

96th General Assembly

Second Regular Session

MISSOURI SENATE



WEEKLY BILL STATUS REPORT

**March 12 - April 13, 2012**

Prepared by  
Divisions of Research and Computer Information Systems

\*\*\* SB 434 \*\*\*

4373S.011

SENATE SPONSOR: Callahan

SB 434 – This act modifies provisions relating to changes in school district boundary lines.

**ADJUSTMENT AND APPORTIONMENT OF SCHOOL PROPERTY:** Current law requires the school boards of school districts for which a boundary line change occurs to make a just and proper adjustment and apportionment of all school property. When an election is to occur to decide whether to change school district boundary lines under section 162.431, this act requires the affected school districts to make a preliminary adjustment and apportionment of the districts' property at least sixty days prior to the election. If the districts cannot agree on a preliminary adjustment and apportionment, the State Board of Education must appoint a three person board of arbitration to determine the preliminary apportionment and adjustment. If the boundary line change occurs and the districts cannot agree when making the apportionment and adjustment and a board of arbitration is appointed, the board must follow the preliminary apportionment and adjustment unless new and significant circumstances exist. In such a situation, the Board of Arbitration must state in writing why it is deviating from the preliminary adjustment and apportionment. (Sections 162.041 and 162.431)

**SCHOOL DISTRICT BOUNDARY LINE CHANGES:** This act modifies the effective date of a boundary line change. Instead of the change being effective from the date of the election, the change would be effective at the beginning date of the next school year.

When one district votes in favor of the boundary line change and one district votes against the change and a board of arbitration is appointed by the State Board of Education to determine whether to make the change, the board of arbitration must base its decision on the current accreditation status of each affected district. The Board of Arbitration would determine the boundary line change in a manner that moves students out of unaccredited and provisionally accredited districts and into accredited districts. If each district is accredited, the Board of Arbitration must use the existing factors in the statute to make its decision.

After a boundary line change occurs, for the next three school years, the receiving district may, but will not be required to, include the statewide assessment scores for any students it receives in the district's scores.

If a boundary line change results in a charter school being located in a district other than Kansas City or St. Louis, the local school district and charter school's governing board may enter into an agreement to incorporate the charter school into the district and operate it as a regular school building of the district. If such an agreement occurs, the district must make arrangements for the charter school's students to continue attending school at that building until they graduate. The Department of Elementary and Secondary Education may grant a waiver for such a school to continue operating like a charter school while functioning as part of the district. (Section 162.431)

**WEIGHTED AVERAGE DAILY ATTENDANCE FOR DISTRICTS AFFECTED BY A BOUNDARY LINE CHANGE:** When a school district gains enrollment because of a boundary line change, during the two school years following the change, its weighted average daily attendance figure will be adjusted so that it receives twice the weighted average daily attendance for any students it received as a result of the boundary line change.

When a school district loses student enrollment because of a boundary line change, during the school year following the line change, it may only submit an estimate of the weighted average daily attendance for the current year. During the second year following the line change, it may submit an estimate of the weighted average daily attendance for the current year or the weighted average daily attendance for the immediately preceding year, whichever is greater. During the third year following the line change, it may submit an estimate of the weighted average daily attendance for the current year or the weighted average daily attendance for the immediately preceding year, or the weighted average daily attendance for the second preceding school year, whichever is greater. (Section 162.431)

**SCHOOL DISTRICT TRUST FUND (PROP C FUNDS):** When a change in school district boundary lines occurs under section 162.431, the Department of Elementary and Secondary Education must modify the school district trust fund payments to the affected school districts during the first academic year in which the boundaries are changed to reflect the current weighted average daily attendance count. In subsequent years, districts' payments will be determined by the first preceding weighted average daily attendance count. (Section 163.087)

MICHAEL RUFF

12/01/2011 Prefiled  
 01/04/2012 S First Read--SB 434-Callahan and Pearce (S34)  
 01/05/2012 Second Read and Referred S General Laws Committee (S59)  
 01/31/2012 Hearing Conducted S General Laws Committee

EFFECTIVE: August 28, 2012

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\*\*\* SB 435 \*\*\*

4228S.011

SENATE SPONSOR: Crowell

This bill has been combined with SB 553

12/01/2011 Prefiled  
 01/04/2012 S First Read--SB 435-Crowell (S34)  
 01/05/2012 Second Read and Referred S Small Business, Insurance and Industry Committee (S59)  
 01/17/2012 Hearing Conducted S Small Business, Insurance and Industry Committee  
 01/24/2012 Bill Combined (w/SCS/SBs 553 & 435)

EFFECTIVE: Upon voter approval

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\*\*\* SB 436 \*\*\*

4232S.011

SENATE SPONSOR: Crowell

SB 436 - 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 2014 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, 2013. 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, 2013. 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 any 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 SB 954 (2010) and SB 139 (2011).

EMILY KALMER

12/01/2011 Prefiled  
 01/04/2012 S First Read--SB 436-Crowell (S34)  
 01/05/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S59)  
 02/23/2012 Hearing Conducted S Ways and Means and Fiscal Oversight Committee

EFFECTIVE: August 28, 2012

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\*\*\* SB 437 \*\*\*

4294S.011

SENATE SPONSOR: Crowell

SB 437 - This act mandates that the Governor and Lieutenant Governor candidates shall be elected jointly. A candidate for Governor shall pick the candidate for Lieutenant Governor and both candidates shall be considered as one candidate for both the primary election and the general election. If a candidate for Governor is disqualified for any reason after the primary election, then current law provisions for the selection

of a new gubernatorial candidate shall apply and the disqualified candidate's selection of a Lieutenant Governor shall not be listed as the party's candidate for Governor unless chosen through the current law processes for replacing a disqualified gubernatorial candidate.

The passage of this act is contingent upon voter approval of a senate joint resolution amending the Missouri Constitution to require the joint election of the Governor and Lieutenant Governor.

This act is similar to SB 1114 (2002).

JIM ERTLE

12/01/2011 Prefiled  
 01/04/2012 S First Read--SB 437-Crowell (S34)  
 01/05/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S59)  
 01/23/2012 Hearing Conducted S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: Contingent

\*\*\* SB 438 \*\*\*

4296S.011

SENATE SPONSOR: Mayer

SB 438 - 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), SB 888 (2010), SB 1 (2011), and SB 109 (2011).

CHRIS HOGERTY

12/01/2011 Prefiled  
 01/04/2012 S First Read--SB 438-Mayer (S34)  
 01/05/2012 Second Read and Referred S General Laws Committee (S59)  
 01/17/2012 Hearing Conducted S General Laws Committee  
 01/24/2012 Voted Do Pass S General Laws Committee  
 01/26/2012 Reported from S General Laws Committee to Floor (S160)  
 01/31/2012 Bill Placed on Informal Calendar (S172)  
 04/16/2012 S Informal Calendar S Bills for Perfection--SB 438-Mayer

EFFECTIVE: Upon voter approval

\*\*\* SB 439 \*\*\*

SCS SB 439

4295S.03C

SENATE SPONSOR: Mayer

SCS/SB 439 - This act modifies various provisions relating to the prevailing wage.

Prevailing wage laws shall not apply in any county that receives federal disaster assistance under a federal disaster declaration for projects undertaken as a result of the disaster.

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.

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.

Under current law, prevailing wage in a locality is determined by the Department of Labor to be the hourly rate for a particular occupational title by means of wage surveys. This bill repeals this provision and establishes that the prevailing wage for a locality 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 if the former cannot be determined.

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.

This act is similar to SB 175 (2011), SB 176 (2011), SB 468 (2012), and SB 596 (2012).

CHRIS HOGERTY

12/01/2011 Prefiled  
 01/04/2012 S First Read--SB 439-Mayer (S34)  
 01/05/2012 Second Read and Referred S Small Business, Insurance and Industry Committee (S59)  
 01/17/2012 Hearing Conducted S Small Business, Insurance and Industry Committee  
 01/24/2012 SCS Voted Do Pass S Small Business, Insurance and Industry Committee - (4295S.03C)  
 01/26/2012 Reported from S Small Business, Insurance and Industry Committee to Floor w/SCS (S159)  
 01/31/2012 Bill Placed on Informal Calendar (S172)  
 03/06/2012 Taken up for Perfection (S403)  
 03/06/2012 Bill Placed on Informal Calendar (S403)  
 03/28/2012 SA 1 to SCS S offered (Green)--(4295S03.08S) (S532-533)  
 03/28/2012 Bill Placed on Informal Calendar (S533)  
 03/28/2012 Taken up for Perfection (S541)  
 03/28/2012 Bill Placed on Informal Calendar (S541)  
 04/16/2012 S Informal Calendar S Bills for Perfection--SB 439-Mayer, with SCS & SA 1 (pending)

EFFECTIVE: August 28, 2012

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\*\*\* SB 440 \*\*\*

4161S.011

SENATE SPONSOR: Engler

SB 440 - 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 (Section 383.016).

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 (Section 383.015).

**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 (Section 383.035.5). Assessable associations licensed under Chapter 383 as of February 9, 2012, may renew their licenses with lower surplus requirements over a three year period (\$200,000 surplus after 2012, \$400,000 surplus after 2013, and \$600,000 surplus after 2014). 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, 2012, may renew their licenses with higher ratios over a three year period (4 to 1 after 2012, 3.5 to 1 after 2013, and 3 to 1 after 2014)(Section 383.035.6).

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, 2012, 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).

The provisions of this act are virtually identical to those contained in SB 302 (2011).

STEPHEN WITTE

12/01/2011 Prefiled

01/04/2012 S First Read--SB 440-Engler (S34)

01/05/2012 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S59)

02/28/2012 Hearing Recessed S Health, Mental Health, Seniors and Families Committee

03/06/2012 Hearing Conducted S Health, Mental Health, Seniors and Families Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 441 \*\*\*

4435S.011

SENATE SPONSOR: Engler

This bill has been combined with SB 767

12/01/2011 Prefiled

01/04/2012 S First Read--SB 441-Engler (S34)

01/05/2012 Second Read and Referred S Transportation Committee (S59)

01/18/2012 Hearing Conducted S Transportation Committee

03/07/2012 Bill Combined (w/SCS SBs 767, 653, 754, 705, 441, 528, 831, 833 & 847) S Transportation Committee - (5761S.04C)

EFFECTIVE: August 28, 2012

\*\*\* SB 442 \*\*\*

SCS SB 442

4292S.02C

SENATE SPONSOR: Stouffer

SCS/SB 442 - 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 election authority shall provide advance notice of the identification requirements to be included in the election authorities elections notices.

The state shall provide at least one form of identification required to vote at no cost to the voter.

The act requires that provisional ballots be available for all elections except for absentee voting.

This act is contingent on the passage of a constitutional amendment establishing voter photo identification for elections.

This act is similar to SB 1014 (2006), SB 523 (2009), HB 1966 (2010), and SB 3 (2011).

CHRIS HOGERTY

12/01/2011 Prefiled  
 01/04/2012 S First Read--SB 442-Stouffer (S35)  
 01/05/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S59)  
 01/17/2012 Hearing Conducted S Financial and Governmental Organizations and Elections Committee  
 01/23/2012 SCS Voted Do Pass S Financial and Governmental Organizations and Elections Committee - (4292S.02C)  
 02/02/2012 Reported from S Financial and Governmental Organizations and Elections Committee to Floor w/SCS (S191)  
 02/08/2012 Bill Placed on Informal Calendar (S225)  
 04/16/2012 S Informal Calendar S Bills for Perfection--SB 442-Stouffer, with SCS

EFFECTIVE: Contingent

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\*\*\* SB 443 \*\*\* HCS SS SCS SB 443

4277H.05C

SENATE SPONSOR: Stouffer

HOUSE HANDLER: Denison

HCS/SS/SCS/SB 443 - This act modifies various provisions relating to the regulation of motor vehicles.

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 the truly agreed to version of HB 430 (2011) and 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 the truly agreed to version of HB 430 (2011) and 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 maintain 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 the truly agreed to version of HB 430 (2011), HCS/HB 818 (2011) and HB 820 (2011) (Section 302.768).

The CDL medical certification compliance sections (Section 302.200 and 302.768) shall become effective on the date the director begins accepting commercial driver license medical certifications or on May 1, 2013, whichever occurs first.

STEPHEN WITTE

12/01/2011 Prefiled  
 01/04/2012 S First Read--SB 443-Stouffer (S35)  
 01/05/2012 Second Read and Referred S Transportation Committee (S60)  
 01/11/2012 Hearing Conducted S Transportation Committee  
 01/11/2012 SCS Voted Do Pass S Transportation Committee (4277S.03C)  
 01/12/2012 Reported from S Transportation Committee to Floor w/SCS (S87)  
 01/19/2012 SS for SCS S offered (Stouffer)--(4277S.04F) (S119-120)  
 01/19/2012 SA 1 to SS for SCS S offered & adopted (Stouffer)--(4277S04.01S) (S120)  
 01/19/2012 SA 2 to SS for SCS S offered & defeated (Schaaf)--(4277S04.02S) (S120)  
 01/19/2012 SS for SCS, as amended, S adopted (S120)  
 01/19/2012 Perfected (S120)  
 01/23/2012 Reported Truly Perfected S Rules Committee (S127)  
 01/23/2012 Referred S Ways & Means and Fiscal Oversight Committee (S127)  
 01/26/2012 Hearing Conducted S Ways and Means and Fiscal Oversight Committee  
 01/26/2012 Voted Do Pass S Ways & Means and Fiscal Oversight Committee  
 01/26/2012 Reported from S Ways & Means and Fiscal Oversight Committee to Floor (S157)  
 01/26/2012 S Third Read and Passed (S157-158)  
 01/26/2012 H First Read (H177)  
 01/30/2012 H Second Read (H185)  
 01/31/2012 Referred H Transportation Committee (H194)  
 02/07/2012 Hearing Conducted H Transportation Committee  
 02/07/2012 HCS Voted Do Pass H Transportation Committee  
 02/07/2012 HCS Reported Do Pass H Transportation Committee (H251)  
 02/07/2012 Referred to Rules Committee pursuant to Rule 25(32)(f) (H251)

EFFECTIVE: Varies

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\*\*\* SB 444 \*\*\*

4314S.011

SENATE SPONSOR: Stouffer

SB 444 - This act modifies the law with respect to how the department of transportation handles legal actions.

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 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).

STEPHEN WITTE

12/01/2011 Prefiled

01/04/2012 S First Read--SB 444-Stouffer (S35)

01/05/2012 Second Read and Referred S Transportation Committee (S60)

01/25/2012 Hearing Conducted S Transportation Committee

02/01/2012 Voted Do Pass S Transportation Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 445 \*\*\*

4526S.011

SENATE SPONSOR: Goodman

SB 445 - This act creates the "Joint Committee on the Missouri Criminal Code". The committee is to be composed of senators, house members and representatives from the Attorney General's office, the state Public Defender System, victims of crime, the Governor's office and the Missouri Supreme Court.

The committee's charge is to report to the General Assembly by December 31, 2012, its recommendations for ways to harmonize, organize and revise the criminal laws.

MEGHAN LUECKE

12/01/2011 Prefiled

01/04/2012 S First Read--SB 445-Goodman (S35)

01/05/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S60)

EFFECTIVE: August 28, 2012

\*\*\* SB 446 \*\*\*

4421S.011

SENATE SPONSOR: Goodman

SB 446 - This act adds drug courts to the list of purposes the county commission may fund with money from the county law enforcement restitution fund.

MEGHAN LUECKE

12/01/2011 Prefiled

01/04/2012 S First Read--SB 446-Goodman (S35)

01/05/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S60)

01/23/2012 Hearing Scheduled But Not Heard S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 447 \*\*\*

4527S.021

SENATE SPONSOR: Goodman

SB 447 - Under current law, both the crimes of stealing and receiving stolen property are Class A misdemeanors unless the stolen property is of a certain type. This act adds mail to the list of types of property that, when stolen, increase the classification of the crimes to Class C felonies.

This act also contains technical revisions to make the provisions of stealing and receiving stolen property more consistent.

MEGHAN LUECKE

12/01/2011 Prefiled  
 01/04/2012 S First Read--SB 447-Goodman (S35)  
 01/05/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S60)  
 01/23/2012 Hearing Scheduled But Not Heard S Judiciary and Civil and Criminal Jurisprudence Committee  
 01/30/2012 Hearing Scheduled But Not Heard S Judiciary and Civil and Criminal Jurisprudence Committee  
 02/06/2012 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 448 \*\*\*

SCS SB 448

4183S.03C

SENATE SPONSOR: Rupp

SCS/SB 448 - 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 for the abuse or neglect of a child against such child care provider. There is an exemption for any child care provider maintained or operated under the exclusive control of a religious organization, as described in current law.

The department is also authorized to prohibit a licensure exempt child care provider from continuing to provide child care services if there are pending criminal charges 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

**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 act is substantially similar to HCS#2/HB 1323 (2012), HB 1145 (2012), and SB 339(2011).

ADRIANE CROUSE

12/01/2011 Prefiled  
 01/04/2012 S First Read--SB 448-Rupp (S35)  
 01/05/2012 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S60)  
 02/14/2012 Hearing Conducted S Health, Mental Health, Seniors and Families Committee  
 04/10/2012 SCS Voted Do Pass S Health, Mental Health, Seniors and Families Committee (4183S.03C)  
 04/12/2012 Reported from S Health, Mental Health, Seniors and Families Committee to Floor w/SCS

04/16/2012 S Formal Calendar S Bills for Perfection--SB 448-Rupp, with SCS

EFFECTIVE: August 28, 2012

\*\*\* SB 449 \*\*\*

4182S.011

SENATE SPONSOR: Rupp

SB 449 - This act requires on or before December 31, 2013, 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, 2019.

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, 2012, to build or renovate state-owned facilities shall not be implemented, entered into contract to construct, or put out for bid until the completion of the plan.

This act is identical to SB 56 (2011).

ADRIANE CROUSE

12/01/2011 Prefiled  
 01/04/2012 S First Read--SB 449-Rupp (S35)  
 01/05/2012 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S60)  
 01/19/2012 Hearing Conducted S Health, Mental Health, Seniors and Families Committee  
 01/24/2012 Voted Do Pass S Health, Mental Health, Seniors and Families Committee  
 03/08/2012 Reported from S Health, Mental Health, Seniors and Families Committee to Floor (S431)  
 03/21/2012 Taken up for Perfection (S478)  
 03/21/2012 Bill Placed on Informal Calendar (S478)  
 04/16/2012 S Informal Calendar S Bills for Perfection--SB 449-Rupp

EFFECTIVE: August 28, 2012

\*\*\* SB 450 \*\*\*

4266S.02T

SENATE SPONSOR: Rupp

HOUSE HANDLER: Schneider

SB 450 – Current law provides that school board members of urban school districts serve a term of six years whereas board members in a seven director school district serve a term of three years. This act provides that any school district in St. Charles County that becomes an urban school district because of the 2010 federal decennial census will retain terms of three years for its school board members. In addition, school board member elections will continue to be held at the general municipal election in April of each year.

This act contains an emergency clause.

MICHAEL RUFF

12/01/2011 Prefiled  
 01/04/2012 S First Read--SB 450-Rupp (S35)  
 01/05/2012 Second Read and Referred S Education Committee (S60)

01/11/2012 Hearing Conducted S Education Committee  
 01/18/2012 Voted Do Pass S Education Committee - Consent  
 02/02/2012 Reported from S Education Committee to Floor - Consent (S192)  
 02/02/2012 Removed S Consent Calendar (S196-197)  
 02/09/2012 Reported from S Education Committee to Floor (S234)  
 02/15/2012 Bill Placed on Informal Calendar (S267)  
 02/15/2012 Perfected (S268)  
 02/15/2012 Reported Truly Perfected S Rules Committee (S270)  
 02/16/2012 S Third Read and Passed - EC adopted (S282-283)  
 02/16/2012 H First Read w/EC (H352)  
 02/17/2012 H Second Read (H359)  
 03/08/2012 Referred H Elementary and Secondary Education Committee (H588)  
 03/21/2012 Hearing Conducted H Elementary and Secondary Education Committee  
 03/21/2012 Voted Do Pass H Elementary and Secondary Education Committee  
 03/22/2012 Reported Do Pass H Elementary and Secondary Education Committee (H689)  
 03/22/2012 Referred to Rules Committee pursuant to Rule 25(32)(f) (H689)  
 03/22/2012 Voted Do Pass H Rules Pursuant Committee  
 03/22/2012 Reported Do Pass H Rules Pursuant Committee (H692)  
 03/28/2012 H Third Read and Passed - EC adopted (H744-746)  
 03/28/2012 Truly Agreed To and Finally Passed (w/EC) (S534)  
 03/28/2012 Reported Duly Enrolled S Rules Committee (S535)  
 03/28/2012 Signed by Senate President (S535)  
 03/28/2012 Signed by House Speaker (H772)  
 03/28/2012 Delivered to Governor (w/EC) (S537)  
 04/02/2012 Signed by Governor (S584)

EFFECTIVE: Emergency clause

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\*\*\* SB 451 \*\*\*      SCS SB 451

4507S.05C

SENATE SPONSOR: Cunningham

SCS/SB 451 – This act modifies provisions relating to school operations.

**PASSPORT SCHOLARSHIP PROGRAM:** This act establishes the Passport Scholarship Program to grant scholarships to students residing in an unaccredited school district to attend a qualified nonpublic school.

To be eligible for a scholarship, a student must reside in an unaccredited district. A student will remain eligible until graduation from high school or age twenty-one, whichever occurs earlier. Students will remain eligible even if their district of residence changes because of a boundary line change, annexation, consolidation, reorganization, or dissolution.

Beginning in tax year 2012, a taxpayer may make a qualifying contribution to an approved or qualified educational assistance organization and claim a tax credit. The annual cumulative amount of tax credits is limited at \$40 million, which will be increased or decreased based on the consumer price index for the Midwest. The tax credit is for sixty percent of the amount of the contribution, is nonrefundable and may be carried forward for four years. The Director of the Department of Economic Development must establish a procedure to apportion the amount of tax credits amongst all educational assistance organizations. The Director may reapportion those tax credits to educational assistance organizations that have used all, or a certain percentage, of their tax credits.

An educational assistance organization that desires to participate or provide scholarships through the Passport Scholarship Program must meet certain requirements, including being a 501(c)(3) organization; providing a receipt to taxpayers for contributions; ensure that funds are used as specified in the act; distribute scholarship payments four times per year; provide the Department of Economic Development, upon request, with criminal background checks on all employees and board members; and demonstrate financial accountability and viability, as described in the act.

Each educational assistance organization must ensure that qualified schools: comply with all health and safety laws applicable to nonpublic schools; hold a valid occupancy permit if required; do not discriminate in admissions based on race, color, or national origin; and provide academic accountability to parents. An educational assistance organization must annually and publicly report to the Department information about the organization, information about the scholarship recipients, and the dollar amounts of scholarships

awarded.

A qualified school must comply with state laws applicable to public schools for criminal background checks for employees and exclude from employment anyone prohibited from working in a public school. A qualified must administer an assessment to the its scholarship students but has the option of administering one of three different types of assessment. A qualified school must also meet certain accountability measures, including fiscal soundness, accreditation, and surveys of parents and students.

A qualified school is prohibited from accepting a scholarship check that exceeds its standard tuition and fees. If the scholarship amount is insufficient to cover the cost of tuition, a qualified school may charge the parent or guardian the difference between the cost of tuition and the amount of the scholarship.

The Joint Committee on Education must conduct a study of the scholarship program. The Joint Committee may contract with an outside researcher if assistance is needed and funds are available. The study must begin within five years of commencement of the program and must cover a period of five years. (Sections 135.712-135.719)

**CHARTER SCHOOLS:** This act allows an accredited school district, combination or a cooperative of school districts to sponsor or operate a charter school in or for an unaccredited school district, which may enroll resident students of any school district classified as unaccredited. Such a charter school is prohibited from contracting with the unaccredited district, employing any of the unaccredited district's teachers, or contracting with any teacher union. If the district is no longer unaccredited, the charter school may continue to operate. Charter schools may enroll students from any unaccredited district. Charter schools may continue to operate if the district in which they are located is modified through a boundary line change, annexation, consolidation, dissolution, or action of the State Board of Education. They may continue to enroll students, as described in the act, and new charter schools may open and operate as well.

In addition, the school board of an unaccredited or provisionally accredited district may close district schools and lease the school building to the governing board of a charter school that it sponsors. The school board of an accredited district may close a district school it deems to need improvement and may lease the school building to the governing board of a charter school that it sponsors.

When a charter school is sponsored by the local school board under this provision of law, as described in the act, the State Board of Education will have the accountability and enforcement powers of a charter school sponsor under current law. (Section 160.402)

**LAPSE OF A SCHOOL DISTRICT:** This act removes the two-year waiting period that exists between the classification of a school district as unaccredited and the lapse of the district's corporate organization. Instead, when the State Board of Education classifies a district as unaccredited, it must review the governance of the district to establish the conditions under which the existing school board will continue to govern. The State Board must also determine the date on which the district will lapse and must determine an alternative governing structure for the district.

This act changes the timing and purpose of the hearing that the Department of Elementary and Secondary Education must conduct. When a district is classified as unaccredited, the hearing must be regarding the accreditation status of the district. Also, the hearing must provide an opportunity to convene community resources that may be useful or necessary to support the school district as it attempts to return to accredited status.

When it classifies a district as unaccredited, the State Board of Education may allow continued governance by the existing local board of education under specific terms and conditions. If the State Board appoints a special administrative board to oversee the district, it may determine the number of members and specify the board's duties. If the State Board determines an alternative governing structure, it must provide a rationale for its decision and review and recertify the alternative form of governance every three years. In addition, the State Board must create a public comment method, establish expectations for academic progress by creating a time line for full accreditation, and provide annual reports to the General Assembly and Governor on the district's progress, as described in the act.

A special administrative board appointed under this act will retain the authority granted to a school board under the laws of the state in effect at the time of the district's lapse.

The State Board cannot attach the territory of a lapsed district or establish more than one district within the territory of a lapsed district to school districts other than St. Louis or those located in St. Louis County.

This act repeals the requirement that provisionally accredited and unaccredited districts develop a plan to divide up the district if the district cannot regain accreditation within three years of the loss of accreditation. This act also repeals the limitation on the State Board attaching a district with more than 5,000 pupils to another district without approval by the receiving district's school board.

This act provides that the powers of the State Board of Education will be superseded by the annexation procedure established in Section 167.403. (Section 162.081)

**INTERSCHOLASTIC ATHLETICS AND ACTIVITIES:** No school district may become a member of or retain membership in a statewide activities association that prohibits or delays athletic or activities eligibility for any student who transfers from an unaccredited district to an accredited district, virtual school, charter school, or nonpublic school with a Passport Scholarship under state law. (Section 162.086)

**RECEIPT OF STATE SCHOOL AID:** As a condition of receiving state school aid, an unaccredited district must transfer any local effort moneys it receives from the county assessor and collector to the custody of the State Treasurer. The State Treasurer may collaborate with the State Board of Education and a clearinghouse, if one exists, to identify the tuition and transportation costs for students transferring out of the unaccredited district and the amount of moneys needed from the local effort moneys to pay the tuition and transportation. The State Board of Education will determine the extent to which the State Treasurer may disburse the funds, as described in the act.

In addition, a school district will not be eligible to receive state aid if it violates state school laws, except as described in the act. (Section 163.021)

**WEIGHTED AVERAGE DAILY ATTENDANCE:** If a school district is using the weighted average daily attendance for the preceding school year or second preceding school year, the Department of Elementary and Secondary Education must adjust it so that the district receives no aid for students who are receiving a Passport Scholarship. (Section 163.036)

**STUDENT TRANSFERS FROM AN UNACCREDITED 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 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. A student may continue to attend an accredited or provisionally accredited school district in the same or an adjoining county if the student's unaccredited district of residence is annexed or dissolved. A parent or guardian may choose to enroll his or her child in a provisionally accredited district provided that officials of the district or clearinghouse have informed the parent or guardian of the accreditation classification and given a written explanation of the definition of provisional accreditation. Any school that receives transfer students will not be required to include those student's scores on the statewide assessment in that district's scores for up to five years.

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. When the unaccredited district is either St. Louis or a district in St. Louis County, the tuition rate will be set at the amount used by any voluntary urban transfer program. The tuition amount will increase by the cost of living, as measured by the consumer price index. The tuition amount cannot exceed the lesser of the two districts' current expenditure per average daily attendance.

The residence district must also pay the cost of education in the receiving district for any student with an IEP accepted in the receiving district. The tuition payment will be facilitated and handled by the State Board of Education withholding the necessary amount of funds from the unaccredited district's state aid or the local effort moneys in the custody of the State Treasurer.

By June 30, 2012, 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 or program but if the receiving school is primarily virtual, parent permission will be required.

When a student from an unaccredited district has been accepted in an accredited district, he or she may complete the educational program through graduation, even if the district of residence regains accreditation.

The Department of Elementary and Secondary Education must develop a uniform document to be used by school districts to keep track of the number of students who seek admission. The parent of a student seeking admission must receive a copy. Each district must report the information from the document, as described in the act.

In addition, the students of an unaccredited district may be enrolled in the virtual school of a district or the state as an alternative to or in addition to other enrollment options. The school board of a receiving district may offer a virtual education program in an unaccredited district in which resident and nonresident pupils may enroll.

A homeless child, as described in the act, in an unaccredited district may transfer to an accredited district in the same or an adjoining county. A student who transfers will be considered a resident of the receiving school district for purposes of special education services. (Sections 167.131 and 167.133)

**PROCEDURES WHEN A DISTRICT BECOMES UNACCREDITED:** This section creates the Hinson Plan. If a school district, except for St. Louis or a district in St. Louis County, becomes unaccredited, surrounding accredited districts must divide up the territory of the district, annex it, and draw up new attendance boundaries. When an accredited district annexes a portion of an unaccredited district, it will not be considered a successor entity for the purposes of employment contracts, unemployment compensation, or any other purpose. In addition, the accredited district may have certain other powers and authorities, as described in the act. The executive directors of the Public School Retirement System of Kansas City and the Public School Retirement System of Missouri, and the Commissioner of Education, or his or her designee, to meet and study the effects of school district boundary line changes on retirement systems. They must prepare a report, with any recommendations for legislative action, with ninety days and submit it to the President Pro Tempore of the Senate, Speaker of the House of Representatives, the Joint Committee on Public Employee Retirement, and the Joint Committee on Education. (Section 167.403)

**CLEARINGHOUSE:** This act requires the Department of Elementary and Secondary Education to create a clearinghouse, or appoint a neutral third party to serve as a clearinghouse, to assist students in the St. Louis City School District or any other unaccredited district in St. Louis County, to transfer to an accredited district, charter school, virtual school, or nonpublic school using a Passport Scholarship.

A parent or guardian seeking to enroll his or her child in another school must send initial notification to the district of residence and the clearinghouse between January 3 and July 15 for enrollment. However, a parent or guardian may enroll a child in a school without using the clearinghouse and a school may enroll a child who has missed the deadlines for enrolling through the clearinghouse.

The clearinghouse must provide counselors to assist and advise parents and guardians on school options that are available and assist in preparation of applications. The expenses associated with the clearinghouse will be defrayed by the Department of Elementary and Secondary Education withholding funds, not to exceed five hundred dollars per pupil, from the unaccredited district's state school aid.

This program will continue until the district has been accredited for five consecutive years and has met all MSIP academic standards for five consecutive years.

The clearinghouse must identify a method by which parents and guardians can prioritize the schools in which they would like to enroll their child. The clearinghouse must identify the total number of students who seek to transfer as well as the number of transfer requests received by each individual school or district, as described

in the act.

If a student ceases participation in the St. Louis area voluntary urban transfer program and transfers under Section 167.133, and if the state contribution for tuition and transportation is less under the 167.133 transfer, the difference between the two amounts must be transferred to the general revenue fund. (Sections 167.406 & 167.409)

**VIRTUAL SCHOOLS:** A student may enroll in the virtual courses or programs of a school district, charter school, or MoVIP that meets the requirements for virtual courses established in Section 162.1250. The Department shall withhold the tuition amount, as described in the act, from the district of residence's state school aid, and shall seek local moneys, as described in the act. (Section 167.418)

**SCHOOL PRINCIPALS:** School principals will have the right to select teachers for their schools who have demonstrated effectiveness and qualifications. School districts with multiple schools must include provisions in teacher contracts for the placement of teachers rated highly effective or effective based on the mutual consent of the teacher and principal of the school. School districts may adopt options for teachers rated effective or higher who are displaced and not selected for a regular position. This act contains additional procedures for when a position is unavailable for a teacher.

**TEACHER TENURE:** Currently, the St. Louis City School District has a separate tenure system. This act ends this separate system and includes St. Louis in the statewide system. If a special administrative board is governing a school district, it may appoint a hearing officer to conduct a teacher termination hearing. In addition, a school board, upon an affirmative vote of a constitutional majority of its members, may appoint a hearing officer to conduct a teacher termination hearing.

This act modifies the procedures and criteria by which school boards may place teachers on leave. Instead of seniority or years of service being used as criteria for placing teachers on leave, the deciding criterion will be effective teacher performance based on documented student learning and growth. (Sections 168.104, 168.106, 168.116, 168.124, 168.221)

**EDUCATOR EVALUATIONS:** At least fifty-one percent of an educator's evaluation must be based on a student's academic growth. (Section 168.128)

**ADJUSTMENT OF FUNDS:** 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. (Section 177.088)

**SHARING OF SERVICES AND INCREASING EFFICIENCIES ACT:** Two or more school districts, charter schools, any public, private, or nonprofit entity, political subdivision, public institution of higher education, or private institution of higher education may cooperate and share resources to achieve efficiencies, become more cost-effective, reduce costs, and reduce and minimize duplicative operations, services, and purchasing.

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 agreement it may have entered into 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. (Section 177.250)

The provisions of this act are nonseverable. (Section 1)

This act contains an emergency clause that applies to the remainder of the sections, except for the teacher tenure provisions and sections 177.088 and 177.250. (Section B)

This act contains an effective date of July 1, 2012 for the teacher tenure provisions. (Section C).

This act contains provisions substantially similar to SB 706 (2012).

MICHAEL RUFF

12/01/2011 Prefiled

01/04/2012 S First Read--SB 451-Cunningham (S35)

01/05/2012 Second Read and Referred S General Laws Committee (S60)

01/31/2012 Hearing Conducted S General Laws Committee



02/14/2012 SCS Voted Do Pass S General Laws Committee (4507S.05C)  
 03/29/2012 Reported from S General Laws Committee to Floor w/SCS (S567)  
 04/04/2012 Bill Placed on Informal Calendar (S611)  
 04/16/2012 S Informal Calendar S Bills for Perfection--SB 451-Cunningham, with SCS

EFFECTIVE: August 28, 2012

\*\*\* SB 452 \*\*\*

4506S.011

SENATE SPONSOR: Cunningham

SB 452 – 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 than 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 district, 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.

This act is substantially similar to SS/SCS/SB 242 (2011).

MICHAEL RUFF

12/01/2011 Prefiled  
 01/04/2012 S First Read--SB 452-Cunningham (S35)  
 01/05/2012 Second Read and Referred S General Laws Committee (S60)  
 01/31/2012 Hearing Cancelled S General Laws Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 453 \*\*\*

4505S.011

SENATE SPONSOR: Cunningham

SB 453 - 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.

This act is similar to SB 221 (2011).

CHRIS HOGERTY

12/01/2011 Prefiled

01/04/2012 S First Read--SB 453-Cunningham (S35-36)

01/05/2012 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S60)

EFFECTIVE: August 28, 2012

\*\*\* SB 454 \*\*\*

4366S.02I

SENATE SPONSOR: Pearce

SB 454 – This act modifies the elementary and secondary education foundation formula.

Current law will allow the state adequacy target to be adjusted to accommodate available appropriations effective July 1, 2012, which is the completion date of the phase-in of the formula. This adjustment method is repealed.

This act provides proration benchmarks for appropriations beginning in fiscal year 2014 that increase and continue until fiscal year 2017. 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.

Language pertaining to the phase-in, which will be completed on July 1, 2012, is repealed. In addition, 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)

This act contains an effective date of July 1, 2012, or upon the Governor's approval. (Section B)

MICHAEL RUFF

12/01/2011 Prefiled

01/04/2012 S First Read--SB 454-Pearce (S36)

01/05/2012 Second Read and Referred S Education Committee (S60)

01/18/2012 Hearing Conducted S Education Committee

04/04/2012 Motion to vote bill do pass failed S Education Committee

EFFECTIVE: July 1, 2012

\*\*\* SB 455 \*\*\*

HCS SB 455

4233L.05C

SENATE SPONSOR: Pearce

HOUSE HANDLER: Thomson

SB 455 – This act modifies the duties prescribed to the Coordinating Board for Higher Education.

The Coordinating Board will require all public two-year and four-year higher education institutions to replicate best practices in remediation, as described in the act.

The Coordinating Board will also require all public two-year and four-year higher education institutions, by July 1, 2014, to create a statewide core transfer library of at least twenty-five lower division courses across all institutions that are transferable among all public higher education institutions.

The Coordinating Board must develop a policy to foster reverse transfer for students who have accumulated enough hours in combination with public higher education institution in Missouri that offers an associate degree and four-year institutions to be awarded an associate degree.

The Department of Elementary and Secondary Education must maintain the alignment of the statewide assessments for entry-level courses in English, mathematics, foreign language, sciences, and social sciences associated with an institution's general education core with the existing competencies.

The Coordinating Board may charge and collect fees from out-of-state public institutions to cover the costs of reviewing and assuring the quality of programs offered by out-of-state public institutions.

The annual report that the Coordinating Board submits prior to the start of the legislative session must include campus-level progression, retention, and completion metrics consistent with performance-funding goals. It must also contain a description of progress implementing revised remediation, transfer, and retention practices.

MICHAEL RUFF

12/01/2011 Prefiled  
 01/04/2012 S First Read--SB 455-Pearce (S36)  
 01/05/2012 Second Read and Referred S Education Committee (S60)  
 01/11/2012 Hearing Conducted S Education Committee  
 01/18/2012 Voted Do Pass S Education Committee  
 01/26/2012 Reported from S Education Committee to Floor (S160)  
 01/31/2012 Bill Placed on Informal Calendar (S172)  
 02/08/2012 Perfected (S225)  
 02/08/2012 Reported Truly Perfected S Rules Committee (S226)  
 02/08/2012 Referred S Ways & Means and Fiscal Oversight Committee (S227)  
 02/16/2012 Hearing Conducted S Ways and Means and Fiscal Oversight Committee  
 02/16/2012 Voted Do Pass S Ways & Means and Fiscal Oversight Committee  
 02/16/2012 Reported from S Ways & Means and Fiscal Oversight Committee to Floor (S277)  
 02/16/2012 S Third Read and Passed (S277-278)  
 02/16/2012 H First Read (H352)  
 02/17/2012 H Second Read (H359)  
 03/22/2012 Referred H Higher Education Committee (H689)  
 03/27/2012 Hearing Conducted H Higher Education Committee  
 03/27/2012 HCS Voted Do Pass H Higher Education Committee  
 03/27/2012 HCS Reported Do Pass H Higher Education Committee (H732)  
 03/27/2012 Referred to Rules Committee pursuant to Rule 25(32)(f) (H732)

EFFECTIVE: August 28, 2012

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\*\*\* SB 456 \*\*\*

4367S.011

SENATE SPONSOR: Pearce

SB 456 – 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 of law currently 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. Pupils who reside in the unaccredited district who become eligible for kindergarten or first grade after the effective date of this section are also eligible to transfer. Before a student may transfer, the unaccredited district must determine whether it has sufficient capacity in a magnet school or 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 in the previous school year and that offers the student's grade level of enrollment. If there is capacity, the student must remain in the school district and attend that school provided the student

meets the school's regular admissions criteria. Any district that receives transfer students will not be required to include those student's scores on the statewide assessment in that district's scores for three years.

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, 2012, 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 SCS/SB 14 (2011), HB 763 (2011) and provisions contained in HCS/SB 243 (2011) and HCS/SB 147 (2011).

MICHAEL RUFF

12/01/2011 Prefiled

01/04/2012 S First Read--SB 456-Pearce (S36)

01/05/2012 Second Read and Referred S General Laws Committee (S60)

EFFECTIVE: Emergency clause

\*\*\* SB 457 \*\*\*

SCS SB 457

4432S.05C

SENATE SPONSOR: Schmitt

SCS/SB 457 – This act changes the law on mandatory reporters of suspected child abuse and neglect. Current law mandates that certain professional workers, such as physicians, nurses, principals or schools officials or other persons with responsibility for the care of children shall immediately report or cause a report to be made to the Children's Division of the Department of Social Services regarding suspected child abuse. This act provides that in addition to those persons, any person who observes a child being subjected to sexual abuse shall immediately report the abuse to the division or to any law enforcement agency.

This act is substantially similar to HB 1102 (2012).

ADRIANE CROUSE

12/01/2011 Prefiled

01/04/2012 S First Read--SB 457-Schmitt (S36)

01/05/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S60)

01/23/2012 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee

02/06/2012 SCS Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee (4432S.05C)

02/16/2012 Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor w/SCS (S286)

02/20/2012 SS for SCS S offered (Schmitt)--(4432S.06F) (S294)

02/20/2012 Bill Placed on Informal Calendar (S294)

04/16/2012 S Informal Calendar S Bills for Perfection--SB 457-Schmitt, with SCS & SS for SCS (pending)

EFFECTIVE: August 28, 2012

\*\*\* SB 458 \*\*\*

4498S.011

SENATE SPONSOR: Wright-Jones

SB 458 - The act creates the Green Jobs-Green Missouri Act.

The Department of Natural Resources shall administer the Green Jobs-Green Missouri Program that provides: loans to homeowners and small business owners for energy improvement projects; and training for green energy workforce development.

The Department shall promulgate rules for the energy improvement loans, which shall include cost-effectiveness and eligibility standards. Loan amounts may not exceed \$13,000 for residential properties or \$26,000 for non-residential properties unless the anticipated project payback period is less than 15 years, in which case the loan maximums increase to \$25,000 and \$50,000 respectively.

The Department is required to create a loan repayment mechanism whereby the loan recipient makes the loan repayments through a separate charge attached to the recipient's electric or gas bill. The utility collects the charge and remits it to the Department of Natural Resources on behalf of the customer. The amount of the monthly charge must not exceed 1/12th of the anticipated amount of annual energy savings cost from the project.

