18/2011 Read Second Time (H) (H163)
02/02/2011 Referred: Crime Prevention and Public Safety (H) (H284)
02/16/2011 Public Hearing Completed (H)
02/28/2011 Executive Session Completed (H)
02/28/2011 Voted Do Pass - Consent (H)
02/28/2011 Reported Do Pass by Consent (H) (H472)
02/28/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H472)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass - Consent (H)
03/28/2011 Rules - Reported Do Pass Consent (H) (H723)
04/04/2011 Perfected by Consent - Pursuant to House Rules (H) (H839)
04/05/2011 Third Read and Passed (H) (H862-863)
04/05/2011 S First Read--HB 199-Kelley (126), et al (S588)
04/07/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S667)
04/18/2011 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee
04/26/2011 Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee
04/27/2011 Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor (S1151)
04/28/2011 S Third Read and Passed (S1202)
04/28/2011 Truly Agreed To and Finally Passed (H1687)

EFFECTIVE: August 28, 2011

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*** HB 204 *** 0139L.01T

SENATE SPONSOR: Stouffer HOUSE HANDLER: Hoskins

HB 204 - Notwithstanding contrary provisions of law, this act requires that if the driver's license of a member of the armed forces expires while the person is on active duty, the license is renewable without examination up to six months after the person's discharge from the armed forces, or within ninety days of reestablishing residence in Missouri, whichever occurs first. Missouri residents on active duty and any of their dependents who are twenty-one or older who reside out-of-state may renew their driver's license by mail.
EMILY KALMER

01/13/2011 Introduced and Read First Time (H) (H156)
01/18/2011 Read Second Time (H) (H163)
01/20/2011 Referred: Veterans (H) (H200)
01/25/2011 Public Hearing Completed (H)
01/25/2011 Executive Session Completed (H)
01/25/2011 Voted Do Pass - Consent (H)
02/21/2011 Reported Do Pass by Consent (H) (H405)
02/21/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H405)
02/28/2011 Rules - Executive Session Completed (H)
02/28/2011 Rules - Voted Do Pass - Consent (H)
02/28/2011 Rules - Reported Do Pass Consent (H) (H474)
03/09/2011 Perfected by Consent - Pursuant to House Rules (H) (H573)
03/16/2011 Third Read and Passed (H) (H653-654)
03/16/2011 S First Read--HB 204-Hoskins, et al (S474)
03/31/2011 Second Read and Referred S Transportation Committee (S545)

04/13/2011 Hearing Conducted S Transportation Committee
04/13/2011 Voted Do Pass S Transportation Committee
04/14/2011 Reported from S Transportation Committee to Floor (S733)
04/19/2011 Bill Placed on Informal Calendar (S765)
04/28/2011 S Third Read and Passed (S1206-1207)
04/28/2011 Truly Agreed To and Finally Passed (H1680)

EFFECTIVE: August 28, 2011

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*** HB 205 *** HCS HB 205 0701L.04P

HOUSE HANDLER: Elmer

HCS/HB 205 - 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. The plaintiffs in employment discrimination cases have the burden of proving this standard.

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.

In order to be unlawful, the employee's actions shall be a motivating factor leading to the discharge instead of a contributing factor, as is the case under current common law. Prevailing parties in such cases shall not be entitled to attorneys fees.

The Human Rights chapter is intended to be consistent with Title VIII of the Civil Rights Act and follow the work sharing agreement between the commission and the Equal Employment Opportunity Commission. 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 and whistleblower actions 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 the public policy exceptions to the employment at-will doctrine. Employers are barred from discharging the following persons:

- a person who reports to an unlawful act of the employer or its agent to governmental or law enforcement agencies, officer, or the employee's human resources representative employed by the employer;
- a person who reports to an employer serious misconduct of the employer or its agent that violates a clear mandate of public policy as articulated in a constitutional provision, statute, regulation promulgated pursuant to statute, or a rule created by a governmental body;
- a person who refuses to carry out a directive issued by an employer or its agent that, if completed, would be a violation of the law;
- or a person who engages in conduct otherwise protected by statute or regulation.

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), SB 852 (2010), and SB 188 (2011).

CHRIS HOGERTY

01/13/2011 Introduced and Read First Time (H) (H156)
01/18/2011 Read Second Time (H) (H163)
01/20/2011 Referred: Workforce Development & Workplace Safety (H) (H200)
01/31/2011 Public Hearing Completed (H)
02/14/2011 Executive Session Completed (H)
02/14/2011 HCS Voted Do Pass (H)
02/14/2011 HCS Reported Do Pass (H) (H357)
02/14/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H357)
02/16/2011 Rules - Executive Session Completed (H)
02/16/2011 Rules - Voted Do Pass (H)
02/17/2011 Rules - Reported Do Pass (H) (H393)
02/23/2011 Taken Up for Perfection (H)
02/23/2011 Laid Over (H)
02/23/2011 Taken Up for Perfection (H)
02/23/2011 HCS Adopted (H)
02/23/2011 Perfected (H) (H434)
02/24/2011 Third read and passed (H) (H449-450)
02/24/2011 S First Read--HCS for HB 205 (S331-332)
03/17/2011 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S495)

EFFECTIVE: August 28, 2011

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*** HB 209 *** SCS HB 209 0671S.03T

SENATE SPONSOR: Lager HOUSE HANDLER: Guernsey

SS/SCS/HB 209 - This act modifies the laws regarding nuisances.

This act adds Andrew County, Buchanan County, Cass County, Dade County, Jasper County, Livingston County, and Newton County to the list of counties that may enact nuisance abatement ordinances regarding the condition of real property. Counties enacting nuisance abatement ordinances under this act are not authorized to enact ordinances providing for the abatement of any condition related to agricultural structures or agricultural operations or governing any railroad company.

Under the current law, no person or corporation may maintain a junkyard within 200 feet of a state or county road unless the junkyard is screened by a fence. A failure to screen such a junkyard from the motoring public is a misdemeanor. This section changes the penalties for junkyard screening violation by making the first violation a Class C misdemeanor and a 2nd or subsequent violation a Class A misdemeanor. In addition to the penalties, the violators shall be ordered to remove the junk or build a fence to screen the junk from the public.

This act specifies what types of damages may be awarded in a action for private nuisance where the alleged nuisance emanates from property primarily used for crop or animal production purposes. If the nuisance is a permanent nuisance, compensatory damages shall be measured by the reduction in the fair market value of the property. If the nuisance is a temporary nuisance, damages are measured by the decrease in the fair rental value of the property. The person who files the lawsuit may also recover damages for their medical condition, if there is objective and documented medical evidence that the medical condition was caused by the nuisance.

If a person or their successor brings any subsequent claim against another person or their successor for temporary nuisance, and the claims are related to a similar activity or use of the property, and that activity or use of property is deemed a nuisance, the activity or use of property shall be considered a permanent nuisance and the person and their successor shall be limited to the remedies available for permanent nuisance.

This act also requires that a nuisance be considered not capable of abatement, if the nuisance emanates from property used for crop or animal production purposes, if a defendant demonstrates a good faith effort to abate the nuisance, including substantial compliance with a court order.

No person has standing to bring an action for private nuisance unless they have an ownership interest in the property alleged to be affected by the nuisance.

A copy of the final judgment in any action alleging a private nuisance shall be filed with the recorder of deeds in the county in which the final judgment was issued and shall operate as notice to a purchaser of the property that the property was related to a previous claim.

The act does not prohibit the recovery of damages for crop destruction, crop damage, contamination of the seed supply, or a diminution of crop value resulting from contamination of the seed or grain supply, herbicide drift, or other diminution of crop value.

This act is similar to the perfected version of SB 187(2011), SB 25 (2011), and HB 1303 (2010).
EMILY KALMER

01/13/2011 Introduced and Read First Time (H) (H157)
01/18/2011 Read Second Time (H) (H163)
01/20/2011 Referred: Agri-Business (H) (H200)
02/01/2011 Public Hearing Completed (H)
02/02/2011 Executive Session Completed (H)
02/02/2011 Voted Do Pass (H)
02/03/2011 Reported Do Pass (H) (H289)
02/03/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H289)
02/09/2011 Public Hearing Completed (H)
02/09/2011 Rules - Executive Session Completed (H)
02/09/2011 Rules - Voted Do Pass (H)
02/09/2011 Rules - Reported Do Pass (H) (H333)
02/22/2011 Taken Up for Perfection (H) (H417)
02/22/2011 Laid Over (H) (H417)
02/23/2011 Taken Up for Perfection (H)
02/23/2011 Perfected (H) (H428)
02/24/2011 Third read and passed (H) (H447-448)
02/24/2011 S First Read--HB 209-Guernsey, et al (S331)
03/17/2011 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S495)
04/06/2011 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee
04/06/2011 SCS Voted Do Pass S Agriculture, Food Production and Outdoor Resources Committee (0671L.02C)
04/07/2011 Reported from S Agriculture, Food Production and Outdoor Resources Committee to Floor w/SCS (S663)
04/12/2011 Bill Placed on Informal Calendar (S689)
04/12/2011 SS for SCS S offered & withdrawn (Lager)--(0671S.03F) (S691)
04/12/2011 Bill Placed on Informal Calendar (S691)
04/12/2011 SS for SCS S offered (Lager)--(0671S.03F) (S692)
04/12/2011 SA 1 to SS for SCS S offered & adopted (Schaaf)--(0671S03.05S) (S692-693)
04/12/2011 SA 2 to SS for SCS S offered & adopted (Justus)--(0671S03.02S) (S693)
04/12/2011 SS for SCS, as amended, S adopted (S693)
04/12/2011 S Third Read and Passed (S693)
04/14/2011 H concurs in SS for SCS, as amended (H1289)
04/14/2011 H Third Read & Passed (H1290)
04/14/2011 Truly Agreed To and Finally Passed (S751)
04/18/2011 Signed by House Speaker (H1304)
04/18/2011 Signed by Senate President (S753)
04/18/2011 Delivered to Governor (H1304)
05/02/2011 Vetoed by Governor (H1740-1741)

EFFECTIVE: August 28, 2011

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*** HB 211 *** 0559L.01P

HOUSE HANDLER: Koenig

HB 211 - This act prohibits the Department of Health and Senior Services from enforcing or enacting rule or regulations relating to lead abatement that are stricter than those required by federal law. Any such rules or regulations that are stricter than federal law shall be null and void.
ADRIANE CROUSE

01/13/2011 Introduced and Read First Time (H) (H157)
01/18/2011 Read Second Time (H) (H163)
01/20/2011 Referred: Small Business (H) (H200)
02/09/2011 Public Hearing Completed (H)
03/02/2011 Executive Session Completed (H)
03/02/2011 Voted Do Pass (H)
04/04/2011 Reported Do Pass (H) (H837)
04/04/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H837)
04/06/2011 Rules - Executive Session Completed (H)
04/06/2011 Rules - Voted Do Pass (H)
04/07/2011 Rules - Reported Do Pass (H) (H1173)
04/12/2011 Perfected (H) (H1217)
04/14/2011 Third Read and Passed (H) (H1281)
04/14/2011 S First Read--HB 211-Koenig, et al (S739)
04/18/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S751)

EFFECTIVE: August 28, 2011

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*** HB 213 *** SS HCS HB 213 0647S.05T

SENATE SPONSOR: Mayer HOUSE HANDLER: Jones

HCS/HB 213 - This act modifies provisions relating to abortion.

This act modifies provisions relating to abortion.

The definition of "abortion" is amended to include the act of using or prescribing any medicine, instruments or devices with the intent to destroy the life of the unborn child. Abortion shall also be the be act of terminating a pregnancy with an intent other than to increase the probability of a live birth, to remove a dead or dying unborn child. "Viability" is amended to mean the stage of fetal development when, based on reasonable medical judgment in accordance with accepted obstetrical and neonatal standards of care and practice, there is a reasonable likelihood that the life of the unborn child can be sustained outside the mother's womb with or without artificial support. Adds a definition for "reasonable medical judgment" which is one made by a reasonably prudent physician, knowledgeable about the case and the treatment possibilities with respect to the medical conditions involved.

Except in the case of a medical emergency, no abortion of a viable unborn child shall be performed or induced unless the abortion is necessary to preserve the life of the pregnant woman whose life is endangered by a physical disorder, physical illness, or physical injury, including a life-endangering physical condition caused by or arising from the pregnancy itself, or when continuation of the pregnancy will create a serious risk of substantial and irreversible physical impairment of a major bodily function or the pregnant woman. For purposes of this act, "major bodily function" includes, but is not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

GESTATIONAL AGE AND VIABILITY

This act provides that, except in the case of a medical emergency, prior to performing or inducing an abortion upon any woman, the physician shall determine the gestational age of the unborn child. If the physician determines the unborn child is 20 weeks or more, the physician shall determine if the unborn child is viable. The standards and practices required to determine both gestational age and viability are prescribed under the act.

If the physician determines that the unborn child is viable, the physician shall not perform or induce an abortion upon the woman unless the abortion is necessary to preserve the life of the pregnant woman or that a continuation of the pregnancy will create a serious risk of substantial and irreversible physical impairment of a major bodily function of the woman.

UNBORN CHILD WHO IS VIABLE

This act prescribes the reporting and certification requirements a physician must follow when performing or inducing an abortion when the unborn child is viable. In addition, before such abortion, the physician shall obtain the agreement of a second physician with knowledge of accepted obstetrical and neonatal practices and standards who shall concur that the abortion is necessary to preserve the life of the pregnant woman, or that continuation of the pregnancy would cause a serious risk of substantial and irreversible physical impairment of a major bodily function of the pregnant woman. The second physician shall not have any legal

or financial affiliation or relationship with the physician performing or inducing the abortion.

The requirements regarding the method or techniques to be used on a viable unborn child and regarding a second physician in attendance are the same as under current law and are prescribed under the act.

UNBORN CHILD WHO IS NOT VIABLE

If the physician determines that the gestational age of the unborn child is 20 weeks or more, and further determines that the unborn child is not viable and performs or induces an abortion upon the woman, the physician shall report such findings and determinations and the reasons for such determinations to the health care facility in which the abortion is performed and to the State Board of Registration for the Healing Arts, and shall enter such findings and determinations in the medical records of the woman and in the individual abortion report submitted to the Department of Health and Senior Services.

PENALTIES

Any person who knowingly performs or induces an abortion of an unborn child in violation of the provisions of this act is guilty of a class C felony, and upon a finding of guilt or a plea of guilty, shall be imprisoned for a term of not less than one year and shall be fined not less than ten thousand nor more than fifty thousand dollars.

Any physician who pleads guilty to or is convicted of performing or inducing an abortion of an unborn child in violation of this act shall be subject to suspension or revocation of his or her license to practice medicine in the by the State Board of Registration for the Healing arts.

Any hospital or ambulatory surgical center that knowingly allows an abortion of an unborn child to be performed or induced in violation of this act shall be subject to suspension or revocation of its license.

A woman upon whom an abortion is performed or induced in violation of this section shall not be prosecuted for a conspiracy to violate the provisions of this section.

Nothing in this act shall be construed as creating or recognizing a right to abortion, nor is it the intention of this section to make lawful any abortion that is currently unlawful. The General Assembly may, by concurrent resolution, appoint one or more of its members who sponsored or co-sponsored this act in his or her official capacity, to intervene as a matter of right in any case in which the constitutionality of this law is challenged.

This act is substantially similar to SS/SCS/SB 65 (2011).

ADRIANE CROUSE

01/13/2011 Introduced and Read First Time (H) (H157)
01/18/2011 Read Second Time (H) (H163)
01/20/2011 Referred: Health Care Policy (H) (H200)
02/09/2011 Public Hearing Completed (H)
02/16/2011 Executive Session Completed (H)
02/16/2011 HCS Voted Do Pass (H)
02/16/2011 HCS Reported Do Pass (H) (H379)
02/16/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H379)
02/24/2011 Rules - Executive Session Completed (H)
02/24/2011 Rules - Voted Do Pass (H)
02/24/2011 Rules - Reported Do Pass (H) (H453)
03/09/2011 Taken Up for Perfection (H) (H568)
03/09/2011 Laid Over (H) (H568)
03/14/2011 Taken Up for Perfection (H) (H602)
03/14/2011 HCS Adopted (H) (H604)
03/14/2011 Perfected with Amendments (H) (H604)
03/14/2011 Referred: Fiscal Review (H) (H606)
03/15/2011 Public Hearing Completed (H)
03/15/2011 Executive Session Completed (H)
03/15/2011 Voted Do Pass (H)
03/15/2011 Reported Do Pass (H) (H615)
03/17/2011 Third Read and Passed (H) (H684)
03/28/2011 S First Read--HCS for HB 213 (S506)
03/31/2011 Second Read and Referred S General Laws Committee (S546)
04/19/2011 Hearing Conducted S General Laws Committee

04/19/2011 Voted Do Pass S General Laws Committee
05/10/2011 Reported from S General Laws Committee to Floor (S1674)
05/10/2011 Referred S Ways & Means & Fiscal Oversight Committee (S1714)
05/11/2011 Hearing Conducted S Ways and Means and Fiscal Oversight Committee
05/11/2011 Voted Do Pass S Ways & Means & Fiscal Oversight Committee
05/11/2011 Reported from S Ways & Means & Fiscal Oversight Committee to Floor (S1779)
05/12/2011 Bill Placed on Informal Calendar (S1897)
05/12/2011 SS S offered & adopted (Mayer)--(0647S.05F) (S1898)
05/12/2011 S Third Read and Passed (S1898-1899 / H2469)
05/12/2011 H concurs in SS (S1975)
05/12/2011 H Third Read & Passed (S1975)
05/12/2011 Truly Agreed To and Finally Passed (S1975)

EFFECTIVE: August 28, 2011

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*** HB 214 *** SCS HCS HB 214 0824S.05T

SENATE SPONSOR: Goodman HOUSE HANDLER: Zerr

SCS/HCS/HB 214 - This act modifies provisions relating to human trafficking. The act adds definitions for "blackmail", "coercion", "financial harm", "nudity", "sexual conduct", "sexual performance" and "victim of trafficking."

This act adds the elements of blackmail to the crime of abusing an individual through forced labor. Blackmail, causing or threatening to cause financial harm as well as using force, abduction, coercion and deception were also added as elements to the crimes of trafficking for the purposes of slavery, trafficking for the purposes of sexual exploitation, sexual trafficking of a child, and sexual trafficking of a child under the age of twelve. This act also adds the elements of sexual performance and production of explicit sexual material to the crimes of trafficking for the purposes of sexual exploitation, sexual trafficking of a child and sexual trafficking of a child under the age of twelve.

This act increases the penalties and adds a monetary fine not to exceed $250,000 for all of the human trafficking crimes except sexual trafficking of a child under the age of 12.

This act enhances the penalty for the crimes of abuse through forced labor and trafficking for purposes of slavery if death results, if the human trafficking act includes kidnapping, an attempt to kidnap, sexual abuse when punishable as a class B felony, or an attempt to kill.

This act also enhances the penalty for the crimes of trafficking for the purposes of sexual exploitation and sexual trafficking of a child if the crimes were effected by force, abduction, or coercion.

A court sentencing a defendant under the human trafficking provisions shall order the defendant to pay restitution to the victim in the amount the court finds necessary to compensate the victim for the value of the victim's labor and for the mental and physical rehabilitation of the victim and any child of the victim.

It shall be an affirmative defense under any prosecution for prostitution that the defendant engaged in the conduct charged to constitute an offense because he or she was coerced to do so by the use of, or threatened use of, unlawful physical force upon himself or herself or a third person, which force or threatened force a person of reasonable firmness in his or her situation would have been unable to resist.

This act also authorizes the Department of Public Safety to establish procedures for identifying victims of trafficking. The department may establish training programs as well as standard protocols for appropriate agencies to educate officials and employees on state statutes and federal laws regulating human trafficking and with the identification and assistance of victims of human trafficking. Such agencies may include but not be limited to state employees and contractors, including the children's division of the department of social services, juvenile courts, state law enforcement agencies, health care professionals, and runaway and homeless youth shelter administrators.

Law enforcement officers shall notify the Department of Social Services and, where applicable, juvenile justice authorities, of persons who reasonably appear to be a victim of trafficking in order that such agencies may determine whether the person may be eligible for state or federal services, programs, or assistance. The department may coordinate with relevant state, federal, and local agencies to evaluate appropriate services for victims of trafficking.

State agencies may implement programs and enter into contracts with nonprofit agencies, domestic and sexual violence shelters and other nongovernment organizations to provide services to confirmed victims of trafficking, insofar as funds are available for that purpose. The list of possible services is prescribed under the act.

A victim of trafficking may bring a civil action against a person or persons who plead guilty to or are found guilty of a violation of human trafficking to recover the actual damages sustained by the victim, court costs, including reasonable attorney's fees, and punitive damages, when determined to be appropriate by the court. Any such action must be commenced within ten years after the later of (1) the final order in the related criminal case;(2) the victim's emancipation from the defendant; or(3) the victim's eighteenth birthday.

The Attorney General may bring a civil action, in the circuit court in which the victim of trafficking was found, to recover from any person or entity that benefits, financially or by receiving anything of value, from violations of human trafficking, a civil penalty of not more than fifty thousand dollars for each violation of human trafficking, and injunctive and other equitable relief as the court may, in its discretion, order. The first priority of any money or property collected under such an action shall be to pay restitution to the victims of trafficking on whose behalf the civil action was brought.

This act is identical to SCS/SBs 394 and 331 (2011).
ADRIANE CROUSE

01/13/2011 Introduced and Read First Time (H) (H157)
01/18/2011 Read Second Time (H) (H163)
01/20/2011 Referred: Crime Prevention and Public Safety (H) (H200)
02/09/2011 Public Hearing Completed (H)
02/16/2011 Executive Session Completed (H)
02/16/2011 HCS Voted Do Pass (H)
02/16/2011 HCS Reported Do Pass (H) (H379)
02/16/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H379)
02/21/2011 Rules - Executive Session Completed (H)
02/21/2011 Rules - Voted Do Pass (H)
02/21/2011 Rules - Reported Do Pass (H) (H406)
03/02/2011 HCS Adopted (H) (H502)
03/02/2011 Perfected with Amendments (H) (H502)
03/03/2011 Third Read and Passed (H) (H516)
03/07/2011 S First Read--HCS for HB 214 (S402)
03/17/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S496)
04/11/2011 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee
04/18/2011 SCS Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee (0824s.05c)
04/27/2011 Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor w/SCS (S1151)
04/28/2011 SCS S adopted (S1204)
04/28/2011 S Third Read and Passed (S12041205 / H1687)
05/10/2011 H concurs in SCS (H2199)
05/10/2011 H Third Read & Passed (H2200 / S1676)
05/10/2011 Truly Agreed To and Finally Passed (S1676)

EFFECTIVE: August 28, 2011

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*** HB 217 *** 0907L.01T

SENATE SPONSOR: Wasson HOUSE HANDLER: Dugger

HB 217 - Election authorities may use electronic voter identification systems or an electronic signature pad to verify a voter's address, registration status, and signature information at a polling place. The system shall be able to read information from drivers and non-drivers licenses and allow an election authority to manually enter voter information.
CHRIS HOGERTY

01/18/2011 Introduced and Read First Time (H) (H164)
01/19/2011 Read Second Time (H) (H169)
01/20/2011 Referred: Elections (H) (H200)
01/25/2011 Public Hearing Completed (H)
02/01/2011 Executive Session Completed (H)

02/01/2011 Voted Do Pass - Consent (H)
02/21/2011 Reported Do Pass by Consent (H) (H403)
02/21/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H403)
02/28/2011 Rules - Executive Session Completed (H)
02/28/2011 Rules - Voted Do Pass - Consent (H)
02/28/2011 Rules - Reported Do Pass Consent (H) (H474)
03/09/2011 Perfected by Consent - Pursuant to House Rules (H) (H573)
03/16/2011 Third Read and Passed (H) (H656-657)
03/16/2011 S First Read--HB 217-Dugger and Entlicher (S475)
03/31/2011 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S545)
04/11/2011 Hearing Conducted S Financial and Governmental Organizations and Elections Committee
04/18/2011 Voted Do Pass S Financial and Governmental Organizations and Elections Committee
04/21/2011 Reported from S Financial and Governmental Organizations and Elections Committee to Floor (S812)
04/27/2011 S Third Read and Passed (S1102-1103)
04/27/2011 Truly Agreed To and Finally Passed (H1658)

EFFECTIVE: August 28, 2011

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*** HB 220 *** HCS HB 220 0853L.03T

SENATE SPONSOR: Brown HOUSE HANDLER: Smith

HCS/HB 220 - Currently, licensed real estate brokers and salespersons have immunity from liability for statements made by certain individuals, such as an inspector, unless the individual was employed by the real estate licensee, selected by and engaged by the licensee, or the licensee knew the statement was false or acted in reckless disregard as to whether the statement was true or false. This act specifies that if the real estate broker or salesperson only orders a report or inspection, that does not mean the licensee selected or engaged the individual, so the real estate licensee would still have immunity from liability for the statements the individual made.
EMILY KALMER

01/18/2011 Introduced and Read First Time (H) (H164)
01/19/2011 Read Second Time (H) (H169)
01/20/2011 Referred: Professional Registration & Licensing (H) (H200)
01/26/2011 Public Hearing Completed (H)
02/09/2011 Executive Session Completed (H)
02/09/2011 HCS Voted Do Pass - Consent (H)
03/07/2011 HCS Reported Do Pass by Consent (H) (H538)
03/07/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H538)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass - Consent (H)
03/28/2011 Rules - Reported Do Pass Consent (H) (H724)
04/04/2011 Perfected by Consent - Pursuant to House Rules (H) (H839)
04/05/2011 Third Read and Passed (H) (H863-864)
04/05/2011 S First Read--HCS for HB 220 (S588)
04/07/2011 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S667)
04/11/2011 Hearing Conducted S Financial and Governmental Organizations and Elections Committee
04/20/2011 Voted Do Pass S Financial and Governmental Organizations and Elections Committee
04/21/2011 Reported from S Financial and Governmental Organizations and Elections Committee to Floor (S812)
04/27/2011 SA 1 S offered & Ruled out of order (Engler)--(0853L03.01S) (S1103-1128)
04/27/2011 S Third Read and Passed (S1128)
04/27/2011 Truly Agreed To and Finally Passed (H1658)

EFFECTIVE: August 28, 2011

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*** HB 223 *** HCS HB 223 & 231 0998L.03T

SENATE SPONSOR: Crowell HOUSE HANDLER: Wallingford

HCS/HBs 223 & 231 – This act modifies provisions relating to higher education financial assistance programs.

ADVANCED PLACEMENT INCENTIVE GRANT: This act creates the "Advanced Placement Incentive Grant." Any student who receives an Access Missouri award or receives funds under the A+ Schools Program and has also received a score of 3 or higher on two or more Advanced Placement tests in math or science will receive a $500 grant. In addition, a student must have earned the AP scores while attending a Missouri public high school.

This provision is identical to SB 265 (2011). (Section 173.1350)

NURSING EDUCATION INCENTIVE PROGRAM: This act creates the Nursing Education Incentive Program within the Department of Higher Education for the awarding of grants. This program will allow grants not to exceed $150,000 to be awarded to Missouri institutions of higher education accredited by the Higher Learning Commission of the North Central Association that offer a nursing education program. No campus may receive more than one grant per year.

To be considered for a grant, an institution must offer a nursing program that meets a predetermined category and area of need as established by the Department of Higher Education and the State Board of Nursing. When establishing categories and areas of need, the Department and Board may consider: data from licensure renewal and from the Department of Health and Senior Services and national nursing statistical data and trends for nursing shortages.

The State Board of Nursing is authorized to provide funding to the program.

This act also repeals the obsolete Nurse Training Incentive Fund.

These provisions are similar to SB 191 (2011). (Sections 335.036 - 335.209).
MICHAEL RUFF

01/18/2011 Introduced and Read First Time (H) (H164)
01/19/2011 Read Second Time (H) (H169)
02/10/2011 Referred: Higher Education (H) (H343)
02/22/2011 Public Hearing Completed (H)
03/01/2011 Executive Session Completed (H)
03/01/2011 HCS Voted Do Pass (H)
03/03/2011 HCS Reported Do Pass (H) (H522)
03/03/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H522)
04/04/2011 Rules - Executive Session Completed (H)
04/04/2011 Rules - Voted Do Pass (H)
04/04/2011 Rules - Reported Do Pass (H) (H838)
04/11/2011 HCS Adopted (H) (H1195)
04/11/2011 Perfected (H) (H1195)
04/12/2011 Referred: Fiscal Review (H) (H1231)
04/14/2011 Executive Session Completed (H)
04/14/2011 Voted Do Pass (H)
04/14/2011 Reported Do Pass (H) (H1274)
04/14/2011 Third Read and Passed (H) (H1278)
04/14/2011 S First Read--HCS for HBs 223 & 231 (S739)
04/18/2011 Second Read and Referred S Education Committee (S751)
04/20/2011 Hearing Conducted S Education Committee
04/28/2011 Voted Do Pass S Education Committee
05/10/2011 Reported from S Education Committee to Floor (S1674)
05/12/2011 S Third Read and Passed (S1897-1898 / H2457)
05/12/2011 Truly Agreed To and Finally Passed (H2457)

EFFECTIVE: August 28, 2011

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*** HB 229 *** 0587L.01T

SENATE SPONSOR: Curls HOUSE HANDLER: Curls

HB 229 – This act modifies provisions relating to the Public School Retirement System of Kansas City.

This act requires that any formulas and tables in effect upon which the computation of actuarial equivalent is based be maintained as part of a written document and treated as part of the plan document. The formulas

and tables may be changed if recommended by the system's actuary and upon approval of the board of trustees. (Section 169.270)

This act provides that the retirement system is intended to be a qualified plan. The Board of Trustees must interpret statutes governing the system and administer the system consistent with a qualified plan. The system's assets must be held in trust for the exclusive benefit of the members and beneficiaries and for defraying reasonable administrative costs. No part of the system's assets may be used or diverted to any purpose other than benefits or purpose of the system. (Section 169.280)

If the retirement system is completely terminated or contributions to the system are discontinued, the rights of all members to benefits accrued to such date, to the extent funded, will be fully vested and non-forfeitable.

For a member who leaves employment with an employer in the retirement system to perform qualified military service and dies during such service, the retirement system must count the qualified military service as creditable service for purposes of vesting. Qualified military service in this circumstance will not be counted as creditable service for purposes of benefits. (Section 169.301)

A retired member of the system who performs substitute, part-time, or temporary employment for an employer in the system cannot earn more than fifty percent of the annual salary or wages he or she was last paid by the employer prior to retirement and receiving a retirement allowance. If a person exceeds these limits, his or her retirement allowance will be suspended for the month in which the limit was exceeded and any subsequent month in the school year the person receives remuneration from any employer in the retirement system. (Section 169.324)

Any member or beneficiary who is entitled to receive a distribution that is an eligible rollover distribution under federal law may elect to have that distribution transferred to another eligible retirement plan. An eligible rollover distribution will include a distribution to a nonspouse beneficiary that is treated as an eligible rollover distribution. These transfers must be made in compliance with the Internal Revenue Code. (Section 169.328)

This act is substantially similar to SB 115 (2011), SB 938 (2010), HB 2221 (2010) and is similar to provisions also contained in SS/HCS/HB 2357 (2010), HCS/SS/SCS/SB 580 (2010), and SS/SB 714 (2010).
MICHAEL RUFF

01/19/2011 Introducted and Read First Time (H) (H190)
01/20/2011 Read Second Time (H) (H197)
02/02/2011 Referred H Retirement Committee (H285)
02/17/2011 Public Hearing Completed (H)
02/17/2011 Executive Session Completed (H)
02/17/2011 Voted Do Pass - Consent (H)
02/21/2011 Reported Do Pass by Consent (H) (H404)
02/21/2011 Referred: Rules - Pursuant to Rule 25(323)(f) (H) (H404)
02/28/2011 Rules - Executive Session Completed (H)
02/28/2011 Rules - No Action Taken (H)
03/03/2011 Rules - Executive Session Completed (H)
03/03/2011 Rules - Reported Do Pass Consent (H) (H523)
03/14/2011 Perfected by Consent - Pursuant to House Rules (H) (H607)
03/16/2011 Third read and passed (H) (H661-662)
03/16/2011 S First Read--HB 229-Curls and Leara (S476)
03/31/2011 Second Read and Referred S Education Committee (S545)
04/06/2011 Hearing Conducted S Education Committee
04/13/2011 Voted Do Pass S Education Committee - Consent
04/14/2011 Reported from S Education Committee to Floor - Consent (S736)
04/18/2011 Removed S Consent Calendar (S748)
04/18/2011 Reported from S Education Committee to Floor (S748)
04/26/2011 S Third Read and Passed (S1072)
04/26/2011 Truly Agreed To and Finally passed (H1615)

EFFECTIVE: August 28, 2011

*** HB 250 *** HCS HB 250 0601L.02T

SENATE SPONSOR: Stouffer HOUSE HANDLER: Cox

SCS/HCS/HB 250 - This act prohibits large water consumers from taking and transporting water from within the Southeast Missouri Regional Water District to locations outside the District, if such taking and transporting interferes with the normal water usage of certain other large water consumers. If such interference occurs, the Attorney General or the affected parties may seek an injunction. No injunction may be issued if it would harm public health or safety.

Water systems that serve charitable or benevolent organizations that do not regularly serve an average of 100 persons or more for at least 60 days of the year and that are not used for a school or day-care are exempt from well construction rules unless the system is a threat to groundwater or public health. Such wells are not exempt from certain rules applicable to multi-family wells. The act lists certain actions that a well owner must take in the event of certain coliform contamination violations.

No charitable or benevolent organization that is exempt from the well construction rules will be required to replace, change, upgrade, or alter any well if the well was constructed before August 28, 2011, unless the well poses a threat to groundwater or public health or has certain coliform contamination violations.

The act contains provisions similar to SB 63 (2011), SB 604 (2010) and SB 556 (2009).
ERIKA JAQUES

01/19/2011 Introduced and Read First Time (H) (H192)
01/20/2011 Read Second Time (H) (H197)
02/02/2011 Referred: Tourism and Natural Resources (H285)
02/10/2011 Public Hearing Completed (H)
02/17/2011 Executive Session Completed (H)
02/17/2011 HCS Voted Do Pass - Consent (H)
02/21/2011 HCS Reported Do Pass by Consent (H) (H405)
02/21/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H405)
02/28/2011 Rules - Executive Session Completed (H)
02/28/2011 Rules - Voted Do Pass - Consent (H)
02/28/2011 Rules - Reported Do Pass Consent (H) (H474)
03/09/2011 Perfected by Consent - Pursuant to House Rules (H) (H573)
03/16/2011 Third Read and Passed (H) (H654-655)
03/16/2011 S First Read--HCS for HB 250 (S474-475)
03/31/2011 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S545)
04/13/2011 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee
04/21/2011 SCS Voted Do Pass S Agriculture, Food Production and Outdoor Resources Committee (0601S.03C)
04/27/2011 Reported from S Agriculture, Food Production and Outdoor Resources Committee to Floor w/SCS (S1152)
05/04/2011 SCS S adopted (S1327)
05/04/2011 S Third Read and Passed (S1327 / H1862)
05/13/2011 H requests S recede & take up and pass the bill
05/13/2011 S recedes on SCS
05/13/2011 S Third Read and Passed
05/13/2011 Truly Agreed To and Finally Passed

EFFECTIVE: August 28, 2011

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*** HB 252 *** 0589L.01P

HOUSE HANDLER: Cox

HB 252 - This act creates the "Business Premises Safety Act." The act provides that business owners or operators shall not restrict any person from lawfully possessing a firearm in a motor vehicle, except for a motor vehicle owned or leased by such business. Business owners or operators shall not be liable for injury or damage resulting from not restricting the possession of firearms in vehicles.

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

A business also has no duty to implement security measure for the protection of its customers, but shall

determine if such measures shall be implemented by considering the magnitude of the burden to the business and the foreseeability of the injury to be prevented. If past criminal activities have occurred, evidence of remedial action shall be inadmissible in court to show prior negligence.

This act is similar to HB 1400 (2010), SB 3 (2009), HB 170 (2009), HB 1383 (2008), and SB 1286 (2008).
EMILY KALMER

01/19/2011 Introduced and Read First Time (H) (H192)
01/20/2011 Read Second Time (H) (H197)
02/02/2011 Referred: General Laws (H) (H285)
02/22/2011 Public Hearing Completed (H)
03/07/2011 Executive Session Completed (H)
03/07/2011 Voted Do Pass (H)
03/07/2011 Reported Do Pass (H) (H537)
03/07/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H537)
03/09/2011 Rules - Executive Session Completed (H)
03/09/2011 Rules - Voted Do Pass (H)
03/09/2011 Rules - Reported Do Pass (H) (H572)
03/16/2011 Perfected (H) (H648)
03/17/2011 Third Read and Passed (H) (H687)
03/28/2011 S First Read--HB 252-Cox, et al (S507)
03/31/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S546)

EFFECTIVE: August 28, 2011

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*** HB 256 *** SCS HCS HB 256 0592S.02T

SENATE SPONSOR: Goodman HOUSE HANDLER: Cox

SCS/HB 256 - This act extends the expiration date on the Basic Civil Legal Services Fund from December 31, 2012, to December 31, 2018.

This act is identical to SB 165 (2011).
EMILY KALMER

01/19/2011 Introduced and Read First Time (H) (H192)
01/20/2011 Read Second Time (H) (H197)
02/02/2011 Referred: Judiciary (H) (H285)
02/16/2011 Public Hearing Completed (H)
02/16/2011 Executive Session Completed (H)
02/16/2011 Voted Do Pass - Consent (H)
02/22/2011 Reported Do Pass by Consent (H) (H418)
02/22/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H418)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass - Consent (H)
03/28/2011 Rules - Reported Do Pass Consent (H) (H724)
04/04/2011 Perfected by Consent - Pursuant to House Rules (H) (H839)
04/05/2011 Third Read and Passed (H) (H864-865)
04/05/2011 S First Read--HB 256-Cox, et al (S589)
04/07/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S667)
04/18/2011 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee
04/26/2011 SCS Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee (0592S.02C)
04/27/2011 Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor w/SCS (S1151)
04/28/2011 SCS S adopted (S1203)
04/28/2011 S Third Read and Passed (S1203 / H1688)
05/10/2011 H concurs in SCS (H2197)
05/10/2011 H Third Read & Passed (H2198 / S1676)
05/10/2011 Truly Agreed To and Finally Passed (S1676)

EFFECTIVE: August 28, 2011

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*** HB 257 *** 0767L.01P

HOUSE HANDLER: Cox

HB 257 - This act abolishes the Sentencing Advisory Commission.

This act is identical to SB 349 (2011).
MEGHAN LUECKE

01/19/2011 Introduced and Read First Time (H) (H192)
01/20/2011 Read Second Time (H) (H197)
02/02/2011 Referred: Judiciary (H) (H285)
02/23/2011 Public Hearing Completed (H)
03/02/2011 Executive Session Completed (H)
03/02/2011 Voted Do Pass (H)
03/07/2011 Reported Do Pass (H) (H537)
03/07/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H537)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass (H)
04/07/2011 Rules - Reported Do Pass (H) (H1173)
04/12/2011 Perfected (H) (H1218)
04/14/2011 Third Read and Passed (H) (H1283)
04/14/2011 S First Read--HB 257-Cox, et al (S740)
04/18/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S751)

EFFECTIVE: August 28, 2011

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*** HB 259 *** HCS HB 259 0295L.03P

SENATE SPONSOR: Justus HOUSE HANDLER: Cox

HCS/HB 259 - This act modifies the laws regarding the disclosure of certain foster care licensure information. A public governmental body can close meetings, records, and votes if they relate to personal information obtained in the process of licensing a foster home. The Children's Division within the Department of Social Services shall make available for disclosure a report containing the following information for each foster home that is licensed and for each foster home renewing an existing license:

(1) The names of all persons 18 or older licensed to operate the foster home;
(2) A description of the background investigation conducted on all persons operating or maintaining the foster home, including certain specified documentation;
(3) A description of all concerns raised during the background investigation and foster home licensure process as well as a description of how such concerns were resolved;
(4) A description of such person's ability to perform the minimum competency requirements of foster parents in accordance with rules promulgated by the division;
(5) A list of all references provided by each person, stating the name of the reference, how and when the reference was contacted, and a brief description of the reference's opinion of such person.

The report shall not contain the address of any residence, nor shall it contain any personal information not otherwise required in this subdivision which could be used by another to threaten, harm, harass, or embarrass any person.
ADRIANE CROUSE

01/19/2011 Introduced and Read First Time (H) (H192)
01/20/2011 Read Second Time (H) (H197)
02/02/2011 Referred: Children and Families (H) (H285)
02/09/2011 Public Hearing Completed (H)
03/02/2011 Executive Session Completed (H)
03/02/2011 HCS Voted Do Pass (H)
03/09/2011 Executive Session Completed (H)
03/09/2011 HCS Voted Do Pass - Consent (H)
03/10/2011 HCS Reported Do Pass by Consent (H) (H589)
03/10/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H589)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass - Consent (H)
03/28/2011 Rules - Reported Do Pass Consent (H) (H724)
04/04/2011 Perfected by Consent - Pursuant to House Rules (H) (H839)
04/05/2011 Third Read and Passed (H) (H865-866)
04/05/2011 S First Read--HCS for HB 259 (S589)

04/07/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S667)

EFFECTIVE: August 28, 2011

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*** HB 260 *** 0594L.01T

SENATE SPONSOR: Justus HOUSE HANDLER: Cox

HB 260 - This act updates the Uniform Interstate Family Support Act (UIFSA). Whenever more than one state is involved in establishing, enforcing, or modifying a child or spousal support order, the act is implemented to determine the jurisdiction and power of the courts in the different states. This act also establishes which state's law will be applied in the proceeding under the act.

This act establishes rules requiring every state to defer to child support orders entered by the courts of the child's home state. The place where the order was originally entered holds continuing exclusive jurisdiction, and only the law of that state can be applied to requests to modify the order of child support, unless the original tribunal loses the continuing exclusive jurisdiction. This act also provides various direct interstate enforcement mechanisms.

This act also incorporates changes required by the Hague Convention on the International Recovery of Child Support and other Forms of Family Maintenance to establish uniform procedures for the processing of international child support cases. This act provides for guidelines and procedures for registration, recognition, enforcement and modification of foreign support orders from countries that are parties to the Convention.

The provisions of the updated UIFSA shall become effective and the repeal of the current UIFSA shall become effective upon the United States filing its instrument of ratification of The Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance, adopted at The Hague Conference on Private International Law on November 23, 2007.

This act is identical to SB 116 (2011).
ADRIANE CROUSE

01/19/2011 Introduced and Read First Time (H) (H192)
01/20/2011 Read Second Time (H) (H197)
02/02/2011 Referred: Judiciary (H) (H285)
02/16/2011 Public Hearing Completed (H)
02/16/2011 Executive Session Completed (H)
02/16/2011 Voted Do Pass - Consent (H)
03/08/2011 Reported Do Pass by Consent (H) (H554)
03/08/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H554)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass - Consent (H)
03/28/2011 Rules - Reported Do Pass Consent (H) (H724)
04/04/2011 Perfected by Consent - Pursuant to House Rules (H) (H839)
04/05/2011 Third Read and Passed (H) (H866-867)
04/05/2011 S First Read--HB 260-Cox, et al (S589)
04/07/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S667)
04/18/2011 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee
04/26/2011 Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee
04/27/2011 Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor (S1151)
04/28/2011 S Third Read and Passed (S1203-1204)
04/28/2011 Truly Agreed To and Finally Passed (H1687)

EFFECTIVE: Contingent

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*** HB 263 *** 0945L.01P

HOUSE HANDLER: Weter

HB 263 - Currently, a member of the Missouri Local Government Employees' Retirement System (LAGERS) may choose to receive a partial lump-sum payment of some of their retirement benefits. If the LAGERS member chooses the partial lump-sum payment their monthly benefit is reduced. The amount the person's monthly benefit is reduced varies based on the age of the person at retirement. This act prohibits a person who retires before sixty and chooses the partial-lump sum payment from receiving a monthly benefit

of more than ninety percent of the amount of their unreduced monthly benefit.

This act is similar to SB 154 (2011).

EMILY KALMER

01/20/2011 Introduced and Read First Time (H) (H202)
01/24/2011 Read Second Time (H) (H208)
01/27/2011 Referred: Retirement (H) (H246)
02/17/2011 Public Hearing Completed (H)
02/17/2011 Executive Session Completed (H)
02/17/2011 Voted Do Pass - Consent (H)
02/21/2011 Reported Do Pass by Consent (H) (H404)
02/21/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H404)
02/28/2011 Rules - Executive Session Completed (H)
02/28/2011 Rules - No Action Taken (H)
03/09/2011 Rules - Executive Session Completed (H)
03/09/2011 Rules - Voted Do Pass - Consent (H)
03/09/2011 Rules - Reported Do Pass Consent (H) (H572)
03/17/2011 Perfected by Consent - Pursuant to House Rules (H) (H698)
03/31/2011 Third read and passed (H) (H801-802)
03/31/2011 S First Read--HB 263-Weter (S544)
04/07/2011 Second Read and Referred S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee (S667)

EFFECTIVE: August 28, 2011

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*** HB 264 *** 0384L.02P

HOUSE HANDLER: Nolte

HB 264 - This act modifies provisions of the Manufacturing Jobs Act which provides incentives for qualified manufacturing companies and qualified suppliers that create or retain Missouri jobs. Currently, under the act, benefits for qualified manufacturing companies are only available to businesses with a National American Industry Classification System (NAICS) code of 33611 (automobile or light duty motor vehicle manufacturing). If such a business meets all applicable job retention and capital investment requirements, the Department of Economic Development may allow the business to retain 100% of the withholding taxes from full-time jobs at the manufacturing facility for 10 years if it manufactures a new product. The act expands eligibility for benefits provided to qualifying manufacturing companies under the Manufacturing Jobs Act to include any business that manufactures a new product at a facility in the state and commits to make a capital investment of at least seventy-five thousand dollars per retained job within no more than two years. Beginning January 1, 2012, a qualified manufacturing company that does not fall under the NAICS code for automobile or light duty motor vehicle manufacturing, but meets all applicable job retention and capital investment requirements may, subject to approval by the Department of Economic Development, retain 50% of the withholding taxes from full-time jobs at a facility for 10 years if it manufactures a new product.

JASON ZAMKUS

01/20/2011 Introduced and Read First Time (H) (H202)
01/24/2011 Read Second Time (H) (H208)
02/10/2011 Referred: International Trade & Job Creation (H) (H343)
02/16/2011 Public Hearing Completed (H)
02/24/2011 Executive Session Completed (H)
02/24/2011 Voted Do Pass - Consent (H)
02/24/2011 Reported Do Pass by Consent (H) (H453)
02/24/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H453)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass - Consent (H)
03/28/2011 Rules - Reported Do Pass Consent (H) (H724)
04/04/2011 Perfected by Consent - Pursuant to House Rules (H) (H839)
04/05/2011 Third Read and Passed (H) (H867-868)
04/05/2011 S First Read--HB 264-Nolte and Weter (S589)
04/07/2011 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S667)
04/13/2011 Hearing Conducted S Jobs, Economic Development and Local Government Committee

EFFECTIVE: August 28, 2011

*** HB 265 *** SS SCS HCS HB 265 0520S.07T

SENATE SPONSOR: Wasson HOUSE HANDLER: Smith

SS/SCS/HCS/HB 265 - This act requires any board, commission, committee, council, or office within the Division of Professional Registration to notify a licensee's current employer, if the employer is known, of a change in the licensee's license or disciplinary status. Employers may also provide a list of current licensed employees and make a written request to the appropriate board to be notified when there is a change in the licensing status of any of those employees.

This act also modifies licensing requirements for funeral directors, embalmers, and funeral establishments and certain requirements for preneed funeral contracts.

The act modifies the requirements for applicants for funeral director and embalmer licenses. A general equivalency diploma, or equivalent education, as determined by the board of embalmers and funeral directors, will satisfy the requirement that a person seeking a funeral director or embalmer license have a high school diploma. An applicant for a license to practice funeral directing or embalming is no longer required to be a Missouri citizen or a resident of a county bordering Missouri. An applicant for an embalmer's license is required to complete a funeral service education program, rather than graduate from an institute of mortuary science education. An applicant for a funeral director's license is required to complete the apprenticeship in twelve consecutive months, rather than twelve months.

Also, funeral establishments will no longer be required to keep their register book or log in the preparation or embalming room. The log book must contain the name of each body that has been in the establishment, the date the body arrived, if applicable, the place the body was embalmed, and if the body was embalmed at the establishment, the date and time of the embalming and the name, signature, and license number of the embalmer.

The act changes the requirements for membership on the board of embalmers and funeral directors, reduces the number of members on the board from ten to six members, and allows a majority of the members of the board to constitute a quorum at meetings.

The act also modifies provisions that regulate preneed funeral contracts. Among other changes, the act modifies requirements for insurance-funded preneed contracts, so that these provisions apply to preneed contracts designated to be funded by deferred annuity contracts that are not classified as variable annuities and have death benefit proceeds that are never less than the sum of premiums paid. The act specifies that a trustee of a preneed trust is allowed to invest trust funds with authorized external investment advisors of a trustee, seller, or provider and allows preneed sellers and purchasers to agree to put the funds for the preneed contract in an account titled in the beneficiary's name and payable on the beneficiary's death to the seller. The act also changes the procedure for a funeral provider to receive funds after providing funeral services and merchandise and the procedure for a purchaser who want to cancel a preneed contract funded by a joint account.

This act is similar to SB 325 (2011) and SCS/SB 340 (2011).
EMILY KALMER

SA 1 - THIS AMENDMENT MODIFIES DISCIPLINARY AND ADMINISTRATIVE PROCEDURE PROVISIONS THAT APPLY TO PROFESSIONS AND BUSINESSES LICENSED BY THE DIVISION OF PROFESSIONAL REGISTRATION OR BY ANY BOARD COMMITTEE, COMMISSION OR OFFICE WITHIN THE DIVISION OF PROFESSIONAL REGISTRATION. THE AMENDMENT ALSO MODIFIES THE LICENSING REQUIREMENTS AND DISCIPLINARY POWERS OF THE BOARD OF REGISTRATION FOR THE HEALING ARTS.

IF A PERSON WHO IS LICENSED BY ANY BOARD, COMMITTEE, COMMISSION, OR OFFICE UNDER THE DIVISION OF PROFESSIONAL REGISTRATION DOES NOT DEFEND AGAINST A DISCIPLINARY PROCEEDING, THE APPROPRIATE BOARD OR THE ADMINISTRATIVE HEARING COMMISSION IS REQUIRED TO ENTER A DEFAULT DECISION AGAINST THE PERSON. THE BOARD OR THE ADMINISTRATIVE HEARING COMMISSION MAY SET ASIDE THE DEFAULT DECISION FOR GOOD CAUSE IF THE PERSON FILES A MOTION WITHIN THIRTY DAYS AFTER THE DEFAULT DECISION.

THE ADMINISTRATIVE HEARING COMMISSION IS REQUIRED TO DELIVER THE FINDINGS OF FACT AND CONCLUSIONS OF LAW IN DISCIPLINARY CASES TO THE APPROPRIATE AGENCY WITHIN ONE

HUNDRED AND TWENTY DAYS OF THE DATE THE CASE BECAME READY FOR DECISION.

BOARD OF REGISTRATION FOR THE HEALING ARTS
THE BOARD OF REGISTRATION FOR THE HEALING ARTS IS AUTHORIZED TO LIST CERTAIN INFORMATION ABOUT INDIVIDUALS WHO ARE LICENSED BY THE BOARD AND APPLICANTS FOR LICENSES FROM THE BOARD ON ITS WEBSITE. THE BOARD IS ALSO REQUIRED TO DISCLOSE CONFIDENTIAL INFORMATION TO APPLICANTS FOR LICENSES AND LICENSEES WITHOUT A FEE, IF THE INFORMATION IS LESS THAN FIVE YEARS OLD.

THE BOARD IS NO LONGER AUTHORIZED TO REQUIRE DOCTORS LICENSED IN OTHER STATES TO TAKE CERTAIN EXAMINATIONS PRIOR TO WAIVING THE MISSOURI EXAMINATION REQUIREMENT. THE BOARD IS AUTHORIZED TO REQUIRE ANOTHER EXAMINATION, MORE EDUCATION, OR FURTHER TRAINING BEFORE ISSUING A PERMANENT MEDICAL LICENSE TO APPLICANTS WHO HAVE NOT ACTIVELY PRACTICED CLINICAL MEDICINE OR HELD A TEACHING POSITION FOR TWO OF THE THREE YEARS BEFORE THEIR APPLICATION.

DOCTORS ARE NO LONGER REQUIRED TO DISPLAY THEIR CERTIFICATE OF REGISTRATION IN THE OFFICE.

THE BOARD IS REQUIRED TO MAKE INDIVIDUALS APPLYING FOR A LICENSE OR HOLDING A LICENSE SUBMIT TO AN EVALUATION OF THEIR SKILLS, A MULTI-DISCIPLINARY EVALUATION, OR A SUBSTANCE ABUSE EVALUATION, AFTER A CONTESTED HEARING, IF THERE IS REASONABLE CAUSE TO BELIEVE THAT THE INDIVIDUAL IS INCOMPETENT ABOUT THE MEDICAL OR OSTEOPATHIC PROFESSION, MENTALLY OR PHYSICALLY INCAPACITATED, OR EXCESSIVELY USES OR ABUSES ALCOHOL OR CONTROLLED SUBSTANCES. THE BOARD IS REQUIRED TO ISSUE RULES TO PROVIDE FOR THE PROCEDURES FOR IMPLEMENTING THESE PROCEDURES.

THE DISCIPLINARY AUTHORITY OF THE BOARD IS MODIFIED TO ALLOW THE BOARD TO DISCIPLINE LICENSEES FOR PRESCRIBING DRUGS THROUGH THE INTERNET WITHOUT A VALID PHYSICIAN-PATIENT RELATIONSHIP, FOR BEING LISTED ON A SEX OFFENDER REGISTRY, ANY CONDUCT THAT IS UNETHICAL OF UNPROFESSIONAL INVOLVING A MINOR, FOR KNOWINGLY MAKING A FALSE STATEMENT TO THE BOARD, FOR VIOLATING A SETTLEMENT AGREEMENT WITH THE BOARD, AND FOR FAILING TO COMPLY WITH A TREATMENT PROGRAM.

THE BOARD'S AUTHORITY TO ISSUE AN EMERGENCY SUSPENSION OR RESTRICTION OF A LICENSEE'S LICENSE IS MODIFIED TO CHANGE THE REASONS FOR AN EMERGENCY SUSPENSION OR RESTRICTION, INCLUDING: SEXUAL CONDUCT WITH A PATIENT, SEXUAL MISCONDUCT WITH A MINOR, POSSESSION OF A CONTROLLED SUBSTANCE, EXCEPT FOR RECORD KEEPING VIOLATIONS, USE OF A CONTROLLED SUBSTANCE WITHOUT A PRESCRIPTION, A COURT FINDING THAT THE LICENSEE IS INCAPACITATED, HABITUAL INTOXICATION OR DEPENDENCE ON ALCOHOL OR A CONTROLLED SUBSTANCE OR FAILING TO COMPLY WITH A TREATMENT PROGRAM, A REPORT FROM A FACILITY OR PROFESSIONAL HEALTH PROGRAM THAT THE LICENSEE IS NOT FIT TO PRACTICE, OR CONDUCT WHICH VIOLATES THE DISCIPLINARY PROVISIONS AND IS A SERIOUS DANGER TO A PATIENT OR THE PUBLIC. THE PROCEDURE FOR ISSUING EMERGENCY RESTRICTIONS OR SUSPENSIONS IS ALSO MODIFIED. EMERGENCY SUSPENSIONS WILL TAKE EFFECT UPON SERVICE TO THE LICENSEE AFTER THE ADMINISTRATIVE HEARING COMMISSION FINDS THAT THERE IS PROBABLE CAUSE, RATHER THAN AFTER A PRELIMINARY HEARING BEFORE THE ADMINISTRATIVE HEARING COMMISSION. THE ADMINISTRATIVE HEARING COMMISSION IS THEN REQUIRED TO HOLD A HEARING WITHIN FORTY-FIVE DAYS OF THE BOARD'S FILING OF A COMPLAINT TO DETERMINE IF CAUSE FOR DISCIPLINE EXISTS.

THE BOARD IS ALSO AUTHORIZED TO INITIATE HEARINGS BEFORE ITSELF WHEN DISCIPLINING A LICENSEE'S LICENSE FOR CERTAIN ACTIONS. THE BOARD'S DISCIPLINARY DECISION IS APPEALABLE TO THE CIRCUIT COURT.
DOCTORS WHO PRESCRIBE ANY DRUG, CONTROLLED SUBSTANCE, OR OTHER TREATMENT THROUGH THE INTERNET ARE REQUIRED TO MEET CERTAIN REQUIREMENTS TO ESTABLISH THAT THERE IS A VALID PHYSICIAN-PATIENT RELATIONSHIP. THESE REQUIREMENTS MAY BE MET BY THE PRESCRIBING PHYSICIAN'S DESIGNEE WHEN TREATMENT IS PROVIDED IN A HOSPITAL, IN A HOSPICE PROGRAM, IN HOME HEALTH SERVICES PROVIDED BY A HOME HEALTH AGENCY, IN ACCORDANCE WITH A COLLABORATIVE PRACTICE AGREEMENT, IN CONJUNCTION WITH A PHYSICIAN ASSISTANT, IN CONSULTATION WITH ANOTHER PHYSICIAN WHO HAS AN ONGOING

PHYSICIAN-PATIENT RELATIONSHIP WITH THE PATIENT, OR IN ON-CALL OR CROSS-COVERAGE SITUATIONS.

THE BOARD'S AUTHORITY TO DISCIPLINE ATHLETIC TRAINERS IS ALSO MODIFIED.

THIS AMENDMENT IS SIMILAR TO HCS/HB 732 (2011) AND SB 303 (2011).

01/20/2011 Introduced and Read First Time (H) (H202)
01/24/2011 Read Second Time (H) (H208)
01/27/2011 Referred: Professional Registration & Licensing (H) (H246)
02/09/2011 Public Hearing Completed (H)
02/23/2011 Executive Session Completed (H)
02/23/2011 HCS Voted Do Pass - Consent (H)
03/07/2011 HCS Reported Do Pass by Consent (H) (H538)
03/07/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H538)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass - Consent (H)
03/28/2011 Rules - Reported Do Pass Consent (H) (H724)
04/04/2011 Perfected by Consent - Pursuant to House Rules (H) (H839)
04/05/2011 Third Read and Passed (H) (H868-869)
04/05/2011 S First Read--HCS for HB 265 (S589-590)
04/07/2011 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S667)
04/18/2011 Hearing Conducted S Financial and Governmental Organizations and Elections Committee
04/26/2011 SCS Voted Do Pass S Financial and Governmental Organizations and Elections Committee (0520S.06C)
05/05/2011 Reported from S Financial and Governmental Organizations and Elections Committee to Floor w/SCS (S1344)
05/10/2011 SS for SCS S offered (Wasson)--(0520S.07F) (S1646)
05/10/2011 SA 1 to SS for SCS S offered & adopted (Schaaf)--(8147S11.04S) (S1646-1671)
05/10/2011 SS for SCS, as amended, S adopted (S1671)
05/10/2011 Referred S Ways & Means & Fiscal Oversight Committee (S1671)
05/12/2011 Hearing Conducted S Ways and Means and Fiscal Oversight Committee
05/12/2011 Voted Do Pass S Ways & Means & Fiscal Oversight Committee
05/12/2011 Reported from S Ways & Means & Fiscal Oversight Committee to Floor (S1921)
05/12/2011 S Third Read and Passed (S1929 / H2502-2519)
05/12/2011 H concurs in SS for SCS, as amended (S1975)
05/12/2011 H Third Read & Passed (S1975)
05/12/2011 Truly Agreed To and Finally Passed (S1975)

EFFECTIVE: August 28, 2011

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*** HB 266 *** HCS HB 266 0806L.03P

SENATE SPONSOR: Munzlinger HOUSE HANDLER: Smith

HCS/HB 266 - Under current law, the total gross weight of a vehicle or combination of vehicles hauling livestock on U. S. Highway 36 from St. Joseph to U. S. Highway 65 and on U. S. Highway 65 from the Iowa state line to U. S. Highway 36 cannot exceed 85,500 pounds. This act eliminates the references to the specified highways and applies this weight limitation
to any vehicle hauling livestock or agricultural products on any highway of this state. The weight limits, however, will not apply to vehicles operated on the Dwight D. Eisenhower System of Interstate and Defense Highways.
STEPHEN WITTE

01/20/2011 Introduced and Read First Time (H) (H202)
01/24/2011 Read Second Time (H) (H208)
01/27/2011 Referred: Agri-Business (H) (H246)
02/15/2011 Public Hearing Completed (H)
02/21/2011 Executive Session Completed (H)
02/21/2011 HCS Voted Do Pass (H)
02/22/2011 HCS Reported Do Pass (H) (H417)
02/22/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H417)
03/03/2011 Rules - Executive Session Completed (H)
03/03/2011 Rules - Voted Do Pass (H)

03/03/2011 Rules - Reported Do Pass (H) (H523)
03/08/2011 Taken Up for Perfection (H) (H547)
03/08/2011 Laid Over (H) (H547)
03/08/2011 Taken Up for Perfection (H) (H547)
03/08/2011 HCS Adopted (H) (H549)
03/08/2011 Perfected (H) (H549)
03/09/2011 Referred: Fiscal Review (H) (H568)
03/09/2011 Executive Session Completed (H)
03/09/2011 Voted Do Pass (H)
03/09/2011 Reported Do Pass (H) (H568)
03/10/2011 Third Read and Passed (H) (H583)
03/10/2011 S First Read--HCS for HB 266 (S436)
03/17/2011 Second Read and Referred S Transportation Committee (S496)
04/20/2011 Hearing Conducted S Transportation Committee

EFFECTIVE: August 28, 2011

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*** HB 270 *** SCS HB 270 0911S.02T

SENATE SPONSOR: Dempsey HOUSE HANDLER: Burlison

SCS/HB 270 - Under this act, Missouri Consolidated Health Care Plan participants who are eligible for Medicare benefits and who are not eligible for their state employee health care coverage to be their primary plan of coverage shall be provided substantially similar benefits provided to participants who are not eligible for Medicare benefits. Under current law, a participant in the state employee health care plan who is eligible for Medicare, and whose state employee coverage is not primary, must be provided the same benefits provided to participants who are not eligible for Medicare benefits. This portion of the act is substantially similar to SB 894 (2010)(Section 103.089).