The act directs the Public Service Commission (PSC) to develop rules to implement the on-bill loan repayment mechanism. The utilities must file tariffs for the mechanism. The act initially limits the amount of customer participation and the Department of Natural Resources must petition the PSC to increase the limit, which the PSC must do unless it determines that significant harm from the program has occurred to the utility. The PSC may suspend a utility's participation in the on-bill recovery mechanism if the PSC determines after a hearing that there has been a significant increase in arrears or disconnections as a result of the mechanism. The act contains certain provisions that require customers who participate in the on-bill loan repayment mechanism to be treated the same as other utility customers and requires certain notifications to be provided to participating customers. Complaints about the on-bill loan repayment mechanism must be handled by the Department of Natural Resources and must not be treated as a complaint about the utility by the PSC.

The Department of Natural Resources may contract with certain employment and job-skill training providers to provide training and workforce development support for the Green Jobs-Green Missouri program. The Department must develop training standards. The Department must facilitate coordination between related workforce organizations to facilitate job placement for individuals who receive training under the program.

The act creates the Green Jobs-Green Missouri Advisory Council, which provides guidance to the Department of Natural Resources on the implementation of the act. The composition of the council is listed in the act. The council must meet at least 3 times a year.

The act creates the Green Jobs-Green Missouri Revolving Loan Fund, into which the principal and interest on loan repayments must be deposited.

The Department must report annually to the Governor and certain members of the General Assembly on the activities and status of the Green Jobs-Green Missouri Program. The act prescribes certain information to be included in the report.

The act requires notification to prospective buyers of real property on which a Green Jobs-Green Missouri loan repayment mechanism is in effect.

ERIKA JAQUES

12/01/2011 Prefiled

01/04/2012 S First Read--SB 458-Wright-Jones (S36)

01/05/2012 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S60)

EFFECTIVE: August 28, 2012

\*\*\* SB 459 \*\*\*

4168S.011

SENATE SPONSOR: Wright-Jones

SB 459 - Those engaging in public works projects in the state shall only employ laborers from the locality in which the project is being constructed unless no such laborers are available.

CHRIS HOGERTY

12/01/2011 Prefiled

01/04/2012 S First Read--SB 459-Wright-Jones (S36)

01/05/2012 Second Read and Referred S Small Business, Insurance and Industry Committee (S60)

01/24/2012 Hearing Scheduled But Not Heard S Small Business, Insurance and Industry Committee

EFFECTIVE: August 28, 2012

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\*\*\* SB 460 \*\*\*

4402S.011

SENATE SPONSOR: Wright-Jones

SB 460 – 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.

This act is identical to SB 21 (2011).

MICHAEL RUFF

12/01/2011 Prefiled

01/04/2012 S First Read--SB 460-Wright-Jones (S36)

01/05/2012 Second Read and Referred S Education Committee (S60)

EFFECTIVE: August 28, 2012

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\*\*\* SB 461 \*\*\*

4382S.011

SENATE SPONSOR: Keaveny

SB 461 - This act modifies provisions relating to the St. Louis police force.

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.

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.

The City of St. Louis is authorized by this act to establish a municipal police force, no sooner than Jan. 1, 2013, 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 is required to employ, without a reduction in rank, salary, or benefits, all commissioned and civilian personnel of the board of police commissioners.

The residency rule established by the board and currently in effect 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 local and municipal 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 modifies the definitions 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. The makeup of the St. Louis Police Retirement System Board of Trustees is also modified.

This act provides, 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, that 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.

The State Legal Expense Fund will no longer reimburse the St. Louis Board of Police Commissioners for up to a maximum of one million dollars per fiscal year for claims tendered to the Attorney General after the effective date of this act. The Attorney General will continue to provide legal representation for claims tendered by the board of police commissioners before the effective date of this act.

Some of the provisions of this act are nonseverable.

This act is identical to SS/HB 1 (2011) and is similar to SB 23 (2011) and HB 71 (2011).

MEGHAN LUECKE

12/01/2011 Prefiled  
01/04/2012 S First Read--SB 461-Keaveny (S36)  
01/05/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S60)

EFFECTIVE: August 28, 2012

\*\*\* SB 462 \*\*\*

4123S.011

SENATE SPONSOR: Keaveny

SB 462 - 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 more than once. Lenders shall not make loans to consumers who have one outstanding or within 1 day of a borrower paying a previous loan.

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 15 days.

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 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), HB 656 (2011), and SB 295 (2011).

CHRIS HOGERTY

12/01/2011 Prefiled  
01/04/2012 S First Read--SB 462-Keaveny and Lamping (S36)  
01/05/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S60)  
02/06/2012 Hearing Cancelled S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 463 \*\*\*

4154S.011

SENATE SPONSOR: Keaveny

SB 463 - This act increases the fine for a seat belt violation from \$10 to \$50.

This act is identical to SB 24 (2011) and SB 822 (2010).

STEPHEN WITTE

12/01/2011 Prefiled

01/04/2012 S First Read--SB 463-Keaveny (S36)

01/05/2012 Second Read and Referred S Transportation Committee (S60)

EFFECTIVE: August 28, 2012

\*\*\* SB 464 \*\*\*

SS SB 464

4313S.03P

SENATE SPONSOR: Schaaf

SS/SB 464 - This act prohibits the establishment, creation, or operation of a state-based health insurance exchange unless the exchange is created by a legislative act, an initiative petition, or referendum. The act specifically prohibits the establishment of a state-based health insurance exchange by an executive order issued by the Governor.

The act further prohibits state agencies from establishing programs or promulgating any rules or policies to establish, create, administer or otherwise operate a state-based health insurance exchange unless the agency has received statutory authority to create it. The act specifically prohibits agencies from performing responsibilities of a state-based health insurance exchange unless authorized by statute.

Under the terms of this act, no department, agency, instrumentality, or political subdivision of this state shall apply for, accept or expend federal moneys related to the creation, implementation or operation of a state-based health insurance exchange or a federally-facilitated health benefit exchange unless such acceptance or expenditure is authorized by statute or an appropriations bill.

The act prohibits agencies from entering into agreements to establish or operate a federally-facilitated health benefit exchange unless the agency has received statutory authority to enter into such agreements. In addition, the act prohibits departments and agencies from providing assistance or resources of any kind to any federal agency or department relating to the creation of a federally-facilitated health benefit exchange unless the assistance or resources are authorized by state statute or the assistance is mandated by federal law.

The act specifically provides any taxpayer of this state or any member of the general assembly with legal standing to bring suit against the state of Missouri or any official, department, division, agency, or political subdivision of this state which is in violation of the act in any court with jurisdiction to enforce the provisions of the act.

The act requires courts to grant attorney's fees, court costs, and reasonable expenses to taxpayers or legislators who are successful in bringing a lawsuit against the state or one of its agencies. The act further provides that in no case shall the award of attorney's fees, court costs, or reasonable expenses be paid from the legal defense fund, nor shall any department, division, agency, or political subdivision of this state request, or be granted, additional appropriations in order to satisfy an award made under this act.

This act, if approved by the General Assembly, will be submitted to the voters for their approval in November of 2012.

This act is similar to SB 560 (2012).

STEPHEN WITTE

12/01/2011 Prefiled

01/04/2012 S First Read--SB 464-Schaaf (S36)

01/05/2012 Second Read and Referred S Small Business, Insurance and Industry Committee (S60)

01/10/2012 Hearing Conducted S Small Business, Insurance and Industry Committee

01/17/2012 Voted Do Pass S Small Business, Insurance and Industry Committee

01/19/2012 Reported from S Small Business, Insurance and Industry Committee to Floor (S119)

01/23/2012 SS S offered (Schaaf)--(4313S.03F) (S138)



01/24/2012 Bill Placed on Informal Calendar (S138)  
 01/24/2012 SA 1 to SS S offered & defeated (Justus)--(4313S03.01S) (S139)  
 01/24/2012 SS S adopted (S139)  
 01/24/2012 Perfected (S140)  
 01/25/2012 Reported Truly Perfected S Rules Committee (S145)  
 01/25/2012 Referred S Ways & Means and Fiscal Oversight Committee (S147)  
 02/02/2012 Voted Do Pass S Ways & Means and Fiscal Oversight Committee  
 02/02/2012 Reported from S Ways & Means and Fiscal Oversight Committee to Floor (S188)  
 02/02/2012 S Third Read and Passed (S189)  
 02/02/2012 H First Read (H220)  
 02/06/2012 H Second Read (H227)  
 02/21/2012 Referred H Health Insurance Committee (H386)  
 03/27/2012 Hearing Conducted H Health Insurance Committee

EFFECTIVE: Referendum clause

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\*\*\* SB 465 \*\*\*

4297S.011

SENATE SPONSOR: Schaaf

SB 465 - This act adds Buchanan County and the cities, towns, or villages within Buchanan County to the list of governmental entities that are authorized to establish a Theater, Cultural Arts, and Entertainment taxing district.

EMILY KALMER

12/01/2011 Prefiled  
 01/04/2012 S First Read--SB 465-Schaaf (S37)  
 01/05/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S60)  
 01/17/2012 Hearing Conducted S Financial and Governmental Organizations and Elections Committee  
 01/23/2012 Voted Do Pass S Financial and Governmental Organizations and Elections Committee  
 02/09/2012 Reported from S Financial and Governmental Organizations and Elections Committee to Floor (S234)  
 02/13/2012 Bill Placed on Informal Calendar (S249)  
 04/16/2012 S Informal Calendar S Bills for Perfection--SB 465-Schaaf

EFFECTIVE: August 28, 2012

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\*\*\* SB 466 \*\*\*

4360S.011

SENATE SPONSOR: Munzlinger

SB 466 - This act modifies how certain money from the Gaming Commission Fund is allocated. For fiscal year 2014 and each fiscal year after that, the proceeds will be allocated differently based on whether the proceeds came from a gambling boat that was licensed before or after January 1, 1999. Proceeds from gambling boats licensed before January 1, 1999, will continue to be allocated as they are under current law. Proceeds from gambling boats licensed on or after January 1, 1999, will be transferred to the Veterans' Commission Capital Improvement Trust Fund. However, if transferring these funds to the Veterans' Commission Capital Improvement Trust Fund would result in a decrease in certain allocations to the Missouri National Guard Trust Fund, or the Access Missouri Financial Assistance Fund, then allocations to those trust funds shall be taken from the funds that would otherwise go to the Veterans' Commission Capital Improvement Trust Fund.

EMILY KALMER

12/01/2011 Prefiled  
 01/04/2012 S First Read--SB 466-Munzlinger (S37)  
 01/05/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S60)

EFFECTIVE: August 28, 2012

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\*\*\* SB 467 \*\*\*

SS SCS SB 467

4291S.04P

SENATE SPONSOR: Munzlinger

SS/SCS/SB 467 - This act requires state departments and divisions that accept federal grants of over one million dollars to post information relating to the grant on the Missouri accountability portal, including the amount, origin, and purpose of the grant; any amount being transferred to another department or division; the

purpose for such transfer; and how secondary recipient used the funds and the impact of that use.

Bonds issued by public institutions of higher education and political subdivisions, obligations issued under a tax increment financing agreement, and the revenue stream pledged to repay such bond or obligation shall also be included on the portal.

The Governor shall submit a daily report stating the amounts withheld from the state operating budget to be posted on the portal.

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 notification of the amount of awarded fees and expenses to the chairs of the House Budget Committee and the Senate Appropriations Committee.

This act is similar to SB 272 (2011), and SB 604 (2012).

This act contains an emergency clause.

CHRIS HOGERTY

12/01/2011 Prefiled  
 01/04/2012 S First Read--SB 467-Munzlinger (S37)  
 01/05/2012 Second Read and Referred S Appropriations Committee (S60)  
 01/11/2012 Hearing Conducted S Appropriations Committee  
 01/11/2012 SCS Voted Do Pass S Appropriations Committee (4291S.03C)  
 01/12/2012 Reported from S Appropriations Committee to Floor w/SCS (S87)  
 01/23/2012 SS for SCS S offered (Munzlinger)--(4291S.04F) (S135)  
 01/24/2012 SA 1 to SS for SCS S offered & adopted (Green)--(4291S04.02S) (S135-137)  
 01/24/2012 SA 2 to SS for SCS S offered (Lager)--(4291S04.04S) (S137)  
 01/24/2012 SA 1 to SA 2 to SS for SCS S offered & adopted (Crowell)--(4291S04.05S) (S137)  
 01/24/2012 SA 2 to SS for SCS, as amended, S adopted (S137)  
 01/24/2012 SS for SCS, as amended, S adopted (S138)  
 01/24/2012 Perfected (S138)  
 01/24/2012 Reported Truly Perfected S Rules Committee (S138)  
 01/26/2012 S Third Read and Passed - EC adopted (S158-159)  
 01/26/2012 H First Read (w/EC) (H177)  
 01/30/2012 H Second Read (H185)  
 03/08/2012 Referred H Downsizing State Government Committee (H588)  
 03/22/2012 Hearing Conducted H Downsizing State Government Committee  
 04/05/2012 HCS Voted Do Pass H Downsizing State Government Committee

EFFECTIVE: Emergency Clause

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\*\*\* SB 468 \*\*\*

4456S.011

SENATE SPONSOR: Munzlinger

SB 468 - 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.

The act also 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.

"Prevailing hourly rate of wages" is defined as the mean rate of wages paid generally in the locality in which the construction is being performed.

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 no longer be considered when determining wage rates and the rate shall be the mean 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.

This act is similar to SB 175 (2011) and SB 176 (2011).

CHRIS HOGERTY

12/01/2011 Prefiled

01/04/2012 S First Read--SB 468-Munzlinger (S37)

01/05/2012 Second Read and Referred S Small Business, Insurance and Industry Committee (S60)

EFFECTIVE: August 28, 2012

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\*\*\* SB 469 \*\*\*      SS SCS SB 469

4433S.05P

SENATE SPONSOR: Dixon

SS/SCS/SB 469 - 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 shall be subject to a periodic review by the appropriate state agency every five years. The act creates a schedule for the periodic review of rules by their

title in the Code of State Regulations. The Joint Committee on Administrative Rules (JCAR) shall cause notice to be published in the Missouri Register indicating the rules to be reviewed and also notice of the 60 day comment period. Each agency with rules under review shall prepare a report with the results of the periodic rule review. The report shall consider whether the rule: continues to be necessary or is obsolete; duplicates, overlaps or conflicts with other state, federal or local rules; needs changes or should be rescinded in order to reduce regulatory burdens on businesses, individuals or political subdivisions, or to eliminate unnecessary paperwork; and whether a less restrictive, more narrowly tailored rule could adequately protect the public or accomplish the same statutory purpose. For rules that affect small business, the agency must consider the specific public purpose or interest for adopting the rules and other reasons to justify its continued existence.

The subject agency must file its report with JCAR and the Small Business Regulatory Fairness Board within one year of notice being filed by JCAR in the Missouri Register. If the agency does not file the report, and does not receive an extension for good cause, then JCAR must notify the Secretary of State to publish notice in the Register as to the rules that are delinquent. The rules shall be void after the first sixty legislative days of the General Assembly's next regular session unless the agency cures the delinquency by providing the required report within 90 days after publication in the Register.

If a petition is filed with an agency requesting the adoption of a rule, and the agency does not promulgate such a rule, and it is later found by an adjudicatory body that a state agency's statement of general applicability, which is the subject of the petition, should have been promulgated as a rule, then the adjudicatory body shall award the petitioner its reasonable fees and expenses.

This act provides that when a court awards attorney fees and other expenses against a state agency, including an award for reasonable fees and expenses under this act when it is found that an agency should have promulgated a rule, such award shall be payable from amounts appropriated to the agency for its operations. Within thirty days of the judgement awarding the fees and expenses becoming final, the agency shall forward notification of the amount of awarded fees and expenses to the chairs of the House Budget Committee and the Senate Appropriations Committee.

This provision is similar to SB 604 (2012) and SB 272 (2011).

The act removes the requirement in current law that every agency with rules that affect small business must submit a list of such rules and a report to the General Assembly the and Small Business Regulatory Fairness Board every two years. This report contains the same information required in bill as part of the periodic review of all administrative rules.

This act is similar to SB 350 (2011) and HCS/HB 697 (2011).

JIM ERTLE

12/01/2011 Prefiled  
01/04/2012 S First Read--SB 469-Dixon (S37)  
01/05/2012 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S60)  
01/11/2012 Hearing Conducted S Jobs, Economic Development and Local Government Committee  
01/25/2012 SCS Voted Do Pass S Jobs, Economic Development and Local Government Committee - (4433S.04C)  
01/26/2012 Reported from S Jobs, Economic Development and Local Government Committee to Floor w/SCS (S160)  
01/31/2012 Bill Placed on Informal Calendar (S173)  
02/06/2012 SS for SCS S offered (Dixon)--(4433S.05F) (S201)  
02/06/2012 SA 1 to SS for SCS S offered (Crowell)--(4433S05.03S) (S201-203)  
02/06/2012 Bill Placed on Informal Calendar (S203)  
02/07/2012 SA 1 to SS for SCS S withdrawn (S207)  
02/07/2012 SA 2 to SS for SCS S offered (Crowell)--(4433S05.08S) (S207-219)  
02/07/2012 Bill Placed on Informal Calendar (S219)  
02/13/2012 SA 2 to SS for SCS S defeated (S249)  
02/13/2012 SS for SCS S adopted (S249)  
02/13/2012 Perfected (S249)  
02/14/2012 Reported Truly Perfected S Rules Committee (S256)  
02/16/2012 S Third Read and Passed (S280-281)  
02/16/2012 H First Read (H353)  
02/17/2012 H Second Read (H359)

03/08/2012 Referred H Downsizing State Government Committee (H588)  
03/22/2012 Hearing Conducted H Downsizing State Government Committee  
04/12/2012 Voted Do Pass H Downsizing State Government Committee

EFFECTIVE: August 28, 2012

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\*\*\* SB 470 \*\*\* SCS SB 470

4430S.04P

SENATE SPONSOR: Dixon

HOUSE HANDLER: Burlison

SS/SCS/SB 470 - This act modifies provisions relating to the regulation of household goods movers. These provisions are similar to the ones contained in the truly agreed to version of CCS/SS/SCS/HCS/HB 430 (2011) and 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 carriers 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, 2012, 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).

Beginning August 28, 2012, 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).

Under this act, the state highways and transportation commission is authorized to enter into interagency agreements with the Regional Taxicab Commission to deal with any public safety issues that may arise as a result of the act's deregulation provisions (Sections 390.051 and 390.061).

STEPHEN WITTE

12/01/2011 Prefiled  
 01/04/2012 S First Read--SB 470-Dixon (S37)  
 01/05/2012 Second Read and Referred S Transportation Committee (S60)  
 01/11/2012 Hearing Conducted S Transportation Committee  
 01/25/2012 SCS Voted Do Pass S Transportation Committee - (4430S.03C)  
 02/02/2012 Reported from S Transportation Committee to Floor w/SCS (S192)  
 02/08/2012 Bill Placed on Informal Calendar (S225)  
 03/05/2012 SS for SCS S offered & adopted (Dixon)--(4430S.04F) (S391-392)  
 03/05/2012 Perfected (S392)  
 03/06/2012 Reported Truly Perfected S Rules Committee (S402)  
 03/08/2012 S Third Read and Passed (S426)  
 03/08/2012 H First Read (H595)  
 03/19/2012 H Second Read (H602)  
 03/22/2012 Referred H Transportation Committee (H689)  
 03/27/2012 Hearing Conducted H Transportation Committee  
 03/27/2012 Voted Do Pass H Transportation Committee - Consent  
 04/03/2012 Reported Do Pass H Transportation Committee - Consent (H895)  
 04/03/2012 Referred to Rules Committee pursuant to Rule 25(32)(f) (H895)  
 04/12/2012 Hearing Conducted H Rules - Pursuant Committee  
 04/12/2012 Voted to recommit to committee of origin

EFFECTIVE: August 28, 2012

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\*\*\* SB 471 \*\*\*

4196S.011

SENATE SPONSOR: Dixon

SB 471 - The Children in Crisis Tax Credit program currently provides an income tax credit for contributions to child advocacy centers, crisis care centers, and entities that receive funding from the Court-Appointed Special Advocate Fund. This act extends the sunset on this tax credit program from August 28, 2012 to August 28, 2018.

This act is identical to HB 958 (2011).

EMILY KALMER

12/01/2011 Prefiled  
 01/04/2012 S First Read--SB 471-Dixon (S37)  
 01/05/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S60)

EFFECTIVE: August 28, 2012

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\*\*\* SB 472 \*\*\*

4324S.031

SENATE SPONSOR: Kraus

SB 472 - This act modifies provisions of existing tax credit programs and requires the Department of Revenue to apply any increase in revenue generated from these modifications to a decrease in the corporate income tax rate. The Director of Revenue is required to accomplish this decrease in the corporate income tax rate by rule.

The act prohibits the authorization of further tax credits after August 28, 2012 under the following tax

credit programs: the distressed areas land assemblage tax credit program, the business facility tax credit program, the wood energy producer tax credit program, the neighborhood preservation tax credit program, the rebuilding communities tax credit program, the film production tax credit program, the enhanced enterprise zone tax benefit program, the family farm breeding livestock loan tax credit, and the Brownfield redevelopment tax credit program. The act also repeals the rolling stock tax credit and the charcoal producers tax credit.

The act also prohibits the Department of Economic Development from approving any new notices of intent or entering into any new agreements with qualified manufacturers under the manufacturing jobs act after August 28, 2012.

The act also ends tax credits under the qualified beef tax credit program, the wine and grape production tax credit program, the agricultural product utilization contributor tax credit program, and the new generation cooperative incentive tax credit program effective December 31, 2012.

#### LOW-INCOME HOUSING TAX CREDITS

The act establishes a one hundred ten million dollar cap for authorizations of 9% low-income housing tax credits for FY 2013. For each subsequent fiscal year from FY 2014 to FY 2016 the amount of 9% low-income housing tax credits which may be authorized is gradually reduced such that beginning FY 2016, no more than twenty-seven and a half million dollars in 9% low-income housing tax credits may be authorized each fiscal year.

Authorizations of 4% low-income housing tax credits are capped at twenty million dollars for FY 2013. For each subsequent fiscal year the amount of 4% low-income housing tax credits which may be authorized is reduced by five million dollars, such that after June 30, 2015, no more than five million dollars in 4% low-income housing tax credits may be authorized each fiscal year.

The stacking of state 9% low-income housing tax credits with state historic preservation tax credits for the same project is prohibited. The carry-back for low-income housing tax credits is reduced from three years to two years.

#### 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 2013, this act would prohibit the Department of Economic Development from approving more than eighty million dollars in historic preservation tax credits increased by the amount of any rescissions of approved applications for such tax credits. For each subsequent fiscal year the amount is reduced by twenty million dollars, so that after June 30, 2015, no more than twenty million dollars in these historic preservation tax credits may be authorized each fiscal year. Projects which would receive less than two hundred seventy-five thousand dollars in tax credits will be subject to a ten million dollar fiscal year cap for fiscal year 2013, which is gradually reduced so that after June 30, 2015, no more than two and a half million dollars in these tax credits may be authorized each fiscal year.

#### NON-INCOME PRODUCING RESIDENTIAL PROJECTS

The act prohibits the Department from issuing more than one hundred twenty-five thousand dollars in historic preservation tax credits per project for non-income producing residential rehabilitation projects.

#### TRANSITION RULES

Applicants for projects that, as of August 28, 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.

#### STACKING

The act also prohibits the stacking of state historic preservation tax credits with state 9% low-income housing tax credits. Historic preservation tax credits will now be capable of being carried back one year or forward five years.

EMILY KALMER

12/01/2011 Prefiled

01/04/2012 S First Read--SB 472-Kraus (S37)

01/05/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S60)

01/19/2012 Hearing Conducted S Ways and Means and Fiscal Oversight Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 473 \*\*\*

4177S.01I

SENATE SPONSOR: Kraus

SB 473 - 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. Costs incurred by the state and its political subdivisions due to the lack of enforcement shall be provided by the State Auditor and sought by the Attorney General.

This act is similar to SB 72 (2011).

CHRIS HOGERTY

12/01/2011 Prefiled

01/04/2012 S First Read--SB 473-Kraus (S37)

01/05/2012 Second Read and Referred S Governmental Accountability Committee (S60)

01/25/2012 Hearing Conducted S Governmental Accountability Committee

02/08/2012 SCS Voted Do Pass S Governmental Accountability Committee (4177S.02C)

EFFECTIVE: Contingent

\*\*\* SB 474 \*\*\*

SCS SB 474

4439S.02C

SENATE SPONSOR: Kraus

SCS/SB 474 – This act requires the Department of Social Services to seek a waiver from the federal government to mandate the use of photo identification for continued eligibility in the food stamp program administered in Missouri. Upon one year after approval by the federal government, the department shall issue a photo identification card to each eligible household member who is sixteen years of age or older. Upon request, a household member, or the household's authorized representative, shall present the photo identification card at issuance points, retail food stores, or meal services when exchanging benefits for eligible food.

The department shall promulgate rules necessary to implement the provisions of this act and shall ensure compliance with federal law, taking into account individuals and households with special needs as well as ensuring that all appropriate household members or authorized representatives are able to access benefits from the account as necessary.

ADRIANE CROUSE

12/01/2011 Prefiled

01/04/2012 S First Read--SB 474-Kraus (S37)

01/05/2012 Second Read and Referred S Governmental Accountability Committee (S60)

01/11/2012 Hearing Conducted S Governmental Accountability Committee

01/18/2012 SCS Voted Do Pass S Governmental Accountability Committee (4439S.02C)

02/16/2012 Reported from S Governmental Accountability Committee to Floor w/SCS (S287)

02/27/2012 SA 1 to SCS S offered (Justus)--(4439S02.01S) (S339-340)

02/27/2012 Bill Placed on Informal Calendar (S340)

04/16/2012 S Informal Calendar S Bills for Perfection--SB 474-Kraus, with SCS &amp; SA 1 (pending)

EFFECTIVE: August 28, 2012

\*\*\* SB 475 \*\*\*

SB 475

4438S.02I

SENATE SPONSOR: Lamping

SB 475 – This act mandates that the Governor and Lieutenant Governor candidates shall be elected jointly. There shall be no primary election for the office of Lieutenant Governor. Once a candidate for Governor wins the primary of his political party, or otherwise becomes qualified to be a candidate for Governor at the general election, such candidate shall choose a running mate for lieutenant governor. The gubernatorial candidate is responsible for certifying his choice for running mate to the Secretary of State no later than the eleventh Tuesday before the general election. If a gubernatorial candidate fails to certify his



running mate to the Secretary of State by such date, then the candidate shall be deemed to have withdrawn as a candidate for Governor.

The passage of this act is contingent upon voter approval of a senate joint resolution amending the Missouri Constitution to require the joint election of the Governor and Lieutenant Governor.

This act is similar to SB 1114 (2002).

JIM ERTLE

12/01/2011 Prefiled  
 01/04/2012 S First Read--SB 475-Lamping (S37-38)  
 01/05/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S61)  
 01/23/2012 Hearing Conducted S Financial and Governmental Organizations and Elections Committee  
 03/26/2012 Voted Do Pass S Financial and Governmental Organizations and Elections Committee  
 03/29/2012 Reported from S Financial and Governmental Organizations and Elections Committee to Floor (S567)  
 04/04/2012 Bill Placed on Informal Calendar (S612)  
 04/16/2012 S Informal Calendar S Bills for Perfection--SB 475-Lamping

EFFECTIVE: Contingent

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\*\*\* SB 476 \*\*\*

4434S.011

SENATE SPONSOR: Lamping

SB 476 - 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 more than once. Lenders shall not make loans to consumers who have one outstanding or within one day of a borrower paying a previous loan.

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 15 days.

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.

The Division of Finance is required to develop and administer a real-time statewide compliance system for payday lenders to record each payday loan transaction.

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

12/01/2011 Prefiled  
 01/04/2012 S First Read--SB 476-Lamping (S38)  
 01/05/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S61)  
 02/06/2012 Hearing Conducted S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2012

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\*\*\* SB 477 \*\*\*

4227S.011

SENATE SPONSOR: Crowell

This bill has been combined with SB 484

12/01/2011 Prefiled  
 01/04/2012 S First Read--SB 477-Crowell (S38)  
 01/05/2012 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S61)  
 01/18/2012 Hearing Scheduled But Not Heard S Commerce, Consumer Protection, Energy and the Environment Committee  
 01/24/2012 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee  
 01/24/2012 Bill Combined (w/SCS SBs 484 & 477)  
 02/07/2012 Committee Vote Reconsidered  
 02/07/2012 Bill Combined (w/SCS SBs 484, 477 & 606)

EFFECTIVE: August 28, 2012

\*\*\* SB 478 \*\*\*

4454S.011

SENATE SPONSOR: Crowell

SB 478 - This act eliminates retirement benefits for members of the General Assembly and statewide elected officials who first take office on or after January 1, 2013. A retired state employee who retired under the year 2000 plan and holds one of these elected offices for the first time on or after January 1, 2013 will also be prohibited from receiving retirement benefits from the Missouri State Employees' Retirement System or the Missouri Department of Transportation and Highway Patrol Employees' Retirement System during his or her term of office.

This act also eliminates life insurance and disability insurance coverage for these elected officials and makes them ineligible to have health insurance through the Missouri Consolidated Health Care Plan. These elected officials will also no longer be able to purchase medical insurance coverage from the Missouri Consolidated Health Care Plan after they cease to hold elective office.

MIKE HAMMANN

12/01/2011 Prefiled  
 01/04/2012 S First Read--SB 478-Crowell (S38)  
 01/05/2012 Second Read and Referred S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee (S61)  
 01/18/2012 Hearing Conducted S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 479 \*\*\*

4455S.011

SENATE SPONSOR: Crowell

SB 479 - This act eliminates retirement benefits for members of the General Assembly and statewide elected officials who first take office on or after January 1, 2013. A retired state employee who retired under the Year 2000 plan and holds one of these elected offices for the first time on or after January 1, 2013 will also be prohibited from receiving retirement benefits from the Missouri State Employees' Retirement System or the Missouri Department of Transportation and Highway Patrol Employees' Retirement System during his or her term of office.

This act also eliminates basic life insurance and disability insurance coverage for these elected officials, but gives the official the option to purchase life insurance and disability insurance through the state. These elected officials will be required to pay all of the cost of the premiums for any health insurance they choose to receive from the Missouri Consolidated Health Care Plan and are prohibited from receiving any contribution from the state towards their retiree health insurance premium.

MIKE HAMMANN

12/01/2011 Prefiled  
 01/04/2012 S First Read--SB 479-Crowell (S38)  
 01/05/2012 Second Read and Referred S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee (S61)  
 01/18/2012 Hearing Conducted S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee  
 01/26/2012 Voted Do Pass S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee  
 02/09/2012 Reported from S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee to Floor (S234)  
 02/13/2012 Bill Placed on Informal Calendar (S249)

04/16/2012 S Informal Calendar S Bills for Perfection--SB 479-Crowell

EFFECTIVE: August 28, 2012

\*\*\* SB 480 \*\*\* HCS SCS SB 480

4472L.05C

SENATE SPONSOR: Stouffer

HOUSE HANDLER: Riddle

HCS/SCS/SB 480 - This act modifies various provisions relating to the regulation of motor vehicles and outboard motor certificates of titles.

The act repeals a sales tax exemption currently granted for the purchase of materials, replacement parts and equipment used on motor vehicles engaged as common carriers (Section 144.030.1(3)).

This act provides a sales tax exemption for motor vehicles registered in excess of 54,000 pounds, and the trailers pulled by such motor vehicles, that are actually used in the normal course of business to haul property on the public highways of the state, and that are capable of hauling loads commensurate with the motor vehicle's registered weight. The sales tax exemption also extends to the materials, replacement parts, and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of such vehicles (Section 144.030.1(4)).

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 motor carriers in the transportation of persons or property. The current sales tax exemption only applies to motor vehicle and trailers used by common carriers (Section 144.030.1(12)).

The act designates the portion of Interstate 70 in the state of Missouri as the "Purple Heart Trail." This provision is also contained in HB 1906 (2012)(Section 227.513).

This act exempts all highway route controlled quantity shipments of radioactive materials from the fees for transporting radioactive waste. The act further provides that carriers transporting highway route controlled quantities of radioactive material that have been subject to federal inspection, and have passed federal inspection, shall not be subject to additional inspections (Section 260.392).

This act modifies definition of recreational off-highway vehicle as found in Section 301.010. The act modifies the definition by increasing the width and weight limit of the vehicle. The width of a recreational off-highway vehicle is increased from 60 inches to 64 inches and the unladen dry weight of the vehicle is increased from 1,850 pounds to 2000 pounds. The act further modifies the definition by deleting the reference that the vehicle must have a nonstraddle seat and a steering wheel (Section 301.010). This provision is similar to one contained in SCS/SB 714 (2012).

Under the terms of this act, a certificate of title for a new outboard motor shall designate the year the dealer received the new outboard motor from the manufacturer as the "Model Year-NEW" and the "Year Manufactured" shall reflect such date as purchased from manufacturer by the dealer. The act further provides that any new outboard motor purchased by a dealer from the manufacturer on or after July first of any year shall be labeled with the "Year Manufactured" of the immediately following calendar year unless the manufacturer indicates a specific model or program year (section 306.532). This provision is similar to the one contained in HB 1759 (2012).

The act modifies the definition of the term "common carrier" by removing the qualification that it must hold itself out to the general public to engage in the transportation of passengers or property (Section 390.020).

STEPHEN WITTE

12/01/2011 Prefiled  
 01/04/2012 S First Read--SB 480-Stouffer (S38)  
 01/05/2012 Second Read and Referred S Transportation Committee (S61)  
 01/18/2012 Hearing Conducted S Transportation Committee  
 01/25/2012 SCS Voted Do Pass S Transportation Committee - (4472S.02C)  
 02/16/2012 Reported from S Transportation Committee to Floor w/SCS (S286)  
 02/20/2012 Bill Placed on Informal Calendar (S293)  
 03/05/2012 SCS S adopted (S392)  
 03/05/2012 Perfected (S392)  
 03/06/2012 Reported Truly Perfected S Rules Committee (S402)  
 03/08/2012 S Third Read and Passed (S425)

03/08/2012 H First Read (H595)  
 03/19/2012 H Second Read (H602)  
 03/29/2012 Referred H Transportation Committee (S847)  
 04/03/2012 Hearing Conducted H Transportation Committee  
 04/03/2012 HCS Voted Do Pass H Transportation Committee  
 04/11/2012 HCS Reported Do Pass H Transportation Committee (H1023)  
 04/11/2012 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1023)

EFFECTIVE: August 28, 2012

\*\*\* SB 481 \*\*\*

4386S.011

SENATE SPONSOR: Stouffer

SB 481 - 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, 2012, 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 Social Services for the tax credits. The provisions of this act shall automatically sunset six years after August 28, 2012 unless reauthorized.

This act is similar to the perfected version of SB 100 (2011), SB 608 (2010) and contains provisions similar to those in SB 71 (2009) and SB 1274 (2008).

EMILY KALMER

12/01/2011 Prefiled  
 01/04/2012 S First Read--SB 481-Stouffer (S38)  
 01/05/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S61)

EFFECTIVE: August 28, 2012

\*\*\* SB 482 \*\*\*

4385S.01P

SENATE SPONSOR: Stouffer

SB 482 – 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 \$30,000 to \$50,000 per year.

This act is identical to SB 268 (2011).

ADRIANE CROUSE

12/01/2011 Prefiled  
 01/04/2012 S First Read--SB 482-Stouffer (S38)  
 01/05/2012 Second Read and Referred S Education Committee (S61)  
 01/11/2012 Hearing Conducted S Education Committee  
 01/18/2012 Voted Do Pass S Education Committee  
 03/22/2012 Reported from S Education Committee to Floor (S500)  
 03/28/2012 Perfected (S535)  
 03/28/2012 Reported Truly Perfected S Rules Committee (S546)  
 03/29/2012 S Third Read and Passed (S564)  
 03/29/2012 H First Read (H855)  
 03/30/2012 H Second Read (H864)  
 04/12/2012 Referred H Higher Education Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 483 \*\*\*

4258S.011

SENATE SPONSOR: Rupp

SB 483 – 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 weighted 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, 2013, 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.

This act is identical to SCS/SB 130 (2011) and similar to SB 907 (2010).

MICHAEL RUFF

12/01/2011 Prefiled  
01/04/2012 S First Read--SB 483-Rupp (S38)  
01/05/2012 Second Read and Referred S Education Committee (S61)  
02/01/2012 Hearing Cancelled S Education Committee  
02/08/2012 Hearing Conducted S Education Committee  
02/15/2012 Voted Do Pass S Education Committee

EFFECTIVE: August 28, 2012

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\*\*\* SB 484 \*\*\* SCS SBs 484, 477 & 606

4252S.04P

SENATE SPONSOR: Rupp

SCS/SBs 484, 477, & 606 - Under current law, individuals may only register their residential landline telephone numbers on the state's no-call list. The act expands eligibility on the list to include personal cell

phone numbers.

The act adds automated phone calls to the types of calls prohibited to individuals who sign up on the 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 to the individual called; and
- that are in compliance with rules of the Federal Communications Commission or that are made by an entity whose telemarketing activities are federally regulated.

The act creates an exception to making telemarketing calls to people on the no-call list for communication that is in compliance with the Federal Communications Commission.

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 SS/SB 9 (2011), SB 199 (2011), 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

12/01/2011 Prefiled

01/04/2012 S First Read--SB 484-Rupp (S38)

01/05/2012 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S61)

01/18/2012 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee

01/24/2012 SCS Voted Do Pass (w/ SCS SBs 484 & 477) S Commerce, Consumer Protection, Energy and the Environment Committee - (4252S.03C)

02/07/2012 Committee Vote Reconsidered

02/07/2012 SCS Voted Do Pass (w/SCS SBs 484, 477 & 606 ) S Commerce, Consumer Protection, Energy and the Environment Committee - (4252S.04C)

02/09/2012 Reported from S Commerce, Consumer Protection, Energy and the Environment Committee to Floor w/SCS (S234)  
 02/15/2012 Bill Placed on Informal Calendar (S267)  
 02/22/2012 SA 1 to SCS S offered & adopted (Crowell)--(4252S04.01S) (S307)  
 02/22/2012 SCS, as amended, S adopted (S307)  
 02/22/2012 Perfected (S307)  
 02/22/2012 Reported Truly Perfected S Rules Committee (S310)  
 02/23/2012 S Third Read and Passed (S323-324)  
 02/23/2012 H First Read (H430)  
 02/27/2012 H Second Read (H435)  
 04/12/2012 Referred H Utilities Committee

EFFECTIVE: August 28, 2012

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\*\*\* SB 485 \*\*\*      SCS SB 485

4504S.02P

SENATE SPONSOR: Cunningham

SCS/SB 485 - Currently, persons who perform labor on aircrafts and their parts and equipment who obtain a written memorandum of the work or material furnished signed by the owner, have a lien on such property. This act allows the memorandum to be signed by the authorized agent of the owner, or person in lawful possession of the property.

Currently, persons who perform labor on aircrafts, at a written request of an owner that contains the maximum amount to be charged for labor, has a lien on the property. This act allows persons who perform labor on parts or equipment of aircrafts to have a lien on the item in such an instance.

Currently, aircraft liens are required to be filed 30 days after surrendering the property. This act extends that time period to 180 days.

This act is similar to SB 159 (2011).  
 CHRIS HOGERTY

12/01/2011 Prefiled  
 01/04/2012 S First Read--SB 485-Cunningham (S38)  
 01/05/2012 Second Read and Referred S Transportation Committee (S61)  
 01/18/2012 Hearing Conducted S Transportation Committee  
 01/25/2012 SCS Voted Do Pass S Transportation Committee -Consent - (4504S.02C)  
 02/02/2012 Reported from S Transportation Committee to Floor w/SCS - Consent (S192)  
 02/02/2012 Removed S Consent Calendar (S196-197)  
 02/09/2012 Reported from S Transportation Committee to Floor w/SCS (S234)  
 02/13/2012 SCS S adopted (S249)  
 02/13/2012 Perfected (S249)  
 02/14/2012 Reported Truly Perfected S Rules Committee (S256)  
 02/16/2012 S Third Read and Passed (S280)  
 02/16/2012 H First Read (H353)  
 02/17/2012 H Second Read (H359)

EFFECTIVE: August 28, 2012

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\*\*\* SB 486 \*\*\*

4411S.01I

SENATE SPONSOR: Wright-Jones

SB 486 - 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), SB 694 (2010), and SB 84 (2011).

CHRIS HOGERTY

12/01/2011 Prefiled

01/04/2012 S First Read--SB 486-Wright-Jones (S38)

01/05/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S61)

01/17/2012 Hearing Conducted S Financial and Governmental Organizations and Elections Committee

01/23/2012 Voted Do Pass S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 487 \*\*\*

4410S.011

SENATE SPONSOR: Wright-Jones

SB 487 - This act requires the Commissioner of the Office of Administration to cause a disparity study to be conducted to measure the participation of minority business enterprises and women business enterprises in contracts for supplies, services, and contracts with the state. The study shall be completed by December 31, 2013 and delivered to the newly created Minority Business Enterprise and Women's Business Enterprise Oversight Review Committee by that time.

The committee shall review the results of the disparity study and make recommendations to the Office of Equal Opportunity by March 31, 2014 to be implemented by the office.

The provisions of the act shall expire on January 1, 2015.

This act is similar to HB 1484 (2009), SB 1066 (2010), and SB 47 (2011).

CHRIS HOGERTY

12/01/2011 Prefiled

01/04/2012 S First Read--SB 487-Wright-Jones (S39)

01/05/2012 Second Read and Referred S Progress and Development Committee (S61)

EFFECTIVE: August 28, 2012

\*\*\* SB 488 \*\*\*

4403S.011

SENATE SPONSOR: Wright-Jones

SB 488 - State-funded buildings over 5,000 square feet constructed after August 28, 2012 must be certified, at minimum, as meeting the Two Globes level under the Green Globes building rating system. The act prescribes certain points that must be earned in achieving the Two Globes 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 Two Globes standard, 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 standard.

The act requires periodic inspections of buildings built to the Two Globes standard. 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 SCS/SB 22 (2011) and similar to SB 952 (2010).

ERIKA JAQUES

12/01/2011 Prefiled  
 01/04/2012 S First Read--SB 488-Wright-Jones (S39)  
 01/05/2012 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment  
 Committee (S61)

EFFECTIVE: August 28, 2012

\*\*\* SB 489 \*\*\* SS SCS SBs 489 & 637

4464S.05P

SENATE SPONSOR: Munzlinger

SS/SCS/SBs 489 & 637 - Under current law, a person commits a Class A misdemeanor if he or she possesses, manufactures, transports, repairs, or sells a switchblade knife. This act limits the prohibition to the possession, manufacture, transport, repair or sale of a switchblade knife when such uses violate federal law, and makes the crime a Class C felony.

Training requirements for concealed carry endorsement applicants were increased in HB 294 (2011). This act adopts a grandfather clause for those who were issued a firearms safety training certificate prior to the date the standards were increased, so these certificate-holders can receive a concealed carry endorsement without having to retake a training course.

This act contains an emergency clause.

MEGHAN LUECKE

12/01/2011 Prefiled  
 01/04/2012 S First Read--SB 489-Munzlinger (S39)  
 01/05/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S61)  
 03/05/2012 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee  
 03/21/2012 SCS Voted Do Pass (w/SCS SB's 489 & 637) S Judiciary and Civil and Criminal Jurisprudence  
 Committee - (4464.03C)  
 03/22/2012 Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor w/SCS  
 (S499)  
 03/27/2012 SS for SCS S offered & adopted (Munzlinger)--(4464S.05F) (S525)  
 03/27/2012 Perfected (S525)  
 03/27/2012 Reported Truly Perfected S Rules Committee (S527)  
 03/29/2012 S Third Read and Passed - EC adopted (S558-559)  
 03/29/2012 H First Read (w/EC) (H855)  
 03/30/2012 H Second Read (H864)  
 04/04/2012 Referred H General Laws Committee (H942)  
 04/10/2012 Hearing Conducted H General Laws Committee

EFFECTIVE: Emergency Clause

\*\*\* SB 490 \*\*\* SCS SB 490

4458S.02C

SENATE SPONSOR: Munzlinger

SCS/SB 490 - 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 permit or order produces a result that was unknown or not reasonably foreseeable at the time it was issued or if the permit holder purposely failed to disclose relevant facts in obtaining the permit or order.

This act is similar to SB 278 (2011).

MIKE HAMMANN

12/01/2011 Prefiled  
 01/04/2012 S First Read--SB 490-Munzlinger (S39)  
 01/05/2012 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee  
 (S61)  
 02/29/2012 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee

03/07/2012 SCS Voted Do Pass S Agriculture, Food Production and Outdoor Resources Committee - (4458S.02C)  
 03/08/2012 Reported from S Agriculture, Food Production and Outdoor Resources Committee to Floor w/SCS (S433)  
 03/26/2012 Bill Placed on Informal Calendar (S515)  
 04/16/2012 S Informal Calendar S Bills for Perfection--SB 490-Munzlinger, with SCS

EFFECTIVE: August 28, 2012

\*\*\* SB 491 \*\*\* SCS SB 491

4459S.03C

SENATE SPONSOR: Munzlinger

SCS/SB 491 - This act modifies provisions relating to agriculture.

**SECTION 178.530 - AGRICULTURAL EDUCATION IN PRIVATE SCHOOLS**

The act requires the State Board of Education to establish standards for agricultural education that may be adopted by a private school. The standards must be sufficient to allow a private school to apply to host a local chapter of a national agricultural education association. These local chapters at private schools are not eligible to receive state or federal funding for agricultural vocational education.

This section is similar to HB 1953 (2012).

**SECTIONS 256.400 TO 256.433 - SOUTHEAST MISSOURI REGIONAL WATER DISTRICT**

The 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.

This section is identical to SB 63 (2011) and similar to SB 604 (2010) and SB 556 (2009).

**SECTION 276.401 - MISSOURI GRAIN DEALER LAW**

Under current law, certain manufacturers and processors of animal feed are by definition not considered grain dealers under the Missouri Grain Dealer law if, among other things, such individuals do not purchase more than \$100,000 worth of grain a year. This act replaces the \$100,000 threshold with a 50,000 bushel threshold.

This section is identical to SCS/SB 631 (2012).

**SECTION 414.255 - MISSOURI RENEWABLE FUEL STANDARD ACT**

A gas station owner or a motor fuel supplier is not liable for damage caused to a customer's vehicle from use of ethanol-blended fuel purchased from a gas station provided that: the gas station or supplier is operating in compliance with the state ethanol mandate; someone other than an employee of the gas station makes the fuel selection; and the fuel pump is correctly labeled.

ERIKA JAQUES

12/01/2011 Prefiled  
 01/04/2012 S First Read--SB 491-Munzlinger (S39)  
 01/05/2012 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S61)  
 04/04/2012 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee  
 04/05/2012 SCS Voted Do Pass S Agriculture, Food Production and Outdoor Resources Committee - 4459S.03C  
 04/05/2012 Reported from S Agriculture, Food Production and Outdoor Resources Committee to Floor w/SCS (S631)  
 04/16/2012 S Formal Calendar S Bills for Perfection--SB 491-Munzlinger, with SCS

EFFECTIVE: August 28, 2012

\*\*\* SB 492 \*\*\* SS#2 SB 492

4489S.06P

SENATE SPONSOR: Crowell

SS#2/SB 492 - Members of the general assembly and statewide elected officials, who first take office on

or after January 1, 2013, will no longer have retirement benefits determined based on a different formula than other state employees who are under the year 2000 plan.

Currently, employees hired after January 1, 2011, and covered under the Missouri State Employees' Retirement System must contribute four percent of their salary into the system. If a member leaves the system before becoming eligible for normal retirement, their contributions are refunded with interest of four percent per year. This act changes the interest rate so that it is equal to the investment rate for the fifty-two week treasury bills issued by the United States Department of Treasury.

Currently, the beneficiary of any MOSERS member who made contributions into the MOSERS system will upon the member's death receive a refund of the contribution less any retirement benefits received by the member. This act will include the interest credited to the member's contributions in the refund. Interest credited to the contributions will cease upon retirement or death.

MIKE HAMMANN

12/01/2011 Prefiled  
 01/04/2012 S First Read--SB 492-Crowell (S39)  
 01/05/2012 Second Read and Referred S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee (S61)  
 01/18/2012 Hearing Conducted S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee  
 01/26/2012 Voted Do Pass S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee  
 02/09/2012 Reported from S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee to Floor (S234)  
 02/13/2012 Bill Placed on Informal Calendar (S249)  
 02/22/2012 SS S offered (Crowell)--(4489S.05F) (S307-308)  
 02/22/2012 Bill Placed on Informal Calendar (S308)  
 03/05/2012 SS S withdrawn (S392)  
 03/05/2012 SS#2 S offered & adopted (Crowell)--(4489S.06F) (S392)  
 03/05/2012 Perfected (S392)  
 03/06/2012 Reported Truly Perfected S Rules Committee (S402)  
 03/06/2012 Referred S Ways & Means and Fiscal Oversight Committee (S402)  
 03/08/2012 Voted Do Pass S Ways & Means and Fiscal Oversight Committee  
 03/08/2012 Reported from S Ways & Means and Fiscal Oversight Committee to Floor (S422)  
 03/08/2012 S Third Read and Passed (S424)  
 03/08/2012 H First Read (H595)  
 03/19/2012 H Second Read (H602)  
 04/12/2012 Referred H Retirement Committee

EFFECTIVE: August 28, 2012

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\*\*\* SB 493 \*\*\*

4384S.011

SENATE SPONSOR: Stouffer

SB 493 - 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.

This act is similar to SB 224 (2011).

EMILY KALMER

12/01/2011 Prefiled  
 01/04/2012 S First Read--SB 493-Stouffer (S39)  
 01/05/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S61)

EFFECTIVE: August 28, 2012

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\*\*\* SB 494 \*\*\*

4416S.011

SENATE SPONSOR: Wright-Jones

SB 494 – 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 physician or an authorized person under state law 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 be 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.

This act is substantially similar to SB 346 (2011).

ADRIANE CROUSE

12/01/2011 Prefiled

01/04/2012 S First Read--SB 494-Wright-Jones (S39)

01/05/2012 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S61)

EFFECTIVE: August 28, 2012

\*\*\* SB 495 \*\*\*

4419S.011

SENATE SPONSOR: Wright-Jones

SB 495 – This act establishes the Compassionate Assistance for Rape Emergencies (CARE) Act and provides that hospitals and health care facilities are required to do the following:

- provide each sexual assault victim with medically and factually accurate information about emergency contraception;
  - orally inform each victim that emergency contraception may be provided at the hospital;
  - provide the complete regimen of emergency contraception immediately to the victim who requests it;
- and
- follow the Department of Justice protocols on HIV/STI screening and prophylactic treatment.

Hospitals and health care facilities must ensure that they provide their employees with medically and factually accurate information about emergency contraception. The department shall develop, prepare, and produce informational materials relating to emergency contraception to hospitals and health care facilities. The informational materials must be medically and factually accurate, clearly written, and explain the nature of emergency contraception.

The department shall respond to complaints and shall periodically determine whether hospitals and health care facilities are in compliance. If a hospital or a health care facility is not in compliance, then the department shall impose an administrative penalty of \$5,000/per woman who is denied information or emergency contraception and a fine of \$5,000 for failure to comply with the provisions of this act. For every 30 days that a hospital or health care facility is not in compliance, an additional administrative penalty of \$5,000 shall be imposed.

This act is identical to SB 396 (2011).

ADRIANE CROUSE

12/01/2011 Prefiled

01/04/2012 S First Read--SB 495-Wright-Jones (S39)

01/05/2012 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S61)

EFFECTIVE: August 28, 2012

\*\*\* SB 496 \*\*\*

4418S.011

SENATE SPONSOR: Wright-Jones

SB 496 – 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, 2013, and shall be initially funded with five million dollars. The goal of the program is to reduce the number of unintended pregnancies in Missouri by providing women's health services through qualified health providers, as determined by the department. This program shall sunset in six years, unless reauthorized by the General Assembly (SECTION 192.970).

**PATIENT PROTECTION**

Upon receipt of a valid and lawful prescription or upon a lawful request for contraception approved for

over-the-counter use, a licensed pharmacy shall dispense the prescribed drug or device without delay, consistent with the normal time frame for filling any other prescription and shall fulfill the request for the over-counter drug in a timely fashion.

When the customer requests a prescribed drug or device, or contraception approved for over-the-counter use, and such drug or device is not in stock, the pharmacy shall offer the customer the option of having the pharmacy obtain the contraception under the pharmacy's standard procedures for expediting ordering of any drug or device not in stock or the pharmacy may locate another pharmacy of the customer's choice or closest pharmacy that has the drug or device in stock and transfer the customer's prescription to that pharmacy, if necessary. The pharmacy shall perform the customer's chosen option in a timely fashion.

The pharmacy shall ensure that it does not intimidate, threaten, or harass its customers in the delivery of services.

Nothing in this act shall prohibit a licensed pharmacy from refusing to dispense a prescribed drug or device in accordance with standard pharmacy practice if there is a valid medical concern or if the customer is unable to pay for the drug or device. (SECTIONS 338.012 AND 338.014).

This act is identical to SB 348 (2011).

ADRIANE CROUSE

12/01/2011 Prefiled

01/04/2012 S First Read--SB 496-Wright-Jones (S39)

01/05/2012 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S61)

EFFECTIVE: August 28, 2012

\*\*\* SB 497 \*\*\*

4358S.011

SENATE SPONSOR: Munzlinger

SB 497 - This act increases the penalties for the crimes of trespassing and false impersonation. Under this act, first degree trespassing becomes a Class A misdemeanor, second degree trespassing becomes a Class B misdemeanor, false impersonation becomes a Class D felony, and false impersonation of a law enforcement officer becomes a Class C felony.

In addition, this act creates the crime of impersonation of a public servant, which is a Class C felony. Public servant is defined under the act.

MEGHAN LUECKE

12/01/2011 Prefiled

01/04/2012 S First Read--SB 497-Munzlinger (S39)

01/05/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S61)

EFFECTIVE: August 28, 2012

\*\*\* SB 498 \*\*\*

HCS SCS SB 498

4076H.03C

SENATE SPONSOR: Munzlinger

HOUSE HANDLER: Shumake

HCS/SCS/SB 498 - Under current law, cities are prohibited from passing laws that restrict certain 501(c)(3) organizations from operating retail businesses that sell donated items. This act expands the law to include 501(c)(19) organizations.

This act contains an emergency clause.

ERIKA JAQUES

12/01/2011 Prefiled

01/04/2012 S First Read--SB 498-Munzlinger (S39)

01/05/2012 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S61)

01/18/2012 Hearing Conducted S Jobs, Economic Development and Local Government Committee

01/25/2012 SCS Voted Do Pass S Jobs, Economic Development and Local Government Committee - (4076S.02C)

02/02/2012 Reported from S Jobs, Economic Development and Local Government Committee to Floor w/SCS (S192)

02/09/2012 SCS S adopted (S233)  
 02/09/2012 Perfected (S233)  
 02/13/2012 Reported Truly Perfected S Rules Committee (S241)  
 02/16/2012 S Third Read and Passed (S278)  
 02/16/2012 H First Read (H353)  
 02/17/2012 H Second Read (H359)  
 03/08/2012 Referred H Veterans Committee (H588)  
 03/27/2012 Hearing Conducted H Veterans Committee  
 03/27/2012 HCS Voted Do Pass H Veterans Committee - Consent  
 04/02/2012 HCS Reported Do Pass H Veterans Committee (H873)  
 04/02/2012 Referred to Rules Committee pursuant to Rule 25(32)(f) (H873)

EFFECTIVE: Emergency Clause

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\*\*\* SB 499 \*\*\*

4095S.011

SENATE SPONSOR: Munzlinger

SB 499 - This act imposes an additional one dollar admission fee on excursion gambling boat licensees beginning August 28, 2012. The revenues generated by the additional admission fee will be deposited to the credit of the Veterans Commission Capital Improvement Trust Fund.

This act is similar to SB 385 (2011).

EMILY KALMER

12/01/2011 Prefiled  
 01/04/2012 S First Read--SB 499-Munzlinger (S40)  
 01/05/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S61)

EFFECTIVE: August 28, 2012

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\*\*\* SB 500 \*\*\*

4420S.011

SENATE SPONSOR: Wright-Jones

SB 500 – This act modifies provisions relating to certain health care professionals.

#### STATE LEGAL EXPENSE FUND

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.

These provisions are identical to SB 40 (2011).

#### PATIENT SAFETY

This act modifies laws regarding hospital patient safety. Under the act, each hospital is required to establish a patient safety committee by January 1, 2013, to design and recommend the process for implementing a safe patient handling program, which shall be implemented by July 1, 2013. 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, 2016, 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, 2014, 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, 2017 and December 1, 2019.

These provisions are identical to SB 39 (2011).

ADRIANE CROUSE

12/01/2011 Prefiled

01/04/2012 S First Read--SB 500-Wright-Jones (S40)

01/05/2012 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S61)

EFFECTIVE: August 28, 2012

\*\*\* SB 501 \*\*\*

4415S.011

SENATE SPONSOR: Wright-Jones

SB 501 - 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.

The act is identical to SB 345 (2011).

ERIKA JAQUES

12/01/2011 Prefiled

01/04/2012 S First Read--SB 501-Wright-Jones (S40)

01/05/2012 Second Read and Referred S Education Committee (S61)

EFFECTIVE: August 28, 2012

\*\*\* SB 502 \*\*\*

4409S.011

SENATE SPONSOR: Wright-Jones

SB 502 - This act allows elected officials to be excused from jury duty during their term of office.

This act is similar to SB 46 (2011), SB 695 (2010), SB 476 (2009), and HB 1091 (2006).

MIKE HAMMANN

12/01/2011 Prefiled

01/04/2012 S First Read--SB 502-Wright-Jones (S40)

01/05/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S61)

EFFECTIVE: August 28, 2012

\*\*\* SB 503 \*\*\*

4412S.011

SENATE SPONSOR: Wright-Jones

SB 503 – 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 is 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.

In addition, when the Special Administrative Board sponsors a charter school, the term of the school's charter may be for a period of two years, instead of five. If the charter school does not perform to the academic standards in the charter agreement with the sponsor, the special administrative board may close the school at the end of the two-year term and incorporate it into the school district.

This act is identical to SB 184 (2011) and is similar to provisions contained in HCS/HB 473 (2011).  
MICHAEL RUFF

12/01/2011 Prefiled  
01/04/2012 S First Read--SB 503-Wright-Jones (S40)  
01/05/2012 Second Read and Referred S Education Committee (S61)  
01/25/2012 Hearing Scheduled But Not Heard S Education Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 504 \*\*\*

4406S.01P

SENATE SPONSOR: Wright-Jones

SB 504 - 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 45 (2011), SB 687 (2010) and HB 2588 (2008).  
STEPHEN WITTE

12/01/2011 Prefiled  
01/04/2012 S First Read--SB 504-Wright-Jones (S40)  
01/05/2012 Second Read and Referred S Transportation Committee (S61)  
02/01/2012 Hearing Scheduled But Not Heard S Transportation Committee  
02/08/2012 Hearing Conducted S Transportation Committee  
02/15/2012 Voted Do Pass S Transportation Committee  
03/22/2012 Reported from S Transportation Committee to Floor (S499)  
03/26/2012 Perfected (S517)  
03/27/2012 Reported Truly Perfected S Rules Committee (S523)  
03/29/2012 S Third Read and Passed (S554)  
03/29/2012 H First Read (H855)  
03/30/2012 H Second Read (H864)

EFFECTIVE: August 28, 2012

\*\*\* SB 505 \*\*\*

4405S.01I

SENATE SPONSOR: Wright-Jones

SB 505 - 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 44 (2011), SB 642 (2010) and SB 475 (2009).

STEPHEN WITTE

12/01/2011 Prefiled

01/04/2012 S First Read--SB 505-Wright-Jones (S40)

01/05/2012 Second Read and Referred S Small Business, Insurance and Industry Committee (S61)

EFFECTIVE: August 28, 2012

\*\*\* SB 506 \*\*\*

4413S.011

SENATE SPONSOR: Wright-Jones

SB 506 - 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 343 (2011), SB 330 (2009), SB 814 (2010) and HB 487 (2009).

STEPHEN WITTE

12/01/2011 Prefiled

01/04/2012 S First Read--SB 506-Wright-Jones (S40)

01/05/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S61)

EFFECTIVE: August 28, 2012

\*\*\* SB 507 \*\*\*

4414S.011

SENATE SPONSOR: Wright-Jones

SB 507 - 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.

This act is identical to SB 344 (2011).

STEPHEN WITTE

12/01/2011 Prefiled

01/04/2012 S First Read--SB 507-Wright-Jones (S40)

01/05/2012 Second Read and Referred S Small Business, Insurance and Industry Committee (S62)

EFFECTIVE: August 28, 2012

\*\*\* SB 508 \*\*\*

4417S.011

SENATE SPONSOR: Wright-Jones

SB 508 - 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.

This provision may also be found in SB 347 (2011) and the truly agreed to version of HB 430 (2011).

STEPHEN WITTE

12/01/2011 Prefiled

01/04/2012 S First Read--SB 508-Wright-Jones (S40)

01/05/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S62)

03/19/2012 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 509 \*\*\*

4508S.011

SENATE SPONSOR: Wright-Jones

SB 509 - This act authorizes the governing body of St. Louis City to designate areas within the city 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.

This act is similar to SB 224 (2011).

EMILY KALMER

12/01/2011 Prefiled

01/04/2012 S First Read--SB 509-Wright-Jones (S40-41)

01/05/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S62)

EFFECTIVE: August 28, 2012

\*\*\* SB 510 \*\*\*

SCS SB 510

4503S.02P

SENATE SPONSOR: Cunningham

SCS/SB 510 - This act requires county assessors to consider foreclosures and bank sales when establishing the value of parcels of real property for property tax purposes.

This act is similar to SB 52 (2011) and similar to provisions contained within SB 671 (2010).

EMILY KALMER

12/02/2011 Prefiled

01/04/2012 S First Read--SB 510-Cunningham (S41)

01/05/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S62)

02/23/2012 Hearing Conducted S Ways and Means and Fiscal Oversight Committee

03/08/2012 SCS Voted Do Pass S Ways and Means and Fiscal Oversight Committee - (4503S.02C)

03/29/2012 Reported from S Ways and Means and Fiscal Oversight Committee to Floor w/SCS (S566)

04/03/2012 Bill Placed on Informal Calendar (S601)

04/11/2012 SCS S adopted (S656)

04/11/2012 Perfected (S656)

04/12/2012 Reported Truly Perfected S Rules Committee

04/16/2012 S Formal Calendar S Bills for Third Reading--SCS for SB 510-Cunningham

EFFECTIVE: August 28, 2012

\*\*\* SB 511 \*\*\*

4476S.011

SENATE SPONSOR: Schaaf

SB 511 - This act provides that no amendments shall be made to the Missouri State Medicaid Plan without first obtaining approval from the Joint Committee on MO HealthNet.

ADRIANE CROUSE

12/02/2011 Prefiled

01/04/2012 S First Read--SB 511-Schaaf (S41)

01/05/2012 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S62)

01/24/2012 Hearing Conducted S Health, Mental Health, Seniors and Families Committee

04/03/2012 Voted Do Pass S Health, Mental Health, Seniors and Families Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 512 \*\*\*

4328S.011

SENATE SPONSOR: Schaaf

SB 512 - 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.

This act is identical to SB 214(2011).

ADRIANE CROUSE

12/02/2011 Prefiled

01/04/2012 S First Read--SB 512-Schaaf (S41)

01/05/2012 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S62)

EFFECTIVE: August 28, 2012

\*\*\* SB 513 \*\*\*

4226S.011

SENATE SPONSOR: Crowell

SB 513 - This act prohibits the approval of new applications under the Missouri Downtown Economic Stimulus Act after August 28, 2012.

This act is similar to SB 143 (2010).

EMILY KALMER

12/05/2011 Prefiled

01/04/2012 S First Read--SB 513-Crowell (S41)

01/05/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S62)

EFFECTIVE: August 28, 2012

\*\*\* SB 514 \*\*\*

4223S.011

SENATE SPONSOR: Crowell

SB 514 - 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), SB 888 (2010), SB 1 (2011), and SB 109 (2011).

CHRIS HOGERTY

12/05/2011 Prefiled

01/04/2012 S First Read--SB 514-Crowell (S41)

01/05/2012 Second Read and Referred S General Laws Committee (S62)

01/17/2012 Hearing Scheduled But Not Heard S General Laws Committee

EFFECTIVE: Upon voter approval

\*\*\* SB 515 \*\*\*

4334S.011

SENATE SPONSOR: Schaaf

SB 515 - 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.

This act is identical to SCS/SB 92 (2011).

STEPHEN WITTE

12/05/2011 Prefiled

01/04/2012 S First Read--SB 515-Schaaf (S41)

01/05/2012 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S62)

01/24/2012 Hearing Conducted S Health, Mental Health, Seniors and Families Committee

04/03/2012 Motion to vote bill do pass failed S Health, Mental Health, Seniors and Families Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 516 \*\*\* SCS SB 516

4332S.04C

SENATE SPONSOR: Schaaf

SCS/SB 516 - 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.

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.

This act requires the Governor to give electronic notice to the General Assembly at least thirty days before the term ends for an appointed member of any board, commission, or committee that is subject to the advice and consent of the Senate. This provision is similar to SB 775 (2012).

This act mandates that appointments by the Governor to the following boards, commissions, or committees must be made with the advice and consent of the Senate: Missouri Minority Business Advocacy Commission, Governor's Council on Disability, Missouri Military Preparedness and Enhancement Commission, St. Louis Convention and Visitors Commission, Mid-America Port Commission, Missouri Local Government Employees' Retirement System, Missouri State Employees Retirement System Board, State Interagency Coordinating Council, Interstate Commission on Education Opportunity for Military Children, Missouri Commission for the Deaf and Hard of Hearing, Educational Commission of the States, Missouri Assistive Technology Advisory Council, Missouri Cotton Growers' Organization Board of Directors, Missouri State Unemployment Council, Missouri Pet Spay/Neuter Fund Board, Residential Mortgage Board, Missouri Small Business Regulatory Fairness Board, Sentencing Advisory Commission, State Council for Interstate Adult Offender Supervision, Missouri Film Commission, Small Business Compliance Advisory Committee, Missouri Sheriff Methamphetamine Relief Taskforce, Missouri Medal of Valor Review Board, and Midwest Interstate Passenger Rail Compact.

This act is similar to SB 355 (2011) and SB 650 (2012).

JIM ERTLE

12/05/2011 Prefiled  
 01/04/2012 S First Read--SB 516-Schaaf (S41)  
 01/05/2012 Second Read and Referred S Gubernatorial Appointments Committee (S62)  
 02/15/2012 Hearing Conducted S Gubernatorial Appointments Committee  
 03/21/2012 SCS Voted Do Pass S Gubernatorial Appointments Committee - (4332S.04C)  
 03/22/2012 Reported from S Gubernatorial Appointments Committee to Floor w/SCS (S498)  
 03/26/2012 SA 1 to SCS S offered & adopted (Dixon)--(4332S04.01S) (S515-517)  
 03/26/2012 Bill Placed on Informal Calendar (S517)  
 04/16/2012 S Informal Calendar S Bills for Perfection--SB 516-Schaaf, with SCS (pending)

EFFECTIVE: August 28, 2012

\*\*\* SB 517 \*\*\*

4307S.011

SENATE SPONSOR: Brown

SB 517 - This act imposes an additional \$1,500 fine for failing to drive in the right-hand lane. Under current law, vehicles must be driven in the right-hand lane except for passing another vehicle, preparing to make a left turn, or when otherwise marked by traffic signals. A violation of the current law is a Class C misdemeanor (up to 15 days in jail/ fine up to \$300).

STEPHEN WITTE

12/05/2011 Prefiled  
 01/04/2012 S First Read--SB 517-Brown (S41)  
 01/05/2012 Second Read and Referred S Transportation Committee (S62)

EFFECTIVE: August 28, 2012

\*\*\* SB 518 \*\*\*

4162S.011

SENATE SPONSOR: Engler

SCS/SB 518 - This act allows the Department of Corrections to establish a three-year pilot program in which judges in participating counties may send a criminal offender, upon a motion by a prosecutor or the offender's attorney, to the department of corrections for 120 days for 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.

Only certain offenders of Class C and D felonies or drug crimes may participate in the program. 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, 2015, on whether the program should be statewide.

MEGHAN LUECKE

12/06/2011 Prefiled

01/04/2012 S First Read--SB 518-Engler (S41)

01/05/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S62)

02/20/2012 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee

03/05/2012 SCS Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee (4162S.03C)

EFFECTIVE: August 28, 2012

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\*\*\* SB 519 \*\*\*

4335S.011

SENATE SPONSOR: Schaaf

SB 519 - 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.

This act is identical to SB 111 (2011).

STEPHEN WITTE

12/06/2011 Prefiled

01/04/2012 S First Read--SB 519-Schaaf (S41)

01/05/2012 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S62)

EFFECTIVE: August 28, 2012

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\*\*\* SB 520 \*\*\*

4359S.011

SENATE SPONSOR: Schaaf

SB 520 - This act requires a candidate who forms a committee to designate the office to which the candidate is seeking nomination or election.

This act is similar to HB 1708 (2010).

CHRIS HOGERTY

12/06/2011 Prefiled

01/04/2012 S First Read--SB 520-Schaaf (S41)

01/05/2012 Second Read and Referred S Financial and Governmental Organizations and Elections  
Committee (S62)

01/17/2012 Hearing Conducted S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 521 \*\*\*

4368S.011

SENATE SPONSOR: Curls

SB 521 - This act requires a non-custodial parent to pay child support until his or her child reaches 22 years of age instead of 21 years of age.

This act is identical to HB 879 (2009).

ADRIANE CROUSE

12/06/2011 Prefiled

01/04/2012 S First Read--SB 521-Curls (S42)

01/05/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S62)

EFFECTIVE: August 28, 2012

\*\*\* SB 522 \*\*\*

4173S.011

SENATE SPONSOR: Curls

SB 522 - 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, either:

(1) Successfully participates in, is accepted for treatment and is on a waiting list for, or has satisfactorily completed a substance abuse treatment program approved by the Division of Alcohol and Drug Abuse;

(2) Has been determined by a division-certified treatment provider to not need substance abuse treatment; or

(3) Complies with all obligations imposed by the court, Division of Alcohol and Drug Abuse and the Division of Probation and Parole.

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

This act is identical to HB 74 (2011).

ADRIANE CROUSE

12/06/2011 Prefiled

01/04/2012 S First Read--SB 522-Curls (S42)

01/05/2012 Second Read and Referred S General Laws Committee (S62)

EFFECTIVE: August 28, 2012

\*\*\* SB 523 \*\*\*

4169S.011

SENATE SPONSOR: Curls

SB 523 - Under current law, a person under the age of 18 is exempt from the prohibition on youth possessing tobacco products if the youth is handling the products for the purpose of selling them in the course of his or her employment. The act removes this exemption. Any store found to have a youth selling tobacco products shall be subject to a fine of \$250 for a first violation and \$500 for subsequent violations.

This act is identical to HB 63 (2011).

ERIKA JAQUES

12/06/2011 Prefiled

01/04/2012 S First Read--SB 523-Curls (S42)



01/05/2012 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S62)

01/18/2012 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 524 \*\*\*

4186S.011

SENATE SPONSOR: Curls

SB 524 - This act increases the number of members on the Missouri Housing Development Commission from 6 members to 8 members. The act further specifies that 3 members must serve two-year terms, 3 members must serve three-year terms, and 2 members must serve four-year terms. At least one member must be from Kansas City and one from St. Louis, who will be chosen from a panel of three selected and submitted to the Governor by the respective city councils. Under the act, 7 members shall constitute a quorum rather than the current number of 6.

This act is identical to HB 651(2011).

STEPHEN WITTE

12/06/2011 Prefiled

01/04/2012 S First Read--SB 524-Curls (S42)

01/05/2012 Second Read and Referred S General Laws Committee (S62)

01/24/2012 Hearing Scheduled But Not Heard S General Laws Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 525 \*\*\*

4159S.011

SENATE SPONSOR: Engler

SB 525 - This act provides that beginning January 1, 2013, 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, 2013. 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 identical to SB 225 (2011) and is similar to SB 757 (2008).

MEGHAN LUECKE

12/07/2011 Prefiled

01/04/2012 S First Read--SB 525-Engler (S42)

01/05/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S62)

EFFECTIVE: August 28, 2012

\*\*\* SB 526 \*\*\*

4329S.011

SENATE SPONSOR: Schaaf

SB 526 - 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 SB 215 (2011).

ADRIANE CROUSE

12/07/2011 Prefiled

01/04/2012 S First Read--SB 526-Schaaf (S42)

01/05/2012 Second Read and Referred S Small Business, Insurance and Industry Committee (S62)

EFFECTIVE: August 28, 2012

\*\*\* SB 527 \*\*\*

4457S.011

SENATE SPONSOR: Schaaf

SB 527 – This act provides that students who have completed their secondary education through a home school program of education will receive the same consideration for higher education financial aid as non-home school students. In addition, no rule or prerequisite for financial aid may result so as to disadvantage home school students.

This act is similar to HB 1504 (2010).

MICHAEL RUFF

12/07/2011 Prefiled

01/04/2012 S First Read--SB 527-Schaaf (S42)

01/05/2012 Second Read and Referred S Education Committee (S62)

EFFECTIVE: August 28, 2012

\*\*\* SB 528 \*\*\*

4595S.021

SENATE SPONSOR: Wright-Jones

This bill has been combined with SB 767

12/08/2011 Prefiled

01/04/2012 S First Read--SB 528-Wright-Jones (S42)

01/05/2012 Second Read and Referred S Transportation Committee (S62)

01/18/2012 Hearing Conducted S Transportation Committee

03/07/2012 Bill Combined (w/SCS SBs 767, 653, 754, 705, 441, 528, 831, 833 & 847) S Transportation Committee - (5761S.04C)

EFFECTIVE: August 28, 2012

\*\*\* SB 529 \*\*\*

4336S.011

SENATE SPONSOR: Schaaf

SB 529 - 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 SB 136 (2011).

ADRIANE CROUSE

12/08/2011 Prefiled

01/04/2012 S First Read--SB 529-Schaaf (S42)

01/05/2012 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S62)

EFFECTIVE: August 28, 2012

\*\*\* SB 530 \*\*\*

4330S.011

SENATE SPONSOR: Schaaf

SB 530 - Current allocations of tax revenues derived from the nonresident entertainer and athlete tax to the Missouri arts council trust fund, the Missouri humanities council trust fund, the Missouri state library networking fund, Missouri public television broadcasting corporation special fund, and the 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 SB 293 (2011) and HB 429 (2011).

EMILY KALMER

12/08/2011 Prefiled

01/04/2012 S First Read--SB 530-Schaaf (S42)

01/05/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S62)

EFFECTIVE: August 28, 2012

\*\*\* SB 531 \*\*\*

4374S.011

SENATE SPONSOR: Lamping

SB 531 - This act modifies the low-income housing tax credit program and the historic preservation tax credit program. The Department of Revenue is required to apply any increase in revenue generated from capping these tax credit programs to a decrease in the personal income tax rate to begin on January 1, 2016. The Department of Revenue is required to accomplish this decrease in the personal income tax rate by rule.

#### LOW-INCOME HOUSING TAX CREDITS

The act establishes a one hundred ten million dollar cap for authorizations of 9% low-income housing tax credits for FY 2014. For each subsequent fiscal year from FY 2015 to FY 2017 the amount of 9% low-income housing tax credits which may be authorized is gradually reduced such that beginning FY 2017, no more than seventy million dollars in 9% low-income housing tax credits may be authorized each fiscal year.

Authorizations of 4% low-income housing tax credits are capped at fifteen million dollars for FY 2014. For each subsequent fiscal year the amount of 4% low-income housing tax credits which may be authorized is reduced by five million dollars. After June 30, 2016, no 4% low-income housing tax credits may be authorized.

The act prohibits the authorization of low-income housing tax credits after August 28, 2018. The stacking of state 9% low-income housing tax credits with state historic preservation tax credits for the same project is prohibited. The carry-back for low-income housing tax credits is reduced from three years to two years.

#### 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 2014, and each fiscal year thereafter, this act would prohibit the Department of Economic Development from approving more than eighty million dollars in historic preservation tax credits increased by the amount of any rescissions 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 a ten million dollar fiscal year cap.

#### Non-Income Producing Residential Projects:

The act prohibits the department from issuing more than one hundred twenty-five thousand dollars in historic preservation tax credits per project for non-income producing residential rehabilitation projects.

## Transition Rules:

Applicants for projects that, as August 28, 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.

## Stacking:

The act also prohibits the stacking of state historic preservation tax credits with state 9% low-income housing tax credits. Historic preservation tax credits will now be capable of being carried back one year or forward five years.

EMILY KALMER

12/08/2011 Prefiled

01/04/2012 S First Read--SB 531-Lamping (S42)

01/05/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S62)

01/19/2012 Hearing Conducted S Ways and Means and Fiscal Oversight Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 532 \*\*\*

4635S.011

SENATE SPONSOR: Schaefer

SB 532 - This act modifies the sunset of the tax credit for donations to food pantries, so that the program that expired August 28, 2011, expires August 28, 2022.

EMILY KALMER

12/09/2011 Prefiled

01/04/2012 S First Read--SB 532-Schaefer (S42)

01/05/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S62)

EFFECTIVE: August 28, 2012

\*\*\* SB 533 \*\*\*

4407S.011

SENATE SPONSOR: Schaaf

SB 533 - Under this act a certificate of need shall not be required for a proposed project which creates ten or more new full-time jobs. The person proposing the project is required to submit a letter of intent and a report of the number of jobs and such other information as may be required by the Health Facilities Review Committee to document the basis for not requiring a certificate of need. If the letter of intent and report document that ten or more new full-time jobs shall be created, the committee shall respond within thirty days to such person with an approval of the non-applicability of a certificate of need. No job that was created prior to the approval of non-applicability of a certificate of need shall be deemed a new job. For purposes of this amendment, a "full-time employee" means an employee of the person that is scheduled to work an average of at least thirty-five hours per week for a twelve-month period, and one for which the person offers health insurance and pays at least fifty-percent of such insurance premiums.

These provisions are substantially similar to provisions in SB 10 (Special Session 2011).

ADRIANE CROUSE

12/09/2011 Prefiled

01/04/2012 S First Read--SB 533-Schaaf (S43)

01/05/2012 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S62)

EFFECTIVE: August 28, 2012

\*\*\* SB 534 \*\*\*

4333S.011

SENATE SPONSOR: Schaaf

SB 534 - 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.

This act is identical to SB 76 (2011).

STEPHEN WITTE

12/09/2011 Prefiled  
01/04/2012 S First Read--SB 534-Schaaf (S43)  
01/05/2012 Second Read and Referred S Small Business, Insurance and Industry Committee (S62)

EFFECTIVE: August 28, 2012

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\*\*\* SB 535 \*\*\*

4645S.011

SENATE SPONSOR: Chappelle-Nadal

SB 535 - This act modifies provisions relating to the St. Louis police force.

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 \$15,000 and disqualification from office.

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.

The City of St. Louis is authorized by this act to establish a municipal police force, no sooner than January 1, 2013, after certain conditions have been met and according to certain procedures. For instance, the city is required to amend its charter to repeal its residency rule and the city is prohibited from requiring its employees to live in the city for more than seven years.

The city must also hire a public safety director who has at least ten years experience in correctional management and the director must complete continuing education courses in correctional management every year.

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 is required to employ, without a reduction in rank, salary, or benefits, all commissioned and civilian personnel of the board of police commissioners. These employees may not be fired or have their salary, benefits, or ranks reduced except for cause and only after certain disciplinary procedures have been followed.

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, domestic partners, 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 local and municipal 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 modifies the definitions 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. The makeup of the St. Louis Police Retirement System Board of Trustees is also modified.

This act provides, 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, that 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.

The State Legal Expense Fund will no longer reimburse the St. Louis Board of Police Commissioners for up to a maximum of one million dollars per fiscal year for claims tendered to the Attorney General after the effective date of this act. The Attorney General will continue to provide legal representation for claims tendered by the board of police commissioners before the effective date of this act.

Some of the provisions of this act are nonseverable.

This act is similar to SS/HB 1 (2011), SB 23 (2011), and HB 71 (2011).

MEGHAN LUECKE

12/09/2011 Prefiled

01/04/2012 S First Read--SB 535-Chappelle-Nadal (S43)

01/05/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S62)

EFFECTIVE: August 28, 2012

\*\*\* SB 536 \*\*\*

4100S.011

SENATE SPONSOR: Chappelle-Nadal

SB 536 - 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 SB 43 (2011).

ADRIANE CROUSE

12/09/2011 Prefiled

01/04/2012 S First Read--SB 536-Chappelle-Nadal (S43)

01/05/2012 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S62)

EFFECTIVE: August 28, 2012

\*\*\* SB 537 \*\*\*

4097S.011

SENATE SPONSOR: Chappelle-Nadal

SB 537 - 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 SB 30 (2011) and HB 1338 (2010).

MEGHAN LUECKE

12/09/2011 Prefiled

01/04/2012 S First Read--SB 537-Chappelle-Nadal (S43)

01/05/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S62)

EFFECTIVE: August 28, 2012

\*\*\* SB 538 \*\*\*

4102S.011

SENATE SPONSOR: Chappelle-Nadal

SB 538 - 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 similar to SB 41 (2011).

ADRIANE CROUSE

12/09/2011 Prefiled

01/04/2012 S First Read--SB 538-Chappelle-Nadal (S43)

01/05/2012 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S62)

EFFECTIVE: August 28, 2012

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\*\*\* SB 539 \*\*\*

4105S.011

SENATE SPONSOR: Chappelle-Nadal

SB 539 - 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), and SB 314 (2011).

CHRIS HOGERTY

12/09/2011 Prefiled

01/04/2012 S First Read--SB 539-Chappelle-Nadal (S43)

01/05/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S63)

EFFECTIVE: August 28, 2012

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\*\*\* SB 540 \*\*\*

4099S.011

SENATE SPONSOR: Chappelle-Nadal

SB 540 - 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), and SB 315 (2011).

CHRIS HOGERTY

12/09/2011 Prefiled

01/04/2012 S First Read--SB 540-Chappelle-Nadal (S43)

01/05/2012 Second Read and Referred S Small Business, Insurance and Industry Committee (S63)

01/24/2012 Hearing Conducted S Small Business, Insurance and Industry Committee

EFFECTIVE: August 28, 2012

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\*\*\* SB 541 \*\*\*

4103S.011

SENATE SPONSOR: Chappelle-Nadal

SB 541 - 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 SB 32 (2011) and HB 1753 (2010).

EMILY KALMER

12/09/2011 Prefiled

01/04/2012 S First Read--SB 541-Chappelle-Nadal (S43)

01/05/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S63)

EFFECTIVE: August 28, 2012

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\*\*\* SB 542 \*\*\*

4110S.011

SENATE SPONSOR: Chappelle-Nadal

SB 542 - 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), and SB 418 (2011).

CHRIS HOGERTY

12/09/2011 Prefiled  
 01/04/2012 S First Read--SB 542-Chappelle-Nadal (S43)  
 01/05/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S63)  
 02/06/2012 Hearing Conducted S Financial and Governmental Organizations and Elections Committee  
 02/13/2012 Motion to vote bill do pass failed S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2012

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\*\*\* SB 543 \*\*\*

4111S.011

SENATE SPONSOR: Chappelle-Nadal

SB 543 – This act modifies provisions relating to elementary and secondary education.

**SUPERINTENDENT EVALUATIONS:** By June 30, 2013, 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)

**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)

**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 report 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)

This act is identical to SCS/SB 99 (2011).

MICHAEL RUFF



12/09/2011 Prefiled  
 01/04/2012 S First Read--SB 543-Chappelle-Nadal (S43)  
 01/05/2012 Second Read and Referred S Education Committee (S63)

EFFECTIVE: August 28, 2012

\*\*\* SB 544 \*\*\*

4109S.011

SENATE SPONSOR: Chappelle-Nadal

SB 544 - 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, 2014, 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, 2012.

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), SB 1063 (2010), and SB 382 (2011).

MIKE HAMMANN

12/09/2011 Prefiled  
 01/04/2012 S First Read--SB 544-Chappelle-Nadal (S43)  
 01/05/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S63)  
 01/17/2012 Hearing Cancelled S Financial and Governmental Organizations and Elections Committee  
 02/06/2012 Hearing Conducted S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 545 \*\*\*

4104S.011

SENATE SPONSOR: Chappelle-Nadal

SB 545 - 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), and SB 127 (2011).

CHRIS HOGERTY

12/09/2011 Prefiled  
 01/04/2012 S First Read--SB 545-Chappelle-Nadal (S44)  
 01/05/2012 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S63)

EFFECTIVE: August 28, 2012

\*\*\* SB 546 \*\*\*

4370S.011

SENATE SPONSOR: Purgason

SB 546 - The act imposes contribution limits for individuals and committees in support of candidates running for public office. Surcharges will be imposed upon committees that accept or give contributions exceeding the limits.