Under this act, beginning with the open enrollment period for the 2012 plan year, the high deductible health plan offered by the Missouri Consolidated Health Care Plan shall have monthly subscriber premiums that are materially lower than non-high deductible health plan monthly subscriber premiums with a goal of monthly subscriber premiums being at least 50% lower than non-high deductible health plan premiums. The amount of the annual deductible for the high deductible health plan shall be no greater than 200% of the minimum annual deductible for self-only coverage and family coverage as established by the Internal Revenue Service for the current tax year. The coverage afforded by the high deductible health plan, after the deductible has been met, shall be substantially similar to the coverage provided by the non-high deductible health plan chosen by a plurality of qualified employees. If, after the completion of the open enrollment period for the 2012 plan year, fewer than 10% of Missouri's active state employees have enrolled in a high deductible health plan described in the act, then the board shall offer a more competitive high deductible health plan with increased financial and coverage incentives, including but not limited to alternative annual deductibles, out-of-pocket expenses, and other health plan design features, all within the federal guidelines, with the goal of having 40% of Missouri's active state employees enrolling in a health savings account compatible high deductible health plan by the open enrollment period for the 2015 plan year. This portion of the act is substantially similar to SCS/SB 2 (2011)(Section 103.080).
STEPHEN WITTE

01/20/2011 Introduced and Read First Time (H) (H202)
01/24/2011 Read Second Time (H) (H208)
02/10/2011 Referred: Health Insurance (H) (H343)
02/15/2011 Public Hearing Completed (H)
03/08/2011 Executive Session Completed (H)
03/08/2011 Voted Do Pass (H)
03/15/2011 Executive Session Completed (H)
03/15/2011 Voted Do Pass - Consent (H)
03/15/2011 Reported Do Pass by Consent (H) (H636)
03/15/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H636)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass - Consent (H)
03/28/2011 Rules - Reported Do Pass Consent (H) (H724)
04/04/2011 Perfected by Consent - Pursuant to House Rules (H) (H839)
04/05/2011 Third Read and Passed (H) (H869-870)
04/05/2011 S First Read--HB 270-Burlison and Swinger (S590)
04/07/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S667)

04/12/2011 Hearing Conducted S Health, Mental Health, Seniors and Families Committee
04/12/2011 SCS Voted Do Pass S Health, Mental Health, Seniors and Families Committee - (0911S.02C)
04/14/2011 Reported from S Health, Mental Health, Seniors and Families Committee to Floor w/SCS (S732)
04/18/2011 Referred S Ways & Means & Fiscal Oversight Committee (S751)
04/21/2011 Hearing Conducted S Ways and Means and Fiscal Oversight
04/21/2011 Voted Do Pass S Ways & Means & Fiscal Oversight Committee
04/21/2011 Reported from S Ways & Means and Fiscal Oversight Committee to Floor (S808)
04/26/2011 SA 1 to SCS S offered & adopted (Kehoe)--(0911S02.02S) (S1061-1062)
04/26/2011 SCS, as amended, S adopted (S1062)
04/26/2011 S Third Read and Passed (S1062 / H1615)
05/10/2011 H concurs in SCS, as amended (H2186)
05/10/2011 H Third Read & Passed (H2187 / S1673)
05/10/2011 Truly Agreed To and Finally Passed (S1673)

EFFECTIVE: August 28, 2011

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*** HB 272 *** 0630L.01P

HOUSE HANDLER: Kirkton

HB 272 - This act increases the number of members on the MO HealthNet Oversight Committee from 18 to 19 by adding one licensed or registered nurse who cares for participants of the MO HealthNet program.
ADRIANE CROUSE

01/20/2011 Introduced and Read First Time (H) (H202)
01/24/2011 Read Second Time (H) (H208)
02/10/2011 Referred: Health Care Policy (H) (H343)
02/23/2011 Public Hearing Completed (H)
02/23/2011 Executive Session Completed (H)
02/23/2011 Voted Do Pass - Consent (H)
02/23/2011 Reported Do Pass by Consent (H) (H435)
02/23/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H435)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass - Consent (H)
03/28/2011 Rules - Reported Do Pass Consent (H) (H724)
04/04/2011 Perfected by Consent - Pursuant to House Rules (H) (H839)
04/05/2011 Third Read and Passed (H) (H870-871)
04/05/2011 S First Read--HB 272-Kirkton, et al (S590)
04/07/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S667)
04/19/2011 Hearing Conducted S Health, Mental Health, Seniors and Families Committee

EFFECTIVE: August 28, 2011

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*** HB 276 *** HCS HB 276, 233 & 274 0951L.02P

SENATE SPONSOR: Engler HOUSE HANDLER: Franz

HCS/HBs 276, 233 & 274 - This act modifies criminal provisions regarding funeral protests. The act specifies that the purpose of these statutes is to protect the privacy of grieving families and to preserve the peaceful character of cemeteries, mortuaries, churches, and other places of worship during funerals while providing picketers and protestors the opportunity to communicate their message. Provisions that limit picketing or engaging in other protest activities in front of or about any location at which a funeral is held, or within three hundred feet of or about any location at which a funeral is held, are modified, so that protest activities are only limited within five hundred feet of a cemetery, mortuary, church or other place of worship. The act also modifies the time restrictions on funeral protests and eliminates restrictions on protesting at funeral processions.

The act also eliminates the requirement that a person who seeks damages for emotional distress prove that there is a physical manifestation of their distress, if the lawsuit is brought for actions that violate the criminal funeral protest provisions.
EMILY KALMER

01/20/2011 Introduced and Read First Time (H) (H202)
01/24/2011 Read Second Time (H) (H208)
01/27/2011 Referred: General Laws (H) (H246)
02/08/2011 Public Hearing Completed (H)

02/15/2011 Executive Session Completed (H)
02/15/2011 HCS Voted Do Pass (H)
02/16/2011 HCS Reported Do Pass (H) (H379)
02/16/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H379)
02/21/2011 Rules - Executive Session Completed (H)
02/21/2011 Rules - Voted Do Pass (H)
02/21/2011 Rules - Reported Do Pass (H) (H406)
02/28/2011 Taken Up for Perfection (H) (H471)
02/28/2011 Laid Over (H) (H471)
03/01/2011 Taken Up for Perfection (H) (H483)
03/01/2011 HCS Adopted (H) (H483)
03/01/2011 Perfected with Amendments (H) (H483)
03/03/2011 Third Read and Passed (H) (H513)
03/07/2011 S First Read--HCS for HBs 276, 233 & 274 (S401)
03/17/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S495)

EFFECTIVE: August 28, 2011

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*** HB 282 *** SS SCS HB 282 1055S.04T

SENATE SPONSOR: Crowell HOUSE HANDLER: Franz

SS/SCS/HB 282 -This act modifies provisions regarding public employee retirement.

DUTY-RELATED DEATH BENEFITS IN LAGERS

This act specifies how duty-related death benefits will be funded for the Missouri Local Government Employees' Retirement System (LAGERS). In the same way as when a disability benefit is due to a member of the LAGERS system, when a duty-related death benefit is due to a beneficiary, the accrued service pension reserve will be calculated, as of the effective date of the disability benefit. Contributions from political subdivisions for duty-related death benefits will be held in the Casualty Reserve Fund. Political subdivisions that participate in LAGERS will have a portion of their contributions for duty-related death benefits determined on a one-year term basis in the same way that their contribution for a portion of disability benefits is determined. (Sections 70.710, 70.720, and 70.730)

POLICE RETIREMENT SYSTEM OF KANSAS CITY AND THE CIVILIAN EMPLOYEES' RETIREMENT SYSTEM OF THE POLICE DEPARTMENT OF KANSAS CITY

This act modifies laws regarding the Police Retirement System of Kansas City and the Civilian Employees' Retirement System of the Police Department of Kansas City.

POLICE RETIREMENT SYSTEM OF KANSAS CITY

This act specifies that the retirement benefits of members who retire after August 28, 2011 start on the first day of the month after the member retires. The member will not receive a prorated payment for the month in which the member retires.

The act also requires that all benefit payments will be paid on the last day of the month. When a member dies, certain benefits will be prorated for the portion of the month in which the member was alive, other benefits will not be prorated. The retirement system is required to withhold payment of benefits until the required documentation is filed to prove that a person is entitled to the payment. (Sections 86.900, 86.1230, 86.1240, 86.1250, 86.1030)

Members are no longer able to receive credit toward retirement for unpaid leaves of absence of less than thirty days, except for leaves of absence for certain military service. If a member is on a leave of absence, to receive credit towards retirement for their leave, the person must return to active service and pay the actuarial cost of the service. (Sections 86.1100 and 86.1140)

A person who has at least five years of service and returns to membership in the retirement system can purchase credit for prior service, but must pay the actuarial cost of the service, rather than repaying the amount of their accumulated contributions with interest. (Section 86.1120)

If a person leaves the police department before retirement after at least fifteen years of service, the pension the person receives will start on the first day of the month after the person turns fifty-five, rather than the day the person turns fifty-five. (Section 86.1150)

CIVILIAN EMPLOYEES' RETIREMENT SYSTEM OF THE POLICE DEPARTMENT OF KANSAS CITY

This act prohibits membership in the Civilian Employees' Retirement System of the Police Department of Kansas City by any employee appointed after August 28, 2011 who is eligible to receive a pension from any other Kansas City retirement system. (Section 86.1310)

The act specifies that the retirement benefits of members who retire after August 28, 2011 start on the first day of the month after the member retires. The member will not receive a prorated payment for the month in which the member retires.

The act also requires that all benefit payments will be paid on the first day of the month. When a member dies, benefits to the surviving spouse will not be prorated. The retirement system is required to withhold payment of benefits until the required documentation is filed to prove that a person is entitled to the payment. (Section 86.1420, 86.1540, 86.1560, 86.1600, 86.1610, 86.1620)

Members are prohibited from receiving credit toward retirement for unpaid leaves of absence, except for leaves of absence for certain military service. If a member is on a leave of absence, to receive credit towards retirement for their leave, the person must return to active service and pay the actuarial cost of the service. (Sections 86.1490, 86.1500)

A person who has at least three years of service and returns to membership in the retirement system can purchase credit for prior service, but must pay the actuarial cost of the service, rather than repaying the amount of their accumulated contributions with interest. (Section 86.1510)

FIREMEN'S RETIREMENT SYSTEM OF ST. LOUIS

The act specifies that the retirement plan of the Firemen's Retirement System of St. Louis is intended to be a qualified governmental plan under federal tax law. The benefits and conditions of the plan shall be interpreted and the system shall be operated to ensure that the system meets the federal qualification requirements. (Section 87.127)

This act also modifies the service-connected disability benefits for St. Louis City firefighters who retire on or after August 28, 2011. Currently, the service-connected disability benefit is 75 percent of the top pay of the rank the firefighter is at when they are retired. This act makes the service-connected disability benefit vary based on the number of years a person has served as a firefighter. Firefighters will receive a base pension of 25 percent of the compensation provided for the step in the range of salary they hold at the time the firefighter is retired. Those firefighters with 10 or more years of service, but less than 25 years of service, will receive an additional accidental retirement pension benefit calculated by multiplying their years of service by 2 3/4 percent of the step in the range of salary received by the firefighter at the time of their retirement. Those firefighters with more than 20 years of service, but less than 25 years of service have the option to waive the other benefits and receive a benefit that combined with their base pension will equal 65 percent of the compensation then provided for the step in the range of salary received by the firefighter at the time of their retirement. If a firefighter has more than 25 years of service, or is retired based on conditions of the heart, lungs, or cancer, or is unable to perform any other work, as determined by Board of Trustees based on medical evidence, the firefighter will receive a benefit that is equal to 75 percent of the compensation provided for the step in the range of salary they receive at the time of their retirement.

St. Louis City firefighters who are retired based on a service-connected disability on or after August 28, 2011, will have the option at retirement to be reimbursed for tuition at a college, community college, or vocational or technical school. These firefighters must enroll in school at the first opportunity after their retirement. These firefighters will also receive a supplemental disability retirement pension, if they have twenty-five years or less of service, so that their total accidental disability retirement pension will equal the total compensation provided for the step in the range of salary they received at the time they were retired. This educational reimbursement benefit and the supplemental disability retirement pension benefit shall end when the firefighter is not a full-time student or returns to service as a firefighter, and will only be available for five years after the firefighter's retirement. (Section 87.205)

The cost-of-living adjustment for firefighters who are retired based on a service-connected disability on or after August 28, 2011 will be either one percent a year or 2 1/4 percent per year, based on the number of years of service, rather than three percent a year, up to age sixty. (Section 87.207)

MISSOURI DEVELOPMENT FINANCE BOARD EMPLOYEES

This act makes any full-time employee of the Missouri Development Finance Board (MDFB) on September 1, 2011 a state employee and member of the Missouri State Employee's Retirement System (MOSERS). However, these employees will not be covered under the Missouri consolidated health care plan (MCHCP), unless the board requests coverage and MCHCP's board approves the request. These employees may purchase credited service toward retirement for their employment with the board retroactive to the employees' start dates with MDFB, except these employees will not be required to vest before they may purchase the service. (Section 100.273)

TRANSFERS OF SERVICE BETWEEN MPERS AND MOSERS

This act also requires that the Missouri Department of Transportation and Highway Patrol Employees' Retirement System (MPERS) and the Missouri State Employees' Retirement System (MOSERS) transfer money between the two systems when an employee transfers service between the two systems on or after September 1, 2011. The act specifies the method that the systems are required to use to calculate the amount of the transfer payment. The amount of the money transferred shall be the present value of the accrued benefit. (Section 104.603)

DEFERRED COMPENSATION PROGRAM

This act makes enrollment in the state deferred compensation program automatic for those state employees eligible for the plan hired on or after July 1, 2012. These employees will automatically have one percent of eligible compensation contributed to the deferred compensation plan. Employees who do not want to contribute to the program may opt out of the plan within the first thirty days of employment, and at a later date decide to participate. Employees who are automatically enrolled can change the amount of contribution. Employees of state colleges or universities would not be automatically enrolled.

On or after September 1, 2011, if a participant in the deferred compensation plan or the 401(a) plan established in Section 105.927 is married, their surviving spouse will be automatically designated as their primary beneficiary, unless the surviving spouse consented in writing to allow the participant to designate someone else as their beneficiary. This automatic beneficiary designation does not apply to designations made prior to September 1, 2011.

The Missouri State Employees Retirement System Board is also authorized to adopt and amend plan documents to change terms and conditions of the deferred compensation plan that are consistent with federal law.

If the General Assembly appropriated money for a state match, each participant in the deferred compensation plan would be eligible, rather than only state employees who have been employees for at least twelve consecutive months before the match and contribute at least twenty-five dollars a month.

The act also allows a state agency to credit funds directly to a participant in the deferred compensation plan if that agency's payroll is not issued through the State Treasurer. (Sections 105.915 and 105.927)

This act is similar to HB 183 (2011), SB 271 (2011), HCS/HB 664 (2011), SB 121 (2011), HB 448 (2011), SB 201 (2011), SB 290 (2009), and SB 410 (2011).
EMILY KALMER

SA 1 - THIS AMENDMENT SPECIFIES THAT EACH PUBLIC RETIREMENT SYSTEM THAT PROVIDES A DEFINED BENEFIT RETIREMENT PLAN SHALL BE REQUIRED TO SUBMIT A QUARTERLY REPORT ABOUT THE PLAN'S INVESTMENT PERFORMANCE TO THE JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT. IF THE PLAN FAILS TO SUBMIT THIS REPORT, THE COMMITTEE MAY SUBPOENA WITNESSES, TAKE TESTIMONY UNDER OATH, AND COMPEL THE PRODUCTION OF RECORDS REGARDING THIS INFORMATION ACCORDING TO THE COMMITTEE'S STATUTORY AUTHORITY. THIS AMENDMENT IS IDENTICAL TO SB 170 (2011).

SA 2 - THIS AMENDMENT REQUIRES THAT THE EDUCATIONAL REIMBURSEMENT BENEFIT THAT CERTAIN ST. LOUIS CITY FIREFIGHTERS WHO ARE RETIRED BASED ON A SERVICE-CONNECTED DISABILITY RECEIVE WILL END IF THE FIREFIGHTER FAILS TO PROVIDE PROOF OF A GRADE POINT AVERAGE OF TWO ON A FOUR POINT SCALE FOR EACH ACADEMIC TERM.

01/20/2011 Introduced and Read First Time (H) (H203)
01/24/2011 Read Second Time (H) (H208)
01/27/2011 Referred: Retirement (H) (H246)
02/17/2011 Public Hearing Completed (H)
02/17/2011 Executive Session Completed (H)

02/17/2011 Voted Do Pass - Consent (H)
02/21/2011 Reported Do Pass by Consent (H) (H404)
02/21/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H404)
02/28/2011 Rules - Executive Session Completed (H)
02/28/2011 Rules - No Action Taken (H)
03/03/2011 Rules - Executive Session Completed (H)
03/03/2011 Rules - Voted Do Pass - Consent (H)
03/03/2011 Rules - Reported Do Pass Consent (H) (H523)
03/14/2011 Perfected by Consent - Pursuant to House Rules (H) (H607)
03/16/2011 Third Read and Passed (H) (H662-663)
03/16/2011 S First Read--HB 282-Franz (S476)
03/31/2011 Second Read and Referred S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee (S546)
04/21/2011 Hearing Conducted S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee
04/21/2011 SCS Voted Do Pass S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee (1055S.03C)
04/27/2011 Reported from S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee to Floor w/SCS (S1150)
04/28/2011 Bill Placed on Informal Calendar (S1200)
05/05/2011 SS for SCS S offered (Crowell)--(1055S.04F) (S1350)
05/05/2011 SA 1 to SS for SCS S offered (Crowell)--(1055S04.02S) (S1350-1351)
05/05/2011 Bill Placed on Informal Calendar (S1351)
05/05/2011 SA 1 to SS for SCS S adopted (S1357)
05/05/2011 SA 2 to SS for SCS S offered & adopted Keaveny (1055S04.03S) (S1357-1358)
05/05/2011 SS for SCS, as amended, S adopted (S1358)
05/05/2011 S Third Read and Passed (S1358 / H1966-1967)
05/10/2011 H concurs in SS for SCS, as amended (H2219)
05/10/2011 H Third Read & Passed (H2220 / S1683)
05/10/2011 Truly Agreed To and Finally Passed (S1683)

EFFECTIVE: August 28, 2011

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*** HB 287 *** HCS HB 287 1070L.06P

SENATE SPONSOR: Brown HOUSE HANDLER: Brandom

HCS/HB 287 – After August 28, 2011, all hospitals, ambulatory surgical centers and certain health care facilities shall require all newly hired personnel providing services in such facilities to wear identification badges prominently displaying the employee's photograph, first name, title and employer. The title of the employee shall include whether the employee is a physician, nurse, as specified under the act, or other titles as determined by the Department of Health and Senior Services. Nothing in this act shall prohibit a health care provider from placing the provider's additional specialty or designation on the badge. Personnel shall not be required to wear the badge while delivering direct care if not clinically feasible.

Compliance with this act for all current personnel may occur when any badges are issued or replaced within a reasonable time after August 28, 2011, but no later than by August 28, 2016. Nothing in this act requires the immediate replacement of identification badges worn by current personnel.

This act is substantially similar to SCS/SB 137 (2011).
ADRIANE CROUSE

01/24/2011 Introduced and Read First Time (H) (H209)
01/25/2011 Read Second Time (H) (H216)
02/02/2011 Referred: Professional Registration & Licensing (H) (H285)
02/09/2011 Public Hearing Completed (H)
02/23/2011 Executive Session Completed (H)
02/23/2011 HCS Voted Do Pass - Consent (H)
03/07/2011 HCS Reported Do Pass by Consent (H) (H538)
03/07/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H538)
03/09/2011 Rules - Executive Session Completed (H)
03/09/2011 Rules - Voted Do Pass - Consent (H)
03/09/2011 Rules - Reported Do Pass Consent (H) (H573)
03/17/2011 Perfected by Consent - Pursuant to House Rules (H) (H698)
03/31/2011 Third read and passed (H) (H802-803)

03/31/2011 S First Read--HCS for HB 287 (S544)
04/07/2011 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S667)
04/18/2011 Hearing Conducted S Financial and Governmental Organizations and Elections Committee
05/02/2011 Motion to Do Pass FAILED S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2011

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*** HB 291 *** 0872L.03P

HOUSE HANDLER: Denison

HB 291 - This act requires a window sticker to be placed on the inside front windshield of a motor vehicle to show the current registration instead of the current license plate tab. A tab, instead of a window sticker, will be issued for a motorcycle or trailer registration.

This act is identical to SB 402 (2011). The act has an effective date of January 1, 2012.

STEPHEN WITTE

01/24/2011 Introduced and Read First Time (H) (H209)
01/25/2011 Read Second Time (H) (H216)
02/15/2011 Referred: Transportation (H) (H368)
03/08/2011 Public Hearing Completed (H)
03/15/2011 Executive Session Completed (H)
03/15/2011 Voted Do Pass (H)
03/16/2011 Reported Do Pass (H) (H672)
03/16/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H672)
04/04/2011 Rules - Executive Session Completed (H)
04/04/2011 Rules - Voted Do Pass (H)
04/04/2011 Rules - Reported Do Pass (H) (H838)
04/06/2011 Perfected (H) (H916)
04/06/2011 Referred: Fiscal Review (H) (H1148)
04/11/2011 Executive Session Completed (H)
04/11/2011 Voted Do Pass (H)
04/11/2011 Reported Do Pass (H) (H1184)
04/11/2011 Third read and passed (H) (H1185-1186)
04/11/2011 S First Read--HB 291-Denison, et al (S681)
04/14/2011 Second Read and Referred S Transportation Committee (S737)
04/20/2011 Hearing Conducted S Transportation Committee
04/27/2011 Motion to Do Pass FAILED S Transportation Committee

EFFECTIVE: January 1, 2012

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*** HB 294 *** SS#2 SCS HCS HB 294, 123, 125, 113, 271 & 215 1118S.07T

SENATE SPONSOR: Munzlinger HOUSE HANDLER: Riddle

SS/SCS/HCS/HB 294, 123, 125, 113, 271 & 215 - This act specifies that the county sheriff's revolving fund may be used to pay for information and data exchange.

This act prohibits the sales tax on any firearms or ammunition from being levied at a higher rate than taxes on other goods or any other excise tax levied on sporting goods.

Under current law, a person commits a crime if he or she possesses, manufactures, transports, repairs, or sells a machine gun, short barreled rifle or shotgun, or firearm silencer. This act provides that a person commits the crime if he or she is engaging in the above activities in violation of federal law.

A person does not commit a crime under current law if his or her conduct with the weapons listed above and other specified weapons was incident to certain activities. This act adds an additional requirement that the weapon must also be possessed in conformity with federal law for the conduct to be lawful. In addition, this act repeals provisions allowing for certain activities if the weapon is a curio, ornament, keepsake and provisions relating to the use of certain weapons in a dramatic performance.

This act removes a requirement that certain otherwise unlawful uses of a firearm be reasonably

associated with, or necessary to, the person's official duties in order to be lawful. Other such uses must be reasonably associated with, or necessary to, the person's official duties. This act also allows a full-time fire investigator who has a concealed carry endorsement to engage in the otherwise unlawful uses when such uses are reasonably associated with, or necessary to, the person's official duties. Federal probation and flight deck officers may engage in the otherwise unlawful uses regardless of whether the officers are on duty or within the law enforcement agency's jurisdiction. In addition, club events are added to the exemption that allows certain uses of firearms at schools.

No one who has received a suspended imposition of sentence for any felony firearms- or weapons-related offense may receive a suspended imposition of sentence for a felony violation of unlawful use of weapons.

Under this act, a person commits the class D felony of fraudulent purchase of a firearm if he or she knowingly: entices a firearms dealer or seller to transfer a firearm or ammunition under circumstances which the person knows would violate the law; provides materially false information with the intent to deceive a dealer or seller about the legality of such a transfer; or willfully procures another to engage in those activities. The statute prohibiting fraudulent purchase of firearms does not apply to criminal investigations conducted by the United States Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), ATF agents, or law enforcement officers acting under the direction of ATF.

Under current law, a Missouri resident conforming to all applicable state and federal gun laws may purchase rifles and shotguns in states contiguous to Missouri. Also, residents of the contiguous states who conform to applicable state and federal gun laws may purchase rifles and shotguns in Missouri.

This act allows Missouri residents to purchase rifles and shotguns in any state so long as the resident follows all applicable provisions of the Federal Gun Control Act of 1968, Missouri law and the law of the state in which the purchase occurs. A resident of any state who abides by the applicable federal laws, Missouri laws and laws of the resident's home state may purchase rifles and shotguns in Missouri.

In addition, the current provisions regarding such gun purchases are moved from the merchandising practices chapter to the chapter on weapons offenses. As a result, certain provisions governing the entire merchandising practices chapter will no longer apply, including provisions that detail the power of the Attorney General to investigate violations of the law.

This act lowers the age at which a person can obtain a concealed carry endorsement from 23 to 21 years of age.

This act also provides that a nondriver's license with a concealed carry endorsement expires three years from the date the certificate of qualification was issued by a sheriffs. This provision is not effective until the earlier of January 1, 2013 or whenever the Department of Revenue begins issuing nondriver’s licenses with concealed carry endorsements.

Legislators, full time and legislative employees of the General Assembly, statewide elected officials and their employees may carry concealed firearms in the state capitol building, or at any meeting in the building, if they have a concealed carry endorsement.

Under this act, the training for a concealed carry endorsement must include live firings from both a revolver and a semiautomatic pistol. In order to pass, the applicant must hit targets with both types of handguns. Also, a firearms safety instructor who provides false information on any portion of the training is guilty of a crime rather than rather than just certain portions of the training.

This act allows municipalities to regulate the shooting of pneumatic guns.

This act contains provisions similar to provisions of HCS/SB 61 (2011), HCS/SCS/SB 60 (2011), HB 123 (2011), HB 596 (2011), HB 430 (2011), HB 594 (2011), SB 87 (2011), HB 725 (2011), HB 760 (2011), HB 125 (2011), HB 215 (2011), SB 297 (2011), HB 113 (2011), HB 271 (2011), SB 298 (2011), SB 330 (2011), and HB 778 (2011).
MEGHAN LUECKE

SA 1 - THIS ACT REMOVES THE REFERENCE TO THE FEDERAL TREASURY DEPARTMENT IN THE PROVISIONS DEALING WITH FEDERAL REGULATIONS OF GUN PURCHASES.

01/24/2011 Introduced and Read First Time (H) (H210)

01/25/2011 Read Second Time (H) (H216)
02/02/2011 Referred: General Laws (H) (H285)
02/15/2011 Public Hearing Completed (H)
03/03/2011 Executive Session Completed (H)
03/03/2011 HCS Voted Do Pass (H)
03/03/2011 HCS Reported Do Pass (H) (H521)
03/03/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H521)
03/09/2011 Rules - Reported Do Pass (H) (H573)
03/16/2011 Taken Up for Perfection (H) (H649)
03/16/2011 Laid Over (H) (H649)
03/16/2011 Taken Up for Perfection (H) (H649)
03/16/2011 HCS Adopted (H) (H652)
03/16/2011 Perfected with Amendments (H) (H652)
03/17/2011 Third Read and Passed (H) (H686)
03/28/2011 S First Read--HCS for HBs 294, 123, 125, 113, 271 & 215 (S506)
03/31/2011 Second Read and Referred S General Laws Committee (S546)
04/12/2011 Hearing Conducted S General Laws Committee
04/19/2011 SCS Voted Do Pass S General Laws Committee (1118S.04C)
04/27/2011 Reported from S General Laws Committee to Floor w/SCS (S1151)
05/02/2011 SS for SCS S offered (Munzlinger)--(1118S.05F) (S1232)
05/02/2011 Bill Placed on Informal Calendar (S1232)
05/11/2011 SS for SCS S withdrawn (S1721)
05/11/2011 SS#2 for SCS S offered (Munzlinger)--(1118S.07F) (S1721)
05/11/2011 SA 1 to SS#2 for SCS S offered & adopted (Lembke)--(1118S07.11S) (S1721-1722)
05/11/2011 SS#2 for SCS, as amended, S adopted (S1722)
05/11/2011 S Third Read and Passed (S1722 / H2391)
05/13/2011 H concurs in SS#2 for SCS, as amended, H adopted
05/13/2011 H Third Read & Passed
05/13/2011 Truly Agreed To and Finally Passed

EFFECTIVE: August 28, 2011

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*** HB 300 *** SCS HCS HB 300, 334 & 387 1025S.07T

SENATE SPONSOR: Mayer HOUSE HANDLER: Gatschenberger

SCS/HCS/HBs 300, 334 & 387 – This act establishes the "Interscholastic Youth Sports Brain Injury Prevention Act." By December 31, 2011, the Department of Health and Senior Services shall promulgate rules which develop guidelines, forms, and to provide education on the nature and risk of concussion and brain injury with the following entities: a statewide association of school boards; a statewide activities association that provides oversight for athletic or activity eligibility for students and school districts; and an organization named by the Department of Health and Senior Services that specializes in support services, education, and advocacy of those with brain injuries. The primary focus of the rules shall be the safety and protection against long-term injury to the youth athlete.

Annually, each school district must distribute a concussion and brain injury information sheet to each youth athlete participating in the district's athletic program. The sheet must be signed by the youth athlete's parent or guardian and submitted to the school district prior to the youth athlete's participation in any athletic practice or competition.

A youth athlete who is suspected of sustaining a concussion or brain injury must be removed from competition for no less than twenty-four hours. The youth athlete must not return to competition until he or she has been evaluated by a licensed health care provider trained in the evaluation and management of concussions and receives written clearance to return to competition from that provider.

This act is similar to SB 216 (2011).
MICHAEL RUFF

SA 1 - ANY STATEWIDE ATHLETIC ORGANIZATION WITH A PUBLIC SCHOOL DISTRICT AS A MEMBER MUST PUBLISH AN ANNUAL REPORT RELATING TO THE IMPACT OF CONCUSSIONS AND HEAD INJURIES ON STUDENT ATHLETES. NO PUBLIC SCHOOL SHALL BE A MEMBER OF A STATEWIDE ATHLETIC ORGANIZATION THAT FAILS TO COMPLY WITH THIS REQUIREMENT.

01/25/2011 Introduced and Read First Time (H) (H223)

01/26/2011 Read Second Time (H) (H233)
02/10/2011 Referred: Health Care Policy (H) (H343)
03/02/2011 Public Hearing Completed (H)
03/09/2011 Executive Session Completed (H)
03/09/2011 HCS Voted Do Pass - Consent (H)
03/09/2011 HCS Reported Do Pass by Consent (H) (H570)
03/09/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - No Action Taken (H)
04/06/2011 Rules - Executive Session Completed (H)
04/06/2011 Rules - Voted Do Pass (H)
04/11/2011 Rules - Reported Do Pass (H) (H1205)
04/13/2011 HCS Adopted (H) (H1264)
04/13/2011 Perfected (H) (H1264)
04/14/2011 Third Read and Passed (H) (H1288)
04/18/2011 S First Read--HCS for HBs 300, 334 & 387 (S750)
04/21/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S814)
05/03/2011 Hearing Conducted S Health, Mental Health, Seniors and Families Committee
05/10/2011 SCS Voted Do Pass S Health, Mental Health, Seniors and Families Committee (1025S.07C)
05/10/2011 Reported from S Health, Mental Health, Seniors and Families Committee to Floor w/SCS (S1674)
05/11/2011 SA 1 to SCS S offered & adopted (Cunningham)--(1025L05.01S) (S1813-1814)
05/11/2011 SCS, as amended, S adopted (S1814)
05/11/2011 S Third Read and Passed (S1814 / H2391)
05/12/2011 H concurs in SCS, as amended (S1973)
05/12/2011 H Third Read & Passed (S1973)
05/12/2011 Truly Agreed To and Finally Passed (S1973)

EFFECTIVE: August 28, 2011

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*** HB 307 *** SCS HB 307 & HB 812 0627S.02T

SENATE SPONSOR: Nieves HOUSE HANDLER: Gatschenberger

SCS/HB 307 & HB 812 - This act authorizes the Department of Revenue to issue specified special license plates.

DON'T TREAD ON ME SPECIAL LICENSE PLATES - This act authorizes the Department of Revenue to issue "Don't Tread on Me" special license plates. The terms of the act delineate the application process and the design of such plates (Section 301.4035).

CASS COUNTY - THE BURNT DISTRICT SPECIAL LICENSE PLATES - This act allows the Department of Revenue to issue "Cass County - The Burnt District" special license plates. In order to obtain one of these specialized licensed plates, the motorist must pay regular registration fees, an additional $15 fee to the Department of Revenue, and a $25 emblem-use authorization fee to Cass County. Under the terms of the act, 80% of the $25 emblem-use authorization fee will be distributed within Cass County to public safety with the remaining 20% of the emblem-use authorization fee to be distributed to the Cass County parks and recreation department (Section 301.3161).

NIXA EDUCATION FOUNDATION SPECIAL LICENSE PLATES - This act allows members of the Nixa Education Foundation to obtain special license plates bearing their organization's name and emblem. To obtain this plate, a person must submit an application to the Director of the Department of Revenue accompanied by an emblem-use authorization statement along with an additional $15 fee. Any person who was previously issued a foundation plate and who does not provide an emblem-use authorization statement at a subsequent time of registration will be issued a new plate which does not bear the foundation's emblem. This portion of the act is identical to SCS/SB 26 & 106 (2011)(Section 301.4006).

COMBAT ACTION SPECIAL LICENSE PLATES - This act also allows persons who have been awarded the combat action badge to obtain specialized license plates bearing the words "COMBAT ACTION" and an image of the combat action badge. This portion of the act is similar to SCS/SB 26 & 106 (2011) and SB 909 (2010).
STEPHEN WITTE

01/25/2011 Introduced and Read First Time (H) (H223)
01/26/2011 Read Second Time (H) (H233)

02/10/2011 Referred: Transportation (H) (H343)
03/08/2011 Public Hearing Completed (H)
03/08/2011 Executive Session Completed (H)
03/08/2011 Voted Do Pass - Consent (H)
03/10/2011 Reported Do Pass by Consent (H) (H591)
03/10/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H591)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass - Consent (H)
03/28/2011 Rules - Reported Do Pass Consent (H) (H724)
04/04/2011 Perfected by Consent - Pursuant to House Rules (H) (H839)
04/05/2011 Third Read and Passed (H) (H871-872)
04/05/2011 S First Read--HB 307-Gatschenberger, et al (S590)
04/07/2011 Second Read and Referred S Transportation Committee (S667)
04/13/2011 Hearing Conducted S Transportation Committee
04/13/2011 SCS Voted Do Pass (w/SCS/HB 307 & HB 812) S Transportation Committee - (0627S.02C)
04/14/2011 Reported from S Transportation Committee to Floor w/SCS (S733)
04/19/2011 Bill Placed on Informal Calendar (S765)
04/19/2011 SCS S adopted (S768)
04/19/2011 S Third Read and Passed (S768-769 / H1374)
05/10/2011 H concurs in SCS (H2180)
05/10/2011 H Third Read and Passed (H2181 / S1673)
05/10/2011 Truly Agreed To and Finally Passed (S1673)

EFFECTIVE: August 28, 2011

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*** HB 315 *** HCS HB 315 0923L.02T

SENATE SPONSOR: Cunningham HOUSE HANDLER: McNary

HCS/HB 315 - This act repeals certain versions of doubly enacted statutes. As a result, modifications have been made to the remaining effective statute for certain doubly enacted statutes.
JIM ERTLE

01/25/2011 Introduced and Read First Time (H) (H224)
01/26/2011 Read Second Time (H) (H233)
01/27/2011 Referred: Downsizing State Government (H) (H246)
02/07/2011 Public Hearing Completed (H)
02/17/2011 Executive Session Completed (H)
02/17/2011 HCS Voted Do Pass - Consent (H)
02/21/2011 HCS Reported Do Pass by Consent (H) (H403)
02/21/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H403)
02/28/2011 Rules - Executive Session Completed (H)
02/28/2011 Rules - No Action Taken (H)
03/03/2011 Rules - Executive Session Completed (H)
03/03/2011 Rules - Voted Do Pass - Consent (H)
03/03/2011 Rules - Reported Do Pass Consent (H) (H523)
03/14/2011 Perfected by Consent - Pursuant to House Rules (H) (H607)
03/16/2011 Third Read and Passed (H) (H663-664)
03/16/2011 S First Read--HCS for HB 315 (S476-478)
03/31/2011 Second Read and Referred S General Laws Committee (S546)
04/19/2011 Hearing Conducted S General Laws Committee
04/19/2011 Voted Do Pass S General Laws Committee
04/27/2011 Reported from S General Laws Committee to Floor (S1151)
05/02/2011 S Third Read and Passed (S1234)
05/02/2011 Truly Agreed To and Finally Passed (H1736)

EFFECTIVE: August 28, 2011

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*** HB 327 *** 1212L.01P

HOUSE HANDLER: Wallingford

HB 327 - This act makes it optional for the circuit court and circuit clerk in Cape Girardeau County to hold court and maintain certain offices in both Jackson and Cape Girardeau.
EMILY KALMER

01/26/2011 Introduced and Read First Time (H) (H238)
01/27/2011 Read Second Time (H) (H243)
02/10/2011 Referred: Local Government (H) (H343)
02/23/2011 Public Hearing Completed (H)
03/16/2011 Executive Session Completed (H)
03/16/2011 Voted Do Pass - Consent (H)
03/16/2011 Reported Do Pass by Consent (H) (H672)
03/16/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H672)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass - Consent (H)
03/28/2011 Rules - Reported Do Pass Consent (H) (H724)
04/04/2011 Perfected by Consent - Pursuant to House Rules (H) (H839)
04/05/2011 Third Read and Passed (H) (H872-873)
04/05/2011 S First Read--HB 327-Wallingford, et al (S590)
04/07/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S667)

EFFECTIVE: August 28, 2011

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*** HB 336 *** HCS HB 336 0910L.02P

SENATE SPONSOR: Schmitt HOUSE HANDLER: Burlison

HCS/HB 336 - 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 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. Of the ten million dollars in tax credits available each fiscal year, no more than eight million dollars in tax credits will be available for all sporting events held in the City of St. Louis and any counties with a population in excess of three hundred thousand inhabitants. 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, 2017, but may certify game support contracts prior to such date which pertain to games to be held after August 10, 2017.

This act is similar to SS/SB 203 (2011), Senate Bill 840 (2010), and House Bill 1786 (2010).
JASON ZAMKUS

01/26/2011 Introduced and Read First Time (H) (H238)
01/27/2011 Read Second Time (H) (H243)
02/10/2011 Referred: Economic Development (H) (H343)
02/22/2011 Public Hearing Completed (H)
03/08/2011 Executive Session Completed (H)
03/08/2011 HCS Voted Do Pass (H)
03/09/2011 HCS Reported Do Pass (H) (H569)
03/09/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H569)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass (H)
03/28/2011 Rules - Reported Do Pass (H) (H724)
04/05/2011 HCS Adopted (H) (H847)
04/05/2011 Perfected (H) (H847)
04/07/2011 Third Read and Passed (H)
04/07/2011 S First Read--HCS for HB 336
04/14/2011 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S737)
04/20/2011 Hearing Conducted S Jobs, Economic Development and Local Government Committee
04/20/2011 Voted Do Pass S Jobs, Economic Development and Local Government Committee
04/27/2011 Reported from S Jobs, Economic Development and Local Government Committee to Floor (S1152)
05/03/2011 Bill Placed on Informal Calendar (S1249)
05/13/2011 S Informal Calendar H Bills for Third Reading--HCS for HB 336 (Schmitt)

EFFECTIVE: August 28, 2011

*** HB 338 *** SS HCS HB 338 1158S.04T

SENATE SPONSOR: Lager HOUSE HANDLER: Pollock

SS/HCS/HB 338 - The act allows telecommunications companies to exempt themselves from complying with certain rules promulgated by the Public Service Commission (PSC) when such companies are already subject to federal laws on the same subject under the Federal Communications Commission, except companies must still comply with PSC rules related to number pooling, number conservation efforts, universal service funds, interconnection or intercarrier issues, and where any authority is expressly delegated to the PSC by the Federal Communications Commission.

The act also allows telecommunications companies to exempt themselves from filing or maintaining with the PSC tariffs or schedules of rates, rentals, charges, privileges, facilities, rules, regulations, or forms of contract for retail services offered to end user customers, provided that the company posts its retail prices on a publicly-accessible website. Nothing in the act affects rights and obligations of any party established under federal law, including interconnection agreements, unbundling, the PSC's authority to settle interconnection disputes, wholesale rights, or tariffs and schedules filed and maintained by the PSC.

This act is similar to SB 208 (2011).
ERIKA JAQUES

01/26/2011 Introduced and Read First Time (H) (H239)
01/27/2011 Read Second Time (H) (H243)
02/02/2011 Referred: Utilities (H) (H285)
02/08/2011 Public Hearing Completed (H)
02/15/2011 Executive Session Completed (H)
02/15/2011 HCS Voted Do Pass - Consent (H)
02/21/2011 HCS Reported Do Pass by Consent (H) (H405)
02/21/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H405)
02/28/2011 Rules - Executive Session Completed (H)
02/28/2011 Rules - Voted Do Pass - Consent (H)
02/28/2011 Rules - Reported Do Pass Consent (H) (H474)
03/09/2011 Perfected by Consent - Pursuant to House Rules (H) (H573)
03/16/2011 Third Read and Passed (H) (H657-658)
03/16/2011 S First Read--HCS for HB 338 (S475)
03/31/2011 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S545)
04/05/2011 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee
04/12/2011 Voted Do Pass S Commerce, Consumer Protection, Energy and the Environment Committee
04/14/2011 Reported from S Commerce, Consumer Protection, Energy and the Environment Committee to Floor (S734)
04/19/2011 Bill Placed on Informal Calendar (S766)
05/05/2011 SS S offered & adopted (Lager)--(1158S.04F) (S1351)
05/05/2011 S Third Read and Passed (S1351-1352 / H1943)
05/10/2011 H concurs in SS (H2215)
05/10/2011 H Third Read & Passed (H2216)
05/10/2011 Truly Agreed To and Finally Passed

EFFECTIVE: August 28, 2011

*** HB 339 *** SS HB 339 1159S.02T

SENATE SPONSOR: Lager HOUSE HANDLER: Pollock

SS/HB 339 - 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 reinstated 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 multi-tenant 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, but if using a wireless technology, it must meet or exceed the federal wireless Phase II enhanced 911 requirements for 911 service. 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.

The act allows an ILEC to divest itself of its carrier of last resort designation in St. Louis County and the cities of St. Louis and Kansas City by providing notice of such decision to the PSC.

The act allows the residents in an area served by an exclusive contract to petition the original carrier of last resort ILEC to provide service to the area if the contract with the alternative provider changes or if service is no longer being provided by the alternative provider. The ILEC must respond to a petition within 30 days.

The act disallows a telecommunications company from receiving high-cost universal service funds in high-cost areas if the company has been relieved of its carrier of last resort duty in those areas under the act. This provision does not render the company ineligible for universal service funds in other areas where it retains the carrier of last resort obligation.

This act is similar to SB 209 (2011) and contains provisions similar to provisions in HB 495 (2009), HB 1372 (2010), and SB 698 (2010).
ERIKA JAQUES

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|---|---|
| 01/26/2011 | Introduced and Read First Time (H) (H239) |
| 01/27/2011 | Read Second Time (H) (H243) |
| 02/02/2011 | Referred: Utilities (H) (H285) |
| 02/08/2011 | Public Hearing Completed (H) |
| 02/15/2011 | Executive Session Completed (H) |
| 02/15/2011 | Voted Do Pass (H) |
| 02/16/2011 | Reported Do Pass (H) (H380) |
| 02/16/2011 | Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H380) |
| 03/03/2011 | Rules - Executive Session Completed (H) |
| 03/03/2011 | Rules - Voted Do Pass (H) |
| 03/03/2011 | Rules - Reported Do Pass (H) (H523) |
| 03/08/2011 | Perfected with Amendments (H) (H551) |
| 03/10/2011 | Third Read and Passed (H) (H584-585) |
| 03/10/2011 | S First Read--HB 339-Pollock, et al (S436) |
| 03/17/2011 | Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S496) |
| 04/05/2011 | Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee |
| 04/12/2011 | Voted Do Pass S Commerce, Consumer Protection, Energy and the Environment Committee |
| 04/14/2011 | Reported from S Commerce, Consumer Protection, Energy and the Environment Committee to Floor (S734) |
| 04/19/2011 | SS S offered (Lager)--(1159S.02F) (S766) |
| 04/19/2011 | Bill Placed on Informal Calendar (S767) |
| 04/28/2011 | Taken up for Third Reading (S1203) |
| 04/28/2011 | Bill Placed on Informal Calendar (S1203) |
| 04/28/2011 | SA 1 to SS S offered & adopted (Ridgeway)--(1159S02.07S) (S1205-1206) |
| 04/28/2011 | SS, as amended, S adopted (S1206) |
| 04/28/2011 | S Third Read and Passed (S1206 / H1680) |
| 04/28/2011 | H concurs in SS, as amended (H1681-1682) |

04/28/2011 H Third Read & Passed (H1682-1683)
04/28/2011 Truly Agreed To and Finally Passed

EFFECTIVE: August 28, 2011

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*** HB 340 *** 1075L.01T

SENATE SPONSOR: Schaaf HOUSE HANDLER: Klippenstein

HB 340 - This act allows any county to build a jail outside the county seat.
MEGHAN LUECKE

01/27/2011 Introduced and Read First Time (H) (H247)
01/31/2011 Read Second Time (H) (H258)
02/10/2011 Referred: Corrections (H) (H343)
02/16/2011 Public Hearing Completed (H)
03/02/2011 Executive Session Completed (H)
03/02/2011 Voted Do Pass - Consent (H)
03/03/2011 Reported Do Pass by Consent (H) (H521)
03/03/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H521)
03/09/2011 Rules - Executive Session Completed (H)
03/09/2011 Rules - Voted Do Pass - Consent (H)
03/09/2011 Rules - Reported Do Pass Consent (H) (H573)
03/17/2011 Perfected by Consent - Pursuant to House Rules (H) (H698)
03/31/2011 Third read and passed (H) (H803-804)
03/31/2011 S First Read--HB 340-Klippenstein, et al (S545)
04/07/2011 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S667)
04/20/2011 Hearing Conducted S Jobs, Economic Development and Local Government Committee
04/20/2011 Voted Do Pass S Jobs, Economic Development and Local Government Committee
04/27/2011 Reported from S Jobs, Economic Development and Local Government Committee to Floor (S1152)
05/03/2011 SA 1 S offered & adopted (Crowell)--(1075L01.01S) (S1249-1250)
05/03/2011 S Third Read and Passed, as amended - EC adopted (S1250-1251 / H1797)
05/10/2011 H concurs in SA 1 (H2212)
05/10/2011 H Third Read & Passed, as amended - EC adopted (H2213-2214 / S1683)
05/10/2011 Truly Agreed To and Finally Passed (S1683)

EFFECTIVE: Emergency Clause

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*** HB 344 *** SCS HCS HB 344 1064S.04T

SENATE SPONSOR: Munzlinger HOUSE HANDLER: Guernsey

SCS/HCS/HB 344 - The act creates the Farm-to-Table Advisory Board, which shall be made up of the following 7 people: one person actively engaged in small agribusiness appointed by the director of the Department of Agriculture, and one representative from each of the following entities: the University of Missouri Extension Service, the Office of Administration, and the Departments of Agriculture, Corrections, Elementary and Secondary Education, and Economic Development. The board must meet at least twice, but may meet more often as needed.

The mission of the board is to develop recommendations for ways that allow schools and state facilities to more easily purchase products directly from local farms for use in their cafeterias and ways to increase public awareness about locally-produced food and its relationship to healthy communities and people. The act requires the board to investigate existing public and private resources that may be used to accomplish the mission objectives as well as identify barriers to the objectives.

The act requires the board to produce and deliver a report, containing its findings and recommendations, to the Governor, the General Assembly, and the directors of the represented agencies by August 31, 2012. This section expires on August 31, 2012.

The act exempts rice producers from being able to independently request a refund of their commodity fees from the director of the Department of Agriculture.

The act contains provisions similar to SB 162 (2011).

ERIKA JAQUES

01/27/2011 Introduced and Read First Time (H) (H247)
01/31/2011 Read Second Time (H) (H258)
02/24/2011 Referred: Agri-Business (H) (H451)
03/01/2011 Public Hearing Completed (H)
03/03/2011 Executive Session Completed (H)
03/03/2011 HCS Voted Do Pass - Consent (H)
03/07/2011 HCS Reported Do Pass by Consent (H) (H537)
03/07/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H537)
03/09/2011 Rules - Executive Session Completed (H)
03/09/2011 Rules - Voted Do Pass - Consent (H)
03/09/2011 Rules - Reported Do Pass Consent (H) (H573)
03/17/2011 Perfected by Consent - Pursuant to House Rules (H) (H698)
03/31/2011 Third Read and Passed (H) (H806)
04/04/2011 S First Read--HCS for HB 344 (S564)
04/07/2011 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S667)
04/13/2011 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee
04/21/2011 SCS Voted Do Pass S Agriculture, Food Production and Outdoor Resources Committee (1064S.04C)
05/10/2011 Reported from S Agriculture, Food Production and Outdoor Resources Committee to Floor w/SCS (S1675)
05/12/2011 SCS S adopted (S1934)
05/12/2011 S Third Read and Passed (S1934 / H2543)
05/12/2011 H concurs in SCS (S1975)
05/12/2011 H Third Read & Passed (S1975)
05/12/2011 Truly Agreed To and Finally Passed (S1975)

EFFECTIVE: August 28, 2011

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*** HB 354 *** HCS HB 354 1205L.02T

SENATE SPONSOR: Rupp HOUSE HANDLER: Faith

HCS/HB 354 - This act exempts qualified plug-in electric drive vehicles from the motor vehicle emissions inspection program. The act defines a qualified plug-in electric drive vehicle as a plug-in electric drive vehicle that is made by a manufacturer, has not been modified from original manufacturer specifications, and can operate solely on electric power and is capable of recharging its battery from an on-board generation source and an off-board electricity source.

This act is identical to SCS/SB 131 (2011).

STEPHEN WITTE

01/27/2011 Introduced and Read First Time (H) (H248)
01/31/2011 Read Second Time (H) (H258)
02/24/2011 Referred: Transportation Funding & Public Institutions (H451)
03/03/2011 Public Hearing Completed (H)
03/10/2011 Executive Session Completed (H)
03/10/2011 HCS Voted Do Pass (H)
03/15/2011 Executive Session Completed (H)
03/15/2011 HCS Voted Do Pass - Consent (H)
03/15/2011 HCS Reported Do Pass by Consent (H) (H636)
03/15/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H636)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass - Consent (H)
03/28/2011 Rules - Reported Do Pass Consent (H) (H724)
04/04/2011 Perfected by Consent - Pursuant to House Rules (H) (H839)
04/06/2011 Third Read and Passed (H) (H914)
04/06/2011 S First Read--HCS for HB 354 (S636)
04/07/2011 Second Read and Referred S Transportation Committee (S668)
04/13/2011 Hearing Conducted S Transportation Committee
04/13/2011 Voted Do Pass S Transportation Committee
04/14/2011 Reported from S Transportation Committee to Floor (S733)
04/19/2011 S Third Read and Passed (S764-765)

04/19/2011 Truly Agreed To and Finally Passed (H1374)
04/22/2011 Signed by House Speaker Pro Tem (H1595)
04/26/2011 Signed by Senate President (S1067)
04/26/2011 Delivered to Governor (H1665)
05/05/2011 Signed by Governor (H2049)

EFFECTIVE: August 28, 2011

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*** HB 357 *** 0855L.01P

HOUSE HANDLER: Leara

HB 357 - Under current law, enhanced enterprise zone tax credits are equal to the lesser of the annual amount of projected state economic benefit for the enhanced business enterprise, as determined by the department of economic development, or the sum of credits calculated at four hundred dollars for each new business facility employee employed within an enhanced enterprise zone, four hundred dollars for each new business facility employee who is a resident of the enhanced enterprise zone, and four hundred dollars for each new business facility employee who receives a wage that exceeds the average county wage in the county in which the facility is located. Taxpayers are allowed to receive enhanced enterprise zone tax credits each year for up to ten years for establishing a new business facility. Taxpayers are prohibited from receiving multiple ten year periods for subsequent expansion the same business facility.

This act reduces the number of years a taxpayer may receive such tax credits to five years and prohibits taxpayers from receiving multiple five year periods for subsequent expansions at the same business facility. The act also changes the amount of the credit to an amount equal to the lesser of the annual amount of projected state economic benefit for the enhanced business enterprise, as determined by the department, or up to two and one-half percent of the gross wages of each new business facility employee plus up to one-half of one percent of new business facility investment.

The act expands the enhanced enterprise zone program to allow dormant manufacturing zones to be designated as enhanced enterprise zones. Any taxpayer that establishes a new business facility in a dormant manufacturing zones may be eligible to receive enhanced enterprise zone tax credits. To receive the tax credit, a taxpayer must employ at least two new individuals at the new business facility or invest at least $100,000 during the taxable year in which the credit is claimed. A taxpayer who receives this tax credit cannot also receive tax credits or other benefits for the same new jobs from the new or expanded business facilities tax credit, enterprise zones tax benefit, tax credit for relocating a business to a distressed community, or enhanced enterprise zones tax credit or the Missouri Quality Jobs Program.

Tax credits for new business facilities in dormant manufacturing plant zones approved or designated as an enhanced enterprise zone will be included in the $24 million annual cap on tax credits authorized for all enhanced enterprise zones. A taxpayer may receive enhanced enterprise zone tax credits for the expansion of an existing facility if such expansion involves an investment of at least $1 million during the applicable tax period results in the at least two new or retained employees during the tax year in which the credit is claimed. The credits for new business facilities established in a dormant manufacturing zone must be claimed for the taxable year in which commencement of commercial operations occurs at the new business facility and for each of the following five years in which the credit is issued. The credits are refundable and transferable but cannot be carried forward.

Prior to the issuance of any tax credits, the department of economic development must verify through the Department of Revenue or any other state department that the applicant does not owe any delinquent taxes, interest or penalties on any taxes, or any delinquent fees or assessments. A taxpayer who is delinquent after June 15 but before July 1 of any year will be given 30 days to satisfy the delinquency. Any available credits will be applied to delinquencies, and any remaining credits will be issued to the applicant subject to the restrictions of other provisions of law.

The act is similar to provisions contained in the HCS/HB 468 (2011).

JASON ZAMKUS

01/27/2011 Introduced and Read First Time (H) (H248)
01/31/2011 Read Second Time (H) (H258)
02/10/2011 Referred: Economic Development (H) (H343)
03/01/2011 Public Hearing Completed (H)
03/01/2011 Executive Session Completed (H)
03/01/2011 Voted Do Pass (H)

04/01/2011 Reported Do Pass (H)
04/01/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H)
04/06/2011 Rules - Executive Session Completed (H)
04/06/2011 Rules - Voted Do Pass (H)
04/07/2011 Rules - Reported Do Pass (H) (H1173)
04/12/2011 Perfected (H) (H1230)
04/14/2011 Third Read and Passed (H) (H1286-1287)
04/14/2011 S First Read--HB 357-Leara (S740)
04/18/2011 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S751)

EFFECTIVE: August 28, 2011

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*** HB 358 *** 0380L.02T

SENATE SPONSOR: Schmitt HOUSE HANDLER: Leara

HB 358 - This act modifies provisions of the retirement plan of the Police Retirement System of St. Louis to refer to federal tax law requirements, including provisions regarding annuity distributions, rollovers to individuals' retirement accounts and from other retirement plans and accounts, and the annual amount allowed to be distributed to a member.

The act also requires that if a member of the retirement system dies in qualified military service, then the member's surviving spouse or other dependents will be entitled to the benefits that would have been provided if the member had died while a police officer.

This act is similar to SB 152 (2011) and SA 1 to HB 2357 (2010).
EMILY KALMER

01/27/2011 Introduced and Read First Time (H) (H248)
01/31/2011 Read Second Time (H) (H258)
02/10/2011 Referred: Retirement (H) (H343)
02/17/2011 Public Hearing Completed (H)
02/17/2011 Executive Session Completed (H)
02/17/2011 Voted Do Pass - Consent (H)
02/21/2011 Reported Do Pass by Consent (H) (H404)
02/21/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H404)
02/28/2011 Rules - Executive Session Completed (H)
02/28/2011 Rules - No Action Taken (H)
03/03/2011 Rules - Executive Session Completed (H)
03/03/2011 Rules - Voted Do Pass - Consent (H)
03/03/2011 Rules - Reported Do Pass Consent (H) (H523)
03/14/2011 Perfected by Consent - Pursuant to House Rules (H) (H607)
03/16/2011 Third Read and Passed (H) (H664-665)
03/16/2011 S First Read--HB 358-Leara and Colona (S478)
03/31/2011 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S546)
04/06/2011 Hearing Conducted S Jobs, Economic Development and Local Government Committee
04/06/2011 Voted Do Pass S Jobs, Economic Development and Local Government Committee
04/07/2011 Reported from S Jobs, Economic Development and Local Government Committee to Floor (S663)
04/12/2011 S Third Read and Passed (S688-689)
04/12/2011 Truly Agreed To and Finally Passed (S689)
04/18/2011 Signed by House Speaker (H1304)
04/18/2011 Signed by Senate President (S753)
04/18/2011 Delivered to Governor (H1304)
05/02/2011 Signed by Governor (H1741)

EFFECTIVE: August 28, 2011

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*** HB 360 *** 0926L.01P

SENATE SPONSOR: Lembke HOUSE HANDLER: Leara

HB 360 - This act allows retirees who were public safety officers and who are part of the Missouri Local

Government Employees' Retirement System (LAGERS) to authorize the LAGERS's board to deduct required health insurance or long-term care insurance premiums from the amount of their retirement benefit.

This act is similar to SB 275 (2011).
EMILY KALMER

01/27/2011 Introduced and Read First Time (H) (H248)
01/31/2011 Read Second Time (H) (H258)
02/10/2011 Referred: Retirement (H) (H343)
02/17/2011 Public Hearing Completed (H)
02/17/2011 Executive Session Completed (H)
02/17/2011 Voted Do Pass - Consent (H)
02/21/2011 Reported Do Pass by Consent (H) (H404)
02/21/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H404)
02/28/2011 Rules - Executive Session Completed (H)
02/28/2011 Rules - No Action Taken (H)
03/03/2011 Rules - Executive Session Completed (H)
03/03/2011 Rules - Voted Do Pass - Consent (H)
03/03/2011 Rules - Reported Do Pass Consent (H) (H523)
03/14/2011 Perfected by Consent - Pursuant to House Rules (H) (H607)
03/16/2011 Third Read and Passed (H) (H665-666)
03/16/2011 S First Read--HB 360-Leara (S478)
03/31/2011 Second Read and Referred S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee (S546)

EFFECTIVE: August 28, 2011

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*** HB 361 *** 0026L.01P

SENATE SPONSOR: Cunningham HOUSE HANDLER: Leara

HB 361 - This act establishes the Missouri Firearms Freedom Act, which declares that federal law does not apply to certain personal firearms stamped with the words "Made in Missouri," firearm accessories, and ammunition manufactured in Missouri.