The limits are as follows for contributions made by or accepted from any person other than the candidate and all committees:

- \$2,500 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.
- \$2,500 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), and SB 648 (2010).  
CHRIS HOGERTY

12/12/2011 Prefiled

01/04/2012 S First Read--SB 546-Purgason (S44)

01/05/2012 Second Read and Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S63)

03/20/2012 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 547 \*\*\*

4371S.011

SENATE SPONSOR: Purgason

SB 547 - 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), SB 888 (2010), SB 1 (2011), SB 109 (2011), and SB 206 (2011).  
CHRIS HOGERTY

12/12/2011 Prefiled

01/04/2012 S First Read--SB 547-Purgason (S44)

01/05/2012 Second Read and Referred S General Laws Committee (S63)

01/17/2012 Hearing Conducted S General Laws Committee

01/24/2012 Voted Do Pass S General Laws Committee

01/26/2012 Reported from S General Laws Committee to Floor (S160)

01/31/2012 Bill Placed on Informal Calendar (S172)

04/16/2012 S Informal Calendar S Bills for Perfection--SB 547-Purgason

EFFECTIVE: August 28, 2012

\*\*\* SB 548 \*\*\*

SCS SB 548

4400S.07C

SENATE SPONSOR: Purgason

SCS/SB 548 -This act modifies the provisions of several tax credit programs and certain taxpayer's eligibility for particular tax credit programs.

The act sunsets all tax credit programs, which are not currently subject to the Missouri Sunset Act, effective January 1, 2016, except that tax credit programs that do not currently have a sunset, but are given a sunset by this act are subject to the sunset provided in this act. (Section 135.822)

CIRCUIT BREAKER TAX CREDIT

(Sections 135.010, 135.025, and 135.030)

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.

#### LOW-INCOME HOUSING TAX CREDITS

(Section 135.352)

This act also modifies the low-income housing tax credit program.

The act establishes a one hundred ten million dollar cap for authorizations of 9% low-income housing tax credits for FY 2013. For each subsequent fiscal year from FY 2014 to FY 2016 the amount of 9% low-income housing tax credits which may be authorized is gradually reduced such that beginning FY 2016, no more than seventy million dollars in 9% low-income housing tax credits may be authorized each fiscal year.

Authorizations of 4% low-income housing tax credits are capped at fifteen million dollars for FY 2013. For the next two fiscal years the amount of 4% low-income housing tax credits which may be authorized is reduced by five million dollars each year. After June 30, 2015, no more 4% low-income housing tax credits may be authorized.

The stacking of state 9% low-income housing tax credits with state historic preservation tax credits for the same project is prohibited. The carry-back for low-income housing tax credits is reduced from three years to two years.

The act prohibits the authorization of further tax credits under this program after August 28, 2018.

#### HISTORIC PRESERVATION TAX CREDITS

(Sections 253.550, 253.557, and 253.559)

This act modifies the amount of historic preservation tax credits that the Department of Economic Development is permitted to authorize each fiscal year, beginning with fiscal year 2013.

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 approving more than seventy-five million dollars in historic preservation tax credits increased by the amount of any rescissions of approved applications for such credits. Projects which would receive less than two hundred seventy-five thousand dollars in tax credits will be subject to a ten million dollar fiscal year cap. The act prohibits the authorization of further tax credits under this program after August 28, 2018.

The act prohibits the department from issuing more than one hundred twenty-five thousand dollars in historic preservation tax credits per project for non-income producing residential rehabilitation projects.

Applicants for projects that, as the effective date of this act, 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 state historic preservation tax credits with state 9% low-income housing tax credits. Historic preservation tax credits will now be capable of being carried back one year or forward five years.

#### VERIFICATION THAT TAX CREDIT APPLICANTS PAID TAXES

(Sections 135.815 and 135.967)

Current law requires that a state agency administering a tax credit verify with the Department of Revenue and the Department of Insurance, Financial Institutions and Professional Registration that the applicant for the tax credit is not delinquent on certain state taxes. This act requires the state agency to also verify that the applicant for the tax credit does not owe any delinquent property taxes or federal taxes.

Currently, if the applicant for the tax credit is delinquent on these state taxes, the agency may authorize tax credits, but the amount of tax credits issued is reduced by the amount of the applicant's delinquency. This act prohibits the state agency from authorizing the tax credit application, until the applicant for the tax credit has remedied the delinquent taxes, or made arrangements to remedy the delinquent taxes.

**WOOD ENERGY PRODUCERS TAX CREDIT**

(Section 135.305)

Currently, the Wood Energy Tax Credit program may not authorize further tax credits after June 30, 2013. This act allow tax credits to be authorized under this program until June 30, 2016.

**CERTAIN SOCIAL AND CONTRIBUTORY TAX CREDITS**

The Public Safety Officer Surviving Spouse Tax Credit program currently sunsets on August 28, 2013. This act extends the sunset to August 28, 2016. (Section 135.090)

The Children in Crisis Tax Credit program currently provides an income tax credit for contributions to child advocacy centers, crisis care centers, and entities that receive funding from the Court-Appointed Special Advocate Fund. This act extends the sunset on this tax credit program from August 28, 2012 to August 28, 2015. (Section 135.327)

This act extends the sunset from December 2013 to December 2016 on the section of law that creates the tax credit for certain taxpayers who modify their homes to make them accessible for a disabled resident. (Section 135.562)

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 these provisions until August 28, 2015. (Section 135.630)

This act modifies the sunset of the tax credit for donations to food pantries, so that the program that expired August 28, 2011 expires August 28, 2015. (Section 135.647)

The act extends the sunset on the residential treatment agency tax credit from August 28, 2012, to August 28, 2015. (Section 135.1150)

The act creates an income tax credit equal to fifty percent of the amount of an eligible donation made, on or after January 1, 2012, 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 Social Services for the tax credits. The provisions of this act shall automatically sunset August 28, 2015. (Section 135.1180)

**ELIGIBILITY OF CERTAIN TAXPAYERS FOR PARTICULAR ECONOMIC DEVELOPMENT PROGRAMS**  
(Section 1)

This act makes a taxpayer that acquires a facility from a company that has a federal contract ineligible for tax incentives or grants under the Business Facility Tax Credit program, the Business Use Incentives for Large Scale Development program, the Development Tax Credit program, the Rebuilding Communities Tax Credit program, the Enhanced Enterprise Zone Tax Credit program, and the Missouri Quality Jobs program, when the taxpayer will use the facility for a similar business.

This act has an emergency clause.

Provisions of this act are similar to SB 481 (2012), SB 532 (2012), SB 582 (2012), SB 708 (2012), SB 724 (2012), SB 906 (2012), SB 8 (1st Ext. Session 2011); SB 140 (2011), and SB 185 (2011).

EMILY KALMER

12/12/2011 Prefiled

01/04/2012 S First Read--SB 548-Purgason (S44)

01/05/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S63)

01/19/2012 Hearing Conducted S Ways and Means and Fiscal Oversight Committee

03/29/2012 SCS Voted Do Pass S Ways and Means and Fiscal Oversight Committee - (4400S.07C)

03/29/2012 Reported from S Ways and Means and Fiscal Oversight Committee to Floor w/SCS (S566)

04/04/2012 Bill Placed on Informal Calendar (S609)

04/16/2012 S Informal Calendar S Bills for Perfection--SB 548-Purgason, with SCS

EFFECTIVE: Emergency Clause

unused for classroom instruction for two consecutive school years to make them available to other public schools free of any rent or lease charge. Any public school that uses them is responsible for maintenance, upkeep, repairs, and utility charges. If no public school makes use of them, the district must sell the buildings at fair market value or make them available for lease at fair market value. A school district may retain up to twenty percent of its vacant buildings.

The terms of sale of any school facilities must not include a restriction in the deed that would prohibit the use of the facilities for educational purposes.

MICHAEL RUFF

12/12/2011 Prefiled  
 01/04/2012 S First Read--SB 549-Lembke (S44)  
 01/05/2012 Second Read and Referred S Education Committee (S63)  
 02/22/2012 Hearing Conducted S Education Committee  
 02/29/2012 Voted Do Pass S Education Committee  
 03/08/2012 Reported from S Education Committee to Floor (S432)  
 03/26/2012 Taken up for Perfection (S513)  
 03/26/2012 Bill Placed on Informal Calendar (S514)  
 04/16/2012 S Informal Calendar S Bills for Perfection--SB 549-Lembke

EFFECTIVE: August 28, 2012

\*\*\* SB 550 \*\*\*

4331S.011

SENATE SPONSOR: Schaaf

SB 550 - 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.

This act is identical to SB 333(2011).

ADRIANE CROUSE

12/12/2011 Prefiled  
 01/04/2012 S First Read--SB 550-Schaaf (S44)  
 01/05/2012 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S63)

EFFECTIVE: August 28, 2012

\*\*\* SB 551 \*\*\*

4617S.011

SENATE SPONSOR: Brown

SB 551 - Currently, feed for livestock or poultry and seed, limestone, and fertilizer used for crops to be fed to livestock or poultry are exempted from state and local sales tax. This act adds feed for captive wildlife and seed, limestone, and fertilizer used for crops to be fed to captive wildlife to this exemption.

This act is similar to a portion of SB 241 (2011).

EMILY KALMER

12/12/2011 Prefiled  
 01/04/2012 S First Read--SB 551-Brown (S44)  
 01/05/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S63)

EFFECTIVE: August 28, 2012

\*\*\* SB 552 \*\*\*

4597S.011

SENATE SPONSOR: Brown

SB 552 - Currently there is a statute of limitations time period of two years for medical malpractice actions against health care providers. This act adds veterinarians and entities providing veterinarian services to the list of health care providers. For time periods dependent on knowledge of the negligence, the animal owner's knowledge is used.

This act is identical to HB 1945 (2010).

MIKE HAMMANN

12/12/2011 Prefiled  
 01/04/2012 S First Read--SB 552-Brown (S44)  
 01/05/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S63)

EFFECTIVE: August 28, 2012

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\*\*\* SB 553 \*\*\* SCS SBs 553 & 435

4559S.02C

SENATE SPONSOR: Brown

SCS/SBs 553 & 435 - Upon voter approval, this act bars public employee labor unions from withholding fees from employee paychecks. The act requires the employee's consent for public employee labor unions to use fees and dues for political purposes.

The employee must authorize the amount to be used for political contributions. The employee may also stipulate to which committee their fees will be paid. Authorizing or refraining from authorizing any amount shall in no way affect employment.

The labor union must keep records of all authorizations and submit them to the Labor and Industrial Relations Commission.

This act is similar to SB 814 (1998), SB 610 (2006), HB 492 (2011), SB 202 (2011), and identical to SB 435 (2012).

CHRIS HOGERTY

12/12/2011 Prefiled  
 01/04/2012 S First Read--SB 553-Brown (S44)  
 01/05/2012 Second Read and Referred S Small Business, Insurance and Industry Committee (S63)  
 01/17/2012 Hearing Conducted S Small Business, Insurance and Industry Committee  
 01/24/2012 SCS Voted Do Pass (w/SCS SBs 553 & 435) S Small Business, Insurance and Industry Committee - (4559S.02C)  
 01/26/2012 Reported from S Small Business, Insurance and Industry Committee to Floor w/SCS (S159)  
 01/31/2012 SS for SCS S offered (Brown)---(4559S.03F) (S171)  
 01/31/2012 SA 1 to SS for SCS S offered (Green)--(4559S03.01S) (S172)  
 01/31/2012 Bill Placed on Informal Calendar (S172)  
 04/16/2012 S Informal Calendar S Bills for Perfection--SBs 553 & 435-Brown, with SCS, SS for SCS & SA 1 (pending)

EFFECTIVE: Upon voter approval

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\*\*\* SB 554 \*\*\*

4176S.011

SENATE SPONSOR: Curls

SB 554 – This act changes the notice requirement to a tenant in a foreclosure action from ten business days to ninety days.

This act is identical to HB 485 (2011).

JIM ERTLE

12/12/2011 Prefiled  
 01/04/2012 S First Read--SB 554-Curls (S44)  
 01/05/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S63)

EFFECTIVE: August 28, 2012

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\*\*\* SB 555 \*\*\*

4175S.011

SENATE SPONSOR: Curls

SB 555 - This act establishes the Contract for Deed Act. This act regulates certain residential real estate contracts where the contract has not been fully performed, particularly contracts where the seller does not deliver the deed for the property until the buyer finishes making installment payments to the seller. A residential lease agreement that includes an option to purchase real estate is also required to comply with some of the requirements of this act.

This act allows a person who sells residential real estate in this way to rescind the contract, or declare the contract terminated and retake the land, if the person who purchases the property fails to make payment on time or comply with a term of the contract. Before the seller can take these actions, the seller must give a specific notice to the buyer and give the buyer thirty days to fix the default. If the buyer has already paid thirty percent of the amount due, or forty-eight monthly payments, then the seller cannot rescind the contract, or declare the contract terminated and retake the land, but the seller can sell the property after giving the buyer notice and sixty days to fix the default. The sale must be conducted by a trustee with the same notice required in foreclosure sales. If after the sale the buyer still owes money, the seller can have a judgment against the buyer.

The act specifies that a lien on the property for the purposes of providing utility service to the property will not be considered a default under the contract.

If the negotiations before signing the contract are not conducted in English, then the seller is required to provide copies of the written documents relating to the sale, including the notices required by this act, in that language.

The seller is required to make certain disclosures about the property, provide the buyer with information about any delinquent taxes or assessments due on the property, and provide the buyer with a copy of any insurance policy relating to the property before the buyer signs the contract. These contracts are not enforceable, unless they are in writing and the seller is required to include notice to the buyer that the contract is the final agreement between the parties. If the seller does not take these actions, they can be sued based on the unlawful merchandising practice laws or the buyer can cancel and rescind the contract with a full refund.

The seller is also required to give the buyer a written statement that specifies the purchase price of the property, the interest rate under the contract, the total amount of principal and interest to be paid under the contract, the amount of any late charge that may be assessed under the contract, and the fact that there is no prepayment penalty if the buyer wants to pay the full amount before the date of the last scheduled payment.

These contracts are prohibited from including: late-payment fees that are more than eight percent of the monthly payment, language that prohibits the buyer from using the property as security for a loan for improvements on the property, prepayment penalties, language that requires a person to forfeit an option fee for late payment, or language that penalizes a person leasing property for requesting repairs.

A buyer is allowed to cancel this type of contract within fourteen days of signing it. The seller is required to notify the buyer of their right to cancel the contract. The seller is also required to return the buyer's payments within ten days of receiving the buyer's cancellation notice.

A seller is required to record the contract in the records of the county within thirty days. The seller is also required to send the buyer a statement with certain financial information every January. The seller who does not send this financial statement is liable for damages and reasonable attorney's fees.

If there is insurance on the property, the insured person is required to notify the insurance company of the contract. Then, the insurer is required to issue insurance proceeds jointly to the buyer and seller. If the seller does not follow the requirements regarding insurance, they can be sued based on the unlawful merchandising practice laws or the buyer can cancel and rescind the contract with a full refund.

A seller is required to transfer title of the property to the buyer within thirty days of the buyer's final payment. If the seller does not do this, they are liable for damages and reasonable attorney's fees.

If the buyer has paid at least fifteen percent of the principal and gives the seller a promissory note, the buyer is allowed to convert their interest in the property into recorded title. If the seller does not give the buyer a deed after receiving a promissory note, then the seller is liable to the buyer.

After notifying the seller, the buyer is allowed to cancel this type of contract if the buyer learns that the property is not properly subdivided or platted. The seller is required to notify the buyer that the seller will properly subdivide or plat the property or return all payments to the buyer and reimburse the buyer for property taxes and the value of any improvements to the property.

A buyer is allowed to deduct any amounts the seller owes them as damages under this act from the

amount the buyer owes the seller for the property without going to court.

A person who wants to sell their property under this type of contract must own the property and the property must be free from any liens, unless the buyer is notified of the lien before the sale and the lien meets certain requirements, including putting certain terms in the contract. The property must also be kept free of certain liens during the length of the contract. If the seller violates these restrictions they can be sued based on the unlawful merchandising practice laws, the buyer can cancel and rescind the contract with a full refund, and the seller is required to reimburse the buyer for property taxes and the value of any improvements to the property.

This act is similar to HB 296 (2011).

JIM ERTLE

12/12/2011 Prefiled

01/04/2012 S First Read--SB 555-Curls (S44)

01/05/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S63)

EFFECTIVE: August 28, 2012

\*\*\* SB 556 \*\*\*

4172S.01I

SENATE SPONSOR: Curls

SB 556 - Current law allows a court to impose a juvenile disposition and suspend the execution of an adult criminal sentence for juvenile offenders who have been prosecuted as adults and who have pled guilty or been convicted. This act gives the court the opportunity to suspend imposition of the adult criminal sentence rather than suspend execution.

The Division of Youth Services may request a hearing to ask the court to impose the adult sentence upon the division's determination that the child is beyond the scope of its treatment programs. The court is required to hold a hearing on whether to impose the sentence when the offender turns 17 years of age and the division must request such a hearing before releasing an offender any time before he or she turns 21.

This act is substantially similar to HB 66 (2011).

MEGHAN LUECKE

12/12/2011 Prefiled

01/04/2012 S First Read--SB 556-Curls (S44)

01/05/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S63)

EFFECTIVE: August 28, 2012

\*\*\* SB 557 \*\*\*

4558S.01P

SENATE SPONSOR: Brown

SB 557 - Under the terms of this act, owners of rebuilt salvage vehicles which are 10 years of age or older who submit such vehicles to examinations conducted by the Highway Patrol in order to obtain certificates of ownership with prior salvage motor vehicle designations are not required to repair or restore such vehicles to their original appearance in order to pass or complete the vehicle examination.

STEPHEN WITTE

12/12/2011 Prefiled

01/04/2012 S First Read--SB 557-Brown (S45)

01/05/2012 Second Read and Referred S Transportation Committee (S63)

01/18/2012 Hearing Conducted S Transportation Committee

02/01/2012 Voted Do Pass S Transportation Committee

03/08/2012 Reported from S Transportation Committee to Floor (S431)

03/21/2012 Perfected (S479)

03/21/2012 Reported Truly Perfected S Rules Committee (S485)

03/22/2012 S Third Read and Passed (S493)

03/22/2012 H First Read (H694)

03/23/2012 H Second Read (H702)

04/12/2012 Referred H General Laws Committee

04/17/2012 Hearing Scheduled H General Laws Committee--(12:00 p.m. - HHR 4)

EFFECTIVE: August 28, 2012



\*\*\* SB 558 \*\*\*

4340S.021

SENATE SPONSOR: Curls

SB 558 - This act raises by ten percent the maximum salary allowed under current law for the different ranks of police officers employed by Kansas City and the chief of police.

MEGHAN LUECKE

12/12/2011 Prefiled

12/14/2011 Bill Withdrawn (S45)

EFFECTIVE: August 28, 2012

\*\*\* SB 559 \*\*\*

4174S.011

SENATE SPONSOR: Curls

SB 559 - This act authorizes the expungement of certain criminal records after eight years have elapsed since the person has completed his or her imprisonment, period of probation, or period of parole and has not been convicted of or been placed on probation for any misdemeanor or felony during that time.

The crimes eligible for expungement include felonies, misdemeanors, infractions, and municipal offenses other than certain specified violent crimes and crimes that require registration on the sex offender registry.

To expunge a criminal record under this act, the person must file a petition in the civil division of the circuit court in a county where any of the arrests, pleas, trials, or convictions occurred. Once expunged, the court records and files will be confidential and only available to the parties or by order of the court for good cause shown. The expungement also restores all rights to the person as if the crime had never occurred.

The clerk of the court is required to assess a \$500 surcharge on all petitions for expungement. Moneys collected are payable to the General Revenue Fund.

This act repeals Section 577.054, which allows for the expungement of a first alcohol-related driving offense after a period of ten years, because the act's expungement provisions will apply to alcohol-related driving offenses.

This act is similar to HB 75 (2011).

MEGHAN LUECKE

12/12/2011 Prefiled

01/04/2012 S First Read--SB 559-Curls (S45)

01/05/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S63)

EFFECTIVE: August 28, 2012

\*\*\* SB 560 \*\*\*

4473S.011

SENATE SPONSOR: Ridgeway

SCS/SB 560 - This act prohibits the establishment, creation, or operation of a state-based health insurance exchange unless the exchange is created by a legislative act, an initiative petition, or referendum. The act specifically prohibits the establishment of a state-based health insurance exchange by an executive order issued by the Governor.

The act further prohibits state agencies from establishing programs or promulgating any rules or policies to establish, create, administer or otherwise operate a state-based health insurance exchange unless the agency has received statutory authority to create it. The act specifically prohibits agencies from performing responsibilities of a state-based health insurance exchange unless authorized by statute.

Under the terms of this act, no department, agency, instrumentality, or political subdivision of this state shall apply for, accept or expend federal moneys related to the creation, implementation or operation of a state-based health insurance exchange or a federally-facilitated health benefit exchange unless such acceptance or expenditure is authorized by statute or an appropriations bill.

The act prohibits agencies from entering into agreements to establish or operate a federally-facilitated health

benefit exchange unless the agency has received statutory authority to enter into such agreements. In addition, the act prohibits departments and agencies from providing assistance or resources of any kind to any federal agency or department relating to the creation of a federally-facilitated health benefit exchange unless the assistance or resources are authorized by state statute or the assistance is mandated by federal law.

The act specifically provides any taxpayer of this state or any member of the general assembly with legal standing to bring suit against the state of Missouri or any official, department, division, agency, or political subdivision of this state which is in violation of the act in any court with jurisdiction to enforce the provisions of the act.

The act requires courts to grant attorney's fees, court costs, and reasonable expenses to taxpayers or legislators who are successful in bringing a lawsuit against the state or one of its agencies. The act further provides that in no case shall the award of attorney's fees, court costs, or reasonable expenses be paid from the legal defense fund, nor shall any department, division, agency, or political subdivision of this state request, or be granted, additional appropriations in order to satisfy an award made under this act.

This act, if approved by the General Assembly, will be submitted to the voters for their approval in November of 2012.

This act is similar to SB 464 (2012).

STEPHEN WITTE

12/13/2011 Prefiled  
 01/04/2012 S First Read--SB 560-Ridgeway (S45)  
 01/05/2012 Second Read and Referred S Small Business, Insurance and Industry Committee (S63)  
 01/17/2012 Hearing Conducted S Small Business, Insurance and Industry Committee  
 01/24/2012 SCS Voted Do Pass S Small Business, Insurance and Industry Committee - (4473S.02C)

EFFECTIVE: Upon voter approval

\*\*\* SB 561 \*\*\*

4502S.01I

SENATE SPONSOR: Ridgeway

SB 561 - This act sunsets all tax credit programs, which are not currently subject to the Missouri Sunset Act, effective January 1, 2016. The Department of Revenue is required to apply any increase in revenue generated from ending these tax credit programs to a decrease in the personal income tax rate to begin on January 1, 2018. The Department of Revenue is required to accomplish this decrease in the personal income tax rate by rule.

EMILY KALMER

12/13/2011 Prefiled  
 01/04/2012 S First Read--SB 561-Ridgeway (S45)  
 01/05/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S63)  
 01/19/2012 Hearing Conducted S Ways and Means and Fiscal Oversight Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 562 \*\*\*

HCS SCS SB 562

4560L.03C

SENATE SPONSOR: Dixon

HOUSE HANDLER: Thomson

HCS/SCS/SB 562 – Current law provides that the board of governors of Missouri Western State University may convey or transfer the title to certain real property, except in fee simple, without authorization from the General Assembly until August 28, 2014. This act would also allow the board of governors of Missouri Western, the University of Central Missouri, Missouri State University, Missouri Southern State University; the board of regents of Southeast Missouri State University, Northwest Missouri State University, or Harris-Stowe State University; or the board of curators of Lincoln University to convey or transfer the title to certain real property, except in fee simple, without authorization from the General Assembly until August 28, 2017.

This act is substantially similar to HB 1041 (2012).

MICHAEL RUFF

12/13/2011 Prefiled

01/04/2012 S First Read--SB 562-Dixon, et al (S45)  
 01/05/2012 Second Read and Referred S Education Committee (S63)  
 02/01/2012 Hearing Cancelled S Education Committee  
 02/08/2012 Hearing Conducted S Education Committee  
 02/15/2012 SCS Voted Do Pass S Education Committee - (4560S.02C)  
 02/21/2012 Reported from S Education Committee to Floor w/SCS (S299)  
 02/29/2012 SA 1 to SCS S offered & withdrawn (Green)--(4560S02.01S) (S355)  
 02/29/2012 SCS S adopted (S355)  
 02/29/2012 Perfected (S355)  
 02/29/2012 Reported Truly Perfected S Rules Committee (S357)  
 03/01/2012 S Third Read and Passed - EC adopted (S375-376)  
 03/01/2012 H First Read (w/EC) (H481)  
 03/05/2012 H Second Read (H489)  
 03/08/2012 Referred H Higher Education Committee (H588)  
 03/20/2012 Hearing Conducted H Higher Education Committee  
 04/03/2012 HCS Voted Do Pass H Higher Education Committee - Consent  
 04/05/2012 HCS Reported Do Pass H Higher Education Committee - Consent (H968)  
 04/05/2012 Referred to Rules Committee pursuant to Rule 25(32)(f) (H968)

EFFECTIVE: Emergency clause

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\*\*\* SB 563 \*\*\*      SCS SB 563

4408S.03P

SENATE SPONSOR: Dixon

SCS/SB 563 – Currently, six of the nine members' terms of the Missouri State University Board of Governors expire in 2011. However, current law also requires that no more than three terms expire in any given year and does not provide a mechanism to modify term lengths to accommodate the timing of the term expiration. This act modifies the term lengths for the appointments to fill the six terms that expired in 2011 so that no more than three of the nine board members' terms will expire in any given year. This act would allow three members' terms to expire on January 1, 2013, three members' terms to expire on January 1, 2015, and three members' terms to expire on January 1, 2017.

This act provides that not more than two voting members of the board of regents of Northwest Missouri State University may be residents of the same county.

This act contains an emergency clause.

This act contains a provision identical to SB 681 (2012).

MICHAEL RUFF

12/13/2011 Prefiled  
 01/04/2012 S First Read--SB 563-Dixon (S45)  
 01/05/2012 Second Read and Referred S Education Committee (S63)  
 02/01/2012 Hearing Cancelled S Education Committee  
 02/08/2012 Hearing Conducted S Education Committee  
 02/15/2012 SCS Voted Do Pass S Education Committee - (4408S.03C)  
 02/21/2012 Reported from S Education Committee to Floor w/SCS (S299)  
 02/29/2012 SA 1 to SCS S offered & adopted (Lager)--(4408S03.01S) (S355-356)  
 02/29/2012 SCS, as amended, S adopted (S356)  
 02/29/2012 Perfected (S356)  
 02/29/2012 Reported Truly Perfected S Rules Committee (S357)  
 03/01/2012 S Third Read and Passed - EC adopted (S374-375)  
 03/01/2012 H First Read (w/EC) (H481)  
 03/05/2012 H Second Read (H489)  
 03/22/2012 Referred H Higher Education Committee (H689)  
 03/27/2012 Hearing Conducted H Higher Education Committee  
 04/05/2012 Voted Do Pass H Higher Education Committee  
 04/05/2012 Reported Do Pass H Higher Education Committee (H968)  
 04/05/2012 Referred to Rules Committee pursuant to Rule 25(32)(f) (H968)  
 04/12/2012 Hearing Conducted H Rules - Pursuant Committee  
 04/12/2012 Voted to recommit to committee of origin

EFFECTIVE: Emergency clause

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\*\*\* SB 564 \*\*\*

4681S.01P

SENATE SPONSOR: Brown

HOUSE HANDLER: Davis

SB 564 - Under this act, the successful completion of a military motorcycle rider training course that meets or exceeds the Motorcycle Safety Foundation curriculum standards by an applicant who is an active member of the U.S. armed forces, shall constitute an actual demonstration of the person's ability to exercise due care in the operation of a motorcycle or motortricycle, and no further driving test shall be required to obtain a motorcycle or motortricycle license or endorsement.

STEPHEN WITTE

12/13/2011 Prefiled  
 01/04/2012 S First Read--SB 564-Brown (S45)  
 01/05/2012 Second Read and Referred S Transportation Committee (S63)  
 01/11/2012 Hearing Conducted S Transportation Committee  
 01/18/2012 Voted Do Pass S Transportation Committee  
 02/02/2012 Reported from S Transportation Committee to Floor (S191)  
 02/08/2012 Perfected (S225)  
 02/08/2012 Reported Truly Perfected S Rules Committee (S226)  
 02/09/2012 S Third Read and Passed (S232-233)  
 02/09/2012 H First Read (H290)  
 02/13/2012 H Second Read (H297)  
 03/08/2012 Referred H Transportation Committee (H588)  
 03/20/2012 Hearing Conducted H Transportation Committee  
 04/03/2012 Voted Do Pass H Transportation Committee  
 04/11/2012 Reported Do Pass H Transportation Committee (H1023)  
 04/11/2012 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1023)

EFFECTIVE: August 28, 2012

\*\*\* SB 565 \*\*\*

SCS SB 565

4703S.02P

SENATE SPONSOR: Schaaf

SCS/SB 565 - Under the terms of this act, the terms of the current board members shall expire on December 31, 2012. Effective January 1, 2013, the membership of the board shall consist of 9 members (the director of the Department of Insurance, 4 members appointed by the Governor and 4 members of the General Assembly). Commencing January 1, 2013, the Governor shall appoint 4 new members, with the advice and consent of the Senate. Currently, members are appointed by the director without Senate approval. The Governor may reappoint members of the board other than the 8 members sitting on the board prior to January 1, 2013. The act also adds 2 members of the Senate and 2 members of the House of Representatives. The legislative members will serve in an ex officio capacity.

STEPHEN WITTE

12/14/2011 Prefiled  
 01/04/2012 S First Read--SB 565-Schaaf (S45)  
 01/05/2012 Second Read and Referred S Small Business, Insurance and Industry Committee (S63)  
 01/24/2012 Hearing Conducted S Small Business, Insurance and Industry Committee  
 02/28/2012 SCS Voted Do Pass S Small Business, Insurance and Industry Committee - (4703S.02C)  
 03/22/2012 Reported from S Small Business, Insurance and Industry Committee to Floor w/SCS (S499)  
 03/27/2012 SCS S adopted (S526)  
 03/27/2012 Perfected (S526)  
 03/27/2012 Reported Truly Perfected S Rules Committee (S527)  
 03/29/2012 S Third Read and Passed (S554-555)  
 03/29/2012 H First Read (H856)  
 03/30/2012 H Second Read (H864)  
 04/12/2012 Referred H Health Insurance Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 566 \*\*\*

SCS SB 566

4598S.05P

SENATE SPONSOR: Brown

SCS/SB 566 - The act requires dog and cat owners to vaccinate these animals against rabies. The vaccinations must be administered by a veterinarian and must be kept current in accordance with a

veterinarian's determination or local law. The act allows for an exemption from the vaccination requirement for animals with medical conditions that restrict them from receiving the vaccination.

The act is similar to HB 2309 (2010).

ERIKA JAQUES

12/14/2011 Prefiled  
 01/04/2012 S First Read--SB 566-Brown (S45)  
 01/05/2012 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S63)  
 01/11/2012 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee  
 02/22/2012 SCS Voted Do Pass S Agriculture, Food Production and Outdoor Resources Committee - (4598S.05C)  
 03/22/2012 Reported from S Agriculture, Food Production and Outdoor Resources Committee to Floor w/SCS (S501)  
 04/03/2012 SCS S adopted (S597)  
 04/03/2012 Perfected (S597)  
 04/03/2012 Reported Truly Perfected S Rules Committee (S602)  
 04/05/2012 S Third Read and Passed (S623-624)  
 04/05/2012 H First Read (H971)  
 04/10/2012 H Second Read (H977)

EFFECTIVE: August 28, 2012

\*\*\* SB 567 \*\*\*

4733S.011

SENATE SPONSOR: Wright-Jones

SB 567 - 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. The act also prohibits anyone from being stopped solely to determine compliance with the text messaging ban (Section 304.820).

This act is identical to HB 317 (2011).

STEPHEN WITTE

12/15/2011 Prefiled  
 01/04/2012 S First Read--SB 567-Wright-Jones (S45)  
 01/05/2012 Second Read and Referred S Transportation Committee (S63)  
 01/25/2012 Hearing Conducted S Transportation Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 568 \*\*\*

HCS SB 568

4756L.05C

SENATE SPONSOR: Parson

HOUSE HANDLER: Franz

SB 568 - This act amends Missouri's move over law so that drivers of motor vehicles approaching stationary emergency vehicles or vehicles owned by the commission and operated by Department of Transportation employees displaying amber or amber and white lights shall proceed with caution by making a lane change away from the stationary vehicle, if possible. The act further modifies the definition of "emergency vehicle" to include any vehicle owned by the commission and operated by a Department of Transportation employee that is marked as an emergency response or motorist assistance vehicle.

This act is identical to HB 1040 (2012).

STEPHEN WITTE

12/15/2011 Prefiled  
 01/04/2012 S First Read--SB 568-Parson (S45)  
 01/05/2012 Second Read and Referred S Transportation Committee (S63)  
 01/25/2012 Hearing Conducted S Transportation Committee  
 02/15/2012 SCS Voted Do Pass S Transportation Committee - (4756S.02C)  
 02/21/2012 Reported from S Transportation Committee to Floor w/SCS (S299)  
 02/28/2012 Bill Placed on Informal Calendar (S347)  
 02/29/2012 SCS S defeated (S357)

02/29/2012 Perfected (S357)  
 02/29/2012 Reported Truly Perfected S Rules Committee (S357)  
 03/01/2012 S Third Read and Passed (S373)  
 03/01/2012 H First Read (H481)  
 03/05/2012 H Second Read (H489)  
 03/08/2012 Referred H General Laws Committee (H588)  
 03/20/2012 Hearing Conducted H General Laws Committee  
 03/22/2012 HCS Voted Do Pass H General Laws Committee  
 03/22/2012 HCS Reported Do Pass H General Laws Committee (H690)  
 03/22/2012 Referred to Rules Committee pursuant to Rule 25(32)(f) (H690)  
 03/29/2012 Voted Do Pass H Rules Pursuant Committee  
 03/29/2012 Reported Do Pass H Rules Pursuant Committee (H850)

EFFECTIVE: August 28, 2012

\*\*\* SB 569 \*\*\* HCS SCS SB 569

4738L.05C

SENATE SPONSOR: Kraus

HOUSE HANDLER: Dugger

HCS/SCS/SB 569 - This act modifies the law relating to elections.

#### COUNTY COMMISSIONERS

A county commission may appoint an interim county official to the offices of county clerk, auditor, or assessor when a vacancy occurs. The interim appointee serves until the governor appoints a successor. (Section 49.101)

#### COUNTY COLLECTORS AND COLLECTOR-TREASURERS

This act establishes minimum qualifications for the offices county collector and county collector-treasurer. Except for county collectors in charter counties, a candidate for such offices must be at least 21 years of age, a resident of the state and the county in which the candidate will serve for one year prior to filing for office, and a registered voter.

Candidates for county collector and county collector-treasurer must be current in the payment of state and local taxes.

County collector-treasurers are given the sole authority to appoint their deputies and must remain in office until a successor is elected.

Once elected, collectors and collector-treasurers must reside in the county for the duration of their terms. (Sections 52.010, 54.033, 54.330)

#### THIRD CLASS CITY PRIMARIES

Certain third class cities are allowed to eliminate, by ordinance or order, primary elections for mayor and councilmen offices. Any person wishing to become a candidate for these offices must file a statement of candidacy with the city clerk in order to be placed on the ballot. (Section 78.090)

#### DATES AVAILABLE FOR ELECTIONS

This act removes the first Tuesday after the first Monday in June as a date available for public elections. Currently, the first Tuesday after the first Monday in February is available for public elections. This act only allows bond elections to occur on that date.

This act allows tax elections necessitated by a financial hardship due to a 5% or greater decline in per-pupil state revenue to a school district from the previous year, to be conducted at any time. (Section 115.123)

#### CANDIDATE BONDING

Candidates, with the exception of those running for certain local offices, are required to declare under penalty of perjury that they are able to fulfill all bonding requirements for the office. (Section 115.342)

#### ELECTION OFFENSES

It is a class four election offense for an election authority or political subdivision to discourage potential candidates from filing for the purposes of eliminating the requirement to hold an election. (Section 115.637)

#### FILING FEES

Currently, state committees of political parties are required to pay a filing fee of \$1,000 to place a candidate on the presidential primary ballot. This act increases that fee to \$10,000. (Section 115.761)

**BALLOTS**

Party emblems shall not be printed on the ballot above the party caption. (Section 115.241)

This act is similar to HCS/HB 121 (2011), HCS/HB 889 (2011), HCS/SB 61 (2011), CCS/HCS/SB 282 (2011), HCS/SCS/SB 270 (2011), HCS/HB 1340 (2012), SCS/SB 671 (2012), HCS/HB 1060 (2012), HCS/SB 1106 (2012), and HB 1250 (2012).

**CHRIS HOGERTY**

12/15/2011 Prefiled  
 01/04/2012 S First Read--SB 569-Kraus (S46)  
 01/05/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S63)  
 02/13/2012 Hearing Conducted S Financial and Governmental Organizations and Elections Committee  
 02/20/2012 SCS Voted Do Pass S Financial and Governmental Organizations and Elections Committee (4738S.02C)  
 03/01/2012 Reported from S Financial and Governmental Organizations and Elections Committee to Floor w/SCS (S380)  
 03/06/2012 Taken up for Perfection (S401)  
 03/06/2012 Bill Placed on Informal Calendar (S401)  
 03/07/2012 SA 1 to SCS S offered & adopted (Justus)--(4738S02.03S) (S411)  
 03/07/2012 SA 2 to SCS S offered & adopted (Chappelle-Nadal)--(4738S02.05S) (S412)  
 03/07/2012 SCS, as amended, S adopted (S412)  
 03/07/2012 Perfected (S412)  
 03/07/2012 Reported Truly Perfected S Rules Committee (S414)  
 03/08/2012 S Third Read and Passed (S430-431)  
 03/08/2012 H First Read (H595)  
 03/19/2012 H Second Read (H602)  
 03/29/2012 Referred H Elections Committee (H847)  
 04/03/2012 Hearing Conducted H Elections Committee  
 04/03/2012 HCS Voted Do Pass H Elections Committee  
 04/03/2012 HCS Reported Do Pass H Elections Committee (H894)  
 04/03/2012 Referred to Rules Committee pursuant to Rule 25(32)(f) (H894)

EFFECTIVE: August 28, 2012

\*\*\* SB 570 \*\*\*

4736S.011

SENATE SPONSOR: Kraus

SB 570 - Under this act, the state will only issue one license plate beginning August 28, 2012, 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 SB 324 (2011) and SS/SCS/HB 2111 (2010).

**STEPHEN WITTE**

12/15/2011 Prefiled  
 01/04/2012 S First Read--SB 570-Kraus (S46)  
 01/05/2012 Second Read and Referred S Transportation Committee (S63)  
 02/01/2012 Hearing Conducted S Transportation Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 571 \*\*\*

4208S.011

SENATE SPONSOR: Kraus

SB 571 - This act requires all tax credit recipients to file annual reports with the Missouri Ethics Commission documenting all contributions and expenditures made to or on behalf of all committees. Recipients are required to report for ten years after receipt of any credit.

CHRIS HOGERTY

12/15/2011 Prefiled

01/04/2012 S First Read--SB 571-Kraus (S46)

01/05/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S63)

EFFECTIVE: August 28, 2012

\*\*\* SB 572 \*\*\* SS SCS SB 572

4124S.10T

SENATE SPONSOR: Dempsey

HOUSE HANDLER: Richardson

SS/SCS/SB 572 - The act affirmatively states that occupational diseases are exclusively covered under workers' compensation laws.

This act states that co-employees shall be released from all liability for workplace injuries or death for which compensation is recoverable under the workers' compensation statutes. However, the employee shall not escape liability when the employee engages in an affirmative negligent act that purposefully and dangerously caused or increased the risk of injury.

Civil actions involving injury or death filed by the employee shall not proceed until all administrative remedies are exhausted. Administrative actions brought under the workers' compensation statutes shall toll civil action statutes of limitation.

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.

The death benefit for employees is raised from \$5,000 to \$10,000.

This act is similar to SB 8 (2011).

CHRIS HOGERTY

12/19/2011 Prefiled

01/04/2012 S First Read--SB 572-Dempsey (S46)

01/05/2012 Second Read and Referred S Small Business, Insurance and Industry Committee (S64)

01/10/2012 Hearing Conducted S Small Business, Insurance and Industry Committee

01/17/2012 SCS Voted Do Pass S Small Business, Insurance and Industry Committee (4124S.06C)

02/02/2012 Reported from S Small Business, Insurance and Industry Committee to Floor w/SCS (S192)

02/08/2012 Bill Placed on Informal Calendar (S225)

02/14/2012 SS for SCS S offered (Dempsey)--(4124S.10F) (S257)

02/14/2012 SA 1 to SS for SCS S offered (Callahan)--(4124S10.01F) (S257-258)

02/14/2012 Bill Placed on Informal Calendar (S258)

02/15/2012 SA 1 to SS for SCS S withdrawn (S266)

02/15/2012 SA 2 to SS for SCS S offered &amp; adopted (Dempsey)--(4124S10.11S) (S266)

02/15/2012 SA 3 to SS for SCS S offered &amp; adopted (Dempsey)--(4124S10.10S) (S266)

02/15/2012 SA 4 to SS for SCS S offered &amp; defeated (Callahan)--(4124S10.02F) (S266-267)

02/15/2012 SS for SCS, as amended, S adopted (S267)

02/15/2012 Perfected (S267)

02/15/2012 Reported Truly Perfected S Rules Committee (S270)

02/16/2012 S Third Read and Passed - EC adopted (S283-284)

02/16/2012 H First Read w/EC (H353)

02/17/2012 H Second Read (H359)

02/21/2012 Referred H Workforce Development &amp; Workplace Safety Committee (H386)

02/27/2012 Hearing Conducted H Workforce Development &amp; Workplace Safety Committee

02/27/2012 Voted Do Pass H Workforce Development &amp; Workplace Safety Committee

02/27/2012 Reported Do Pass H Workforce Development &amp; Workplace Safety Committee (H438)

02/27/2012 Referred to Rules Committee pursuant to Rule 25(32)(f) (H438)

03/01/2012 Voted Do Pass H Rules Committee

03/01/2012 Reported Do Pass H Rules Committee (H480)

03/07/2012 H Third Read and Passed - EC defeated (H528-529)

03/07/2012 Truly Agreed To and Finally Passed (S413)

03/07/2012 Reported Duly Enrolled S Rules Committee (S414)



03/08/2012 Signed by Senate President (S438)  
 03/08/2012 Signed by House Speaker (H577 / S438)  
 03/08/2012 Delivered to Governor (S438)  
 03/19/2012 Vetoed by Governor (S452)  
 03/29/2012 Motion to override Governor's Veto - S adopted (S564-565 / H858-859)  
 03/29/2012 H Calendar S Bills Vetoed from Second Regular Session

EFFECTIVE: August 28, 2102

\*\*\* SB 573 \*\*\*

4662S.011

SENATE SPONSOR: Dixon

SB 573 - This act authorizes circuit courts that reimburse the state for salaries of family court commissioners to charge up to a twenty dollar surcharge when a party files a civil court case.

MIKE HAMMANN

12/20/2011 Prefiled  
 01/04/2012 S First Read--SB 573-Dixon (S46)  
 01/05/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S64)  
 01/30/2012 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee  
 03/05/2012 Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 574 \*\*\*

4787S.011

SENATE SPONSOR: Dixon

SB 574 - Under current law, associate circuit judges in Cass County may hear and determine county traffic ordinance violations. This act expands that authority to associate circuit judges in Greene County and allows the associate judges in both counties to hear any county ordinance violations adopted pursuant to statutory authority.

MEGHAN LUECKE

12/20/2011 Prefiled  
 01/04/2012 S First Read--SB 574-Dixon (S46)  
 01/05/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S64)  
 02/20/2012 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 575 \*\*\*

4649S.011

SENATE SPONSOR: Dixon

SB 575 - This act allows Greene County to enact nuisance abatement ordinances.

MEGHAN LUECKE

12/20/2011 Prefiled  
 01/04/2012 S First Read--SB 575-Dixon (S46)  
 01/05/2012 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S64)  
 02/01/2012 Hearing Cancelled S Jobs, Economic Development and Local Government Committee  
 02/08/2012 Hearing Conducted S Jobs, Economic Development and Local Government Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 576 \*\*\*      SS SCS SB 576

4705S.08P

SENATE SPONSOR: Stouffer

SS/SCS/SB 576 – This act modifies the laws governing charter schools.

SECTION 29.205 – The State Auditor may audit any charter school in the same manner as any agency of the state.

SECTION 160.400 – In addition to the St. Louis City and Kansas City School Districts, charter schools may

be operated in unaccredited districts. Charter schools may be operated in districts accredited without provisions if sponsored by the local school board except that a local school board with an enrollment of 1550 students or greater cannot enroll more than thirty-five percent of its enrollment in charter schools it sponsors, as described in the act. Charter schools may be operated in a provisionally accredited district after three full school years of provisional accreditation and APR scores consistent with a classification of provisionally accredited or unaccredited beginning in the 2012-2013 school year. In addition, if the provisional accreditation is related to financial stress or hardship, the State Board of Education must vote to decide whether charters may operate. The sponsor is limited to the local school board or a sponsor that has met accountability standards, as described in the act.

This act modifies sponsorship. If the State Board of Education appoints a special administrative board for Kansas City, the special administrative board may sponsor charter schools. 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 the special administrative board of the St. Louis City School District, any two-year private vocational or technical school, as described in the act, and the Missouri Charter Public School Commission.

In an unaccredited or provisionally accredited district where a charter school is sponsored by an entity other than the local school board, when the district becomes classified as accredited, a charter school may continue to be sponsored by the entity sponsoring it prior to the classification of accreditation. Such a school will not be limited to the local school board as a sponsor. Charter schools in Kansas City and St. Louis may be sponsored by any eligible entity, regardless of the districts' accreditation classification. A charter school whose charter provides for the addition of grade levels may add grade levels until the planned expansion is complete.

The mayor of St. Louis City may request a two-year private vocational or technical school or the Missouri Charter Public School Commission to sponsor 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 be required to be located within the county in which school district lies or in an adjacent county.

A school district or the State Board of Education, when acting as a sponsor, may have expenses associated with sponsorship 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. The Department of Elementary and Secondary Education is required to provide guidance to sponsors in developing these procedures and policies.

Currently, the State Board may suspend a sponsor's ability to sponsor a school for a period of one year. This act modifies the State Board's existing monitoring and suspension authority and instead requires the State Board to evaluate sponsors, as described in the act, to determine compliance with sponsorship standards every three years. If the Department of Elementary and Secondary Education determines that a sponsor is in material noncompliance with sponsorship duties, it must be notified and given remediation time. If compliance does not improve, the Commissioner of Education must conduct a public hearing and recommend corrective action to the State Board of Education. The State Board will have final determination over corrective action. If the State Board removes sponsorship authority for any currently operating charter school, the Missouri Charter Public School Commission will become the school's sponsor.

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 November 1, 2012.

This act identifies the information that must be included in an eligible sponsor's application.

By April 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 six years in length and may be renewed.

SECTION 160.405 – This act modifies the framework of a charter school's charter. The charter will be a legally binding performance contract that describes the obligations and responsibilities of the school and the sponsor.

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. This act identifies additional items that must be contained in a charter. Charter schools operating on August 27, 2012 will have until August 28, 2015 to meet the new requirements for items that must be in a charter.

A charter must be submitted to the sponsor and follow the sponsor's policies and procedures for review and granting. The charter must be consistent with the sponsor's charter sponsorship goals and capacity. 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 modifies the definition of "high risk" student.

This act eliminates judicial review for the disapproval of a charter.

Charter schools must conduct a background check of education personnel, including through the employee criminal history background check and the Family Care Safety Registry.

Charter schools with local educational agency status must comply with all federal audit requirements for such charters.

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 measures defined in the school's performance contract with its sponsors.

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.

Sponsors must annually review the charter school's compliance with statutory standards including statewide assessment participation, completion of the annual report card, data collection, a method to

measure pupil progress, and publication of the charter school's annual performance report. Sponsors must have intervention policies to give schools notice of contract violations or performance deficiencies, as described in the act. A sponsor must have a policy to revoke a charter if there is evidence of underperformance or a violation of the law or the public trust that imperils students or public funds, as described in the act.

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 removes judicial review of a sponsor's final decision to revoke a charter. Instead, the decision to revoke a charter will be subject to an appeal to the State Board of Education, which must then determine whether the charter will be revoked.

Sponsors must conduct a renewal process of charter schools based on objective evidence, as described in the act, including annual performance report results. 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 and the school's performance contract, including academic performance requirements. The sponsor must also submit a revised charter application to the State Board of Education, which must determine if the sponsor has demonstrated compliance. If compliance is demonstrated, the State Board must renew the charter.

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.

Charter schools may limit admission based on gender if the school is a single-gender school.

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) will apply to charter schools.

SECTION 160.415 – This act contains requirements to be included in a request for proposals if a proposed charter school intends to contract with an education services provider for substantial educational services, management services, or both.

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, 2012, 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 sponsor must notify the governing board of a charter school if it is identified as experiencing financial stress. The governing board must develop and approve a budget and education plan, which must be submitted to the sponsor within forty-five days. Requirements for what must be included in the plan are described in the act. The sponsor may make suggestions to improve the plan.

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.

Multiple provisions are repealed because they are identical to provisions contained in Section 160.415.

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 Tempore of the Senate; a member selected from a slate of three recommended by the Speaker of the House of Representatives; and five additional members appointed by the Governor, one of which must be selected from a slate of three submitted from the Missouri School Boards Association. 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.

This act is similar to HCS/HB 1228 (2012), HCS/HB 473 (2011), 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

12/21/2011 Prefiled  
 01/04/2012 S First Read--SB 576-Stouffer (S46)  
 01/05/2012 Second Read and Referred S Education Committee (S64)  
 01/25/2012 Hearing Conducted S Education Committee  
 03/07/2012 SCS Voted Do Pass S Education Committee - (4705S.05C)  
 03/29/2012 Reported from S Education Committee to Floor w/SCS (S567)  
 04/04/2012 Taken up for Perfection (S611-612)  
 04/04/2012 Bill Placed on Informal Calendar (S612)  
 04/11/2012 SS for SCS S offered (Stouffer)--(4705S.08F) (S649)  
 04/11/2012 SA 1 to SS for SCS S offered & defeated (Chappelle-Nadal)--(4705S08.01S) (S649-650)  
 04/11/2012 SA 2 to SS for SCS S offered & defeated (Chappelle-Nadal)--(4705S08.06S) (S650)  
 04/11/2012 SA 3 to SS for SCS S offered & defeated (Chappelle-Nadal)--(4705S08.03S) (S650)  
 04/11/2012 SA 4 to SS for SCS S offered & defeated (Chappelle-Nadal)--(4705S008.04S) (S650)  
 04/11/2012 SS for SCS S adopted (S651)  
 04/11/2012 Perfected (S651)  
 04/11/2012 Reported Truly Perfected S Rules Committee (S655-656)  
 04/11/2012 Referred S Ways & Means & Fiscal Oversight Committee (S661)  
 04/17/2012 Hearing Scheduled S Ways and Means and Fiscal Oversight Committee  
 04/16/2012 S Formal Calendar S Bills for Third Reading--SS for SCS for SB 576-Stouffer (In Fiscal Oversight)

EFFECTIVE: August 28, 2012

SENATE SPONSOR: Goodman

SCS/SB 577 - 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.

This act is similar to SB 262 (2011).

STEPHEN WITTE

12/21/2011 Prefiled  
 01/04/2012 S First Read--SB 577-Goodman and Rupp (S46)  
 01/05/2012 Second Read and Referred S Small Business, Insurance and Industry Committee (S64)  
 01/31/2012 Hearing Conducted S Small Business, Insurance and Industry Committee  
 02/14/2012 SCS Voted Do Pass S Small Business, Insurance and Industry Committee (4184S.02C)  
 02/16/2012 Reported from S Small Business, Insurance and Industry Committee to Floor w/SCS (S286)  
 02/21/2012 Bill Placed on Informal Calendar (S298)  
 04/16/2012 S Informal Calendar S Bills for Perfection--SB 577-Goodman and Rupp, with SCS

EFFECTIVE: August 28, 2012

\*\*\* SB 578 \*\*\*

4760S.01P

SENATE SPONSOR: Parson

SB 578 - This act authorizes the Governor to convey an easement over, on, and under state property located in Pettis County to the City of Sedalia.

MEGHAN LUECKE

12/21/2011 Prefiled  
 01/04/2012 S First Read--SB 578-Parson (S46)  
 01/05/2012 Second Read and Referred S General Laws Committee (S64)  
 01/24/2012 Hearing Conducted S General Laws Committee  
 02/14/2012 Voted Do Pass S General Laws Committee - Consent  
 02/16/2012 Reported from S General Laws Committee to Floor - Consent (S286)  
 02/20/2012 Removed S Consent Calendar (S288)  
 02/21/2012 Reported from S General Laws Committee to Floor (S299)  
 02/29/2012 Perfected (S355)  
 02/29/2012 Reported Truly Perfected S Rules Committee (S357)  
 03/01/2012 S Third Read and Passed (S376)  
 03/01/2012 H First Read (H482)  
 03/05/2012 H Second Read (H489)  
 03/29/2012 Referred H Local Government Committee (H847)  
 04/04/2012 Hearing Conducted H Local Government Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 579 \*\*\*

4468S.01I

SENATE SPONSOR: Parson

SB 579 - 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.

This act is identical to the perfected version of SB 71 (2011).

MIKE HAMMANN

12/21/2011 Prefiled  
 01/04/2012 S First Read--SB 579-Parson (S46)  
 01/05/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S64)  
 01/23/2012 Hearing Conducted S Financial and Governmental Organizations and Elections Committee

02/13/2012 Voted Do Pass S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2102

\*\*\* SB 580 \*\*\*

4758S.011

SENATE SPONSOR: Parson

SB 580 - Currently, after receiving an initial license and one license renewal the licensing renewal period for gambling boat operators is every two years. This act changes the license renewal period to every five years.

This act also modifies the licensing period from every year to every two years for a person who has an occupational license to work in certain jobs within a gambling boat.

EMILY KALMER

12/21/2011 Prefiled

01/04/2012 S First Read--SB 580-Parson (S47)

01/05/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S64)

04/05/2012 Hearing Conducted S Ways and Means and Fiscal Oversight Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 581 \*\*\*

4786S.031

SENATE SPONSOR: Callahan

SB 581 – This act modifies provisions relating to school districts.

**ADJUSTMENT AND APPORTIONMENT OF SCHOOL PROPERTY RELATING TO A BOUNDARY LINE CHANGE:** Current law requires the school boards of school districts for which a boundary line change occurs to make a just and proper adjustment and apportionment of all school property. When an election is to occur to decide whether to change school district boundary lines under Section 162.431, this act requires the affected school districts to make a preliminary adjustment and apportionment of the districts' property at least sixty days prior to the election. If the districts cannot agree on a preliminary adjustment and apportionment, the State Board of Education must appoint a three person board of arbitration to determine the preliminary apportionment and adjustment. If the boundary line change occurs and the districts cannot agree when making the apportionment and adjustment and a board of arbitration is appointed, the board must follow the preliminary apportionment and adjustment unless new and significant circumstances exist. In such a situation, the Board of Arbitration must state in writing why it is deviating from the preliminary adjustment and apportionment. (Sections 162.041 and 162.431)

**KANSAS CITY SCHOOL DISTRICT:** This act allows the State Board of Education to assume responsibility and general supervision of the Kansas City School District after classifying it as unaccredited. The State Board may enter into contracts with other school districts or education providers, in order of preference as described in the act, to deliver education programs to residents of the district. Contracts will be for a period of five years and may be renewed. The State Board will create attendance boundaries for contracted portions of the district. Any district or education service provider that contracts with the State Board will have the right to employ teachers and set their compensation.

The State Board must grant waivers from the Missouri School Improvement Program to contracting school districts for the students they serve from the Kansas City School District.

Local tax revenues of the district will be distributed to contracted portions of the district in the same ratio as the pupil count of the contracted portions to the pupil count of the entire district. In addition, state aid, as described in the act, will be distributed to contracted portions of the district in a manner consistent with the current year weighted average daily attendance of each contracted area. This act contains requirements for lease purchase of school facilities, district fund balances, and unallocated qualified school construction bonds.

This act exempts the Kansas City School District from the provisions of Section 167.131 at any time when the State Board of Education has entered into contracts with other school districts or education service providers. (Sections 162.081, 162.082 & 167.131)

**RETIREMENT SYSTEMS AND RETIRED TEACHERS:** Current members of the Kansas City Public School

Retirement System who become employed in a contract portion of the Kansas City School District will remain members of the system. In addition, any employee currently a member of the Public School Retirement System of Missouri who becomes employed in a contract portion of the district will remain a member of that system. Retired members of either the Kansas City Public School Retirement System or the Public School Retirement System of Missouri may be employed in a contract portion of the district and will not be subject to the existing limits on hours and compensation for retired teachers who return to work.

The Joint Committee on Public Employee Retirement must contract with an actuary to conduct an actuarial audit of the Kansas City Public School Retirement System, as described in the act. (Section 162.082)

**SCHOOL DISTRICT BOUNDARY LINE CHANGES:** This act modifies the effective date of a boundary line change. Instead of the change being effective from the date of the election, the change would be effective at the beginning date of the next school year.

When one district votes in favor of the boundary line change and one district votes against the change and a board of arbitration is appointed by the State Board of Education to determine whether to make the change, the board of arbitration must base its decision on the current accreditation status of each affected district. The Board of Arbitration would determine the boundary line change in a manner that moves students out of unaccredited and provisionally accredited districts and into accredited districts. If each district is accredited, the Board of Arbitration must use the existing factors in the statute to make its decision.

After a boundary line change occurs, for the next three school years, the receiving district may, but will not be required to, include the statewide assessment scores for any students it receives in the district's scores.

If a boundary line change results in a charter school being located in a district other than Kansas City or St. Louis, the local school district and charter school's governing board may enter into an agreement to incorporate the charter school into the district and operate it as a regular school building of the district. If such an agreement occurs, the district must make arrangements for the charter school's students to continue attending school at that building until they graduate. The Department of Elementary and Secondary Education may grant a waiver for such a school to continue operating like a charter school while functioning as part of the district. (Section 162.431)

**WEIGHTED AVERAGE DAILY ATTENDANCE FOR DISTRICTS AFFECTED BY A BOUNDARY LINE CHANGE:** When a school district gains enrollment because of a boundary line change, during the two school years following the change, its weighted average daily attendance figure will be adjusted so that it receives twice the weighted average daily attendance for any students it received as a result of the boundary line change.

When a school district loses student enrollment because of a boundary line change, during the school year following the line change, it may only submit an estimate of the weighted average daily attendance for the current year. During the second year following the line change, it may submit an estimate of the weighted average daily attendance for the current year or the weighted average daily attendance for the immediately preceding year, whichever is greater. During the third year following the line change, it may submit an estimate of the weighted average daily attendance for the current year or the weighted average daily attendance for the immediately preceding year, or the weighted average daily attendance for the second preceding school year, whichever is greater. (Section 162.431)

**SCHOOL DISTRICT TRUST FUND (PROP C FUNDS):** When a change in school district boundary lines occurs under Section 162.431, the Department of Elementary and Secondary Education must modify the school district trust fund payments to the affected school districts during the first academic year in which the boundaries are changed to reflect the current weighted average daily attendance count. In subsequent years, districts' payments will be determined by the first preceding weighted average daily attendance count. (Section 163.087)

This act contains an emergency clause.

This act contains provisions identical to SB 434 (2011).

MICHAEL RUFF

12/22/2011 Prefiled

01/04/2012 S First Read--SB 581-Callahan and Pearce (S47)

01/05/2012 Second Read and Referred S General Laws Committee (S64)

01/31/2012 Hearing Conducted S General Laws Committee



EFFECTIVE: Emergency Clause

\*\*\* SB 582 \*\*\*

4339S.011

SENATE SPONSOR: Dempsey

SB 582 - 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 these 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.

This act is identical to SB 204 (2011).

EMILY KALMER

12/22/2011 Prefiled

01/04/2012 S First Read--SB 582-Dempsey (S47)

01/05/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S64)

EFFECTIVE: August 28, 2012

\*\*\* SB 583 \*\*\*

4500S.031

SENATE SPONSOR: Wright-Jones

SB 583 - This act creates the "Economic-Education Partnership Program." If an employer with facilities in Missouri pays for the tuition or fees for an employee or an unpaid intern to pursue an associates degree, bachelors degree, masters degree, or doctorate degree in health care, engineering, or information technology related programs, this act allows the employer to retain withholding taxes on its employees for up to five years. The amount of withholding taxes that the employer may retain is limited to the amount of money the employer spent on the employee or unpaid intern's education. An employer is also allowed to retain withholding taxes on its employees if the employer trains an individual for a job in the health care, engineering, or information technology field for less than a year. The amount of withholding taxes that the employer may retain in that case is limited to the amount of money the employer paid in wages to the individual while training the individual. The total amount of money that employers can retain under this program is three hundred million dollars.

In order to participate in this program the employer is required to enter into an agreement with the Department of Economic Development that requires the employer to employ the individual upon the completion of the individual's degree or training for at least as long as the employer is authorized to retain withholding taxes under the program. The Department of Economic Development is given the authority to audit employers to ensure compliance with the program requirements.

EMILY KALMER

12/22/2011 Prefiled

01/04/2012 S First Read--SB 583-Wright-Jones (S47)

01/05/2012 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S64)

EFFECTIVE: August 28, 2012

\*\*\* SB 584 \*\*\*

SCS SB 584

4469S.04C

SENATE SPONSOR: Richard

SCS/SB 584 -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. Municipalities include utility boards of counties, cities, towns or villages. 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 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 thirty-seven million dollars of new facility investment and create at least thirty new jobs with wages of at least 150 percent of the county average wage 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 five million dollars of new facility investment over a one year period and create at least five new jobs with wages of at least 150 percent of the county average wage over a two 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 is similar to a provision of Senate Bill 8 (1st Ex. Session), Senate Bill 217 (2011), and Senate Bill 868 (2010).

EMILY KALMER

12/22/2011 Prefiled  
 01/04/2012 S First Read--SB 584-Richard and Kehoe (S47)  
 01/05/2012 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S64)  
 01/25/2012 Hearing Conducted S Jobs, Economic Development and Local Government Committee  
 03/07/2012 SCS Voted Do Pass S Jobs, Economic Development and Local Government Committee - (4469S.04C)  
 03/22/2012 Reported from S Jobs, Economic Development and Local Government Committee to Floor w/SCS (S501)  
 04/03/2012 Bill Placed on Informal Calendar (S596)  
 04/16/2012 S Informal Calendar S Bills for Perfection--SB 584-Richard and Kehoe, with SCS

EFFECTIVE: August 28, 2012

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\*\*\* SB 585 \*\*\*

4737S.011

SENATE SPONSOR: Richard

This bill has been combined with SB 588

12/22/2011 Prefiled  
 01/04/2012 S First Read--SB 585-Richard and Kehoe (S47)  
 01/05/2012 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S64)  
 01/18/2012 Hearing Conducted S Jobs, Economic Development and Local Government Committee  
 01/25/2012 Bill Combined (w/SCS SBs 588 & 585)

EFFECTIVE: August 12, 2012

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\*\*\* SB 586 \*\*\*

4835S.011

SENATE SPONSOR: Richard

SB 586 - Currently, the Director of the Department of Revenue must give priority to certain tax-exempt organizations or a political subdivision when awarding a fee office contract in the competitive bidding process. This act provides that such tax-exempt organization receiving priority must have its primary administrative office located in the same county, legislative district, or senatorial district as the fee office.

This act is identical to HB 786 (2011).  
 JIM ERTLE

12/22/2011 Prefiled  
 01/04/2012 S First Read--SB 586-Richard (S47)  
 01/05/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S64)

EFFECTIVE: August 28, 2012

\*\*\* SB 587 \*\*\*

4569S.03I

SENATE SPONSOR: Chappelle-Nadal

SB 587 – This act allows school districts and charter schools to establish and implement an age-appropriate curriculum to educate students about domestic violence. A domestic violence curriculum may contain components to raise awareness, promote healthy behaviors in relationships, allow students to identify the signs that an individual may be a victim of domestic violence, and allow students to identify behaviors associated with an abuser. A curriculum may also contain an emphasis on the primary prevention of violence perpetration.

A curriculum may also address the risk factors for perpetration of domestic violence and contain information about behavior that may occur with domestic violence. In addition, it may advise students about the physical and mental injuries that may occur. A curriculum may include information about how victims may seek assistance or how friends or family of victims may assist them.

A curriculum may also communicate the societal effects of domestic violence.

A school district or charter school may cooperate with other governmental, nonprofit, or private entities, as described in the act, to develop a curriculum.

MICHAEL RUFF

12/22/2011 Prefiled  
 01/04/2012 S First Read--SB 587-Chappelle-Nadal (S47)  
 01/05/2012 Second Read and Referred S Education Committee (S64)  
 02/22/2012 Hearing Cancelled S Education Committee  
 02/29/2012 Hearing Scheduled But Not Heard S Education Committee  
 03/28/2012 Hearing Conducted S Education Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 588 \*\*\*

SCS SBs 588 & 585

4853S.02C

SENATE SPONSOR: Schmitt

SCS/SBs 588 & 585 - 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 28, 2017.

The act also creates an income, financial institutions, and corporate franchise tax credit equal to fifty percent of the amount of an eligible donation made, on or after January 1, 2012, 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 six years after August 28, 2012, unless reauthorized.

This act is similar to a provision of SB 8 (1st Ex. Session 2011), SS/SB 203 (2011), SB 840 (2010), and HB 1786 (2010).

EMILY KALMER

12/23/2011 Prefiled  
 01/04/2012 S First Read--SB 588-Schmitt (S47)  
 01/05/2012 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S64)  
 01/18/2012 Hearing Conducted S Jobs, Economic Development and Local Government Committee  
 01/25/2012 SCS Voted Do Pass (w/SCS SBs 588 & 585) S Jobs, Economic Development and Local Government Committee - (4853S.02C)  
 03/22/2012 Reported from S Jobs, Economic Development and Local Government Committee to Floor w/SCS (S501)  
 04/03/2012 Taken up for Perfection (S595)  
 04/03/2012 Bill Placed on Informal Calendar (S595)  
 04/16/2012 S Informal Calendar S Bills for Perfection--SBs 588 & 585-Schmitt, with SCS (pending)

EFFECTIVE: August 28, 2012

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\*\*\* SB 589 \*\*\*      SCS SB 589

4813S.02C

SENATE SPONSOR: Kraus

SCS/SB 589 - Under the terms of this act, fines imposed for violations detected through the use of automatic traffic enforcement systems shall go to the local school districts where the violation occurred to be used for transportation purposes. 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.

This act is similar to SB 73 (2011).

STEPHEN WITTE

12/23/2011 Prefiled  
 01/04/2012 S First Read--SB 589-Kraus (S47)  
 01/05/2012 Second Read and Referred S Governmental Accountability Committee (S64)  
 01/11/2012 Hearing Conducted S Governmental Accountability Committee  
 01/18/2012 SCS Voted Do Pass S Governmental Accountability Committee (4813S.02C)  
 02/02/2012 Reported from S Governmental Accountability Committee to Floor w/SCS (S192)  
 02/08/2012 Bill Placed on Informal Calendar (S225)  
 04/16/2012 S Informal Calendar S Bills for Perfection--SB 589-Kraus, with SCS (pending)

EFFECTIVE: August 28, 2012

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\*\*\* SB 590 \*\*\*

4556S.021

SENATE SPONSOR: Kraus

SB 590 - All public elementary and secondary schools shall determine whether enrolling students are born outside of the United States or are children of an unlawfully present alien at the time of enrollment by checking students' original birth certificates or certified copies thereof. If it is determined that a student was born outside of the United States or is the child of an unlawfully present alien, the parent or guardian shall notify the school of the actual citizenship or immigration status of the child with accompanying documentation.

The State Board of Education shall compile and submit an annual report to the General Assembly containing information regarding immigration classifications of enrolled students, numbers of participants in English as a second language programs, and the effects of education quality as a result of enrollment of unlawfully present aliens and the costs associated. Public disclosure of information which personally identifies a student shall be unlawful.

Upon any lawful stop, detention, or arrest, law enforcement shall determine the citizenship and immigration status of the person if there is reasonable suspicion that the person is an unlawfully present alien. If an alien is determined by the federal government to be unlawfully present, the law enforcement agency shall cooperate in the transfer of the alien into federal custody.

The act creates a Class C misdemeanor crime of willful failure to complete or carry an alien registration document if the person is unlawfully present and in violation of 8 U.S.C. 1304 or 8 U.S.C. 1306 which requires certain persons to carry alien registration documents, apply for alien registration, and be fingerprinted.

CHRIS HOGERTY

12/23/2011 Prefiled  
 01/04/2012 S First Read--SB 590-Kraus (S47)  
 01/05/2012 Second Read and Referred S General Laws Committee (S64)  
 01/17/2012 Hearing Conducted S General Laws Committee  
 01/24/2012 Voted Do Pass S General Laws Committee

EFFECTIVE: August 28, 2012

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\*\*\* SB 591 \*\*\*      SCS SB 591

4702S.02P

SENATE SPONSOR: Parson

SCS/SB 591 - Currently, county assessors are required to use the trade-in value published in the October issue of the National Automobile Dealers' Association Official Used Car Guide as the recommended guide for information for determining the value of motor vehicles for personal property tax purposes. This act requires a county assessor to use the lowest trade-in value published in the October issue of one nationally-recognized guide for establishing the value of motor vehicles. This guide will be approved by the State Tax Commission in conjunction with the association representing the majority of assessors in Missouri. The State Tax Commission is also required to approve four additional guides for establishing the value of motor vehicles. If the owner of a motor vehicle presents evidence that any of the four other approved publications has a lower applicable trade-in value, the assessor is required to use that value.

The assessor has the burden in an appeal before the board of equalization to prove that the owner's evidence of a lower published trade-in value from one of the approved publications does not demonstrate the true value of the motor vehicle.

EMILY KALMER

12/28/2011 Prefiled  
 01/04/2012 S First Read--SB 591-Parson (S47-48)  
 01/05/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S64)  
 01/26/2012 Hearing Conducted S Ways and Means and Fiscal Oversight Committee  
 01/26/2012 SCS Voted Do Pass S Ways and Means and Fiscal Oversight Committee - Consent - (4702S.02C)  
 02/02/2012 Reported from S Ways and Means and Fiscal Oversight Committee to Floor w/SCS - Consent (S191)  
 02/02/2012 Removed S Consent Calendar (S196-197)  
 02/09/2012 Reported from S Ways and Means and Fiscal Oversight Committee to Floor w/SCS (S233)  
 02/13/2012 Bill Placed on Informal Calendar (S249)  
 02/14/2012 SA 1 to SCS S offered (Dempsey)--(4702S02.02S) (S257)  
 02/14/2012 Bill Placed on Informal Calendar (S257)  
 03/05/2012 SA 1 to SCS S withdrawn (S392)  
 03/05/2012 SA 2 to SCS S offered & adopted (Ridgeway)--(4702S02.10S) (S392-393)  
 03/05/2012 SCS, as amended, S adopted (S393)  
 03/05/2012 Perfected (S393)  
 03/06/2012 Reported Truly Perfected S Rules Committee (S402)  
 03/08/2012 S Third Read and Passed (S423-424)  
 03/08/2012 H First Read (H596)  
 03/19/2012 H Second Read (H602)  
 04/04/2012 Referred H General Laws Committee (H942)  
 04/10/2012 Hearing Conducted H General Laws Committee

EFFECTIVE: August 28, 2012

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\*\*\* SB 592 \*\*\*      SS SCS SB 592

4933S.05P

SENATE SPONSOR: Lager

SS/SCS/SB 592 - 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 except in adverse impact cases. In those cases, states shall follow federal anti-discrimination law.

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 individuals employed by employers, and tax exempt private membership clubs

(that are not labor organizations) from the definition.

Parties to a discrimination case under the MHRA may demand a jury trial.

The court may award the plaintiff actual and punitive damages, and court costs and attorneys fees to the prevailing party. Damages may include future pecuniary losses, emotional pain, suffering, inconvenience, mental anguish, loss of enjoyment of life and other nonpecuniary losses.

Damages awarded for employment cases under the MHRA and whistleblower actions shall not exceed back pay, interest on back pay, other equitable relief, court costs, and fees of \$50,000 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 except for in discriminatory housing practices cases. The damage caps shall not apply in housing 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 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 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), and SB 852 (2010), SB 188 (2011), and HB 1219 (2012).

CHRIS HOGERTY

01/03/2012 Prefiled  
 01/04/2012 S First Read--SB 592-Lager (S48)  
 01/09/2012 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S73)  
 01/10/2012 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee  
 01/12/2012 SCS Voted Do Pass S Commerce, Consumer Protection, Energy and the Environment Committee - 4933S.02C  
 01/12/2012 Reported from S Commerce, Consumer Protection, Energy and the Environment Committee to Floor w/SCS (S87)  
 01/23/2012 SA 1 to SCS S offered (Callahan)--(4933S02.01F) (S127)  
 01/23/2012 Bill Placed on Informal Calendar (S127)  
 01/25/2012 Taken up for Perfection (S145)  
 01/25/2012 Bill Placed on Informal Calendar (S145)  
 01/25/2012 SA 1 to SCS S defeated (S148)  
 01/25/2012 SA 2 to SCS S offered (Dixon)--(4933S02.25S) (S148-149)  
 01/25/2012 SSA 1 for SA 2 to SCS S offered & defeated (Justus)--(4933S02.04S) (S149)  
 01/25/2012 SA 2 to SCS S adopted (S149)  
 01/25/2012 SA 3 to SCS S offered (Lager)--(4933S02.22S) (S149)  
 01/25/2012 Bill Placed on Informal Calendar (S149)  
 02/01/2012 Taken up for Perfection (S179)  
 02/01/2012 SA 3 to SCS S withdrawn (S180)  
 02/01/2012 SS for SCS S offered (Lager)--(4933S.05F) (S180)  
 02/01/2012 SA 1 to SS for SCS S offered & adopted (Chappelle-Nadal)--(4933S05.01S) (S180)  
 02/01/2012 SS for SCS, as amended, S adopted (S180)  
 02/01/2012 Perfected (S180)  
 02/02/2012 Reported Truly Perfected S Rules Committee (S192)  
 02/02/2012 Referred S Ways & Means and Fiscal Oversight Committee (S196)  
 02/08/2012 Hearing Conducted S Ways and Means and Fiscal Oversight Committee  
 02/08/2012 Voted Do Pass S Ways & Means and Fiscal Oversight Committee  
 02/08/2012 Reported from S Ways & Means and Fiscal Oversight Committee to Floor (S225)  
 02/08/2012 S Third Read and Passed (S226)

02/09/2012 H First Read (H290)  
 02/13/2012 H Second Read (H297)  
 04/04/2012 Referred H Workforce Development & Workplace Safety Committee (H942)  
 04/10/2012 Hearing Continued H Workforce Development & Workplace Safety Committee  
 04/16/2012 Hearing Scheduled H Workforce Development & Workplace Safety Committee--(12:00 p.m. - HHR 6)

EFFECTIVE: August 28, 2012

\*\*\* SB 593 \*\*\*

4889S.011

SENATE SPONSOR: Parson

SB 593 - This act prohibits health carriers from denying reimbursement to licensed athletic trainers who provide covered services within their scope of practice.

This act is similar to SB 233 (2011).

STEPHEN WITTE

01/03/2012 Prefiled  
 01/04/2012 S First Read--SB 593-Parson (S48)  
 01/12/2012 Second Read and Referred S Small Business, Insurance and Industry Committee (S87)  
 04/10/2012 Hearing Conducted S Small Business, Insurance and Industry Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 594 \*\*\*

4112S.01P

SENATE SPONSOR: Kraus

SB 594 - Under current law, only landline telephone numbers may be placed on the state Do-Not-Call list. This act allows cell phone numbers to also be placed on the list. Additionally the act prohibits telemarketers from sending a fax, text message, digital image, or any other form of data communication to any phone number on the list.

This act contains provisions similar to provisions in SB 199 (2011), SB 633 (2010), SCS/SBs 65 & 43 (2009), SCS/SBs 840 & 857 (2008), SS/SCS/SBs 49, 65, 210, 251 (2007).

ERIKA JAQUES

01/03/2012 Prefiled  
 01/04/2012 S First Read--SB 594-Kraus (S48)  
 01/12/2012 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S87)  
 01/18/2012 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee  
 01/24/2012 Voted Do Pass S Commerce, Consumer Protection, Energy and the Environment Committee  
 02/09/2012 Reported from S Commerce, Consumer Protection, Energy and the Environment Committee to Floor (S234)  
 02/13/2012 Perfected (S250)  
 02/14/2012 Reported Truly Perfected S Rules Committee (S256)  
 02/16/2012 S Third Read and Passed (S279)  
 02/16/2012 H First Read (H353)  
 02/17/2012 H Second Read (H359)  
 03/08/2012 Referred H Utilities Committee (H588)  
 03/20/2012 Hearing Conducted H Utilities Committee  
 04/03/2012 HCS Voted Do Pass H Utilities Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 595 \*\*\*

SS SCS SB 595

4939S.07P

SENATE SPONSOR: Kraus

SS/SCS/SB 595 – This act transfers the administration of special education due process hearings from the State Board of Education to the Administrative Hearing Commission. This act prohibits commissioners who conduct due process hearings from having previously worked for a school district, an organization engaged in special education parent and student advocacy, the State Board of Education, or the Department of Elementary and Secondary Education, either as an employee or as an independent contractor or

consultant, within the last five years. A commissioner also cannot have performed work for a parent or a student as a special education advocate within the last five years or been a party to a special education proceeding as an attorney, parent or child. The Administrative Hearing Commission must conform to all practices, procedures, filing deadlines, and response times of the Individuals With Disabilities Education Act when conducting due process hearings.

At least three of the commissioners must be trained in special education law, who will be the only commissioners to hear special education matters. The initial training must be selected by the Administrative Hearing Commission in consultation with the Department of Elementary and Secondary Education and the IDEA-funded parent training and information center, as described in the act. Each commissioner assigned to special education matters must complete at least five additional hours of training each year. In addition, training sessions must be recorded and posted on the Administrative Hearing Commission's website, as described in the act.

When a commissioner renders a final decision, it cannot be amended or modified.

This act contains an emergency clause for sections 621.253 and 621.255.

MICHAEL RUFF

01/03/2012 Prefiled  
 01/04/2012 S First Read--SB 595-Kraus (S48)  
 01/12/2012 Second Read and Referred S Education Committee (S87)  
 02/29/2012 Hearing Conducted S Education Committee  
 03/07/2012 SCS Voted Do Pass S Education Committee - (4939S.05C)  
 03/22/2012 Reported from S Education Committee to Floor w/SCS (S500)  
 03/28/2012 SS for SCS S offered (Kraus)--(4939S.07F) (S535-536)  
 03/28/2012 SA 1 to SS for SCS S offered & adopted (Engler)--(4939S07.01S) (S536)  
 03/28/2012 SS for SCS, as amended, S adopted (S536)  
 03/28/2012 Perfected (S536)  
 03/28/2012 Reported Truly Perfected S Rules Committee (S546)  
 03/29/2012 S Third Read and Passed - EC adopted (S563-564)  
 03/29/2012 H First Read (w/EC) (H856)  
 03/30/2012 H Second Read (H864)  
 04/12/2012 Referred H Special Standing Committee on Disability Services Committee  
 04/16/2012 Hearing Scheduled H Special Standing Committee on Disability Services Committee--(1:00 p.m. - HHR 7)

EFFECTIVE: August 28, 2012

\*\*\* SB 596 \*\*\*

SCS SB 596

4925S.02C

SENATE SPONSOR: Brown

SCS/SB 596 - 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.

The act also modifies Missouri law relating to the prevailing wage.

Prevailing wage laws shall not apply in any county that receives federal disaster assistance under a federal disaster declaration for projects undertaken as a result of the disaster.

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.

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.

Under current law, prevailing wage in a locality is determined by the Department of Labor to be the hourly rate for a particular occupational title by means of wage surveys. This act repeals this provision and establishes that the prevailing wage for a locality 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 if the former cannot be determined.

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.

This act is similar to SB 175 (2011), SB 176 (2011), SB 468 (2012), SB 439 (2012).

CHRIS HOGERTY

01/03/2012 Prefiled

01/04/2012 S First Read--SB 596-Brown (S48)

01/12/2012 Second Read and Referred S Small Business, Insurance and Industry Committee (S87)

01/17/2012 Hearing Conducted S Small Business, Insurance and Industry Committee

01/24/2012 SCS Voted Do Pass S Small Business, Insurance and Industry Committee - (4925S.02C)

01/26/2012 Reported from S Small Business, Insurance and Industry Committee to Floor w/SCS (S159)

01/31/2012 Bill Placed on Informal Calendar (S172)

04/16/2012 S Informal Calendar S Bills for Perfection--SB 596-Brown, with SCS

EFFECTIVE: August 28, 2012

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\*\*\* SB 597 \*\*\*

4509S.021

SENATE SPONSOR: Dempsey

SB 597 - Under this act, The Missouri-St. Louis Metropolitan Airport Authority is given the responsibility for the operation of the Lambert-St. Louis International Airport beginning on January 1, 2015. The City of St. Louis shall continue to own the airport (Section 305.510). The authority shall honor all bonds, debts and employee pension plans of the former airport authority (Section 305.510).

The act changes the manner in which members of the authority are appointed. Current law requires the Governor to appoint four members; St. Louis City to appoint three members; St. Louis County to appoint three members; and the counties of Jefferson, Franklin, and St. Charles to appoint one member each, for a total of 13 members. Under the terms of this act, the mayor of St. Louis City, the county executive of St. Louis County, the county executive of St. Charles County and the county commissions of Jefferson and Franklin Counties shall each appoint one member of the authority for each 130,000 residents in the city or county according to the latest decennial census. In no event shall any appointing authority for a city or county

appoint a majority of the members of the authority. The first, third, and fifth members initially appointed by an appointing authority shall be appointed for a term of four years. The second, fourth, and sixth initial members shall be appointed for a term of two years. Appointments subsequent to the initial appointments shall be for a term of four years. Each member shall be subject to removal by the appointing authority (Section 305.515).

This act also states that the City of St. Louis may continue taxing businesses conducting activities within the St. Louis Metropolitan Airport (Section 92.045). Any profit from the operation of the airport shall continue to be received by the City of St. Louis (Section 305.510).

This act requires the authority and the city of St. Louis to enter into negotiations regarding certain employee issues beginning April 1, 2015 (Section 305.572).

This act is similar to HB 1244 (2004), SB 564 (2003), SCS/SB 1062 (2002) and SB 469 (2001).

This act has an effective date of January 1, 2015.

STEPHEN WITTE

01/04/2012 S First Read--SB 597-Dempsey (S50)

01/26/2012 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S160)

EFFECTIVE: January 1, 2015

\*\*\* SB 598 \*\*\*

4735S.02I

SENATE SPONSOR: Dempsey

SB 598 - With regard to tax increment financing, this act requires that a school district or library district be reimbursed from the special allocation fund for tax revenue the district would have received. The provisions of this act only apply to tax increment financing projects approved on or after August 28, 2012.

EMILY KALMER

01/04/2012 S First Read--SB 598-Dempsey (S50)

01/26/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S160)

EFFECTIVE: August 28, 2012

\*\*\* SB 599 \*\*\*

4467S.01P

SENATE SPONSOR: Schaefer

SB 599 – 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 act is identical to SB 147 (2011) and is similar to provisions contained in HB 1295 (2010), SB 962 (2010), SB 498 (2009), and HB 2542 (2008).

MICHAEL RUFF

01/04/2012 S First Read--SB 599-Schaefer (S50)

01/26/2012 Second Read and Referred S Education Committee (S160)

02/22/2012 Hearing Conducted S Education Committee

02/29/2012 Voted Do Pass S Education Committee

03/22/2012 Reported from S Education Committee to Floor (S500)

03/28/2012 Perfected (S535)

03/28/2012 Reported Truly Perfected S Rules Committee (S546)

03/29/2012 S Third Read and Passed (S562-563)

03/29/2012 H First Read (H856)

03/30/2012 H Second Read (H864)

04/12/2012 Referred H Elementary and Secondary Education Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 600 \*\*\*

4122S.01I

SENATE SPONSOR: Lembke

SB 600 - 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.

This act is identical to SB 85 (2011).

MEGHAN LUECKE

01/04/2012 S First Read--SB 600-Lembke (S50)

01/26/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S160)

EFFECTIVE: August 28, 2012

\*\*\* SB 601 \*\*\*

4836S.011

SENATE SPONSOR: Lembke

SB 601 - This act allows teachers in the St. Louis City School District who have a permanent appointment to be removed based on incompetency.