In addition, it is declared that imported accessories, basic materials, generic, and insignificant parts attached to, or used in making, such firearms, accessories, and ammunition do not make them subject to federal law.

The act does not apply to firearms made for multiple person use; machine guns; firearms that use smokeless powder, not black powder, and have a bore diameter greater than one-half inch; or ammunition with a projectile that explodes using an explosion of
chemical energy after the projectile leaves the firearm.
MEGHAN LUECKE

01/27/2011 Introduced and Read First Time (H) (H248)
01/31/2011 Read Second Time (H) (H258)
02/10/2011 Referred: General Laws (H) (H343)
02/15/2011 Public Hearing Completed (H)
02/15/2011 Executive Session Completed (H)
02/15/2011 Voted Do Pass (H)
02/16/2011 Reported Do Pass (H) (H379)
02/16/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H379)
03/09/2011 Rules - Executive Session Completed (H)
03/09/2011 Rules - Voted Do Pass (H)
03/09/2011 Rules - Reported Do Pass (H) (H573)
03/16/2011 Perfected (H) (H668)
03/17/2011 Third Read and Passed (H) (H693)
03/28/2011 S First Read--HB 361-Leara (S508)
03/31/2011 Second Read and Referred S General Laws Committee (S546)
04/26/2011 Hearing Conducted S General Laws Committee
04/26/2011 Voted Do Pass S General Laws Committee
04/27/2011 Reported from S General Laws Committee to Floor (S1152)
05/02/2011 Bill Placed on Informal Calendar (S1234)
05/13/2011 S Informal Calendar H Bills for Third Reading--HB 361-Leara (Cunningham)

EFFECTIVE: August 28, 2011

*** HB 363 *** HCS HB 363 1016L.02P

HOUSE HANDLER: Colona

This bill has been combined with HB 798

01/27/2011 Introduced and Read First Time (H) (H248)
01/31/2011 Read Second Time (H) (H258)
02/10/2011 Referred: Transportation (H) (H343)
02/22/2011 Public Hearing Completed (H)
02/22/2011 Executive Session Completed (H)
02/22/2011 HCS Voted Do Pass - Consent (H)
02/23/2011 HCS Reported Do Pass by Consent (H) (H436)
02/23/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H436)
02/28/2011 Rules - Executive Session Completed (H)
02/28/2011 Rules - Voted Do Pass - Consent (H)
02/28/2011 Rules - Reported Do Pass Consent (H) (H475)
03/09/2011 Perfected by Consent - Pursuant to House Rules (H) (H573)
03/16/2011 Third Read and Passed (H) (H658-659)
03/16/2011 S First Read--HCS for HB 363 (S475)
03/31/2011 Second Read and Referred S Transportation Committee (S545)
04/13/2011 Hearing Conducted S Transportation Committee
04/13/2011 Bill Combined (w/SCS/HB 798, HB 141, HB 153, HB 363, HB 415 & HB 813)

EFFECTIVE: August 28, 2011

*** HB 366 *** HCS HB 366 1090L.03P

SENATE SPONSOR: Richard HOUSE HANDLER: Silvey

HCS/HB 366 - This act modifies provisions of law regarding community improvement districts by allowing the use of community improvement district revenues to construct, reconstruct, install, repair, maintain and equip any property, device, structure, or equipment necessary for the acquisition, installation, and improvement of any real or personal property used to create solar power.

This act allows the governing body of any municipality to enter into loan agreements, or sell, lease, or mortgage municipal property to private entities for the development of a technology business facility project. Transactions involving the lease or rental of such properties will be exempt from state and local sales taxes and any leasehold interests on such properties will not be subject to property taxes. The act allows municipalities to sell or otherwise dispose of municipal property to private entities for technology business facility projects provided that the terms and methods utilized reasonably protect the economic well being of the municipality. Any private entity which transfers property to the municipality for purposes of a technology business facility project will reserve the right to request that the municipality transfer such property back to the entity at no cost.

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 and internet services used in new data storage center 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 facility. In order to receive the sales tax exemption provided for new data storage center 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 center facilities for all machinery, equipment, computers, electrical energy, gas, water and other utilities including telecommunication and internet 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 center 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.

This amendment modifies provisions of the Quality Jobs Act to allow qualified companies located within high risk metropolitan statistical areas to receive benefits for capital investment and job retention. To receive benefits, such companies must commit retain at least one hundred fifty jobs with wages equal to or greater than the lesser of the county or state average wage and commit to make at least ten million dollars in new capital investment at the project facility within a three year period or commit to make five million dollars in new capital investment at the project facility within a three year period and maintain an annual payroll of at least six million dollars during the period in which benefits are received.

A qualified company that meets all of the requirements be allowed to retain ninety-five percent of withholding taxes for full-time jobs located at the project facility for a period of ten years. In addition, such companies will be entitled to receive tax credits issued each year over a ten-year period equal to three percent of payroll for the retained jobs provided that the total amount of benefits received by such company cannot exceed six percent of retained payroll per year. In lieu of all other benefits, such companies may receive tax credits equal to ninety percent of withholding taxes, for all full-time jobs at the project facility that such company would otherwise be able to retain under the provisions of the act, over a five-year period.

Qualified companies located within high risk metropolitan statistical areas that meet all applicable requirements will be eligible to receive up to three years of state and local sales tax exemption for purchases of tangible personal property and building materials used to construct, repair, or remodel a project facility. Qualified companies receiving benefits under this act will be ineligible to receive benefits under the Manufacturing Jobs Act.
JASON ZAMKUS

01/27/2011 Introduced and Read First Time (H) (H249)
01/31/2011 Read Second Time (H) (H258)
02/02/2011 Referred: Economic Development (H) (H285)
02/22/2011 Public Hearing Completed (H)
03/01/2011 Executive Session Completed (H)
03/01/2011 HCS Voted Do Pass (H)
04/01/2011 HCS Reported Do Pass (H)
04/01/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H)
04/06/2011 Rules - Executive Session Completed (H)
04/06/2011 Rules - Voted Do Pass (H)
04/07/2011 Rules - Reported Do Pass (H) (H1173)
04/20/2011 Taken Up for Perfection (H) (H1395)
04/20/2011 Laid Over (H) (H1395)
04/20/2011 Taken Up for Perfection (H) (H1395)
04/20/2011 HCS Adopted (H) (H1395)
04/20/2011 Perfected with Amendments (H) (H1395)
04/20/2011 Referred: Fiscal Review (H) (H1416)
04/21/2011 Executive Session - No Action Taken
04/26/2011 Third read and passed (H) (H1606)
04/26/2011 S First Read--HCS for HB 366 (S1068-1069)
05/02/2011 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S1238)
05/04/2011 Hearing Conducted S Jobs, Economic Development and Local Government Committee
05/04/2011 Voted Do Pass S Jobs, Economic Development and Local Government Committee
05/05/2011 Reported from S Jobs, Economic Development and Local Government Committee to Floor (S1346)
05/09/2011 Referred S Ways & Means & Fiscal Oversight Committee (S1524)
05/13/2011 S Formal Calendar H Bills for Third Reading--HCS for HB 366 (Richard) (In Fiscal Oversight)

EFFECTIVE: August 28, 2011

*** HB 369 *** HCS HB 369 1227L.02P

HOUSE HANDLER: Gatschenberger

SCS/HCS/HB 369 - SPECIAL ASSESSMENT COLLECTION

Under this act, the county collector may opt to add special assessments levied in a Community Improvement District to the annual real estate tax bills for the properties being benefitted by the district. Unpaid special assessments on the first day of January are considered delinquent and enforcement of the collection of delinquent bills will be governed by the laws concerning delinquent and back taxes. A lien may be foreclosed in the same manner as a tax upon real property by land tax sale.

WATER LINE REPAIR PROGRAM

This act also authorizes cities, towns, and villages located in any county of the state to seek voter approval for the imposition of a fee on residential property to fund the repair or replacement of water lines on that property. The fee would be imposed for the repair or replacement of water service lines providing water service to residential properties having four or fewer dwelling units located within the city, town, or village. The fee cannot exceed one dollar per month.

Any city, town, or village which imposes the water service line fee may, by ordinance, provide for the administration of the program and define the terms "repair" and "water service line".

JACKSON COUNTY JUDICIAL CIRCUIT

This act allows Jackson County's judicial circuit to impose and collect any fee, cost, or surcharge authorized under chapter 488 for any other judicial circuit in any civil, criminal, or domestic action provided that the cost, fee, or surcharge is authorized by the county's voters at an election. Such funds may be used for the needs of the judicial circuit.

TRANSFER OF GUARDIANSHIP AND CONSERVATORSHIP CASES

A public administrator may request the court to transfer any guardianship or conservatorship case to another county. If the other county meets the venue requirements and the public administrator of the other county consents to the transfer, the court is required to transfer the case. The court with jurisdiction over the other county is required to appoint the public administrator of that county as the person's new guardian or conservator.

The public administrator is required to file a final settlement of their conservatorship within thirty days of the court transferring the case. This final settlement will be filed in the court with jurisdiction over the original conservatorship and forwarded to the receiving county upon approval.

POLITICAL SUBDIVISION BIDDING STANDARDS ACT

This act creates the "Political Subdivision Construction Bidding Standards Act". This act does not apply to political subdivisions that have specific state or local competitive bidding requirements that are equivalent to, 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 to, or stricter in, its requirements, it shall comply with the advertising and bidding requirements outlined in this act when soliciting bids and awarding contracts that exceed $25,000.

Bids shall be advertised in the following manner: through publication in a central repository developed by the office of administration, or a private firm under contract with the office, at no cost to the state; on the political subdivision’s own website if it has a link to the central repository; in a newspaper of general circulation located in the same county as the political subdivision, or an adjoining county, for a period of once a week for two consecutive weeks; or through publication, at no cost to the public subdivision, in a central repository developed by an organization representing political subdivisions. The political subdivision may, in addition to advertising in the manner described above, also advertise the bids in business, trade, or minority newspapers.

The advertising requirements do not apply when a political subdivision has publicly stated, in writing, that the political subdivision is using a sole source method to award a construction contract because of the unique nature or limited availability of materials, equipment, or skills for the construction project.

The contract must be awarded to the lowest and best bidder, however, the political subdivision may reject any and all bids.

Bidding must comply with the following procedures: no bids may be opened in advance of the advertised deadline; bids must be written and sealed; no bids may be accepted after the advertised deadline; and bids must be held confidentially.

A person who would have bid on a contract had it been advertised also may seek a court order to have

the contract rebid, but only within fifteen days of the date the political subdivision opened the bids.

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.

SPRINGFIELD SCHOOL BOARD ELECTIONS

This act requires candidates for the Springfield school board in an election in which more than one seat is open to declare their candidacy for a particular seat on the school board. When more than one seat is open, the election authority shall designate the open seats by letter.

Provisions of this act are similar to SB 249 (2011), SB 174 (2011), SB 57 (2011) and HB 88 (2011).

MEGHAN LUECKE

01/27/2011 Introduced and Read First Time (H) (H249)
01/31/2011 Read Second Time (H) (H258)
02/08/2011 Referred: Local Government (H) (H309)
02/16/2011 Public Hearing Completed (H)
03/02/2011 Executive Session Completed (H)
03/02/2011 HCS Voted Do Pass - Consent (H)
03/09/2011 HCS Reported Do Pass by Consent (H) (H570)
03/09/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H570)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass - Consent (H)
03/28/2011 Rules - Reported Do Pass Consent (H) (H724)
04/04/2011 Perfected by Consent - Pursuant to House Rules (H) (H839)
04/05/2011 Third Read and Passed (H) (H873-874)
04/05/2011 S First Read--HCS for HB 369 (S590-591)
04/07/2011 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S667)
04/13/2011 Hearing Conducted S Jobs, Economic Development and Local Government Committee
04/13/2011 SCS Voted Do Pass S Jobs, Economic Development and Local Government Committee (1227S.04C)

EFFECTIVE: August 28, 2011

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*** HB 388 *** SCS HB 388 1236S.02T

SENATE SPONSOR: Ridgeway HOUSE HANDLER: Burlison

SCS/HCS/HB 38 - Under current law, a city, town, or village may require a person convicted of an ordinance violation who has not paid a fine imposed as punishment to work one day for every $10 owed.

This act allows the city, town, or village to require one day of work for the greater of: the actual daily cost of incarcerating the prisoner; or the amount the state reimburses for incarcerating the prisoner.

This act requires jail administrators to notify the Missouri uniform law enforcement system (MULES) when certain dangerous felons escape no more than five hours after the escape.

MEGHAN LUECKE

02/01/2011 Introduced and Read First Time (H) (H278)
02/02/2011 Read Second Time (H) (H284)
02/10/2011 Referred: Health Insurance (H) (H344)
02/15/2011 Public Hearing Completed (H)
03/15/2011 Executive Session Completed (H)
03/15/2011 Voted Do Pass - Consent (H)
03/15/2011 Reported Do Pass by Consent (H) (H636)
03/15/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H636)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass - Consent (H)
03/28/2011 Rules - Reported Do Pass Consent (H) (H724)
04/04/2011 Perfected by Consent - Pursuant to House Rules (H) (H839)

04/05/2011 Third Read and Passed (H) (H874-875)
04/05/2011 S First Read--HB 388-Burlison (S591)
04/07/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S667)
04/12/2011 Hearing Conducted S Health, Mental Health, Seniors and Families Committee - Consent
04/12/2011 SCS Voted Do Pass S Health, Mental Health, Seniors and Families Committee - (1236S.02C) - Consent
04/14/2011 Reported from S Health, Mental Health, Seniors and Families Committee to Floor w/SCS - Consent (S731)
04/18/2011 Removed S Consent Calendar (S758)
04/18/2011 Reported from S Health, Mental Health, Seniors and Families Committee to Floor w/SCS (S748)
04/19/2011 SCS S Adopted (S775)
04/19/2011 S Third Read and Passed (S775 / H1375)
05/10/2011 H concurs in SCS (H2182)
05/10/2011 H Third Read & Passed (H2183 / S1673)
05/10/2011 Truly Agreed To and Finally Passed (S1673)

EFFECTIVE: August 28, 2011

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*** HB 402 *** 1059L.01P

SENATE SPONSOR: Wasson HOUSE HANDLER: Diehl

HB 402 - 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.

Under current law, a person must file a lawsuit based on errors in a land survey within five years of discovering the error. This act modifies this deadline to require that the lawsuit against the land surveyor be filed within ten years from the completion of the survey.

A portion of this act is similar to SB 220 (2011), SB 1074 (2008), SB 267 (2009), and SB 867 (2010).
EMILY KALMER

02/02/2011 Introduced and Read First Time (H) (H286)
02/03/2011 Read Second Time (H) (H289)
02/24/2011 Referred: Judiciary (H) (H451)
03/16/2011 Public Hearing Completed (H)
03/16/2011 Executive Session Completed (H)
03/16/2011 Voted Do Pass - Consent (H)
03/16/2011 Reported Do Pass by Consent (H) (H671)
03/16/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H671)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass - Consent (H)
03/28/2011 Rules - Reported Do Pass Consent (H) (H724)
04/04/2011 Perfected by Consent - Pursuant to House Rules (H) (H839)
04/05/2011 Third Read and Passed (H) (H875-876)
04/05/2011 S First Read--HB 402-Diehl and Korman (S591)
04/07/2011 Second Read and Referred S General Laws Committee (S667)
04/26/2011 Hearing Conducted S General Laws Committee
04/26/2011 Voted Do Pass S General Laws Committee
05/05/2011 Reported from S General Laws Committee to Floor (S1345)
05/10/2011 Bill Placed on Informal Calendar (S1677)
05/13/2011 S Informal Calendar H Bills for Third Reading--HB 402-Diehl and Korman (Wasson)

EFFECTIVE: August 28, 2011

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*** HB 407 *** HCS HB 407 1093L.04T

SENATE SPONSOR: Parson HOUSE HANDLER: Wieland

HCS/HB 407 - This act prohibits a person from preparing, issuing, or requesting the issuance of a certificate of insurance form relating to property and casualty insurance unless it has been filed with the director of the Department of Insurance . In addition, no person shall alter or modify a filed certificate of insurance form.

Under the terms of the act, certificates of insurance must contain certain statements. The certificate of insurance must contain a statement to the effect that it confers no rights upon the certificate holder and that it does not amend or alter the coverage terms or other conditions contained in the actual policies referenced in the certificate.

The act prohibits persons from preparing or issuing certificates of insurance that contain false or misleading statements.

Under the act, a certificate of insurance is not a policy of insurance and does not affirmatively or negatively amend, extend, or alter coverage afforded by the policy to which the certificate of insurance makes reference. A certificate of insurance shall not confer to a certificate holder new or additional rights beyond what the referenced policy of insurance expressly provides.

No certificate of insurance shall contain references or opinions on the effect of any contracts, including construction or service contracts, other than the referenced contract of insurance.

Under the act, a certificate holder shall only have a legal right to notice of cancellation, nonrenewal, or any material change, or any similar notice concerning a policy of insurance if the person is named within the policy or any endorsement or rider and the policy or endorsement or rider requires notice to be provided. The terms and conditions of the notice, including the required timing of the notice, are governed by the policy of insurance and shall not be created or altered by a certificate of insurance.

Under the act, an insurance producer may charge a reasonable service fee for issuing a certificate to a policyholder or certificate holder.

If the director determines that a person has violated a provision of this act, the director may issue such administrative orders as authorized under law and a violation of this act constitutes a level two violation.

Under the terms of the act, any lender requesting use of an evidence of commercial property insurance, which has not been approved for use by the insurer issuing the insurance policy, and the insurance producer has advised the lender in writing that the insurance provider has not been authorized to use the requested evidence of commercial insurance shall have no cause of action against an insurance producer arising from the use of such form, except for acts of intentional misrepresentation or fraud.
STEPHEN WITTE

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| 02/03/2011 | Introduced and Read First Time (H) (H290) |
| 02/07/2011 | Read Second Time (H) (H297) |
| 02/10/2011 | Referred: Insurance Policy (H) (H344) |
| 02/21/2011 | Public Hearing Completed (H) |
| 03/14/2011 | Executive Session Completed (H) |
| 03/14/2011 | HCS Voted Do Pass (H) |
| 03/15/2011 | HCS Reported Do Pass (H) (H636) |
| 03/15/2011 | Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H636) |
| 04/04/2011 | Rules - Executive Session Completed (H) |
| 04/04/2011 | Rules - Voted Do Pass (H) |
| 04/04/2011 | Rules - Reported Do Pass (H) (H838) |
| 04/12/2011 | HCS Adopted (H) (H1215) |
| 04/12/2011 | Perfected (H) (H1215) |
| 04/14/2011 | Third Read and Passed (H) (H1280) |
| 04/14/2011 | S First Read--HCS for HB 407 (S739) |
| 04/18/2011 | Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S751) |
| 04/26/2011 | Hearing Conducted S Financial and Governmental Organizations and Elections Committee |
| 05/02/2011 | Voted Do Pass S Financial and Governmental Organizations and Elections Committee |
| 05/05/2011 | Reported from S Financial and Governmental Organizations and Elections Committee to Floor (S1344) |
| 05/10/2011 | S Third Read and Passed (S1645) |
| 05/10/2011 | Truly Agreed To and Finally Passed (H2201) |

EFFECTIVE: August 28, 2011

*** HB 412 *** SCS HCS HB 412 1225S.03T

SENATE SPONSOR: Wasson HOUSE HANDLER: Smith

SCS/HCS/HB 412 - This act allows the Board of Pharmacy to refuse to issue a certificate of registration, permit, or license to an applicant for a pharmacy or drug distributor license if the designated pharmacist-in-charge, manager-in-charge, or any officer, owner, manager, or controlling shareholder of the applicant has committed an act that would be grounds for discipline under the board of pharmacy's disciplinary statute.

This act defines the term "legend drug" for the purpose of certain pharmacy laws. Legend drugs will mean any drug or biological product that is subject to a certain federal law, is required to be labeled in certain ways, or is required to be dispensed by prescription only or is restricted to use by practitioners only. The act excludes certain drugs and drug products that are being used in clinical trials.

This act has an emergency clause for the section regarding legend drugs.

This act is similar to the perfected version of SB 284 (2011).
EMILY KALMER

SA 1 - THIS AMENDMENT MODIFIES THE AUTHORITY OF THE BOARD OF PHARMACY WITH REGARD TO CERTAIN DRUGS USED IN VETERINARY MEDICINE.

THIS AMENDMENT ALSO ADDS A VETERINARIAN TO THE ADVISORY COMMITTEE APPOINTED BY THE BOARD OF PHARMACY TO MAKE RECOMMENDATIONS TO IT ABOUT RULES AND REGULATIONS DEALING WITH DRUG DISTRIBUTION AND MANUFACTURING. THE ADVISORY COMMITTEE IS ALSO REQUIRED TO REVIEW AND MAKE RECOMMENDATIONS TO THE BOARD OF PHARMACY REGARDING RULES AND REGULATIONS ABOUT VETERINARY LEGEND DRUGS.

BUSINESSES THAT ONLY HOLD A CLASS L PHARMACY PERMIT WILL NOT BE REQUIRED TO HAVE A PHARMACIST ON SITE, EXCEPT FOR WHEN NONCONTROLLED DRUGS FOR USE IN ANIMALS ARE BEING COMPOUNDED. A PHARMACIST IS RESPONSIBLE FOR REVIEWING THE ACTIVITIES AND RECORDS OF CLASS L PHARMACIES.

THIS AMENDMENT IS SIMILAR TO HCS/SB 29 (2011) AND HB 1814 (2010).

SA 2 - UNDER CURRENT LAW, THE MO RX PRESCRIPTION DRUG PLAN IS SET TO SUNSET ON AUGUST 28, 2011. THIS ACT PROVIDES THAT THE PLAN SHALL EXPIRE ON AUGUST 28, 2014.

THIS AMENDMENT IS SIMILAR TO SCS/SB 408 & 80 (2011).

02/07/2011 Introduced and Read First Time (H) (H299)
02/08/2011 Read Second Time (H) (H306)
02/10/2011 Referred: Health Care Policy (H) (H344)
02/23/2011 Public Hearing Completed (H)
03/02/2011 Executive Session Completed (H)
03/02/2011 HCS Voted Do Pass - Consent (H)
03/03/2011 HCS Reported Do Pass by Consent (H) (H522)
03/03/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H522)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass - Consent (H)
03/28/2011 Rules - Reported Do Pass Consent (H) (H724)
04/04/2011 Perfected by Consent - Pursuant to House Rules (H) (H839)
04/05/2011 Third read and passed (H) (H876-877)
04/05/2011 S First Read--HCS for HB 412 (S591)
04/07/2011 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S667)
04/18/2011 Hearing Conducted S Financial and Governmental Organizations and Elections Committee
04/26/2011 SCS Voted Do Pass S Financial and Governmental Organizations and Elections Committee (1225S.03C)
05/05/2011 Reported from S Financial and Governmental Organizations and Elections Committee to Floor w/SCS (S1344)
05/10/2011 SA 1 to SCS S offered & adopted (Brown)--(1225S03.01S) (S1640-1644)
05/10/2011 SA 2 to SCS S offered & adopted (Crowell)--(1225S03.02S) (S1644-1645)
05/10/2011 SCS, as amended, S adopted (S1645)
05/10/2011 Referred S Ways & Means & Fiscal Oversight Committee (S1645)

05/12/2011 Hearing Conducted S Ways and Means and Fiscal Oversight Committee
05/12/2011 Voted Do Pass S Ways & Means & Fiscal Oversight Committee
05/12/2011 Reported from S Ways & Means & Fiscal Oversight Committee to Floor (S1974)
05/12/2011 S Third Read and Passed - EC adopted (S1974-1975)
05/13/2011 H concurs in SCS, as amended
05/13/2011 H Third Read & Passed - EC adopted
05/13/2011 Truly Agreed To and Finally Passed

EFFECTIVE: August 28, 2011

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*** HB 415 *** 1335L.01P

HOUSE HANDLER: Richardson

This bill has been combined with HB 798

02/07/2011 Introduced and Read First Time (H) (H299)
02/08/2011 Read Second Time (H) (H306)
02/15/2011 Referred: Transportation (H) (H368)
02/22/2011 Public Hearing Completed (H)
02/22/2011 Executive Session Completed (H)
02/22/2011 Voted Do Pass - Consent (H)
02/23/2011 Reported Do Pass by Consent (H) (H436)
02/23/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H436)
02/28/2011 Rules - Executive Session Completed (H)
02/28/2011 Rules - Voted Do Pass - Consent (H)
02/28/2011 Rules - Reported Do Pass Consent (H) (H475)
03/09/2011 Perfected by Consent - Pursuant to House Rules (H) (H573)
03/16/2011 Third Read and Passed (H) (H659-660)
03/16/2011 S First Read--HB 415-Richardson, et al (S475)
03/31/2011 Second Read and Referred S Transportation Committee (S545)
04/13/2011 Hearing Conducted S Transportation Committee
04/13/2011 Bill Combined (w/SCS/HB 798, HB 141, HB 153, HB 363, HB 415 & HB 813)

EFFECTIVE: August 28, 2011

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*** HB 423 *** 1030L.01T

SENATE SPONSOR: Nieves HOUSE HANDLER: Burlison

HB 423 - This act establishes the Health Care Compact which specifies that each member state of the compact shall have the authority to enact state laws that supersede any and all federal laws regarding health care within its state. The compact specifies that each member state shall have the right to mandatory federal funds to support the exercise of member state authority under the compact and that the funding shall not be conditional on any action, regulation, policy, law or rule of any kind of the member state. The funding amount to be distributed to each member state shall be based on the Member State Current Year Funding Level, which formula is prescribed under the act.

This act creates the interstate advisory health care commission consisting of members appointed by each member state through a process to be determined by the laws of each member state. No state may appoint more than two members to the commission, and at any time a member state may withdraw its members from the commission.

The commission may study the issues of health care regulation of particular concern to the member states, such as the elimination of interstate barriers to the provision of health care. After consideration, the commission may make non-binding recommendations to the member states.

The commission shall also collect information and data to assist the member states in the regulation of health care, including assessing the performance of various state health care programs and compiling information on the cost of health care. The commission shall make this information and data available to the legislature of the member states.

The compact shall be effective upon its adoption by at least two member states and consent of the United States Congress.

This act is identical to SB 367(2011).

ADRIANE CROUSE

02/08/2011 Introduced and Read First Time (H) (H310)
02/09/2011 Read Second Time (H) (H321)
02/10/2011 Referred: Health Care Policy (H) (H344)
02/23/2011 Public Hearing Completed (H)
03/02/2011 Executive Session Completed (H)
03/02/2011 Voted Do Pass (H)
03/09/2011 Reported Do Pass (H) (H570)
03/09/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H570)
03/14/2011 Rules - Executive Session Completed (H)
03/14/2011 Rules - Voted Do Pass (H)
03/14/2011 Rules - Reported Do Pass (H) (H607)
03/29/2011 Taken Up for Perfection (H) (H753)
03/29/2011 Laid Over (H) (H753)
03/30/2011 Taken Up for Perfection (H) (H777)
03/30/2011 Perfected with Amendments (H) (H779)
03/31/2011 Third read and passed (H) (H793-794)
03/31/2011 S First Read--HB 423-Burlison, et al (S543)
04/07/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S666)
04/12/2011 Hearing Conducted S Health, Mental Health, Seniors and Families Committee
04/12/2011 Voted Do Pass S Health, Mental Health, Seniors and Families Committee
04/14/2011 Reported from S Health, Mental Health, Seniors and Families Committee to Floor (S732)
04/19/2011 Bill Placed on Informal Calendar (S764)
04/27/2011 S Third Read and Passed (S1147)
04/27/2011 Truly Agreed To and Finally Passed (H1644)

EFFECTIVE: Contingent

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*** HB 430 *** CCS SS SCS HCS HB 430 1235L.20T

SENATE SPONSOR: Stouffer HOUSE HANDLER: Burlison

SCS/HCS/HB 430 - This act modifies various provisions relating to the regulation of transportation.

BREAST CANCER AWARENESS SPECIAL LICENSE PLATE - Under current law, to obtain a Breast Cancer Awareness special license plate, a person must pay a $25 emblem-use authorization fee to the Friends of the Missouri Women's Council and submit to the director of the Department of Revenue an application along with an emblem-use authorization statement issued by the council. This act requires the emblem-use authorization fee to be paid to the newly established Breast Cancer Awareness Fund. The act further replaces the words "MISSOURI WOMEN'S COUNCIL" with "BREAST CANCER AWARENESS" on the special license plate (Section 301.3084).

USE OF PUBLIC STREETS - This act requires a municipality to allow at least one street, with lawful traffic movement and access from both directions, to be used by commercial vehicles to access any roads in the state highway system (section 304.120). The act also prohibits any civil action for a public or private nuisance on the basis of an individual or business entity legally using a vehicle on a public street or highway (Section 537.293).

REGULATION OF HOUSEHOLD GOODS MOVERS - This act modifies provisions relating to the regulation of household goods movers. These provisions are similar to the ones contained in SB 58 (2011).

Under the terms of this act, household goods movers will no longer have to file their schedule of rates, fares and charges with the state highways and transportation commission. A household goods mover must maintain and publish its schedules of rates, fares, rules, and charges in its stations and offices. Such rates shall be available for inspection by the commission, shippers, and the public (Sections 387.040 and 387.050).

This act prohibits household goods movers from participating in joint tariffs. The act allows joint tariffs relating to the transportation of household goods over through routes or in interline service involving two or more separate motor carriers. Carriers of household goods participating in through routes or interline service shall publish joint tariffs or individual tariffs for each participating carrier (no longer have to file joint tariffs with the commission). In addition, household goods movers will no longer be required to file sworn copies of every contract with other motor carriers with the commission (Sections 387.080 and 390.116).

Under current law, household goods carriers are prohibited from using schedules of rates that divide the state into territorial rate areas. This act removes this restriction (Section 387.110).

Under the terms of this act, the commission no longer has the authority to fix rates with reference to the transportation of household goods. Rates published by household goods movers are presumed to prima facie lawful (Section 387.207)

Under this act, all rate orders issued by the commission affecting the transportation of household goods, to the extent such rate orders prescribe any minimum or maximum rates for the transportation of such goods, shall be vacated. Other provisions contained in the rate orders unrelated to prescribing maximum or minimum rates shall not be vacated (Section 387.355).

The act eliminates the requirement that household goods or non charter passenger carriers demonstrate that their proposed service will serve a useful present or future public purpose when applying for a certificate of authority or permit. Concomitantly, applicants for household goods or passenger certificates or permits will not have to satisfy the public convenience and necessity test when proposing a new service, an extension of existing service, or a transfer of authority. An applicant for a household goods or passenger certificate of authority or permit will have to show that they are fit, willing, and able to perform the service, and that they will conform to other standards established by law.

Under this act, the commission shall not restrict any certificate or permit authorizing the transportation of household goods or passengers with reference to any route or routes (Sections 390.051 and 390.061).

Under this act, any geographic restriction or provision limiting a household goods carrier's scope of authority to particular routes within this state contained in a certificate or permit, or both, which was issued prior to August 28, 2011, and any similar provision contained in a carrier's tariff schedule filed prior to such date, shall be deemed void. In lieu of the geographic restrictions expressed in such certificates, permits, or tariff schedules, a motor carrier shall be authorized to provide intrastate transportation of household goods between all points and destinations within the state until such time the certificates, permits, and tariff schedules are reissued or amended to reflect the motor carrier's statewide operating authority (Section 390.280).

The act further provides that nothing contained in the provisions of sections 390.051 to 390.116 shall be construed to exempt or to alter the obligation of compliance by carriers transporting passengers point-to-point within the jurisdiction described in 67.1802 from the provisions of sections 67.1800 to 67.1822 (REGIONAL TAXICAB DISTRICTS (ST. LOUIS))(Section 390.280).

Beginning August 28, 2011, no certificate of authority or permit shall be issued or renewed unless the applicant demonstrates that the applicant has workers' compensation insurance coverage that complies with Missouri law for all its employees. If any household goods carrier is found by the division of workers' compensation to be out of compliance with the workers' compensation law, the division shall report such fact to the state Highways and Transportation Commission. The commission shall suspend the household goods carrier's certificate or permit until such time the carrier demonstrates that it has procured workers' compensation insurance coverage (Section 390.054).

This act requires the commission to establish consumer protection requirements for motor carriers transporting household goods in intrastate commerce (Section 387.137 ).

This act requires the Division of Motor Carriers to develop a complaint process. The complaint process shall keep a record for each complaint and shall record findings made at each step of the complaint process, provide an explanation for a complaint dismissal, and provide other information (Section 387.139).

NATIONAL WILD TURKEY FEDERATION SPECIAL LICENSE PLATE - This act allows for a special license plate for a member of the National Wild Turkey Federation. To obtain the plate, a person must submit an application to the director accompanied by an emblem-use authorization statement along with an additional $15 fee. Any person who was previously issued a federation plate and who does not provide an emblem-use authorization statement at a subsequent time of registration will be issued a new plate which does not bear the federation's emblem (Section 301.4036).

NRA SPECIALIZED LICENSE PLATES - This act allows any member of the National Rifle Association to

obtain a specialized license plate bearing the organization's official emblem after paying a $25 emblem-use fee to the NRA, a specialized plate of $15 to the department of revenue, and the payment of regular registration fees (Section 1).

CONCEALED CARRY ENDORSEMENT - Under the terms of this act, a nondriver's license containing a concealed carry endorsement shall expire 3 years from the date the certificate of qualification was issued. The fee for nondriver's licenses issued for a period exceeding three years is $6 or $3 for nondriver' s licenses issued for a period of 3 years or less (Sections 302.181 and 571.101).

INTOXICATION-RELATED TRAFFIC OFFENSES - Current state law (Section 302.309.3(2)) allows courts and the Department of Revenue to issue limited driving privileges to allow repeat offenders to drive a motor vehicle to: (1) a business, occupation or employment; (2) medical treatment; (3) school; (4) alcohol or drug treatment programs; (5) an ignition interlock provider for required service; and (6) other circumstances the court or the department finds would create an undue hardship. However, for purposes of federal transportation funding, federal law (23 USC §164) only allows the issuance of a limited driving privilege in connection with: (1) work; (2) attending school; (3) attending alcohol treatment programs; and (4) seeking the required services of an ignition interlock provider. In order to comply with federal law, section 302.309.3(2) must be amended so that a repeat offender limited driving privilege may only be granted for the four purposes authorized by Section 164. Under the terms of this act, the courts and the department will only be able to issue limited driving privileges to repeat offenders for the purpose of driving to or from the operator's place of employment, attending school, attending alcohol or drug treatment programs, and seeking the services of a certified ignition interlock device provider. Limited driving privileges may not be granted for seeking medical treatment or other circumstances that create undue hardships for the driver.

This act also modifies the "hard walk" provision contained in section 302.309.3(6)(a) from 30 days to 45 days in cases of a revocation so that certain repeat offenders will not be eligible for a limited driving privilege until such person has completed the first 45 days of the revocation.

Current Missouri law (Section 577.023) allows prior and persistent offenders to participate in and successfully complete a DWI court in lieu of jail time or community service. A prior or persistent offender may escape the statutory minimum days of imprisonment by performing community service or successfully completing a DWI court program. Federal law, however, does not authorize DWI courts as an alternative to mandatory jail or community service. Under the terms of this act, prior and persistent offenders may avoid the minimum days of imprisonment by performing community service and completing a DWI court program, if such program is available. The DWI court program or other treatment program must include the minimal periods of community service.

Currently, as an alternative to imprisonment, a prior offender of an intoxication-related traffic offense can perform at least 30 days of community service as one condition of being eligible for parole or probation and a persistent offender can perform at least 60 days of community service. This bill specifies that a prior offender must perform at least 30 days involving at least 240 hours of community service and a persistent offender must perform at least 60 days involving at least 480 hours of community service. These provisions are also contained in HB 199 (2011).

Under current law, in a jury trial involving a repeat DWI offender, the defendant's status as a prior, persistent, aggravated, or chronic offender must be pleaded, established and found prior to submission to the jury outside of its hearing. Some repeat offenders have not received a fully enhanced sentence under the law because the Missouri Supreme Court has held that the statutes requiring a defendant's prior offender status be pleaded and proven prior to the case being submitted to the jury is mandatory and that a trial court is not authorized to determine a defendant's repeat offender status after a case is submitted to a jury. This act attempts to remedy the applicable statutes (§558.021 and 577.023) by providing that any error or omission in pleading or proving an offender's repeat offender status may be corrected by amending the pleadings or supplementing the record, on notice and hearing, prior to sentencing. The act further provides that any error in pleading or proving a repeat offender's status shall not require vacation or reversal of sentence on appeal unless such error results in substantial prejudice to the rights of the defendant or a miscarriage of justice, and nothing in the statutes shall be construed to preclude a remand to permit correction of such error after notice and hearing (Sections 558.021 and 577.023).

The intoxication-related offenses provisions are also contained in SS/SCS/SB 254 (2011).

BINDING ARBITRATION - This act repeals a provision of law which currently requires MoDOT to submit to

binding arbitration upon the request of a plaintiff in a negligence action (Section 226.095). This provision may also be found in SB 33 (2011).

DELEGATION OF AUTHORITY TO CONDUCT HEARINGS BY THE COMMISSION - The act also allows the commission to delegate to a designated hearing examiner and/or appeals board the authority to conduct hearings and render final decisions and orders on behalf of it in all contested case administrative hearings that are required by federal or state law (Section 226.131).

HIGHWAY DESIGN-BUILD CONTRACTS - This act authorizes the state Highways and Transportation Commission to enter into an additional design-build contract for the improvement of the bridge on US40/I-64 located in St. Louis County and St. Charles County (Daniel Boone Bridge). The act also extends the sunset date for the commission to enter into design-build project contracts. Under current law, the commission's authority to enter into design-build projects expires on July 1, 2012. This act extends the date to July 1, 2018 (Section 227.107). The act also limits the total amount of design-build contracts awarded by the commission in any state fiscal year to no more than 2% of the total number of all state highway system projects awarded to contracts for construction from projects listed in the commission's approved statewide transportation improvement project for that state fiscal year. A similar provision is also contained in the perfected version of SB 133 (2011).

RECREATIONAL OFF-HIGHWAY VEHICLE - The act modifies the definition of recreational off-highway vehicle by increasing its maximum width from 60" to 64" (Section 301.010).

BI-STATE FARE EVASION - This act requires persons convicted of failing to pay a fare for the use of Bi-State Development Agency facilities and conveyances to reimburse the reasonable costs attributable to the enforcement, investigation and prosecution of such offense to the agency (Section 70.441). This provision is also contained in SB 347 and HB 857 (2011).

FAILURE TO APPEAR IN COURT - Under current law, if a person fails to timely dispose of a traffic ticket, the court will notify the director of revenue of such fact and the director will suspend the offender's driver's license until such time the person settles the matter by paying the fines and applicable court costs. Upon proof of disposition of the charges, and payment of a reinstatement fee, the director will return the license and remove the suspension from the person's driver's record. This act modifies this provision so that a commercial motor vehicle operator or a holder of a commercial driver's license will not be eligible to have such a suspension removed from his or her driving record (Section 302.341). This provision is also contained in HCS/HB 818 (2011).

UNIFORM COMMERCIAL DRIVER'S LICENSE ACT - This act adds new definitions to Uniform Commercial Driver's License Act (Sections 302.700 to 302.780) and makes modifications to current definitions relating to commercial driver license requirements to comply with Federal Motor Carrier Safety regulations and support the implementation of the federal rule labeled "Medical Certification Requirements as part of the CDL". The act revises the definition section by adding the following terms:

1) CDLIS driver record;
2) CDLIS motor vehicle record;
3) Commercial driver's license downgrade;
4) Driver applicant;
5) Employee;
6) Endorsement;
7) Foreign;
8) Medical examiner;
9) Medical variance (Section 302.700). This provision is also contained in HCS/HB 818 (2011).

CDL MEDICAL CERTIFICATION COMPLIANCE - This act implements a Federal Motor Carrier Safety Regulation known as "Medical Certification Requirements as part of the CDL". This act requires commercial driver license applicants to complete certain self certifications and submit required medical examiner certification documents when applicable. The act specifies the certification process. Applicants certifying to the operation in nonexcepted interstate or nonexcepted intrastate commerce must provide the state with an original or copy of a current medical examiners certificate. The state is required to maintained such documents for a period of 3 years beyond the date the certificate was issued. The act requires applicants to provide updated medical certificates or variance documents in order to maintain commercial motor vehicle driving privileges. The director must post the medical examiners certificate information to the driver record

within 10 calendar days of receipt and the information will become part of the CDLIS driver record. Under the act, any person who falsifies any information in an application for or an update of medical certification status information shall not be licensed to operate a commercial vehicle or the person's commercial driver's license must be canceled for a period of one year after the director discovers the falsification. This provision is also contained in HCS/HB 818 (2011) and HB 820 (2011) (Section 302.768).

TEXT MESSAGING BAN APPLIED UNIVERSALLY - Under the terms of 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 (Section 304.820). This provision is contained in the perfected version of SB 11 (2011).

PROOF OF PAYMENT OF PROPERTY TAXES IN ORDER TO MOVE MANUFACTURED HOME - This act prohibits the issuance of oversize permits to manufactured home owners unless the owners pay all applicable property taxes on the manufactured homes. The manufactured home owner must carry a receipt from the county collector showing all property taxes have been paid on the home at all times during the manufactured home is transported (Section 304.200). This provision is also contained in HCS/SS/SCS/SB 58 (2011).

STATE TRANSIT ASSISTANCE PROGRAM - This act establishes the Missouri State Transit Assistance Program to be administered by the Department of Transportation to provide financial assistance to defray the operating and capital costs incurred by public mass transportation providers. The distribution of any appropriated funds to public mass transportation service providers shall be determined by evaluating certain factors of each service provider including population, ridership, cost and efficiency of the program, availability of alternative transportation in the area, and local efforts and tax support (Section 226.195). This provision is contained in the perfected version of HB 484 (2011).

DIRECTIONAL SIGNS - Under current law, no outdoor advertising may be erected or maintained within 660 feet of certain federal highway right-of-ways. Directional signs, on premise signs, and outdoor advertising signs located in areas zoned commercial or industrial are exempt from this ban. This act would expand the types of directional signs which may be erected and maintained to include signs pertaining to cultural (including agricultural activities or attractions), scientific, educational, and religious sites (Section 226.520). This provision is contained in SB 77 (2011).

LIQUIFIED PETROLEUM GAS TRANSPORTERS - This act exempts employees and drivers of transporters operating cargo tank trailers designed to carry more than 3500 gallons that have been trained in accordance with Federal hazardous materials regulations from the state registration and training regulations when operating in interstate or intrastate commerce (Section 323.020).

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT - This act modifies the Senate membership of the Joint Committee on Transportation Oversight so that Senate membership shall be composed, as nearly as may be, of majority and minority party members in the same proportion as the number of majority and minority party members in the senate bears to the total membership of the Senate. The act also requires the annual MoDOT report to be submitted no later than December 31st of each year (rather than November 10th) and requires the hearing on the report to be held no later than February 15th of each year (rather than December 1st)(Section 21.795).

LICENSED PROFESSIONAL COUNSELORS - This act adds certain licensed professional counselors to the list of persons who can report anyone diagnosed or assessed with a condition that may prevent the safe operation of a motor vehicle. A report from a professional counselor shall provide the director with good cause to believe that the operator may be incompetent or unqualified to retain his or her driver's license and the director may require the person to submit to an examination in order to retain it (section 302.291). This provision is contained in HB 499 (2011).

SALES TAX EXEMPTION FOR CERTAIN CARRIERS - This act provides an exemption from state and local sales and use taxes for motor vehicles licensed for a gross weight of 24,000 pounds or more or trailers used by carriers who have received federal authority to haul for hire in the transportation of persons or property. The current sales tax exemption only applies to common carriers (Section 144.030).
STEPHEN WITTE

02/08/2011 Introduced and Read First Time (H) (H311)
02/09/2011 Read Second Time (H) (H321)
02/10/2011 Referred: Transportation (H) (H344)
02/22/2011 Public Hearing Completed (H)
03/15/2011 Executive Session Completed (H)
03/15/2011 HCS Voted Do Pass (H)

03/16/2011 HCS Reported Do Pass (H) (H672)
03/16/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H672)
04/04/2011 Rules - Executive Session Completed (H)
04/04/2011 Rules - Voted Do Pass (H)
04/04/2011 Rules - Reported Do Pass (H) (H838)
04/11/2011 HCS Adopted (H) (H1204)
04/11/2011 Perfected with Amendments (H) (H1204)
04/14/2011 Third Read and Passed (H) (H1274-1275)
04/14/2011 S First Read--HCS for HB 430 (S738)
04/18/2011 Second Read and Referred S Transportation Committee (S751)
04/20/2011 Hearing Conducted S Transportation Committee
04/27/2011 SCS Voted Do Pass S Transportation Committee (1235S.10C)
05/05/2011 Reported from S Transportation Committee to Floor w/SCS (S1344)
05/10/2011 Bill Placed on Informal Calendar (S1671)
05/10/2011 SS for SCS S offered (Stouffer)--(1235S.15F) (S1682)
05/10/2011 Point of order taken under advisement (S1682)
05/10/2011 Bill Placed on Informal Calendar (S1682)
05/10/2011 Point of order withdrawn (S1690)
05/10/2011 SA 1 to SS for SCS S offered & adopted (Stouffer)--(1235S15.25S) (S1690)
05/10/2011 SA 2 to SS for SCS S offered & adopted (Stouffer)--(1235S15.22S) (S1690)
05/10/2011 SA 3 to SS for SCS S offered & adopted (Stouffer)--(1235S15.21S) (S1690)
05/10/2011 SA 4 to SS for SCS S offered & adopted (Lembke)--(1235S10.02S) (S1690-1691)
05/10/2011 SA 5 to SS for SCS S offered & defeated (Lembke)--(1235S10.06S) (S1691-1693)
05/10/2011 SA 6 to SS for SCS S offered & defeated (Lembke)--(1235S10.03S) (S1693-1694)
05/10/2011 SA 7 to SS for SCS S offered & adopted (Lembke)--(8164S11.01S) (S1694-1695)
05/10/2011 SA 8 to SS for SCS S offered & adopted (Stouffer)--(1234S15.01F) (S1695)
05/10/2011 SA 9 to SS for SCS S offered & adopted (Wasson)--(8184S11.01S) (S1695-1701)
05/10/2011 SA 10 to SS for SCS S offered (Stouffer)--(1235S15.01S) (S1701-1706)
05/10/2011 SA 1 to SA 10 to SS for SCS S offered & adopted (Justus)--(0897S02.04S) (S1706)
05/10/2011 SA 10 to SS for SCS, as amended S withdrawn (S1706)
05/10/2011 SA 11 to SS for SCS S offered & adopted (Green)--(1235S15.26S) (S1706)
05/10/2011 SA 12 to SS for SCS S offered & adopted (Wright-Jones)--(1235S15.23S) (S1706-1708)
05/10/2011 SA 13 to SS for SCS S offered & defeated (Schaaf)--(1235S10.01S) (S1708-1709)
05/10/2011 SS for SCS, as amended, S adopted (S1709)
05/10/2011 Referred S Ways & Means & Fiscal Oversight Committee (S1709)
05/11/2011 Hearing Conducted S Ways and Means and Fiscal Oversight Committee
05/11/2011 Voted Do Pass S Ways and Means and fiscal Oversight Committee
05/11/2011 Reported from S Ways & Means & Fiscal Oversight Committee to Floor (S1779)
05/11/2011 S Third Read and Passed (S1779-1780 / H2392-2398)
05/11/2011 H refuses to concur in SS for SCS, as amended (H2421 / S1878)
05/11/2011 H requests S recede or grant conference (H2421 / S1878)
05/11/2011 S refuses to recede and grants conference (S1878 / H2433)
05/11/2011 S conferees appointed: Stouffer, Wasson, Richard, McKenna, Justus (S1878)
05/12/2011 H conferees appointed: Burlison, Schoeller, Denison, Ellinger, Jones-63 (H2455 / S1905)
05/12/2011 H conferees appointed: Schupp replaces Ellinger (H2480 / S1925)
05/12/2011 H submits CCR
05/13/2011 CCR H adopted
05/13/2011 CCS H Third Read and Passed
05/13/2011 CCR S offered & adopted
05/13/2011 CCS H Third Read and Passed
05/13/2011 Truly Agreed To and Finally Passed

EFFECTIVE: Varies

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*** HB 431 *** SS SCS HCS HB 431 0542S.08T

SENATE SPONSOR: Justus HOUSE HANDLER: Franz

SCS/HCS/HB 431 - This act modifies provisions relating to vulnerable persons.

TASK FORCE ON FOSTER CARE RECRUITMENT, LICENSING AND RETENTION

The Children's Division within the Department of Social Services shall convene a task force to review the recruitment, licensing and retention of foster and adoptive parents statewide. In addition to representatives of

the division and department, the task force shall include representatives of the private sector and faith-based community which provide recruitment and licensure services. The purpose of the task force shall be to study the extent to which changes in the system of recruiting, licensing, and retaining foster and adoptive parents would enhance the effectiveness of the system statewide. The task force shall develop a report of its findings with recommendations by December 1, 2011, and provide copies of the report to the general assembly and to the governor. (Section 210.112)

This provision is contained in SCS/HCS/HB 604 (2011).

FOSTER CARE PLACEMENT

This act establishes the following order or preference for placement of a child in foster care:

(1) Grandparents and relatives;
(2) A trusted adult that has a preexisting relationship with the child, such as a godparent, teacher, neighbor who voluntarily agrees to care for the child; and
(3) Any foster parent who is currently licensed and capable of accepting placement of a child.

Any person receiving a preference may be licensed in an expedited manner if a child is placed under the person's care. (Section 210.565.3 and 8)

This provision is contained in SCS/HCS/HB 604 (2011)

SIBLING PLACEMENT

The Children's Division shall make reasonable efforts to place siblings in the same foster care, kinship, guardianship, or adoptive placement, unless doing so would be contrary to the safety or well-being of any siblings. If siblings are not placed together, the division shall make reasonable efforts to provide frequent visitation or other ongoing interaction between the siblings, unless this interaction would be contrary to a sibling's safety or well-being. (Sections 210.565.5 and 210.566)

This provision is contained in SCS/HCS/HB 604 (2011).

MISSOURI STATE FOSTER CARE AND ADOPTION BOARD

The Missouri State Foster Care and Adoption Board is established to provide consultation and assistance to the department. The board shall draft and provide an independent review of the policies and procedures of the division related to the provision of foster care and adoption in Missouri. The board shall determine the nature and content of in-service training which shall be provided to foster and adoptive parents from each of the division's seven areas. Area members shall be appointed by the Governor, with the advice and consent of the Senate, from recommendations by regional foster care and adoption boards or other similar entities. Statewide foster care and adoption association representatives shall be voting members of the board.

The board shall annually provide the Director of the Department of Social Services, Governor, Office of the Child Advocate, and upon request, members of the General Assembly a written request of its activities. (Section 210.617)

This provision is contained in SCS/HCS/HB 604 (2011).

FOSTER CARE AND ADOPTIVE PARENTS RECRUITMENT AND RETENTION FUND

This act creates the Foster Care and Adoptive 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 newly established Foster Care and Adoptive Parents Recruitment and Retention Fund Board within the Department of Social Services. The terms and members of the fund board are prescribed in the act.

Moneys in the fund shall be used to grant awards to licensed community-based foster care and adoption recruitment programs. The board shall establish guidelines for disbursement of the fund to evidence-based foster care and adoption 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. (Sections 143.1015 and 453.600)

This provision is contained in SCS/HCS/HB 604 (2011).

TELEPHONE TRACKING SYSTEM PILOT PROJECT

This act amends the telephone tracking system provisions enacted last year to require statewide implementation of a pilot project for Jackson, Cass, and Clay counties by July 1, 2012, and to allow for the Department of Health and Senior Services to subcontract for the services for the pilot project. This amendment also repeals the provision stating that no interested party shall be required to contract with any particular provider nor bear the full cost of the pilot program.

ADRIANE CROUSE

02/08/2011 Introduced and Read First Time (H) (H311)
02/09/2011 Read Second Time (H) (H321)
02/10/2011 Referred: Judiciary (H) (H344)
02/22/2011 Re-referred to Committee (H) (H417)
02/22/2011 Referred: General Laws (H) (H417)
03/01/2011 Public Hearing Completed (H)
03/03/2011 Executive Session Completed (H)
03/03/2011 HCS Voted Do Pass (H)
03/03/2011 HCS Reported Do Pass (H) (H521)
03/03/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H521)
03/09/2011 Rules - Executive Session Completed (H)
03/09/2011 Rules - Voted Do Pass (H)
03/09/2011 Rules - Reported Do Pass (H) (H573)
03/15/2011 HCS Adopted (H) (H616)
03/15/2011 Perfected with Amendments (H) (H616)
03/16/2011 Referred: Fiscal Review (H) (H668)
03/16/2011 Executive Session Completed (H)
03/16/2011 Voted Do Pass (H)
03/16/2011 Reported Do Pass (H) (H670)
03/17/2011 Third Read and Passed (H) (H689)
03/28/2011 S First Read--HCS for HB 431 (S507)
03/31/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S546)
04/26/2011 Hearing Conducted S Health, Mental Health, Seniors and Families Committee
05/04/2011 SCS Voted Do Pass S Health, Mental Health, Seniors and Families Committee (0542S.07C)
05/05/2011 Reported from S Health, Mental Health, Seniors and Families Committee to Floor w/SCS (S1343)
05/09/2011 Referred S Ways & Means & Fiscal Oversight Committee (S1524)
05/11/2011 Hearing Conducted S Ways and Means and Fiscal Oversight Committee
05/11/2011 Voted Do Pass S Ways & Means & Fiscal Oversight Committee
05/11/2011 Reported from S Ways & Means & Fiscal Oversight Committee to Floor (S1779)
05/11/2011 SS for SCS S offered & adopted (Justus)--(0542S.08F) (S1780)
05/11/2011 S Third Read and Passed (S1780-1781 / H2398)
05/12/2011 H concurs in SS for SCS (H2548-2549 / S1973)
05/12/2011 H Third Read & Passed (H2549-2550 / S1973)
05/12/2011 Truly Agreed To and Finally Passed (S1973)

EFFECTIVE: August 28, 2011

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*** HB 434 *** 1414L.01P

SENATE SPONSOR: Crowell HOUSE HANDLER: Nolte

HB 434 - This act ensures that co-employees shall be released from liability for negligence in the workplace unless the person engaged in an intentional act that purposefully and dangerously caused or increased the risk of injury.

This act is similar to SB 8 (2011) and SB 196 (2011).

CHRIS HOGERTY

02/08/2011 Introduced and Read First Time (H) (H311)
02/09/2011 Read Second Time (H) (H321)
02/10/2011 Referred: Workforce Development & Workplace Safety (H) (H344)
02/21/2011 Public Hearing Completed (H)

02/21/2011 Executive Session Completed (H)
02/21/2011 Voted Do Pass (H)
02/21/2011 Reported Do Pass (H) (H406)
02/21/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H406)
03/03/2011 Rules - Executive Session Completed (H)
03/03/2011 Rules - Voted Do Pass (H)
03/03/2011 Rules - Reported Do Pass (H) (H523)
03/29/2011 Taken Up for Perfection (H) (H749)
03/29/2011 Laid Over (H) (H749)
03/30/2011 Taken Up for Perfection (H) (H790)
03/30/2011 Perfected with Amendments (H) (H790-791)
03/31/2011 Third read and passed (H) (H791-792)
03/31/2011 S First Read--HB 434-Nolte (S542)
04/07/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S666)

EFFECTIVE: August 28, 2011

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*** HB 442 *** 1199L.01P

SENATE SPONSOR: Parson HOUSE HANDLER: Franz

HB 442 - The Commissioner of Administration shall give a 5 point bonus on bids for products and services manufactured, produced, or assembled by a qualified veteran-owned business headquartered in Missouri when contracting for purchases.

"Veteran-owned business" is defined as a business, not less than 51% of which is owned by one or more veterans with verifiable service in any branch of the U.S. military, or, in the case of a publicly owned business, not less than 51% of the stock of which is owned by one or more veterans, and the management and daily business operations are controlled by one or more veterans.
CHRIS HOGERTY

SA 1 - PROHIBITS THE STATE AND ANY OF ITS AGENTS FROM ENTERING INTO A CONTINGENCY FEE CONTRACT WITH A PRIVATE ATTORNEY UNLESS THE ATTORNEY GENERAL MAKES SPECIFIC WRITTEN FINDINGS.

02/08/2011 Introduced and Read First Time (H) (H311)
02/09/2011 Read Second Time (H) (H321)
02/10/2011 Referred: Veterans (H) (H344)
02/15/2011 Public Hearing Completed (H)
02/22/2011 Executive Session Completed (H)
02/22/2011 Voted Do Pass - Consent (H)
02/23/2011 Reported Do Pass by Consent (H) (H437)
02/23/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H437)
02/28/2011 Rules - Executive Session Completed (H)
02/28/2011 Rules - Voted Do Pass - Consent (H)
02/28/2011 Rules - Reported Do Pass Consent (H) (H475)
03/09/2011 Perfected by Consent - Pursuant to House Rules (H) (H573)
03/16/2011 Third Read and Passed (H) (H660-661)
03/16/2011 S First Read--HB 442-Franz (S475-476)
03/31/2011 Second Read and Referred S General Laws Committee (S545)
04/19/2011 Hearing Conducted S General Laws Committee
04/19/2011 Voted Do Pass S General Laws Committee
04/21/2011 Reported from S General Laws Committee to Floor (S813)
04/27/2011 SA 1 S offered & adopted (Munzlinger)--(1199L01.01S) (S1130-1132)
04/27/2011 Bill Placed on Informal Calendar (S1132)
05/03/2011 SA 2 S offered (Lembke)--(1199L01.06S) (S1245-1249)
05/03/2011 Bill Placed on Informal Calendar (S1249)
05/13/2011 S Informal Calendar H Bills for Third Reading--HB 442-Franz, with SA 2 (pending) (Parson)

EFFECTIVE: August 28, 2011

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*** HB 448 *** 1207L.01P

SENATE SPONSOR: Stouffer HOUSE HANDLER: Lair

HB 448 - This act specifies how duty-related death benefits will be funded for the Missouri Local Government Employees' Retirement System (LAGERS). In the same way as when a disability benefit is due to a member of the LAGERS system, when a duty-related death benefit is due to a beneficiary, the accrued service pension reserve will be calculated, as of the effective date of the disability benefit. Contributions from political subdivisions for duty-related death benefits will be held in the Casualty Reserve Fund. Political subdivisions that participate in LAGERS will have a portion of their contributions for duty-related death benefits determined on a one-year term basis in the same way that their contribution for a portion of disability benefits is determined.

This act is similar to SB 121 (2011).
EMILY KALMER

02/09/2011 Introduced and Read First Time (H) (H333)
02/10/2011 Read Second Time (H) (H339)
02/15/2011 Referred: Retirement (H) (H368)
03/03/2011 Public Hearing Completed (H)
03/03/2011 Executive Session Completed (H)
03/03/2011 Voted Do Pass - Consent (H)
03/07/2011 Reported Do Pass by Consent (H) (H538)
03/07/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H538)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass - Consent (H)
03/28/2011 Rules - Reported Do Pass Consent (H) (H724)
04/04/2011 Perfected by Consent - Pursuant to House Rules (H) (H839)
04/05/2011 Third read and passed (H) (H877-878)
04/05/2011 S First Read--HB 448-Lair (S591)
04/07/2011 Second Read and Referred S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee (S667)

EFFECTIVE: August 28, 2011

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*** HB 458 *** CCS SS HB 458 1391L.03T

SENATE SPONSOR: Brown HOUSE HANDLER: Loehner

SS/HB 458 - This act modifies provisions relating to agriculture.

SECTION 262.815 - MISSOURI FARMLAND TRUST
The act creates the Missouri Farmland Trust. The Department of Agriculture is authorized to accept or acquire farmland in the state for the purpose of leasing the land to beginning farmers.

The act creates the Missouri Farmland Trust Advisory Board, which is made up of 5 persons appointed by the director of the Department of Agriculture. The board will provide recommendations to the Department of Agriculture on the farmland trust program, including applicants for land to be placed within the trust program and applicants to lease the farmland.