This act repeals the requirement that a notification of written charges seeking dismissal received during a vacation period be considered as received on the first day of the following school term.

Currently, to be dismissed for inefficiency in the line of duty, a teacher must be notified in writing at least one semester prior to the presentment of charges. This waiting period is shortened to thirty days and will also apply to incompetency. Upon receipt of the charges, the superintendent, or his or her representative, and the teacher must meet and confer in an effort to resolve the matter.

This act removes the prohibition on new teachers being hired while available teachers have been placed on leave of absence due to a reduction in force because of insufficient funds or a decrease in student enrollment. A leave of absence because of a reduction in force will not impair the tenure of a teacher and may continue for up to three years, unless extended by the school board.

This act repeals a provision governing how a reduction in force based on insufficient funds or a decrease in student enrollment would be conducted for non-certified employees in the St. Louis City School District.

MICHAEL RUFF

01/04/2012 S First Read--SB 601-Lembke (S50-51)

01/26/2012 Second Read and Referred S Education Committee (S160)

EFFECTIVE: August 28, 2012

\*\*\* SB 602 \*\*\*

4310S.011

SENATE SPONSOR: Green

SB 602 - 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 107 (2011) and SB 762 (2010).

STEPHEN WITTE

01/04/2012 S First Read--SB 602-Green (S51)

01/26/2012 Second Read and Referred S Transportation Committee (S160)

EFFECTIVE: Emergency clause

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\*\*\* SB 603 \*\*\*

4311S.011

SENATE SPONSOR: Green

SB 603 - 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, 2013.

This act is similar to SB 859 (2006), SB 37 (2007), SB 1251 (2008), SB 523 (2009), SB 21 (2009), SB 651 (2010), SB 3 (2011), and SB 105 (2011).

CHRIS HOGERTY

01/04/2012 S First Read--SB 603-Green and Justus (S51)

01/26/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S160)

02/13/2012 Hearing Conducted S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: January 1, 2013

\*\*\* SB 604 \*\*\*

4465S.011

SENATE SPONSOR: Green

SB 604 - 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.

This act is identical to SB 272 (2011).

JIM ERTLE

01/04/2012 S First Read--SB 604-Green (S51)

01/26/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S160)

EFFECTIVE: August 28, 2012

\*\*\* SB 605 \*\*\*

4197S.021

SENATE SPONSOR: Green

SB 605 - Currently, campaign committees for state representative, state senator, county clerk, associate circuit court judge, circuit court judge, certain municipal office candidates; district, county, and city political party committees; and certain political action committees are required to file campaign finance disclosure reports with the Missouri Ethics Commission and with an appropriate local election authority. This act eliminates this duplicate reporting requirement by only requiring those committees to file with the Missouri Ethics Commission.

CHRIS HOGERTY

01/04/2012 S First Read--SB 605-Green (S51)

01/26/2012 Second Read and Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S160)

02/07/2012 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee

04/03/2012 Voted Do Pass S Rules, Joint Rules, Resolutions and Ethics Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 606 \*\*\*

4994S.011

SENATE SPONSOR: Schmitt

This bill has been combined with SB 484

01/05/2012 S First Read--SB 606-Schmitt (S59)

01/26/2012 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S160)

02/07/2012 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee

02/07/2012 Bill Combined (w/SBS SBs 484, 477 &amp; 606)

EFFECTIVE: August 28, 2012

\*\*\* SB 607 \*\*\*

SS SB 607

4942S.04P

SENATE SPONSOR: Stouffer

HOUSE HANDLER: Burlison

SS/SB 607 - Under this act, on the date the Highways and Transportation 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 partial waivers and reset agreements 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.

This act is similar to SB 120 (2011), HB 2097 (2010) SB 704 (2010), and SCS/SB 57 (2009).  
STEPHEN WITTE

01/05/2012 S First Read--SB 607-Stouffer (S59)  
01/26/2012 Second Read and Referred S Transportation Committee (S160)  
02/01/2012 Hearing Conducted S Transportation Committee  
02/08/2012 Voted Do Pass S Transportation Committee  
03/01/2012 Reported from S Transportation Committee to Floor (S380)  
03/07/2012 SS S offered & adopted (Stouffer)--(4942S.04F) (S412)  
03/07/2012 Perfected (S412)  
03/07/2012 Reported Truly Perfected S Rules Committee (S414)  
03/08/2012 S Third Read and Passed (S430)  
03/08/2012 H First Read (H596)  
03/19/2012 H Second Read (H602)  
04/04/2012 Referred H Transportation Committee (H942)  
04/10/2012 Hearing Conducted H Transportation Committee  
04/10/2012 Voted Do Pass H Transportation Committee  
04/11/2012 Reported Do Pass H Transportation Committee (H1023)  
04/11/2012 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1023)

EFFECTIVE: August 28, 2012

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\*\*\* SB 608 \*\*\*

4704S.03I

SENATE SPONSOR: Wasson

SB 608 - This act establishes the Missouri Health Insurance Exchange, the "Direct Payment Stop Loss Fund", and creates administrative procedure to collect unpaid medical claims.

DEFINITIONS - The act sets forth the definitions that govern Sections 376.1600 to 376.1642 (Missouri Health Insurance Exchange)(Section 376.1600).

ESTABLISHMENT OF THE MISSOURI HEALTH INSURANCE EXCHANGE - This act creates and establishes the Missouri Health Insurance Exchange through which eligible individuals and employer-groups can purchase health insurance. The exchange is created as a body corporate for the purpose of facilitating the availability, choice and adoption of private health insurance plans to eligible individuals and groups. The exchange will serve as a point of entry to determine eligibility to receive health plan benefits for Missouri residents, employers located in Missouri and their employees, students attending institutions of higher learning, and all other eligible individuals seeking to obtain health insurance coverage (Section 376.1603).

MISSOURI HEALTH INSURANCE EXCHANGE BOARD - The exchange will be administered by an exchange board. The exchange board shall be comprised of 9 members (director of Department of Insurance, commissioner of the Office of Administration, director of Department of Health and Senior Services, and 6 members appointed by the Governor. The members shall annually elect a chair and vice-chair (Section 376.1606).

EXCHANGE DIRECTOR - The board shall appoint an exchange director who shall serve at the pleasure of the board. The exchange director shall be responsible for administering all of the exchange's activities and contracts and supervising all of the exchange's staff. The exchange director will receive compensation as established by the board (Section 376.1606.5).

POWERS OF THE EXCHANGE BOARD - The exchange board is authorized and empowered to:

- (1) Administer all of the exchange's activities and contracts;
- (2) Establish procedures for operations of the exchange;
- (3) Prepare an annual budget for the exchange;
- (4) Enter into contracts with public or private entities to carry out the duties of the exchange, including contracts to administer applications, eligibility verification, enrollment, and premium payments for specific groups or populations. No organization that enters into a contract with the exchange shall be a carrier that offers plans through the exchange. The exchange shall not have the authority to enter into contracts with healthcare providers;
- (5) Take any legal action necessary or proper on behalf of the exchange;
- (6) Hire or contract with appropriate legal, actuarial, administrative personnel, and other advisors to provide technical assistance in the management and operation of the exchange;
- (7) Establish and execute a line of credit, and establish one or more cash and investment accounts to carry out the duties of the exchange;
- (8) Establish and collect administrative fees from carriers based on the number of persons covered by the plans or plans offered through the exchange by the carrier sufficient to fund the costs of administering the exchange;
- (9) Apply for grants from public and private entities;
- (10) Contract with sponsoring employers of participating employer-subsidized plans to act as the plan's administrator;
- (11) Establish procedures for the enrollment of eligible individuals, groups and other enrollees; and
- (12) Establish and manage a system for collecting premium payments made by, or on behalf of, individuals obtaining health insurance coverage through the exchange, including any premium payments made by enrollees, employers, or other organizations and any premium subsidies, and transmitting such payments to the chosen plans (Section 376.1609).

DUTIES OF EXCHANGE DIRECTOR - The act sets forth the various duties the exchange director must carry out. For instance, the exchange director shall provide information on the exchange to applicants, enroll eligible individuals, create application forms, establish a website in which individuals can examine health insurance options, and publicize the existence of the exchange (Section 376.1612).

SERVICE CENTER - The act requires the exchange director to establish and administer at least one service center to provide information to applicants (Section 376.1615).

OPERATING EXPENSES OF THE EXCHANGE - All operating expenses of the exchange shall be paid from funds collected by or on behalf of the exchange. The accounts of the exchange are special fund accounts and the money in the accounts are not part of the general revenue fund of Missouri. The state may not provide general fund appropriations to the exchange and the obligations of the pool are not a debt of the state or a pledge of its credit. The assets of the exchange shall be exempt from taxation by the state and local government (Section 376.1618).

PARTICIPATION OF PLANS IN THE EXCHANGE - The exchange will offer to participating individuals only plans that have been certified by the director of the Department of Insurance. To be able to offer a plan through the exchange, a carrier must be licensed to issue health insurance in Missouri and be in good standing with the department of insurance.

Prior to the exchange's initial open enrollment period, the board shall establish the types of health benefit plans that carriers must offer through the exchange. The development of the plan designs shall be based upon recommendations made by advisory committee composed of a carrier representative that issues

individual policies, a carrier representative that issues plans to small employers, an actuary, and three experts who are experienced in designing health benefit plans. The advisory committee shall recommend the types of coverage options and the number of plan designs to be offered through the exchange. Each carrier may offer any of the following types of plans through the exchange:

- (1) Consumer-driven health benefit plans (high deductible policies coupled with HSAs or a health reimbursement arrangement;
- (2) A limited mandate policy; and
- (3) An enriched plan similar to a plan offered to state employees or other similar quality.

All plans offered by a carrier shall be for a term of at least one year, and may be automatically renewed in the absence of a notice of termination by the plan or notice by the director that the plan is no longer certified as eligible to be offered through the exchange. Each plan certified by the director shall contain a detailed description of benefits offered, including maximums, limitations, exclusions, and other benefit limits. Carriers shall offer plans through the exchange at rates based upon age, geography, health lifestyle considerations and family composition that are actuarially sound. The act requires carriers to notify the director before discontinuing a plan.

The exchange shall begin offering health benefit plans beginning January 1, 2014 (Section 376.1621).

**ELIGIBLE INDIVIDUALS** - The act provides that "eligible individuals" may receive coverage through the exchange. Eligible individuals are:

- (1) Missouri residents;
- (2) Non-Missouri residents who work at least 20 hours in a Missouri business that does not offer its workers group health insurance;
- (3) Individuals enrolled in, or is eligible to enroll in, a participating employer-subsidized plan;
- (4) Self-employed individuals whose principal place of business is in Missouri;
- (5) Full-time students attending a Missouri institution of higher education; or
- (6) Qualified dependents (Section 376.1624).

**ENROLLMENT AND COVERAGE SELECTION** - Participating individuals will be able to obtain or change coverage under a participating plan during an annual open season or upon the occurrence of a qualifying event (e.g. marriage, divorce, death of a spouse, birth, adoption, change in employment, etc.). The act requires the exchange to administer an open enrollment season every year (Section 376.1627).

**UNDERWRITING AND GUARANTEED ISSUE COVERAGE** - The act provides for guaranteed issue of coverage at standard rates to all persons enrolled in the exchange as part of a participating employer-group and to individuals with 18 or more months prior creditable coverage. Under the act, issue of coverage through the exchange is guaranteed at standard rates to those joining it as part of an employer group and to individual enrollees with 18 months of creditable or more of creditable coverage.

**GROUP** - Individuals who enroll in the exchange as part of a participating employer subsidized plan will be able to obtain coverage at standard rates, regardless of previous coverage (Section 376.1630(8)).

**NONGROUP** - During the open regular open season, individuals who enroll in the exchange directly as individuals will be able to obtain coverage at the plan's standard rates if the individuals have at least 18 months of coverage. The plan cannot impose any waiting periods or coverage exclusions or deny coverage to such individuals (Section 376.1630(1) and (2)).

Individuals with less than 18 months of prior creditable coverage are also guaranteed issued coverage, but the health care plan may elect certain rating surcharges and/or pre-existing exclusions until such time the individuals have obtained 18+ months of creditable coverage through the exchange. Individual enrollees with 2 to 17 months of prior creditable coverage may be charged premiums of up to 125% of the standard rate. An individual with less than 2 months of prior creditable coverage may be charged premiums of up to 150% of the standard rate. As to preexisting conditions, the plan may impose one or more preexisting condition provisions, for a period not to exceed 12 months, reduced by the number of months of creditable coverage (Section 376.1630(3) and (4)).

The guaranteed issue provisions only apply during the specified election periods (annual open season and whenever an individual's change of status triggers an ERISA right to switch coverage).



Under the act, an individual shall be able to enroll at the standard rates without preexisting condition provisions if the individual becomes a participating individual due to:

- (1) Enrollment in a participating employer-subsidized plan;
- (2) Qualification as a federal health coverage tax credit eligible individual; or
- (3) Becoming a newly qualified dependent of another participating individual through birth, adoption, or court ordered custody or legal guardianship (Section 376.1630).

**PORTABILITY AND CONTINUATION OF COVERAGE** - Under the act, any participating individual may continue to participate in the exchange for as long as he or she remains an eligible individual, regardless of any change in employment, family status, health status, age, membership in any organization, or other circumstances that does not affect the individual's ability to participate in the exchange. Any non-resident participating individual who ceases to be eligible to participate in the exchange by reason of a qualifying event (e.g. employment termination, divorce, loss of dependent status, etc.) will be permitted to continue participation in the exchange for up to 36 months, on the same terms as other participating individuals, regardless of the loss of eligibility (Section 376.1633).

**PARTICIPATING EMPLOYER PLANS (EMPLOYER GROUPS)** - Any employer may enter into an agreement with the exchange to be the sponsor of a participating employer-subsidized plan. Under such an arrangement, the exchange director shall become the plan's administrator for the employer's group health plan.

The employer reserves the right to offer supplemental benefits (vision care, dental care, long-term care, etc.), but the exchange director shall not be the plan administrator for any such supplemental plans or benefits. Under the act, the employer retains the right to determine the criteria for eligibility, enrollment, and participation in the participating employer-subsidized plan and the terms and amounts of the employer's contributions to that plan. Under the terms of the arrangement, the employer must participate in a cafeteria plan under 26 U.S.C. §125 (Section 376.1636).

**PRODUCER COMMISSIONS** - The act allows insurance producers to apply to the exchange on behalf of an employer seeking to sponsor a participating employer plan through the exchange. If the exchange enrolls individuals eligible for benefits under the terms of that participating employer plan, then the participating plan chosen by the individual shall pay the insurance producer that applied to the exchange on behalf of that employer the commission provided for by the act. Under the act, the director must determine the amount of the standard commission paid to licensed insurance producers and other qualified entities for enrolling eligible individuals in the exchange. The amount of the commission shall be in an amount the director determines to be reasonable, based on commissions that are paid in the relevant market and other factors the director deems relevant (Section 376.1638).

**DIRECT PAYMENT STOP LOSS FUND** - The act establishes the "Direct Payment Stop Loss Fund", to be administered by the director or the department of insurance. The direct payment stop loss fund shall be a fund from which carriers offering participating plans through the Missouri health insurance exchange may receive reimbursement, to the extent of funds available therefore, for claims paid by such carriers for participating individuals covered under the exchange. Commencing January 1, 2014, carriers offering participating plans through the exchange shall be eligible to receive reimbursement from the direct payment stop loss fund for 70% of claims paid between \$50,000 and \$100,000 in a calendar year for any participating individual covered under a participating plan issued through the exchange.

Claims shall be reported and funds shall be distributed on a calendar year basis. Claims shall be eligible for reimbursement only for the calendar year in which the claims are paid. Once claims paid on behalf of a participating individual reach or exceed \$100,000 in a given calendar year, no further claims paid on behalf of such participating individual in such calendar year shall be eligible for reimbursement. Claims paid within a calendar year shall be determined by the date of payment rather than date of service or date the claim was incurred. No participating carrier shall delay or defer payment of a claim solely for the purpose of causing the date of payment to fall into a subsequent calendar year. Participating carriers shall not be entitled to any reimbursement on behalf of a participating individual if the claims paid on behalf of that member in a given calendar year do not, in the aggregate, reach the applicable claims threshold. Additionally, claims paid on behalf of a covered member that exceed the claims corridor in a given calendar year shall not be eligible for reimbursement from the fund.

In the event that the total amount requested for reimbursement by all carriers for a calendar year exceeds

funds available for distribution for claims paid by all carriers during that same calendar year, the director shall provide for the pro-rata distribution of the available funds. Each carrier shall be eligible to receive only such proportionate amount of the available funds as the individual carrier's total eligible claims paid bears to the total eligible claims paid by all carriers. In the event that funds available for distribution for claims paid by all carriers during a calendar year exceeds the total amount requested for reimbursement by all carriers during that same calendar year, any excess funds shall be carried forward and will not affect monies appropriated for the direct payment stop loss fund in the next calendar year.

The act allows the director to obtain the services of an organization to administer the direct payment stop loss fund. The director shall establish guidelines for the submission of proposals by organizations for the purposes of administering the fund. The director shall make a determination whether to approve, disapprove or recommend modification to the proposal of an applicant to administer the fund. An organization approved to administer the fund shall submit reports to the director in such form and at times as may be required by the director in order to facilitate evaluation and ensure orderly operation of the fund, including, but not limited to an annual report of the affairs and operations of the fund, such report to be delivered to the director, the house budget committee chair, and the senate appropriations committee chair.

If the director deems it appropriate for the proper administration of the direct payment stop loss fund, the administrator of the fund, on behalf of and with the prior approval of the director, shall be authorized to purchase stop loss insurance and/or reinsurance from an insurance company licensed to write such type of insurance in this state.

Under the act, the director must submit an annual report to the general assembly evaluating the effectiveness of the direct stop loss fund. The report shall include any recommendations that the director deems relevant. The report, however, shall contain recommendations whether the reinsurance threshold or attachment point delineated in this section shall be lowered and the reinsurance corridor be expanded to lower premium costs and assist carriers with combating adverse selection or whether the threshold should be increased in order to protect the solvency of the fund (Section 376.1642).

STATEMENT OF COVERAGE FORM - This act requires all Missouri employers to annually file with the director of Department of Insurance a form for each employee indicating the health insurance coverage status of the employee and his or her dependants. Similar requirements are made of self-employed individuals and the Department of Social Services with respect to individuals covered under governmental programs (Section 376.1850).

PERSONAL RESPONSIBILITY - The act also requires persons between the ages of 18 to 65 to offer proof of their ability to pay for medical care. They can either show proof of insurance as required in the statement of coverage provision or show proof of financial responsibility by presenting a bond in the amount of \$10,000 to the Department of Revenue or establishing an escrow account with the department in the same amount. If the director of the Department of Revenue received information that a person has failed to pay a hospital or other medical claim, the director shall establish an escrow account in the person's name and shall deposit in the account all moneys that be payable from the state (overpayment of taxes, etc.) to that person. Alternatively, the director can obtain an order of attachment on the person's wages. The director may disburse moneys from the escrow account to pay for medical claims when the individual is not in compliance with the act. The act further provides that any judgment payable by an individual to a health care provider for charges during a period that the individual failed to maintain financial responsibility shall include an order permitting the attachment of the person's wages to satisfy the judgment. The act allows health care providers to file a claim with the director through an administrative process to receive moneys from the escrow account or to seek a garnishment action (Section 376.1852).

This act is virtually identical to SB 556 (2007).

STEPHEN WITTE

01/05/2012 S First Read--SB 608-Wasson and Richard (S59)

01/26/2012 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S160)

EFFECTIVE: August 28, 2012

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\*\*\* SB 609 \*\*\*

4980S.011

SENATE SPONSOR: Lembke

SB 609 - 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.

This act is identical to SB 211 (2011) and similar to HB 364 (2011).

MIKE HAMMANN

01/05/2012 S First Read--SB 609-Lembke (S65)

01/26/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S160)

EFFECTIVE: August 28, 2012

\*\*\* SB 610 \*\*\*

4987S.011

SENATE SPONSOR: Lembke

SB 610 - This act prohibits political subdivisions from using automated photo red light enforcement systems to enforce red light violations.

This act is identical to SB 16 (2011), SB 637 (2010) and SB 211 (2009).

STEPHEN WITTE

01/05/2012 S First Read--SB 610-Lembke (S65)

01/26/2012 Second Read and Referred S Transportation Committee (S160)

EFFECTIVE: August 28, 2012

\*\*\* SB 611 \*\*\*

4983S.01P

SENATE SPONSOR: Lembke

HOUSE HANDLER: Stream

SB 611 - 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.

This act is identical to SB 212 (2011).

STEPHEN WITTE

01/05/2012 S First Read--SB 611-Lembke (S65)

01/26/2012 Second Read and Referred S Transportation Committee (S160)

02/01/2012 Hearing Conducted S Transportation Committee

02/08/2012 Voted Do Pass S Transportation Committee

02/09/2012 Reported from S Transportation Committee to Floor (S234)

02/13/2012 Perfected (S249)

02/14/2012 Reported Truly Perfected S Rules Committee (S256)

02/16/2012 S Third Read and Passed (S278-279)

02/16/2012 H First Read (H354)

02/17/2012 H Second Read (H359)

03/08/2012 Referred H Transportation Committee (H588)

03/20/2012 Hearing Conducted H Transportation Committee

03/20/2012 Voted Do Pass H Transportation Committee

04/11/2012 Reported Do Pass H Transportation Committee (H1024)

04/11/2012 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1024)

EFFECTIVE: August 28, 2012

\*\*\* SB 612 \*\*\*

4979S.011

SENATE SPONSOR: Lembke

SB 612 - 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, 2013. 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.

This act is similar to SB 15 (2011).

EMILY KALMER

01/05/2012 S First Read--SB 612-Lembke (S65)

01/26/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S161)

EFFECTIVE: August 28, 2012

\*\*\* SB 613 \*\*\*

4732S.011

SENATE SPONSOR: Kehoe

SB 613 - This act requires courts to award litigation costs and attorney's fees to a prevailing defendant unless the plaintiff voluntarily dismisses the suit before the defendant's time to file for dismissal has passed.

MIKE HAMMANN

01/05/2012 S First Read--SB 613-Kehoe, et al (S65)

01/26/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S161)

EFFECTIVE: August 28, 2012

\*\*\* SB 614 \*\*\*

4628S.021

SENATE SPONSOR: Kehoe

SB 614 - This act requires courts to award litigation costs and attorney's fees to a party filing and prevailing on a motion to dismiss a suit for having no basis in law or fact. If the motion is denied, the party opposing the motion shall be awarded its litigation costs and attorney fees associated with defending against the motion.

MIKE HAMMANN

01/05/2012 S First Read--SB 614-Kehoe and Lamping (S65)

01/26/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S161)

EFFECTIVE: August 28, 2012

\*\*\* SB 615 \*\*\*

4817S.011

SENATE SPONSOR: McKenna

SCS/SB 615 - Under current law, anyone who possesses a license to sell liquor in the original package may apply for an additional license to sell liquor on Sundays from 9 a.m. until midnight. In addition, various laws give certain specified establishments, such as airline clubs, places of amusement, and restaurant bars, the opportunity to apply for a license to sell liquor by the drink at retail on Sundays.

This act allows any liquor license holder to apply for a license to sell liquor at retail on Sundays from 9 a.m. until midnight except certain establishments in St. Louis and Kansas City that can apply for such licenses under different statutory authority. The statutory authority for such establishments in St. Louis and Kansas City is modified so that they do not have to serve food in addition to liquor.

The cost of the general Sunday license is \$200. In addition, this act repeals statutes that allowed Sunday liquor licenses for specific types of license holders because those licensees can apply for the Sunday license under this act.

Opening times for other establishments that have a license to serve liquor seven days a week are changed to 9 a.m.

In addition, caterers who have a special license to sell intoxicating liquor by the drink at retail may also sell intoxicating liquor in the original package under this act.

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.

In addition, this act allows holders of a license to sell alcohol by the drink at retail to utilize table tap dispensing systems at their establishments. These dispensing systems allow patrons, upon the authorization of an employee at the establishment, to dispense their own beer. Only 32 ounces of beer per patron may be dispensed per authorization. No law or rule shall be interpreted as allowing distributors, manufacturers, or wholesalers to furnish or service such dispensing systems.

This act contains provisions identical to SB 31 (2011).

MEGHAN LUECKE

01/05/2012 S First Read--SB 615-McKenna (S65)

01/26/2012 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S161)

02/08/2012 Hearing Conducted S Jobs, Economic Development and Local Government Committee

02/22/2012 SCS Voted Do Pass S Jobs, Economic Development and Local Government Committee - (4817S.07C)

EFFECTIVE: August 28, 2012

\*\*\* SB 616 \*\*\*

5056S.011

SENATE SPONSOR: Wasson

SB 616 - On or after January 1, 2013, every insurer authorized to write homeowners' insurance within Missouri shall make available, for an appropriate additional premium, coverage for sinkhole losses on any structure, including contents of personal property contained therein, to the extent provided in the policy to which the sinkhole coverage attaches. Sinkhole insurance coverage may be offered as part of the underlying insurance policy or as an endorsement or rider.

If a homeowner's insurance policy excludes coverage for sinkhole losses, the insurer must inform policyholders in bold type of not less than 14 points as follows:

**"YOUR POLICY DOES NOT PROVIDE COVERAGE FOR SINKHOLE LOSSES. YOU MAY PURCHASE ADDITIONAL COVERAGE FOR SINKHOLE LOSSES FOR AN ADDITIONAL PREMIUM."**

STEPHEN WITTE

01/09/2012 S First Read--SB 616-Wasson (S69)

01/26/2012 Second Read and Referred S Small Business, Insurance and Industry Committee (S161)

02/28/2012 Hearing Conducted S Small Business, Insurance and Industry Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 617 \*\*\*

5108S.011

SENATE SPONSOR: Schaaf

SB 617 - No later than sixty days after the effective date of this act, the Department of Social Services shall promulgate rules to specify the process to qualify for MO HealthNet services through the MO HealthNet spenddown program. The rules shall clearly define all eligibility standards, methodologies, calculations and procedures used to define such eligibility.

This act has an emergency clause.

ADRIANE CROUSE

01/09/2012 S First Read--SB 617-Schaaf (S69)

01/26/2012 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S161)

EFFECTIVE: Emergency Clause

\*\*\* SB 618 \*\*\*

4854S.011

SENATE SPONSOR: Schaaf

SB 618 - This act requires auctioneers selling real estate to be licensed by the Real Estate Commission.

MIKE HAMMANN

01/09/2012 S First Read--SB 618-Schaaf (S69)  
 01/26/2012 Second Read and Referred S Financial and Governmental Organizations and Elections  
 Committee (S161)  
 02/20/2012 Hearing Conducted S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 619 \*\*\*

5035S.011

SENATE SPONSOR: Richard

SB 619 - This act modifies Missouri's valued policy law statute. Under current law, Section 379.140 applies to loss or damage by fire. In the event of a total loss, the insurer must pay the total amount of the policy less the depreciation of the property between the time of the issuance of the policy and the loss. In a partial loss, the insurer must pay the comparable percentage of the total value as the damaged part bears to the whole property. This act modifies this statute so that applies to loss or damage by any peril covered under the terms of the policy, not just fire.

This act is identical to HB 1124 (2012).

STEPHEN WITTE

01/09/2012 S First Read--SB 619-Richard (S69)  
 01/26/2012 Second Read and Referred S Small Business, Insurance and Industry Committee (S161)  
 02/28/2012 Hearing Conducted S Small Business, Insurance and Industry Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 620 \*\*\*

4661S.01P

SENATE SPONSOR: Rupp

SB 620 - This act amends Section 376.010 to allow life insurers licensed in Missouri to write limited amounts of non-life business outside of the United States, subject to specified limitations. Primarily, a Missouri domestic life insurance company may only write or assume such business if it is written outside of the United States. Additionally, such exposure may only be written or assumed as a rider attached to a base life insurance policy. Finally, the domestic insurance company's exposure to such business is capped based upon the insurance company's annual premium, which shall be not more than 3% of the prior year's capital and surplus (Section 376.010).

The act also permits a Missouri-domiciled insurance company to write or assume involuntary unemployment insurance in connection with group life insurance business as well as credit insurance business, but only to the extent that such business is written or assumed outside of the United States (Section 376.015). The act also "cleans-up" an insurance investment statute by inserting a number of commas in Section 376.307 which were inadvertently omitted in a bill passed in 2007 (Section 376.307).

STEPHEN WITTE

01/09/2012 S First Read--SB 620-Rupp (S69)  
 01/26/2012 Second Read and Referred S Small Business, Insurance and Industry Committee (S161)  
 01/31/2012 Hearing Conducted S Small Business, Insurance and Industry Committee  
 02/28/2012 Voted Do Pass S Small Business, Insurance and Industry Committee  
 03/01/2012 Reported from S Small Business, Insurance and Industry Committee to Floor (S381)  
 03/20/2012 SA 1 S offered & defeated (Keaveny)--(4661S01.01S) (S457-469)  
 03/20/2012 Perfected (S469)  
 03/20/2012 Reported Truly Perfected S Rules Committee (S470)  
 03/22/2012 S Third Read and Passed (S492-493)  
 03/22/2012 H First Read (H694)  
 03/23/2012 H Second Read (H702)

EFFECTIVE: August 28, 2012

\*\*\* SB 621 \*\*\*

SCS SB 621

5052S.02C

SENATE SPONSOR: Brown

SS/SCS/SB 621 - 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; (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 a documented immediate and serious threat, as defined directly and through interpretive guidelines included in hospital licensure regulations; 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.

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 substantially similar to HB 1123 (2012) and substantially similar to HCS/HB 579 (2011).

ADRIANE CROUSE

01/09/2012 S First Read--SB 621-Brown (S69)  
 01/26/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S161)  
 02/06/2012 Hearing Conducted S Financial and Governmental Organizations and Elections Committee  
 02/13/2012 SCS Voted Do Pass S Financial and Governmental Organizations and Elections Committee - (5052S.02C)  
 02/16/2012 Reported from S Financial and Governmental Organizations and Elections Committee to Floor w/SCS (S286)  
 02/20/2012 SS for SCS S offered (Brown)--(5052S.03F) (S293)  
 02/20/2012 Bill Placed on Informal Calendar (S293)  
 02/29/2012 Taken up for Perfection (S357)  
 02/29/2012 Bill Placed on Informal Calendar (S357)  
 03/22/2012 SA 1 to SS for SCS S offered (Schaaf)--(5052S03.04S) (S498)  
 03/22/2012 Bill Placed on Informal Calendar (S498)  
 04/16/2012 S Informal Calendar S Bills for Perfection--SB 621-Brown, with SCS, SS for SCS & SA 1 (pending)

EFFECTIVE: August 28, 2012

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\*\*\* SB 622 \*\*\*

4993S.011

SENATE SPONSOR: Cunningham

SB 622 - This act requires a health carrier that offers or issues plans which are issued or renewed on or after January 1, 2013, that provide coverage for prescription eye drops, to provide coverage for refilling the eye drop prescription prior to the last day of the insured's dosage period without regard to a restriction for an early refill as long as the prescribing health care provider authorizes the early refill. The coverage must not be subject to any greater deductible or co-payment than other similar health care services provided by the health plan. The act exempts certain supplemental insurance policies from its provisions.

This act is identical to HB 1081 (2012).  
 STEPHEN WITTE

01/09/2012 S First Read--SB 622-Cunningham (S69)  
 01/26/2012 Second Read and Referred S Small Business, Insurance and Industry Committee (S161)  
 02/28/2012 Hearing Conducted S Small Business, Insurance and Industry Committee

EFFECTIVE: August 28, 2012

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\*\*\* SB 623 \*\*\*      SCS SB 623

4998S.02C

SENATE SPONSOR: Cunningham

SCS/SB 623 - Currently, Missouri banks and trust companies with trust powers, and national banks with trust powers under United States laws with their principal place of business in Missouri, are authorized to transfer fiduciary obligations consisting only of irrevocable life insurance trusts to the Missouri trust office of an out of state bank with trust powers or to an out of state trust company. This act allows all banks, trust companies, and national banks with trust powers, regardless of location, to transfer those obligations to any such banks and trust companies.

This act is similar to HB 1349 (2012).

CHRIS HOGERTY

01/09/2012 S First Read--SB 623-Cunningham (S70)  
 01/26/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S161)  
 02/13/2012 Hearing Conducted S Financial and Governmental Organizations and Elections Committee  
 02/20/2012 SCS Voted Do Pass S Financial and Governmental Organizations and Elections Committee (4998S.02C)  
 03/01/2012 Reported from S Financial and Governmental Organizations and Elections Committee to Floor w/SCS (S380)  
 03/06/2012 Bill Placed on Informal Calendar (S401)  
 04/16/2012 S Informal Calendar S Bills for Perfection--SB 623-Cunningham, with SCS

EFFECTIVE: August 28, 2012

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\*\*\* SB 624 \*\*\*

5046S.011

SENATE SPONSOR: Lembke

SB 624 - Before January 1, 2014, the board of directors of the Missouri Employers Mutual Insurance Company (MEMIC) shall perform all acts necessary to establish a successor mutual insurance company. The successor company shall operate to the same extent as any mutual casualty insurer that is licensed and authorized to write insurance in this state, subject to the authority and regulation by the department of insurance, and with all the powers and subject to all the laws, rules, and requirements of a mutual insurance company that is organized under the laws of this state.

On or before January 1, 2013, the board of directors shall provide a report to the Governor, the President pro tem of the Senate, and the Speaker of the House of Representatives that outlines the steps it will take to become a private successor mutual insurance company. The report shall also calculate the value, if any, of state equity or other state financial interests in the Missouri Employers Mutual Insurance Company. A copy of the report shall be provided to the Secretary of State.

The board of directors shall perform all necessary acts to file articles of incorporation of the successor mutual insurer corporation and shall take all necessary actions to qualify for a certificate of authority as provided by law.

Beginning January 1, 2014, the successor mutual insurance company shall become the successor in interest to all the assets and liabilities of MEMIC without any conveyance or transfer and without any further act or deed and shall be vested by operation of law with title to all property of MEMIC. The successor company shall be responsible for the obligations of the MEMIC to the same extent as though incurred originally by the successor company.

The act further provides that the director of the Department of Insurance is authorized to supervise MEMIC's transition into a private successor mutual insurance company.

The act repeals MEMIC's enabling legislation. The repeal of these sections become effective January 1, 2014.



STEPHEN WITTE

01/09/2012 S First Read--SB 624-Lembke (S70)  
 01/26/2012 Second Read and Referred S Small Business, Insurance and Industry Committee (S161)  
 03/06/2012 Hearing Conducted S Small Business, Insurance and Industry Committee  
 03/20/2012 Hearing Conducted S Small Business, Insurance and Industry Committee

EFFECTIVE: Varies

\*\*\* SB 625 \*\*\*

SCS SB 625

5110S.02C

SENATE SPONSOR: Kehoe

SCS/SB 625 - Currently when employees transfer between the Missouri State Employees' Retirement System and the Missouri Department of Transportation and Highway Patrol Employees' Retirement System, the value of the employees' accrued benefits are transferred as well. This act will change the computation of accrued benefits to exclude amounts for previously transferred service not subject to asset transfer. Any prior payments already made that should have been excluded must be returned.

Members of the General Assembly and statewide elected officials, who first take office on or after January 1, 2013, will no longer have retirement benefits determined based on a different formula than other state employees who are under the year 2000 plan.

Currently, employees hired after January 1, 2011, and covered under the Missouri State Employees' Retirement System must contribute four percent of their salary into the system. If a member leaves the system before becoming eligible for normal retirement, their contributions are refunded with interest of four percent per year. This act changes the interest rate so that it is equal to the investment rate for the fifty-two week treasury bills issued by the United States Department of Treasury.

Currently, the beneficiary of any MOSERS member who made contributions into the MOSERS system will upon the member's death receive a refund of the contribution less any retirement benefits received by the member. This act will include the interest credited to the member's contributions in the refund. Interest credited to the contributions will cease upon retirement or death.

This act contains perfected version of SS/SB 492.

MIKE HAMMANN

01/09/2012 S First Read--SB 625-Kehoe (S70)  
 01/26/2012 Second Read and Referred S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee (S161)  
 02/09/2012 Hearing Conducted S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee  
 03/08/2012 SCS Voted Do Pass S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee - (5110S.02C)  
 03/22/2012 Reported from S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee to Floor w/SCS (S498)  
 03/22/2012 Returned to S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee (S500)  
 03/29/2012 Reported from S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee to Floor w/SCS (S566)  
 04/04/2012 Bill Placed on Informal Calendar (S609)  
 04/16/2012 S Informal Calendar S Bills for Perfection--SB 625-Kehoe, with SCS

EFFECTIVE: August 28, 2012

\*\*\* SB 626 \*\*\*

SCS SB 626

5135S.04P

SENATE SPONSOR: Kehoe

SCS/SB 626 - This act provides that the liability of a manufacturer or remanufacturer will terminate if a product is materially altered by a person not in the business of selling the product or using it as a component.

This act does not apply to actions arising out of a defective or unsafe condition of any improvement to real property.

This act is similar to SCS/SB 379 (2011).

MIKE HAMMANN

01/09/2012 S First Read--SB 626-Kehoe (S70)  
 02/02/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S192)  
 02/06/2012 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee  
 03/05/2012 SCS Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee (5135S.04C)  
 03/08/2012 Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor w/SCS (S432)  
 03/21/2012 SCS S adopted (S482)  
 03/21/2012 Perfected (S482)  
 03/21/2012 Reported Truly Perfected S Rules Committee (S485)  
 03/22/2012 S Third Read and Passed (S495)  
 03/22/2012 H First Read (H694)  
 03/23/2012 H Second Read (H702)

EFFECTIVE: August 28, 2012

\*\*\* SB 627 \*\*\*

4887S.02I

SENATE SPONSOR: Schaefer

SB 627 - The act allows the director of the Office of Administration's Division of Facilities Management, Design, and Construction to provide waste management services for any state agency except those for which such authority is designated in the Constitution. The director must appoint a member of his or her staff to serve as the coordinator of waste management services who will oversee any contract, agreement, or arrangements for the services. The director must provide a report on its activities under the act upon request by the Governor, President Pro Tem of the Senate, or Speaker of the House of Representatives.

ERIKA JAQUES

01/09/2012 S First Read--SB 627-Schaefer (S70)  
 02/02/2012 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S192)  
 02/07/2012 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 628 \*\*\*

4557S.02P

SENATE SPONSOR: Schaefer

SB 628 - This act modifies the uses of money from a current court surcharge in criminal cases. The "Inmate Security Fund" is renamed the "Inmate Prisoner Detainee Security Fund". The uses of moneys in the fund are modified to include the purchase of information sharing equipment to allow inmates, detainees or prisoners in a shorter term detention facility to be identified upon booking and tracked within certain law enforcement or criminal justice systems.

MIKE HAMMANN

01/09/2012 S First Read--SB 628-Schaefer (S70)  
 02/02/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S192)  
 02/20/2012 Hearing Scheduled But Not Heard S Judiciary and Civil and Criminal Jurisprudence Committee  
 02/27/2012 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee  
 03/05/2012 Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee  
 04/05/2012 Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor (S630)  
 04/10/2012 Perfected (S644)  
 04/11/2012 Reported Truly Perfected S Rules Committee (S651)  
 04/12/2012 S Third Read and Passed

EFFECTIVE: August 28, 2012

\*\*\* SB 629 \*\*\*

4934S.01I

SENATE SPONSOR: Schaefer

SB 629 - This act modifies the formula for determining how much money a tobacco product manufacturer who does not participate in the Master Settlement Agreement will receive back from the escrow fund in which the manufacturer is required to deposit money from the sale of cigarettes.

This act has an emergency clause.

This act is identical to SB 375 (2011) and HB 491 (2011).

EMILY KALMER

01/09/2012 S First Read--SB 629-Schaefer (S70)

02/02/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S193)

EFFECTIVE: Emergency Clause

\*\*\* SB 630 \*\*\*

4997S.011

SENATE SPONSOR: Parson

SB 630 - This act extends the sunset on the rolling stock tax credit to August 28, 2021.

This act is similar to SB 377 (2011).

EMILY KALMER

01/09/2012 S First Read--SB 630-Parson (S70)

02/02/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S193)

EFFECTIVE: August 28, 2012

\*\*\* SB 631 \*\*\*

SCS SB 631

5053S.02P

SENATE SPONSOR: Parson

SCS/SB 631 - Under current law, certain manufacturers and processors of animal feed are by definition not considered grain dealers under the Missouri Grain Dealer law if, among other things, such individuals do not purchase more than \$100,000 worth of grain a year. This act replaces the \$100,000 threshold with a 50,000 bushel threshold.

ERIKA JAQUES

01/09/2012 S First Read--SB 631-Parson (S70)

02/02/2012 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S193)

02/29/2012 Hearing Scheduled But Not Heard S Agriculture, Food Production and Outdoor Resources Committee

03/07/2012 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee

03/21/2012 SCS Voted Do Pass S Agriculture, Food Production and Outdoor Resources Committee - (5053S.02C)

03/22/2012 Reported from S Agriculture, Food Production and Outdoor Resources Committee to Floor w/SCS (S501)

04/03/2012 Bill Placed on Informal Calendar (S597)

04/04/2012 SCS S adopted (S609)

04/04/2012 Perfected (S609)

04/04/2012 Reported Truly Perfected S Rules Committee (S611)

04/05/2012 S Third Read and Passed (S627)

04/05/2012 H First Read (H971)

04/10/2012 H Second Read (H977)

04/12/2012 Referred H Agriculture Policy Committee

04/17/2012 Hearing Scheduled H Agriculture Policy Committee--(1:00 p.m. - HHR 6)

EFFECTIVE: August 28, 2012

\*\*\* SB 632 \*\*\*

5159S.011

SENATE SPONSOR: Stouffer

SB 632 - This act designates a portion of Interstate 70 in Lafayette County as the "Sergeant Joe C. Specker Memorial Highway".

The act is identical to HB 900 (2011).