The Department of Agriculture shall administer a fund called the Missouri Farmland Trust Fund, created by the act. Monies from the fund may be used to make payments to counties in lieu of property taxes and to improve or maintain the land in the farmland trust.

Persons who donate land to the trust or who lease land from the trust must release the state and its employees from liability for injury, death or property damage that may result from participation in the program.

This section is similar to SB 992 (2010) and HB 2224 (2010).

SECTIONS 263.190 to 263.241 - NOXIOUS WEEDS
Under current law, all landowners are required to control the growth and spread of the plants musk thistle, scotch thistle, and canada thistle. Additionally under current law, where a landowner does not control the thistle, the county commission has a duty to enter upon the property in order to control the thistle. This act expands these requirements to apply not only to the thistles, but to all plants that are designated by rule as a "noxious weed" by the Department of Agriculture. The act requires the department to maintain a list of all noxious weeds and make the list available to the public.

The act prohibits the sale of noxious weeds.

The act repeals the provisions of law that apply specifically to the following plants: multiflora rose, field bindweed, cut-leaved teasel, common teasel, kudzu, spotted knapweed, purple loosestrife, and Johnson grass.

These sections are similar to SB 336 (2011) and HB 653 (2011).

SECTION 268.121 - LIVESTOCK BRAND BOOK
Under current law, the Department of Agriculture must publish a book of all livestock brands on record and must send copies of the book to all county recorders of deeds, livestock markets, and slaughter plants. This act removes the requirement that the Department must publish the list of brands in book form, and instead requires the Department to make the list available to the public on the Internet. The act also removes the requirement that the Department send a book to the counties, livestock markets, and slaughter plants.

This section is identical to SB 337 (2011).

SECTIONS 276.401 TO 276.441 - GRAIN DEALERS
Under current law, a farmer who purchases less than $100,000 worth of grain for his or her own farming purposes is not considered a grain dealer. The act modifies the threshold to 50,000 bushels of grain instead of $100,000 worth of grain.

The act requires that all licensed grain dealers or applicants for a grain dealer license must maintain a minimum net worth of 5% of the total amount of grain purchased in the previous fiscal year. Additionally, all licensed grain dealers and applicants must maintain current assets at least equal to current liabilities and the act specifies certain requirements related to the determination of assets and liabilities.

The act raises the minimum surety bond requirement for licensed grain dealers from $20,000 to $50,000 and raises the maximum from $300,000 to $600,000. The act modifies the formula for determining the amount of surety bond required by specifying that the amount shall be equal to 2% of the dealer's previous year's grain purchases, instead of within a range of between 1% and 5% of such purchases. The act repeals the section of law that allows a grain dealer who has purchased less than $400,000 of grain the previous year to satisfy the bond requirement by filing bonds at the rate of $1,000 per $20,000 worth of grain purchased.

These sections are almost identical to SCS/SB 356 (2011).

SECTION 411.280 - GRAIN WAREHOUSES
Under current law, the owner of a licensed grain warehouse must maintain a net worth equal to 15 cents per bushel of storage capacity. The act increases the multiplication factor from 15 cents to 25 cents.

This section is identical to SCS/SB 356 (2011).
ERIKA JAQUES

SA 1: ADDS SECTION 442.014 RELATING TO CONSERVATION EASEMENTS.

SA 2: ADDS SECTION 144.030 WHICH ALLOWS SALES TAX EXEMPTIONS FOR FREIGHT CHARGES ON ALREADY-EXEMPT AGRICULTURAL ITEMS, FARM MACHINE ACCESSORIES, AND ROTARY MOWERS USED FOR AGRICULTURAL PURPOSES.

02/09/2011 Introduced and Read First Time (H) (H334)
02/10/2011 Read Second Time (H) (H339)
02/15/2011 Referred: Emerging Issues in Animal Agriculture (H) (H368)
02/22/2011 Public Hearing Completed (H)
03/01/2011 Executive Session Completed (H)
03/01/2011 Voted Do Pass (H)
03/02/2011 Reported Do Pass (H) (H502)
03/02/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H502)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass (H)
03/28/2011 Rules - Reported Do Pass (H) (H725)
04/04/2011 Perfected (H) (H833)
04/07/2011 Third read and passed (H) (H1155-1156)
04/07/2011 S First Read--HB 458-Loehner, et al (S664)

04/14/2011 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S737)
04/22/2011 Hearing Cancelled S Agriculture, Food Production and Outdoor Resources Committee
05/04/2011 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee
05/04/2011 Voted Do Pass S Agriculture, Food Production and Outdoor Resources Committee
05/05/2011 Reported from S Agriculture, Food Production and Outdoor Resources Committee to Floor (S1346)
05/11/2011 SS S offered (Brown)--(1391S.02F) (S1804)
05/11/2011 SA 1 to SS S offered & adopted (Schaefer)--(1391S02.02S) (S1804-1806)
05/11/2011 SA 2 to SS S offered & adopted (Stouffer)--(1391S02.01S) (S1806-1812)
05/11/2011 SS, as amended, S adopted (S1812)
05/11/2011 S Third Read and Passed (S1812-1813 / H2398-2404)
05/11/2011 H refuses to concur in SS, as amended (H2421 / S1905)
05/11/2011 H requests S recede or grant conference (H2421 / S1905)
05/12/2011 S refuses to recede and grants conference (S1914 / H2469)
05/12/2011 S conferees appointed: Brown, Munzlinger, Schaefer, Callahan, Justus (S1914 / H2469)
05/12/2011 H conferees appointed: Loehner, Klippenstein, Entlicher, Aull, Shively (H2480 / S1925)
05/12/2011 H submits CCR
05/13/2011 CCR H adopted
05/13/2011 CCS H Third Read and Passed
05/13/2011 CCR S offered & adopted
05/13/2011 CCS S Third Read and Passed
05/13/2011 Truly Agreed To and Finally Passed

EFFECTIVE: August 28, 2011

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*** HB 459 *** HCS HB 459 1408L.02P

HOUSE HANDLER: Denison

SCS/HCS/HB 459 - This act designates the segment of the new bridge on Interstate 70 crossing the Mississippi River between downtown St. Louis and southwestern Illinois that is located within Missouri as the "Cards - Cubs Bridge" and the segment of the bridge that is located within Illinois as the "Cubs-Cards Bridge". The Department of Transportation shall erect and maintain appropriate signs designating the Missouri portion of such bridge, with the costs for such designation to be paid for by private donation. The naming of the bridge described in this section shall be contingent upon the designation by the state of Illinois of its portion of the bridge as the "Cubs - Cards Bridge".
STEPHEN WITTE

02/09/2011 Introduced and Read First Time (H) (H334)
02/10/2011 Read Second Time (H) (H339)
02/10/2011 Referred: Transportation (H) (H344)
02/22/2011 Public Hearing Completed (H)
02/22/2011 Executive Session Completed (H)
02/22/2011 HCS Voted Do Pass - Consent (H)
02/24/2011 Executive Session Completed (H)
02/24/2011 HCS Voted Do Pass - Consent (H)
02/28/2011 HCS Reported Do Pass by Consent (H) (H473)
02/28/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H473)
03/03/2011 Rules - Executive Session Completed (H)
03/03/2011 Rules - Voted Do Pass - Consent (H)
03/03/2011 Rules - Reported Do Pass Consent (H) (H523)
03/14/2011 Perfected by Consent - Pursuant to House Rules (H) (H607)
03/16/2011 Third Read and Passed (H) (H666-667)
03/16/2011 S First Read--HCS for HB 459 (S478)
03/31/2011 Second Read and Referred S Transportation Committee (S546)
04/13/2011 Hearing Conducted S Transportation Committee
05/04/2011 SCS Voted Do Pass S Transportation Committee (1408S.04C)

EFFECTIVE: August 28, 2011

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*** HB 462 *** SCS HB 462 1403S.02C

SENATE SPONSOR: Lager HOUSE HANDLER: Pollock

SCS/HB 462 - This act modifies provisions pertaining to the regulation of public utilities.

SECTION 386.370 - FUNDING FOR OFFICE OF PUBLIC COUNSEL
Under current law, the Public Service Commission (PSC) receives funding from a fee assessed to each regulated public utility based on the proportionate amount of time and expenses spent by the PSC on each utility. This act creates a similar fee assessment and collection mechanism for the Office of Public Counsel. The act lowers the total amount that may be collected for the PSC from the fee, from its current maximum of .25% of the total gross intrastate operating revenue to .22% of total gross intrastate operating revenue. The act limits the total amount of fee revenue that may be collected for the Office of Public Counsel to .02% of total gross intrastate operating revenue and places a cap on the assessment to telecommunications companies.

SECTION 393.135 - CONSTRUCTION WORK IN PROGRESS
After October 1, 2011, any electric company seeking an Early Site Permit from the U.S. Nuclear Regulatory Commission must submit reports to the PSC every 6 months during the entire permitting process. The reports must document the work completed and costs incurred up to that point toward the acquisition of the Early Site Permit as well as the projected amount of work and costs remaining.

Once the Early Site Permit is obtained, and provided the company complied with the reporting requirement, the electric company may recover up to $45 million of the expenditures, plus interest, for the permit from its ratepayers through rates and charges over a period not to exceed 20 years. The company may begin the cost recovery on the effective date of tariffs approved by the PSC at the company's first general rate proceeding following the acquisition of the permit. Other electric companies that also incur expenses toward the Early Site Permit may similarly recover their costs through rates and charges.

If an electric company has recovered costs from its ratepayers for an Early Site Permit but the company's interest in the Early Site Permit is subsequently sold or transferred, or the company receives reimbursement for the costs from another source, the PSC must decide how the electric company will credit its ratepayers for the moneys received in the sale, transfer or reimbursement.
The PSC must also decide how any profits from a sale or transfer of an Early Site Permit will be shared with ratepayers. Credits made to ratepayers must also include interest.

If the power plant for which the Early Site Permit was acquired is not constructed before the Early Site Permit expires, the PSC must hold a hearing to determine if the electric company acted imprudently by failing to construct the plant. If the PSC determines that the electric company acted imprudently, the PSC must order any company that recovered costs for the Early Site Permit to credit its ratepayers for the costs determined by the PSC to be imprudent. The companies must issue the credits, including interest, over a period of 5 to 10 years.

SECTION 386.850 - MISSOURI ENERGY TASK FORCE
This act repeals the statute that requires the Missouri Energy Task Force to reconvene at least once per year to review and report on progress made toward accomplishing the recommendations contained in the task force's final report.

This act contains provisions similar to SCS/SB 321 (2011), SCS/SB 48 (2011), SB 406 (2011), SB 207 (2011), and HB 462 (2011).
ERIKA JAQUES

02/09/2011 Introduced and Read First Time (H) (H334)
02/10/2011 Read Second Time (H) (H339)
02/24/2011 Referred: Utilities (H) (H451)
03/01/2011 Public Hearing Completed (H)
03/01/2011 Executive Session Completed (H)
03/01/2011 Voted Do Pass - Consent (H)
03/03/2011 Reported Do Pass by Consent (H) (H522)
03/03/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H522)
03/09/2011 Rules - Executive Session Completed (H)
03/09/2011 Rules - Voted Do Pass - Consent (H)
03/09/2011 Rules - Reported Do Pass Consent (H) (H573)
03/17/2011 Perfected by Consent - Pursuant to House Rules (H) (H698)
03/31/2011 Third Read and Passed (H) (H807)
04/04/2011 S First Read--HB 462-Pollock (S565)

04/07/2011 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S667)
04/19/2011 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee
04/19/2011 SCS Voted Do Pass S Commerce, Consumer Protection, Energy and the Environment Committee (1403S.02C)
04/28/2011 Reported from S Commerce, Consumer Protection, Energy and the Environment Committee to Floor w/SCS (S1207)
05/05/2011 Bill Placed on Informal Calendar (S1353)
05/13/2011 SS for SCS S offered (Lager)--(1403S.05F)
05/13/2011 Bill Placed on Informal Calendar
05/13/2011 S Inf Calendar H Bills for Third Reading--HB 462-Pollock, with SCS & SS for SCS (pending) (Lager)

EFFECTIVE: August 28, 2011

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*** HB 464 *** SCS HCS HB 464 1405S.06T

SENATE SPONSOR: Wasson HOUSE HANDLER: McNary

SCS/HCS/HB 464 - This act eliminates, combines, and revises certain state boards, commissions, committees, and councils.

GOVERNOR'S COUNCIL ON DISABILITY
(Section 8.650, 37.735, 37.740, 37.745, 162.1000, 286.001, 286.005, 286.200, 286.205, 286.210)

This act codifies the assignment of the Governor's Council on Disability to the Office of Administration from the Department of Labor and Industrial Relations.

WORKERS MEMORIAL COMMITTEE
(Section 8.900)
This act eliminates the Workers Memorial Committee, which was to organize a design competition for a memorial on the grounds of the capitol.

JOINT COMMITTEE ON WETLANDS
(Section 21.475)
This act eliminates the Joint Committee on Wetlands.

JOINT COMMITTEE ON COUNTY SALARIES
(Section 21.780)
This act eliminates the Joint Committee on County Salaries, which is required to review county salaries every ten years.

MISSOURI COMMUNITY SERVICE COMMISSION
(Sections 26.600, 26.603, 26.605, 26.607, 26.609, 26.611, 26.614, 620.580, 620.582, 620.584, 620.586, 620.588, 620.590, 620.592)

This act codifies the assignment of the Missouri Community Service Commission to the Department of Economic Development. Also, currently, the Missouri Community Service Commission is required to have at least fifteen, but no more than twenty-five voting members. This act reduces the total possible number of voting members to nineteen.

MULTISTATE TAX COMPACT ADVISORY COMMITTEE
(Sections 32.250, 32.260)

This act eliminates the Multistate Tax Compact Advisory Committee.

MISSOURI STATE EMPLOYEES' VOLUNTARY LIFE INSURANCE COMMISSION
(Sections 105.1006, 105.1010, 105.1012)
This act allows the Commissioner of Administration to administer the Missouri State Employees Voluntary Life Insurance Fund and eliminates the five member Missouri State Employees Voluntary Life Insurance Commission that previously administered the fund.

MISSOURI HEAD INJURY ADVISORY COUNCIL

(Sections 162.1000, 190.176, 192.735, 192.737, 192.739, 192.742, 192.745, 199.001, 199.003, 199.007, 199.009, 199.010, 199.029, 199.031, 199.037, 199.039, 199.041, 199.043, 199.051, 304.028)

This act changes the name of the Missouri Head Injury Advisory Council to the Missouri Brain Injury Advisory Council and codifies the transfer of the Missouri Brain Injury Advisory Council to the Department of Health and Senior Services. The act provides for the decrease of members of the council from twenty-five to fifteen and eliminates the legislative members of the council. Meetings of the full council shall be held four times a year or at the call of the council chairperson.

This act prescribes some additional duties for the department, including promulgating rules to prescribe policies or standards which affect charging and funding of adult brain injury rehabilitation services and reasonable rules relative to the implementation of participant rights for those using rehabilitation services. The department shall also promulgate rules to create a reasonable standard means test to be applied to all programs and services funded by the department. The administration of the renamed Brain Injury Fund is also transferred to the department. This act also provides that services provided by the department shall be directed toward preparation for education or vocational achievement, independent living, and community participation.

These sections are similar to SB 908 (2010).

JOINT COMMITTEE ON URBAN VOLUNTARY SCHOOL TRANSFER PROGRAMS
(Section 162.1060)
This act eliminates the Joint Committee on Urban Voluntary School Transfer Programs.

MISSOURI STATE ADVISORY COUNCIL ON PAIN AND SYMPTOM MANAGEMENT
(Sections 192.350, 192.352, 192.355)
This act eliminates the Missouri State Advisory Council on Pain and Symptom Management within the Department of Health and Senior Services.

MISSOURI ACCESS TO HIGHER EDUCATION TRUST BOARD
(Section 166.200, 166.201, 166.203, 166.205, 166.207, 166.209, 166.212, 166.215, 166.218, 166.220, 166.222, 166.225, 166.228, 166.231, 166.233, 166.235, 166.237, 166.240, 166.242)

This act repeals the Missouri Access to Higher Education Trust and the ten member board of directors established to govern the trust. The trust was authorized to contract with individuals to provide for the advance payment of tuition for beneficiaries to attend any of the state institutions of higher education.

MO RX PLAN ADVISORY COMMISSION
(Sections 208.175, 208.792)
This act eliminates the MO Rx Plan Advisory Commission, which provided advice on the benefit design and operational policy of the Missouri Rx plan. The Drug Utilization Review Board is given the power to provide advice on guidelines, policies, and procedures of the Missouri Rx plan.

MO HEALTHNET OVERSIGHT COMMITTEE
(Sections 208.195, 208.955)
This act eliminates the advisory committee appointed by the director of the Division of Family Services to provide technical advice regarding medical care for public assistance recipients and makes the MO Healthnet Oversight Committee serve as the medical care advisory committee to the Medicaid director. This act also eliminates the Comprehensive Entry Point System for Long-term Care Subcommittee of the MO Healthnet Oversight Committee.

The act also modifies the membership of the MO Healthnet Oversight Committee, so that instead of the current two patient advocates, the committee will include one mental health professional and one nurse.

COORDINATING COUNCIL ON SPECIAL TRANSPORTATION
(Section 208.275)
This act reduces the number of members of the Coordinating Council on Special Transportation within the Department of Transportation by eliminating the four legislative members of the council. The council shall expire on December 31, 2014.

COMMISSION ON THE SPECIAL HEALTH PSYCHOLOGICAL AND SOCIAL NEEDS OF MINORITY

OLDER INDIVIDUALS
(Sections 208.530, 208.533, 208.535, 210.496)

This act eliminates the Commission on the Special Health, Psychological, and Social Needs of Minority Older Individuals.

MISSOURI CHILDREN'S SERVICES COMMISSION
(Sections 210.101, 210.102)

This act modifies the membership of the Missouri Children's Services Commission. One of the two judges on the commission, and four of the legislative members are eliminated. Representatives from the departments of higher education and corrections and five members appointed by the governor are added to the commission.

LOW-LEVEL RADIOACTIVE WASTE COMPACT ADVISORY COMMITTEE
(Sections 260.372, 260.705, 260.720, 260.725, 260.735)

The Low-Level Radioactive Waste Compact Advisory Committee is eliminated and the Hazardous Waste Management Commission within the Department of Natural Resources will assume the duties of the committee.

MOTORCYCLE SAFETY PROGRAM ADVISORY COMMITTEE
(Section 302.136)

This act eliminates the Motorcycle Safety Program Advisory Committee which was established in the Department of Public Safety to assist in the development and implementation of the motorcycle safety program.

MISSOURI FIRE EDUCATION TRUST FUND BOARD, MISSOURI FIRE EDUCATION COMMISSION, AND MISSOURI FIRE SAFETY ADVISORY BOARD
(Section 320.094, 320.205)

This act eliminates the seven member Missouri Fire Education Trust Board that administered the Missouri Fire Education Trust Fund. The act also eliminates the requirement that money be distributed to the Fire Education Trust Fund from the Fire Education Fund, before money in the Fire Education Fund can be appropriated to the Division of Fire Safety.

The act also eliminates the six member Missouri Fire Safety Advisory Board who advised the State Fire Marshal.

The act adds four members to the Missouri Fire Education Commission and renames it the Missouri Fire Safety Education/Advisory Commission. This new commission shall administer the Missouri Fire Education Trust Fund.

BOARD OF LICENSED PRIVATE FIRE INVESTIGATOR EXAMINERS AND BOARD OF PRIVATE INVESTIGATOR EXAMINERS
(Sections 324.600, 342.603, 324.606, 324.608, 324.612, 324.615, 324. 618, 324.621, 324.624, 324.627, 324.630, 324.635, 324.1100, 324.1102, 324.1103, 324.1104, 324.1106, 324.1108, 324.1110, 324.1112, 324.1114, 324.1116, 324.1118, 324.1120, 324.1122, 324.1124, 324.1128, 324.1130, 324.1132, 324.1134, 324.1136, 324.1138, and 324.1144)

This act eliminates the Board of Licensed Private Fire Investigator Examiners and the Board of Private Investigator Examiners. The new Board of Private Investigator and Private Fire Investigator Examiners will carry out the duties and powers of these boards. The new board's responsibilities with regard to fire investigators will not take effect until the governor appoints the fire investigator members and the appointments are confirmed by the senate. The members serving on the Board of Private Investigator Examiners shall continue to serve on the new board and the new board will have two additional members who have been actively engaged in private fire investigations for the previous five years.

The act also requires private fire investigator agencies to be licensed by the board and merges the two board's licensing statutes.

The act modifies the requirements for licensing as a private fire investigator. Applicants for licensing as a private fire investigator will not be required to successfully complete a course of training and pass a written examination, instead the applicant would provide evidence that they are certified as a fire investigator by the

division of fire safety. The act also adds an exemption from licensing for fire instructors certified by the division of fire safety while the instructor is providing instruction, unless that instruction includes conducting an on-site investigation.

MISSOURI BOARD OF NURSING HOME ADMINISTRATORS
(Sections 344.060, 344.105, 344.108, 660.010)

Currently, the director of the Department of Health and Senior Services appoints the members of the Missouri Board of Nursing Home Administrators. This act gives the governor the authority to appoint the members of the Missouri Board of Nursing Home Administrators, with the advice and consent of the Senate.

This act also removes language requiring information in the request for retired or inactive status to be given under oath.

STATE BANKING AND SAVINGS AND LOAN BOARD
(Sections 361.070, 361.092, 361.093, 361.094, 361.095, 361.096, 361.097, 361.098, 361.105, 362.040, 362.105, 362.111, 362.325, 369.014, 369.024, 369.144, 369.159, 369.294, 369.299, 369.304, 369.309, 369.314, 369.319, 369.329, 371.060, 371.090, 371.240)

This act combines the State Banking Board and the State Savings and Loan Commission into the State Banking and Savings and Loan Board. This board will have five members, one attorney, two members with at least five years of bank management experience, one member with at least five years of experience managing a savings and loan association, and one member not involved in the administration of a financial institution. The members shall serve six year terms.

The hearing and appeal procedures for determinations dealing with savings and loan associations will be governed by the hearing and appeal process as it currently exists for state banks.

SMALL BUSINESS REGULATORY FAIRNESS BOARD
(Sections 536.310, 536.312)

This act allows the small business regulatory fairness board to hire a one-half full-time and a full-time equivalent employee for clerical support and for a professional position subject to appropriation. Those individuals shall be charged with numerous clerical and administrative tasks in support of the board as are enumerated in the act.

The board may use other appropriated funds for Internet upkeep, information technology, covering mileage costs for members, paying for publications, and outreach costs.

Fifty cents from every business filing with the Secretary of State shall be deposited in the small business regulatory fairness board fund to support the activities of the board.

This provision is similar to SB 182 (2011), HB 1101 (2009), and HB 182 (2010).

MISSOURI SEED CAPITAL INVESTMENT BOARD
(Sections 620.638, 620.641, 620.644, 620.647, 620.650, 620.653)

This act eliminates the Missouri Seed Capital Investment Board and transfers its duties to the Missouri Technology Corporation.

SUICIDE PREVENTION ADVISORY COMMITTEE
(Sections 630.910, 630.915, 632.020)

This act eliminates the Suicide Prevention Advisory Committee within the Department of Mental Health and the requirement that the Department of Mental Health seek funding to participate in the National Violent Death Reporting System. The Missouri Advisory Council for Comprehensive Psychiatric Services is given the responsibility to provide oversight for suicide prevention activities.

ADVISORY COMMITTEE ON LEAD POISONING
(Section 701.302)

This act eliminates the Advisory Committee on Lead Poisoning which was required to make recommendations to the Governor and the General Assembly on ways to eliminate and screen for lead poisoning, among other recommendations.

This act is similar to SCS/SB 388 (2011), SB 244 (2011), and SCS/SBs 991 & 645 (2010).

EMILY KALMER

SA 1 - CURRENTLY, THE GOVERNOR IS REQUIRED TO CHOOSE MEMBERS OF THE MISSOURI DENTAL BOARD AND THE STATE BOARD OF REGISTRATION FOR THE HEALING ARTS FROM LISTS OF NAMES SUBMITTED BY THE DIRECTOR OF THE DIVISION OF PROFESSIONAL REGISTRATION. WHEN THE MEMBER TO BE APPOINTED TO THE BOARD IS A DENTIST OR DOCTOR, THIS AMENDMENT REQUIRES THAT THE LISTS INCLUDE THE NAMES OF DENTISTS OR DOCTORS RECOMMEND TO THE DIRECTOR BY THE MISSOURI DENTAL ASSOCIATION, THE MISSOURI STATE MEDICAL ASSOCIATION, OR THE MISSOURI ASSOCIATION OF OSTEOPATHIC PHYSICIANS AND SURGEONS, AS THE CASE MAY BE. THE AMENDMENT SPECIFIES THAT THESE LISTS ARE PUBLIC RECORDS AVAILABLE FOR INSPECTION AND COPYING.

THIS AMENDMENT ALSO CHANGES THE QUALIFICATIONS FOR SERVICE ON THE MO HEALTHNET OVERSIGHT COMMITTEE.

SA 2- THIS AMENDMENT REMOVES THE LANGUAGE ELIMINATING THE COMMISSION ON THE SPECIAL HEALTH, PSYCHOLOGICAL, AND SOCIAL NEEDS OF MINORITY OLDER INDIVIDUALS. (SECTIONS 208.530, 208.533, 208.535, 210.496).

SA 3-THIS AMENDMENT MODIFIES THE MEMBERSHIP OF THE MISSOURI CHILDREN'S SERVICES COMMISSION. ONE OF THE TWO JUDGES ON THE COMMISSION, AND FOUR OF THE LEGISLATIVE MEMBERS ARE ELIMINATED. REPRESENTATIVES FROM THE DEPARTMENTS OF HIGHER EDUCATION AND CORRECTIONS ARE ADDED. (SECTION 210.101)

THIS PROVISION IS SUBSTANTIALLY SIMILAR TO A PROVISION IN HCS/HB 562 (2011) AND SCS/HB 464 (2011).

THIS AMENDMENT ALSO ESTABLISHES A 18-MEMBER MISSOURI TASK FORCE ON PREMATURITY AND INFANT MORTALITY WITHIN THE CHILDREN'S SERVICES COMMISSION TO SEEK EVIDENCE-BASED AND COST-EFFECTIVE APPROACHES TO REDUCE MISSOURI'S PRETERM BIRTH AND INFANT MORTALITY RATES. THE TASK FORCE SHALL ALSO ISSUE FINDINGS AND PROPOSE TO THE APPROPRIATE PUBLIC AND PRIVATE ORGANIZATIONS GOALS, OBJECTIVES, STRATEGIES, AND TACTICS DESIGNED TO REDUCE PREMATURITY AND INFANT MORTALITY IN MISSOURI, INCLUDING RECOMMENDATIONS ON PUBLIC POLICY FOR CONSIDERATION DURING THE NEXT APPROPRIATE SESSION OF THE GENERAL ASSEMBLY. ON OR BEFORE DECEMBER 31, 2013, THE TASK FORCE SHALL SUBMIT A REPORT TO THE GOVERNOR AND THE GENERAL ASSEMBLY WITH THEIR FINDINGS.

SIX OF THE 18 MEMBERS SHALL BE MEMBERS OF THE GENERAL ASSEMBLY WITH TWO MEMBERS APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, ONE BY THE MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES, TWO BY THE PRESIDENT PRO TEM OF THE SENATE, AND ONE BY THE MINORITY LEADER OF THE SENATE. THE TASK FORCE SHALL MEET INITIALLY BY OCTOBER 15, 2011, AND AT LEAST QUARTERLY THEREAFTER.

THE TASK FORCE SHALL EXPIRE JANUARY 1, 2015, OR UPON THE SUBMISSION OF A FINAL REPORT, WHICHEVER IS EARLIER. (SECTION 210.105)

SA 4 - THIS AMENDMENT REPEALS THE PROVISION OF LAW THAT REQUIRES THE BOARD OF PRIVATE INVESTIGATOR EXAMINERS TO LICENSE INDIVIDUALS WHO ARE QUALIFIED TO TRAIN PRIVATE INVESTIGATORS.

SA 5 - THIS AMENDMENT MODIFIES THE MEMBERSHIP OF THE MISSOURI FIRE SAFETY EDUCATION/ADVISORY COMMISSION, SO THAT THE MEMBER OF THE COMMISSION WHO WAS REQUIRED TO BE A PERSON WITH EXPERTISE IN FIRE PREVENTION IS INSTEAD A PERSON WHO PROVIDES FIRE SAFETY APPLIANCES OR EQUIPMENT.

SA 6 - THIS AMENDMENT REMOVES THE SMALL BUSINESS REGULATORY FAIRNESS BOARD FUND.

THE AMENDMENT ALLOWS THE BOARD TO RECEIVE ADDITIONAL FUNDS FOR EXPENSES AND EQUIPMENT FOR THE ADDITIONAL 1 ½ FULL TIME EQUIVALENT EMPLOYEE OF THE BOARD.

A MAJORITY VOTE OF THE BOARD MEMBERS IS REQUIRED FOR HIRING, RETENTION, AND TERMINATION OF BOARD EMPLOYEES. ALL DUTIES OF BOARD EMPLOYEES SHALL BE DEDICATED SOLELY TO THE SUPPORT OF AND FOR THE FURTHERANCE OF THE PURPOSE AND MISSION OF THE BOARD.

SA 7 - DESPITE OTHER LAWS TO THE CONTRARY, THIS PROVISION AUTHORIZES THE BOARD OF COMMISSIONERS OF TOWER GROVE PARK TO ADJUST THE SIZE OF ITS MEMBERSHIP WITH THE APPROVAL OF A MAJORITY OF THE BOARD MEMBERS.

02/09/2011 Introduced and Read First Time (H) (H335)
02/10/2011 Read Second Time (H) (H339)
02/15/2011 Referred: Downsizing State Government (H) (H368)
02/17/2011 Public Hearing Completed (H)
03/03/2011 Executive Session Completed (H)
03/03/2011 HCS Voted Do Pass (H)
03/07/2011 HCS Reported Do Pass (H) (H537)
03/07/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H537)
04/04/2011 Rules - Executive Session Completed (H)
04/04/2011 Rules - Voted Do Pass (H)
04/04/2011 Rules - Reported Do Pass (H) (H838)
04/13/2011 HCS Adopted (H) (H1263)
04/13/2011 Perfected with Amendments (H) (H1263)
04/14/2011 Third Read and Passed (H) (H1287)
04/14/2011 S First Read--HCS for HB 464 (S740-741)
04/18/2011 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S751)
04/26/2011 Hearing Conducted S Financial and Governmental Organizations and Elections Committee
05/02/2011 SCS Voted Do Pass S Financial and Governmental Organizations and Elections Committee (1405S.06C)
05/05/2011 Reported from S Financial and Governmental Organizations and Elections Committee to Floor w/SCS (S1344)
05/09/2011 SA 1 to SCS S offered & adopted (Schaaf)--(1405S06.01F) (S1539-1545)
05/09/2011 SA 2 to SCS S offered (Chappelle-Nadal)--(1405S06.04S) (S1545)
05/09/2011 Bill Placed on Informal Calendar (S1545)
05/12/2011 SA 2 to SCS S adopted (S1921)
05/12/2011 SA 3 to SCS S offered (Schmitt)--(1405S06.07S) (S1922-1923)
05/12/2011 SA 1 to SA 3 to SCS S offered & adopted (Ridgeway)--(1405S06.11S) (S1923)
05/12/2011 SA 3 to SCS, as amended, S adopted (S1923)
05/12/2011 SA 4 to SCS S offered & adopted (Wasson)--(1405S06.02S) (S1923-1924)
05/12/2011 SA 5 to SCS S offered & adopted (Green)--(140506S.06S) (S1924)
05/12/2011 Bill Placed on Informal Calendar (S1924)
05/12/2011 SA 6 to SCS S offered & adopted (Ridgeway)--(1405S06.12S) (S1925-1926)
05/12/2011 SA 7 to SCS S offered & adopted (Keaveny)--(1405S06.10S) (S1926)
05/12/2011 SCS, as amended, S adopted (S1926)
05/12/2011 S Third Read and Passed (S1926-1927 / H2519-2527)
05/12/2011 H concurs in SCS, as amended (S1975)
05/12/2011 H Third Read & Passed (S1975)
05/12/2011 Truly Agreed To and Finally Passed (S1975)

EFFECTIVE: August 28, 2011

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*** HB 465 *** HCS HB 465 1361L.04T

SENATE SPONSOR: Wasson HOUSE HANDLER: Wells

HCS/HB 465 - This act modifies and updates the law relating to credit unions.

The act updates the credit union statutes to designate the Department of Insurance, Financial Institutions and Professional Registration as the department overseeing credit unions and designates the Director of Credit Unions as the head of the Division of Credit Unions.

The director of the Division of Credit Unions and division employees and special agents shall take an oath of confidentiality and are barred from disclosing certain information. Certain exceptions are enumerated. Those individuals, other than the members of the credit union commission, who examine credit unions or

make official decisions regarding credit unions shall not be an officer or director of, or receive payment from, a credit union the division regulates.

In the course of an investigation, the director may compel the production of documents and the attendance of persons having knowledge of pertinent issues, administer oaths, and seek enforcement of an administrative subpoena.

Officers, directors, and employees shall not be charged with libel, slander, or defamation for good faith communications with the director or employees of the division.

The act updates the process by which directors, officers, and employees may be removed from office or suspended by the director of the division of credit unions. The director of the division shall deliver a notice of intention to remove or prohibit the party from acting in connection with a credit union stating the grounds for such action and the time and place for a hearing for removal or prohibition. Those suspended or prohibited from participating in the affairs of the credit union may file a stay of such suspension or prohibition in circuit court.

If suspensions cause a lack of a quorum for a board of directors, the board may function under those not suspended. If all the directors are suspended, the director of the division shall appoint temporary directors to take their place.

This act removes a provision of law restricting credit unions from issuing certain loans to directors and credit and supervisory committee members exceeding $25,000.

The act removes provisions establishing requirements for reserve funds and instead requires credit unions to maintain reserves sufficient to qualify for federal share insurance and satisfy regulations relating to reserve fund requirements.

Currently, notice of a meeting at which a plan for merger is to be submitted shall be as provided in the credit unions bylaws or by letter to shareholders. This act requires notice to be mailed to each member between 14 and 30 days before the meeting. Members may vote remotely by electronic ballot. The same procedures shall be allowed when a state-chartered credit union votes to convert to a federal credit union.

This act is similar to SB 306 (2011).

CHRIS HOGERTY

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| 02/09/2011 | Introduced and Read First Time (H) (H335) |
| 02/10/2011 | Read Second Time (H) (H339) |
| 02/15/2011 | Referred: Financial Institutions (H) (H368) |
| 02/16/2011 | Public Hearing Completed (H) |
| 02/16/2011 | Executive Session Completed (H) |
| 02/16/2011 | HCS Voted Do Pass - Consent (H) |
| 02/24/2011 | Executive Session Completed (H) |
| 02/24/2011 | HCS Voted Do Pass - Consent (H) |
| 02/28/2011 | HCS Reported Do Pass by Consent (H) (H472) |
| 02/28/2011 | Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H472) |
| 03/03/2011 | Rules - Executive Session Completed (H) |
| 03/03/2011 | Rules - Voted Do Pass - Consent (H) |
| 03/03/2011 | Rules - Reported Do Pass Consent (H) (H523) |
| 03/14/2011 | Perfected by Consent - Pursuant to House Rules (H) (H607) |
| 03/16/2011 | Third read and passed (H) (H667-668) |
| 03/16/2011 | S First Read--HCS for HB 465 (S478-479) |
| 03/31/2011 | Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S546) |
| 04/11/2011 | Hearing Conducted S Financial and Governmental Organizations and Elections Committee |
| 04/18/2011 | Voted Do Pass S Financial and Governmental Organizations and Elections Committee |
| 04/21/2011 | Reported from S Financial and Governmental Organizations and Elections Committee to Floor (S813) |
| 04/27/2011 | S Third Read and Passed (S1128-1129) |
| 04/27/2011 | Truly Agreed To and Finally Passed (H1658) |

EFFECTIVE: August 28, 2011

HOUSE HANDLER: Diehl

HCS/HB 468 - This act allows the governing body of any municipality to enter into loan agreements, or sell, lease, or mortgage municipal property to private entities for the development of a technology business facility project. Transactions involving the lease or rental of such properties will be exempt from state and local sales taxes and any leasehold interests on such properties will not be subject to property taxes. The act allows municipalities to sell or otherwise dispose of municipal property to private entities for technology business facility projects provided that the terms and methods utilized reasonably protect the economic well being of the municipality. Any private entity which transfers property to the municipality for purposes of a technology business facility project will reserve the right to request that the municipality transfer such property back to the entity at no cost.

Under current law, enhanced enterprise zone tax credits are equal to the lesser of the annual amount of projected state economic benefit for the enhanced business enterprise, as determined by the department of economic development, or the sum of credits calculated at four hundred dollars for each new business facility employee employed within an enhanced enterprise zone, four hundred dollars for each new business facility employee who is a resident of the enhanced enterprise zone, and four hundred dollars for each new business facility employee who receives a wage that exceeds the average county wage in the county in which the facility is located. Taxpayers are allowed to receive enhanced enterprise zone tax credits each year for up to ten years for establishing a new business facility. Taxpayers are prohibited from receiving multiple ten year periods for subsequent expansion the same business facility.

This act reduces the number of years a taxpayer may receive such tax credits to five years and prohibits taxpayers from receiving multiple five year periods for subsequent expansions at the same business facility. The act also changes the amount of the credit to an amount equal to the lesser of the annual amount of projected state economic benefit for the enhanced business enterprise, as determined by the department, or up to two and one-half percent of the gross wages of each new business facility employee plus up to one-half of one percent of new business facility investment.

The act expands the enhanced enterprise zone program to allow dormant manufacturing zones to be designated as enhanced enterprise zones. Any taxpayer that establishes a new business facility in a dormant manufacturing zones may be eligible to receive enhanced enterprise zone tax credits. To receive the tax credit, a taxpayer must employ at least two new individuals at the new business facility or invest at least $100,000 during the taxable year in which the credit is claimed. A taxpayer who receives this tax credit cannot also receive tax credits or other benefits for the same new jobs from the new or expanded business facilities tax credit, enterprise zones tax benefit, tax credit for relocating a business to a distressed community, or enhanced enterprise zones tax credit or the Missouri Quality Jobs Program.

Tax credits for new business facilities in dormant manufacturing plant zones approved or designated as an enhanced enterprise zone will be included in the $24 million annual cap on tax credits authorized for all enhanced enterprise zones. A taxpayer may receive enhanced enterprise zone tax credits for the expansion of an existing facility if such expansion involves an investment of at least $1 million during the applicable tax period results in the at least two new or retained employees during the tax year in which the credit is claimed. The credits for new business facilities established in a dormant manufacturing zone must be claimed for the taxable year in which commencement of commercial operations occurs at the new business facility and for each of the following five years in which the credit is issued. The credits are refundable and transferable but cannot be carried forward.

Prior to the issuance of any tax credits, the department of economic development must verify through the Department of Revenue or any other state department that the applicant does not owe any delinquent taxes, interest or penalties on any taxes, or any delinquent fees or assessments. A taxpayer who is delinquent after June 15 but before July 1 of any year will be given 30 days to satisfy the delinquency. Any available credits will be applied to delinquencies, and any remaining credits will be issued to the applicant subject to the restrictions of other provisions of law.

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 and internet services used in new data storage center 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 facility. In order to receive the sales tax exemption provided for new data storage center 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 center facilities for all machinery, equipment, computers, electrical energy, gas, water and other utilities including telecommunication and internet 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 center 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.

The act establishes the Missouri Science and Innovation Reinvestment Act. The act requires the advise and consent of the Senate for Gubernatorial appointments to the Missouri Technology Corporation's board of directors and sets the terms and requirements for the various members of the board of directors. The powers and duties of the Missouri Technology Corporation are expanded to allow the corporation to assume all monies and assets of the Missouri Seed Capital Investment Board. In addition to the exceptions to open records and meetings requirements provided under the Sunshine Act, the act authorizes the Missouri Technology Corporation to close certain meetings and records held by the corporation. The directors of the Department of Economic Development and the Department of Revenue must annually determine the incremental increase in gross wages paid within the state to science and innovation employees and apply a formula to such amount to determine the amount of funding necessary to administer the programs of the corporation. Once a determination is made, the directors of the department of economic development and the department of revenue must report their findings to the Governor and the General Assembly. The act replaces the Missouri Technology Fund with the Missouri Science and Innovation Reinvestment Fund, which will receive annual appropriations made by the General Assembly, based upon recommendations made by the directors of the Departments of Economic Development and Revenue, and contributions made by private entities, the federal government, and local governments. The act requires that any contract entered into between the corporation and any not-for-profit organization must provide at least a one hundred percent match of funding received from the corporation.

The act contains provisions similar to those found in Senate Bill 217 (2011) and Senate Bill 79 (2011).
JASON ZAMKUS

02/10/2011 Introduced and Read First Time (H) (H347)
02/14/2011 Read Second Time (H) (H356)
02/14/2011 Referred: Economic Development (H) (H357)
02/15/2011 Public Hearing Completed (H)
03/15/2011 Executive Session Completed (H)
03/15/2011 HCS Voted Do Pass (H)
03/16/2011 HCS Reported Do Pass (H) (H670)
03/16/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H670)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass (H)
03/28/2011 Rules - Reported Do Pass (H) (H725)
04/05/2011 HCS Adopted (H) (H905)
04/05/2011 Perfected with Amendments (H) (H906)
04/07/2011 Third read and passed (H) (H1166-1167)
04/07/2011 S First Read--HCS for HB 468 (S665-666)
04/14/2011 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S737)
05/04/2011 Hearing Cancelled S Jobs, Economic Development and Local Government Committee

EFFECTIVE: August 28, 2011

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*** HB 470 *** SS SCS HCS HB 470 & 429 0869S.07T

SENATE SPONSOR: Rupp HOUSE HANDLER: Funderburk

SS/SCS/HCS/HB's 470 & 429 - Under current law, any person, venue, or entity that pays compensation to a nonresident entertainer or athlete in excess of three hundred dollars, must withhold two percent from

such payment as prepayment of the nonresident entertainer and athlete tax. This act exempts not-for-profit entities that receive no benefit from a nonresident entertainer's appearance other than the entertainer's performance from such withholding requirement.

Current allocations of tax revenues derived from the nonresident entertainer and athlete tax to the Missouri arts council trust fund, the Missouri state library networking fund, Missouri public television broadcasting corporation special fund, and the Missouri Department of Natural Resources Missouri historic preservation revolving fund are authorized to be made for all taxable years beginning on or after January 1, 1999, but ending on or before December 31, 2015. This act will allow such allocations perpetually.

The provisions of this act are identical to those contained in the introduced versions of House Bill 470 (2011) and House Bill 429 (2011).
JASON ZAMKUS

02/10/2011 Introduced and Read First Time (H) (H347)
02/14/2011 Read Second Time (H) (H356)
02/16/2011 Referred: Tax Reform (H) (H378)
02/23/2011 Public Hearing Completed (H)
03/09/2011 Executive Session Completed (H)
03/09/2011 HCS Voted Do Pass (H)
03/09/2011 HCS Reported Do Pass (H) (H570)
03/09/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H570)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass (H)
03/28/2011 Rules - Reported Do Pass (H) (H725)
04/04/2011 Taken Up for Perfection (H) (H837)
04/04/2011 Laid Over (H) (H837)
04/05/2011 Taken Up for Perfection (H) (H846)
04/05/2011 HCS Adopted (H) (H847)
04/05/2011 Perfected (H) (H847)
04/07/2011 Third Read and Passed (H) (H1159-1160)
04/07/2011 S First Read--HCS for HBs 470 & 429 (S665)
04/14/2011 Second Read and Referred S General Laws Committee (S737)
04/26/2011 Hearing Conducted S General Laws Committee
05/03/2011 SCS Voted Do Pass S General Laws Committee (0869S.05C)
05/05/2011 Reported from S General Laws Committee to Floor w/SCS (S1345)
05/10/2011 SS for SCS S offered (Rupp)--(0869S.07F) (S1678)
05/10/2011 SA 1 to SS for SCS S offered & adopted (Lager)--(0869S07.01S) (S1678)
05/10/2011 SA 2 to SS for SCS S offered (Ridgeway)--(0869S07.02S) (S1678-1679)
05/10/2011 Bill Placed on Informal Calendar (S1679)
05/11/2011 SA 2 to SS for SCS S withdrawn (S1722)
05/11/2011 SS for SCS, as amended, S adopted (S1722)
05/11/2011 S Third Read and Passed (S1722-1723 / H2404-2405)
05/12/2011 H concurs in SS for SCS, as amended (H2541 / S1973)
05/12/2011 H Third Read & Passed (H2542 / S1973)
05/12/2011 Truly Agreed To and Finally Passed (S1973)

EFFECTIVE: August 28, 2011

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*** HB 473 *** HCS HB 473 0963L.05P

SENATE SPONSOR: Stouffer HOUSE HANDLER: Jones

HCS/HB 473 – This act modifies the laws governing charter schools.

SECTION 160.400 – In addition to the St. Louis City and Kansas City School Districts, charter schools may be operated in unaccredited districts, provisionally accredited districts if certain criteria are met, and in districts accredited without provisions if sponsored by the local school board.

This act removes the restriction that a sponsoring public four-year college or university have its primary campus in the school district or in a county adjacent to the county in which the district is located. In addition, a community college whose service area encompasses some portion of the district may be a sponsor. Currently, any private four-year college or university located in St. Louis City with an enrollment of one thousand students and an approved teacher preparation program may be a sponsor. This act eliminates the

requirement that the institution be located in St. Louis City but requires that its primary campus be located in Missouri. Additional sponsors include any two-year private vocational or technical school, as described in the act, the Missouri Charter Public School Commission, and a nonprofit or charitable organization, excluding a nonpublic sectarian or religious institution exempt from federal taxation under section 501(c)(3) or 501(c)(6).

Except for the St. Louis and Kansas City school districts, changes in a school district's accreditation status will be addressed in the following manner: as a district transitions from unaccredited to provisionally accredited, the district will fall under the requirements of an unaccredited district until it has three consecutive school years of provisional accreditation; and a charter school whose charter provides for the addition of grade levels may continue to add levels until the planned expansion is complete.

The mayor of St. Louis City may request a two-year private vocational or technical school, the Missouri Charter Public School Commission, or a nonprofit or charitable organization, excluding a nonpublic sectarian or religious institution exempt from federal taxation under section 501(c)(3) or 501(c)(6), to consider sponsoring a "workplace charter school."

When a charter school chooses to affiliate with a four-year college or university, the college or university will no longer required to be located within the county in which school district lies or in an adjacent county.

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. A sponsor that receives 1.5% funding to defray expenses associated with sponsorship must submit annual reports to the Joint Committee on Education demonstrating compliance with requirements.

A charter school sponsor must develop policies and procedures for the following: the review of a charter school proposal; the granting of a charter; the performance framework of a charter; the renewal, revocation, and nonrenewal processes; additional criteria for oversight of the charter; and procedures to be used when a school closes for the transfer or repository of student records and the disposition of school assets. The Department of Elementary and Secondary Education is required to provide guidance to sponsors in developing these procedures and policies.

Currently, the State Board of Education has authority to require remedial action for a sponsor, including withholding its funding and suspending, for a period of one year, its ability to sponsor a school. This act allows the State Board to suspend a sponsor's ability to sponsor a school until reauthorized by the Department of Elementary and Secondary Education under section 160.403. If the state board serves as interim sponsor of a charter school, the board shall revoke the school's charter if the school fails to meet academic performance or other goals in the charter.

This act allows the Special Administrative Board of the St. Louis City School District, in equal partnership with the Cooperating School Districts of St. Louis, to sponsor a charter school and declare itself as the local education agency of the charter school for school funding purposes. If the special administrative board if dissolved, the charter school may continue to operate provided it seeks and obtains a new sponsorship under the new governing board of the school district and the cooperating school districts.

SECTION 160.403 – The Department of Elementary and Secondary Education must establish an annual application and approval process for all entities eligible to sponsor charter schools. All information and guidelines for eligible sponsors must be made available by January 1, 2012.

An eligible sponsor must submit an application by April 1 that includes the following: written notice of intent; evidence of budget and personnel capacity; an outline of the request for proposal that it would use to solicit charter school applicants; the performance framework that the applicant sponsor would use to guide the establishment of a charter contract, and oversee and evaluate the charter school it would sponsor; and its renewal, revocation, and nonrenewal processes.

By July 1 annually, the Department must grant or deny a sponsoring authority to a sponsor applicant. Within thirty days of the Department's decision, it must execute a renewable sponsoring contract with each approved sponsoring entity. The term will be ten years in length.

All entities sponsoring a charter school at the time of this act's effective date must apply to the Department of Elementary and Secondary Education for approval to continue as a sponsor by April 1, 2012. By July 1,

2012, the Department must decide whether to grant the sponsor the authority to continue. Charter sponsors that are granted the authority to continue as a sponsor may do so for ten years. A sponsor that is denied authority will lose authority to sponsor immediately. The Missouri Charter Public School Commission will become the interim sponsor for a period of up to three years until the charter school finds a new sponsor or until the charter contract period lapses.

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 a performance contract, as described in the act.

The term of a charter will be for five years, instead of the current provision that allows charters to be not less than five but not greater than ten years.

Any charter school that is sponsored by the Special Administrative Board of the St. Louis City School District in equal partnership with the Cooperating School Districts of St. Louis County, the charter may be for a period of three years and may be renewable. If such a charter school does not perform to the academic standards initially set out in the charter agreement, the SAB and CSD may close the school at the end of the three-year term and incorporate it into the school district.

A charter must contain the following additional items: description of the procedures that ensure admission of students with disabilities in a nondiscriminatory manner; a description of the school's grievance procedure for parents or guardians; a description of the agreement between the school and the sponsor as to when a charter will be revoked for failure to comply with certain requirements or will not be renewed; procedures to be implemented if the charter school were to close; and a description of the special education and related services that will be available to meet the needs of students with disabilities.

A charter must be submitted to the sponsor and follow the sponsor's policies and procedures for review and granting. In addition, the charter must be approved by the State Board of Education by December 1 prior to the proposed opening date of the charter school.

This act removes the requirement if a sponsor grants three or more charters that at least one-third of them be schools actively recruiting dropout students or high-risk students. It also modifies the definition of "high risk" student.

Charter schools must conduct a background check of education personnel, including through the Family Care Safety Registry.

Audit reports and annual financial reports must be published on the charter school's website or on DESE's website. This act removes the reference to the annual financial report in chapter 165.

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 to annually monitor student academic performance, based upon grade levels offered by the school.

The performance standards for alternative and special purpose charter schools that target high-risk students must be based on academic growth measures.

Charter schools are required to comply with all applicable federal and state special education laws including IDEA and section 504 of the Rehabilitation Act of 1973.

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 after the most recent review, 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 direct access to federal grants and allows the school to become an agency if the sponsor and the governing board reach a written agreement to become an agency.

This act limits the length of probationary status for a charter school to no more than twelve months, provided that no more than one designation of probationary status is allowed for the duration of the charter contract.

This act eliminates judicial review of a sponsor's final decision to revoke a charter.

Beginning August 1, during the year in which a charter is up for renewal, a sponsor must demonstrate to the State Board of education that the charter school is in compliance with federal and state law on accountability, transparency, maintenance of parent, student, and employee rights, performance of charter requirements, and academic performance standards, as described in the act. For a charter school that offers high school grades, the sponsor must establish that the average graduation rate for the most recent three years is no lower than seventy percent in any of the last four years unless the school is engaged in dropout recovery and enrolls seventeen to twenty-one year old students. For all charter schools, the sponsor must establish that the school is not among the persistently lowest achieving five percent of schools by using three years of Missouri Assessment Program for communication arts and mathematics data. The State Board of Education must determine if the sponsor has demonstrated compliance. If compliance has not been achieved, the school and the sponsor must file a statement by October 31 stating why the school should not be closed. If no such statement is filed, the school must cease operation at the end of the current academic year. If a statement is timely filed, the State Board must hold a public hearing no later than January 10 to determine if the charter should be renewed. The State Board must vote by February 28 as to whether to continue school operations. The State Board may also impose certain conditions on continue operation or may close the charter school at the end of the current academic year.

A charter school must close at the end of the academic year if: the charter is revoked by the State Board of Education; the charter is revoked by the school's sponsor; the charter is not renewed; or the charter is voluntarily relinquished. The decision of the State Board to revoke or not renew a charter is final.

A properly authorized charter school will have the right to purchase or lease an unused facility or unused portion of a facility from a school district. A purchase or lease will be made available to a charter school at a fair market value prior to any unused facility or unused portion of a facility being offered to any noncharter school entity. No school district may sell or lease a facility to another entity without doing so first.

The State Board of Education must immediately close all existing charter schools that have failed to attain the state's annual yearly performance standard established pursuant to the state's implementation plan for No Child Left Behind that are not outperforming the lowest performing district school in the district.

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 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. Charter alternative and special purpose schools may also give a preference for admission to high-risk students, as defined, when the school targets these students through its proposed mission, curriculum, teaching methods, and services.

Students of a charter school who are present for the January membership count in section 163.011 will be counted in the performance of the charter school on the statewide assessments in that calendar year, unless otherwise exempted as English language learners.

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 and will be considered a resident student. 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, or if action by the State Board of Education occurs under section 162.081, 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.

The Foster Care Bill of Rights (sections 167.018 and 167.019) apply to charter schools.

SECTION 160.415 – An educational cooperative of school districts may provide managerial academic services as a contractor.

If a proposed charter school intends to contract with an education services provider for substantial educational services, management services, or both, the request for proposals must require charter school applicants to: provide evidence of the service provider's success in serving student populations similar to the targeted population; provide a term sheet setting forth the proposed duration of the service contract, roles and responsibilities of governing board, school staff, and service provider, scope of services, performance evaluation measures and time lines, methods of contract oversight; disclose and explain any existing or potential conflicts of interest between the governing board and proposed service provider; disclose and explain any termination or nonrenewal of contracts for equivalent services for any other charter school within the past five years; ensure that the lead administrator and the legal counsel at the charter school shall be direct employees of the charter school governing board; and provide a process to ensure that the expenditures that the educational service provider intends to bill the charter school will receive prior approval of the governing board or its designee.

The Department of Elementary and Secondary Education may withhold funding at an adequate 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 160.417 – By October 1, 2011, and each October 1 thereafter, the Department of Elementary and Secondary education must identify charter schools experiencing financial stress using information from the report required by section 162.821. A list of charter schools experiencing financial stress will be provided to the Governor, Speaker of the House of Representatives, and President Pro Tem of the Senate.

Parameters for financial stress are defined in the act.

By November 1, the Department must notify the charter school sponsor and the board of directors if it is identified as experiencing financial stress. The sponsor must develop and approve a budget and education plan, which must be submitted to the Department. The Department may withhold any payment of financial aid until such time as the charter school is in compliance with these requirements.

SECTION 160.420 - In addition to existing criminal background check requirements, charter schools must ensure that a Family Care Safety Registry check is conducted for employees. In addition, "certification by the National Standards Board" is updated to be "National Board for Professional Teaching Standards."

SECTION 160.425 – This act creates the Missouri Charter Public School Commission. It will have nine members, all appointed by the Governor with the advice and consent of the Senate. Members will serve a term of four years, except for the initial appointees, whose terms are staggered. Commission members will be: one member selected from a slate of three candidates recommended by the Commissioner of Education; one member selected from a slate of three candidates recommended by the Commissioner of Higher Education; one member selected from a slate of three recommended by the President Pro Tem of the Senate; a member selected from a slate of three recommended by the Speaker of the House of Representatives; and five additional members. Operating procedures for the Commission are included.

The Commission may approve proposed charters for its sponsorship, as described in the act. The Department of Elementary and Secondary Education must provide start-up funding for the Commission to operate, which will be reimbursed from funds the Commission receives as sponsor of any charter schools under section 160.400.

SECTION 1 – The Joint Committee on Education must review the fifth cycle school improvement program standards to determine what effects, if any, changes to performance standards may have on the number and

type of charter schools and sponsorship as a consequence of a district's accreditation status. The Joint Committee must deliver a report, with any recommendations for changes to law or State Board of Education policy, no later than December 31, 2011.

This act is similar to SCS/SBs 291, 184 & 294 (2011) and contains provisions similar to SB 838 (2010), SB 835 (2010), HB 2200 (2010), SB 317 (2009), SB 1027 (2008) and SB 64 (2009).
MICHAEL RUFF

02/10/2011 Introduced and Read First Time (H) (H347)
02/14/2011 Read Second Time (H) (H356)
02/15/2011 Referred: Elementary and Secondary Education (H) (H368)
02/23/2011 Public Hearing Completed (H)
03/09/2011 Executive Session Completed (H)
03/09/2011 HCS Voted Do Pass (H)
03/09/2011 HCS Reported Do Pass (H) (H569)
03/09/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H569)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass (H)
03/30/2011 Rules - Reported Do Pass (H) (H781)
04/06/2011 Taken Up for Perfection (H) (H1148)
04/06/2011 Laid Over (H) (H1148)
04/19/2011 Taken Up for Perfection (H) (H1318)
04/19/2011 Laid Over (H) (H1318)
04/19/2011 Taken Up for Perfection (H) (H1320)
04/19/2011 HCS Adopted (H) (H1325)
04/19/2011 Perfected with Amendments (H) (H1325)
04/20/2011 Referred: Fiscal Review (H) (H1416)
04/21/2011 Executive Session Completed (H)
04/21/2011 Voted Do Pass (H)
04/21/2011 Reported Do Pass (H) (H1428)
04/27/2011 Third Read and Passed (H) (H1627-1628)
04/27/2011 S First Read--HCS for HB 473 (S1133)
05/02/2011 Second Read and Referred S Education Committee (S1238)
05/04/2011 Hearing Conducted S Education Committee
05/10/2011 Voted Do Pass S Education Committee
05/10/2011 Reported from S Education Committee to Floor (S1713)
05/10/2011 Referred S Ways & Means & Fiscal Oversight Committee (S1714)
05/11/2011 Hearing Conducted S Ways and Means and Fiscal Oversight Committee
05/11/2011 Voted Do Pass S Ways & Means & Fiscal Oversight Committee
05/11/2011 Reported from S Ways & Means & Fiscal Oversight Committee to Floor (S1779)
05/12/2011 SS S offered (Stouffer)--(0963S.14F) (S1970-1971)
05/12/2011 SA 1 to SS S offered (Schmitt)--(0963S14.11S) (S1971-1972)
05/12/2011 Bill Placed on Informal Calendar (S1972)
05/13/2011 S Inf Calendar H Bills for Third Reading--HCS for HB 473, with SS & SA 1 (pending) (Stouffer)

EFFECTIVE: August 28, 2011

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*** HB 475 *** HCS HB 475 1276L.03P

SENATE SPONSOR: Rupp HOUSE HANDLER: Funderburk

HCS/HB 475 - This act establishes provisions relating to health care quality data standardization and transparency. Criteria is established for insurers to use in programs that publicly assess and compare the quality and cost efficiency of health care providers.

A health care provider shall furnish a patient without health insurance, upon request, a timely cost estimate for any elective or non-emergency health care service. The health insurer of a covered individual shall furnish, upon request, a timely cost estimate and all patient cost-sharing obligations for any elective or non-emergency service. Data regarding cost estimates may be provided to the public via the Internet.

Insurers shall retain the services of a nationally recognized independent health care quality standard-setting organization to review the plan's programs for consumers that measure, report, and tier providers based on their performance. The program measures shall provide performance information that reflects consumers' health needs.

Consumers, consumer organizations, relevant providers and provider organizations shall be solicited to provide input on the program, including methods used to determine performance strata. A clearly defined process for consumers to resolve complaints and for providers to request review of their own performance results shall be established. All quality measures shall be endorsed by the National Quality Forum (NQF) and the act lists the other national organizations that shall be used for endorsement in the event that NQF measures do not exist for a particular level of measures.

A health plan shall be deemed compliant with the provisions of this act regarding the measurement of quality if it currently offers a program that has been granted or awarded certification from the National Committee for Quality Assurance (NCQA) as of January 1, 2012. Any non-accredited health plan shall offer an accredited program upon a contract renewal with a provider on or after January 1, 2013.

A person who sells or distributes health care quality and cost efficiency data in a comparative format to the public is required to identify the source used to confirm the validity of the data and its analysis as an objective indicator of health care quality. This provision does not apply to articles or research studies that are published in peer-reviewed academic journals, nonprofit community-based organizations, or by state or local governments. The Department of Health and Senior Services shall investigate complaints of alleged violations of this provision by a person or entity other than a health carrier and shall be authorized to impose a penalty not to exceed $1,000. Alleged violations by a health insurer shall be investigated by the Department of Insurance, Financial Institutions and Professional Registration.