STEPHEN WITTE

01/09/2012 S First Read--SB 632-Stouffer (S70)

02/02/2012 Second Read and Referred S Transportation Committee (S193)

EFFECTIVE: August 28, 2012

\*\*\* SB 633 \*\*\* SS SCS SB 633

5036S.06P

SENATE SPONSOR: Engler

SS/SCS/SB 633 - This act allows a scrap metal operator to purchase an inoperable motor vehicle that is at least 10 model years old without a title provided the scrap metal operator verifies with the Department of Revenue, via the department's online record access, that the motor vehicle is not subject to any recorded security interest or lien liens exist on the motor vehicle. The scrap metal operator must also forward a copy of the seller's state identification along with a bill of sale to the Department of Revenue. The bill of sale, which must be designed by the director, shall certify that the motor vehicle is at least 10 model years old, is inoperable, is not subject to any recorded security interest or lien, and that the seller has the legal authority to sell the vehicle. Upon receipt of this information, the Department of Revenue shall cancel any certificate of title and registration for the motor vehicle. If the motor vehicle is at least 20 model years old, then the scrap metal operator is not required to verify whether the motor vehicle is subject to any recorded security interests or liens.

This act is similar to HB 1064 (2012).

STEPHEN WITTE

01/10/2012 S First Read--SB 633-Engler (S76)  
 02/02/2012 Second Read and Referred S Transportation Committee (S193)  
 02/08/2012 Hearing Conducted S Transportation Committee  
 02/15/2012 SCS Voted Do Pass S Transportation Committee - (5036S.02C)  
 03/08/2012 Reported from S Transportation Committee to Floor w/SCS (S431)  
 03/21/2012 SS for SCS S offered & adopted (Engler)--(5036S.06F) (S480)  
 03/21/2012 Perfected (S480)  
 03/21/2012 Reported Truly Perfected S Rules Committee (S485)  
 03/22/2012 S Third Read and Passed (S494)  
 03/22/2012 H First Read (H694)  
 03/23/2012 H Second Read (H702)

EFFECTIVE: August 28, 2012

\*\*\* SB 634 \*\*\*

5055S.011

SENATE SPONSOR: Pearce

SB 634 - Under this act, each health carrier must provide coverage for the diagnosis and treatment of eating disorders beginning January 1, 2013. 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 229 (2011), SB 744 (2010), SB 463 (2009), and HB 519 (2009).

STEPHEN WITTE

01/10/2012 S First Read--SB 634-Pearce (S76)  
 02/02/2012 Second Read and Referred S Small Business, Insurance and Industry Committee (S193)  
 02/28/2012 Hearing Conducted S Small Business, Insurance and Industry Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 635 \*\*\* SCS SB 635

5139S.02P

SENATE SPONSOR: Pearce

SCS/SB 635 - Currently, irrevocable standby letters of credit issued by a federal home loan bank possessing the highest credit rating by at least one nationally recognized rating agency are listed as acceptable collateral for public deposits. This act removes the reference to credit ratings.

This act is similar to HB 1308 (2012).

CHRIS HOGERTY

01/10/2012 S First Read--SB 635-Pearce (S76)  
 02/02/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S193)  
 02/13/2012 Hearing Conducted S Financial and Governmental Organizations and Elections Committee  
 02/20/2012 SCS Voted Do Pass S Financial and Governmental Organizations and Elections Committee (5139S.02C)  
 02/23/2012 Reported from S Financial and Governmental Organizations and Elections Committee to Floor w/SCS (S320)  
 02/29/2012 Bill Placed on Informal Calendar (S360)  
 03/07/2012 SCS S adopted (S411)  
 03/07/2012 Perfected (S411)  
 03/07/2012 Reported Truly Perfected S Rules Committee (S413)  
 03/08/2012 S Third Read and Passed (S428-429)  
 03/08/2012 H First Read (H596)  
 03/19/2012 H Second Read (H602)  
 04/03/2012 Referred H Financial Institutions Committee (H893)  
 04/11/2012 Hearing Conducted H Financial Institutions Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 636 \*\*\*

4054S.01P

SENATE SPONSOR: Keaveny

SB 636 - This act modifies the requirements for a type of trust known as a qualified spousal trust. Currently trusts that hold a certain kind of property owned by a husband and a wife will be considered a qualified spousal trust if the property is held in one trust or the property is held in two separate shares of one trust. This act allows a trust to be considered a qualified spousal trust if the trust consists of both property held in one trust for both spouses and property held in two shares of one trust for each spouse.

MIKE HAMMANN

01/10/2012 S First Read--SB 636-Keaveny (S76)  
 02/02/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S193)  
 02/20/2012 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee  
 03/05/2012 Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee  
 03/22/2012 Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor (S499)  
 03/27/2012 Perfected (S525)  
 03/27/2012 Reported Truly Perfected S Rules Committee (S527)  
 03/29/2012 S Third Read and Passed (S557-558)  
 03/29/2012 H First Read (H856)  
 03/30/2012 H Second Read (H864)

EFFECTIVE: August 28, 2012

\*\*\* SB 637 \*\*\*

5051S.011

SENATE SPONSOR: Brown

This bill has been combined with SB 489

01/10/2012 S First Read--SB 637-Brown (S76)  
 02/02/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S193)  
 03/05/2012 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee  
 03/21/2012 Bill Combined w/SCS SB's 489 & 637

EFFECTIVE: August 28, 2012

\*\*\* SB 638 \*\*\*

4369S.021

SENATE SPONSOR: Lamping

SB 638 - This act increases Missouri's excise tax on cigarettes from seventeen cents per pack to forty-three cents per pack beginning August 28, 2012. The revenue derived from the twenty-six cent increase will be deposited in the general revenue fund.

The act modifies the tax rates for state income tax, to exempt the first two thousand dollars of Missouri adjusted gross income from state income tax and adjust the tax on other levels of income.

EMILY KALMER

01/10/2012 S First Read--SB 638-Lamping (S76)

02/02/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S193)

EFFECTIVE: August 28, 2012

\*\*\* SB 639 \*\*\*

5171S.011

SENATE SPONSOR: Schaaf

SB 639 - This act provides that the act of a mother breast-feeding a child or expressing breast milk in a public or private location where the mother and child are otherwise authorized to be shall not:

- (1) Constitute sexual conduct or sexual contact as defined under criminal law; or
- (2) Be considered an act of public indecency, indecent exposure, sexual conduct, lewd touching, or obscenity or any other similar term for purposes of state or municipal law.

A municipality shall not enact an ordinance prohibiting or restricting a mother from breast-feeding a child or expressing breast milk in a public or private location where the mother and child are otherwise authorized to be.

This act adds a nursing mother to the list of persons entitled to be excused from jury service. Any nursing mother, upon her request, and with a completed written statement from her physician to the court certifying that she is a nursing mother shall be excused from service as a petit or grand juror.

ADRIANE CROUSE

01/11/2012 S First Read--SB 639-Schaaf (S80)

02/02/2012 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S193)

EFFECTIVE: August 28, 2012

\*\*\* SB 640 \*\*\*

4404S.021

SENATE SPONSOR: Schaaf

SB 640 - This act amends the certificate of need (CON) law as follows:

- (1) limits the radius area for "affected persons" to a 5 mile radius of proposed new development as well as when consideration shall be given to the facilities located within the 5 mile radius when determining if a CON shall be issued;
- (2) raises the expenditure minimum for falling under CON review for capital expenditures to one million dollars and for major medical equipment to 2 million dollars;
- (3) requires all testimony and other evidence taken during the hearings to be under oath and subject to penalty of perjury;
- (4) changes the procedures and evidentiary standard at the certificate of need hearing;
- (5) prohibits all ex parte communications between members of the committee and any interested party or witness regarding the subject matter of the hearing at any time prior to, during, or after the hearing and
- (6) modifies the membership and requirements for Missouri Health Facilities Review Committee for the Certificate of Need Program (Sections 197.300 to 197.367).

These provisions are substantially similar to HB 2355 (2008).

ADRIANE CROUSE

01/11/2012 S First Read--SB 640-Schaaf (S80)

02/02/2012 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S193)

EFFECTIVE: August 28, 2012

\*\*\* SB 641 \*\*\*

5227S.011

SENATE SPONSOR: Pearce

SB 641 - This act removes the June 30, 2012, sunset date to the Children's Vision Examination program. Under the program, every child enrolling in kindergarten or first grade in a public school is required to receive one comprehensive vision examination.

This act contains an emergency clause.

This act is substantially similar to HB 677 (2011).

ADRIANE CROUSE

01/11/2012 S First Read--SB 641-Pearce (S80)

02/02/2012 Second Read and Referred S Education Committee (S193)

03/07/2012 Hearing Conducted S Education Committee

03/28/2012 Motion to vote bill do pass failed S Education Committee

EFFECTIVE: Contingent

\*\*\* SB 642 \*\*\*

4361S.011

SENATE SPONSOR: Wasson

SB 642 - 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 contained in the truly agreed to version of HB 430 (2011), SCS/SB 260 (2011), HCS/SCS/SB 887 (2010), HCS/HB 1541 (2010), and HB 1693 (2010).

STEPHEN WITTE

01/11/2012 S First Read--SB 642-Wasson (S80)

02/02/2012 Second Read and Referred S Transportation Committee (S193)

02/08/2012 Hearing Conducted S Transportation Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 643 \*\*\*

4630S.011

SENATE SPONSOR: Keaveny

SB 643 – 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 or Kansas City School District must do as at age five. This change will begin in the 2013-2014 school year. This change will not apply to any parent or guardian who intends to enroll his or her child in a home school.

This act is similar to SB 124 (2011) and HB 835 (2011).

MICHAEL RUFF

01/11/2012 S First Read--SB 643-Keaveny (S80)

02/02/2012 Second Read and Referred S Education Committee (S193)

EFFECTIVE: August 28, 2012

\*\*\* SB 644 \*\*\*

5234S.011

SENATE SPONSOR: Schaefer

SB 644 - 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.

The act is identical to SB 148 (2011).

STEPHEN WITTE

01/11/2012 S First Read--SB 644-Schaefer (S81)

02/02/2012 Second Read and Referred S Small Business, Insurance and Industry Committee (S193)

04/17/2012 Hearing Scheduled S Small Business, Insurance and Industry Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 645 \*\*\*

5134S.011

SENATE SPONSOR: Schaefer

SB 645 - Under current law, the Administrative Hearing Commission (AHC) must make a recommended decision within 60 days of the filing date of an appeal of a decision made by an environmental commission. The act removes the 60-day timeframe and changes the requirement that the AHC must hold hearings and must make a recommended decision to allow the AHC discretion as whether it holds hearings or issues a recommended decision.

Under current law, an environmental commission must issue its final decision with regard to an appeal that went to the AHC within 90 days of the date the appeal was filed. The act removes this timeframe.



Currently, if state law requires the Department of Natural Resources to issue an environmental permit within a certain timeframe and the Department fails to do so, it must issue the permit on the first day following the expiration of the timeframe. The act modifies this provision so that the requirement to automatically issue the permit only applies at the request of the permit applicant.

The act removes the requirement that any actions filed in a court of law seeking judicial review of final decisions made by the Air Conservation Commission or Clean Water Commission must be made in the court of appeals rather than in the circuit court.

ERIKA JAQUES

01/11/2012 S First Read--SB 645-Schaefer (S81)  
 02/02/2012 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S193)  
 02/07/2012 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee  
 03/20/2012 Voted Do Pass S Commerce, Consumer Protection, Energy and the Environment Committee  
 03/22/2012 Reported from S Commerce, Consumer Protection, Energy and the Environment Committee to Floor (S500)  
 03/27/2012 Bill Placed on Informal Calendar (S526)  
 04/16/2012 S Informal Calendar S Bills for Perfection--SB 645-Schaefer

EFFECTIVE: August 28, 2012

\*\*\* SB 646 \*\*\*

4941S.011

SENATE SPONSOR: Engler

SB 646 - 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.

This act is identical to SB 227 (2011).

MEGHAN LUECKE

01/11/2012 S First Read--SB 646-Engler (S81)  
 02/02/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S193)

EFFECTIVE: August 28, 2012

\*\*\* SB 647 \*\*\*

4958S.011

SENATE SPONSOR: Richard

SB 647 - This act modifies the amount of historic preservation tax credits that the Department of Economic Development is permitted to authorize each fiscal year, beginning with fiscal year 2014, and requires that funds be transferred from general revenue to a new fund, the Capitol Complex Revitalization Fund, based on the estimated amount of additional state tax revenues collected due to the changes to the historic preservation tax credit program, until the fund has received a total of fifty million dollars.

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 2014, and each fiscal year thereafter until the Capitol Complex Revitalization Fund has received a total of fifty million dollars, this act would prohibit the Department of Economic Development from approving more than fifty million dollars in historic preservation tax credits increased by the amount of any rescissions of approved applications for tax such credits.

Applicants for projects that, as August 28, 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.

Funds in the Capitol Complex Revitalization Fund are required to be used by the Division of Facilities

Management, Design, and Construction to renovate and restore the facilities and grounds of the state capitol, the governor's mansion, the supreme court building, and to convert a building occupied by the Missouri Department of Transportation to an annex to the state capitol.

EMILY KALMER

01/11/2012 S First Read--SB 647-Richard (S81)

02/02/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S193)

EFFECTIVE: August 28, 2012

\*\*\* SB 648 \*\*\*

SCS SB 648

4676S.03P

SENATE SPONSOR: Dempsey

SCS/SB 648 - This act expands the list of qualified persons who may accompany a temporary instruction permit holder who is under 16 years of age. Under current law, a temporary instruction permit holder may only drive a motor vehicle when accompanied by a grandparent, parent, legal guardian, or a qualified driving instructor. This act expands the list of qualified drivers to include persons who are at least 25 years age, have been licensed for a minimum of three years and have received written permission from the parent or legal guardian to escort or accompany the driver.

STEPHEN WITTE

01/11/2012 S First Read--SB 648-Dempsey (S81)

02/02/2012 Second Read and Referred S Transportation Committee (S193)

02/08/2012 Hearing Conducted S Transportation Committee

02/15/2012 SCS Voted Do Pass S Transportation Committee - (4676S.03C)

02/21/2012 Reported from S Transportation Committee to Floor w/SCS (S299)

02/28/2012 SCS S adopted (S347)

02/28/2012 Perfected (S347)

02/29/2012 Reported Truly Perfected S Rules Committee (S354)

03/01/2012 S Third Read and Passed (S372-373)

03/01/2012 H First Read (H482)

03/05/2012 H Second Read (H489)

04/12/2012 Referred H Transportation Committee

04/17/2012 Hearing Scheduled H Transportation Committee--(Upon Morning Recess - HHR 7)

EFFECTIVE: August 28, 2012

\*\*\* SB 649 \*\*\*

4996S.011

SENATE SPONSOR: Ridgeway

SB 649 - This act extends the sunsets on the Children's Vision Examination Program and Children's Vision Commission from June 30, 2012, to June 30, 2016.

The act modifies the current Children's Vision Examination Program by requiring as of July 1, 2013, every child who is referred for a comprehensive vision examination to receive one comprehensive vision examination performed by a state licensed optometrist or physician. The program is further amended by requiring as of July 1, 2013, all public school districts to conduct an eye screening for each student once before the completion of kindergarten, once before the completion of first grade, and again before the completion of third grade.

The act also requires the school district to inform the parent or guardian, after a student fails the eye screening, that the student shall receive a mandatory comprehensive vision examination from an optometrist or physician. Current law requires the school district to propose to the parent that the student receive a comprehensive vision examination.

This act repeals the provisions pertaining to a pilot project conducted by the Children's Vision Commission to track the results of eye screenings versus eye examinations.

ADRIANE CROUSE

01/11/2012 S First Read--SB 649-Ridgeway (S81)

02/02/2012 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S193)

02/21/2012 Hearing Conducted S Health, Mental Health, Seniors and Families Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 650 \*\*\*

5084S.011

SENATE SPONSOR: Ridgeway

SS/SB 650 - This act mandates that appointments by the governor to the following boards, commissions, or committees must be made with the advice and consent of the Senate: Missouri Minority Business Advocacy Commission, Governor's Council on Disability, Missouri Military Preparedness and Enhancement Commission, St. Louis Convention and Visitors Commission, Mid-America Port Commission, Missouri Local Government Employees' Retirement System, Missouri State Employees Retirement System Board, State Interagency Coordinating Council, Interstate Commission on Education Opportunity for Military Children, Missouri Commission for the Deaf and Hard of Hearing, Educational Commission of the States, Missouri Assistive Technology Advisory Council, Missouri Cotton Growers' Organization Board of Directors, Administrative Law Judge Review Committee, Missouri State Unemployment Council, Missouri Pet Spay/Neuter Fund Board, Missouri Technology Corporation, Missouri Health Insurance Pool, Residential Mortgage Board, Missouri Small Business Regulatory Fairness Board, Sentencing Advisory Commission, State Council for Interstate Adult Offender Supervision, Missouri Film Commission, Small Business Compliance Advisory Committee, Missouri Sheriff Methamphetamine Relief Taskforce, Missouri Medal of Valor Review Board, and Midwest Interstate Passenger Rail Compact.

This act requires the directors of certain departments to be members of the Criminal Nonsupport Courts Coordinating Commission instead of their designees.

This act repeals sections relating to committees that have dissolved or expired as required by their authorizing statutes. The defunct committees are the Joint Committee on Terrorism, Bioterrorism, and Homeland Security, the Joint Committee on Missouri's Energy Future, the Joint Committee on the Reduction and Reorganization of Programs within State Government, the Advisory Committee on License Plate Design, the Joint Committee on Economic Development Policy and Planning, and the Review Committee for Purchasing.

Currently, six of the nine members' terms of the Missouri State University Board of Governors expire in 2011. However, current law also requires that no more than three terms expire in any given year and does not provide a mechanism to modify term lengths to accommodate the timing of the term expiration. This act modifies the term lengths for the appointments to fill the six terms that expired in 2011 so that no more than three of the nine board members' terms will expire in any given year. This act would allow three members' terms to expire on January 1, 2013, three members' terms to expire on January 1, 2015, and three members' terms to expire on January 1, 2017.

This act provides that not more than two voting members of the board of regents of Northwest Missouri State University may be residents of the same county.

This act contains an emergency clause that only applies to Sections 174.332 and 174.450 which relate to the Missouri State University Board of Governors and the Northwest Missouri State University Board of Regents. The provisions of these sections will take effect upon final passage and approval.

MIKE HAMMANN

01/11/2012 S First Read--SB 650-Ridgeway (S81)  
 02/02/2012 Second Read and Referred S Governmental Accountability Committee (S193)  
 02/15/2012 Hearing Conducted S Governmental Accountability Committee  
 02/22/2012 Voted Do Pass S Governmental Accountability Committee  
 03/01/2012 Reported from S Governmental Accountability Committee to Floor (S381)  
 03/20/2012 SS S offered (Ridgeway)--(5084S.02F) (S473)  
 03/20/2012 SA 1 to SS S offered & adopted (Green)--(5084S02.03S) (S473)  
 03/20/2012 SA 2 to SS S offered (Munzlinger)--(5084S02.05S) (S473)  
 03/20/2012 Bill Placed on Informal Calendar (S473)  
 04/16/2012 S Informal Calendar S Bills for Perfection--SB 650-Ridgeway, with SS & SA 2 (pending)

EFFECTIVE: August 28, 2012

\*\*\* SB 651 \*\*\*

5320S.011

SENATE SPONSOR: Schaefer

SB 651 - This act requires individuals performing home inspections to be licensed. Licenses are to only be issued to individuals and not business entities. A license would not be required for certain government employees, licensed home inspector assistants, persons acting on behalf of insurance companies, and

individuals performing limited inspections of certain components of houses. Licenses will not be required of architects, engineers, or real estate brokers, salespersons, or appraisers acting within the scope of their licenses.

The act creates the Missouri Homes Inspectors' Board which is to set qualifications and establish an application process for home inspector licenses. The board is to establish guidelines relating to educational courses for home inspectors. The act creates the Missouri Home Inspectors' Fund to collect fees authorized under the act and to be used by the board.

This act set criteria for complaints to be filed with the administrative hearing commission. The Missouri Home Inspectors' Board may refuse to renew a license and the administrative hearing commission may take disciplinary action for a violation of any of these criteria.

This act requires licensed home inspectors to maintain records for three years and a day after the creation of a home inspection report.

A statute of limitations of one year after the date of the inspection report is created for actions against home inspectors and relating to home inspections. A person knowingly violating a provision of this act will be guilty of a Class B misdemeanor. Business entities that participate in a violation or that are an accessory to a violation of this act will be guilty of a Class B misdemeanor. The Missouri Home Inspectors' Board may file a complaint for a violation of this act with a court of competent jurisdiction.

MIKE HAMMANN

01/12/2012 S First Read--SB 651-Schaefer (S85)  
 02/02/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S193)  
 02/20/2012 Hearing Scheduled But Not Heard S Financial and Governmental Organizations and Elections Committee  
 02/27/2012 Hearing Cancelled S Financial and Governmental Organizations and Elections Committee  
 03/05/2012 Hearing Conducted S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: January 1, 2014

\*\*\* SB 652 \*\*\*

5255S.011

SENATE SPONSOR: Lager

SB 652 - 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.

This act is identical to the perfected version of SS/SB 231 (2011).

MEGHAN LUECKE

01/12/2012 S First Read--SB 652-Lager (S85-86)  
 02/02/2012 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S193)  
 02/15/2012 Hearing Conducted S Jobs, Economic Development and Local Government Committee  
 02/29/2012 Voted Do Pass S Jobs, Economic Development and Local Government Committee  
 03/08/2012 Reported from S Jobs, Economic Development and Local Government Committee to Floor (S432)  
 03/26/2012 Bill Placed on Informal Calendar (S514)  
 04/16/2012 S Informal Calendar S Bills for Perfection--SB 652-Lager

EFFECTIVE: August 28, 2012

\*\*\* SB 653 \*\*\*

5254S.011

SENATE SPONSOR: Lager

This bill has been combined with SB 767

01/12/2012 S First Read--SB 653-Lager (S86)  
 02/02/2012 Second Read and Referred S Transportation Committee (S193)  
 02/15/2012 Hearing Conducted S Transportation Committee

03/07/2012 Bill Combined (w/SCS SBs 767, 653, 754, 705, 441, 528, 831, 833 & 847) S Transportation Committee - (5761S.04C)

EFFECTIVE: August 28, 2012

\*\*\* SB 654 \*\*\*

5251S.011

SENATE SPONSOR: Lager

SB 654 – This act requires the school board of each school district and charter school to establish and maintain an evaluation system for teachers. 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, 2013. The development of the guidelines must include teachers chosen by 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.

This act is similar to SB 391 (2011) and HB 543 (2011).

MICHAEL RUFF

01/12/2012 S First Read--SB 654-Lager (S86)

02/02/2012 Second Read and Referred S Education Committee (S193)

02/15/2012 Hearing Conducted S Education Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 655 \*\*\*

HCS SCS SB 655

4680L.03C

SENATE SPONSOR: Green

HOUSE HANDLER: Kelly

HCS/SCS/SB 655 – This act creates the "Higher Education Capital Fund." The General Assembly may appropriate moneys to the fund to provide matching funds to public colleges or universities for capital projects. Funds cannot be distributed through the fund without a line item appropriation for a specific project. The state cannot issue bonds to provide funding. Funds cannot be used for any athletic facilities, parking structures, or student housing. To receive matching funds, a public college or university must raise fifty percent of the cost of the capital project from private donations or grants. The General Assembly may appropriate the remaining fifty percent of the cost of project as matching funds to the institution. Public colleges and universities are prohibited from using operating budget funds, tuition, fees, bond revenues, or state appropriations to produce their portion of the capital project's cost.

The Commissioner of Higher Education will administer the Higher Education Capital Fund and may promulgate rules to implement this act.

MICHAEL RUFF

01/12/2012 S First Read--SB 655-Green, et al (S86)

02/02/2012 Second Read and Referred S Appropriations Committee (S193)

02/08/2012 Hearing Conducted S Appropriations Committee

02/08/2012 SCS Voted Do Pass S Appropriations Committee - (4680S.02C)

02/16/2012 Reported from S Appropriations Committee to Floor w/SCS (S287)

02/28/2012 SA 1 to SCS S offered & adopted (Schaefer)--(4680S02.05S) (S346)

02/28/2012 SCS, as amended, S adopted (S346)

02/28/2012 Perfected (S346)

02/29/2012 Reported Truly Perfected S Rules Committee (S354)

03/01/2012 S Third Read and Passed (S372)

03/01/2012 H First Read (H482)

03/05/2012 H Second Read (H489)  
 03/22/2012 Referred H Budget Committee (H689)  
 03/27/2012 Re-referred H Higher Education Committee (H730)  
 04/03/2012 Hearing Conducted H Higher Education Committee  
 04/03/2012 HCS Voted Do Pass H Higher Education Committee  
 04/04/2012 HCS Reported Do Pass H Higher Education Committee (H944)  
 04/04/2012 Referred to Rules Committee pursuant to Rule 25(32)(f) (H944)

EFFECTIVE: August 28, 2012

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\*\*\* SB 656 \*\*\*      SCS SB 656

5249S.02C

SENATE SPONSOR: Lager

SCS/SB 656 - 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. This portion of the act is identical to SB 277 (2012).

This act expands the Kansas City commercial zone by including the stretch of State Route 45 from its intersection with Interstate 29 to the city limits of Iatan (Section 304.190).

STEPHEN WITTE

01/12/2012 S First Read--SB 656-Lager and Dixon (S86)  
 02/02/2012 Second Read and Referred S Transportation Committee (S193)  
 02/08/2012 Hearing Conducted S Transportation Committee  
 02/15/2012 SCS Voted Do Pass S Transportation Committee - (5249S.02C)  
 03/22/2012 Reported from S Transportation Committee to Floor w/SCS (S499)  
 03/26/2012 Bill Placed on Informal Calendar (S517)  
 04/16/2012 S Informal Calendar S Bills for Perfection--SB 656-Lager and Dixon, with SCS

EFFECTIVE: August 28, 2012

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\*\*\* SB 657 \*\*\*      SCS SB 657

5256S.02C

SENATE SPONSOR: Rupp

SCS/SB 657 - This act provides medical freedom of conscience protection for medical professionals and health care institutions with respect to the provision and participation of specified medical procedures or research. "Specified medical procedures or research" is defined as abortion, abortion-inducing drugs, contraception, sterilization, assisted reproduction, human cloning, human embryonic stem-cell research, human somatic cell nuclear transfer, fetal tissue research, and fetal experimentation, including any phase of patient medical care, treatment, procedure, patient referral, counseling, therapy, testing, diagnosis, prognosis, surgery, research, instruction, or the prescribing or administering of any device, drug, or medication related to the enumerated medical procedures or research. The definition for health care institution is in the act as well as a full list of medical professionals covered under these protections including any individual who may be asked to participate in any way in a medical service.

No medical professional or health care institution shall be civilly, criminally, or administratively liable for declining to participate in or provide specified medical procedures or research that violates the professional's or institution's conscience. However, a health care institution shall provide a consent form to be signed by a patient before admission to the institution stating that it reserves the right to decline to provide such specified medical procedures or research.

"Conscience" is defined as religious, moral or ethical principles. For purposes of this act, a health care

institution's conscience shall be determined by reference to its existing or proposed religious, moral, or ethical guidelines, mission statement, constitution, bylaws, articles of incorporation, regulations, or other relevant documents. A medical professional's conscience means a sincere and meaningful belief in God or in relation to a supreme being, or a belief which, though not so derived, occupies in the life of its possessor a place parallel to that filled by God among adherents to religious faiths.

It shall be unlawful for a medical professional or health care institution to be discriminated against in any manner based on the professional or institution declining to participate in specified medical procedures or research that violate the professional's or institution's conscience. The act prescribes the list of prohibited discrimination against a medical professional or institution including denying, depriving or disqualifying with respect to licensure, benefits, or staff privileges as well as denying any form of aid, assistance, grants or benefits, privilege or authorization to the professional or institution.

A cause of action for damages or injunctive relief, or both, may be brought for the violation of any provision of this act. It shall not be a defense to any claim arising out of the violation of this act that such violation was necessary to prevent additional burden or expense on any other medical professional, health care institution, individual or patient. Upon a finding of a violation of this act, the aggrieved party shall be entitled to treble damages, including pain and suffering, the costs of the action and reasonable attorney's fees. In no case shall recovery be less than five thousand dollars for each violation in addition to the costs of the action and reasonable attorney's fees.

Nothing in the act shall be construed to authorize any medical professional or health care institution to withhold emergency medical treatment or services imminently necessary to save the life of a patient under the professional's or institution's care. Nor shall the act be construed to relieve a medical professional from any duty which may exist under current law to inform a patient of the risks, prognosis, medical options and resources available to the patient, including information required to be given under the abortion regulation chapter.

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 contains a severability clause.

This act is substantially similar to HB 1541 (2012).

ADRIANE CROUSE

01/12/2012 S First Read--SB 657-Rupp  
 02/02/2012 Second Read and Referred S Small Business, Insurance and Industry Committee (S193)  
 02/14/2012 Hearing Conducted S Small Business, Insurance and Industry Committee  
 02/28/2012 SCS Voted Do Pass S Small Business, Insurance and Industry Committee - (5256S.02C)  
 04/12/2012 Reported from S Small Business, Insurance and Industry Committee to Floor w/SCS  
 04/16/2012 S Formal Calendar S Bills for Perfection--SB 657-Rupp, with SCS

EFFECTIVE: August 28, 2012

\*\*\* SB 658 \*\*\*

5178S.011

SENATE SPONSOR: Rupp

SB 658 - This act provides that the drug RU-486 (mifepristone) or any other drug administered for the purpose of inducing an abortion, including during a subsequent visit to complete the abortion, shall only be administered in a hospital or in an abortion facility in the physical presence of a physician and not via the Internet or webcam or any other video device.

The abortion facility shall also be licensed as an ambulatory surgical center if any second or third trimester abortions or five or more first trimester abortions per month are induced at the facility.

ADRIANE CROUSE

01/12/2012 S First Read--SB 658-Rupp (S86)  
 02/02/2012 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S193)  
 03/06/2012 Hearing Conducted S Health, Mental Health, Seniors and Families Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 659 \*\*\*

4988S.021

SENATE SPONSOR: Dempsey

SB 659 - Current law requires that collectors in certain counties mail resident taxpayers a statement of the property taxes the taxpayer owes at least thirty days before the taxpayer's taxes would be delinquent. This act extends this requirement to collectors in all counties, except for counties under township organization, which are subject to a different requirement.

This act also allows prohibits taxpayers in these counties, who pay their property taxes by fifteen days after the delinquent date, from being charged penalties or interest when the county commission certifies that the statement was not mailed by the deadline.

EMILY KALMER

01/12/2012 S First Read--SB 659-Dempsey and Rupp (S86)  
 02/02/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S193)  
 03/08/2012 Hearing Conducted S Ways and Means and Fiscal Oversight Committee  
 03/29/2012 Voted Do Pass S Ways and Means and Fiscal Oversight Committee  
 04/05/2012 Reported from S Ways and Means and Fiscal Oversight Committee to Floor (S629)  
 04/10/2012 Bill Placed on Informal Calendar (S644)  
 04/16/2012 S Informal Calendar S Bills for Perfection--SB 659-Dempsey and Rupp

EFFECTIVE: August 28, 2012

\*\*\* SB 660 \*\*\*

5367S.011

SENATE SPONSOR: Schmitt

SB 660 - Before January 1, 2013, the board of directors of the Missouri Employers Mutual Insurance Company (MEMIC) shall perform all acts necessary to establish a successor mutual insurance company. The successor company shall operate to the same extent as any mutual casualty insurer that is licensed and authorized to write insurance in this state, subject to the authority and regulation by the department of insurance, and with all the powers and subject to all the laws, rules, and requirements of a mutual insurance company that is organized under the laws of this state.

As soon as possible between July 1, 2012, and September 1, 2012, the board of directors of the Missouri employers mutual insurance company shall transmit or cause to be transmitted one hundred twenty-seven million dollars from the company's policyholder's surplus funds to the state treasurer, who shall credit such amount to the general revenue fund.

The board of directors shall perform all necessary acts to file articles of incorporation of the successor mutual insurer corporation and shall take all necessary actions to qualify for a certificate of authority as provided by law.

Beginning January 1, 2013, the successor mutual insurance company shall become the successor in interest to all the assets and liabilities of MEMIC without any conveyance or transfer and without any further act or deed and shall be vested by operation of law with title to all property of MEMIC. The successor company shall be responsible for the obligations of the MEMIC to the same extent as though incurred originally by the successor company.

The act further provides that the director of the department of insurance is authorized to supervise MEMIC's transition into a private successor mutual insurance company.

The act repeals MEMIC's enabling legislation. The repeal of these sections become effective January 1, 2013.

The act contains an emergency clause for the provisions relating to privatization and transferring of surplus funds to the general revenue fund.

This act is similar to SB 624 (2012).

STEPHEN WITTE

01/17/2012 S First Read--SB 660-Schmitt and Rupp (S92)  
 02/02/2012 Second Read and Referred S Small Business, Insurance and Industry Committee (S193)  
 03/06/2012 Hearing Scheduled But Not Heard S Small Business, Insurance and Industry Committee  
 03/20/2012 Hearing Conducted S Small Business, Insurance and Industry Committee

EFFECTIVE: Varies



\*\*\* SB 661 \*\*\* SCS SB 661

5177S.03C

SENATE SPONSOR: Schmitt

SCS/SB 661 - This act reduces the corporate income tax rate from its current six and one-fourth percent of Missouri taxable income each year over a five year period. For the 2012 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 2016 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 five percent of business income for the 2012 tax year and, once fully phased-in, will be allowed a twenty-five percent deduction for all tax years after the 2015 tax year. Shareholders of S corporations and partners in partnerships will be allowed a proportional deduction based their share of ownership.

This act is similar to SCS/SB 146 (2011).

EMILY KALMER

01/17/2012 S First Read--SB 661-Schmitt (S92)  
 02/02/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S194)  
 02/06/2012 Re-referred S Jobs, Economic Development and Local Government Committee (S203)  
 02/22/2012 Hearing Conducted S Jobs, Economic Development and Local Government Committee  
 03/28/2012 SCS Voted Do Pass S Jobs, Economic Development and Local Government Committee - (5177S.03C)  
 03/29/2012 Reported from S Jobs, Economic Development and Local Government Committee to Floor w/SCS (S567)  
 04/04/2012 Taken up for Perfection (S612)  
 04/04/2012 Bill Placed on Informal Calendar (S612)  
 04/16/2012 S Informal Calendar S Bills for Perfection--SB 661-Schmitt, with SCS (pending)

EFFECTIVE: August 28, 2012

\*\*\* SB 662 \*\*\*

5223S.011

SENATE SPONSOR: Schmitt

SB 662 - This act places tax credit programs created by statute on or after August 28, 2012 under the provisions of the Tax Credit Accountability Act of 2004. The Department of Economic Development is required to assign these new tax credit programs to one of the categories of tax credit defined in the act.

EMILY KALMER

01/17/2012 S First Read--SB 662-Schmitt (S92)  
 02/02/2012 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S194)

EFFECTIVE: August 28, 2012

\*\*\* SB 663 \*\*\*

5354S.011

SENATE SPONSOR: Chappelle-Nadal

SB 663 - This act designates the Boulevard Brewing Company and the Saint Louis Brewery, Inc., commonly known by the brand name of "Schlafly", as the official breweries of the state of Missouri.

JIM ERTLE

01/17/2012 S First Read--SB 663-Chappelle-Nadal (S92)  
 02/02/2012 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S194)

EFFECTIVE: August 28, 2012

\*\*\* SB 664 \*\*\*

4867S.021

SENATE SPONSOR: Chappelle-Nadal

SB 664 - This act modifies the provisions of the Missouri Indoor Clean Air Act to prohibit smoking in a public place or a public meeting or within fifteen feet of any entrance to a public place or public meeting. The

definition of public place has been amended to include any building or vehicle owned, leased or operated by a governmental entity as well as bars and restaurants. The provision allowing for a designated smoking area in public places has been repealed.

This act is substantially similar to SB 1079 (2008).

ADRIANE CROUSE

01/17/2012 S First Read--SB 664-Chappelle-Nadal (S92)

02/02/2012 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S194)

EFFECTIVE: August 28, 2012

\*\*\* SB 665 \*\*\* SS SB 665

5370S.04P

SENATE SPONSOR: Stouffer

SS/SB 665 - This act authorizes the Governor to transfer certain pieces of real estate located throughout the state of Missouri to the State Highways and Transportation Commission.

STEPHEN WITTE

01/17/2012 S First Read--SB 665-Stouffer (S92)

02/02/2012 Second Read and Referred S Transportation Committee (S194)

02/08/2012 Hearing Conducted S Transportation Committee

02/15/2012 Voted Do Pass S Transportation Committee

03/22/2012 Reported from S Transportation Committee to Floor (S499)

03/26/2012 Bill Placed on Informal Calendar (S517)

03/28/2012 SS S offered (Stouffer)--(5370S.04F) (S537)

03/28/2012 Bill Placed on Informal Calendar (S537)

03/28/2012 SS S adopted (S541)

03/28/2012 Perfected (S541)

03/28/2012 Reported Truly Perfected S Rules Committee (S546)

03/29/2012 S Third Read and Passed (S562)

03/29/2012 H First Read (H856)

03/30/2012 H Second Read (H864)

EFFECTIVE: August 28, 2012

\*\*\* SB 666 \*\*\* SCS SB 666

4032S.08C

SENATE SPONSOR: Keaveny

SS/SCS/SB 666 - Possession of Exotic Animals

SECTIONS 578.600 - 578.622 - Large Carnivore Act

The act modifies provisions pertaining to the Large Carnivore Act.

The act removes the clouded leopard from the Act's requirements and removes the requirement to have a permit to transport a large carnivore.

Current law requires a permit for each large carnivore. The act modifies the permit requirement so that only one permit is required per owner per location where a large carnivore is kept, regardless of the number of large carnivores kept at that location.

Current law sets a maximum fee of \$2500 and \$500 that may be charged by the Department of Agriculture for a large carnivore permit and renewal permit, respectively. The act removes these maximums and allows the Department to set the fees in amounts that allow the Department to cover only up to its reasonable costs to administer the Act.

Currently, a person must be at least 21 years old to be eligible for a large carnivore permit. The act lowers the minimum age to 18. The act makes a person ineligible for a large carnivore permit if he or she does not possess a valid license from the U.S. Department of Agriculture (USDA) for the animal if the person is required under federal law to have a license.

The act makes any information submitted to the Department of Agriculture in relation to a large carnivore permit a closed record, subject only to disclosure by court order or when requested by law enforcement.

Currently, large carnivores must be microchipped. The act instead requires a large carnivore to have some sort of permanent identification, which shall be prescribed by rule by the Department of Agriculture.

The act removes the requirement that a large carnivore owner must adhere to all regulations of the U.S. Department of Agriculture. The act removes the requirement that a large carnivore owner must notify the Missouri Department of Agriculture within 10 business days of the death of a large carnivore and instead gives 30 days in which to notify the Department of any change to the information on the permit.

Large carnivores may not come into physical contact with the public except as allowable by the Department of Agriculture. Owners of large carnivores must have recapture plans in the event of escape or release. Intentionally releasing a large carnivore is prohibited.

Current law requires owners or possessors of large carnivores to carry insurance policies of at least \$250,000. The act modifies this amount to either \$50,000 or an amount set by the Department of Agriculture. The act also modifies this requirement to allow the acquisition of a surety bond or the making of certain cash deposits with the State Treasurer to suffice instead of liability insurance as evidence of financial responsibility in the event of damages caused by the large carnivore.

The Department of Agriculture may deny an application for a large carnivore permit or may suspend or revoke a permit for cause. Appeal procedures are provided in the act. The Department and law enforcement agencies may enforce any provision of the Large Carnivore Act.

The act modifies the exemptions to the Large Carnivore Act. Current law exempts five entities from only the permit and microchip requirements of the Act and exempts three entities from the Act in its entirety. This act expands the exemption for the first five entities so that they are exempt from the Act in its entirety, except it removes the exemption for certain owners of large carnivores who held Class C licenses from the USDA as of August 28, 2010. The act also removes zoos as one of the entities exempted under current law from the entire Act.

#### SECTIONS 578.700 - 578.745 - Nonhuman Primate Act

The act creates the Nonhuman Primate Act.

No person in the state may own, keep, or otherwise possess a baboon or Great Ape without a permit issued by the Department of Agriculture. Permits must be sought within 30 days of the acquisition of such an animal. One permit is required per owner per location where a non-human primate is kept, regardless of the number of non-human primates kept at that location. Certain organizations are exempt from the act's provisions as listed, except wildlife sanctuaries are not exempt from the act's animal identification requirement.

Owners of nonhuman primates must have permanent identification on their animals, the allowable forms of which shall be determined by the Department of Agriculture. Individuals who possess a nonhuman primate as of August 28, 2012 have a one-year grace period in which to comply.

Permit applicants must be at least 18 years of age and must not have in the past violated a state or local animal welfare law nor pled guilty to or been found guilty of a felony within the last 10 years. All information submitted to the Department of Agriculture in relation to a nonhuman primate permit is a closed record except the Department of Agriculture must cooperate with law enforcement upon request. The act requires certain information on the permit application to help locate and identify a non-human primate. The department may only issue a permit to a person who meets all of the requirements of the act. Permits are valid for one year 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 not be: tethered, leashed, chained,

allowed to run loose, mistreated, deprived of basic needs, released or allowed to escape, or allowed to come into physical contact with a member of the public except in accordance with rules prescribed by the Department of Agriculture. Owners of non-human primates must have a plan for recapture in the event of escape and must maintain certain proof of financial responsibility for liability.

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 act provides immunity from civil liability for a person who kills a nonhuman primate if the primate is chasing, attacking, hurting or killing a person, livestock, or a mammalian pet.

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. Violators of the act may also be subject to an additional penalty of up to 500 hours of community service, the loss of privilege to own an animal, or civil forfeiture of nonhuman primates.

The act directs the Department of Agriculture to promulgate rules for the Nonhuman Primate Act.

Local governments may enact laws that are more restrictive than the act.

The act is similar to SCS/SB 138 (2011).

ERIKA JAQUES

01/17/2012 S First Read--SB 666-Keaveny (S92)  
 02/02/2012 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S194)  
 02/08/2012 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee  
 02/29/2012 SCS Voted Do Pass S Agriculture, Food Production and Outdoor Resources Committee - (4032S.08C)  
 03/08/2012 Reported from S Agriculture, Food Production and Outdoor Resources Committee to Floor w/SCS (S433)  
 03/26/2012 SS for SCS S offered (Keaveny)--(4032S.09F) (S514)  
 03/26/2012 SA 1 to SS for SCS S offered & adopted (Keaveny)--(4032S09.01S) (S514-515)  
 03/26/2012 Bill Placed on Informal Calendar (S515)  
 04/16/2012 S Informal Calendar S Bills for Perfection--SB 666-Keaveny, with SCS & SS for SCS (pending)

EFFECTIVE: August 28, 2012

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\*\*\* SB 667 \*\*\*

5327S.01P

SENATE SPONSOR: Wasson

SB 667 - This act authorizes the establishment of a peer review process for architects, landscape architects, professional land surveyors, and professional engineers.