This act is similar to SB 917 (2010) and SB 1062 (2010).
ADRIANE CROUSE

02/10/2011 Introduced and Read First Time (H) (H347)
02/14/2011 Read Second Time (H) (H356)
02/14/2011 Referred: Health Insurance (H) (H357)
02/22/2011 Public Hearing Completed (H)
03/03/2011 Executive Session Completed (H)
03/03/2011 HCS Voted Do Pass (H)
03/07/2011 HCS Reported Do Pass (H) (H537)
03/07/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H537)
03/14/2011 Rules - Executive Session Completed (H)
03/14/2011 Rules - Voted Do Pass (H)
03/14/2011 Rules - Reported Do Pass (H) (H607)
03/30/2011 HCS Adopted (H) (H777)
03/30/2011 Perfected with Amendments (H) (H777)
03/30/2011 Referred: Fiscal Review (H) (H781)
03/31/2011 Reported Do Pass (H) (H790)
03/31/2011 Third read and passed (H) (H792-793)
03/31/2011 S First Read--HCS for HB 475 (S543)
04/07/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S666)
04/12/2011 Hearing Cancelled S Health, Mental Health, Seniors and Families Committee

EFFECTIVE: August 28, 2011

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*** HB 484 *** 0932L.01T

SENATE SPONSOR: Stouffer HOUSE HANDLER: Faith

HB 484 - This act establishes the Missouri State Transit Assistance Program to be administered by the Department of Transportation to provide financial assistance to defray the operating and capital costs incurred by public mass transportation providers. The distribution of any appropriated funds to public mass transportation service providers shall be determined by evaluating certain factors of each service provider including population, ridership, cost and efficiency of the program, availability of alternative transportation in the area, and local efforts and tax support (Section 226.195).
STEPHEN WITTE

02/10/2011 Introduced and Read First Time (H) (H348)
02/14/2011 Read Second Time (H) (H356)
02/24/2011 Referred: Transportation Funding & Public Institutions (H451)
03/03/2011 Public Hearing Completed (H)
03/10/2011 Executive Session Completed (H)
03/10/2011 Voted Do Pass (H)

03/15/2011 Executive Session Completed (H)
03/15/2011 Voted Do Pass - Consent (H)
03/15/2011 Reported Do Pass by Consent (H) (H636)
03/15/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H636)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass - Consent (H)
03/28/2011 Rules - Reported Do Pass Consent (H) (H725)
04/04/2011 Perfected by Consent - Pursuant to House Rules (H) (H839)
04/06/2011 Third Read and Passed (H) (H915-916)
04/06/2011 S First Read--HB 484-Faith (S636)
04/07/2011 Second Read and Referred S Transportation Committee (S668)
04/20/2011 Hearing Conducted S Transportation Committee
04/27/2011 Voted Do Pass S Transportation Committee
05/05/2011 Reported from S Transportation Committee to Floor (S1344)
05/10/2011 Bill Placed on Informal Calendar (S1671)
05/12/2011 S Third Read and Passed (S1896 / H2457)
05/12/2011 Truly Agreed To and Finally Passed (H2457)

EFFECTIVE: August 28, 2011

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*** HB 499 *** 0900L.01T

SENATE SPONSOR: Wasson HOUSE HANDLER: Wells

HB 499 - This act adds licensed professional counselors to the list of health care professionals who can report to the Department of Revenue a person diagnosed as having a disorder or condition that may prevent him or her from driving a motor vehicle in a safe manner. A report from a professional counselor shall provide the director with good cause to believe that the operator may be incompetent or unqualified to retain his or her driver's license and the director may require the person to submit to an examination in order to retain it.
STEPHEN WITTE

02/14/2011 Introduced and Read First Time (H) (H357)
02/15/2011 Read Second Time (H) (H366)
03/03/2011 Referred: Professional Registration & Licensing (H) (H519)
03/09/2011 Public Hearing Completed (H)
03/15/2011 Executive Session Completed (H)
03/15/2011 Voted Do Pass - Consent (H)
03/15/2011 Reported Do Pass by Consent (H) (H636)
03/15/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H636)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass - Consent (H)
03/28/2011 Rules - Reported Do Pass Consent (H) (H725)
04/04/2011 Perfected by Consent - Pursuant to House Rules (H) (H839)
04/05/2011 Third read and passed (H) (H878-879)
04/05/2011 S First Read--HB 499-Wells, et al (S591-592)
04/07/2011 Second Read and Referred S Transportation Committee (S668)
04/20/2011 Hearing Conducted S Transportation Committee
04/27/2011 Voted Do Pass S Transportation Committee
04/27/2011 Reported from S Transportation Committee to Floor (S1150-1151)
04/28/2011 S Third Read and Passed (S1201)
04/28/2011 Truly Agreed To and Finally Passed (H1688)

EFFECTIVE: August 28, 2011

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*** HB 503 *** 1480L.01P

SENATE SPONSOR: Engler HOUSE HANDLER: Dugger

SCS/HB 503 - This act changes the date of the presidential primary from the first Tuesday after the first Monday in February to the first Tuesday after the first Monday in March and removes the first Tuesday after the first Monday in February and June as dates available for public elections.

This act is similar to SB 282 (2011) and SB 270 (2011).
CHRIS HOGERTY

02/14/2011 Introduced and Read First Time (H) (H358)

02/15/2011 Read Second Time (H) (H366)
02/21/2011 Referred: Elections (H) (H403)
03/01/2011 Public Hearing Completed (H)
03/08/2011 Executive Session Completed (H)
03/08/2011 Voted Do Pass - Consent (H)
03/08/2011 Reported Do Pass by Consent (H) (H553)
03/08/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H553)
03/09/2011 Rules - Executive Session Completed (H)
03/09/2011 Rules - Voted Do Pass - Consent (H)
03/09/2011 Rules - Reported Do Pass Consent (H) (H573)
03/17/2011 Perfected by Consent - Pursuant to House Rules (H) (H698)
03/31/2011 Third Read and Passed (H) (H808)
04/04/2011 S First Read--HB 503-Dugger, et al (S565)
04/07/2011 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S667)
04/18/2011 Hearing Conducted S Financial and Governmental Organizations and Elections Committee
04/26/2011 SCS Voted Do Pass S Financial and Governmental Organizations and Elections Committee (1480S.02C)

EFFECTIVE: August 28, 2011

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*** HB 504 *** HCS HB 504, 505 & 874 1479L.04P

HOUSE HANDLER: Silvey

HCS/HBs 504, 505 & 874 - This act modifies the provisions relating to domestic violence.

DEFINITIONS

This act provides the same definition for "domestic violence" and "family and household member" in various chapters and statutes relating to domestic violence and orders of protection. The definition sections pertaining to child orders of protection are repealed. Sections 43.545, 452.375, 455.010, 455.200, 455.501, 455.540, 527.290

ALIGNING ADULT AND CHILD ABUSE ORDERS OF PROTECTION

This act also provides consistency relating to adult and child orders of protection, including the definitions for "abuse", "adult", and "child". This act provides that the grounds for issuing ex parte or full orders of protection for both adults and children include stalking. In addition, adult and child orders now both prohibit communicating with the petitioner. This act also provides for enhanced penalties for violating child orders of protection as with repeated violations of adult orders. Sections 455.010; 455.035; 455.516; 455.520;455.523; 455.538

JUVENILE COURT JURISDICTION

This act provides juvenile court jurisdiction for respondents to orders of protection under the age of 17. A guardian ad litem shall be appointed for respondents less than 17 years of age only if such respondent is not represented by a parent or guardian. This act addresses the confidentiality of the juvenile records and when such records may be open. Sections 211.031; 455.035; 455.513; 455.800

AUTOMATIC ONE-YEAR RENEWAL

The court may, upon a finding that it is in the best interest of the parties, include a provision that any full order of protection for one year shall automatically renew unless the respondent requests a hearing within thirty days prior to the expiration of the order. Sections 455.040; 455.516

OTHER CHANGES TO ORDERS OF PROTECTION PROCESS

This act provides that terms of orders may reflect the individual circumstances of parties and allows for a judge to determine if a petitioner's dismissal of an order of protection proceeding is voluntary. Sections 455.050; 455.060; 455.520; 455.523

This act prescribes the types of violations that may result in criminal offenses. Section 455.085

This act prohibits a petitioner from being charged a filing fee in any action relating to adult orders of protection, including motions for contempt seeking to enforce an existing order of protection. Section 455.027

BATTERER INTERVENTION PROGRAMS

The Division of Probation and Parole shall promulgate rules to establish standards and to adopt a credentialing process for any court-ordered Batterer Intervention program. Section 455.549

REPEAT OFFENDERS AND MUNICIPAL OFFENSES

This act limits municipal jurisdiction over offenders who repeatedly commit domestic assault or violate an order of protection. Also, municipal offenses are allowed to be used to enhance the level of criminal offense that is charged by the prosecutor. Sections 455.085; 455.538; 565.074

SERVICES TO VICTIMS FUND

This act amends the Services to Victims Fund to provide that public or private agencies shall use no more than ten percent of any funds received for administrative purposes. Section 595.100

INFORMATION TO BE ENTERED IN MULES

This act requires service of orders of protection to be entered into the Missouri Uniform Law Enforcement System("MULES") within 24 hours. Section 455.038

This provision is identical to HB 118 (2011).

Also, law enforcement agencies maintaining MULES shall include certain child custody and visitation information when entering an order of protection. Section 455.040

This provision is substantially similar to HB 234 (2011).

SAFE AT HOME ADDRESS CONFIDENTIALITY PROGRAM

This act repeals the sunset provision to the Safe at Home confidentiality program, which is a program that provides victims of sexual assault, rape, stalking and domestic violence a substitute mailing address through the Secretary of State's Office. SECTION 589.683

SAFE EXAMS

This act requires the Department of Public Safety to establish maximum reimbursement rates for SAFE exam charges. Section 595.220

This act is substantially similar to SS#2/SCS/SB 320 (2011).

ADRIANE CROUSE

02/14/2011 Introduced and Read First Time (H) (H358)
02/15/2011 Read Second Time (H) (H366)
03/07/2011 Referred: Judiciary (H) (H537)
03/09/2011 Public Hearing Completed (H)
04/13/2011 Executive Session Completed (H)
04/13/2011 HCS Voted Do Pass (H)
04/19/2011 HCS Reported Do Pass (H) (H1373)
04/19/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H1373)
04/21/2011 Rules - Hearing Cancelled
04/22/2011 Rules - Executive Session Completed (H)
04/22/2011 Rules - Voted Do Pass (H)
04/26/2011 Rules - Reported Do Pass (H) (H1619)
05/02/2011 HCS Adopted (H) (H1699)
05/02/2011 Perfected with Amendments (H) (H1699)
05/03/2011 Referred: Fiscal Review (H) (H1795)
05/04/2011 Executive Session Completed (H)
05/04/2011 Voted Do Pass (H)
05/04/2011 Reported Do Pass (H) (H1833)
05/09/2011 Third Read and Passed (H) (H2069)
05/09/2011 S First Read--HCS for HBs 504, 505 & 874 (S1529)
05/10/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S1639)

EFFECTIVE: August 28, 2011

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*** HB 506 *** SCS HCS HB 506 1489S.03T

SENATE SPONSOR: Lembke HOUSE HANDLER: Fuhr

SCS/HCS/HB 506 - Under current law, political subdivisions that levy different rates on subclasses of real

property are required to revise their rates if the amount of revenue derived differs from the amount that would result from using a single rate on all real property. This act would require school districts that levy different rates on subclasses of real property, due to a ballot measure approved by voters prior to January 1, 2011, to revise their tax rates if the amount of revenue derived differs from the amount that would result from using a blended rate on all real property.

This act also allows any political subdivision that approved a tax increase after August 27, 2008, to levy a rate to collect substantially the same amount of tax revenue as would have been collected by applying the voter-approved increased tax rate ceiling to the total assessed valuation of the political subdivision on or before the election date, increased by the percentage increase in the federal Consumer Price Index.
JASON ZAMKUS

02/15/2011 Introduced and Read First Time (H) (H369)
02/16/2011 Read Second Time (H) (H378)
02/16/2011 Referred: Ways and Means (H) (H378)
02/24/2011 Public Hearing Completed (H)
03/03/2011 Executive Session Completed (H)
03/03/2011 HCS Voted Do Pass - Consent (H)
03/07/2011 HCS Reported Do Pass by Consent (H) (H538)
03/07/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H538)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass - Consent (H)
03/28/2011 Rules - Reported Do Pass Consent (H) (H725)
04/04/2011 Perfected by Consent - Pursuant to House Rules (H) (H839)
04/05/2011 Third read and passed (H) (H879-880)
04/05/2011 S First Read--HCS for HB 506 (S592)
04/07/2011 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S668)
05/05/2011 Hearing Conducted S Ways and Means and Fiscal Oversight Committee
05/05/2011 SCS Voted Do Pass S Ways and Means and Fiscal Oversight Committee (1489S.03C)
05/10/2011 Reported from S Ways and Means and Fiscal Oversight Committee to Floor w/SCS (S1674)
05/11/2011 Bill Placed on Informal Calendar (S1814)
05/12/2011 SA 1 to SCS S offered & adopted (Pearce)--(1489S03.03S) (S1930-1931)
05/12/2011 SA 2 to SCS S offered & adopted (Ridgeway)--(1489S03.01S) (S1931-1933)
05/12/2011 SCS, as amended, S adopted (S1933)
05/12/2011 S Third Read and Passed (S1933-1934 / H2531-2533)
05/12/2011 H concurs in SCS, as amended (S1975)
05/12/2011 H Third Read & Passed (S1975)
05/12/2011 Truly Agreed To and Finally Passed (S1975)

EFFECTIVE: August 28, 2011

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*** HB 513 *** 0978L.03P

HOUSE HANDLER: Newman

HB 513 - This act modifies provisions relating to the rights to public accommodation and service dogs afforded to persons with mental disabilities.

MENTAL DISABILITIES
This act adds an individual with mental disabilities to the list of people who must be afforded the same rights as those without disabilities to use streets, highways, sidewalks, public buildings, public facilities, and other public places. An individual with mental disabilities is also entitled to equal accommodation from common carriers, airlines, motor vehicles, trains, buses, taxis, and any other public conveyances or modes of transportation, as well as hotels, places of public accommodation, amusement or resort, and other places to which the general public is invited. This act also provides that persons with mental disabilities shall have the right to be accompanied by a guide, hearing, or service dog in any of these places without being required to pay an extra charge, provided that such person shall be liable for any damages done to the premises or facilities by such dog.

SERVICE DOGS
A member of a service dog team has the right to be accompanied by the dog while the dog is in training and shall be liable for any damages to a facility caused by the dog training. A service dog team consists of a trained service dog, a disabled person or child, and an adult person who has been trained to handle the dog. The term "service dog" is revised to include a search and rescue dog that is trained to assist a person with a

mental disability from becoming lost and a service team dog that has been trained to help with the search and rescue of an individual with a disability.
ADRIANE CROUSE

02/15/2011 Introduced and Read First Time (H) (H370)
02/16/2011 Read Second Time (H) (H378)
02/24/2011 Referred: Special Standing Committee on Disability Services (H451)
03/07/2011 Public Hearing Completed (H)
03/14/2011 Executive Session Completed (H)
03/14/2011 Voted Do Pass - Consent (H)
03/15/2011 Reported Do Pass by Consent (H) (H637)
03/15/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H637)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass - Consent (H)
03/28/2011 Rules - Reported Do Pass Consent (H) (H725)
04/04/2011 Perfected by Consent - Pursuant to House Rules (H) (H839)
04/05/2011 Third read and passed (H) (H880-881)
04/05/2011 S First Read--HB 513-Newman, et al (S592)
04/07/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S668)

EFFECTIVE: August 28, 2011

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*** HB 523 *** SCS HCS HB 523 1529S.07C

SENATE SPONSOR: Pearce HOUSE HANDLER: Molendorp

SCS/HCS/HB 523 - This act establishes a limited-lines insurance license to sell portable electronics insurance. This act also modifies the law with respect to motor vehicle extended service contracts and surplus lines insurance.

INSURANCE COVERAGE FOR PORTABLE ELECTRONIC DEVICES - This act establishes a limited-lines insurance license to sell portable electronics insurance. The act prohibits issuance or sale of portable electronics insurance coverage without licensure by the Department of Insurance. The act creates a licensing framework under which vendors can offer this specialized insurance. The act requires vendors of portable electronics to make disclosures about portable electronics insurance coverage to prospective customers. The act authorizes the department to suspend or revoke a license, or impose civil penalty, for violation of provisions of act. The act authorizes the department to adopt rules.

Portable electronics insurance is generally defined as insurance covering repair or replacement of portable electronics due to theft, misplacement, damage, mechanical faults or similar damage.

Under the terms of this act, portable electronics transaction vendors must obtain a license from the Department of Insurance, Financial Institutions and Professional Registration in order for an employee to be authorized to sell or offer portable electronics insurance at each location at which the vendor engages in a transaction.

The initial license fee shall not exceed $1,000, and the annual renewal fee shall not exceed $500. The act dictates that the license fees shall be deposited into the Insurance Dedicated Fund.

Under the terms of the act, vendors are required to have available at each of its locations specific brochures and actual policies or certificates of coverage available to prospective customers which disclose information about portable electronics insurance benefits, duplication of coverage, filing of a claim, and policy cancellation.

Under the act, eligibility and underwriting standards for a customer electing to enroll in coverage must be established for each portable electronics insurance program. Each insurer must maintain all eligibility and underwriting records for 5 years and designate a business entity to supervise its program. The supervising business entity will be responsible for the development of a training program for the employees and authorized representatives of a vendor.

Insurers and applicable supervising business entities offering portable electronics insurance are required to share all complaint, grievance, and inquiries regarding any conduct that is specific to a vendor and that may not comply with applicable state laws and regulations.

The act requires supervising business entities to maintain a registry of authorized vendor locations. Upon request of the director and within 10 days' notice to the supervising business entity, the registry must be open to inspection and examination. Within 30 days of a supervising business entity terminating a vendor location's appointment to sell or solicit the insurance, the entity must update the registry with the effective date of termination.

Under the act, employees or authorized representatives of a vendor are prohibited from advertising or holding themselves out as insurance producers, unless they are otherwise licensed as insurance producers.

Under the act, the charges for portable electronics insurance coverage may be billed and collected by a vendor. Charges that are not included in the cost associated with the purchase or lease of portable electronics or related services shall be separately itemized on the customer's bill. A vendor must clearly and conspicuously disclose to the customer if the cost of the portable electronics insurance is included in the purchase price of the electronic device or related services.

Under the act, licensed vendors are subject to specified provisions of the insurance code and are subject to the investigation and examination by the department. The department can suspend, revoke, refuse to issue, or refuse to renew a portable electronics insurance license for specified reasons outlined in the act and can impose penalties, issue administrative orders, or maintain a civil actions against the vendor.

The act stipulates that an insurer may terminate or change the terms and conditions of a policy if the insurer gives at least 30 days' notice to the policyholder and enrolled customers. If an insurer changes the terms and conditions of a policy of portable electronics insurance, the insurer must provide the vendor and policyholders with revised policies or endorsements. An insurer can terminate an enrolled customer's enrollment under a policy upon 15 days' notice for the discovery of fraud or material misrepresentation in obtaining coverage or in the presentation of a claim under the policy. The insurer may immediately terminate an enrolled customer's enrollment under a policy for nonpayment of premiums, inactivity of service, or the customer exhausts the aggregate limit of liability under the policy (provided the insurer sends notice of the termination within 30 calendar days after the exhaustion of the limit).

The act provides that if a policyholder terminates a portable electronics insurance policy, the policyholder must mail or deliver written notice to each enrolled customer advising the customer of the termination and the effective date of such termination. The written notice must mailed or delivered at least 30 days prior to the termination (Sections 379.1500 to 379.1550).

MOTOR VEHICLE EXTENDED SERVICE CONTRACTS - This act modifies the law regarding motor vehicle extended service contracts.

This act makes it unlawful for a motor vehicle extended service contract provider to fail to deliver a fully executed motor vehicle extended service contract to the consumer within a commercially feasible time period (no more than 45 days), from the date the consumer's initial payment is processed. The act also makes it unlawful for any provider, administrator, or producer who sell such contracts to fail to deliver a copy of an unsigned copy of the written contract to the consumer, if requested, prior to the time the consumer's initial payment is processed. Offerors may also direct the consumer to a website containing an unsigned copy of the service contract. (Section 385.205).

The act also modifies who may sell motor vehicle extended service contracts. The authorized employees of motor vehicle dealers, motor vehicle manufacturers, lenders, and other entities may sell such contracts. Authorized employees of an administrator under contract to effect coverage, collect provider fees, and settle claims of a registered provider may sell motor vehicle extended service contracts provided that such administrators are licensed as business entities. Vehicle owners transferring an existing motor vehicle extended service contract to a subsequent owner of the same vehicle may legally sell or transfer motor vehicle extended service contracts (Section 385.206).

Business entity producers or individual producers licensed under the provisions of this act as may sell such contracts. Business entity producers must pay an initial and renewal licensure fee not to exceed $100. Individual producers must pay an initial and renewal licensure fee not to exceed $25. Examinations for individual producers are waived. Producer licenses issued under the act are valid for a period of 2 years and must be renewed biennially. Business entities must provide a list to the director of all of their locations at which they offer service contracts (Section 385.207).

The act modifies the free look period provision for reviewing a motor vehicle extended service contract. Under the act, motor vehicle extended service contracts shall contain a free look period that allows the purchaser to return the contract to the provider within at least 20 business days of the mailing date of the contract or the purchase date if the contract is executed and delivered at the time of sale. A 10% penalty of the amount outstanding per month shall be added to the refund that is not paid within 45 days (current law 30 days) of return of the contract to the provider. If a claim is made under the contract during the free look period, the provider shall refund to the contract holder the full purchase price less any claims that have been paid (Section 385.206.14).

The act further provides that a motor vehicle extended service contract shall state that a service contract holder may cancel the contract after the free look period at any time and the provider must refund 100% of the unearned pro rata provider fee, less any claims paid. A reasonable administrative fee may be surcharged by the provider in an amount not to exceed $50. The provider of the motor vehicle extended service contract must mail a written notice within 45 days of the date of termination (current law is 15 days) (Section 385.206.13).

The act modifies the law regarding what constitutes a deceptive practice under the motor vehicle extended service contract act. The act forbids providers, administrators, and other sellers of such contracts from using the word "warranty" in their materials. In addition, such entities shall not represent in any manner a false or deceptive statement with respect to:

(1) An affiliation with a motor vehicle manufacturer or dealer;
(2) Possession of information regarding a motor vehicle owner's current motor vehicle manufacturer's original equipment warranty;
(3) The expiration of a motor vehicle owner's current motor vehicle manufacturer's original equipment warranty;
(4) A requirement that such motor vehicle owner register for a new motor vehicle extended service contract with such provider in order to maintain coverage under the motor vehicle owner's current motor vehicle extended service contract or manufacturer's original equipment warranty; or
(5) Any term or provision of a motor vehicle extended service contract.

The act also makes it unlawful for a person to use fraud in the connection with the offer or sale of a motor vehicle extended service contract. Employing fraud in connection with the sale of a motor vehicle extended service contract is a level 3 violation under the insurance code (civil penalties of $5,000 per violation, etc.). In addition, persons engaged in fraud in connection with the sale of a service contract shall be guilty of a felony, be subject to imprisonment for a term not to exceed 10 years, and be ordered to pay restitution (Section 385.208).

The act establishes the statutory reasons for which the director may suspend or revoke a license to sell motor vehicle extended service contracts. For example, the director may suspend an individual's license for having been convicted of a felony. The act also establishes the appeals process an aggrieved license holder may follow if the holder's license is suspended or revoked. Appeals shall be made to the administrative hearing commission. The act also requires motor vehicle extended service contract producers to notify the director of address changes, license revocations, or civil actions within 30 days. In addition, producers must report to the director any felony proceedings initiated by any state or the federal government within 30 days of the initial pretrial hearing date or arraignment (Section 385.209).

Under the act, a provider registered to issue motor vehicle extended service contracts must maintain a register of business entity producers who are authorized to sell such contracts in this state. Within 30 days of a provider authorizing a producer to sell motor vehicle extended service contracts, the provider shall enter the name and license number of the producer in the company registry of appointed motor vehicle extended service contract producers. Within 30 days of a provider terminating a business entity producer's appointment to sell motor vehicle extended service contracts, the provider shall update the registry with the effective date of the termination. Under the act, providers having information relating to any cause for discipline under the act must notify the director of this information in writing (Section 385.211).

The motor vehicle extended service contract provisions have an effective date of January 1, 2012.

MISSOURI SURPLUS LINES INSURANCE LAW - This act adopts amendments to the insurance code to comply with the federal Nonadmitted and Reinsurance Reform Act of 2010 (NRRA) relating to surplus lines insurance. The NRRA will preempt certain state laws that are inconsistent with the act's provisions, which are

designed to bring about a certain amount of uniformity in the areas of licensing of surplus lines insurance professionals, the standards under which surplus lines insurance may be sold, and the taxes that may be collected from the sale of surplus lines insurance.

The act adds definitions to "The Missouri Surplus Lines Law" (Sections 384.011 to 384.071). The act adds the terms "exempt commercial purchaser", "home state", "nonadmitted insurance" and "qualified risk manager" to the definition section of the Missouri Surplus Lines Law. The definitions for such terms are consistent with the NRRA (15 USC 8206)(Section 384.015).

Under the terms of the act, surplus lines insurance may be placed by a surplus lines licensee if the insurer is authorized to write the type of insurance in its domiciliary jurisdiction (Section 384.017).

The act modifies the requirements and qualifications for nonadmitted insurers to furnish coverage. A surplus lines licensee shall not place coverage with a nonadmitted insurer unless the licensee determines that the nonadmitted insurer:

(1) Meets the capital and surplus requirements of Missouri or $15 million (the director may waive the financial requirements if the nonadmitted insurer's capital and surplus is at least $4.5 million and the director finds the insurer is acceptable); and

(2) Appears on the most recent list or eligible surplus lines insurers published by the director or appears on the most recent quarterly listing of alien insurers maintained by the NAIC.

Under the terms of the act, a surplus lines licensee seeking to place nonadmitted insurance in Missouri for an exempt commercial purchaser shall not be required to satisfy any requirement to make a due diligence search to determine whether the full amount or type of insurance by the exempt commercial purchaser can be obtained from nonadmitted insurers if:

(1) The surplus lines licensee placing the surplus lines insurance has disclosed to such exempt commercial purchaser that the insurance may or may not be available from the admitted market that may provide greater protection with more regulatory oversight; and

(2) The exempt commercial purchaser has subsequently requested in writing the surplus lines licensee to place such insurance from a nonadmitted insurer (Section 384.021).

This act modifies the licensing requirements for insurance producers in the surplus lines insurance market. Beginning on or before July 1, 2012, the director shall participate in the national insurer database of the NAIC for the licensure of surplus lines licensees and the renewal of such licensees. Under the act, a person selling nonadmitted insurance with respect to an insured shall be required to obtain or possess a current surplus lines insurance issued by the director only if this state is the insured's home state (Section 384.043).

Under this act, every insured or self-insurer whose home state is Missouri who procures surplus lines insurance, other than through a surplus lines broker, must file a report describing the names of the insureds, the subject of the insurance and other prescribed information (Section 384.051).

Under the terms of this act, only the home state of the insured will have the authority to tax and regulate the placement of such policies, regardless of where portions of the risk is located. The act imposes the current 5% tax on insureds and self-insurers whose home state is this state on the gross amount of the premium (current law is net amount) (Section 384.051). The 5% tax shall be levied upon and only upon the entire gross premium for nonadmitted or surplus lines insurance policies for which the home state of the insured is Missouri. The placement of nonadmitted insurance shall be subject to the statutory and regulatory requirements of Missouri law only if this state is the insured's home state. A surplus lines broker is required to be licensed as a surplus lines licensee under the provisions of this chapter only if this state is the insured's home state (Section 384.061).

The surplus lines provisions are subject to an emergency clause. The surplus lines provisions may also be found in SCS/SB 392 and HB 773 (2011).
STEPHEN WITTE

02/15/2011 Introduced and Read First Time (H) (H371)
02/16/2011 Read Second Time (H) (H378)
03/03/2011 Referred: Insurance Policy (H) (H519)
03/14/2011 Public Hearing Completed (H)

04/04/2011 Executive Session Completed (H)
04/04/2011 HCS Voted Do Pass (H)
04/05/2011 HCS Reported Do Pass (H) (H907)
04/05/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H907)
04/11/2011 Rules - Executive Session Completed (H)
04/11/2011 Rules - Voted Do Pass (H)
04/11/2011 Rules - Reported Do Pass (H) (H1205)
04/20/2011 HCS Adopted (H) (H1409)
04/20/2011 Perfected (H) (H1409)
04/26/2011 Third read and passed (H) (H1609)
04/26/2011 S First Read--HCS for HB 523 (S1069)
05/02/2011 Second Read and Referred S Small Business, Insurance and Industry Committee (S1238)
05/05/2011 Hearing Conducted S Small Business, Insurance and Industry Committee
05/05/2011 SCS Voted Do Pass S Small Business, Insurance and Industry Committee (1529S.07C)
05/05/2011 Reported from S Small Business, Insurance and Industry Committee to Floor w/SCS (S1345)
05/10/2011 Bill Placed on Informal Calendar (S1677)
05/13/2011 S Informal Calendar H Bills for Third Reading--HCS for HB 523, with SCS (Pearce)

EFFECTIVE: Varies

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*** HB 525 *** 1509L.01P

SENATE SPONSOR: Rupp HOUSE HANDLER: Molendorp

HB 525 - This act modifies the Insurers Supervision, Rehabilitation and Liquidation Act. This act adopts a provision of the National Association of Insurance Commissioners Insurance Receivership Model Act ("IRMA"), which clarifies the handling of life and health reinsurance in the event that a Missouri domestic insurance company has been placed in conservation or rehabilitation proceedings pursuant to the Insurers Supervision, Rehabilitation and Liquidation Act.

Under the terms of the act, contracts reinsuring policies of life or health insurance or annuities issued by a ceding insurer that has been placed in conservation or rehabilitation proceedings shall be continued or terminated under the terms of each contract and the provisions of this act. Such reinsurance contracts shall be continued unless the contracts were terminated under their own terms prior to the date of the order of liquidation ("coverage date") or the contracts were terminated under an order of liquidation.

Within 180 days of the date of the order of liquidation, guaranty associations covering policies of life or health insurance or annuities may elect to succeed to the rights of the insolvent insurer with respect to its existing reinsurance contracts.

In order to facilitate the decision of whether to assume the reinsurance contracts, the act requires the receiver and reinsurer of a ceding insurer to make copies of the reinsurance contracts and all related files available to the applicable guaranty association.

If the guaranty association assumes the reinsurance contracts, then it shall be responsible for all unpaid premiums due under such contracts and shall be responsible for the performance of all other obligations to be performed after the coverage date. The guaranty association may charge policies or annuities covered by it the costs for reinsurance in excess of the obligations of the guaranty association.

The act requires the guaranty association and each reinsurer, within 30 days following the guaranty association's election to assume the reinsurance contracts, to calculate the net balance due on the reinsurance contracts. The reinsurer must pay the receiver any amounts due for losses or events prior to the coverage date, subject to any setoff for premiums unpaid for periods prior to the date. Disputes over the amounts due to either the guaranty association or the reinsurer must be resolved by arbitration (either under the terms of the reinsurance contracts or the terms of this act).

Under the act, reinsurers shall not be entitled to terminate reinsurance contracts for failure to pay premiums if the guaranty association pays premiums due within 60 days of assumption.

The act also allows a receiver to elect to succeed to the rights or an reinsurance contract if the policies of insurance are not covered in whole or in part by one or more guaranty associations.

If a guaranty association elects not to assume a reinsurance contract by the election date, then the

guaranty association shall no rights or obligations with respect to the reinsurance contract.

Under the act, reinsurance contracts may be transferred by the guaranty association to an assuming insurer when policies and annuities are transferred to the assuming insurer. The transferred reinsurance contract shall not cover any new policies or annuities unless the reinsurer and the assuming insurer agree otherwise.

The act sets forth procedures to follow when a reinsurance contract is terminated. Upon notice of termination, the reinsurer and receiver shall commence a mandatory negotiation and arbitration procedure. Each party must appoint an actuary to determine an estimated sum due as a result of the termination of the reinsurance contract. Each party shall provide the other party with its estimate of the sum due as a result of the termination of the reinsurance contract. If the parties cannot agree on a sum due, either party may initiate arbitration proceedings as provided in the reinsurance contract. If the reinsurance contract does not provide for arbitration, either party may initiate arbitration by providing the other party with a written demand for arbitration. The act establishes the procedures in which the arbitration must be conducted (venue, appointment of arbitrators, discovery, hearings, issuance of an award, etc.).

This act is identical to SB 304 (2011).
STEPHEN WITTE

02/15/2011 Introduced and Read First Time (H) (H371)
02/16/2011 Read Second Time (H) (H378)
02/24/2011 Referred: Insurance Policy (H) (H452)
02/28/2011 Public Hearing Completed (H)
03/07/2011 Executive Session Completed (H)
03/07/2011 Voted Do Pass - Consent (H)
03/08/2011 Reported Do Pass by Consent (H) (H554)
03/08/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H554)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass - Consent (H)
03/28/2011 Rules - Reported Do Pass Consent (H) (H725)
04/04/2011 Perfected by Consent - Pursuant to House Rules (H) (H839)
04/05/2011 Third read and passed (H) (H881-882)
04/05/2011 S First Read--HB 525-Molendorp (S592)
04/07/2011 Second Read and Referred S Small Business, Insurance and Industry Committee (S668)
04/12/2011 Hearing Conducted S Small Business, Insurance and Industry Committee
04/12/2011 Voted Do Pass S Small Business, Insurance and Industry Committee
05/05/2011 Reported from S Small Business, Insurance and Industry Committee to Floor (S1345)
05/10/2011 Bill Placed on Informal Calendar (S1677)
05/13/2011 S Informal Calendar H Bills for Third Reading--HB 525-Molendorp (Rupp)

EFFECTIVE: August 28, 2011

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*** HB 545 *** SCS HCS HB 545 1154S.05C

SENATE SPONSOR: Schaaf HOUSE HANDLER: Schieber

SS/SCS/HCS/HB 545 - This act exempts the City of Riverside from current law that requires a member of a board of directors for a tourism community enhancement district to meet one of the following requirements: reside in the district; own real property within the district; or work in, or operate, a business in the district.

Currently, certain cities and counties are authorized to impose, upon voter approval, a transient guest tax of up to 5% for the promotion of tourism or for the promotion of tourism and funding a convention and visitors bureau. Cities and counties that already impose a transient guest tax pursuant to any other section of law are prohibited from imposing the transient guest tax.

This act prohibits any city from imposing a transient guest tax if the city is located in whole or in part in a county that already imposes a transient guest tax. In addition, any county that has a city located in whole or in part within its boundaries that already imposes a transient guest tax is prohibited from also imposing a transient guest tax.

In addition, the City of St. Peters may adopt a transient guest tax of up to 2% for the promotion of tourism. Such a tax is not subject to the provisions preventing cities and counties to both impose a transient guest tax.

A provision under current law that allows cities and counties that have more than 350 hotel and motel rooms to adopt a transient guest tax for the purpose of funding a convention and visitors bureau is merged with a provision under current law allowing certain other cities and counties to adopt such a tax.

Nothing in this act shall be construed as repealing any transient guest tax adopted before August 28, 2011.

This act contains provisions similar to SB 313(2011), HB 400 (2011) and HB 161 (2011).
MEGHAN LUECKE

02/16/2011 Introduced and Read First Time (H) (H381)
02/17/2011 Read Second Time (H) (H387)
02/24/2011 Referred: Tourism and Natural Resources (H452)
03/03/2011 Public Hearing Completed (H)
03/10/2011 Executive Session Completed (H)
03/10/2011 HCS Voted Do Pass - Consent (H)
03/10/2011 HCS Reported Do Pass by Consent (H) (H591)
03/10/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H591)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass - Consent (H)
03/28/2011 Rules - Reported Do Pass Consent (H) (H725)
04/04/2011 Perfected by Consent - Pursuant to House Rules (H) (H839)
04/05/2011 Third read and passed (H) (H882-883)
04/05/2011 S First Read--HCS for HB 545 (S592)
04/07/2011 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S668)
04/13/2011 Hearing Conducted S Jobs, Economic Development and Local Government Committee
04/20/2011 SCS Voted Do Pass S Jobs, Economic Development and Local Government Committee (1154S.05C)
04/27/2011 Reported from S Jobs, Economic Development and Local Government Committee to Floor w/SCS (S1152)
05/03/2011 SS for SCS S offered (Schaaf)--(1154S.07F) (S1251)
05/03/2011 Bill Placed on Informal Calendar (S1251)
05/13/2011 S Inf Calendar H Bills for Third Reading--HCS for HB 545, with SCS & SS for SCS (pending) (Schaaf)

EFFECTIVE: August 28, 2011

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*** HB 546 *** HCS HB 546 1575L.02P

HOUSE HANDLER: Diehl

HCS/HB 546 - Beginning July 1, 2012, this act requires the Missouri Housing Development Commission's executive director or chief executive officer to reside within 40 miles of Jefferson City. Under this act, subject to appropriation, the commission may expend money for its personal services, salaries, and operating expenses. Under the terms of this act, no more than the total of the last two years of funding or a minimum of $300,000, whichever is greater, can be maintained in the Missouri Housing Trust Fund.
STEPHEN WITTE

02/16/2011 Introduced and Read First Time (H) (H381)
02/17/2011 Read Second Time (H) (H387)
02/17/2011 Referred: General Laws (H) (H392)
03/03/2011 Public Hearing Completed (H)
03/07/2011 Executive Session Completed (H)
03/07/2011 HCS Voted Do Pass (H)
03/08/2011 HCS Reported Do Pass (H) (H553)
03/08/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H553)
03/14/2011 Rules - Executive Session Completed (H)
03/14/2011 Rules - Voted Do Pass (H)
03/14/2011 Rules - Reported Do Pass (H) (H607)
03/30/2011 Taken Up for Perfection (H) (H781)
03/30/2011 Laid Over (H) (H781)
04/05/2011 Taken Up for Perfection (H) (H848)
04/05/2011 HCS Adopted (H) (H851)
04/05/2011 Perfected with Amendments (H) (H851)

04/07/2011 Third Read and Passed (H) (H1163-1164)
04/07/2011 S First Read--HCS for HB 546 (S665)
04/14/2011 Second Read and Referred S General Laws Committee (S737)

EFFECTIVE: August 28, 2011

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*** HB 548 *** HCS HB 548 1317L.02P

HOUSE HANDLER: Jones

HCS/HB 548 - This act allows state employees to retain 80 hours of compensatory leave time at any time during the year.

State employees who work 10 hour days and 40 hours per week shall not be required to take 2 hours of vacation leave for paid holidays. Such an employee shall have the option to receive 8 hours of compensatory leave for working on a paid holiday.

The state shall be required to provide employees at least 15 days notice for a mass layoff of state employees. In the case of a mass layoff of at least 50 state employees in a single county, the office of administration shall notify the county commissioner of the county and the mayor of the largest city in the county at least 15 days in advance of the layoff.
CHRIS HOGERTY

02/16/2011 Introduced and Read First Time (H) (H381)
02/17/2011 Read Second Time (H) (H387)
02/24/2011 Referred: Transportation Funding & Public Institutions (H452)
03/03/2011 Public Hearing Completed (H)
03/10/2011 Executive Session Completed (H)
03/10/2011 HCS Voted Do Pass (H)
03/15/2011 Executive Session Completed (H)
03/15/2011 HCS Voted Do Pass - Consent (H)
03/16/2011 HCS Reported Do Pass by Consent (H) (H673)
03/16/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H673)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass - Consent (H)
03/28/2011 Rules - Reported Do Pass Consent (H) (H725)
04/04/2011 Perfected by Consent - Pursuant to House Rules (H) (H839)
04/05/2011 Third read and passed (H) (H883-884)
04/05/2011 S First Read--HCS for HB 548 (S592-593)
04/07/2011 Second Read and Referred S General Laws Committee (S668)

EFFECTIVE: August 28, 2011

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*** HB 550 *** 1574L.01T

SENATE SPONSOR: Pearce HOUSE HANDLER: Day

HB 550 - This act revises the laws regarding the perfection of liens and encumbrances on motor vehicles, trailers, watercraft, and manufactured homes.

Under the terms of the act, the notice of lien on a motor vehicle or trailer is perfected as of the time of its creation if it is delivered within 30 days to the director. If the notice of lien is not delivered within 30 days of its creation, it is perfected at the time of delivery. The notice of lien must contain complete and legible documents including the name and address of the owner and the secured party, a description of the vehicle or trailer, including the vehicle identification number; and any other information as prescribed by the department of revenue. The director must confirm receipt by mail or electronically as soon as possible but no later than 15 business days after the filing of the notice of lien.

Under the terms of the act, when refinancing a loan on a motor vehicle, trailer, outboard motor, watercraft, or manufactured home, a notice of lien, that is completed by the refinancing lender in a prescribed format, is perfected upon delivery to the Director of the Department of Revenue.
STEPHEN WITTE

02/17/2011 Introduced and Read First Time (H) (H394)
02/21/2011 Read Second Time (H) (H402)
02/24/2011 Referred: Financial Institutions (H) (H452)

03/09/2011 Public Hearing Completed (H)
03/16/2011 Executive Session Completed (H)
03/16/2011 Voted Do Pass - Consent (H)
03/17/2011 Reported Do Pass by Consent (H) (H694)
03/17/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H694)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass - Consent (H)
03/28/2011 Rules - Reported Do Pass Consent (H) (H725)
04/04/2011 Perfected by Consent - Pursuant to House Rules (H) (H839)
04/05/2011 Third Read and Passed (H) (H852-853)
04/05/2011 S First Read--HB 550-Day (S586)
04/07/2011 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S667)
04/11/2011 Hearing Conducted S Financial and Governmental Organizations and Elections Committee
04/18/2011 Voted Do Pass S Financial and Governmental Organizations and Elections Committee
04/21/2011 Reported from S Financial and Governmental Organizations and Elections Committee to Floor (S813)
04/27/2011 S Third Read and Passed (S1129)
04/27/2011 Truly Agreed To and Finally Passed (H1658)

EFFECTIVE: August 28, 2011

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*** HB 552 *** SCS HCS HB 552 1601S.06T

SENATE SPONSOR: Engler HOUSE HANDLER: Molendorp

SCS/HCS/HB 552 - This act modifies provisions relating to the treatment of persons with bleeding disorders.

BLOOD CLOTTING PRODUCT-RELATED SERVICES UNDER MO HEALTHNET

This act adds blood clotting product-related services to the list of services covered under the MO HealthNet program. (SECTION 208.152)

STANDARD OF CARE FOR PERSONS WITH BLEEDING DISORDERS

This act requires the State Board of Pharmacy to establish rules governing the standard of care for pharmacies dispensing blood clotting therapies. The rules shall include when feasible, the standards established by the medical advisory committees of the patient groups representing various bleeding disorders. Such rules shall include safeguards to ensure a pharmacy has the ability to (1) obtain and fill a physician prescription as written of all brands of blood clotting products approved by the federal Food and Drug Administration, (2) ship a prescription within two business days for established patients and within three business days for new patients in nonemergency situations, (3) provide established patients with access to blood clotting products within 12 hours of notification by the physician of the patient's emergent need for blood clotting products, and (4) provide all ancillary infusion equipment and supplies necessary for established patients for administration of blood clotting products.

The rules shall also require pharmacies to (1) have a pharmacist available, onsite or on call, to fill a prescription 24 hours a day, 7 days a week, every day of the year, (2) provide a contact telephone number to a patient to report a delivery problem, (3) notify a patient of a prescription recall or withdrawal within 24 hours of receiving the recall or withdrawal notification, and (4) provide containers and instructions for the proper disposal of waste from blood clotting products under state and federal law.

Pharmacies and pharmacists shall exercise that degree of skill and learning ordinarily exercised by members of their profession in the dispensing and distributing of blood clotting products.

These provisions are contained in HCS/HB 669 (2011).

ADRIANE CROUSE

02/17/2011 Introduced and Read First Time (H) (H394)
02/21/2011 Read Second Time (H) (H402)
03/10/2011 Referred: Health Insurance (H) (H587)
03/15/2011 Public Hearing Completed (H)
04/12/2011 Executive Session Completed (H)
04/12/2011 HCS Voted Do Pass (H)
04/12/2011 HCS Reported Do Pass (H) (H1237)

04/12/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H1237)
04/20/2011 Rules - Executive Session Completed (H)
04/20/2011 Rules - Voted Do Pass (H)
04/20/2011 Rules - Reported Do Pass (H) (H1418)
04/27/2011 HCS Adopted (H) (H1638)
04/27/2011 Perfected (H) (H1638)
04/28/2011 Third Read and Passed (H) (H1676)
05/02/2011 S First Read--HCS for HB 552 (S1225)
05/05/2011 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S1347)
05/09/2011 SCS Voted Do Pass S Financial and Governmental Organizations and Elections Committee (1601S.06C)
05/10/2011 Reported from S Financial and Governmental Organizations and Elections Committee to Floor w/SCS (S1713)
05/12/2011 SA 1 to SCS S offered & adopted (Engler)--(1601S06.01S) (S1970)
05/12/2011 SCS, as amended, S adopted (S1970)
05/12/2011 S Third Read and Passed (S1970)
05/13/2011 H concurs in SCS, as amended
05/13/2011 H Third Read & Passed
05/13/2011 Truly Agreed To and Finally Passed

EFFECTIVE: August 28, 2011

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*** HB 555 *** SS SCS HCS HB 555 0920S.10T

SENATE SPONSOR: Schmitt HOUSE HANDLER: Grisamore

SCS/HCS/HB 555 - This act modifies provisions relating to health care policies.

REFERENCING PERSONS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES (VARIOUS SECTIONS IN CHAPTERS 8, 178, 189, 192, 198, 205, 208, 210, 211, 402, 475, 476, 552, 630, 632, and 633)

This act changes all references of "mentally retarded," "mental retardation," or "handicapped" in current state law to "intellectually disabled," "intellectual disability," "developmentally disabled," "developmental disability" or "disabled" respectively. This act also incorporates People First Language when referring to individuals with intellectual, developmental or other mental health disabilities, conditions or disorders.

This provision is similar to SCS/HB 648 (2011) and HB 579 (2011).

MO HEALTHNET OVERSIGHT COMMITTEE (SECTION 208.955)

This act changes the qualifications for service on the MO HealthNet Oversight Committee as it relates to the consumer representative, the four physicians, the dentist, the two patient advocates and the one public member. This act also requires two rather than one, nonphysician health care professionals, with one being a nurse under chapter 335 and one being a mental health professional under chapter 337. The number of members changes from eighteen to nineteen.

Changes to the committee are contained in HB 561 (2011), HB 464 (2011), and SCS/HB 648 (2011).

PARENTAL RIGHTS FOR PERSONS WITH DISABILITIES (SECTIONS 210.496, 211.031, 211.447 and 453.070)

This act specifies that the disability or disease of an individual shall not be the basis for a determination to refuse to issue, suspend, or revoke a foster care license. Disability or disease shall also not constitute a basis for a determination that a prospective adoptive parent is unfit, that a child is in need of care, that it is necessary to remove a child from the custody of a parent, or for the termination of parental rights, without a specific showing that there is a causal relation between the disability and harm to the child.

Provisions of this act are contained in SB 134 (2011); SCS/HB 648 (2011) and HCS/HB 604 (2011).

ACCESSIBLE PARKING LOTS (SECTION 301.143)

This acts requires new parking lots and parking lots being restriped to designate a certain number of lift van only accessible parking spaces with at least one having an access aisle.

This provision is identical to HB 608 (2011).

APPOINTMENT OF MEMBERS TO THE DENTAL BOARD AND BOARD OF HEALING ARTS (SECTIONS 332.021 AND 334.120)

Currently, the governor is required to chose members of the Missouri Dental Board and the State Board of Registration for the Healing Arts from lists of names submitted by the director of the Division of Professional Registration. When the member to be appointed to the board is a dentist or doctor, this amendment requires that the lists include the names of dentists or doctors recommend to the director by the Missouri Dental Association, the Missouri State Medical Association, or the Missouri Association of Osteopathic Physicians and Surgeons, as the case may be. The amendment specifies that these lists are public records available for inspection and copying.

MENTAL HEALTH EARNINGS FUND (SECTIONS 630.053 AND 630.095)

Subject to appropriations, the proceeds earned from the sale of Mental Health First Aid USA services shall be directed to the Mental Health Earnings Fund. Such proceeds shall be used for the purpose of funding Mental Health First AID USA activities and shall be accounted for separately from all other revenues deposited in the fund.

These provisions are identical to provisions in SCS/SB 177 (2011) and HCS/HB 557 (2011).

DEPARTMENT OF MENTAL HEALTH ABUSE AND NEGLECT REPORTS (SECTION 630.167)

This act updates a statutory reference to reflect that Department of Mental Health investigative reports are automatically admissible in any hearing before the Administrative Hearing Commission.

This provision is identical to SB 177 (2011).

ADRIANE CROUSE

02/17/2011 Introduced and Read First Time (H) (H394)
02/21/2011 Read Second Time (H) (H402)
02/24/2011 Referred: Special Standing Committee on Disability Services (H452)
03/02/2011 Public Hearing Completed (H)
03/07/2011 Executive Session - No Action Taken
03/14/2011 Executive Session Completed (H)
03/14/2011 HCS Voted Do Pass (H)
03/15/2011 HCS Reported Do Pass (H) (H637)
03/15/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H637)
04/04/2011 Rules - Executive Session Completed (H)
04/04/2011 Rules - Voted Do Pass (H)
04/04/2011 Rules - Reported Do Pass (H) (H838)
04/13/2011 HCS Adopted (H) (H1248)
04/13/2011 Perfected with Amendments (H) (H1248)
04/13/2011 Referred: Fiscal Review (H) (H1264)
04/14/2011 Executive Session Completed (H)
04/14/2011 Voted Do Pass (H)
04/14/2011 Reported Do Pass (H) (H1274)
04/14/2011 Third Read and Passed (H) (H1285-1286)
04/14/2011 S First Read--HCS for HB 555 (S740)
04/18/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S751)
04/26/2011 Hearing Conducted S Health, Mental Health, Seniors and Families Committee
05/10/2011 SCS Voted Do Pass S Health, Mental Health, Seniors and Families Committee (0920S.08C)
05/11/2011 Reported from S Health, Mental Health, Seniors and Families Committee to Floor w/SCS (S1821)
05/11/2011 Referred S Ways & Means & Fiscal Oversight Committee (S1866)
05/12/2011 Hearing Conducted S Ways and Means and Fiscal Oversight Committee
05/12/2011 Voted Do Pass S Ways & Means & Fiscal Oversight Committee
05/12/2011 Reported from S Ways & Means & Fiscal Oversight Committee to Floor (S1921)
05/13/2011 Bill Placed on Informal Calendar
05/13/2011 SS for SCS S offered (Schmitt)--(0920S.10F)
05/13/2011 SA 1 to SCS S offered & adopted (Ridgeway)--(0920S10.01S)
05/13/2011 SS for SCS, as amended, S adopted
05/13/2011 S Third Read and Passed
05/13/2011 H concurs in SS for SCS, as amended
05/13/2011 H Third Read & Passed
05/13/2011 Truly Agreed To and Finally Passed

EFFECTIVE: August 28, 2011

*** HB 556 *** HCS HB 556 0617L.03P

HOUSE HANDLER: Grisamore

HCS/HB 556 – The school board of each school district must require schools within the district to annually provide disability history and awareness instruction during the month of October. October will be designated as "Disability History and Awareness Month."

The Department of Elementary and Secondary Education must identify and adopt preliminary guidelines for each school board to use in developing its curriculum. In addition, higher education institutions are encouraged to conduct and promote activities that provide education, understanding, and awareness of individuals with disabilities.

MICHAEL RUFF

02/17/2011 Introduced and Read First Time (H) (H394)
02/21/2011 Read Second Time (H) (H402)
02/24/2011 Referred: Special Standing Committee on Disability Services (H452)
03/07/2011 Public Hearing Completed (H)
03/14/2011 Executive Session Completed (H)
03/14/2011 HCS Voted Do Pass - Consent (H)
03/15/2011 HCS Reported Do Pass by Consent (H) (H637)
03/15/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H637)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass - Consent (H)
03/28/2011 Rules - Reported Do Pass Consent (H) (H725)
04/04/2011 Perfected by Consent - Pursuant to House Rules (H) (H839)
04/05/2011 Third read and passed (H) (H884-885)
04/05/2011 S First Read--HCS for HB 556 (S593)
04/07/2011 Second Read and Referred S Progress and Development Committee (S668)
04/12/2011 Hearing Conducted S Progress and Development Committee - Consent
04/12/2011 Voted Do Pass S Progress and Development Committee - Consent
04/14/2011 Reported from S Progress and Development Committee to Floor - Consent (S731)
04/18/2011 Removed S Consent Calendar (S758)
04/18/2011 Reported from S Progress and Development Committee to Floor (S748)
04/19/2011 Bill Placed on Informal Calendar (S774)
05/13/2011 S Informal Calendar H Bills for Third Reading--HCS for HB 556

EFFECTIVE: August 28, 2011

*** HB 557 *** HCS HB 557 1196L.03T

SENATE SPONSOR: Brown HOUSE HANDLER: Grisamore

HCS/HB 557 - This act provides that subject to appropriations, the proceeds earned from the sale of Mental Health First Aid USA services shall be directed to the Mental Health Earnings Fund. Such proceeds shall be used for the purpose of funding Mental Health First AID USA activities and shall be accounted for separately from all other revenues deposited in the fund.

This act is identical to provisions in SCS/SB 177 (2011).

ADRIANE CROUSE

02/17/2011 Introduced and Read First Time (H) (H394)
02/21/2011 Read Second Time (H) (H402)
02/24/2011 Referred: Special Standing Committee on Disability Services (H452)
03/14/2011 Public Hearing Completed (H)
03/14/2011 Executive Session Completed (H)
03/14/2011 HCS Voted Do Pass - Consent (H)
03/15/2011 HCS Reported Do Pass by Consent (H) (H637)
03/15/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H637)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass - Consent (H)
03/28/2011 Rules - Reported Do Pass Consent (H) (H725)
04/04/2011 Perfected by Consent - Pursuant to House Rules (H) (H839)

04/05/2011 Third read and passed (H) (H885-886)
04/05/2011 S First Read--HCS for HB 557 (S593)
04/07/2011 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S668)
04/14/2011 Hearing Conducted S Ways and Means and Fiscal Oversight Committee
04/14/2011 Voted Do Pass S Ways and Means and Fiscal Oversight Committee - Consent
04/14/2011 Reported from S Ways and Means and Fiscal Oversight Committee to Floor - Consent (S732)
04/18/2011 Removed S Consent Calendar (S758)
04/18/2011 Reported from S Ways and Means and Fiscal Oversight Committee to Floor (S748)
04/19/2011 S Third Read and Passed (S775-776)
04/19/2011 Truly Agreed To and Finally Passed (H1375)
04/22/2011 Signed by House Speaker Pro Tem (H1595)
04/26/2011 Signed by Senate President (S1067)
04/26/2011 Delivered to Governor (H1665)
05/05/2011 Signed by Governor (H2050)

EFFECTIVE: August 28, 2011

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*** HB 560 *** 0621L.01P

HOUSE HANDLER: Grisamore

HB 560 Grisamore, Jeff

C O M M I T T E E

HB 560 -- ACCESSIBLE PARKING SIGNS
SPONSOR: Grisamore
COMMITTEE ACTION: Voted "do pass by consent" by the Special Standing Committee on Disability Services by a vote of 9 to 0.
This bill requires all new signs erected beginning August 28, 2011, relating to disabled parking to contain the words "Accessible Parking" and to not contain "Handicap Parking" or "Handicapped Parking."
FISCAL NOTE: No impact on state funds in FY 2012, FY 2013, and FY 2014.
PROPONENTS: Supporters say that the bill supports efforts to transform our culture to be more tolerant and respectful to individuals with disabilities.
Testifying for the bill were Representative Grisamore; Michelle Krajewski, Missouri Centers for Independent Living; The Whole Person, Incorporated; Susan Pritchard-Green, Missouri Planning Council for Developmental Disabilities; National Multiple Sclerosis Society; and Wayne Lee.
OPPONENTS: There was no opposition voiced to the committee.

02/17/2011 Introduced and Read First Time (H) (H394)
02/21/2011 Read Second Time (H) (H402)
02/24/2011 Referred: Special Standing Committee on Disability Services (H452)
03/07/2011 Public Hearing Completed (H)
03/14/2011 Executive Session Completed (H)
03/14/2011 Voted Do Pass - Consent (H)
03/15/2011 Reported Do Pass by Consent (H) (H637)
03/15/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H637)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass - Consent (H)
03/28/2011 Rules - Reported Do Pass Consent (H) (H725)
04/04/2011 Perfected by Consent - Pursuant to House Rules (H) (H839)
04/05/2011 Third read and passed (H) (H886-887)
04/05/2011 S First Read--HB 560-Grisamore (S593)
04/07/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S668)

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*** HB 561 *** 0624L.01P

HOUSE HANDLER: Grisamore

HB 561 - This act increases the number of members on the MO HealthNet Oversight Committee from 18 to 19 by adding one mental health professional who cares for participants of the MO HealthNet program. The professional shall be either a licensed psychiatrist, psychologist, or professional counselor and shall be recommended by any Missouri organization or association that represents a significant number of either psychiatrists, psychologists, or professional counselors in this state, as appropriate to the appointment. The appointment of the type of mental health professional shall rotate with each new term.
ADRIANE CROUSE

02/17/2011 Introduced and Read First Time (H) (H394)
02/21/2011 Read Second Time (H) (H402)
02/24/2011 Referred: Special Standing Committee on Disability Services (H452)
03/14/2011 Public Hearing Completed (H)
03/14/2011 Executive Session Completed (H)
03/14/2011 Voted Do Pass - Consent (H)
03/15/2011 Reported Do Pass by Consent (H) (H637)
03/15/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H637)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass - Consent (H)
03/28/2011 Rules - Reported Do Pass Consent (H) (H725)
04/04/2011 Perfected by Consent - Pursuant to House Rules (H) (H839)
04/05/2011 Third read and passed (H) (H887-888)
04/05/2011 S First Read--HB 561-Grisamore (S593)
04/07/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S668)

EFFECTIVE: August 28, 2011

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*** HB 562 *** SCS HCS HB 562 0616S.06C

SENATE SPONSOR: Schmitt HOUSE HANDLER: Grisamore

SCS/HCS/HB 562 - This act modifies provisions relating to the well-being of children.

MISSOURI CHILDREN'S SERVICES COMMISSION
(Sections 210.101, 210.102)

This act modifies the membership of the Missouri Children's Services Commission. One of the two judges on the commission, and four of the legislative members are eliminated. Representatives from the departments of higher education and corrections and five members, at least one of whom shall be from a third class county, appointed by the governor are added to the commission. Additional duties are added to the state plan to be developed by the commission.

This provision is substantially similar to a provision in SCS/HB 464 (2011).

MISSOURI TASK FORCE ON PREMATURITY AND INFANT MORTALITY

This act establishes a 23-member Missouri Task Force on Prematurity and Infant Mortality within the Children's Services Commission to measurably reduce the state's pre-term birth and infant mortality rates by proposing evidence-based legislation, regulation, and public policy changes. Six of the 23 members shall be members of the General Assembly with two members appointed by the Speaker of the House of Representatives, one by the Minority Leader of the House of Representatives, two by the President Pro Tem of the Senate, and one by the Minority Leader of the Senate. The task force shall meet initially by October 15, 2011, and at least quarterly thereafter.

By March 1, 2012, the task force shall submit a report to the Governor and the General Assembly on the current on the current state of prematurity in Missouri. Final recommendations including any legislation shall be submitted to the Governor and General Assembly by January 15, 2013. A final report evaluating the impact of implementing those recommendations shall be submitted by January 15, 2015. The task force shall expire January 31, 2015, or upon the submission of a final report, whichever is earlier.

These provisions are identical to HCS/HB 630 (2011).

SAM PRATT'S LAW

This act authorizes the Department of Health and Senior Services to investigate child care providers who are exempt from licensure if the department learns or is notified that such provider has pending criminal charges, except that the provisions of this act shall not apply to any child care provider who is providing care only to children who are related by blood, marriage or adoption to such provider in the third degree. The exception is also extended to any child-care facility maintained or operated under the exclusive control of a religious organization.

The department is also authorized to prohibit a licensure exempt child care provider from continuing to provide child care services if there are criminal charges pending against him or her that would similarly result in licensure actions for a licensed child care provider. Such licensure exempt provider shall be prohibited from continuing services pending a resolution of such criminal charges in favor of the provider.

Any licensure exempt child care provider who continues to provide child care services after notification by the department to stop such services shall be guilty of a Class B misdemeanor for the first violation and a Class A misdemeanor for any subsequent violation.

The department shall report any known violation to an appropriate prosecuting attorney's office or law enforcement agency. SECTION 210.265

This provision is substantially similar to SB 339 (2011) and HB 156 (2011).

NATHAN'S LAW

Under current law, a child care provider may be exempt from licensure if the person is caring for four or fewer children and children who are related to the provider are not considered in the total number of children being cared for. This act provides that such relative children shall be included in the total number of children being counted, except that children of such person who live in the home and attend school for a full school day shall not be included in the total number cared for. Any child-care facility exempt from licensure shall disclose the licensure-exempt status to the parents or guardians of children for which the facility provides care.

This act increases the penalty for violations of child care licensure provisions to include a fine of two hundred dollars per day, not to exceed a total of ten thousand dollars for subsequent offenses.

This act also authorizes the Department of Health and Senior Services to immediately close any illegally operating unlicensed child-care facility. The prosecuting attorney of the county where such illegal child-care facility is located may file suit for a permanent order preventing the operation of a child-care facility. The order shall remain in effect until such time as the court determines that the child-care facility is in compliance with all licensure requirements. Any person who operates an illegal unlicensed child-care facility shall be subject to penalties prescribed under the act. SECTIONS 210.209, 210.211, 210.245

This provision is substantially similar to SB 339 (2011) and HB 603(2011).

ADRIANE CROUSE

02/17/2011 Introduced and Read First Time (H) (H394)
02/21/2011 Read Second Time (H) (H402)
02/24/2011 Referred: Special Standing Committee on Disability Services (H452)
03/14/2011 Public Hearing Completed (H)
03/14/2011 Executive Session Completed (H)
03/14/2011 HCS Voted Do Pass (H)
03/15/2011 HCS Reported Do Pass (H) (H637)
03/15/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H637)
04/06/2011 Rules - Executive Session Completed (H)
04/06/2011 Rules - Voted Do Pass (H)
04/07/2011 Rules - Reported Do Pass (H) (H1173)
04/19/2011 HCS Adopted (H) (H1327)
04/19/2011 Perfected (H) (H1327)
04/26/2011 Third read and passed (H) (H1602-1603)
04/26/2011 S First Read--HCS for HB 562 (S1068)
05/02/2011 Second Read and Referred S Small Business, Insurance and Industry Committee (S1238)
05/05/2011 Hearing Conducted S Small Business, Insurance and Industry Committee
05/05/2011 SCS Voted Do Pass S Small Business, Insurance and Industry Committee (0616S.06C)
05/05/2011 Reported from S Small Business, Insurance and Industry Committee to Floor w/SCS (S1345)
05/10/2011 Taken up for Third Reading (S1672)
05/10/2011 Bill Placed on Informal Calendar (S1672)
05/11/2011 SA 1 to SCS S offered & adopted (McKenna)--(8071S11.01S) (S1814-1816)
05/11/2011 Bill Placed on Informal Calendar (S1816)
05/11/2011 SA 2 to SCS S offered (Schaefer)--(0616S06.05S) (S1817-1818)
05/11/2011 Bill Placed on Informal Calendar (S1818)
05/13/2011 S Inf Calendar H Bills for Third Reading--HCS for HB 562, with SCS & SA 2 (pending) (Schmitt)

EFFECTIVE: August 28, 2011

*** HB 578 *** SCS HCS HB 578 1422S.03T

SENATE SPONSOR: Lager HOUSE HANDLER: Thomson

SCS/HCS/HB 578 - The act allows the state or any political subdivision to transfer ownership of scrap tires or tire shred to any Missouri-based company if the cost of the transfer is less than the cost of disposal of the tires, and as long as the company does not put the tires in a landfill or burn them as a fuel source unless the facility has a permit to burn tires. The company must bear the cost of transporting the scrap tires or shred to its facility.
ERIKA JAQUES

02/17/2011 Introduced and Read First Time (H) (H395)
02/21/2011 Read Second Time (H) (H402)
02/24/2011 Referred: Tourism and Natural Resources (H452)
03/03/2011 Public Hearing Completed (H)
03/03/2011 Executive Session Completed (H)
03/03/2011 HCS Voted Do Pass - Consent (H)
03/03/2011 HCS Reported Do Pass by Consent (H) (H522)
03/03/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H522)
03/09/2011 Rules - Executive Session Completed (H)
03/09/2011 Rules - Voted Do Pass - Consent (H)
03/09/2011 Rules - Reported Do Pass Consent (H) (H573)
03/17/2011 Perfected by Consent - Pursuant to House Rules (H) (H698)
03/31/2011 Third Read and Passed (H) (H809)
04/04/2011 S First Read--HCS for HB 578 (S565)
04/07/2011 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S667)
04/19/2011 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee
04/28/2011 SCS Voted Do Pass S Commerce, Consumer Protection, Energy and the Environment Committee (1422S.03C)
04/28/2011 Reported from S Commerce, Consumer Protection, Energy and the Environment Committee to Floor w/SCS (S1207)
05/05/2011 SCS S adopted (S1354)
05/05/2011 S Third Read and Passed (S1354 / H1967)
05/10/2011 H concurs in SCS (H2217)
05/10/2011 H Third Read & Passed (H2218 / S1683)
05/10/2011 Truly Agreed To and Finally Passed (S1683)

EFFECTIVE: August 28, 2011

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*** HB 579 *** HCS HB 579 1496L.03P

SENATE SPONSOR: Brown HOUSE HANDLER: Frederick

HCS/HB 579 - This act modifies provisions relating to health care policies.

HOSPITAL DISTRICT SALES TAX TRUST FUND (Sections 144.032 and 205.205 and Section B)
This act authorizes hospital districts located within Iron County to abolish their existing property tax levies and, upon voter approval, impose a sales tax of up to one percent to fund the district. The hospital district sales tax will be imposed upon all retail sales made within the district and all sales of metered water services, electricity, electrical current and natural, artificial or propane gas, wood, coal, or home heating oil for domestic use.

These provisions contain an emergency clause.

These provisions are identical to SCS/SB 117 (2011).

MEDICAL RECORDS (Section 191.227)
Current law allows a health care provider to condition the furnishing of medical records on the payment of a fee to cover costs of copying, postage and notary services. This act provides that the copying amount shall not exceed $21.36 plus 50 cents for supplies and labor per page plus, if the health care provider has contracted for off-site records storage and management, any additional labor costs of outside storage retrieval, not to exceed $20, as adjusted annually per the Consumer Price Index.

In instances where the health care provider stores records in an electronic or digital format, and provides the requested records, including any requested affidavits, in an electronic or digital format, the maximum copying amount shall not exceed $5 plus 50 cents per page, or $25 total, whichever is less.

This provision is identical to HCS/SS#2/SCS/SB 62 (2011).

SICKLE CELL DISEASE STANDING COMMITTEE (Sections 191.305 & 191.310)

The Missouri Genetic Advisory Committee is authorized to establish permanent standing committees including, but not limited to, a permanent sickle cell disease standing committee to assess the impact of sickle cell disease on urban committees, examine the existing services and resources to address the needs of people with the disease, and develop recommendations for educational services to schools on the traits of the disease, and develop recommendations for educational services to schools on the traits of the disease and its effects. The specific duties, procedures and membership of the committee are outlined under the act. A report of the committee's findings and any recommendations shall be submitted to the Governor and General Assembly by December 31, 2011. The committee shall continue to meet at least once each year and submit an annual report until December 31, 2013, when the standing committee expires.

NEWBORN SCREENING (Section 191.334)

This act requires, subject to appropriations, the Department of Health and Senior Services to expand b January 1, 2012, the newborn screening requirements to include pulse oximetry screenings prior to the newborn being discharged from a health care facility.

This provision is substantially similar to HB 838 (2011).

HOSPITAL LICENSURE REGULATIONS (Sections 197.080, 197.100, 536.031)

This act requires the Department of Health and Senior Services to review and revise its regulations governing hospital licensure and enforcement to promote efficiency and eliminate duplicate regulations and inspections by or on behalf of the state and federal agencies.

The department is also required to adopt regulations that require among other things: (1) Specific findings of deficiencies to refer to the specific written and publicly available standard that is the basis of the finding; (2) Consistency with the federal Centers for Medicare and Medicaid Services' (CMS) Conditions of Participation for hospitals; (3) A process and standards to determine if a complaint warrants an onsite investigation; (4) Limits to a complaint investigation performed by the department to the specific regulatory standard raised by the complaint, unless there is an immediate safety threat; and (5) A process to provide a hospital with a report of all complaints made against it.

The department shall also designate adequate and sufficient consultation and staffing resources to facilitate the required annual inspection of hospitals for licensure. The department shall also accept a hospital inspection report from the CMS-approved organizations in lieu of the department's or other governmental organization's annual inspection report and also shall accept such hospital inspection report for licensure purposes if the accreditation inspection was conducted within 3 years, rather than 1 year, of the most recent license renewal. This act also limits the scope of a good cause departmental inspection to the specific regulatory standard raised by the complaint.

This act also allows the department, when publishing hospital licensure regulations, to incorporate by reference later additions and amendments to the guidelines, standards, or regulations as needed to consistently apply current standards of safety, quality, and practice.

A hospital and its staff shall have the opportunity to participate at least annually in training sessions provided to state licensure surveyors and in the training of surveyors assigned to the inspection of hospitals to the fullest extent possible.

This act also establishes specific timelines identical to those in CMS's State Operations Manual for state hospital officials to respond to a hospital regarding the status and outcome of pending investigations and possible regulatory action.

These provisions are contained in the introduced version of HB 579 (2011).

MO HEALTHNET DENTAL BENEFITS (SECTION 208.240)

The MO HealthNet Division within the Department of Social Services, or a contractor of the division, is authorized to implement a statewide dental delivery system to ensure participation of and access to providers in all areas of the state. The division may administer the system or seek a third party experienced in the administration of dental benefits to administer the program under the supervision of the division.

This provision is identical to a provision in HCS/SCS/SB 177 (2011) and substantially similar to HB 201 (2011).

MISSOURI RX PLAN (Section 208.798)
This act extends the sunset provision of the Missorui Rx plan from August 28, 2011 to August 28, 2016.

This act is substantially similar to SB 80 (2011).

REFERENCING THE DEVELOPMENTALLY DISABLED (VARIOUS SECTIONS IN CHAPTERS 8, 178, 189, 192, 198, 205, 208, 210, 211, 402, 475, 476, 552, 630, 632, 633, and 660)
This act changes most references of "mentally retarded," "mental retardation," or "handicapped" in current state law to "developmentally disabled," "developmental disability," or "disabled" respectively.

These provisions are identical to HB 648 (2011).

There is an emergency clause for the Hospital District Sales Tax Trust Fund provisions.
ADRIANE CROUSE

02/17/2011 Introduced and Read First Time (H) (H395)
02/21/2011 Read Second Time (H) (H402)
02/24/2011 Referred: Health Care Policy (H) (H452)
03/16/2011 Public Hearing Completed (H)
03/30/2011 Executive Session Completed (H)
03/30/2011 HCS Voted Do Pass (H)
03/31/2011 HCS Reported Do Pass (H) (H812)
03/31/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H812)
04/06/2011 Rules - Executive Session Completed (H)
04/06/2011 Rules - Voted Do Pass (H)
04/07/2011 Rules - Reported Do Pass (H) (H1173)
04/19/2011 HCS Adopted (H) (H1371)
04/19/2011 Perfected with Amendments (H) (H1371)
04/20/2011 Referred: Fiscal Review (H) (H1416)
04/21/2011 Executive Session - No Action Taken
04/26/2011 Third read and passed (H) (H1064-1605)
04/26/2011 S First Read--HCS for HB 579 (S1068)
05/02/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S1238)
05/04/2011 Hearing Conducted S Health, Mental Health, Seniors and Families Committee

EFFECTIVE: Varies

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*** HB 591 *** SCS HB 591 1328S.02T

SENATE SPONSOR: Curls HOUSE HANDLER: Lichtenegger

HB 591 - This act allows the Missouri Dental Board to issue a limited teaching license to an instructor at an accredited dental school. This limited teaching license only allows the licensee to practice within the accredited dental school programs. Individuals who receive a limited teaching license must meet specified requirements, but will not be required to have graduated from an accredited dental school.
EMILY KALMER

02/21/2011 Introduced and Read First Time (H) (H407)
02/22/2011 Read Second Time (H) (H415)
02/24/2011 Referred: Professional Registration & Licensing (H) (H452)
03/02/2011 Public Hearing Completed (H)
03/16/2011 Executive Session Completed (H)
03/16/2011 Voted Do Pass (H)
03/17/2011 Reported Do Pass (H) (H694)
03/17/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H694)
04/04/2011 Rules - Executive Session Completed (H)
04/04/2011 Rules - Voted Do Pass (H)
04/04/2011 Rules - Reported Do Pass (H) (H838)
04/12/2011 Perfected (H) (H1214)
04/14/2011 Third Read and Passed (H) (H1279)
04/14/2011 S First Read--HB 591-Lichtenegger, et al (S739)

04/18/2011 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S751)
04/26/2011 Hearing Conducted S Financial and Governmental Organizations and Elections Committee
05/04/2011 SCS Voted Do Pass S Financial and Governmental Organizations and Elections Committee (1328S.02C)
05/05/2011 Reported from S Financial and Governmental Organizations and Elections Committee to Floor w/SCS (S1343)
05/09/2011 SCS S adopted (S1537)
05/09/2011 S Third Read and Passed (S1537 / H2154)
05/10/2011 H concurs in SCS (H2223)
05/10/2011 H Third Read & Passed (H2224 / S1683)
05/10/2011 Truly Agreed To and Finally Passed (S1683)

EFFECTIVE: August 28, 2011

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*** HB 597 *** HCS HB 597 1469L.03P

HOUSE HANDLER: Pollock

HCS/HB 597 - The act creates the Private Landowner Protection Act.

Conservation easements, which are easements designed to preserve open space or to protect natural or cultural resources on land, may be created, conveyed, terminated, and modified in the same manner as other types of easements. Conservation easements must be accepted and recorded by the holder before any right or duty arises from the easement. Conservation easements shall exist in perpetuity unless the easement specifies otherwise.

Conservation easements do not affect an interest in real property unless the real property owner is a party to the easement or otherwise consents.

Actions affecting a conservation easement may be brought by a landowner, the easement holder, a third-party that holds a right of enforcement as designated in the easement, or by any other person authorized by law. The act does not affect the power of a court to modify or terminate a conservation easement.

Conservation easements are valid even though they may have certain characteristics as specified in the act. The act does not invalidate any other type of lawful interest as a covenant, equitable servitude, restriction, or other easement.

This act is similar to SB 119 (2011), SB 870 (2010), and SB 381 (2009).
ERIKA JAQUES

02/21/2011 Introduced and Read First Time (H) (H407)
02/22/2011 Read Second Time (H) (H415)
03/16/2011 Referred: Tourism and Natural Resources (H668)
04/07/2011 Public Hearing Completed (H)
04/14/2011 Executive Session Completed (H)
04/14/2011 HCS Voted Do Pass (H)
04/14/2011 HCS Reported Do Pass (H) (H1295)
04/14/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H1295)
04/20/2011 Rules - Executive Session Completed (H)
04/20/2011 Rules - Voted Do Pass (H)
04/20/2011 Rules - Reported Do Pass (H) (H1418)
04/27/2011 HCS Adopted (H) (H1638)
04/27/2011 Perfected (H) (H1638)
04/28/2011 Third Read and Passed (H) (H1678)
05/02/2011 S First Read--HCS for HB 597 (S1225)
05/05/2011 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S1347)

EFFECTIVE: August 28, 2011

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*** HB 600 *** SCS HCS HB 600, 337 & 413 1167S.05C

SENATE SPONSOR: Goodman HOUSE HANDLER: Schad

HCS/HBs 600, 337 & 413 - This act modifies provisions relating to public safety.

SURPLUS WATERCRAFT (43.260)

This act allows the Missouri State Highway Patrol to sell surplus watercraft and watercraft motors and trailers in the same manner that the Highway Patrol may currently sell surplus Highway Patrol vehicles.

Proceeds from the sales will be directed to the "Highway Patrol's Motor Vehicle, Aircraft, and Watercraft Revolving Fund", which is administered by the superintendent of the highway patrol. Proceeds from the fund are used to purchase highway patrol motor vehicles, and may be used under this act to also purchase watercraft, and watercraft motors and trailers.

This provision is similar to SB 353 (2011).

LAGERS INSURANCE PREMIUM DEDUCTIONS (70.695)

This act allows retirees who were public safety officers and who are part of the Missouri Local Government Employees' Retirement System (LAGERS) to authorize the LAGERS's board to deduct required health insurance or long-term care insurance premiums from the amount of their retirement benefit.

This provision is similar to SB 275 (2011) and HB 360 (2011).

FIREFIGHTERS' DISABILITY AND DEATH BENEFITS (87.005 & 87.006)

This act modifies provisions that affect claims by firefighters for disability or death benefits. If after five years of service a firefighter's health is impaired due to certain infectious diseases, it will be presumed that this infectious disease was suffered in the line of duty, unless there is evidence to the contrary.

This provision is similar to SB 238 (2011).

ACTIVE EMERGENCY ZONE (302.302, 304.890, 304.892 & 304.894)

This act increases penalties for moving violations and traffic offenses occurring within an active emergency zone. Such a zone is defined under this act as an area that is visibly marked by emergency responders on, or around, a highway, and where an active emergency or incident removal is temporarily occurring.

Any person convicted of a first moving violation or traffic offense within an active emergency zone shall be assessed a fine of $35 in addition to any other fine authorized by law. A second or subsequent offense within an active emergency zone shall be assessed a fine of $75.

Under this act, it is a Class C misdemeanor to pass another vehicle in an active emergency zone. Those who plead guilty to, or are convicted of, a speeding or passing violation shall be assessed a fine of $250 in addition to any other fine authorized by law. A second or subsequent speeding or passing violation shall result in a $300 fine.

A person commits the offense of endangerment of an emergency responder or emergency personnel if, while in an active emergency zone while emergency responders are present, the person:
(1) Exceeds the posted speed limit by 15 mph or more;
(2) Passes another vehicle;
(3) Fails to stop for a flagman, an emergency responder, or a traffic control signal in the active emergency zone;
(4) Drives through, or around, an active emergency zone via any lane that is not for motorists;
(5) Physically assaults, threatens, or attempts to assault an emergency responder with a motor vehicle or other instrument;
(6) Intentionally strikes or moves barrels, barriers, signs or other devices for a reason other than to avoid an obstacle, emergency, or to protect the health and safety of another person; or
(7) Commits various offenses that allow for the assessment of points under section 302.302.

When no injury or death results, a person who pleads guilty to, or is convicted of, endangering an emergency responder shall be subject to a fine of not more than $1,000. If a death or injury results, the person commits aggravated endangerment of an emergency responder. The penalty for aggravated endangerment of an emergency responder is a fine of not more than $5,000 if a responder is injured, and not more than $10,000 if death resulted.

The act provides for the assessment of 4 points for endangerment of an emergency responder or personnel and 12 points for aggravated endangerment of an emergency responder or personnel.

If a person commits endangerment or aggravated endangerment of an emergency responder as a result of a vehicle's mechanical failure or the negligence of another person, then the person shall not be cited for, or convicted of, such offenses.

This section is similar to provisions of SCS/SB 260 (2011), HCS/SCS/SB 887 (2010), HCS/HB 1541 (2010), and HB 1693 (2010).

DWI OFFENDERS (302.309 & 577.023)

Current state law (Section 302.309.3(2)) allows courts and the Department of Revenue to issue limited driving privileges to allow repeat offenders to drive a motor vehicle to: (1) a business, occupation or employment; (2) medical treatment; (3) school; (4) alcohol or drug treatment programs; (5) an ignition interlock provider for required service; and (6) other circumstances the court or the department finds would create an undue hardship.

Under the terms of this act, the courts and the department will only be able to issue limited driving privileges to repeat offenders for the purpose of driving to or from the operator's place of employment, attending school, attending alcohol or drug treatment programs, and seeking the services of a certified ignition interlock device provider. Limited driving privileges may not be granted for seeking medical treatment or other circumstances that create undue hardships for the driver.

This act also modifies the "hard walk" provision contained in Section 302.309.3(6)(a) from 30 days to 45 days so that a person convicted of a DWI will not be eligible for a limited driving privilege until such person has completed the first 45 days of the suspension or revocation.

Current Missouri law (Section 577.023) allows prior and persistent offenders to participate in and successfully complete a DWI court in lieu of jail time or community service. A prior or persistent offender may escape the statutory minimum days of imprisonment by performing community service or successfully completing a DWI court program. Federal law, however, does not authorize DWI courts as an alternative to mandatory jail or community service. Under the terms of this act, prior and persistent offenders may avoid the minimum days of imprisonment by performing community service and completing a DWI court program, if such program is available. The DWI court program or other treatment program must include the minimal periods of community service.

This act is similar to provisions of SS/SCS/SB 254 (2011).

TEXTING WHILE DRIVING (304.820)

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, unless it is voice-recognition hands-free texting.

This provision is identical to SB 11 (2011) and HB 93 (2011).

INTOXICATED BOATING(Sections 306.111 - 306.119)

This act expands the crimes of operating a vessel while intoxicated and operating a vessel with excessive blood alcohol content to include all waters of the state and not just on the Mississippi River, Missouri River, or the lakes of the state. A definition of vessel is added, which includes every motorboat and every description of motorized watercraft and any watercraft more than 12 feet in length which is powered by sail alone or by a combination of sail and machinery that is used or capable of being used as a means of transportation on water but not any watercraft having as the only means of propulsion a paddle or oars.

Likewise, any person who operates a vessel upon the waters of the state, not just the Mississippi and Missouri Rivers or lakes, is deemed to have given consent to a chemical test.

The definitions of "aggravated offender," "chronic offender," "persistent offender," and "intoxication-related boating offense" are revised to include involuntary manslaughter involving a vessel.

MISSOURI STATE WATER PATROL PERMITS (306.130)

This act prohibits any person who holds a certain permit issued by the Water Patrol Division within the State Highway Patrol from knowingly violating any term of the permit.

This provision is identical to HB 790 (2011).

INVOLUNTARY MANSLAUGHTER (565.035)

Any individual who is convicted of involuntary manslaughter in the first degree for causing a death while operating a motor vehicle or vessel while in an intoxicated condition and has a prior DWI conviction or plea of guilty will be guilty of a class A felony.

This provision is identical to a provision of HB 623 (2011).

DEATH SENTENCE REVIEW (565.035)

This act limits the types of cases the Supreme Court is required to use for comparison purposes when reviewing a death sentence to cases in which a death sentence was imposed.

This provision is identical to HB 692 (2011).

ASSAULT OF A UTILITY WORKER (565.081, 565.082, 565.083)

This act expands the crime of assault of a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction or work zone, or probation and parole officer to include assault of a utility worker and repeals a duplicate provision currently in statute.

PROPERTY DAMAGE (569.100)

This act revises the crime of property damage in the first degree to include when a person knowingly damages a motor vehicle of another while making entry into the vehicle to commit the crime of stealing. Anyone who commits this crime will be guilty of a Class C felony unless it is a subsequent violation in which case it is a Class B felony.

This provision is identical to HB 802 (2011).

RECEIVING STOLEN PROPERTY (570.080)

This act specifies in the section defining the crime of receiving stolen property that any offense in which the value of property or services is an element of the crime is a Class C felony if the value of the property or services exceeds $500, the property is physically taken from the person of the victim, or if the property is of a certain description. It is a Class B felony if the value of the property or services equals or exceeds $25,000.

The receipt of any item, property, or services which exceeds $500 may be considered a separate felony and be charged in separate counts.

A person who commits the crime of receiving stolen property who has a prior conviction involving livestock or captive wildlife, when the value of the stolen property exceeds $3,000, is guilty of a Class B felony. Such a person must serve a minimum prison term of not less than 80 percent of his or her sentence before being eligible for probation, parole, conditional release, or other early release.

This provision is identical to SB 425 (2011) and HB 693 (2011).

FALSE DECLARATION TO A PUBLIC SERVANT (575.060)

This act expands the crime of making a false declaration with the purpose to mislead a public servant in the performance of his or her duty, a Class B misdemeanor, to include when a person provides any verbal false statement regarding his or her identity which the person believes or knows not to be true.

This provision is identical to HB 356 (2011).

TANNING FACILITIES (577.665)

This act requires the parent or guardian of any person younger than 18 to appear in person at a tanning facility and sign an acknowledgment stating that he or she has read and understands the warnings given by the facility and consents to the minor's use of a tanning device at the facility before the minor may use a tanning device.

The Department of Health and Senior Services must develop a standard consent form to be used by all

facilities operating in the state.

Anyone violating this act will be guilty of a Class C misdemeanor, and any tanning facility violating the act will be subject to a $1,000 fine for each use of a tanning device.

This provision is identical to HB 851 (2011).

MEGHAN LUECKE

02/21/2011 Introduced and Read First Time (H) (H407)
02/22/2011 Read Second Time (H) (H415)
03/03/2011 Referred: Crime Prevention and Public Safety (H) (H519)
03/07/2011 Public Hearing Completed (H)
03/17/2011 Executive Session Completed (H)
03/17/2011 HCS Voted Do Pass (H)
03/17/2011 HCS Reported Do Pass (H) (H694)
03/17/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H694)
04/14/2011 Rules - Executive Session Completed (H)
04/14/2011 Rules - Voted Do Pass (H)
04/14/2011 Rules - Reported Do Pass (H) (H1295)
04/20/2011 HCS Adopted (H) (H1404)
04/20/2011 Perfected with Amendments (H) (H1404)
04/20/2011 Referred: Fiscal Review (H) (H1416)
04/26/2011 Third read and passed (H) (H1607)
04/26/2011 S First Read--HCS for HBs 600, 337 & 413 (S1069)
05/02/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S1238)
05/09/2011 SCS Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee (1167S.05C)
05/10/2011 Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor w/SCS (S1674)
05/10/2011 Referred S Ways & Means & Fiscal Oversight Committee (S1714)
05/11/2011 Hearing Conducted S Ways and Means and Fiscal Oversight Committee
05/11/2011 Voted Do Pass S Ways & Means & Fiscal Oversight Committee
05/12/2011 Reported from S Ways & Means & Fiscal Oversight Committee to Floor (S1921)
05/12/2011 Bill Placed on Informal Calendar (S1934)
05/13/2011 S Informal Calendar H Bills for Third Reading--HCS for HBs 600, 337 & 413, with SCS (Goodman)

EFFECTIVE: August 28, 2011

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*** HB 604 *** SS SCS HCS HB 604 1580S.04F

SENATE SPONSOR: Rupp HOUSE HANDLER: Long

SS/SCS/HCS/HB 604 - PARENTAL RIGHTS FOR PERSONS WITH DISABILITIES

This act specifies that the disability or disease of an individual shall not be the basis for a determination to refuse to issue, suspend, or revoke a foster care license. Disability or disease shall also not constitute a basis for a determination that a prospective adoptive parent is unfit, that a child is in need of care, that it is necessary to remove a child from the custody of a parent, or for the termination of parental rights, without a specific showing that there is a causal relation between the disability and harm to the child. (Sections 210.496, 211.031, 211.447 and 453.070)

Provisions of this act are contained in SB 134 (2011), SS/HB 648 (2011) and SCS/HCS/HB 555 (2011).

TASK FORCE ON FOSTER CARE RECRUITMENT, LICENSING AND RETENTION

The Children's Division within the Department of Social Services shall convene a task force to review the recruitment, licensing and retention of foster and adoptive parents statewide. In addition to representatives of the division and department, the task force shall include representatives of the private sector and faith-based community which provide recruitment and licensure services. The purpose of the task force shall be to study the extent to which changes in the system of recruiting, licensing, and retaining foster and adoptive parents would enhance the effectiveness of the system statewide. The task force shall develop a report of its findings with recommendations by December 1, 2011, and provide copies of the report to the General Assembly and to the Governor. (Section 210.112)

This provision is contained in SCS/HCS/HB 431 (2011).

FOSTER CARE PLACEMENT

This act establishes the following order or preference for placement of a child in foster care:

(1) Grandparents and relatives;
(2) A trusted adult that has a preexisting relationship with the child, such as a godparent, teacher, neighbor who voluntarily agrees to care for the child; and
(3) Any foster parent who is currently licensed and capable of accepting placement of a child.

Any person receiving a preference may be licensed in an expedited manner if a child is placed under the person's care. (Section 210.565.3 and 8)

This provision is contained in SCS/HCS/HB 431 (2011).

SIBLING PLACEMENT

The Children's Division shall make reasonable efforts to place siblings in the same foster care, kinship, guardianship, or adoptive placement, unless doing so would be contrary to the safety or well-being of any siblings. If siblings are not placed together, the division shall make reasonable efforts to provide frequent visitation or other ongoing interaction between the siblings, unless this interaction would be contrary to a sibling's safety or well-being. (Section 210.565.5)

This provision is contained in SCS/HCS/HB 431 (2011).

MISSOURI STATE FOSTER CARE AND ADOPTION BOARD

The Missouri State Foster Care and Adoption Board is established to provide consultation and assistance to the department. The board shall draft and provide an independent review of the policies and procedures of the division related to the provision of foster care and adoption in Missouri. The board shall determine the nature and content of in-service training which shall be provided to foster and adoptive parents from each of the division's seven areas. Area members shall be appointed by the Governor, with the advice and consent of the Senate, from recommendations by regional foster care and adoption boards or other similar entities. Statewide foster care and adoption association representatives shall be voting members of the board.

The board shall annually provide the Director of the Department of Social Services, Governor, Office of the Child Advocate, and upon request, members of the General Assembly a written request of its activities. (Section 210.617)

This provision is contained in SCS/HCS/HB 431 (2011).

FOSTER CARE AND ADOPTIVE PARENTS RECRUITMENT AND RETENTION FUND

This act creates the Foster Care and Adoptive 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 newly established Foster Care and Adoptive Parents Recruitment and Retention Fund Board within the Department of Social Services. The terms and members of the fund board are prescribed in the act.

Moneys in the fund shall be used to grant awards to licensed community-based foster care and adoption recruitment programs. The board shall establish guidelines for disbursement of the fund to evidence-based foster care and adoption 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. (Section 143.1015, 453.600)

This provision is contained in SCS/HCS/HB 431 (2011).

ADRIANE CROUSE

02/22/2011 Introduced and Read First Time (H) (H419)
02/23/2011 Read Second Time (H) (H427)
02/24/2011 Referred: Special Standing Committee on Disability Services (H453)
03/02/2011 Public Hearing Completed (H)
03/07/2011 Executive Session Completed (H)

03/07/2011 HCS Voted Do Pass - Consent (H)
03/07/2011 HCS Reported Do Pass by Consent (H) (H538)
03/07/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H538)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass - Consent (H)
03/28/2011 Rules - Reported Do Pass Consent (H) (H726)
04/04/2011 Perfected by Consent - Pursuant to House Rules (H) (H839)
04/05/2011 Third read and passed (H) (H888-889)
04/05/2011 S First Read--HCS for HB 604 (S593-594)
04/07/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S668)
04/18/2011 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee
05/02/2011 SCS Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee (1580s.03c)
05/05/2011 Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor w/SCS (S1344)
05/10/2011 SS for SCS S offered & adopted (Rupp)--(1580S.04F) (S1671-1672)
05/10/2011 S Third Read and Passed (S1672 / H2201)
05/10/2011 H concurs in SS for SCS (H2221)
05/10/2011 H Third Read & Passed (H2222 / S1683)
05/10/2011 Truly Agreed To and Finally Passed (S1683)

EFFECTIVE: August 28, 2011

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*** HB 609 *** SCS HCS#2 HB 609 1237S.08C

SENATE SPONSOR: Wasson HOUSE HANDLER: Molendorp

SCS/HCS#2/HB 609 - This act establishes the Show-Me Health Insurance Exchange Act to comply with the requirements of the federal Patient Protection and Affordable Care Act (PPACA) of 2010 to facilitate the purchase and sale of qualified health plans and qualified dental plans in the individual market and to provide for the establishment of a small business health option program (SHOP exchange) to assist qualified small employers enrolling their employees in qualified health plans and dental plans offered in the small group market. The intent of the exchange is to reduce the number of uninsured, provide a transparent marketplace, increase competition in the health insurance market, increase portability of health insurance coverage, reduce health care costs, provide consumer education, and assist individuals with access to programs, tax credits, and cost-sharing reductions. The exchange shall conduct extensive consumer outreach to increase the awareness and effectiveness of the exchange.

ESTABLISHMENT OF THE SHOW-ME HEALTH INSURANCE EXCHANGE - The exchange is established as a quasi-public governmental agency under the direction of the 17-member Show-Me Health Insurance Exchange Board of Trustees. The board shall be comprised of the following members:

1) Director of the Department of Social Services;
2) Director of the Department of Insurance, Financial Institutions and Professional Registration (vice-chair);
3) Director of the Department of Mental Health;
4) Director of the Department of Health and Senior Services;
5) 2 House members;
6) 2 Senate members;
7) A licensed health insurance producer;
8) A large market-share licensed health insurer;
9) A small market-share licensed health insurer;
10) A public health consumer advocate for individuals who purchase coverage through the exchange, a small employer representative;
11) A large employer representative;
12) An individual with expertise in administering and negotiating health plan contracts on behalf of employees; and
13) 2 at-large members.

The duties and powers of the board are specified in the act including the hiring of an executive director and preparing annual audits and reports of the financial condition of the exchange. The at also establishes conflict of interest standards and financial reporting guidelines for the board members. The provisions regarding the Health Insurance Advisory Committee are repealed and its duties assigned to the board.

POWERS AND DUTIES OF THE EXCHANGE - Under the terms of the act, the exchange must:

(1) Facilitate the purchase and sale of qualified health plans and qualified dental plans;

(2) Provide for the establishment of a unified exchange to assist both individuals who purchase coverage in the individual market and qualified small employers in this state in facilitating the enrollment of their employees in qualified health plans and dental plans in the SHOP exchange;

(3) Implement procedures relating to the certification, recertification, and decertification of health plan as a qualified health plan or dental plan consistent with the federal PPACA guidelines;

(4) Provide for the operation of a toll-free hotline;

(5) Provide for an initial enrollment period, annual open enrollment periods, and special enrollment periods in accordance with the PPACA, as well as on a quarterly basis;

(6) Maintain an internet website through which enrollees and prospective enrollees may obtain standardized comparative information on qualified health and dental plans available through the exchange;

(7) Assign a rating for each qualified health plan and dental plan offered through the exchange and determine the level of coverage provided by each qualified health plan and dental plan in accordance with federal regulations regarding actuarial guidelines for standard populations;

(8) Use a standardized format for presenting health options in the exchange, including the use of the PPACA outline of coverage;

(9) Inform individuals of eligibility requirements for the federal Medicaid Program, the Children's Health Insurance Program, or any other state public program; screen applications to determine eligibility for programs; and enroll any individual who is eligible;

(10) Establish and make available by electronic means a calculator to determine the actual cost of coverage, any cost-sharing reduction, and a consumer tool to calculate out-of-pocket costs of coverage;

(11) Develop a standardized applications for qualified individuals or small employers to use to apply for health benefits through the exchange. Each health insurer that offers a qualified health plan through the exchange must use this application;

(12) Grant, subject to PPACA exemption criteria, an individual a certification attesting that the individual is exempt from the PPACA individual responsibility requirement or from the penalty to obtain health care coverage if affordable coverage cannot be obtained through the exchange or the individual meets additional exemption requirements;

(l3) Transfer specified information to the United States Secretary of the Treasury regarding the individuals exempted from obtaining health care coverage, employed individuals eligible for the federal premium tax credit, and individuals with changes to their employer-sponsored coverage;

(14) Provide to the employer the name of each employee who ceases coverage under a qualified health plan during a plan year and the effective date of cessation;

(15) Perform the required duties of the PPACA related to determining eligibility for premium tax credits, reduced cost-sharing, or individual responsibility requirement exemptions;

(16) Establish a navigator program to award grants to selected entities to carry out the functions of a navigator. Grants awarded by the exchange must be made from the exchange's operational funds, and federal funds received by the state to establish the exchange shall not be used for grants;

(17) Establish a fair and impartial health insurance producer referral network to assist with enrollment through the exchange. The producers in the network must be compensated in an appropriate manner to the health insurance producer industry;

(18) Apply any qualified employee free-choice voucher to the monthly premium collected from the offering employer;

(19) Consult with health insurance industry stakeholders regarding the activities of the exchange;

(20) Conduct appropriate accounting activities and submit an annual report of the activities to the United States Secretary of the Treasury, Governor, and General Assembly and fully cooperate with federal investigations;

(21) Develop guidelines for qualified health plans and dental plans to mitigate the occurrence of adverse selection within the exchange; and

(22) Review the rate of premium growth within and outside of the exchange and consider the information in developing recommendations on whether to continue limiting qualified employer status to small employers.

AUTHORITY OF EXCHANGE TO ENTER INTO CONTRACTS - Under the terms of the act, the exchange is allowed to enter into a contract or a memorandum of understanding with an eligible entity or the Missouri Consolidated Health Care Plan (MCHCP) for any or all of its administrative functions. If the exchange contracts with MO HealthNet, MO HealthNet beneficiaries may select any plan offered by a health insurer contracted with MO HealthNet. MO HealthNet beneficiary plans must be maintained in a separate and distinct risk pool within the exchange from all other qualified health plans and qualified dental plans. An insurer participating in the exchange cannot be required to offer a health plan to MO HealthNet beneficiaries. A state employee may select a qualified health plan or dental plan through the exchange. The exchange may contract with the Department of Insurance, Financial Institutions and Professional Registration for the certification, recertification, and decertification of health plans and dental plans as qualified health plans and dental plans. An eligible entity that contracts with the exchange cannot offer a qualified health or dental plan through the exchange.

The exchange may enter into information-sharing agreements, subject to state and federal confidentiality laws, with state and federal agencies and other state exchanges to carry out its responsibilities.

CERTIFICATION OF QUALIFIED HEALTH AND DENTAL PLANS BY THE EXCHANGE - The exchange must certify a health plan as a qualified health plan or qualified dental plan if that plan has met federal requirements. The exchange shall not exclude a health plan because it is a fee-for-service plan, through the imposition of premium price controls by the exchange, on the basis that the health plan provides death-preventing treatments that are inappropriate or too costly, or on the basis that the health plan is offered by a health issuer that is not contracted with MO HealthNet.

In order to have a health or dental plan certified by the exchange, a health insurer must:

1) Provide premium increase justification;
2) Disclose the health plan specifics in plain language;
3) Provide consumer education about the exchange;
4) Provide notification of health plan changes; and
5) Provide timely updates on cost, changes, and provider network changes to consumers.

Under the terms of the act, an insurer must be licensed to offer dental coverage but does not need to be licensed to offer other health benefits. A dental plan must offer at a minimum the PPACA-required essential pediatric dental benefits as well as any benefits as the exchange or the United States Secretary of the Treasury may specify by regulation. An insurer can jointly offer a comprehensive plan through the exchange that includes health and dental plans provided that the plans are priced separately and are also made available for purchase separately at the same price.

The exchange cannot exempt a health insurer seeking certification of a qualified health or dental plan from state licensure or solvency requirements.

The exchange must establish an appeals process for health insurance issuers to appeal a decertification decision or the denial of certification as a qualified health plan or qualified dental plan.

IMPLEMENTATION AND OPERATION OF EXCHANGE - Beginning January 1, 2014, the exchange must be operational to make qualified health and qualified dental plans available to qualified individuals and employers. The exchange may disclose price and coverage information prior to that date. An individual cannot be charged a fee or penalty for terminating coverage and enrolling in another health plan if he or she

has become newly eligible for the coverage or because it has become more affordable under federal standards. A qualified employer in the small market group may make its employees eligible for one or more qualified health plans at a specified level of coverage so that any of its employees may enroll in a qualified health plan or dental plan offered through the SHOP exchange at the specified coverage level.

The exchange shall permit a consumer to establish a personal health record.

EXCHANGE FUNDING - Under the terms of the act, federal funding for direct costs related to the development and operation of the exchange through 2014 shall be provided under federal law. By January 1, 2015, the exchange must be financially self-sustained through health insurer fees and assessments.

The board must submit an annual budget to the Speaker of the House of Representatives and the President Pro Tem of the Senate for any year in which the exchange is allocated federal funds.

The exchange must charge assessment or user fees to health insurers, regardless of exchange participation, for each policyholder of an individual health insurance policy issued in this state and for each employee covered under a small group policy issued in the state to fund the operations of the exchange. Any assessments or fees charged to health insurance issuers must be limited to the minimum amount necessary to pay for the administration and capital costs and expenses that have been approved in the annual budget process, considering other available funding sources. Any unexpended exchange funds must be used to further exchange operations or returned to health insurers and health plans as a credit for future imposed assessments or fees. Any unexpended funds at the end of the biennium cannot revert to the credit of the General Revenue Fund.

The exchange must publish specified information regarding its fees and costs on a website. Taxes, fees, or assessments used to finance the exchange must be considered a state tax and, therefore, be excluded from being considered an administrative cost for a health plan for the purpose of calculating medical loss ratios or rebates as allowed by federal regulation.

CONSTRUCTION AND SCOPE OF THE ACT - The act shall not be construed as prohibiting qualified individuals or qualified employers from purchasing any health plans or dental plans outside the exchange.

The provisions of this act are not applicable to certain supplemental insurance policies.

The provisions of the act shall not be construed to preempt or supersede the authority of the Director of the Department of Insurance, Financial Institutions and Professional Registration to regulate the insurance business within this state.

The provisions of the act shall become null and void and be unenforceable in this state as of the date the PPACA in its entirety or Section 1311 of the act is declared unconstitutional or otherwise invalid by the United States Supreme Court or is repealed by the United States Congress.
STEPHEN WITTE

02/22/2011 Introduced and Read First Time (H) (H419)
02/23/2011 Read Second Time (H) (H427)
03/03/2011 Referred: Health Insurance (H) (H519)
03/08/2011 Public Hearing Completed (H)
03/17/2011 Executive Session Completed (H)
03/17/2011 HCS Voted Do Pass (H)
03/18/2011 HCS Reported Do Pass (H) (H707)
03/18/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H707)
03/30/2011 Rules - Executive Session Completed (H)
03/30/2011 Rules - Voted to Return to Committee of Origin (H)
03/30/2011 Rules - Returned to the Committee of Origin (H) (H781)
03/31/2011 Executive Session Completed (H)
03/31/2011 HCS Voted Do Pass (H)
03/31/2011 Voted Do Pass - Federal Mandate (H)
03/31/2011 HCS Reported Do Pass (H) (H813)
03/31/2011 Reported Do Pass - Federal Mandate (H) (H813)
03/31/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H813)
04/04/2011 Rules - Executive Session Completed (H)
04/04/2011 Rules - Voted Do Pass - Federal Mandate (H)
04/04/2011 Rules - Reported Do Pass - Federal Mandate (H) (H838)

04/07/2011 Taken Up for Perfection (H) (H1155)
04/07/2011 Laid Over (H) (H1155)
04/11/2011 Taken Up for Perfection (H) (H1187)
04/11/2011 HCS Adopted (H) (H1187)
04/11/2011 Perfected (H) (H1187)
04/14/2011 Third Read and Passed (H) (H1276)
04/14/2011 S First Read--HCS#2 for HB 609 (S738)
04/18/2011 Second Read and Referred S Small Business, Insurance and Industry Committee (S751)
04/21/2011 Hearing Conducted S Small Business, Insurance and Industry Committee
04/21/2011 SCS Voted Do Pass S Small Business, Insurance and Industry Committee (1237S.08C)
04/27/2011 Reported from S Small Business, Insurance and Industry Committee to Floor w/SCS (S1151)
05/02/2011 Bill Placed on Informal Calendar (S1231)
05/09/2011 Taken up for Third Reading (S1535)
05/09/2011 Bill Placed on Informal Calendar (S1535)
05/13/2011 S Informal Calendar H Bills for Third Reading--HCS#2 for HB 609, with SCS (pending) (Wasson)

EFFECTIVE: August 28, 2011

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*** HB 630 *** HCS HB 630 1296L.03P

HOUSE HANDLER: Grisamore

HCS/HB 630 - This act establishes a 23-member Missouri Task Force on Prematurity and Infant Mortality within the Children's Services Commission to measurably reduce the state's pre-term birth and infant mortality rates by proposing evidence-based legislation, regulation, and public policy changes. Six of the 23 members shall be members of the General Assembly with two members appointed by the Speaker of the House of Representatives, one by the Minority Leader of the House of Representatives, two by the President Pro Tem of the Senate, and one by the Minority Leader of the Senate. The task force shall meet initially by October 15, 2011, and at least quarterly thereafter.

By March 1, 2012, the task force shall submit a report to the Governor and the General Assembly on the current on the current state of prematurity in Missouri. Final recommendations including any legislation shall be submitted to the Governor and General Assembly by January 15, 2013. A final report evaluating the impact of implementing those recommendations shall be submitted by January 15, 2015. The task force shall expire January 31, 2015, or upon the submission of a final report, whichever is earlier.
ADRIANE CROUSE

02/22/2011 Introduced and Read First Time (H) (H420)
02/23/2011 Read Second Time (H) (H427)
03/03/2011 Referred: Special Standing Committee on Disability Services (H519)
03/14/2011 Public Hearing Completed (H)
03/14/2011 Executive Session Completed (H)
03/14/2011 HCS Voted Do Pass - Consent (H)
03/15/2011 HCS Reported Do Pass by Consent (H) (H638)
03/15/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H638)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass - Consent (H)
03/28/2011 Rules - Reported Do Pass Consent (H) (H726)
04/04/2011 Perfected by Consent - Pursuant to House Rules (H) (H839)
04/05/2011 Third read and passed (H) (H889-890)
04/05/2011 S First Read--HCS for HB 630 (S594)
04/07/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S668)

EFFECTIVE: August 28, 2011

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*** HB 631 *** SCS HCS HB 631 1685S.03T

SENATE SPONSOR: Lager HOUSE HANDLER: Grisamore

SCS/HCS/HB 631 - This act authorizes a state individual and corporate income tax check-off for the newly created developmental disabilities waiting list equity trust fund. Taxpayers entitled to a refund may designate that at least one dollar on an individual return or two dollars on a combined return of the taxpayer's to be deposited into the fund. Taxpayers that are not entitled to receive an income tax refund may make a donation to the fund by designating an amount and sending separate payment with their income tax return. Moneys in the fund will be used to provide community services and support to people with developmental

disabilities and their families who are eligible to receive services, but are on the developmental disabilities waiting list. Moneys in the fund cannot be used to offset other general revenue appropriations.

The act also authorizes a check-off box for the newly created American Red Cross Trust Fund to be added to the individual and corporate income tax forms. A taxpayer may donate to the fund by designating on the form at least one dollar on an individual return or two dollars on a combined return of his or her tax refund amount or by sending a separate check with the payment of his or her taxes.

The provisions of the act will automatically sunset on December 31, 2017, unless reauthorized.

Provisions contained in this act are identical to the provisions of House Bill 286 (2011).
JASON ZAMKUS

02/22/2011 Introduced and Read First Time (H) (H420)
02/23/2011 Read Second Time (H) (H427)
03/03/2011 Referred: Special Standing Committee on Disability Services (H519)
03/14/2011 Public Hearing Completed (H)
03/14/2011 Executive Session Completed (H)
03/14/2011 HCS Voted Do Pass - Consent (H)
03/15/2011 HCS Reported Do Pass by Consent (H) (H638)
03/15/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H638)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass - Consent (H)
03/28/2011 Rules - Reported Do Pass Consent (H) (H726)
04/04/2011 Perfected by Consent - Pursuant to House Rules (H) (H839)
04/05/2011 Third read and passed (H) (H890-891)
04/05/2011 S First Read--HCS for HB 631 (S594)
04/07/2011 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S668)
04/14/2011 Hearing Conducted S Ways and Means and Fiscal Oversight Committee
04/14/2011 SCS Voted Do Pass S Ways and Means and Fiscal Oversight Committee (1685S.03C) - Consent
04/14/2011 Reported from S Ways and Means and Fiscal Oversight Committee to Floor w/SCS - Consent (S732)
04/18/2011 Removed S Consent Calendar (S758)
04/18/2011 Reported from S Ways and Means and Fiscal Oversight Committee to Floor w/SCS (S748)
04/19/2011 Bill Placed on Informal Calendar (S775)
04/19/2011 SCS S adopted (S776-777)
04/19/2011 S Third Read and Passed (S777 / H1375)
05/10/2011 H concurs in SCS (H2184)
05/10/2011 H Third Read & Passed (H2185 / S1673)
05/10/2011 Truly Agreed To and Finally Passed (S1673)

EFFECTIVE: August 28, 2011

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*** HB 641 *** SCS HCS HB 641 1490S.07T

SENATE SPONSOR: Goodman HOUSE HANDLER: Franz

SCS/HCS/HB 641 - This act adds to the list of schedule I controlled substances several forms of stimulants, including "bath salts," and hallucinogenic synthetic cannabinoids. A definition of synthetic cannabinoids is also added to the Comprehensive Drug Control Act of 1989.

Current law provides that an analogue of a controlled substance intended for human consumption shall be treated as a schedule I controlled substance. Under this act, an analogue or homologue of any schedule I controlled substance shall be treated as a schedule I controlled substance.

This act makes it a Class A misdemeanor to possess 35 grams or less of any synthetic cannabinoid and a Class C felony to possess more than 35 grams.

Cocaine base is added to the types of controlled substances, which, when delivered or distributed near a park by a person, make the act a Class A felony.
MEGHAN LUECKE

02/22/2011 Introduced and Read First Time (H) (H421)
02/23/2011 Read Second Time (H) (H427)

02/24/2011 Referred: General Laws (H) (H453)
03/01/2011 Public Hearing Completed (H)
03/07/2011 Executive Session Completed (H)
03/07/2011 HCS Voted Do Pass (H)
03/07/2011 HCS Reported Do Pass (H) (H537)
03/07/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H537)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass (H)
03/28/2011 Rules - Reported Do Pass (H) (H726)
04/04/2011 HCS Adopted (H) (H835)
04/04/2011 Perfected with Amendments (H) (H835)
04/07/2011 Third Read and Passed (H) (H1156-1157)
04/07/2011 S First Read--HCS for HB 641 (S664)
04/14/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S737)
04/18/2011 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee
04/26/2011 SCS Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee (1490S.07C)
04/27/2011 Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor w/SCS (S1151)
05/02/2011 SA 1 to SCS S offered & Ruled out of order (Schaefer)--(1490S07.01S) (S1229-1231)
05/02/2011 SCS S adopted (S1231)
05/02/2011 S Third Read and Passed (S1231 / H1736)
05/10/2011 H concurs in SCS (H2208)
05/10/2011 H Third Read & Passed (H2209 / S1683)
05/10/2011 Truly Agreed To and Finally Passed (S1683)

EFFECTIVE: August 28, 2011

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*** HB 648 *** SS#2 HB 648 1382S.06T

SENATE SPONSOR: Rupp HOUSE HANDLER: Montecillo

SS#2/HB 648 - This act modifies provisions relating to individuals with disabilities.

REFERENCING PERSONS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES (VARIOUS SECTIONS IN CHAPTERS 8, 178, 189, 192, 198, 205, 208, 210, 211, 402, 475, 476, 552, 630, 632, and 633)

This act changes all references of "mentally retarded," "mental retardation," or "handicapped" in current state law to "intellectually disabled," "intellectual disability," "developmentally disabled," "developmental disability" or "disabled" respectively. This act also incorporates People First Language when referring to individuals with intellectual, developmental or other mental health disabilities, conditions or disorders.

This provision is similar to HCS/HB 555 (2011) and HB 579 (2011).

MO HEALTHNET OVERSIGHT COMMITTEE (SECTION 208.955)

This act changes the qualifications for service on the MO HealthNet Oversight Committee as it relates to the consumer representative, the four physicians, the dentist, the two patient advocates and the one public member. This act also requires two rather than one, nonphysician health care professionals, with one being a nurse under chapter 335 and one being a mental health professional under chapter 337. The number of members changes from nineteen to twenty.

Changes to the committee are contained in HB 561 (2011), HB 464 (2011), and HB 555 (2011).

PARENTAL RIGHTS FOR PERSONS WITH DISABILITIES (SECTIONS 210.496, 211.031, 211.447 and 453.070)

This act specifies that the disability or disease of an individual shall not be the basis for a determination to refuse to issue, suspend, or revoke a foster care license. Disability or disease shall also not constitute a basis for a determination that a prospective adoptive parent is unfit, that a child is in need of care, that it is necessary to remove a child from the custody of a parent, or for the termination of parental rights, without a specific showing that there is a causal relation between the disability and harm to the child.

Provisions of this act are contained in SB 134 (2011) and HCS/HB 604 (2011).

MENTAL HEALTH EARNINGS FUND (SECTIONS 630.053 AND 630.095)

Subject to appropriations, the proceeds earned from the sale of Mental Health First Aid USA services shall be directed to the Mental Health Earnings Fund. Such proceeds shall be used for the purpose of funding Mental Health First AID USA activities and shall be accounted for separately from all other revenues deposited in the fund.

These provisions are identical to provisions in SCS/SB 177 (2011) and HCS/HB 557 (2011).

DEPARTMENT OF MENTAL HEALTH ABUSE AND NEGLECT REPORTS (SECTION 630.167)

This act updates a statutory reference to reflect that Department of Mental Health investigative reports are automatically admissible in any hearing before the Administrative Hearing Commission.

This provision is identical to SB 177 (2011).

ADRIANE CROUSE

02/23/2011 Introduced and Read First Time (H) (H438)
02/24/2011 Read Second Time (H) (H443)
02/24/2011 Referred: Special Standing Committee on Disability Services (H453)
03/07/2011 Public Hearing Completed (H)
03/14/2011 Executive Session Completed (H)
03/14/2011 Voted Do Pass - Consent (H)
03/15/2011 Reported Do Pass by Consent (H) (H638)
03/15/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H638)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass - Consent (H)
03/28/2011 Rules - Reported Do Pass Consent (H) (H726)
04/04/2011 Perfected by Consent - Pursuant to House Rules (H) (H839)
04/05/2011 Third read and passed (H) (H891-892)
04/05/2011 S First Read--HB 648-Montecillo (S594)
04/07/2011 Second Read and Referred S General Laws Committee (S668)
04/26/2011 Hearing Conducted S General Laws Committee
04/26/2011 Voted Do Pass S General Laws Committee
04/27/2011 Reported from S General Laws Committee to Floor (S1152)
05/02/2011 SS S offered (Rupp)--(1382S.05F) (S1235)
05/02/2011 SA 1 to SS S offered & adopted (Schaaf)--(1382S05.02S) (S1235-1236)
05/02/2011 Bill Placed on Informal Calendar (S1236)
05/09/2011 SS S withdrawn (S1535)
05/09/2011 SS#2 S offered (Rupp)--(1382S.06F) (S1535-1536)
05/09/2011 SA 1 to SS#2 S offered & adopted (Rupp)--(1382S06.01S) (S1536)
05/09/2011 SS#2, as amended, S adopted (S1536)
05/09/2011 S Third Read and Passed (S1536 / H2154)
05/10/2011 H concurs in SS#2, as amended (H2225)
05/10/2011 H Third Read & Passed (H2226 / S1683)
05/10/2011 Truly Agreed To and Finally Passed (S1683)

EFFECTIVE: August 28, 2011

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*** HB 656 *** 0602L.03P

HOUSE HANDLER: Brandom

HB 656 - This act amends the law relating to unsecured loans of $500 or less.

Costs associated with the return of checks shall not be considered a fee or charge.

Lenders are required to post the fee in terms of dollars charged per one hundred dollars loaned in the lobby of the lending office.

Currently, lenders are required to renew loans upon the borrower's request up to 6 times and the borrower shall reduce the principal by at least 5% of the original loan amount each time the loan is renewed. This act gives lenders the discretion to renew loans upon the borrower's request and restricts lenders to 3 renewals. Borrowers shall reduce the principal by at least $25 each time the loan is renewed.

Borrowers are allowed to pay the loans by entering an extended payment plan. The plans are governed by the following provisions:

- Borrowers may only enter one plan in a 12 month period with an individual lender.
- The borrower must agree to repay the amount in 4 equal installments or less over up to a 60 day term.
- There are no prepayment penalties.
- Lenders may accelerate an unpaid balance when the borrower defaults.
- Lenders shall not extend another loan to a borrower when the borrower is subject to an extended payment plan.
- Information of such plans shall be posted and available at the lending office.
- Borrowers may enter such a plan by using the same method as and signing an amendment to the original loan.

Currently, borrowers shall not be required to pay interest and fees in excess of 75% of the initial loan amount. This act reduces that amount to 60%.

The act removes a provision establishing that such loans are deemed completed and not considered a renewal when the lender presents the instrument for payment or the payee redeems the instrument by paying the full amount of the instrument to the lender.

Currently, once the borrower completes the loan, he or she may enter into a new loan with the lender. This act requires a one business day cooling off period.

The act bars licensees from threatening or instigating criminal proceedings against a borrower when checks are dishonored unless the borrower closes the account upon which the check was drawn before the date of negotiation or when the borrower stops payment on the check. Licensees shall comply with the Fair Debt Practices Act when collecting debts.

Currently, the division of finance shall report certain industry information to the general assembly every other year. This act requires a yearly report.

This act establishes a pilot program whereby the Division of Finance is charged to develop a real-time statewide compliance system for licensed payday lenders to record each payday loan transaction. The division shall deliver reports to the legislature documenting the usefulness of the system and the general compliance of licensees. The program shall be fully implemented by September 1, 2011 and sunset on August 31, 2012.

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), HB 2116 (2010), SB 593 (2010), SB 699 (2010), SB 811 (2010), and SB 295 (2011).
CHRIS HOGERTY

02/23/2011 Introduced and Read First Time (H) (H438)
02/24/2011 Read Second Time (H) (H443)
02/24/2011 Referred: Financial Institutions (H) (H453)
03/09/2011 Public Hearing Completed (H)
03/16/2011 Executive Session Completed (H)
03/16/2011 Voted Do Pass (H)
03/29/2011 Reported Do Pass (H) (H754)
03/29/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H754)
04/06/2011 Rules - Executive Session Completed (H)
04/06/2011 Rules - Voted Do Pass (H)
04/07/2011 Rules - Reported Do Pass (H) (H1173)
04/12/2011 Taken Up for Perfection (H) (H1218)
04/12/2011 Laid Over (H) (H1218)
04/12/2011 Taken Up for Perfection (H) (H1226)
04/12/2011 Laid Over (H) (H1226)
04/13/2011 Taken Up for Perfection (H) (H1244)
04/13/2011 Perfected with Amendments (H) (H1245)
04/19/2011 Third read and passed (H) (H1313-1314)
04/19/2011 S First Read--HB 656-Brandom, et al (S771)
04/21/2011 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S814)
04/26/2011 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee

EFFECTIVE: August 28, 2011

*** HB 658 *** 1656L.01P

HOUSE HANDLER: Schatz

HB 658 - This act removes all methamphetamine precursor drugs except those in a liquid or liquid-filled gel capsule form from the list of Schedule IV and Schedule V controlled substances and reclassifies them to the list of Schedule III. As a result of the reclassification, a physician's prescription will be required to obtain any of these drugs except those in a liquid or liquid-filled gel capsule form.

A manufacturer of such substances may, however, request that the department of health and senior services adopt a rule to exempt such products from the Controlled Substances Act if the product is formulated to prevent its conversion into meth.

The act also specifies that current provisions regarding the required logging and recording of the sales as well as the storage of these drugs behind the counter away from public access will continue to apply to the liquid and liquid-filled gel capsule forms of these drugs.

The provisions of the act will expire August 28, 2013.

MEGHAN LUECKE

02/23/2011 Introduced and Read First Time (H) (H439)
02/24/2011 Read Second Time (H) (H443)
03/03/2011 Referred: Crime Prevention and Public Safety (H) (H520)
03/09/2011 Public Hearing Completed (H)
04/13/2011 Executive Session Completed (H)
04/13/2011 Voted Do Pass (H)
04/14/2011 Reported Do Pass (H) (H1293)
04/14/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H1293)
04/21/2011 Rules - Hearing Cancelled
04/22/2011 Rules - Executive Session Completed (H)
04/22/2011 Rules - Voted Do Pass (H)
04/26/2011 Rules - Reported Do Pass (H) (H1620)
05/02/2011 Taken Up for Perfection (H) (H1702)
05/02/2011 Laid Over (H) (H1702)
05/03/2011 Taken Up for Perfection (H) (H1783)
05/03/2011 Perfected with Amendments (H) (H1784)
05/05/2011 Referred: Fiscal Review (H) (H2047)
05/09/2011 Executive Session Completed (H)
05/09/2011 Voted Do Pass (H)
05/09/2011 Reported Do Pass (H) (H2057)
05/09/2011 Third Read and Passed (H) (H2067-2069)
05/09/2011 S First Read--HB 658-Schatz, et al (S1529)
05/10/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S1639)
05/11/2011 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2011

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*** HB 661 *** SCS HB 661 1661S.02T

SENATE SPONSOR: Lamping HOUSE HANDLER: Wells

SCS/HB 661 - Under current law, debt adjusters are authorized to enter debt management plans to alter terms of debt payments by receiving money or property from the debtor to pay creditors. This act modifies the definition of debt adjuster to allow such individuals to enter debt settlement plans to perform debt relief services. Such services include renegotiating, settling, or altering terms of payments. Debt adjusters are no longer required to collect funds from the debtor and deliver them to creditors.

Current law requires a blanket bond of $100,000. The substitute requires a surety bond of $50,000 if the licensee declares that the operation will handle no consumer monies and $100,000 otherwise.

The act requires debt adjusters to disclose certain information to debtors before performing services including the time-frame required for results to be achieved, details relating to settlement offers, and any possible adverse affects to the debtors creditworthiness.

Debt adjusters shall not receive payments until the following:

- the adjuster has renegotiated, settled, reduced, or altered the terms of at least one debt.
- the debtor has made at least one payment pursuant to a plan.
- the payment must either bear the same proportional relationship to the total fee for settling the entire debt balance as the individual debt amount bears to the entire debt amount or be a percentage of the amount saved as a result of settlement.

Debt adjusters may require debtors to place funds in an account to pay administrative fees and for payments to creditors or debt collectors. Debtors may withdraw all funds deposited in accounts for services at any time without penalty.

This act is similar to SB 401 (2011).
CHRIS HOGERTY

02/24/2011 Introduced and Read First Time (H) (H454)
02/28/2011 Read Second Time (H) (H465)
03/03/2011 Referred: Financial Institutions (H) (H520)
03/16/2011 Public Hearing Completed (H)
03/16/2011 Executive Session Completed (H)
03/16/2011 Voted Do Pass (H)
03/29/2011 Reported Do Pass (H) (H754)
03/29/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H754)
04/06/2011 Rules - Executive Session Completed (H)
04/06/2011 Rules - Voted Do Pass (H)
04/07/2011 Rules - Reported Do Pass (H) (H1173)
04/19/2011 Perfected (H) (H1318)
04/20/2011 Third Read and Passed (H) (H1409-1410)
04/20/2011 S First Read--HB 661-Wells, et al (S800)
04/21/2011 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S814)
04/26/2011 Hearing Conducted S Financial and Governmental Organizations and Elections Committee
05/02/2011 SCS Voted Do Pass S Financial and Governmental Organizations and Elections Committee (1661S.02C)
05/05/2011 Reported from S Financial and Governmental Organizations and Elections Committee to Floor w/SCS (S1343)
05/09/2011 Bill Placed on Informal Calendar (S1537)
05/11/2011 SCS S adopted (S1866)
05/11/2011 S Third Read and Passed (S1866-1867 / H2433)
05/12/2011 H concurs in SCS
05/12/2011 H Third Read & Passed
05/12/2011 Truly Agreed To and Finally Passed

EFFECTIVE: August 28, 2011

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*** HB 664 *** SS SCS HCS HB 664 1583S.04T

SENATE SPONSOR: Schmitt HOUSE HANDLER: Leara

SS/SCS/HCS/HB 664 - This act modifies certain provisions of the Firemen's Retirement System of St. Louis and provisions that affect claims by all firefighters for disability or death benefits.

This act modifies provisions that affect claims by firefighters for disability or death benefits. If after five years of service a firefighter's health is impaired due to certain infectious diseases, it will be presumed that this infectious disease was suffered in the line of duty, unless there is evidence to the contrary. Firefighters are required to submit to an annual physical examination, at which a blood test is administered, in order to receive the presumption that the infectious disease was contracted in the line of duty.

The act specifies that the retirement plan of the Firemen's Retirement System of St. Louis is intended to be a qualified governmental plan under federal tax law. The benefits and conditions of the plan shall be interpreted and the system shall be operated to ensure that the system meets the federal qualification requirements.

This act also modifies the service-connected disability benefits for St. Louis City firefighters who retire on or after August 28, 2011. Currently, the service-connected disability benefit is 75 percent of the top pay of the rank the firefighter is at when they are retired. This act makes the service-connected disability benefit vary

based on the number of years a person has served as a firefighter. Firefighters will receive a base pension of 25 percent of the compensation provided for the step in the range of salary they hold at the time the firefighter is retired. Those firefighters with 10 or more years of service, but less than 25 years of service, will receive an additional accidental retirement pension benefit calculated by multiplying their years of service by 2 3/4 percent of the step in the range of salary received by the firefighter at the time of their retirement. Those firefighters with more than 20 years of service, but less than 25 years of service have the option to waive the other benefits and receive a benefit that combined with their base pension will equal 65 percent of the compensation then provided for the step in the range of salary received by the firefighter at the time of their retirement. If a firefighter has more than 25 years of service, or is retired based on conditions of the heart, lungs, or cancer, or is unable to perform any other work, as determined by Board of Trustees based on medical evidence, the firefighter will receive a benefit that is equal to 75 percent of the compensation provided for the step in the range of salary they receive at the time of their retirement.

St. Louis City firefighters who are retired based on a service-connected disability on or after August 28, 2011, will have the option at retirement to be reimbursed for tuition at a college, community college, or vocational or technical school. These firefighters must enroll in school at the first opportunity after their retirement. These firefighters will also receive a supplemental disability retirement pension, if they have twenty-five years or less of service, so that their total accidental disability retirement pension will equal to the total compensation provided for the step in the range of salary they received at the time they were retired. This educational reimbursement benefit and the supplemental disability retirement pension benefit shall end when the firefighter is not a full-time student, if the firefighter fails to provide proof of a grade point average of two on a four point scale for each academic term, or returns to service as a firefighter, and will only be available for five years after the firefighter's retirement.

The cost-of-living adjustment for firefighters who are retired based on a service-connected disability on or after August 28, 2011 will be either one percent a year or 2 1/4 percent per year, based on the number of years of service, rather than three percent a year, up to age sixty.

Provisions of this act are similar to SS/SCS/HB 282 (2011), SS/SB 238 (2011) and SB 273 (2011).
EMILY KALMER

02/24/2011 Introduced and Read First Time (H) (H455)
02/28/2011 Read Second Time (H) (H465)
03/03/2011 Referred: Retirement (H) (H520)
03/10/2011 Public Hearing Completed (H)
03/17/2011 Executive Session Completed (H)
03/17/2011 HCS Voted Do Pass (H)
03/28/2011 HCS Reported Do Pass (H) (H722)
03/28/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H722)
04/06/2011 Rules - Executive Session Completed (H)
04/06/2011 Rules - Voted Do Pass (H)
04/07/2011 Rules - Reported Do Pass (H) (H1173)
04/19/2011 HCS Adopted (H) (H1373)
04/19/2011 Perfected with Amendments (H) (H1373)
04/26/2011 Third read and passed (H) (H1603-1604)
04/26/2011 S First Read--HCS for HB 664 (S1068)
05/02/2011 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S1238)
05/04/2011 Hearing Conducted S Jobs, Economic Development and Local Government Committee
05/04/2011 SCS Voted Do Pass S Jobs, Economic Development and Local Government Committee (1583S.03C)
05/05/2011 Reported from S Jobs, Economic Development and Local Government Committee to Floor w/SCS (S1346)
05/11/2011 SS for SCS S offered (Schmitt)--(1583S.04F) (S1783)
05/11/2011 Bill Placed on Informal Calendar (S1783)
05/11/2011 SS for SCS S adopted (S1803)
05/11/2011 S Third Read and Passed (S1803 / H2405)
05/12/2011 H concurs in SS for SCS (H2470-2471)
05/12/2011 H Third Read & Passed (H2471-2472 / S1925)
05/12/2011 Truly Agreed To and Finally Passed (S1925)

EFFECTIVE: August 28, 2011

SENATE SPONSOR: Wright-Jones HOUSE HANDLER: Carter

HB 667 – This act provides that, subject to securing a cooperative agreement with a non-profit entity for funding of the program, 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. The Department of Health and Senior Services may directly contract with the Missouri Foundation for Health in the delivery of the pilot program. 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 SB 38 (2011).
ADRIANE CROUSE

02/24/2011 Introduced and Read First Time (H) (H455)
02/28/2011 Read Second Time (H) (H465)
03/03/2011 Referred: Urban Issues (H520)
03/14/2011 Public Hearing Completed (H)
03/14/2011 Executive Session Completed (H)
03/14/2011 Voted Do Pass - Consent (H)
03/15/2011 Reported Do Pass by Consent (H) (H636)
03/15/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H636)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass - Consent (H)
03/28/2011 Rules - Reported Do Pass Consent (H) (H726)
04/04/2011 Perfected by Consent - Pursuant to House Rules (H) (H839)
04/05/2011 Third read and passed (H) (H892-893)
04/05/2011 S First Read--HB 667-Carter, et al (S594)
04/07/2011 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S668)
05/04/2011 Hearing Conducted S Health, Mental Health, Seniors and Families Committee
05/04/2011 Voted Do Pass S Health, Mental Health, Seniors and Families Committee
05/05/2011 Reported from S Health, Mental Health, Seniors and Families Committee to Floor (S1343)
05/09/2011 Bill Placed on Informal Calendar (S1536)
05/12/2011 S Third Read and Passed (S1897 / H2457)
05/12/2011 Truly Agreed To and Finally Passed (H2457)

EFFECTIVE: August 28, 2011

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*** HB 673 *** 1616L.01P

SENATE SPONSOR: Pearce HOUSE HANDLER: Largent

HB 673 - This act authorizes the Adjutant General to award a ribbon to members of the Missouri national guard who have participated in training outside of the continental United States for ten or more days after July 11, 1984.

The act also authorizes the Adjutant General to award a ribbon to members of the Missouri National Guard who have participated in a state partnership program mission on or after February 13, 1996 in countries that Missouri has a federally recognized partnership with.

The Governor is authorized to present an award to civilians or members of the military who have provided exceptionally meritorious services. This award is called the order of the minuteman award.

EMILY KALMER

02/24/2011 Introduced and Read First Time (H) (H455)
02/28/2011 Read Second Time (H) (H465)
03/03/2011 Referred: Veterans (H) (H520)
03/15/2011 Public Hearing Completed (H)
03/15/2011 Executive Session Completed (H)
03/15/2011 Voted Do Pass - Consent (H)
03/15/2011 Reported Do Pass by Consent (H) (H637)
03/15/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H637)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass - Consent (H)
03/28/2011 Rules - Reported Do Pass Consent (H) (H726)
04/04/2011 Perfected by Consent - Pursuant to House Rules (H) (H839)
04/05/2011 Third read and passed (H) (H893-894)
04/05/2011 S First Read--HB 673-Largent (S595)
04/07/2011 Second Read and Referred S General Laws Committee (S668)

EFFECTIVE: August 28, 2011

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*** HB 675 *** 1470L.01T

SENATE SPONSOR: Parson HOUSE HANDLER: Largent

HB 675 - This act provides that every elected or appointed county coroner, deputy coroner, and assistant to the coroner must complete training program requirements within six months of election or appointment.
MEGHAN LUECKE

02/24/2011 Introduced and Read First Time (H) (H455)
02/28/2011 Read Second Time (H) (H465)
03/03/2011 Referred: Local Government (H) (H520)
03/09/2011 Public Hearing Completed (H)
03/16/2011 Executive Session Completed (H)
03/16/2011 Voted Do Pass - Consent (H)
03/16/2011 Reported Do Pass by Consent (H) (H672)
03/16/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H672)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass - Consent (H)
03/28/2011 Rules - Reported Do Pass Consent (H) (H726)
04/04/2011 Perfected by Consent - Pursuant to House Rules (H) (H839)
04/05/2011 Third read and passed (H) (H894-895)
04/05/2011 S First Read--HB 675-Largent and Hoskins (S595)
04/07/2011 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S668)
04/27/2011 Hearing Conducted S Jobs, Economic Development and Local Government Committee
04/27/2011 Voted Do Pass S Jobs, Economic Development and Local Government Committee
05/05/2011 Reported from S Jobs, Economic Development and Local Government Committee to Floor (S1346)
05/11/2011 S Third Read and Passed (S1804 / H2405)
05/11/2011 Truly Agreed To and Finally Passed

EFFECTIVE: August 28, 2011

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*** HB 677 *** 1604L.02P

HOUSE HANDLER: Wells

HB 677 – This act removes the June 30, 2012 sunset date on the law requiring each child enrolling in kindergarten or first grade in a public school to receive a comprehensive vision examination by a state licensed optometrist or physician.
MICHAEL RUFF

02/24/2011 Introduced and Read First Time (H) (H456)
02/28/2011 Read Second Time (H) (H465)
03/03/2011 Referred: Professional Registration & Licensing (H) (H520)
03/09/2011 Public Hearing Completed (H)

03/16/2011 Executive Session Completed (H)
03/16/2011 Voted Do Pass (H)
03/17/2011 Reported Do Pass (H) (H694)
03/17/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H694)
04/04/2011 Rules - Executive Session Completed (H)
04/04/2011 Rules - Voted Do Pass (H)
04/04/2011 Rules - Reported Do Pass (H) (H838)
04/06/2011 Perfected (H) (H1136)
04/07/2011 Third read and passed (H) (H1167-1168)
04/07/2011 S First Read--HB 677-Wells, et al (S666)
04/14/2011 Second Read and Referred S Education Committee (S737)
04/20/2011 Hearing Conducted S Education Committee

EFFECTIVE: August 28, 2011

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*** HB 678 *** 1758L.01P

HOUSE HANDLER: Schatz

SCS/HB 678 - Under current law, the Missouri Highways and Transportation Commission is not required to be a participant of the Missouri One Call System after December 31, 2011. The act extends this expiration date to December 31, 2014.

The act removes the current requirement that Missouri One Call ask excavators if a proposed excavation site will be located on a public right-of-way or easement dedicated to public use for vehicular traffic.

The act provides that an easement is considered abandoned if the easement is held by a petroleum pipeline company and the company has failed to maintain the easement for at least 5 years and the easement is in an area designated as a wellhead protection district. In such a case, the easement is terminated and the associated rights revert back to the property owner. The property owner must compensate the company in an amount equal to the compensation provided to the property owner at the time the company acquired the easement. The company must restore the property to its original condition.
ERIKA JAQUES

02/24/2011 Introduced and Read First Time (H) (H456)
02/28/2011 Read Second Time (H) (H465)
03/03/2011 Referred: Transportation Funding & Public Institutions (H520)
03/10/2011 Public Hearing Completed (H)
03/15/2011 Executive Session Completed (H)
03/15/2011 Voted Do Pass - Consent (H)
03/16/2011 Reported Do Pass by Consent (H) (H673)
03/16/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H673)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass - Consent (H)
03/28/2011 Rules - Reported Do Pass Consent (H) (H726)
04/04/2011 Perfected by Consent - Pursuant to House Rules (H) (H839)
04/05/2011 Third read and passed (H) (H895-896)
04/05/2011 S First Read--HB 678-Schatz and Pollock (S595)
04/07/2011 Second Read and Referred S General Laws Committee (S668)
04/19/2011 Hearing Conducted S General Laws Committee
04/26/2011 SCS Voted Do Pass S General Laws Committee (1758S.02C)

EFFECTIVE: August 28, 2011

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*** HB 697 *** SS SCS HCS HB 697 1777S.08F

SENATE SPONSOR: Dixon HOUSE HANDLER: Smith

SCS/HCS/HB 697 - This act modifies provisions regarding the updating and review of administrative rules. The Secretary of State is given the authority to make non-substantive changes to the Code of State Regulations to update state agency information, such as name or address changes.

This act provides that every state administrative rule that is filed by any state agency after August 28, 2011, shall be accompanied by a rule review schedule that contains a date, no later than six years from the rule's most recent effective date, by which the rule will next be reviewed by the state agency.

For rules in effect prior to August 28, 2011, each state agency must set a review date for such rules by July 1, 2014. Such dates must be submitted to the Joint Committee on Administrative Rules (JCAR). Each agency must complete its initial review of all such rules no later than June 30, 2020.

JCAR shall provide each state agency with a list of rules for which it has not received a review date by the July 1, 2014 deadline. If the agency does not file the required review schedule within 90 days of such notice, then such rule shall be listed in the Missouri Register as void in 90 days unless the agency provides a review date for the rule. For any rule with a review date where the agency fails to conduct the review, the act provides for such rule to be listed in the Register as void in 90 days unless the agency conducts the review.

For each rule reviewed under this act, the agency shall consider the continued need for the rule, the nature of any complaints or comments about the rule, and any factors that have changed in the subject matter area affected by the rule, including whether the rule needs changes or should be rescinded in order to reduce regulatory burdens on business, eliminate unnecessary paperwork, and whether the rule duplicates, overlaps or conflicts with other rules or statutes.

Prior to the rule review date, the agency shall file a report of the required determinations and review with JCAR. The report shall describe any action to be taken by the agency with regard to the rule. If the agency determines that no changes need to be made to the rule, the agency shall file certain information outlined in the act with JCAR and the Secretary of State.

The Joint Committee on Administrative Rules shall provide an annual report to state agencies and the Secretary of State on rules that are scheduled to expire within the upcoming two years, however, the state agencies retain ultimate responsibility for monitoring the review of their rules.

This act is similar to SCS/SB 350 (2011).
JIM ERTLE

02/28/2011 Introduced and Read First Time (H) (H475)
03/01/2011 Read Second Time (H) (H483)
03/03/2011 Referred: Downsizing State Government (H) (H520)
03/10/2011 Public Hearing Completed (H)
03/16/2011 Executive Session Completed (H)
03/16/2011 HCS Voted Do Pass (H)
03/17/2011 HCS Reported Do Pass (H) (H694)
03/17/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H694)
04/04/2011 Rules - Executive Session Completed (H)
04/04/2011 Rules - Voted Do Pass (H)
04/04/2011 Rules - Reported Do Pass (H) (H838)
04/12/2011 HCS Adopted (H) (H1215)
04/12/2011 Perfected (H) (H1215)
04/14/2011 Third Read and Passed (H) (H1282)
04/14/2011 S First Read--HCS for HB 697 (S739)
04/18/2011 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S751)
04/26/2011 Hearing Conducted S Financial and Governmental Organizations and Elections Committee
05/04/2011 SCS Voted Do Pass S Financial and Governmental Organizations and Elections Committee (1777S.04C)
05/05/2011 Reported from S Financial and Governmental Organizations and Elections Committee to Floor w/SCS (S1343)
05/09/2011 Bill Placed on Informal Calendar (S1537)
05/11/2011 SS for SCS S offered (Dixon)--(1777S.08F) (S1821)
05/11/2011 SA 1 to SS for SCS S offered (Schaaf)--(8199S11.01S) (S1821)
05/11/2011 SA 1 to SA 1 to SS for SCS S offered & adopted (Ridgeway)--(1777S08.01F) (S1821-1822)
05/11/2011 SA 1 to SS for SCS, as amended, S defeated (S1822)
05/11/2011 SS for SCS S adopted (S1822)
05/11/2011 Referred S Ways & Means & Fiscal Oversight Committee (S1822)
05/12/2011 Hearing Conducted S Ways and Means and Fiscal Oversight Committee
05/12/2011 Voted Do Pass S Ways & Means & Fiscal Oversight Committee
05/13/2011 Reported from S Ways & Means & Fiscal Oversight Committee to Floor
05/13/2011 S Third Read and Passed
05/13/2011 H Calendar H Bills with S Amendments (SS for SCS )

EFFECTIVE: August 28, 2011

*** HB 707 *** HCS HB 707 0405L.03P

HOUSE HANDLER: Brown

HCS HB 707 Brown, Michael Curls, Shalonn "KiKi" et al
P E R F E C T E D
HCS HB 707 -- LAND BANK AGENCY (Brown, 50)
COMMITTEE OF ORIGIN: Committee on International Trade and Job Creation
This substitute allows the City of Kansas City to establish a land bank agency for the management, sale, transfer, and other disposition of tax delinquent lands and other lands in its possession in order to return it to effective use to provide housing, new industry, and jobs and to create new revenue for the city. The agency must be established by order or ordinance as provided by the city's charter and will only have authority over tax delinquent lands and other lands in its possession located within the city.
The agency is authorized to accept the grant of any interest in real property made to it or to accept gifts and grant-in-aid assistance. It is to exercise all powers that are conferred by Sections 141.210 - 141.810, RSMo, and Sections 141.980 - 141.982, relating to the Land Tax Collection Law, and will be deemed a public corporation acting in a governmental capacity.
The beneficiaries of the agency will be the taxing authorities that held or owned tax bills against the respective parcels of real estate acquired by the agency at a sheriff's foreclosure sale or by deed from land trustees, and each taxing authority's respective interests in each parcel will be to the extent and in the proportion and according to the priorities determined by the court based on the principal amount of their respective tax bills bore to the total principal amount of all the tax bills described in the judgment.
The agency will be composed of three commissioners appointed by specified officials; and each commissioner must furnish a surety bond, if the bond is not already covered by a governmental surety bond, in an amount of up to $25,000 to be paid out of city funds.
The agency is authorized to sue and issue deeds in its name and will have the power to operate as any other corporate body. It can convey title to any real estate it has sold or conveyed by general or special warranty deed. A deed must include the selling price and whether the selling price represents a value equal to or greater than two-thirds of the appraised value of the real estate. If the selling price is less than two-thirds of the appraised value, the commissioners must first procure the consent of at least two of the three appointing authorities.
The agency must maintain a perpetual inventory of all acquired real estate. All land owned by the agency can be used as it sees fit including consolidating the land or grouping or regrouping it for economy, utility, or convenience.
The annual budget of the agency must be prepared by December 10 and delivered to the ad valorem taxing authorities that appointed commissioners for its review and approval. The substitute specifies the procedure if one of the taxing authorities does not approve the proposed budget.
If at any time there are not enough funds available to pay the salaries and other expenses of the agency, sufficient funds will be advanced and paid to the agency upon its requisition from the ad valorem taxing authorities in the county that are not appointing authorities of which 7% will be paid by the county commission and 93% from the other ad valorem taxing authorities. The amount cannot exceed 25% of the agency's annual budget unless agreed to and approved by the taxing authorities. These funds will be considered advances and subject to repayment from funds subsequently collected by the agency.
A land bank commissioner or salaried agency employee is prohibited from receiving any compensation, emolument, or other profit from the rental, management, purchase, sale, or other disposition of any lands held by the agency other than the salaries, expenses, and emoluments provided by law and is prohibited from having any relationship with, being employed by, or receiving compensation from any contractor or developer who purchases property from the agency. Anyone convicted of violating this provision will be guilty of a felony and, upon conviction, sentenced to between two and five years in the state penitentiary.
FISCAL NOTE: No impact on state funds in FY 2012, FY 2013, and FY 2014.

02/28/2011 Introduced and Read First Time (H) (H476)
03/01/2011 Read Second Time (H) (H483)
03/31/2011 Referred: International Trade & Job Creation (H) (H809)
04/06/2011 Public Hearing Completed (H)
04/20/2011 Executive Session Completed (H)
04/20/2011 HCS Voted Do Pass (H)
04/21/2011 HCS Reported Do Pass (H) (H1428)
04/21/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H1428)
04/27/2011 Rules - Executive Session Completed (H)
04/27/2011 Rules - Voted Do Pass (H)

04/27/2011 Rules - Reported Do Pass (H) (H1651)
05/03/2011 HCS Adopted (H) (H1787)
05/03/2011 Perfected (H) (H1787)
05/09/2011 Third Read and Passed (H) (H2071)
05/09/2011 S First Read--HCS for HB 707 (S1530)
05/10/2011 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S1639)

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*** HB 708 *** SCS HB 708 1642S.02C

SENATE SPONSOR: Nieves HOUSE HANDLER: Curtman

SCS/HB 708 - The act makes contracts that choose to apply a foreign law to contractual disputes or to have disputes settled in another country void and unenforceable in Missouri, if the foreign law would not grant the parties to the contract the same rights as the parties have under the United States and Missouri constitutions.

In some cases, a court may refuse to take jurisdiction over matters, where the court believes there is a more appropriate forum for the dispute. This act requires that the court hear the case in Missouri, if a state resident brings the case and if the court finds that not hearing the case in Missouri violates or would likely violate the rights of the person who brought the case.

This act is similar to SB 308 (2011).
EMILY KALMER

02/28/2011 Introduced and Read First Time (H) (H476)
03/01/2011 Read Second Time (H) (H483)
03/03/2011 Referred: Judiciary (H) (H520)
03/16/2011 Public Hearing Completed (H)
03/30/2011 Executive Session Completed (H)
03/30/2011 Voted Do Pass (H)
03/31/2011 Reported Do Pass (H) (H813)
03/31/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H813)
04/11/2011 Rules - Executive Session Completed (H)
04/11/2011 Rules - Voted Do Pass (H)
04/11/2011 Rules - Reported Do Pass (H) (H1206)
04/19/2011 Perfected (H) (H1319)
04/20/2011 Third Read and Passed (H) (H1411-1412)
04/20/2011 S First Read--HB 708-Curtman, et al (S801)
04/21/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S814)
04/26/2011 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee
04/28/2011 SCS Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee (1642S.02C)
05/11/2011 Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor w/SCS (S1727)
05/12/2011 Bill Placed on Informal Calendar (S1974)
05/13/2011 S Inf Calendar H Bills for Third Reading--HB 708-Curtman, et al, with SCS (pending) (Nieves)

EFFECTIVE: August 28, 2011

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*** HB 731 *** 1869L.01P

SENATE SPONSOR: Dempsey HOUSE HANDLER: Parkinson

HB 731 - Under this act, sexual offenders must include their citizenship on their offender registration forms.

In addition, the Missouri State Highway Patrol must check every person on the registry to determine his or her citizenship status. If a person is not an American citizen, then the Highway Patrol must request a determination from the United States Immigration and Customs Enforcement or other appropriate federal agency as to whether the person is subject to deportation as a criminal illegal alien. The Highway Patrol is to provide any information requested by the federal agency about the person.
MEGHAN LUECKE

03/02/2011 Introduced and Read First Time (H) (H503)
03/03/2011 Read Second Time (H) (H510)

03/03/2011 Referred: International Trade & Job Creation (H) (H520)
03/07/2011 Public Hearing Completed (H)
03/09/2011 Executive Session Completed (H)
03/09/2011 Voted Do Pass (H)
03/10/2011 Reported Do Pass (H) (H590)
03/10/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H590)
03/14/2011 Rules - Executive Session Completed (H)
03/14/2011 Rules - Voted Do Pass (H)
03/14/2011 Rules - Reported Do Pass (H) (H607)
03/16/2011 Perfected (H) (H647)
03/17/2011 Third Read and Passed (H) (H688)
03/28/2011 S First Read--HB 731-Parkinson, et al (S507)
03/31/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S546)
04/18/2011 Hearing Scheduled But Not Heard S Judiciary and Civil and Criminal Jurisprudence Committee
04/26/2011 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2011

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*** HB 732 *** HCS HB 732 1911L.04P

HOUSE HANDLER: Brandom

HCS HB 732 Brandom, Ellen

P E R F E C T E D

HCS HB 732 -- PRESCRIPTION DRUG MONITORING PROGRAM ACT AND PROFESSIONAL REGISTRATION (Brandom)

COMMITTEE OF ORIGIN: Committee on Professional Registration and Licensing

This substitute establishes the Prescription Drug Monitoring Program Act and changes the laws regarding the Division of Professional Registration and the State Board of Registration for the Healing Arts within the Department of Insurance, Financial Institutions and Professional Registration.

PRESCRIPTION DRUG MONITORING PROGRAM ACT

The substitute:

(1) Requires the Department of Health and Senior Services to establish and maintain a program, subject to appropriations, to monitor the prescribing and dispensing of all Schedule II through Schedule V controlled substances by all licensed professionals who prescribe or dispense these substances in Missouri;

(2) Requires a dispenser to electronically submit to the department specified information for each prescription in accordance with transmission methods and frequency as established by the department;

(3) Allows the department to issue a waiver to a dispenser who is unable to submit the required information electronically. If a waiver is obtained, a dispenser can submit the required information in a paper format or by other approved means;

(4) Requires the department to reimburse each dispenser for the fees and other direct costs of transmitting the required information;

(5) Requires all submitted prescription information to be confidential with specified exceptions. The department must review the dispensation information and, if there is reasonable cause to believe a violation of law or breach of professional standards may have occurred, must notify the appropriate law enforcement or professional regulatory entity and provide dispensation information required for an investigation;

(6) Allows the department to release non-personal, general information for statistical, educational, and research purposes;

(7) Authorizes the department to contract with any other state agency or with a private vendor, as necessary, to administer the program;

(8) Specifies that a person who violates a provision of the act will be guilty of a class A misdemeanor;

(9) Requires the department to implement educational courses regarding the provisions of the act and, when appropriate, to work with associations for impaired professionals to ensure the intervention, treatment, and ongoing monitoring and followup of patients who have been identified as being addicted to substances monitored by the act;

(10) Requires the department to develop and implement an electronic logbook to monitor the sale of Schedule V controlled substances containing pseudoephedrine; and

(11) Requires the Bureau of Narcotics and Dangerous Drugs within the department to establish beginning January 1, 2012, a two-year statewide pilot project for the reporting of fraudulently obtained prescription controlled substances. The bureau must submit by February 1, 2013, and February 1, 2014, a report to the General Assembly detailing specified information regarding the pilot project.

DIVISION OF PROFESSIONAL REGISTRATION

The substitute changes the laws regarding disciplinary and administrative procedures for professions and

businesses regulated by the Division of Professional Registration within the Department of Insurance, Financial Institutions and Professional Registration. The division or any board, committee, commission, or office within the division is authorized to enter a default decision against a licensee if he or she fails, upon proper notice, to plead or otherwise defend against a disciplinary proceeding.
STATE BOARD OF REGISTRATION FOR THE HEALING ARTS
The substitute:
(1) Requires the State Board of Registration for the Healing Arts within the Department of Insurance, Financial Institutions and Professional Registration to list certain specified information regarding individuals who are licensed or applying for licensure by the board on its web site. The board must disclose specified confidential information to a licensee or applicant upon request without a cost if the information is less than five years old. If the requested information is more than five years old, the board may charge a specified fee;
(2) Removes the provision which authorizes the board to require a doctor licensed in another state to pass an examination prior to waiving the Missouri examination requirement. The board is authorized to require the successful completion of another examination, continuing medical education, or further training prior to issuing a permanent medical license to an applicant who has not actively practiced medicine or held a teaching position for two of the three years before his or her application;
(3) Allows the board to initiate a hearing to determine if reasonable cause exists to believe that a licensee or applicant is unable to practice his or her profession. The board may require a licensee or applicant for a license to submit to an examination of his or her skills, a multi-disciplinary evaluation, or a substance abuse evaluation if there is cause to believe that the individual is incompetent, is mentally or physically incapacitated, or excessively uses or abuses alcohol or controlled substances;
(4) Authorizes the board to cause a complaint to be filed with the Administrative Hearing Commission against a licensee for violating a municipal ordinance, prescribing drugs through the Internet without a valid physician-patient relationship, being on a state or federal sexual offender registry, violating a probation order or other settlement agreement, unethical or unprofessional conduct involving a minor, negligence, knowingly making a false statement to the board, habitual intoxication or dependence on alcohol, failing to comply with a treatment or an aftercare program, probation of any controlled substance authority, or violating any professional trust or confidence;
(5) Requires the board to hold a hearing to determine if probable cause exists when determining whether to issue an emergency suspension or restriction on a licensee for engaging in sexual conduct with a patient; sexual misconduct with a minor; possession or use of a controlled substance without a valid prescription; court-determined incapacity or disability; habitual intoxication or alcohol or drug addiction; failing to comply with a treatment program, an aftercare program as part of a board order or settlement agreement, or a licensee's professional health program; or any conduct that is a serious danger to the health, safety, or welfare of a patient or the public. The suspension or restriction will take effect when the document is served to the licensee;
(6) Authorizes the board to initiate a hearing before itself for disciplining a licensee's license or certificate for certain actions. The board's decision is appealable to the circuit court; and
(7) Changes the board's authority to discipline athletic trainers.
The substitute also:
(1) Removes the requirement that a doctor display his or her certificate of registration in his or her office at all times;
(2) Requires a person prescribing a controlled substance or non-controlled pain medication to document certain information in the patient's medical record prior to prescribing the medication;
(3) Requires a doctor who prescribes any drug, controlled substance, or other treatment through the Internet to establish that there is a valid physician-patient relationship; and
(4) Requires the Administrative Hearing Commission to deliver findings of fact and conclusions of law in a disciplinary case to the appropriate agency within 120 days of the date the case became ready for decision.
The provisions regarding the Prescription Drug Monitoring Program Act become effective January 1, 2012. The provisions of the substitute regarding the pilot project for the reporting of fraudulently obtained prescription controlled substances will expire three years from the effective date and the provisions regarding the Prescription Drug Monitoring Program Act will expire six years from the effective date.
FISCAL NOTE: Estimated Cost on General Revenue Fund of Unknown greater than $1,540,233 in FY 2012, Unknown greater than $832,848 in FY 2013, and Unknown greater than $841,113 in FY 2014. Estimated Net Cost on Other State Funds of $105,173 in FY 2012, $124,961 in FY 2013, and $127,639 in FY 2014.

03/02/2011 Introduced and Read First Time (H) (H503)
03/03/2011 Read Second Time (H) (H510)
03/03/2011 Referred: Professional Registration & Licensing (H) (H520)
03/16/2011 Public Hearing Completed (H)
03/30/2011 Executive Session - No Action Taken
04/06/2011 Executive Session Completed (H)
04/06/2011 HCS Voted Do Pass (H)

04/06/2011 HCS Reported Do Pass (H) (H1149)
04/06/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H1149)
04/20/2011 Rules - Executive Session Completed (H)
04/20/2011 Rules - Voted Do Pass (H)
04/20/2011 Rules - Reported Do Pass (H) (H1418)
04/27/2011 Taken Up for Perfection (H) (H1641)
04/27/2011 Laid Over (H) (H1641)
05/02/2011 Taken Up for Perfection (H) (H1697)
05/02/2011 HCS Adopted (H) (H1697)
05/02/2011 Perfected with Amendments (H) (H1697)
05/03/2011 Referred: Fiscal Review (H) (H1795)
05/05/2011 Executive Session Completed (H)
05/05/2011 Voted Do Pass (H)
05/05/2011 Reported Do Pass (H) (H1877)
05/09/2011 Third read and passed (H) (H2066-2067)
05/09/2011 S First Read--HCS for HB 732 (S1523-1524)
05/10/2011 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S1639)

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*** HB 737 *** SCS HB 737 1797S.03T

SENATE SPONSOR: Lager HOUSE HANDLER: Redmon

SCS/HB 737 - This act modifies provisions of the enhanced enterprise zone program to allow renewable energy generation zones to be designated as enhanced enterprise zones. Upon designation of a renewable energy generation zone as an enhanced enterprise zone, subsequent locally assessed improvements to real property may, upon adoption of an authorizing resolution or ordinance by the governing authority having jurisdiction over such zone, be exempted from real property taxes for up to twenty-five years. The act prohibits the issuance of enhanced enterprise zone tax credits for facilities that produce or generate electrical energy from a renewable energy resource.

The act also classifies hydroelectric power generating equipment as real property for property tax purposes.

JASON ZAMKUS

03/02/2011 Introduced and Read First Time (H) (H504)
03/03/2011 Read Second Time (H) (H510)
03/03/2011 Referred: Local Government (H) (H520)
03/09/2011 Public Hearing Completed (H)
03/16/2011 Executive Session Completed (H)
03/16/2011 Voted Do Pass (H)
03/29/2011 Reported Do Pass (H) (H754)
03/29/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H754)
04/04/2011 Rules - Executive Session Completed (H)
04/04/2011 Rules - Voted Do Pass (H)
04/04/2011 Rules - Reported Do Pass (H) (H839)
04/06/2011 Perfected with Amendments (H) (H1141)
04/07/2011 Third read and passed (H) (H1168-1169)
04/07/2011 S First Read--HB 737-Redmon and Shumake (S666)
04/14/2011 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S737)
04/26/2011 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee
04/28/2011 SCS Voted Do Pass S Commerce, Consumer Protection, Energy and the Environment Committee (1797S.03C)
04/28/2011 Reported from S Commerce, Consumer Protection, Energy and the Environment Committee to Floor w/SCS (S1208)
05/05/2011 SCS S adopted (S1355)
05/05/2011 S Third Read and Passed (S1355-1356 / H1967)
05/10/2011 H refuses to concur in SCS (H2201 / S1676)
05/10/2011 H requests S recede or grant conference (H2201 / S1676)
05/10/2011 S refuses to recede and grants conference (S1681 / H2243)
05/10/2011 H conferees appointed: Redmon, Funderburk, Houghton, Holsman, Quinn (H2243 / S1709)
05/10/2011 S conferees appointed: Lager, Munzlinger, Pearce, Callahan, Curls (S1712 / H2405)
05/13/2011 Motion to dissolve conference committee H adopted

05/13/2011 H concurs in SCS
05/13/2011 H Third Read & Passed
05/13/2011 Truly Agreed To and Finally Passed

EFFECTIVE: August 28, 2011

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*** HB 738 *** SCS HB 738 1443S.02C

SENATE SPONSOR: Cunningham HOUSE HANDLER: Nasheed

SCS/HB 738 – This act modifies provisions relating to elementary and secondary education.

SUPERINTENDENT EVALUATIONS: By June 30, 2012, the Department of Elementary and Secondary Education must develop an evaluation instrument to be provided to school districts to evaluate superintendent performance. (Section 161.380)

CHANGES IN SCHOOL DISTRICT COMPOSITION & MSIP REVIEW: When school districts consolidate, the Department of Elementary and Secondary Education must grant the new district a waiver from Missouri School Improvement Program review for three years. When a district undergoes an annexation or has a boundary line change that results in an increase in the number of enrolled pupils by ten percent, the Department of Elementary and Secondary Education must grant the district a waiver from Missouri School Improvement Program review for three years. (Section 162.1115)

PERSONAL STUDY PLANS: Each school district must ensure that each student develops a personal plan of study prior to the end of the student's eighth grade year in conjunction with the student's parent or guardian. Each school district must also implement a comprehensive guidance and counseling program focusing on career awareness in elementary grades, career exploration in the middle grades, and educational and career planning at the high school level.

The personal study plan must be reviewed at least annually by school personnel and the student's parent or guardian. It must be updated based on the needs of the student. Each plan must cover a term of eight years or until the student has reached his or her post-secondary goals. Requirements for the plan are included in the act. (Section 167.780)

REDUCTION IN FORCE: Current law allows the board of education of a school district to reduce the number of teachers in a school district under certain circumstances. This act requires a school board, when utilizing reduction in force, to reduce administrative costs by a percent equal to the percent by which the amount of funds spent on teacher compensation was reduced. (Sections 168.124 & 168.221)

This act is similar to SCS/SB 99 (2011).
MICHAEL RUFF

03/02/2011 Introduced and Read First Time (H) (H504)
03/03/2011 Read Second Time (H) (H510)
03/03/2011 Referred: Urban Issues (H520)
03/14/2011 Public Hearing Completed (H)
03/14/2011 Executive Session Completed (H)
03/14/2011 Voted Do Pass - Consent (H)
03/15/2011 Reported Do Pass by Consent (H) (H636)
03/15/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H636)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass - Consent (H)
03/28/2011 Rules - Reported Do Pass Consent (H) (H726)
04/04/2011 Perfected by Consent - Pursuant to House Rules (H) (H839)
04/05/2011 Third read and passed (H) (H896-897)
04/05/2011 S First Read--HB 738-Nasheed, et al (S595)
04/07/2011 Second Read and Referred S Education Committee (S668)
04/13/2011 SCS Voted Do Pass S Education Committee (1443S.02C) - Consent
04/14/2011 Reported from S Education Committee to Floor w/SCS - Consent (S736)
04/18/2011 Removed S Consent Calendar (S758)
04/18/2011 Reported from S Education Committee to Floor w/SCS (S748)
04/19/2011 Bill Placed on Informal Calendar (S776)
05/13/2011 S Informal Calendar H Bills for Third Reading--HB 738-Nasheed, et al, with SCS (pending) (Cunningham)

EFFECTIVE: August 28, 2011

*** HB 746 *** 1648L.02P

SENATE SPONSOR: Lembke HOUSE HANDLER: Brown

HB 746 - This act authorizes a state individual and corporate income tax check-off for the newly created puppy protection trust fund. Taxpayers entitled to a refund may designate that at least one dollar on an individual return or two dollars on a combined return of the taxpayer's to be deposited into the fund. Taxpayers that are not entitled to receive an income tax refund may make a donation to the fund by designating an amount and sending separate payment with their income tax return. Moneys in the fund will be used by the department of agriculture for the administration of the Puppy Mill Cruelty Prevention Act.

The provisions of the act will automatically sunset on December 31, 2017, unless reauthorized.
JASON ZAMKUS

03/02/2011 Introduced and Read First Time (H) (H504)
03/03/2011 Read Second Time (H) (H510)
03/03/2011 Referred: Agriculture Policy (H) (H521)
03/15/2011 Public Hearing Completed (H)
03/15/2011 Executive Session Completed (H)
03/15/2011 Voted Do Pass - Consent (H)
03/15/2011 Reported Do Pass by Consent (H) (H634)
03/15/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H634)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass - Consent (H)
03/28/2011 Rules - Reported Do Pass Consent (H) (H726)
04/04/2011 Perfected by Consent - Pursuant to House Rules (H) (H839)
04/05/2011 Third read and passed (H) (H897-898)
04/05/2011 S First Read--HB 746-Brown (85), et al (S595)
04/07/2011 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S668)

EFFECTIVE: August 28, 2011

*** HB 749 *** 1737L.02T

SENATE SPONSOR: Brown HOUSE HANDLER: Lasater

HB 749 - This act designates the month of April as "Child Abuse Prevention Month" in the state of Missouri. The act further recognizes the "blue ribbon" as the official state symbol for child abuse prevention in this state.
JIM ERTLE

03/03/2011 Introduced and Read First Time (H) (H524)
03/07/2011 Read Second Time (H) (H532)
03/10/2011 Referred: Children and Families (H) (H588)
03/16/2011 Public Hearing Completed (H)
03/16/2011 Executive Session Completed (H)
03/16/2011 Voted Do Pass - Consent (H)
03/16/2011 Reported Do Pass by Consent (H) (H670)
03/16/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H670)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass - Consent (H)
03/28/2011 Rules - Reported Do Pass Consent (H) (H726)
04/04/2011 Perfected by Consent - Pursuant to House Rules (H) (H839)
04/05/2011 Third read and passed (H) (H898-899)
04/05/2011 S First Read--HB 749-Lasater, et al (S595-596)
04/07/2011 Second Read and Referred S Progress and Development Committee (S668)
04/12/2011 Hearing Conducted S Progress and Development Committee - Consent
04/12/2011 Voted Do Pass S Progress and Development Committee - Consent
04/14/2011 Reported from S Progress and Development Committee to Floor - Consent (S731)
04/18/2011 Removed S Consent Calendar (S759)
04/18/2011 Reported from S Progress and Development Committee to Floor (S748)
04/19/2011 S Third Read and Passed (S767)
04/19/2011 Truly Agreed To and Finally Passed (H1375)

04/22/2011 Signed by House Speaker Pro Tem (H1595)
04/26/2011 Signed by Senate President (S1067)
04/26/2011 Delivered to Governor (H1665)
05/05/2011 Signed by Governor (H2050)

EFFECTIVE: August 28, 2011

*** HB 773 *** HCS HB 773 1956L.02P

HOUSE HANDLER: Gosen

HCS/HB 773 - This act adopts amendments to the insurance code to comply with the federal Nonadmitted and Reinsurance Reform Act of 2010 (NRRA) relating to surplus lines insurance. The NRRA will preempt certain state laws that are inconsistent with the act's provisions, which are designed to bring about a certain amount of uniformity in the areas of licensing of surplus lines insurance professionals, the standards under which surplus lines insurance may be sold, and the taxes that may be collected from the sale of surplus lines insurance.

The act adds definitions to "The Missouri Surplus Lines Law" (Sections 384.011 to 384.071). The act adds the terms "exempt commercial purchaser", "home state", "nonadmitted insurance" and "qualified risk manager" to the definition section of the Missouri Surplus Lines Law. The definitions for such terms are consistent with the NRRA (15 USC 8206)(Section 384.015).

Under the terms of the act, surplus lines insurance may be placed by a surplus lines licensee if the insurer is authorized to write the type of insurance in its domiciliary jurisdiction (Section 384.017).

The act modifies the requirements and qualifications for nonadmitted insurers to furnish coverage. A surplus lines licensee shall not place coverage with a nonadmitted insurer unless the licensee determines that the nonadmitted insurer:

(1) Meets the capital and surplus requirements of Missouri or $15 million (the director may waive the financial requirements if the nonadmitted insurer's capital and surplus is at least $4.5 million and the director finds the insurer is acceptable); and

(2) Appears on the most recent list or eligible surplus lines insurers published by the director or appears on the most recent quarterly listing of alien insurers maintained by the NAIC.

Under the terms of the act, a surplus lines licensee seeking to place nonadmitted insurance in Missouri for an exempt commercial purchaser shall not be required to satisfy any requirement to make a due diligence search to determine whether the full amount or type of insurance by the exempt commercial purchaser can be obtained from nonadmitted insurers if:

(1) The surplus lines licensee placing the surplus lines insurance has disclosed to such exempt commercial purchaser that the insurance may or may not be available from the admitted market that may provide greater protection with more regulatory oversight; and

(2) The exempt commercial purchaser has subsequently requested in writing the surplus lines licensee to place such insurance from a nonadmitted insurer (Section 384.021).

This act modifies the licensing requirements for insurance producers in the surplus lines insurance market. Beginning on or before July 1, 2012, the director shall participate in the national insurer database of the NAIC for the licensure of surplus lines licensees and the renewal of such licensees. Under the act, a person selling nonadmitted insurance with respect to an insured shall be required to obtain or possess a current surplus lines insurance issued by the director only if this state is the insured's home state (Section 384.043).

Under this act, every insured or self-insurer whose home state is Missouri who procures surplus lines insurance, other than through a surplus lines broker, must file a report describing the names of the insureds, the subject of the insurance and other prescribed information (Section 384.051).

Under the terms of this act, only the home state of the insured will have the authority to tax and regulate the placement of such policies, regardless of where portions of the risk is located. The act imposes the current 5% tax on insureds and self-insurers whose home state is this state on the gross amount of the

premium (current law is net amount) (Section 384.051). The 5% tax shall be levied upon and only upon the entire gross premium for nonadmitted or surplus lines insurance policies for which the home state of the insured is Missouri. The placement of nonadmitted insurance shall be subject to the statutory and regulatory requirements of Missouri law only if this state is the insured's home state. A surplus lines broker is required to be licensed as a surplus lines licensee under the provisions of this chapter only if this state is the insured's home state (Section 384.061).

This act is similar to SCS/SB 392 (2011).

This act contains an emergency clause.

STEPHEN WITTE

03/07/2011 Introduced and Read First Time (H) (H539)
03/08/2011 Read Second Time (H) (H545)
03/10/2011 Referred: Insurance Policy (H) (H588)
04/04/2011 Public Hearing Completed (H)
04/04/2011 Executive Session Completed (H)
04/04/2011 HCS Voted Do Pass (H)
04/05/2011 HCS Reported Do Pass (H) (H907)
04/05/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H907)
04/11/2011 Rules - Executive Session Completed (H)
04/11/2011 Rules - Voted Do Pass (H)
04/11/2011 Rules - Reported Do Pass (H) (H1206)
04/27/2011 HCS Adopted (H) (H1637)
04/27/2011 Perfected (H) (H1638)
04/28/2011 Third Read and Passed (H) (H1673)
04/28/2011 Emergency Clause Adopted (H) (H1674)
05/02/2011 S First Read--HCS for HB 773 (S1224-1225)
05/05/2011 Second Read and Referred S Small Business, Insurance and Industry Committee (S1346)

EFFECTIVE: Emergency Clause

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*** HB 787 *** HCS HB 787 1904L.02P

SENATE SPONSOR: Cunningham HOUSE HANDLER: Wells

SCS/HCS/HB 787 - This act modifies various provisions of law under the title relating to investment transactions.

(Section 143.124)

Beginning with the taxable year starting in January 1, 2011, this act creates a deduction from Missouri income tax for one-time lump sum distributions from retirement plans, if the lump sum distribution is no more than twenty percent of the amount of the retirement plan. This deduction is contingent upon the enactment of a federal deduction for one-time lump sum distributions.

This provision is similar to HB 50 (2011).

(Section 166.415)

This provision requires that the board of the Missouri Higher Education Savings Program study investment plans of other states and negotiate to provide benefit options similar to other states' plans for new contracts entered into after August 28, 2011.

(Section 408.052)

This provision exempts mortgage brokers making loans on manufactured or modular homes from restrictions on the amount of fees that lenders may charge on residential real estate loans.

(Section 443.812)

This provision allows mortgage loan brokers making loans on manufactured or modular homes to be licensed in Missouri without having to maintain a full-service office in Missouri. The broker is required to file a form consenting to be sued in Missouri and that the venue for the suit will be in Cole County. The reasonable costs of any investigation, outside the normal costs of an annual or special examination, or any other costs incurred by the division as a result of the broker not maintaining a full-service office in Missouri may be charged to the mortgage loan broker.

EMILY KALMER

03/08/2011 Introduced and Read First Time (H) (H556)
03/09/2011 Read Second Time (H) (H565)
03/10/2011 Referred: Financial Institutions (H) (H588)
03/16/2011 Public Hearing Completed (H)
03/16/2011 Executive Session Completed (H)
03/16/2011 Voted Do Pass (H)
03/31/2011 Executive Session Completed (H)
03/31/2011 HCS Voted Do Pass (H)
03/31/2011 HCS Reported Do Pass (H) (H811)
03/31/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H811)
04/14/2011 Rules - Executive Session Completed (H)
04/14/2011 Rules - Voted Do Pass (H)
04/14/2011 Rules - Reported Do Pass (H) (H1296)
04/27/2011 HCS Adopted (H) (H1638)
04/27/2011 Perfected with Amendments (H) (H1638)
04/28/2011 Third Read and Passed (H) (H1675)
05/02/2011 S First Read--HCS for HB 787 (S1225)
05/05/2011 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S1347)
05/09/2011 SCS Voted Do Pass S Financial and Governmental Organizations and Elections Committee (1904S.03C)

EFFECTIVE: August 28, 2011

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*** HB 795 *** 1913L.01T

SENATE SPONSOR: Parson HOUSE HANDLER: Kelley

HB 795 - This act designates the second Friday in March of each year as "Missouri School Read-In Day."
JIM ERTLE

03/08/2011 Introduced and Read First Time (H) (H557)
03/09/2011 Read Second Time (H) (H565)
03/10/2011 Referred: Children and Families (H) (H588)
03/16/2011 Public Hearing Completed (H)
03/16/2011 Executive Session Completed (H)
03/16/2011 Voted Do Pass - Consent (H)
03/16/2011 Reported Do Pass by Consent (H) (H670)
03/16/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H670)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass - Consent (H)
03/28/2011 Rules - Reported Do Pass Consent (H) (H726)
04/04/2011 Perfected by Consent - Pursuant to House Rules (H) (H839)
04/05/2011 Third read and passed (H) (H899-900)
04/05/2011 S First Read--HB 795-Kelley (126), et al (S596)
04/07/2011 Second Read and Referred S Progress and Development Committee (S668)
04/12/2011 Hearing Conducted S Progress and Development Committee - Consent
04/12/2011 Voted Do Pass S Progress and Development Committee - Consent
04/14/2011 Reported from S Progress and Development Committee to Floor - Consent (S731)
04/18/2011 Removed S Consent Calendar (S759)
04/18/2011 Reported from S Progress and Development Committee to Floor (S748)
04/19/2011 S Third Read and Passed (S767-768)
04/19/2011 Truly Agreed To and Finally Passed (H1375)
04/22/2011 Signed by House Speaker Pro Tem (H1595)
04/26/2011 Signed by Senate President (S1067)
04/26/2011 Delivered to Governor (H1665)
05/05/2011 Signed by Governor (H2051)

EFFECTIVE: August 28, 2011

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*** HB 798 *** HB 798, HB 141, HB 153, HCS HB 363, HB 415 HB 1963S.03T

SENATE SPONSOR: Lembke HOUSE HANDLER: Brown

SCS/HB 798, HB 141, HB 153, HCS/HB 363, HB 415, and HB 813 - This act designates various

highways and bridges within the state of Missouri after individuals. The act also renames the Heroes Way Interstate Interchange Designation Program to the Heroes Way Interchange Designation Program and expands the program to include state-numbered highway interchanges.

This act designates the portion of Interstate 40/64 in St. Louis County from the Boone's Crossing overpass at mile marker 17.0west to the Spirit of St. Louis Airport overpass at mile marker 13.8 as the "Missouri State Highway Patrol Sergeant Joseph G. Schuengel Memorial Highway" (Section 227.424). This portion of the act is identical to HB 518 (2011).

This act designates a bridge on Theiss Road within St. Louis County as the "Glennon T. Moran Memorial Bridge" (Section 227.426). This portion the act is identical to HB 798 (2011).

This act renames the Heroes Way Interstate Interchange Designation Program to the Heroes Way Interchange Designation Program and expands the program to include state-numbered highway interchanges (Section 227.297) This portion of the act is identical to HB 141 (2011).

This act designates a portion of Highway 8 in St. Francois County as the "Ferlin Huskey Highway" (Section 227.418). This portion of the act is identical to HB 153 (2011).

This act designates a portion of Interstate 44 in the city of St. Louis as the "Officer David Haynes Memorial Highway" (Section 227.420). This portion of the act is identical to HCS/HB 363 (2011).

This act designates a portion of U.S. Highway 67 in Butler County as the "Missouri State Highway Patrol Sergeant David May Memorial Highway" (Section 227.422). This portion of the act is identical to HB 415 (2011).

This act designates a bridge on State Highway E within Wright County as the "Pvt Ova A. Kelley Medal of Honor Memorial Bridge" (Section 227.427). This portion of the act is identical to HB 813 (2011).

This act designates the portion of State Highway 25 in the counties of Dunklin and Stoddard as the "Representative Otto Bean Memorial Highway" (Section 227.429). This portion of the act is identical to HB 895 (2011).
STEPHEN WITTE

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| 03/08/2011 | Introduced and Read First Time (H) (H557) |
| 03/09/2011 | Read Second Time (H) (H565) |
| 03/10/2011 | Referred: Transportation (H) (H589) |
| 03/15/2011 | Public Hearing Completed (H) |
| 03/15/2011 | Executive Session Completed (H) |
| 03/15/2011 | Voted Do Pass - Consent (H) |
| 03/16/2011 | Reported Do Pass by Consent (H) (H672) |
| 03/16/2011 | Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H672) |
| 03/28/2011 | Rules - Executive Session Completed (H) |
| 03/28/2011 | Rules - Voted Do Pass - Consent (H) |
| 03/28/2011 | Rules - Reported Do Pass Consent (H) (H726) |
| 04/04/2011 | Perfected by Consent - Pursuant to House Rules (H) (H839) |
| 04/05/2011 | Third read and passed (H) (H900-901) |
| 04/05/2011 | S First Read--HB 798-Brown (85) (S596) |
| 04/07/2011 | Second Read and Referred S Transportation Committee (S668) |
| 04/13/2011 | Hearing Conducted S Transportation Committee |
| 04/13/2011 | SCS Voted Do Pass (w/SCS/HB 798, HB 141, HB 153, HB 363, HB 415 & HB 813) S Transportation Committee - (1963S.03C) |
| 04/14/2011 | Reported from S Transportation Committee to Floor w/SCS (S733) |
| 04/19/2011 | SCS S adopted (S765-766) |
| 04/19/2011 | S Third Read and Passed (S766 / H1375) |
| 05/10/2011 | H concurs in SCS (H2178) |
| 05/10/2011 | H Third Read and Passed (H2179 / S1673) |
| 05/10/2011 | Truly Agreed To and Finally Passed (S1673) |

EFFECTIVE: August 28, 2011

*** HB 812 *** 1938L.01P

SENATE SPONSOR: Pearce HOUSE HANDLER: Brattin

This bill has been combined with HB 307

03/09/2011 Introduced and Read First Time (H) (H574)
03/10/2011 Read Second Time (H) (H580)
03/10/2011 Referred: Transportation (H) (H589)
03/15/2011 Public Hearing Completed (H)
03/15/2011 Executive Session Completed (H)
03/15/2011 Voted Do Pass - Consent (H)
03/16/2011 Reported Do Pass by Consent (H) (H672)
03/16/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H672)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass - Consent (H)
03/28/2011 Rules - Reported Do Pass Consent (H) (H726)
04/04/2011 Perfected by Consent - Pursuant to House Rules (H) (H839)
04/05/2011 Third read and passed (H) (H901-902)
04/05/2011 S First Read--HB 812-Brattin, et al (S596)
04/07/2011 Second Read and Referred S Transportation Committee (S668)
04/13/2011 Hearing Conducted S Transportation Committee
04/13/2011 Bill Combined (wSCS/HB 307 & HB 812)

EFFECTIVE: August 28, 2011

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*** HB 813 *** 1978L.01P

HOUSE HANDLER: Dugger

This bill has been combined with HB 798

03/09/2011 Introduced and Read First Time (H) (H574)
03/10/2011 Read Second Time (H) (H580)
03/10/2011 Referred: Transportation (H) (H589)
03/15/2011 Public Hearing Completed (H)
03/15/2011 Executive Session Completed (H)
03/15/2011 Voted Do Pass - Consent (H)
03/16/2011 Reported Do Pass by Consent (H) (H672)
03/16/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H672)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass - Consent (H)
03/28/2011 Rules - Reported Do Pass Consent (H) (H727)
04/04/2011 Perfected by Consent - Pursuant to House Rules (H) (H839)
04/05/2011 Third read and passed (H) (H902-903)
04/05/2011 S First Read--HB 813-Dugger (S596)
04/07/2011 Second Read and Referred S Transportation Committee (S668)
04/13/2011 Hearing Conducted S Transportation Committee
04/13/2011 Bill Combined (w/SCS/HB 798, HB 141, HB 153, HB 363, HB 415 & HB 813)

EFFECTIVE: August 28, 2011

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*** HB 825 *** HCS HB 825 1908L.02P

HOUSE HANDLER: Fallert

HCS/HB 825 - This act prohibits the assessment of any penalty or the issuance of a traffic ticket for failing to renew the registration of a motor vehicle prior to the last day of the month following the expiration of the 12-month registration period.
STEPHEN WITTE

03/09/2011 Introduced and Read First Time (H) (H575)
03/10/2011 Read Second Time (H) (H580)
03/10/2011 Referred: Transportation (H) (H589)
03/15/2011 Public Hearing Completed (H)
03/15/2011 Executive Session Completed (H)
03/15/2011 HCS Voted Do Pass - Consent (H)
03/16/2011 HCS Reported Do Pass by Consent (H) (H673)
03/16/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H673)

03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass - Consent (H)
03/28/2011 Rules - Reported Do Pass Consent (H) (H727)
04/04/2011 Perfected by Consent - Pursuant to House Rules (H) (H839)
04/05/2011 Third read and passed (H) (H903-904)
04/05/2011 S First Read--HCS for HB 825 (S596-597)
04/07/2011 Second Read and Referred S Transportation Committee (S668)

EFFECTIVE: August 28, 2011

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*** HB 828 *** HCS HB 828 1976L.02P

HOUSE HANDLER: Fisher

HCS/HB 828 - This act modifies Missouri law relating to the prevailing wage.

The definition of "construction" only includes new construction, enlargement, or major alteration. Reconstruction, improvement, painting and decorating, and major repair are no longer considered construction for the purposes of prevailing wage.

The definition of "maintenance" only includes the repair or restoration of the material condition or operation, or the painting or repainting of existing facilities when the size, typ or extent or the existing facilities is not thereby changed or increased. Replacement of existing facilities is no longer considered maintenance for the purposes of prevailing wage.

"Major alteration" is defined as an alteration or structural change to and existing facility which increases the size, type, or extent of the facility.

The Missouri Supreme Court's holding of Utility Service Co., v. the Department of Labor and Industrial Relations, and the Labor and Industrial Relations Commission of Missouri is abrogated.

This act is similar to SB 176 (2011).
CHRIS HOGERTY

03/10/2011 Introduced and Read First Time (H) (H591)
03/14/2011 Read Second Time (H) (H602)
03/16/2011 Referred: Workforce Development & Workplace Safety (H) (H669)
03/28/2011 Public Hearing Completed (H)
03/28/2011 Executive Session Completed (H)
03/28/2011 HCS Voted Do Pass (H)
03/28/2011 HCS Reported Do Pass (H) (H722)
03/28/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H722)
04/06/2011 Rules - Executive Session Completed (H)
04/06/2011 Rules - Voted Do Pass (H)
04/07/2011 Rules - Reported Do Pass (H) (H1173)
04/19/2011 HCS Adopted (H) (H1327)
04/19/2011 Perfected with Amendments (H) (H1327)
04/20/2011 Third read and passed (H) - EC defeated (H1414)
04/20/2011 S First Read--HCS for HB 828 (S801)
04/21/2011 Second Read and Referred S Small Business, Insurance and Industry Committee (S814)
04/28/2011 Hearing Conducted S Small Business, Insurance and Industry Committee

EFFECTIVE: August 28, 2011

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*** HB 840 *** HCS HB 840 1936L.02P

SENATE SPONSOR: Schmitt HOUSE HANDLER: Jones

HCS/HB 840 - This act establishes the Aerotropolis Trade Incentive and Tax Credit Act, which authorizes the City of St. Louis or any county to designate certain areas as gateway zones. Any such municipality that designates an area as a gateway zone will be required to establish a board of supervisors that will annually levy special assessments on facilities located within the zone which receive benefits provided under the act. Revenues derived from the special assessments will be expended to promote and advertise the gateway zone.

For all taxable years beginning on or after January 1, 2011, the act authorizes air export tax credits for freight forwarders in an amount equal to twenty-five cents per chargeable kilo shipped on a qualifying outbound flight. In lieu of the previously mentioned tax credit, a freight forwarder will be entitled to an air export tax credit equal to thirty cents per chargeable kilo if the shipment contains perishable freight. The department of economic development is required to adjust the tax credit amounts based upon fluctuations in fuel costs for over-the-road transportation. In order to receive air export tax credits, freight forwarders must file an application with the department containing the master airway bill for the shipment. The act requires the department to establish procedures to allow freight forwarders to receive air export tax credits within five business days of the departure of the qualifying flight.

The total amount of air export tax credits which may be authorized under the act cannot exceed sixty million dollars. The act establishes fiscal year caps on issuance of air export tax credits, and to the extent that in any given fiscal year more tax credits are authorized than may be issued, the amount in excess of the cap on issuance will be carried forward for issuance in the following fiscal year. The authorization of air export tax credits is prohibited after January 1, 2019, but the act allows for the subsequent issuance of any tax credits which are authorized prior to such date.

For all taxable years beginning on or after January 1, 2013, any tenant or entity operating within an eligible facility which satisfies the requirements of the act will be entitled to an exemption from state income and corporate franchise taxes for a period of up to seven years. Such a tenant or entity will also be entitled to retain fifty percent of employee withholding taxes for a period of up to seven years.

For all taxable years beginning on or after January 1, 2013, owners of qualified facilities, in which at least sixty percent of the total cargo activity consists of international cargo, will be entitled to receive tax credits over a seven-year period equal to five percent of the eligible costs of such facility. The total amount of tax credits issued to such an owner cannot exceed twenty-five percent of the facility's eligible costs. Owners of qualified facilities, in which at least thirty percent of the total cargo activity consists of international cargo, as well as any qualifying assembly and manufacturing, or qualifying cold-chain facility will be entitled to receive tax credits over a seven-year period equal to three percent of the eligible costs of such facility. The total amount of tax credits issued to such an owner cannot exceed fifteen percent of the facility's eligible costs. Owners of eligible facilities will also be entitled to receive tax credits, over a three-year period, equal to seventy-five percent of interest costs on qualifying loans obtained for the development and construction of eligible facilities, provided the interest rate on such loan is equal to or less than seven percent per year.

In order to receive tax incentives provided under the act, owners and tenants of qualifying facilities and entities operating within such facilities must file applications with the department of economic development accompanied by a certificate of compliance. The act establishes limits on the amount of tax credits which may be issued annually to owners of qualifying facilities. No more than three hundred million dollars in tax credits, based upon the eligible costs of a qualifying facility, may be authorized for owners of qualified facilities under the act. The act limits the total amount of tax credits which may be authorized to owners of qualifying facilities, based upon loans, to no more than one hundred twenty million dollars.

All tax credits provided under the act will be fully transferrable and non-refundable, but may be carried forward up to six years.

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

This act is similar to Senate Bill 390 (2011).
JASON ZAMKUS

03/10/2011 Introduced and Read First Time (H) (H592)
03/14/2011 Read Second Time (H) (H602)
03/17/2011 Referred: Economic Development (H) (H694)
03/29/2011 Public Hearing Completed (H)
03/29/2011 Executive Session Completed (H)
03/29/2011 HCS Voted Do Pass (H)
03/30/2011 HCS Reported Do Pass (H) (H781)
03/30/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H781)
04/04/2011 Rules - Executive Session Completed (H)
04/04/2011 Rules - Voted Do Pass (H)
04/04/2011 Rules - Reported Do Pass (H) (H839)
04/06/2011 HCS Adopted (H) (H1136)

04/06/2011 Perfected (H) (H1136)
04/06/2011 Referred: Fiscal Review (H) (H1148)
04/11/2011 Executive Session Completed (H)
04/11/2011 Voted Do Pass (H)
04/11/2011 Reported Do Pass (H) (H1184)
04/11/2011 Third read and passed (H) (H1186-1187)
04/11/2011 S First Read--HCS for HB 840 (S681)
04/14/2011 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S737)
04/20/2011 Hearing Conducted S Jobs, Economic Development and Local Government Committee
04/27/2011 Voted Do Pass S Jobs, Economic Development and Local Government Committee
05/10/2011 Reported from S Jobs, Economic Development and Local Government Committee to Floor (S1674)
05/10/2011 Referred S Ways & Means & Fiscal Oversight Committee (S1714)
05/13/2011 S Formal Calendar H Bills for Third Reading--HCS for HB 840 (Schmitt) (In Fiscal Oversight)

EFFECTIVE: August 28, 2011

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*** HB 999 *** HCS HB 999 2082L.07P

HOUSE HANDLER: Schad

HCS HB 999 Schad, Rodney

P E R F E C T E D

HCS HB 999 -- SEXUAL OFFENDER REGISTRY (Schad)
COMMITTEE OF ORIGIN: Committee on Crime Prevention and Public Safety
This substitute changes the laws regarding sexual offender registration. In its main provisions, the substitute:
(1) Specifies that the State Highway Patrol must and the chief law enforcement officer of any county or the City of St. Louis may maintain an Internet web page that only includes the name and information for those sexual offenders designated as Tier II and Tier III offenders. The names and information of Tier I offenders will not be included on the public web page but will be on a separate registry to which only law enforcement agencies have access for 10 years;
(2) Requires a current photograph of the offender to be taken by the registering official and adds information regarding the tier level assigned; the offender's original and most recent registration date; the status of the offender's term of incarceration, probation, or parole; and whether the offender is a repeat offender to the information found on the public web page for Tier II and Tier III offenders;
(3) Specifies that an offender who has committed felonious restraint of a nonsexual nature when the victim was younger than 18 years of age or kidnapping of a nonsexual nature when the victim was younger than 18 years of age will be exempt from the public notification requirements of these provisions. A witness under active federal protection who is required to register under these provisions may be excluded from the public notification under federal law. A juvenile who is 14 years of age or older at the time of the offense, has been adjudicated for an offense that is equal to or more severe than aggravated sexual abuse, and is required to register will be exempt from the public notification requirements to include other specified jurisdictions;
(4) Specifies that the sexual offender registry requirements apply to any person who has been convicted of, found guilty of, or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit an offense listed in Section 589.414, RSMo, unless he or she is exempt from registering based on certain provisions and moves the crimes for which registration is required from Section 589.400 to Section 589.414;
(5) Expands the jurisdiction of a sexual offense to include any territory, the District of Columbia, and any foreign country;
(6) Requires any person to whom the registration requirements apply to register with the chief law enforcement official in the county in which he or she resides within three business days of adjudication, release from incarceration to the Division of Youth Services within the Department of Social Services or the Department of Mental Health, or other placement upon probation;
(7) Revises the lifetime registration requirements to exempt a person who is pardoned, including if pardoned in other specified jurisdictions and the pardon explicitly states that the person is relieved of his or her duty to register or the court orders the removal or exemption of the person under the provisions of Section 589.401;
(8) Specifies that a person is exempt from registering if he or she is convicted of, found guilty of, or pled guilty or nolo contendere to the crime of felonious restraint of a nonsexual nature or kidnapping of a child of a nonsexual nature when the person was the parent or guardian of the child. Any person currently on the registry or who otherwise would be required to register for a sexual offense involving sexual conduct where no force or threat of force was directed toward the victim or any other individual involved will be exempt from registering upon filing a petition with the court having jurisdiction and that court ordering removal from the registry, if:

(a) The victim was an adult, unless he or she was under the custodial authority of the offender; or
(b) The victim was 18 years of age or younger and the offender was not more than five years older than the victim at the time of the offense;
(9) Exempts from the registering provisions any person currently required to register for the following sexual offenses:
(a) Sexual misconduct in the second degree or third degree;
(b) Promoting obscenity in the first degree or second degree;
(c) Furnishing pornographic materials to minors;
(d) Public display of explicit sexual material; or
(e) Coercing acceptance of obscene material;
(10) Specifies that any person currently on the registry for committing, attempting to commit, or conspiring to commit a Tier I, Tier II, or juvenile Tier III offense or other comparable offense may file a petition for removal;
(11) Specifies that any nonresident worker, including work as a volunteer or intern, or a nonresident student who is required to register must do so for the duration of his or her employment or attendance at any school, whether public or private, including any secondary school, trade school, professional school, or institution of higher education on a full- or part-time basis in Missouri;
(12) Specifies that a person on the sexual offender registry may file a petition in the division of the circuit court in the county in which the offense requiring registration was adjudicated to have his or her name removed. If the offense was committed in another jurisdiction, the person must file the petition for removal according to the laws of the jurisdiction where the offense was adjudicated. Upon the granting of the petition for removal, the judgment may be registered in Missouri by sending the specified documentation to the county court in which the offender is required to register. A person required to register as a Tier III offender cannot file a petition for removal unless the requirement to register results from a juvenile adjudication. A petition for removal must be dismissed without prejudice if it fails to include the specified information or the following time periods have not elapsed since the date the person was required to register:
(a) For a Tier I offense, five years;
(b) For a Tier II offense, 10 years; and
(c) For a Tier III offense adjudicated as a juvenile, 25 years;
(13) Requires the petition to name as respondents the patrol and the chief law enforcement official of the county in which the petition is filed. The prosecuting attorney must be given notice by the person seeking removal or exemption from the registry in order to present evidence in opposition or demonstrate the reasons why the petition should be denied, must have access to all applicable records regarding the offender, and must make reasonable efforts to notify the victim of the crime for which registration is required of any hearing or proceeding in connection with the petition. The court cannot enter an order directing the removal of the offender's name unless it finds that the offender:
(a) Has not been adjudicated of or has charges pending for any additional nonsexual felony offense;
(b) Has not been adjudicated of or has charges pending for any additional sexual offense that would require registration, even if the offense was a misdemeanor;
(c) Has successfully completed any required periods of supervised release, probation, or parole;
(d) Has successfully completed an appropriate sexual offender treatment program as approved by a court of jurisdiction or the Department of Corrections; and
(e) Is not a current or potential threat to public safety;
(14) Prohibits an offender from filing a new petition for removal until five years have passed from the date of the adjudication resulting in a denial for a Tier I offender, 10 years have passed for a Tier II offender, or 25 years have passed for a Tier III offender adjudicated as a juvenile. If the petition is denied for other reasons, the offender is prohibited from filing another petition for at least five years from the denial date. If a petition is granted by the court, it must enter a judgment directing the patrol to remove the offender's name from the public web page registry within three business days. A court may deny a petition for removal for any legitimate legal justification;
(15) Specifies that any person required to register who is to be paroled, discharged, or released from any correctional facility, mental health institution, private jail, or other specified private facility and plans to reside in Missouri must be informed by the official in charge of his or her duty to register. The official in charge must complete the initial registration notification at least seven days prior to the offender's release and forward the registration, within three business days of release, to the patrol and the chief law enforcement official in the county where the person expects to reside upon discharge. If an offender refuses to complete and sign the registration information or fails to directly report to the county chief law enforcement official within three business days, it will constitute an offense of failure to register;
(16) Requires any person who is required to register and is released on probation, discharged upon payment of a fine, or released after confinement in a county jail to be informed, prior to release, by the court having jurisdiction of his or her possible duty to register. If the offender is placed on probation, the court must make it a condition of probation that the offender report to register within three business days to the chief law

enforcement official of the county of adjudication. If the offender is not placed on probation, the court must complete the initial notification of duty to register form and forward it within three business days to the patrol and the chief law enforcement officer in the county where the offender resides if the offender resides in Missouri or where the offense was adjudicated if the offender does not reside in Missouri. If the offender resides outside Missouri, the court must direct the offender to proceed to the chief law enforcement officer in the county where the adjudication was heard to register. If the offender fails to complete these requirements or refuses to complete and sign the registration information, it will constitute an offense of failure to register;
(17) Specifies what information is required for the offender registration form, including the offender's full name and any aliases; date of birth; address of residences or habitual locales if homeless; name and address of employers; name and address of any institution of higher education he or she attends; Social Security number; telephone numbers; personal and work license plate number and vehicle information; online identifiers used for personal purposes; the crime for which registering is required; adjudication and crime information; age and gender of the victim at the time of the offense; date of the successful completion of the Missouri Sexual Offender Program or that it was not successfully completed; status of parole, probation, or supervised release; passport and immigration numbers, including expiration dates; and the physical description of the offender, including physical appearance or characteristics and identifying marks;
(18) Adds copies of all passport or immigration documents and a current photograph taken by the registering official to the list of documents that must accompany the registration form;
(19) Requires the patrol upon receipt of any changes to an offender's registration information to immediately notify all other jurisdictions in which the offender is registered or required to register. The offender is responsible for reviewing the registration information for accuracy at every regular, in-person appearance and if any inaccuracies are found to provide proof of the information in question. The signed form will serve as proof that the offender understands his or her duty to register;
(20) Allows an offender, who would otherwise be a Tier II or Tier III offender, to file a petition in the circuit court where the offense was adjudicated to have his or her classification lowered one tier. The substitute specifies the contents of the petition; the notification required; and the factors the court must, at a minimum, consider in making a determination as to whether the petition should be granted;
(21) Specifies that any change to an offender's name, residence, employment, student status, or a termination of any of these items requires the offender to appear in person to the chief county law officer within three business days of the change. If there is a change in vehicle information, temporary residence information, or any designations used in Internet or telephone communications, an offender must notify the official within three business days after a change but is not required to do so in person. The official must forward the changes to the patrol within three business days. An offender must report to the chief law enforcement officer to verify his or her registration information in the following manner:
(a) A Tier I sexual offender, annually in the month of his or her birth;
(b) A Tier II sexual offender, semiannually in the month of his or her birth in person and six months thereafter by mail on a form to be provided by the patrol; and
(c) A Tier III sexual offender, semiannually in the month of his or her birth and six months thereafter in person and 90 days after each in-person report by mail on a form to be provided by the patrol;
(22) Specifies that any offender who has been convicted of, found guilty of, or has pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit the following crimes will be classified as a Tier I sexual offender:
(a) Felonious restraint when there is sexual motivation;
(b) Sexual contact or intercourse with skilled nursing facility residents;
(c) Invasion of privacy in the first or second degree;
(d) Child molestation in the second degree when the victim is 14 to 17 years of age;
(e) Sexual misconduct involving a child or in the first degree;
(f) Sexual contact with a prisoner or offender;
(g) Age misrepresentation under Section 566.153;
(h) Endangering the welfare of a child in the second degree when it is sexual in nature and the victim is 14 to 17 years of age;
(i) Possession of child pornography; or
(j) A comparable crime from another jurisdiction or those described as Tier I offenses under the federal Sex Offender Registration and Notification Act, Title I of the Adam Walsh Child Protection and Safety Act of 2006;
(23) Specifies that a Tier I sexual offender will also include any offender whose classification was changed to a Tier I offender by a court order under Section 589.408;
(24) Specifies that any offender who has been convicted of, found guilty of, or has pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit the following crimes will be classified as a Tier II sexual offender:
(a) Statutory rape or statutory sodomy in the second degree;
(b) Child molestation in the first degree when the victim is 14 to 17 years of age;

(c) Sexual contact with a student while on public school property when the victim is 14 to 17 years of age;
(d) Sexual abuse when the victim is 14 years of age or older;
(e) Enticement of a child;
(f) Trafficking for the purpose of sexual exploitation;
(g) Child molestation in the second degree when the victim is younger than 14 years of age;
(h) Promoting prostitution in the second or third degree when the victim is younger than 18 years of age;
(i) Endangering the welfare of a child in the first degree when there is sexual conduct or contact with a victim 14 to 17 years of age;
(j) Endangering the welfare of a child in the second degree when the offense is sexual in nature and the victim is younger than 13 years of age;
(k) Abuse of a child when the offense is sexual in nature;
(l) Genital mutilation of a female child;
(m) Use of a child in sexual performance;
(n) Promoting sexual performance by a child;
(o) Sexual exploitation of a minor;
(p) Promoting child pornography in the first or second degree;
(q) Unlawful sex with an animal; or
(r) A comparable crime in another jurisdiction or those described as Tier II offenses under the federal Sex Offender Registration and Notification Act, Title I of the Adam Walsh Child Protection and Safety Act of 2006;
(25) Specifies that a Tier II sexual offender will also include any offender whose classification was changed to a Tier II offender by a court order under Section 589.408 and any person who is convicted of, found guilty of, or has pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit a crime comparable to a Tier I offense or a failure to register offense or comparable out-of-state failure to register offense who is already required to register as a Tier I offender due to being convicted of a Tier I offense on a previous occasion;
(26) Specifies that any offender registered as a predatory or persistent sexual offender or who has been convicted of, found guilty of, or has pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit one of the following crimes will be classified as a Tier III sexual offender:
(a) Kidnapping when a sexual offense was committed during the kidnapping or when a kidnapping was committed for the purpose of committing a sexual offense and the victim is younger than 18 years of age, excluding kidnapping by a parent or guardian;
(b) Child kidnapping when a sexual offense was committing during the kidnapping or when the kidnapping was committed for the purpose of committing a sexual offense;
(c) Forcible rape;
(d) Statutory rape in the first degree;
(e) Sexual assault;
(f) Forcible sodomy;
(g) Statutory sodomy in the first degree;
(h) Child molestation in the first degree when the victim is younger than 14 years of age;
(i) Deviate sexual assault;
(j) Sexual contact with a student while on public school property when the victim is younger than 14 years of age;
(k) Sexual abuse when the victim is younger than 14 years of age;
(l) Sexual trafficking of a child or of a child younger than 12 years of age;
(m) Promoting prostitution in the first degree when the victim is younger than 18 years of age;
(n) Incest;
(o) Endangering the welfare of a child in the first degree when there is sexual conduct or contact with a victim younger than 14 years of age or when there is sexual intercourse or deviate sexual intercourse with a victim younger than 18 years of age;
(p) Any comparable crime in another jurisdiction or that is comparable to a Tier III offense under the federal Sex Offender Registration and Notification Act, Title I of the Adam Walsh Child Protection and Safety Act of 2006; or
(q) Any offense of a sexual nature requiring registration that is not classified as a Tier I or Tier II offense by these provisions;
(27) Specifies that a Tier III sexual offender will also include any person who is convicted of, found guilty of, or has pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit a crime comparable to a Tier I or Tier II offense or a failure to register offense or other comparable out-of-state failure to register offense who is already required to register as a Tier II offender due to being convicted of a Tier II offense, two Tier I offenses, or a combination of a Tier I offense and a failure to register offense on a previous occasion;
(28) Requires every offender required to register who works, including as a volunteer or unpaid intern; who

attends any school, whether public or private including any secondary, trade, or professional school or institution of higher education; or who has temporary residence in Missouri to report in person to the chief law enforcement officer in that area where he or she works, attends school, or has temporary residence;
(29) Specifies that it is not a defense to a prosecution for a violation of any offense listed in these provisions that the victim was a peace officer masquerading as a minor; and
(30) Requires any person not currently registered due to being adjudicated of a sexual offense prior to the initial enactment of state or federal registry legislation to register for his or her original offense only if he or she is currently incarcerated or under the supervision of the Department of Corrections for a sexual offense. If the offender's original offense is not currently a crime, he or she will be classified as a Tier I, II, or III offender by determining which current crime is most comparable to the original offense.
FISCAL NOTE: Estimated Net Cost on General Revenue Fund of Less than $100,000 in FY 2012, FY 2013, and FY 2014. No impact on Other State Funds in FY 2012, FY 2013, and FY 2014.

03/31/2011 Introduced and Read First Time (H) (H816)
04/01/2011 Read Second Time (H)
04/07/2011 Referred: Crime Prevention and Public Safety (H) (H1170)
04/13/2011 Public Hearing Completed (H)
04/21/2011 Executive Session Completed (H)
04/21/2011 HCS Voted Do Pass (H)
04/21/2011 HCS Reported Do Pass (H) (H1428)
04/21/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H1428)
04/27/2011 Rules - Executive Session Completed (H)
04/27/2011 Rules - Voted Do Pass (H)
04/27/2011 Rules - Reported Do Pass (H) (H1651)
05/03/2011 HCS Adopted (H) (H1787)
05/03/2011 Perfected with Amendments (H) (H1787)
05/05/2011 Third Read and Passed (H) (H1974)
05/09/2011 S First Read--HCS for HB 999 (S1486)
05/10/2011 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S1639)

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*** HB 1008 *** SCS HB 1008 2121S.04T

SENATE SPONSOR: Dempsey HOUSE HANDLER: Long

SCS/HB 1008 - Under this act, the State Highways and Transportation Commission may enter into binding highway infrastructure improvement agreements to reimburse or repay, in an amount and in such terms agreed upon by the parties, any funds advanced by or for the benefit of a county, political subdivision, or private entity to expedite state road construction or improvement. Such highway infrastructure improvement agreements may provide for the assignment of the State Highways and Transportation Commission's reimbursement or repayment obligations in order to facilitate the funding of such improvements. The funds advanced shall be repaid by the commission from funds from the state road fund in a manner, time period, and interest rate agreed to upon by the respective parties. The commission may condition the reimbursement or repayment of such advanced funds upon projected highway revenues only if terms of the contract explicitly state such a condition. The contract shall further provide for a date or dates certain for repayment of funds and the commission may delay repayment of the advanced funds if highway revenues fall below the projections used to determine the repayment schedule, or if repayment would jeopardize the receipt of federal highway moneys, only if terms of the contract state such a condition and the contract provides for a date or dates certain for repayment of funds.
STEPHEN WITTE

03/31/2011 Introduced and Read First Time (H) (H816)
04/01/2011 Read Second Time (H)
04/01/2011 Referred: Rural Community Development (H)
04/05/2011 Public Hearing Completed (H)
04/05/2011 Executive Session Completed (H)
04/05/2011 Voted Do Pass (H)
04/05/2011 Reported Do Pass (H) (H907)
04/05/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H907)
04/11/2011 Rules - Executive Session Completed (H)
04/11/2011 Rules - Voted Do Pass (H)
04/11/2011 Rules - Reported Do Pass (H) (H1206)
04/19/2011 Perfected (H) (H1319)
04/20/2011 Third Read and Passed (H) (H1410-1411)
04/20/2011 S First Read--HB 1008-Long, et al (S801)

04/21/2011 Second Read and Referred S Transportation Committee (S814)
05/04/2011 Hearing Scheduled S Transportation Committee
05/04/2011 SCS Voted Do Pass S Transportation Committee (2121S.04C)
05/05/2011 Reported from S Transportation Committee to Floor w/SCS (S1344)
05/10/2011 Bill Placed on Informal Calendar (S1671)
05/11/2011 SCS S adopted (S1720)
05/11/2011 S Third Read and Passed (S1720 / H2405)
05/12/2011 H concurs in SCS (H2539-2540)
05/12/2011 H Third Read & Passed (H2540-2541 / S1960)
05/12/2011 Truly Agreed To and Finally Passed (S1960)

EFFECTIVE: August 28, 2011

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*** HCR 1 *** 0690L.01I

SENATE SPONSOR: Dempsey HOUSE HANDLER: Jones

HCR 1 Jones, Timothy W.
********** NO BILL SUMMARY **********

01/05/2011 Offered (H)
01/05/2011 H adopted
01/05/2011 Reported to the Senate (S52)
01/11/2011 S adopted (S73 / H135)
01/12/2011 S Escort Committee Appointments: Mayer, Dempsey, Rupp, Purgason, Stouffer, Callahan, Chappelle-Nadal, Justus, Green, Wright-Jones (S80 / H157)
01/19/2011 H Escort Committee Appointments: Funderburk, Torpey, Dieckhaus, Korman, Scharnhorst, Parkinson, Meadows, Shieffer, Jones (63), Harris, Casey, Peters-Baker (H175 / S106)

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*** HCR 2 *** 0691L.01I

SENATE SPONSOR: Dempsey HOUSE HANDLER: Jones

HCR 2 Jones, Timothy W.
********** NO BILL SUMMARY **********

01/05/2011 Offered (H)
01/05/2011 H adopted
01/05/2011 Reported to the Senate (S52-53)
01/11/2011 S adopted (S74 / H135)
01/12/2011 S Escort Committee Appointed: Mayer, Schmitt, Ridgeway, Crowell, Goodman, Schaefer, McKenna, Wright-Jones, Justus, Keaveny (S80 / H158)
01/13/2011 S Escort Committee change: Chappelle-Nadal to replace Crowell (S92 / H158)

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*** HCR 3 *** 0535L.01I

HOUSE HANDLER: Scharnhorst

HCR 3 - This resolution urges the United States Congress to submit a balanced budget amendment to the United States Constitution to the States for ratification and inclusion in the United States Constitution.
JIM ERTLE

01/05/2011 Introduced and Read First Time (H) (H19)
01/06/2011 Read Second Time (H) (H71)
01/20/2011 Referred: Budget (H) (H198)
02/07/2011 Public Hearing Completed (H)
02/07/2011 Executive Session Completed (H)
02/07/2011 Voted Do Pass (H)
02/08/2011 Reported Do Pass (H) (H309)
02/08/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H309)
02/15/2011 Rules - Executive Session Completed (H)
02/15/2011 Rules - Voted Do Pass (H)
02/15/2011 Rules - Reported Do Pass (H) (H369)
02/23/2011 Taken Up for Third Reading (H) (H435)
02/23/2011 Laid Over (H) (H435)
02/28/2011 Taken Up for Third Reading (H) (H465)

02/28/2011 Third Read and Passed (H) (H465-466)
02/28/2011 S First Read--HCR 3-Scharnhorst, et al (S346-347)
03/01/2011 Second Read and Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S360)

EFFECTIVE: upon approval

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*** HCR 7 *** 0362L.01I

HOUSE HANDLER: Gray

HCR 7 - This resolution encourages the Missouri Veterans Commission to work with the National Foundation for Women Legislators and the Center for Women Veterans at the United States Department of Veterans Affairs to reach out to women veterans to encourage them to bring their specific concerns to the attention of agency officials.
EMILY KALMER

01/11/2011 Offered (H) (H100)
02/10/2011 Referred: Veterans (H) (H342)
02/22/2011 Public Hearing Completed (H)
02/22/2011 Executive Session Completed (H)
02/22/2011 Voted Do Pass (H)
02/23/2011 Reported Do Pass (H) (H437)
02/23/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H437)
02/28/2011 Rules - Executive Session Completed (H)
02/28/2011 Rules - Voted Do Pass (H)
02/28/2011 Rules - Reported Do Pass (H) (H473)
04/04/2011 Adopted (H) (H832)
04/04/2011 Reported to the Senate (S568-569)
04/06/2011 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S605)
05/03/2011 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee

EFFECTIVE: upon approval

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*** HCR 11 *** 0227L.01I

SENATE SPONSOR: Justus HOUSE HANDLER: Nolte

HCR 11 - This concurrent resolution urges Congress to designate the Liberty Memorial in Kansas City, Missouri as the National World War I Memorial.

This resolution is similar to SCR 43 (2010) and HCR 41 (2010).
EMILY KALMER

01/11/2011 Offered (H) (H100)
01/20/2011 Referred: Tourism and Natural Resources (H198)
02/17/2011 Public Hearing Completed (H)
02/24/2011 Executive Session Completed (H)
02/24/2011 Voted Do Pass (H)
02/28/2011 Reported Do Pass (H) (H473)
02/28/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H473)
03/03/2011 Rules - Executive Session Completed (H)
03/03/2011 Rules - Voted Do Pass (H)
03/03/2011 Rules - Reported Do Pass (H) (H523)
04/04/2011 Adopted (H) (H832)
04/04/2011 Reported to the Senate (S567-568)
04/06/2011 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S605)
04/19/2011 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee
04/19/2011 Voted Do Pass S Rules, Joint Rules, Resolutions and Ethics Committee
04/21/2011 Reported from S Rules, Joint Rules, Resolutions and Ethics Committee to Floor (S813)
05/03/2011 S adopted (S1243-1244 / H1781)

EFFECTIVE: upon approval

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*** HCR 15 *** 0404L.01I

SENATE SPONSOR: Curls HOUSE HANDLER: Brown

HCR 15 - This concurrent resolution designates November 13, 2011, as "Buck O'Neil Day" in the state of Missouri. The resolution also requests that the Governor issue a proclamation setting apart November 13, 2011, as "Buck O'Neil Day".
JIM ERTLE

01/19/2011 Offered (H) (H169)
01/27/2011 Referred: Tourism and Natural Resources (H245)
03/10/2011 Public Hearing Completed (H)
03/10/2011 Executive Session Completed (H)
03/10/2011 Voted Do Pass (H)
03/10/2011 Reported Do Pass (H) (H591)
03/10/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H591)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass (H)
03/28/2011 Rules - Reported Do Pass (H) (H722)
04/04/2011 Adopted (H) (H832)
04/04/2011 Reported to the Senate (S565-566)
04/06/2011 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S605)
04/12/2011 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee
04/12/2011 Voted Do Pass S Rules, Joint Rules, Resolutions and Ethics Committee
04/14/2011 Reported from S Rules, Joint Rules, Resolutions and Ethics Committee to Floor (S735)
05/03/2011 S adopted (S1243 / H1781)

EFFECTIVE: upon approval

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*** HCR 17 *** HCS HCR 17 0884L.03C

HOUSE HANDLER: Schieffer

HCS/HCR 17 - The resolution urges Congress to support a comprehensive plan for the Upper Mississippi River Basin that enhances flood-control without creating adverse impacts on existing levees and areas. The resolution additionally asks the Missouri Congressional delegation to support the modification of Plan H by the U.S. Army Corps of Engineers for the Upper Mississippi River Basin.

This resolution is similar to SCR 8 (2011).
ERIKA JAQUES

01/20/2011 Offered (H) (H197)
02/21/2011 Referred: Agriculture Policy (H) (H402)
03/01/2011 Public Hearing Completed (H)
03/08/2011 Executive Session Completed (H)
03/08/2011 HCS Voted Do Pass (H)
03/09/2011 HCS Reported Do Pass (H) (H569)
03/09/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H569)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass (H)
03/28/2011 Rules - Reported Do Pass (H) (H722)
04/04/2011 Adopted (H) (H832)
04/04/2011 Reported to the Senate (S569-570)
04/06/2011 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S605)

EFFECTIVE: upon approval

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*** HCR 23 *** HCS HCR 23 1269L.02C

SENATE SPONSOR: Dixon HOUSE HANDLER: Faith

HCS/HCR 23 - Under this resolution, the General Assembly declares its support for Complete Streets policies and urges their adoption at the local, metropolitan, regional, state, and national levels. Complete Streets policies encourage the building of roads, streets, and communities where all road users (motorists, bicyclists and walkers) can feel safe, secure, and welcome on Missouri roads and streets. Under the resolution, the General Assembly also encourages and urges the United States Department of Transportation, the Missouri Department of Transportation, the governing bodies of metropolitan planning organizations, and regional planning commissions, municipalities, and other organizations and agencies that build, control, maintain, or fund roads, highways, and bridges in Missouri to adopt Complete Streets policies

and to plan, design, build, and maintain their road and street system to provide complete, safe access to all road users.
STEPHEN WITTE

01/31/2011 Offered (H) (H258)
02/10/2011 Referred: Transportation Funding & Public Institutions (H342)
02/17/2011 Public Hearing Completed (H)
03/03/2011 Executive Session Completed (H)
03/03/2011 HCS Voted Do Pass (H)
03/09/2011 HCS Reported Do Pass (H) (H572)
03/09/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H572)
04/06/2011 Rules - Executive Session Completed (H)
04/06/2011 Rules - Voted Do Pass (H)
04/07/2011 Rules - Reported Do Pass (H) (H1172)
04/12/2011 H adopted (H1215)
04/12/2011 Reported to the Senate (S686-687)
04/13/2011 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S701)
05/03/2011 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee
05/03/2011 Voted Do Pass S Rules, Joint Rules, Resolutions and Ethics Committee
05/04/2011 Reported from S Rules, Joint Rules, Resolutions and Ethics Committee to Floor (S1331)
05/12/2011 S adopted (S1896 / H2457)

EFFECTIVE: upon approval

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*** HCR 24 *** 1384L.01I

SENATE SPONSOR: Dempsey HOUSE HANDLER: Jones

HCR 24 Jones, Timothy
********** NO BILL SUMMARY **********

02/07/2011 Offered (H) (H298)
02/07/2011 Adopted (H) (H298)
02/07/2011 Reported to the Senate--HCR 24-Jones (89) (S204)
02/08/2011 S adopted (S208)
02/09/2011 S Escort Committee appointed: Schmitt, Ridgeway, Chappelle-Nadal, Goodman, Schaefer, McKenna, Wright-Jones, Justus, Keaveny (H324)
02/09/2011 H Escort Committee appointed: Jones-117, Barnes, elmer, Marshall, Richardson, Sifton, Carlson, Ellinger, Peters-Baker, McManus (S225)

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*** HCR 30 *** 1402L.01I

HOUSE HANDLER: Frederick

HCR 30 Frederick, Keith Jones, Timothy et al
I N T R O D U C E D

02/10/2011 Offered (H) (H339)
02/24/2011 Referred: Health Care Policy (H) (H450)
03/30/2011 Public Hearing Completed (H)
03/30/2011 Executive Session Completed (H)
03/30/2011 Voted Do Pass (H)
03/31/2011 Reported Do Pass (H) (H812)
03/31/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H812)
04/04/2011 Rules - Executive Session Completed (H)
04/04/2011 Rules - Voted Do Pass (H)
04/04/2011 Rules - Reported Do Pass (H) (H837)
04/06/2011 Adopted (H) (H913)
04/06/2011 Reported to The Senate (S633-634)
04/11/2011 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S682)

EFFECTIVE: upon approval

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*** HCR 31 *** 1332L.01I

HOUSE HANDLER: Cookson

HCR 31 - The resolution calls on the U.S. Congress to implement legislation to annually allocate at least 40% of the federal Land and Water Conservation Fund moneys to the State Assistance program.
ERIKA JAQUES

02/14/2011 Offered (H) (H356)
03/10/2011 Referred: Tourism and Natural Resources (H587)
03/17/2011 Public Hearing Completed (H)
03/17/2011 Executive Session Completed (H)
03/17/2011 Voted Do Pass (H)
03/17/2011 Reported Do Pass (H) (H695)
03/17/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H695)
04/04/2011 Rules - Executive Session Completed (H)
04/04/2011 Rules - Voted Do Pass (H)
04/04/2011 Rules - Reported Do Pass (H) (H837)
04/06/2011 Adopted (H) (H913)
04/06/2011 Reported to The Senate (S634-635)
04/11/2011 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S682)

EFFECTIVE: upon approval

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*** HCR 32 *** 1246L.01I

SENATE SPONSOR: Kehoe HOUSE HANDLER: Bernskoetter

HCR 32 - This resolution creates a Joint Interim Committee on State Employee Wages. The committee is charged with the following responsibilities:

- Comparing the wages of Missouri state employees to the wages of state employees in other states.
- Studying and developing strategies for increasing Missouri state employee wages to raise the rank of such wages above 50th in the nation.
- Reporting recommendations.
- Carrying out other necessary measures to determine proper legislative and budgetary strategies.

CHRIS HOGERTY

02/15/2011 Offered (H) (H366)
03/03/2011 Referred: Workforce Development & Workplace Safety (H) (H519)
03/14/2011 Public Hearing Completed (H)
04/11/2011 Executive Session Completed (H)
04/11/2011 Voted Do Pass (H)
04/13/2011 Reported Do Pass (H) (H1268)
04/13/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H1268)
04/20/2011 Rules - Executive Session Completed (H)
04/20/2011 Rules - Voted Do Pass (H)
04/20/2011 Rules - Reported Do Pass (H) (H1417)
04/27/2011 Adopted (H) (H1628)
04/27/2011 Reported to The Senate (S1133-1134)
04/28/2011 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S1208)
05/10/2011 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee
05/10/2011 Voted Do Pass S Rules, Joint Rules, Resolutions and Ethics Committee
05/10/2011 Reported from S Rules, Joint Rules, Resolutions and Ethics Committee to Floor (S1682)
05/11/2011 SA 1 S offered & adopted (Kehoe)--(1246L01.01S) (S1867)
05/11/2011 S adopted, as amended (S1867-1868 / H2433)
05/12/2011 H concurs in SA 1, as amended
05/12/2011 H adopted, as amended (S1973)

EFFECTIVE: upon approval

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*** HCR 33 *** 1110L.01I

HOUSE HANDLER: Davis

HCR 33 - This concurrent resolution designates the Honor and Remember Flag as Missouri's emblem of the military members who died in the line of duty and urges the United States Congress to enact a similar resolution.
EMILY KALMER

02/16/2011 Offered (H) (H378)
02/24/2011 Referred: Veterans (H) (H450)
03/01/2011 Public Hearing Completed (H)
03/01/2011 Executive Session Completed (H)
03/01/2011 Voted Do Pass (H)
03/01/2011 Reported Do Pass (H) (H487)
03/01/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H487)
03/03/2011 Rules - Executive Session Completed (H)
03/03/2011 Rules - Voted Do Pass (H)
03/03/2011 Rules - Reported Do Pass (H) (H523)
04/04/2011 Adopted (H) (H832)
04/04/2011 Reported to the Senate (S566)
04/06/2011 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S605)

EFFECTIVE: upon approval

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*** HCR 34 *** 1392L.02I

SENATE SPONSOR: Munzlinger HOUSE HANDLER: Hampton

HCR 34 - This resolution urges the U.S. Forest Service to amend or rescind its Travel Management rule regarding motor vehicles and allow an increase in motor vehicle access to areas in the Mark Twain National Forest.
ERIKA JAQUES

02/22/2011 Offered (H) (H414)
03/03/2011 Referred: Rural Community Development (H) (H519)
03/08/2011 Public Hearing Completed (H)
03/08/2011 Executive Session Completed (H)
03/08/2011 Voted Do Pass (H)
03/08/2011 Reported Do Pass (H) (H555)
03/08/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H555)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass (H)
03/28/2011 Rules - Reported Do Pass (H) (H723)
04/04/2011 Adopted (H) (H832)
04/04/2011 Reported to the Senate (S567)
04/06/2011 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S605)
04/19/2011 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee
04/19/2011 Voted Do Pass S Rules, Joint Rules, Resolutions and Ethics Committee
04/21/2011 Reported from S Rules, Joint Rules, Resolutions and Ethics Committee to Floor (S813-814)
05/03/2011 S adopted (S1244 / H1781)

EFFECTIVE: Upon approval

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*** HCR 37 *** 1577L.01T

SENATE SPONSOR: Wright-Jones HOUSE HANDLER: Franklin

HCR 37 - This resolution asks the Governor to recognize every third week in June as Diabetic Peripheral Neuropathy Week in Missouri.

This resolution is identical to SCR 11 (2011).
ADRIANE CROUSE

02/22/2011 Introduced and Read First Time (H) (H418)
02/23/2011 Read Second Time (H) (H426)
03/10/2011 Referred: Health Care Policy (H) (H587)
03/16/2011 Public Hearing Completed (H)
03/16/2011 Executive Session Completed (H)
03/16/2011 Voted Do Pass - Consent (H) (H671)
03/16/2011 Reported Do Pass by Consent (H) (H671)
03/16/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H671)
04/04/2011 Rules - Executive Session Completed (H)
04/04/2011 Rules - Voted Do Pass - not Consent (H)
04/04/2011 Rules - Reported Do Pass - not Consent (H) (H838)

04/13/2011 Third Read and Passed (H) (H1262)
04/14/2011 S First Read (S737-738)
04/18/2011 Second Read and Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S751)
05/03/2011 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee
05/03/2011 Voted Do Pass S Rules, Joint Rules, Resolutions and Ethics Committee
05/04/2011 Reported from S Rules, Joint Rules, Resolutions and Ethics Committee to Floor (S1331)
05/12/2011 S Third Read and Passed (S1895 / H2457)
05/12/2011 Truly Agreed To and Finally Passed (H2457)

EFFECTIVE: upon approval

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*** HCR 39 *** HCS HCR 39 1635L.02C

SENATE SPONSOR: Lembke HOUSE HANDLER: Leara

HCS/HCR 39 - The resolution urges the U.S. Department of the Interior to incorporate Grant's Farm in St. Louis County as a unit of the National Park Service by joining it with the Ulysses S. Grant National Historic Site.
ERIKA JAQUES

02/24/2011 Offered (H) (H443)
03/03/2011 Referred: Tourism and Natural Resources (H519)
03/17/2011 Public Hearing Completed (H)
03/17/2011 Executive Session Completed (H)
03/17/2011 HCS Voted Do Pass (H)
03/17/2011 HCS Reported Do Pass (H) (H697)
03/17/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H697)
04/04/2011 Rules - Executive Session Completed (H)
04/04/2011 Rules - Voted Do Pass (H)
04/04/2011 Rules - Reported Do Pass (H) (H838)
04/06/2011 Adopted (H) (H913)
04/06/2011 Reported to The Senate (S635-636)
04/11/2011 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S682)
05/03/2011 Hearing Scheduled But Not Heard S Rules, Joint Rules, Resolutions and Ethics Committee
05/10/2011 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee
05/10/2011 Voted Do Pass S Rules, Joint Rules, Resolutions and Ethics Committee
05/10/2011 Reported from S Rules, Joint Rules, Resolutions and Ethics Committee to Floor (S1682)
05/11/2011 S adopted (S1868 / H2433)

EFFECTIVE: upon approval

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*** HCR 42 *** 1644L.01I

SENATE SPONSOR: Lembke HOUSE HANDLER: Funderburk

HCR 42 - This resolution urges Congress to: adopt legislation that would prohibit the U.S. Environmental Protection Agency from regulating greenhouse gas emissions; impose a minimum 2-year moratorium on new federal air quality regulations; and require the Obama Administration to conduct a study of the effect of proposed new federal air quality regulations on the U.S. economy.

This resolution is similar to SCR 13 (2011).
ERIKA JAQUES

03/02/2011 Offered (H) (H495)
03/03/2011 Referred: General Laws (H) (H519)
03/15/2011 Public Hearing Completed (H)
03/15/2011 Executive Session Completed (H)
03/15/2011 Voted Do Pass (H)
04/06/2011 Reported Do Pass (H) (H1149)
04/06/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H1149)
04/11/2011 Rules - Executive Session Completed (H)
04/11/2011 Rules - Voted Do Pass (H)
04/11/2011 Rules - Reported Do Pass (H) (H1205)
04/19/2011 H adopted (H1312)
04/19/2011 Reported to the Senate (S770-771)
04/20/2011 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S784)

05/03/2011 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee
05/03/2011 Voted Do Pass S Rules, Joint Rules, Resolutions and Ethics Committee
05/04/2011 Reported from S Rules, Joint Rules, Resolutions and Ethics Committee to Floor (S1331)
05/11/2011 S adopted (S1867 / H2433)

EFFECTIVE: upon approval

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*** HCR 46 *** 1366L.01I

HOUSE HANDLER: Nolte

HCR 46 - This concurrent resolution recognizes Kansas City as the host of FUTRALLIA KC 2011 and urges the Department of Economic Development to take advantage of this opportunity to showcase Missouri as an ideal location for foreign trade and international business.
JASON ZAMKUS

03/10/2011 Offered (H) (H580)
03/31/2011 Referred: International Trade & Job Creation (H) (H809)
04/06/2011 Public Hearing Completed (H)
04/13/2011 Executive Session Completed (H)
04/13/2011 Voted Do Pass (H)
04/14/2011 Reported Do Pass (H) (H1294)
04/14/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H1294)
04/20/2011 Rules - Executive Session Completed (H)
04/20/2011 Rules - Voted Do Pass (H)
04/20/2011 Rules - Reported Do Pass (H) (H1417)
04/27/2011 Adopted (H) (H1628)
04/27/2011 Reported to The Senate (S1134-1135)
04/28/2011 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S1208)

EFFECTIVE: upon approval

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*** HJR 2 *** 0293L.01T

SENATE SPONSOR: Goodman HOUSE HANDLER: McGhee

HJR 2 - Upon voter approval, this constitutional amendment reaffirms a citizen's right to pray. 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 or disrupt a public meeting or assembly. Prayer on government property is particularly allowed, so long as the 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 SJR 16 (2011), SJR 31 (2010), SCS/SJR 12 (2009), SS/HJR 11 (2009), HJR 55 (2008), and HJR 19 (2007).
EMILY KALMER

12/22/2010 Prefiled (H)
01/05/2011 Read First Time (H) (H19)
01/06/2011 Read Second Time (H) (H71)
01/20/2011 Referred: Children and Families (H) (H198)

01/26/2011 Public Hearing Completed (H)
02/16/2011 Executive Session Completed (H)
02/16/2011 Voted Do Pass (H)
02/21/2011 Reported Do Pass (H) (H403)
02/21/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H403)
02/28/2011 Rules - Executive Session Completed (H)
02/28/2011 Rules - Voted Do Pass (H)
02/28/2011 Rules - Reported Do Pass (H) (H473)
03/08/2011 Perfected (H) (H546)
03/08/2011 Referred: Fiscal Review (H) (H553)
03/09/2011 Executive Session Completed (H)
03/09/2011 Voted Do Pass (H)
03/09/2011 Reported Do Pass (H) (H568)
03/10/2011 Third Read and Passed (H) (H586-587)
03/10/2011 S First Read--HJR 2-McGhee, et al (S436-437)
03/17/2011 Second Read and Referred S General Laws Committee (S496)
04/19/2011 Hearing Conducted S General Laws Committee
04/19/2011 Voted Do Pass S General Laws Committee
04/21/2011 Reported from S General Laws Committee to Floor (S813)
04/26/2011 Referred S Ways & Means & Fiscal Oversight Committee (S1093)
04/28/2011 Hearing Conducted S Ways and Means and Fiscal Oversight Committee
04/28/2011 Voted Do Pass S Ways & Means & Fiscal Oversight Committee
04/28/2011 Reported from S Ways & Means & Fiscal Oversight Committee to Floor (S1198)
04/28/2011 Bill Placed on Informal Calendar (S1200)
05/10/2011 S Third Read and Passed (S1639)
05/10/2011 Truly Agreed To and Finally Passed (H2201)

EFFECTIVE: upon voter approval

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*** HJR 3 *** HCS HJR 3 0141L.02P

SENATE SPONSOR: Brown HOUSE HANDLER: Loehner

HCS/HJR 3 - If approved by the voters, this proposed constitutional amendment proclaims that agriculture is the foundation and stabilizing force of Missouri's economy and further declares the right of the state's citizens to raise livestock in a humane manner without undue economic burdens imposed by the state. Laws that criminalize the welfare of livestock shall only be valid if they are based on generally accepted scientific principles and are enacted by the General Assembly.

This resolution is similar to HJR 86 (2010).
ERIKA JAQUES

01/05/2011 Introduced and Read First Time (H) (H19)
01/06/2011 Read Second Time (H) (H71)
01/20/2011 Referred: Agri-Business (H) (H198)
02/01/2011 Public Hearing Completed (H)
02/02/2011 Executive Session Completed (H)
02/02/2011 HCS Voted Do Pass (H)
02/24/2011 HCS Reported Do Pass (H) (H453)
02/24/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H453)
03/28/2011 Rules - Executive Session Completed (H)
03/28/2011 Rules - Voted Do Pass (H)
03/28/2011 Rules - Reported Do Pass (H) (H723)
04/04/2011 HCS Adopted (H) (H837)
04/04/2011 Perfected (H) (H837)
04/05/2011 Referred: Fiscal Review (H) (H906)
04/06/2011 Executive Session Completed (H)
04/06/2011 Voted Do Pass (H)
04/06/2011 Reported Do Pass (H) (H916)
04/11/2011 Third read and passed (H) (H1184-1185)
04/11/2011 S First Read--HCS for HJR 3 (S681)
04/14/2011 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S737)
04/20/2011 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee

04/28/2011 Voted Do Pass S Agriculture, Food Production and Outdoor Resources Committee
05/05/2011 Reported from S Agriculture, Food Production and Outdoor Resources Committee to Floor (S1346)
05/09/2011 Referred S Ways & Means & Fiscal Oversight Committee (S1524)
05/11/2011 Hearing Conducted S Ways and Means and Fiscal Oversight Committee
05/11/2011 Voted Do Pass S Ways & Means & Fiscal Oversight Committee
05/11/2011 Reported from S Ways & Means & Fiscal Oversight Committee to Floor (S1779)
05/11/2011 Bill Placed on Informal Calendar (S1804)
05/13/2011 S Informal Calendar H Bills for Third Reading--HCS for HJR 3 (Brown)

EFFECTIVE: upon voter approval

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*** HJR 5 *** HCS HJR 5 0597L.03P

SENATE SPONSOR: Munzlinger HOUSE HANDLER: Pollock

HCS/HJR 5 - Under this proposed constitutional amendment, if approved by the voters, the citizens of Missouri have the right to hunt, fish, trap, and harvest wildlife. Laws and regulations in this area shall have the purpose of conserving and managing wildlife and preserving the future of hunting and fishing by traditionally approved devices and methods. Hunting and fishing are preferred methods of wildlife population control.

This resolution is similar to SJR 11 (2011).
ERIKA JAQUES

01/12/2011 Introduced and Read First Time (H) (H142)
01/13/2011 Read Second Time (H) (H148)
01/27/2011 Referred: Rural Community Development (H) (H245)
02/08/2011 Public Hearing Scheduled, Bill not Heard (H)
02/15/2011 Public Hearing Completed (H)
02/22/2011 Executive Session Completed (H)
02/22/2011 HCS Voted Do Pass (H)
02/22/2011 HCS Reported Do Pass (H) (H418)
02/22/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H418)
02/28/2011 Rules - Executive Session Completed (H)
02/28/2011 Rules - Voted Do Pass (H)
02/28/2011 Rules - Reported Do Pass (H) (H473)
04/12/2011 HCS Adopted (H) (H1218)
04/12/2011 Perfected with Amendments (H) (H1218)
04/13/2011 Referred: Fiscal Review (H) (H1264)
04/14/2011 Executive Session Completed (H)
04/14/2011 Voted Do Pass (H)
04/14/2011 Reported Do Pass (H) (H1274)
04/19/2011 Third read and passed (H) (H1314-1315)
04/19/2011 S First Read--HCS for HJR 5 (S771)
04/21/2011 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S814)

EFFECTIVE: upon voter approval

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*** HJR 6 *** 0366L.01P

SENATE SPONSOR: Cunningham HOUSE HANDLER: Cierpiot

HJR 6 - This constitutional amendment, if approved by the voters, would ensure the right of individuals to vote by secret ballot when local, state, or federal law requires public elections for public office or on initiatives or referenda, or where local, state or federal law requires designations or authorizations of employee representation.

This resolution is similar to HJR 37 (2009), HJR 51 (2010), and SJR 40 (2010).
CHRIS HOGERTY

01/13/2011 Introduced and Read First Time (H) (H155)
01/18/2011 Read Second Time (H) (H163)
01/20/2011 Referred: Workforce Development & Workplace Safety (H) (H198)
02/14/2011 Public Hearing Completed (H)

02/21/2011 Executive Session Completed (H)
02/21/2011 Voted Do Pass (H)
02/21/2011 Reported Do Pass (H) (H406)
02/21/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H406)
02/28/2011 Rules - Executive Session Completed (H)
02/28/2011 Rules - Voted Do Pass (H)
02/28/2011 Rules - Reported Do Pass (H) (H473)
03/14/2011 Perfected (H) (H605)
03/15/2011 Referred: Fiscal Review (H) (H634)
03/16/2011 Executive Session Completed (H)
03/16/2011 Voted Do Pass (H)
03/16/2011 Reported Do Pass (H) (H670)
03/17/2011 Third read and passed (H) (H680-681)
03/17/2011 S First Read--HJR 6-Cierpiot, et al (S495)
03/31/2011 Second Read and Referred S General Laws Committee (S546)
04/19/2011 Hearing Conducted S General Laws Committee
04/19/2011 Voted Do Pass S General Laws Committee
04/27/2011 Reported from S General Laws Committee to Floor (S1152)
04/27/2011 Referred S Ways & Means & Fiscal Oversight Committee (S1192)
05/02/2011 Hearing Conducted S Ways and Means and Fiscal Oversight Committee
05/02/2011 Voted Do Pass S Ways & Means & Fiscal Oversight Committee
05/02/2011 Reported from S Ways & Means & Fiscal Oversight Committee to Floor (S1226)
05/03/2011 Bill Placed on Informal Calendar (S1249)
05/13/2011 S Informal Calendar H Bills for Third Reading--HJR 6-Cierpiot, et al (Cunningham)

EFFECTIVE: upon voter approval

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*** HJR 16 *** SCS HCS HJR 16 1066S.03C

SENATE SPONSOR: Nieves HOUSE HANDLER: Dugger

SCS/HCS/HJR 16 - Upon voter approval, this constitutional amendment requires initiative petitions proposing amendments to the constitution to be signed by 5 1/4% of the legal voters in each congressional district instead of by 8% of the legal voters in each of 2/3 of the congressional districts and initiative petitions proposing statutory changes to be signed by 3 1/4 % of those voters instead of 5%. Referenda shall be signed by 3 1/4% of the legal voters in each congressional district instead of by 5% of the legal voters in each of 2/3 of the congressional districts.

This resolution is similar to SJR 13 (2011).
CHRIS HOGERTY

01/31/2011 Introduced and Read First Time (H) (H264)
02/01/2011 Read Second Time (H) (H273)
02/10/2011 Referred: Elections (H) (H342)
02/22/2011 Public Hearing Completed (H)
03/01/2011 Executive Session Completed (H)
03/01/2011 HCS Voted Do Pass (H)
04/14/2011 HCS Reported Do Pass (H) (H1293)
04/14/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H1293)
04/20/2011 Rules - Executive Session Completed (H)
04/20/2011 Rules - Voted Do Pass (H)
04/20/2011 Rules - Reported Do Pass (H) (H1417)
04/26/2011 HCS Adopted (H) (H1615)
04/26/2011 Perfected (H) (H1615)
04/27/2011 Referred: Fiscal Review (H) (H1649)
04/28/2011 Executive Session Completed (H)
04/28/2011 Voted Do Pass (H)
04/28/2011 Reported Do Pass (H) (H1665)
04/28/2011 Third Read and Passed (H) (H1677)
05/02/2011 S First Read--HCS for HJR 16 (S1225)
05/05/2011 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S1346)
05/09/2011 SCS Voted Do Pass S Financial and Governmental Organizations and Elections Committee (1066S.03C)

05/12/2011 Reported from S Financial and Governmental Organizations and Elections Committee to Floor w/SCS (S1930)
05/12/2011 Referred S Ways & Means & Fiscal Oversight Committee (S1935)
05/13/2011 Hearing Conducted S Ways and Means and Fiscal Oversight Committee
05/13/2011 Voted Do Pass S Ways & Means & Fiscal Oversight Committee
05/13/2011 Reported from S Ways & Means & Fiscal Oversight Committee to Floor
05/13/2011 SA 1 to SCS S offered (Justus)--(1066S03.01S)
05/13/2011 Bill Placed on Informal Calendar
05/13/2011 S Inf Calendar H Bills for Third Reading--HCS for HJR 16, with SCS (Nieves)--HCS for HJR 16, with SCS & SA 1 (pending) (Nieves)

EFFECTIVE: upon voter approval

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*** HJR 27 *** 1511L.01P

HOUSE HANDLER: Brattin

HJR 27 - Upon voter approval, the section of the Missouri Constitution dealing with the right to bear arms will be amended to protect rights to possess, purchase, reload, or manufacture ammunition and manufacture parts essential to the proper functioning of arms.
MEGHAN LUECKE

02/22/2011 Introduced and Read First Time (H) (H418)
02/23/2011 Read Second Time (H) (H427)
02/24/2011 Referred: General Laws (H) (H450)
03/29/2011 Public Hearing Completed (H)
04/12/2011 Executive Session Completed (H)
04/12/2011 Voted Do Pass (H)
04/13/2011 Reported Do Pass (H) (H1265)
04/13/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H1265)
04/20/2011 Rules - Executive Session Completed (H)
04/20/2011 Rules - Voted Do Pass (H)
04/20/2011 Rules - Reported Do Pass (H) (H1417)
04/26/2011 Perfected (H) (H1615)
04/27/2011 Referred: Fiscal Review (H) (H1649)
04/28/2011 Executive Session Completed (H)
04/28/2011 Voted Do Pass (H)
04/28/2011 Reported Do Pass (H) (H1665)
04/28/2011 Third Read and Passed (H) (H1680)
05/02/2011 S First Read--HJR 27-Brattin, et al (S1225-1226)
05/05/2011 Second Read and Referred S General Laws Committee (S1347)

EFFECTIVE: upon voter approval

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*** HJR 29 *** 1569L.01P

SENATE SPONSOR: Munzlinger HOUSE HANDLER: Solon

HJR 29 - This constitutional amendment, if approved by voters, would require the state lottery commission to develop and begin selling a veterans lottery ticket by July 1, 2013. The net proceeds received from the sale of such tickets will be deposited in the Veterans' Commission Capital Improvements Trust Fund.

This resolution is similar to SJR 18 (2011).
JASON ZAMKUS

02/22/2011 Introduced and Read First Time (H) (H419)
02/23/2011 Read Second Time (H) (H427)
02/24/2011 Referred: Veterans (H) (H450)
03/01/2011 Public Hearing Completed (H)
03/01/2011 Executive Session Completed (H)
03/01/2011 Voted Do Pass (H)
03/01/2011 Reported Do Pass (H) (H487)
03/01/2011 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H487)
03/09/2011 Rules - Reported Do Pass (H) (H572)
03/15/2011 Taken Up for Perfection (H) (H616)
03/15/2011 Laid Over (H) (H616)

03/15/2011 Taken Up for Perfection (H) (H618)
03/15/2011 Perfected with Amendments (H) (H618)
03/16/2011 Referred: Fiscal Review (H)
03/16/2011 Executive Session Completed (H)
03/16/2011 Voted Do Pass (H)
03/16/2011 Reported Do Pass (H) (H670)
03/17/2011 Third read and passed (H) (H681-682)
03/17/2011 S First Read--HJR 29-Solon, et al (S495)
03/31/2011 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S546)
04/07/2011 Hearing Conducted S Ways and Means and Fiscal Oversight Committee
04/07/2011 Voted Do Pass S Ways and Means and Fiscal Oversight Committee
04/27/2011 Reported from S Ways and Means and Fiscal Oversight Committee to Floor (S1150)
04/27/2011 Referred S Ways & Means & Fiscal Oversight Committee (S1192)
05/02/2011 Hearing Conducted S Ways and Means and Fiscal Oversight Committee
05/02/2011 Voted Do Pass S Ways & Means & Fiscal Oversight Committee
05/02/2011 Reported from S Ways & Means & Fiscal Oversight Committee to Floor (S1226)
05/02/2011 SA 1 S offered (Crowell)--(1569L01.03S) (S1228)
05/02/2011 Bill Placed on Informal Calendar (S1228)
05/13/2011 S Informal Calendar H Bills for Third Reading--HJR 29-Solon, et al, with SA 1 (pending) (Munzlinger)

EFFECTIVE: upon voter approval

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