This act only applies to licensed architects, landscape architects, professional land surveyors, and professional engineers reviewing the type of documents that such a license would be required to draft.

Third-party peer reviewers and any post-project completion peer reviewers are granted immunity from civil liability for their actions if they are reasonably related to the peer review process, in good faith, and without malice. Certain documents created during the peer review process by a person immune from civil liability will also be privileged and inadmissible in any judicial or administrative action. A person who participated in an immune peer review 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 HB 1280 (2012) and SB 326 (2011).

MIKE HAMMANN

01/17/2012 S First Read--SB 667-Wasson (S92)  
 02/02/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S194)  
 02/13/2012 Hearing Conducted S Financial and Governmental Organizations and Elections Committee

02/20/2012 Voted Do Pass S Financial and Governmental Organizations and Elections Committee  
 03/08/2012 Reported from S Financial and Governmental Organizations and Elections Committee to Floor (S431)  
 03/21/2012 Bill Placed on Informal Calendar (S478)  
 03/21/2012 Perfected (S481)  
 03/21/2012 Reported Truly Perfected S Rules Committee (S485)  
 03/22/2012 S Third Read and Passed (S496)  
 03/22/2012 H First Read (H695)  
 03/23/2012 H Second Read (H702)  
 04/12/2012 Referred H Professional Registration and Licensing Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 668 \*\*\*

5365S.01P

SENATE SPONSOR: Lembke

SB 668 - This act requires the collector in St. Louis County to mail resident taxpayers a statement of the property taxes the taxpayer owes by October 20th.  
 EMILY KALMER

01/17/2012 S First Read--SB 668-Lembke (S93)  
 02/02/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S194)  
 03/08/2012 Hearing Conducted S Ways and Means and Fiscal Oversight Committee  
 03/29/2012 Voted Do Pass S Ways and Means and Fiscal Oversight Committee  
 04/05/2012 Reported from S Ways and Means and Fiscal Oversight Committee to Floor (S630)  
 04/10/2012 Perfected (S644)  
 04/11/2012 Reported Truly Perfected S Rules Committee (S651)  
 04/12/2012 S Third Read and Passed

EFFECTIVE: August 28, 2012

\*\*\* SB 669 \*\*\*

5183S.01I

SENATE SPONSOR: Lembke

SB 669 - This act would remove members of the General Assembly, statewide elected officials, and judges that take office after January 1, 2013, from the current annuity based retirement plans. These individuals shall only be eligible to use the deferred compensation plans provided by the Missouri State Employees' Retirement System. Subject to appropriation, the individual's yearly contribution shall be matched by the state, up to five percent of the individual's annual salary.  
 MIKE HAMMANN

01/17/2012 S First Read--SB 669-Lembke (S93)  
 02/02/2012 Second Read and Referred S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee (S194)  
 02/09/2012 Hearing Cancelled S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 670 \*\*\*

4594S.02I

SENATE SPONSOR: Green

SB 670 - This act allows owner-occupants facing nonjudicial foreclosure under a power of sale to elect to participate in dispute resolution or convert to judicial foreclosure.

Foreclosing parties are required to provide defaulted debtors with a notice of default and intention to foreclose that details the debtor's right to elect to participate in dispute resolution or convert to judicial foreclosure.

The Division of Finance is required to establish a foreclosure dispute resolution program to provide debtors facing foreclosure an opportunity to negotiate with the foreclosing party to agree to avoid foreclosure. If a debtor elects to participate in the program, the division shall open a dispute resolution case and assign a neutral party to oversee the case and subsequently submit reports detailing the outcome of the case. All foreclosures are stayed during the process but may resume if the parties negotiate in good faith after complying with the rules of the process and fail to reach an agreement. A fine of not more than \$1,500 may be imposed on either party for unjustified noncompliance as determined by the neutral party.

Debtors may convert a nonjudicial to a judicial foreclosure by filing a petition evidencing their intent to do so, with the circuit court where the property is situated.

Unlawful foreclosure practices are established including holding a flawed public sales, delaying delivery of records, completing nonjudicial foreclosure during short sale escrows or during loan modification negotiations. A party that violates any of the new requirements set forth in the act are deemed to have committed an unlawful merchandising practice under Chapter 407, RSMo.

CHRIS HOGERTY

01/17/2012 S First Read--SB 670-Green (S93)

02/02/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S194)

EFFECTIVE: August 28, 2012

\*\*\* SB 671 \*\*\* SCS SB 671

5044S.04P

SENATE SPONSOR: Parson

SCS/SB 671 - This act establishes minimum qualifications for the offices county collector and county treasurer-collector. Except for county collectors in charter counties, a candidate for such offices must be at least 21 years of age, a resident of the state and the county in which the candidate will serve for one year prior to filing for office, and a registered voter.

Candidates for county collector and county treasurer-collector must be current in the payment of state and local taxes.

County collector-treasurers are given the sole authority to appoint their deputies and must remain in office until a successor is elected.

Once elected, collectors and collector-treasurers must reside in the county for the duration of their terms.

In addition, this act specifies that, in the event of a vacancy in the office of county collector-treasurer, the procedure for a county collector vacancy applies rather than the procedure for a county treasurer vacancy.

This act is similar to HB 1106 (2012).

MEGHAN LUECKE

01/17/2012 S First Read--SB 671-Parson (S93)

02/02/2012 Second Read and Referred S General Laws Committee (S194)

02/21/2012 Hearing Conducted S General Laws Committee

03/06/2012 Voted Do Pass S General Laws Committee

03/07/2012 Committee Vote Reconsidered

03/07/2012 SCS Voted Do Pass S General Laws Committee (5044S.04C)

03/22/2012 Reported from S General Laws Committee to Floor w/SCS (S500)

03/27/2012 SA 1 to SCS S offered & adopted (Crowell)--(5044S04.03S) (S527)

03/27/2012 SCS, as amended, S adopted (S527)

03/27/2012 Perfected (S527)

03/28/2012 Reported Truly Perfected S Rules Committee (S533)

03/29/2012 S Third Read and Passed (S560)

03/29/2012 H First Read (H857)

03/30/2012 H Second Read (H864)

EFFECTIVE: August 28, 2012

\*\*\* SB 672 \*\*\*

5233S.011

SENATE SPONSOR: Brown

SB 672 - This act requires higher education institutions to accept credits for courses that military personnel passed as part of their military training if the courses meet certain standards for academic credit. Members of the armed forces with health-related professional licenses or certificates that are in good standing when entering active duty shall have their licenses or certificates stay in good standing while on active duty. Renewal of these licenses or certificates while the member is on active duty shall occur without requiring payment of dues. Continuing education will also not be required if certain requirements are met. Service as a member of the armed forces, if satisfactory to the licensing board, may be applied towards

qualifications to receive a license or certificate from a professional licensing board.

MIKE HAMMANN

01/17/2012 S First Read--SB 672-Brown (S93)

02/02/2012 Second Read and Referred S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee (S194)

02/09/2012 Hearing Conducted S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 673 \*\*\*

SCS SB 673

5037S.05P

SENATE SPONSOR: Brown

SCS/SB 673 - This act allows holders of temporary motorcycle instruction permits to only renew such permits two additional times (for a total permit period of 18 months). The act also applies the same renewal restriction to temporary driver instruction permits. If a temporary driver instruction permit includes a motorcycle endorsement, then the temporary driver instruction permit with the motorcycle endorsement shall only be valid for 6 months (not 12 months as it is under current law) and may only be renewed two additional times (for a total of 18 months). The act also removes the motorcycle engine size restriction and the 50 mile operating restriction from the temporary motorcycle instruction permit. In addition, the act applies the two remaining restrictions (passenger restriction and night-time operation restriction) that currently only apply to permit holders under the age of 16 to all temporary motorcycle instruction permit holders, regardless of age.

The act has an effective date of May 1, 2013.

STEPHEN WITTE

01/17/2012 S First Read--SB 673-Brown (S93)

02/02/2012 Second Read and Referred S Transportation Committee (S194)

02/08/2012 Hearing Conducted S Transportation Committee

03/28/2012 SCS Voted Do Pass S Transportation Committee - (5037S.05C)

03/29/2012 Reported from S Transportation Committee to Floor w/SCS (S566)

04/04/2012 SCS S adopted (S610)

04/04/2012 Perfected (S610)

04/04/2012 Reported Truly Perfected S Rules Committee (S611)

04/05/2012 S Third Read and Passed (S626)

04/05/2012 H First Read (H971)

04/10/2012 H Second Read (H977)

EFFECTIVE: August 28, 2012

\*\*\* SB 674 \*\*\*

5368S.01I

SENATE SPONSOR: Schaaf

SB 674 - 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).

These provisions were contained in SB 122 (2011) and HB 1495 (2010).

STEPHEN WITTE

01/17/2012 S First Read--SB 674-Schaaf (S93)

02/02/2012 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S194)

EFFECTIVE: August 28, 2012

\*\*\* SB 675 \*\*\*

SCS SB 675

4647S.02C

SENATE SPONSOR: Crowell

SCS/SB 675 -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.

EMILY KALMER

01/17/2012 S First Read--SB 675-Crowell (S93)

02/02/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S194)

02/23/2012 Hearing Conducted S Ways and Means and Fiscal Oversight Committee  
 03/29/2012 SCS Voted Do Pass S Ways and Means and Fiscal Oversight Committee - (4647S.02C)  
 03/29/2012 Reported from S Ways and Means and Fiscal Oversight Committee to Floor w/SCS (S566)  
 04/03/2012 Taken up for Perfection (S601)  
 04/03/2012 Bill Placed on Informal Calendar (S601)  
 04/16/2012 S Informal Calendar S Bills for Perfection--SB 675-Crowell, with SCS (pending)

EFFECTIVE: August 28, 2012

\*\*\* SB 676 \*\*\*

5282S.011

SENATE SPONSOR: Nieves

SB 676 - This act creates the Civil Liberties Defense Act. This act mandates that any court, arbitration, tribunal, or administrative agency ruling shall be unenforceable if based on a foreign law that does not grant the parties the same rights as the parties have under the United States and Missouri constitutions.

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.

The act does not apply to a business entity that subjects itself to a foreign law in a jurisdiction outside the United States. The act does not authorize courts to adjudicate religious matters.

This act is similar to SB 308 (2011).

MIKE HAMMANN

SCA 1 - CHANGES THE WORD "REQUIRED" TO REQUIRE IN SECTION 506.600

01/17/2012 S First Read--SB 676-Nieves (S93)  
 02/02/2012 Second Read and Referred S General Laws Committee (S194)  
 02/21/2012 Hearing Conducted S General Laws Committee  
 02/28/2012 Voted Do Pass (w/SCA#1) S General Laws Committee - (5282S01.01S)  
 03/08/2012 Reported from S General Laws Committee to Floor w/SCA 1 (S432)  
 03/21/2012 Taken up for Perfection (S482)  
 03/21/2012 Bill Placed on Informal Calendar (S482)  
 04/16/2012 S Informal Calendar S Bills for Perfection--SB 676-Nieves, with SCA 1 (pending)

EFFECTIVE: August 28, 2012

\*\*\* SB 677 \*\*\*

SS SCS SB 677

5303S.06P

SENATE SPONSOR: Pearce

SS/SCS/SB 677 – This act removes the two-year waiting period that exists between the classification of a school district as unaccredited and the lapse of the district's corporate organization. Instead, when the State Board of Education classifies a district as unaccredited, it must review the governance of the district to establish the conditions under which the existing school board will continue to govern or determine the date on which the district will lapse and determine an alternative governing structure for the district.

This act changes the timing and purpose of the hearing that the Department of Elementary and Secondary Education must conduct. The Department must conduct at least two public hearings, which must be regarding the accreditation status of the district. Also, the hearings must provide an opportunity to convene community resources that may be useful or necessary to support the school district as it attempts to return to accredited status.

When it classifies a district as unaccredited, the State Board of Education may allow continued governance by the existing local board of education under specific terms and conditions. If the State Board appoints a special administrative board to oversee the district, the board must consist of at least five members, the majority of whom must be district residents. In addition, the board members must reflect the



population characteristics of the district and have certain experience, as described in the act. A special administrative board will be responsible for the operation of the district until it is classified as provisionally accredited for two successive school years, at which time it will transition back to local governance, as described in the act.

If the State Board determines an alternative governing structure, it must provide a rationale for its decision and review and recertify the alternative form of governance every three years. In addition, the State Board must create a public comment method, establish expectations for academic progress by creating a time line for full accreditation, and provide annual reports to the General Assembly and Governor on the district's progress, as described in the act.

A special administrative board appointed under this act will retain the authority granted to a school board under the laws of the state in effect at the time of the district's lapse. A special administrative board will have authority to void any existing contracts to which the lapsed district was a party at the time of the lapse and may enter into contracts with accredited districts or other education service providers to delivery high quality educational programs. In addition, if a student graduates from a school operated under a contract with an accredited district, the student will receive his or her diploma from the accredited district.

Neither the special administrative board nor its members will be deemed to be the state or a state agency for any purpose. Furthermore, the state, its agencies and employees, will have absolute immunity from liability, as provided in the act.

No district or entity, other than a special administrative board, that is assigned territory, debts, or assets from a lapsed district will be considered a successor entity for purposes of employment contracts, unemployment compensation, or any other purpose.

This act repeals the requirement that provisionally accredited and unaccredited districts develop a plan to divide up the district if the district cannot regain accreditation within three years of the loss of accreditation.

Nothing in this act will supercede, or be construed to supercede, provisions of Sections 167.131 and 167.241. Also, no action of the State Board of Education will be contrary to the provisions of Sections 167.131 and 167.241.

This act repeals the authorization for the serving members of an special administrative board to appoint a school superintendent if the State Board of Education appoints a successor member to replace the chair of the special administrative board.

This act contains an emergency clause.

This act is substantially similar to HCS/HB 1174 (2012).

MICHAEL RUFF

01/17/2012 S First Read--SB 677-Pearce (S93)  
 02/02/2012 Second Read and Referred S Education Committee (S194)  
 02/15/2012 Hearing Conducted S Education Committee  
 02/22/2012 SCS Voted Do Pass S Education Committee - (5303S.03C)  
 03/08/2012 Reported from S Education Committee to Floor w/SCS (S432)  
 03/26/2012 Bill Placed on Informal Calendar (S513)  
 04/02/2012 SS for SCS S offered (Pearce)--(5303S.06F) (S584)  
 04/02/2012 SA 1 to SS for SCS S offered (Lembke)--(5303S06.11S) (S584-585)  
 04/02/2012 Bill Placed on Informal Calendar (S585)  
 04/02/2012 SA 1 to SS for SCS S withdrawn (S585)  
 04/02/2012 SA 2 to SS for SCS S offered & adopted (Chappelle-Nadal)--(5303S06.13S) (S585)  
 04/02/2012 SS for SCS, as amended, S adopted (S585)  
 04/02/2012 Perfected (S585)  
 04/03/2012 Reported Truly Perfected S Rules Committee (S593)  
 04/05/2012 Bill Placed on Informal Calendar (S621)  
 04/16/2012 S Informal Calendar S Bills for Third Reading--SS for SCS for SB 677-Pearce

EFFECTIVE: Emergency Clause

SB 678 - This act requires hospitals, ambulatory surgical centers, and long-term care facilities to report all "serious reportable events in health care," as identified by the National Quality Forum. Such events include wrong-site surgery, retention of a foreign object in a patient after surgery, and death or serious disability associated with medication error.

The procedures for such health care facilities reporting the events to the Department of Health and Senior Services are prescribed in the act. The initial report of the event shall be reported to the department as reasonably and practically possible, but no later than five working days after discovery of the incident. Within 45 days after the event occurred, the health care facility shall submit to the department a root cause analysis and a prevention plan.

If a reportable incident is disclosed to the department and the prevention plan and root cause analysis is submitted and approved by the department, the incident shall not be deemed grounds for a finding of a licensure deficiency unless within five years of the reportable incident another reportable incident occurs and is a violation of the health care facility's reportable incident prevention plan. Furthermore, the department shall promulgate rules establishing criteria for defining cases in which reportable incidents have occurred in a health care facility with a frequency or possible pattern of adverse outcomes as to necessitate departmental intervention.

The department shall publish an annual report to the public on reportable incidents. The annual report shall be on its website and available as a publication upon request. The first report shall include twelve months of reported data and shall be published not more than fifteen months after the effective date of rules promulgated by the department to implement the provisions of this act. The report shall show the number and rate per patient encounter by region and by category of reportable incident and may identify reportable incidents by type of facility.

Any health care facility that reports a reportable incident shall not charge for or bill any entity for all services related to the reportable incident.

Provisions of this act are similar to SB 916 (2008).

ADRIANE CROUSE

01/18/2012 S First Read--SB 678-Schaaf (S109)

02/02/2012 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S194)

EFFECTIVE: August 28, 2012

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\*\*\* SB 679 \*\*\*

5137S.011

SENATE SPONSOR: Dixon

SB 679 - This act modifies the laws relating to collaborative practice arrangements and advance practice registered nurses. Advance practice registered nurses are granted the authority to prescribe controlled substances without requiring delegated authority under a collaborative practice arrangement. Drugs prescribed or services provided by a licensed advanced practice registered nurse will be eligible for payments under MO HealthNet.

This act allows collaborative practice arrangements to be either written protocols or standing orders. Collaborative practices will no longer be under the supervision of the State Board of Registration for the Healing Arts or Board of Nursing. The requirement that no contract can require a physician or advance practice registered nurse to enter into a collaborative agreement is eliminated. Physicians are allowed to enter into a collaborative practice with more than three advance practice registered nurses.

Certified registered nurse anesthetists will be allowed to provide anesthesia services without supervision. Certified registered nurse anesthetists are to be certified by the National Board of Certification and Recertification for Nurse Anesthetists.

The act grants advanced practice registered nurses authority to practice of respiratory care. The act defines advanced practice registered nurse, advance practice registered nursing, and certified registered nurse anesthetist. The one thousand hours of practice to obtain a certificate of controlled substance prescriptive authority is modified to include hours collaborating with an advanced practice registered nurse that already possesses such a certificate. Advance practice registered nurses are no longer required to practice with a continuously present physician for a month before practicing in a setting where the physician is not

continuously present. The act sets application requirements for an advanced practice registered nurse's license.

MIKE HAMMANN

01/18/2012 S First Read--SB 679-Dixon (S109)

02/02/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S194)

02/20/2012 Hearing Conducted S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 680 \*\*\*

5364S.011

SENATE SPONSOR: Nieves

SB 680 - Under current law, political subdivisions may enact ordinances regulating the open carrying of firearms. This act removes that authority so political subdivisions may not regulate the open carrying of firearms.

This act also requires that local ordinances regulating the discharge of firearms incorporate justification defenses provided by statute, which include self defense, defense of others, and defense of property.

MEGHAN LUECKE

01/18/2012 S First Read--SB 680-Nieves (S109)

02/02/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S194)

EFFECTIVE: August 28, 2012

\*\*\* SB 681 \*\*\*

5352S.011

SENATE SPONSOR: Lager

SB 681 – This act provides that not more than two voting members of the board of regents of Northwest Missouri State University may be residents of the same county.

MICHAEL RUFF

01/18/2012 S First Read--SB 681-Lager (S109)

02/02/2012 Second Read and Referred S Education Committee

03/28/2012 Hearing Conducted S Education Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 682 \*\*\*

SCS SB 682

4808S.03C

SENATE SPONSOR: Dempsey

SCS/SB 682 - This act mandates that only licensed physicians practice interventional pain management. Interventional pain management includes ablation of nerves, placement of drugs in the spinal column, and certain other surgical techniques. This act will not apply to certified nurse anesthetists providing anesthesia services.

MIKE HAMMANN

01/18/2012 S First Read--SB 682-Dempsey, et al (S109)

02/02/2012 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S194)

02/14/2012 Hearing Conducted S Health, Mental Health, Seniors and Families Committee

02/28/2012 SCS Voted Do Pass S Health, Mental Health, Seniors and Families Committee - (4808S.03C)

03/29/2012 Reported from S Health, Mental Health, Seniors and Families Committee to Floor w/SCS (S565)

04/03/2012 Bill Placed on Informal Calendar (S597)

04/16/2012 S Informal Calendar S Bills for Perfection--SB 682-Dempsey, with SCS

EFFECTIVE: August 28, 2012

\*\*\* SB 683 \*\*\*

SCS SB 683

5355S.02P

SENATE SPONSOR: Crowell

SCS/SB 683 - Currently any motor vehicle less than \$3,000 in value is exempt from execution or attachment. This act requires that all motor vehicles owned by a debtor be considered together and only their aggregate value less than \$3,000 shall be exempt. Mobile homes used as principal residences cannot be

attached to real property to be exempt. The exemption for local public assistance benefits is broadened to include all public assistance benefits. The age for dependents included in the head of household exemption calculation is raised from eighteen to twenty-one.

This act is similar to HB 1527 (2012).

MIKE HAMMANN

01/18/2012 S First Read--SB 683-Crowell (S109)  
 02/02/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S194)  
 02/27/2012 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee  
 03/05/2012 SCS Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee (5355S.02C)  
 03/22/2012 Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor w/SCS (S499)  
 03/27/2012 SCS S adopted (S525)  
 03/27/2012 Perfected (S525)  
 03/27/2012 Reported Truly Perfected S Rules Committee (S527)  
 03/29/2012 S Third Read and Passed (S557)  
 03/29/2012 H First Read (H857)  
 03/30/2012 H Second Read (H864)

EFFECTIVE: August 28, 2012

\*\*\* SB 684 \*\*\*

5369S.011

SENATE SPONSOR: Crowell

SB 684 - This act prohibits the authorization for issuance of Low Income Housing Tax Credits, Missouri Development Finance Board Infrastructure Development Fund Contribution Tax Credits, and Historic Preservation Tax Credits for the one year period beginning on the effective date of the act.

This act contains an emergency clause.

This act is similar to Senate Bill 144 (2011) and Senate Bill 890 (2010).

EMILY KALMER

01/18/2012 S First Read--SB 684-Crowell (S110)  
 02/02/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S194)  
 02/23/2012 Hearing Conducted S Ways and Means and Fiscal Oversight Committee

EFFECTIVE: Emergency clause

\*\*\* SB 685 \*\*\*

4780S.021

SENATE SPONSOR: Crowell

SB 685 - Under current law, communication with a member of the Public Service Commission about a substantive matter that is part of a case pending before the Commission is only allowable when such communication is made in certain public settings or, if made privately, when a record of the private communication is included in the official case file. The act makes such requirements applicable also to substantive matters that are likely to become the subject of a pending filing or case.

The act modifies the option for private communication to take place by applying the case file documentation requirements that exist in current law to only private communication that occurs "unintentionally" outside of the allowable settings. Under the act, if private communication takes place intentionally outside the allowable settings, the Commission must take protective actions to prevent any party to the pending filing or case to gain an unfair advantage.

ERIKA JAQUES

01/18/2012 S First Read--SB 685-Crowell (S110)  
 02/02/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S194)

EFFECTIVE: August 28, 2012

\*\*\* SB 686 \*\*\*

5326S.011

SENATE SPONSOR: Schaaf

SB 686 - The act prohibits sellers and lessors of electronic devices or appliances from re-selling or leasing a device or appliance that has been previously owned or leased and then returned unless the seller or lessor provides notification to the subsequent customer. The notification must be provided in both oral and written format and must disclose the reason for the product's return as well as the nature of any repair work performed on the product since its return. A violation of the act is considered an unlawful merchandising practice.

ERIKA JAQUES

01/19/2012 S First Read--SB 686-Schaaf (S118)

02/02/2012 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S194)

EFFECTIVE: August 28, 2012

\*\*\* SB 687 \*\*\*

4734L.011

SENATE SPONSOR: Schmitt

SB 687 - This act prohibits health carriers from imposing greater copayments, coinsurance, or office visit deductibles to insureds for covered services provided by a licensed physical therapist than those charged for the same covered services provided by licensed primary care physicians or osteopaths. Under the act, health carriers must clearly state the availability of physical therapy coverage under its plan and all related limitations, conditions, and exclusions.

This act is identical to HB 1134 (2012).

STEPHEN WITTE

01/23/2012 S First Read--SB 687-Schmitt (S126)

02/02/2012 Second Read and Referred S Small Business, Insurance and Industry Committee (S194)

04/10/2012 Hearing Conducted S Small Business, Insurance and Industry Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 688 \*\*\*

5475S.011

SENATE SPONSOR: Schmitt

SB 688 - This act deletes the word "may", which was erroneously duplicated in subdivision (7) of Section 50.160.

MEGHAN LUECKE

01/23/2012 S First Read--SB 688-Schmitt (S126)

02/02/2012 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S194)

03/28/2012 Hearing Conducted S Jobs, Economic Development and Local Government Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 689 \*\*\*

SS SCS SB 689

5371S.04P

SENATE SPONSOR: Engler

SS/SCS/SB 689 - Under current law, a person who recklessly and purposely causes serious injury to an elderly person commits the crime of second degree elder abuse. This act makes it so a person who recklessly or purposely causes such injury has committed the crime.

This act adds undue influence to the types of acts that, when committed against an elderly or disabled person, constitute the crime of financial exploitation.

Undue influence is defined under the act to mean influence by a person who has authority over the elderly or disabled person in order to take unfair advantage of the person's vulnerable state of mind, neediness, pain, or agony. It includes improper use of various types of fiduciary authority.

This act makes it an unlawful violation of the financial exploitation statute to fail to remit to a nursing facility in which a Medicaid eligible person resides all money owing the facility resident from any source.

This act allows the Department of Social Services to release records regarding the income or assets of a resident of a facility licensed under Chapter 198 to prosecuting attorneys who are investigating or prosecuting an offense of financial exploitation.

If a person admits to or is found guilty of failing to remit money owed to a facility licensed under Chapter 198, the court can order the offender to make restitution to the facility as a condition of sentence and/or probation. Any order or agreement for restitution must allow the prosecuting attorney to receive ten percent of each payment toward the restitution as reimbursement for the cost of enforcement.

MEGHAN LUECKE

01/24/2012 S First Read--SB 689-Engler and Schmitt (S133)  
 02/02/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S194)  
 02/06/2012 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee  
 02/20/2012 SCS Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee (5371S.02C)  
 03/01/2012 Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor w/SCS (S381)  
 03/20/2012 SS for SCS S offered & adopted (Engler)--(5371S.04F) (S457)  
 03/20/2012 Perfected (S457)  
 03/20/2012 Reported Truly Perfected S Rules Committee (S470)  
 03/22/2012 S Third Read and Passed (S492)  
 03/22/2012 H First Read (H695)  
 03/23/2012 H Second Read (H702)  
 03/26/2012 Referred H Crime Prevention & Public Safety Committee (H713)  
 04/04/2012 Hearing Conducted H Crime Prevention & Public Safety Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 690 \*\*\*

5393S.01P

SENATE SPONSOR: Engler

SB 690 - 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 act is identical to SB 353 (2011).

MEGHAN LUECKE

01/24/2012 S First Read--SB 690-Engler (S133)  
 02/02/2012 Second Read and Referred S General Laws Committee (S194)  
 02/07/2012 Hearing Conducted S General Laws Committee  
 02/14/2012 Voted Do Pass S General Laws Committee - Consent  
 02/16/2012 Reported from S General Laws Committee to Floor - Consent (S286-287)  
 02/16/2012 Removed S Consent Calendar (S288)  
 02/21/2012 Reported from S General Laws Committee to Floor (S299)  
 02/29/2012 Perfected (S354)  
 02/29/2012 Reported Truly Perfected S Rules Committee (S357)  
 03/01/2012 S Third Read and Passed (S376-377)  
 03/01/2012 H First Read (H480)  
 03/05/2012 H Second Read (H489)

EFFECTIVE: August 28, 2012

\*\*\* SB 691 \*\*\*

5392S.01I

SENATE SPONSOR: Engler

SB 691 - This act modifies the Manufacturing Jobs program to expand the eligibility for this program to additional suppliers of automotive manufacturers and increase the benefits available to these suppliers under the program. The act also requires the Department of Economic Development to make efforts to prioritize the use of funding under the Missouri Job Development Fund to these suppliers.

Currently, companies that supply automotive manufacturers are eligible to retain withholding taxes under the Manufacturing Jobs program, if the company is a manufacturer that: 1) receives more than 10% of company annual sales from sales to automotive manufacturers with facilities in Missouri; 2) adds at least five new jobs with an average wage greater than the county average wage; and 3) provides health insurance for all full-time jobs. This act expands the requirements, so that companies that supply automotive manufacturers will also be eligible for the program, if the company: 1) receives more than 10% of company annual sales from sales of a product that is sold to someone other than a in-state automotive manufacturer, but the product is used by a manufacturer in an automobile; or 2) receives more than 50% of company annual sales from modifying vehicles for commercial or public use.

Under current law, the Manufacturing Jobs program allows eligible automotive manufacturer suppliers to retain withholding tax from the new jobs for three years, or for five years, if the wages for the new jobs are at least 120% of the county average wage. This act allows these suppliers to retain withholding taxes from the new jobs for five years, in an amount equal at the least to 5 1/2 % of new payroll and at the most to 6 1/2% of new payroll, depending on the average wages of the new jobs. If the amount of withholding taxes the supplier is allowed to retain is less than the amount of the benefit under the program, the Department of Economic Development shall issue the supplier a refundable tax credit. If the supplier is also participating in the New Jobs Training Program the supplier is prohibited from retaining withholding tax, but the department is required to issue a refundable tax credit for the amount of the benefit allowed under this program. The amount of withholding tax the supplier retains under the New Jobs Training program will be in addition to the maximum amount of tax credits that the supplier could otherwise be issued each year, unless the total amount of tax benefits under both programs exceeds the projected benefit to the state from the project.

EMILY KALMER

01/24/2012 S First Read--SB 691-Engler and Callahan (S133)

02/02/2012 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S194)

02/29/2012 Hearing Conducted S Jobs, Economic Development and Local Government Committee

03/28/2012 Voted Do Pass S Jobs, Economic Development and Local Government Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 692 \*\*\*

SCS SB 692

5469S.02P

SENATE SPONSOR: Stouffer

SCS/SB 692 - This act allows and establishes procedures for counties to decrease their annual budgets no more than twice each fiscal year when faced with unanticipated funding of two percent or greater.

The budget reduction may not affect any one independently affected officeholder unless all officeholders who receive funds from the same budget category have negotiated ways to cover the shortfall. Also, the reductions may not impact any dedicated fund created by law.

The provisions of this act expire on July 1, 2015.

Charter counties may follow procedures in their charters for amending their budgets rather than the provisions of this act.

This act is similar to provisions of HCS/SS/SCS/SB 580 (2010) and HB 1793 (2010).

MEGHAN LUECKE

01/24/2012 S First Read--SB 692-Stouffer (S133)

02/02/2012 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S194)

02/08/2012 Hearing Conducted S Jobs, Economic Development and Local Government Committee

02/22/2012 SCS Voted Do Pass S Jobs, Economic Development and Local Government Committee - (5469S.02C)

03/22/2012 Reported from S Jobs, Economic Development and Local Government Committee to Floor w/SCS (S501)

04/03/2012 SCS S adopted (S596)

04/03/2012 Perfected (S596)

04/03/2012 Reported Truly Perfected S Rules Committee (S602)

04/05/2012 S Third Read and Passed (S623)

04/05/2012 H First Read (H971)

04/10/2012 H Second Read (H977)

EFFECTIVE: August 28, 2012

\*\*\* SB 693 \*\*\*

5477S.011

SENATE SPONSOR: Crowell

SB 693 – This act prohibits any state agency from printing a calendar for distribution to the employees of the agency, members of the General Assembly, statewide elected officials, or any other private or public entity or person.

JIM ERTLE

01/24/2012 S First Read--SB 693-Crowell (S133)  
 02/02/2012 Second Read and Referred S Governmental Accountability Committee (S195)  
 02/15/2012 Hearing Conducted S Governmental Accountability Committee  
 02/22/2012 Voted Do Pass S Governmental Accountability Committee  
 03/01/2012 Reported from S Governmental Accountability Committee to Floor (S381)  
 03/20/2012 Taken up for Perfection (S473)  
 03/20/2012 Bill Placed on Informal Calendar (S473)  
 04/16/2012 S Informal Calendar S Bills for Perfection--SB 693-Crowell

EFFECTIVE: August 28, 2012

\*\*\* SB 694 \*\*\*

4166S.011

SENATE SPONSOR: Nieves

SB 694 – 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, 2012.

This act is identical to SB 341 (2011).

JIM ERTLE

01/24/2012 S First Read--SB 694-Nieves (S133)  
 02/02/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S195)  
 02/20/2012 Hearing Conducted S Financial and Governmental Organizations and Elections Committee  
 04/10/2012 Motion to vote bill do pass failed S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 695 \*\*\*

4677S.021

SENATE SPONSOR: Parson

SB 695 - Under the act, employees of animal agricultural operations who videotape what they suspect is animal abuse must provide the recording to a law enforcement agency within 24 hours. Any such recordings must not be edited in any way. A violation of the act is a Class A misdemeanor.

ERIKA JAQUES

01/24/2012 S First Read--SB 695-Parson (S133)  
 02/02/2012 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S195)  
 02/08/2012 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee  
 02/29/2012 Voted Do Pass S Agriculture, Food Production and Outdoor Resources Committee  
 03/08/2012 Reported from S Agriculture, Food Production and Outdoor Resources Committee to Floor (S433)  
 03/26/2012 Bill Placed on Informal Calendar (S515)  
 04/16/2012 S Informal Calendar S Bills for Perfection--SB 695-Parson



EFFECTIVE: August 28, 2012

\*\*\* SB 696 \*\*\*

5038S.011

SENATE SPONSOR: Kraus

SB 696 - Under this act, a person who is found guilty of operating a motor vehicle without financial responsibility a second time shall be assessed an additional fine of \$1,000. Currently, a second or subsequent violation is punishable by a fine not to exceed \$300. This act also imposes an additional fine of \$5,000 on persons who violate the financial responsibility law a third or subsequent time.

Under the terms of the act, a court may order the impoundment of person's motor vehicle for period of 6 months if the person is convicted of violating Missouri's financial responsibility law a second or subsequent time. An impounded vehicle shall not be released until the defendant provides proof of financial responsibility and pays all associated towing, impoundment, and storage fees.

The act also requires a law enforcement officer to order the impoundment the motor vehicle of a driver who is unable to present proof of insurance if his or her vehicle is involved in an accident. The act provides that the towing and storage provisions of the abandoned property law apply to the impoundment unless such provisions otherwise conflict with this act. Under the terms of the act, the impounded vehicle shall not be released until the person:

- (1) Submits proof that a person with a valid driving privileges will be operating the motor vehicle;
- (2) Submits proof of financial responsibility;
- (3) Pays to the law enforcement agency an administrative fee determined by the agency to be sufficient to cover its actual administrative costs for the impoundment;
- (4) Submits proof that the operator has:
  - (a) Been released from liability resulting from the motor vehicle accident;
  - (b) Been adjudicated not to be liable for the accident;
  - (c) Made restitution for damages resulting from such accident as may be recovered against the operator;
  - (d) Executed a duly acknowledged written agreement providing for the payment of an agreed amount in installments with respect to all claims for injuries or damages resulting from the motor vehicle accident; or
  - (e) Filed a security deposit with the Department of Revenue consistent with Missouri law; and
- (5) Pays any towing and storage costs associated with the impoundment of the motor vehicle.

The act increases the reinstatement fee for a first time financial responsibility law offender from \$20 to \$250. The second time offenders, the act increases the driver's license suspension period from 90 days to 180 days and increases the reinstatement fee from \$200 to \$400. For persons who have 3 or more financial responsibility law violations, the act increases the license reinstatement fee from \$400 to \$600.

STEPHEN WITTE

01/24/2012 S First Read--SB 696-Kraus (S133)

02/02/2012 Second Read and Referred S Small Business, Insurance and Industry Committee (S195)

02/14/2012 Hearing Conducted S Small Business, Insurance and Industry Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 697 \*\*\*

5474S.011

SENATE SPONSOR: Wasson

SCS/SB 697 - Current Missouri law allows insurers and others to share information related to insurance fraud investigations without being subject to civil liability for libel. This act expands the immunity afforded to insurers and others for filing reports and furnishing other information related to an insurance fraud investigation so that the insurer will not be subject to civil liability of any kind, including libel and slander.

Additionally, the act provides that no civil cause of action of any nature shall arise against a person for furnishing or receiving information related to suspected or anticipated fraudulent insurance acts to or from:

- 1) Law enforcement officials, agents and employees;
- 2) Persons subject to section 375.991;
- 3) Federal and state agencies, the NAIC, the National Insurance Crime Bureau, or any other organization

established to detect and prevent fraudulent insurance acts.

STEPHEN WITTE

01/24/2012 S First Read--SB 697-Wasson (S133)

02/02/2012 Second Read and Referred S Small Business, Insurance and Industry Committee (S195)

02/14/2012 Hearing Conducted S Small Business, Insurance and Industry Committee

02/28/2012 SCS Voted Do Pass S Small Business, Insurance and Industry Committee - (5474S.03C)

EFFECTIVE: August 28, 2012

\*\*\* SB 698 \*\*\*

5109S.011

SENATE SPONSOR: Richard

SB 698 - This act creates requirements that political subdivisions must follow when advertising, soliciting, and rejecting bids for construction contracts that require an expenditure of \$25,000 or more. This act also establishes minimum standards that political subdivisions must include in their local procurement policies.

The terms "construction contract", "established local construction procurement policy", and "political subdivision" are defined under this act.

If a political subdivision violates certain requirements, anyone who bid on the contract or was the denied the opportunity to compete may bring a cause of action for an injunction to have the contract rebid within 15 days of the award of the contract.

An unintentional violation is not actionable in certain circumstances.

This act expedites certain court procedures for such cases and establishes limited time frames for the actions unless the court finds evidence of fraud, collusion, or corruption in the contract award. In such instances, the court may also order monetary damages and equitable relief.

The court may order the claimant to pay the political subdivision's attorney's fees and award monetary damages upon a finding that there was no substantial cause for the action or that it was brought to harass or disrupt the contract award.

MEGHAN LUECKE

01/24/2012 S First Read--SB 698-Richard (S133)

02/02/2012 Second Read and Referred S General Laws Committee (S195)

EFFECTIVE: August 28, 2012

\*\*\* SB 699 \*\*\*

SCS SB 699

5321S.12P

SENATE SPONSOR: Goodman

SS/SCS/SB 699 - This act modifies provisions relating to probation, parole and conditional release.

#### EARNED COMPLIANCE CREDITS

Under this act, the Division of Probation and Parole must award earned compliance credits to offenders placed on probation, parole, or conditional release beginning October 1, 2012. The credits are equal to thirty days of time served for every calendar month the offender remains in compliance with the terms of probation, parole, or conditional release. The credits reduce the duration of the term, but may be suspended or rescinded if the offender violates probation or parole. The offender must serve at least two years of the sentence on probation, parole, or conditional release. Only certain offenders of Class C and D felonies or drug crimes who are not on lifetime supervision may earn the credits. In addition, the court may limit eligibility for offenders of certain felonies.

#### ADMINISTRATIVE JAIL SANCTIONS

This act also allows the division of probation and parole to place offenders in jail for short periods of time when a probation and parole officer believes an offender has violated a condition of release unless the offender's order of release includes detention as a condition of the probation or parole. The first period of detention may be no longer than 48 hours and the offender may only spend up to 360 hours in jail in a calendar year.

The department must reimburse counties at a rate determined by the department, but no less than \$30 per day per offender, for the period of detention. The department must certify to the counties before imposing

a period of detention that there are enough funds to cover the cost of reimbursement. If there is not enough funding to cover the reimbursement or the jail does not have enough space, then the jail may refuse to accept offenders for detention. Once released from the period of detention, the offender can continue the probation or parole term unless new or additional information is brought forward that the offender was involved in the commission of a crime.

#### MANDATORY PLACEMENT IN 120-DAY PROGRAM FOR FIRST REVOCATION

Under this act, the court must order the Department of Corrections to place certain offenders in one of the department's 120-day programs before revoking the offender's probation upon a determination by the court that the offender committed a violation of the terms of release.

Offenders who are on probation or parole for Class C or D felony offenses or a drug offense, have not been placed in a 120 day program during the same sentence, and whose probation or parole violation does not fall within certain specified types of offenses are eligible for placement in one of the alternative programs. The court may also limit eligibility for offenders of certain Class C and D felonies.

Once the offender has completed the program, the court must continue the term of probation, parole, or conditional release without modifying, enlarging, or extending the term based on the same violation.

Time served in the alternative program is to be credited against the offender's sentence.

#### SENTENCING AND CORRECTIONS OVERSIGHT COMMISSION

This act creates a 13-member commission to oversee the implementation, and to calculate the effects, of this act. The duties of the commission also include determining ways to reinvest any cost savings realized from the passage of this act to pay for evidence-based practices to reduce recidivism and examining how restitution is collected for crime victims.

The Governor and Missouri Supreme Court chief justice have the authority to appoint certain members to the commission, which serve staggered four-year terms. In addition, this act requires the chairs and ranking minority members of the Senate Judiciary Committee and the House Appropriations - Public Safety Committee, the directors of the Missouri State Public Defender System, Missouri Office of Prosecution Services, Missouri Department of Corrections, and the Board of Probation and Parole to serve as voting, ex officio members on the commission. The Judiciary chair and the Appropriations chair shall serve as co-chairs of the commission.

This act requires the commission to issue a report on December 31, 2012, and each year thereafter, to the Speaker of the House, Senate President Pro Tem, Missouri Supreme Court Chief Justice, and the Governor.

The commission's first meeting must occur before February 28, 2013 and the members must meet at least twice a year, only receiving compensation for their actual and necessary expenses. Staff and consultants may be employed by the commission.

The provisions establishing the commission will expire on August 28, 2018.

#### JOINT COMMITTEE ON THE MISSOURI CRIMINAL CODE

This act creates the "Joint Committee on the Missouri Criminal Code". The committee is to be composed of senators, house members and representatives from the Attorney General's office, the state Public Defender System, victims of crime, the Governor's office and the Missouri Supreme Court.

The committee's charge is to report to the General Assembly by December 31, 2012, its recommendations for ways to harmonize, organize and revise the criminal laws.

This act is similar to HCS/HB 1525 (2012).

MEGHAN LUECKE

01/24/2012 S First Read--SB 699-Goodman, et al (S139)  
 02/02/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S195)  
 02/13/2012 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee  
 02/20/2012 SCS Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee (5321S.11C)  
 02/23/2012 Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor w/SCS (S321)  
 02/29/2012 SS for SCS S offered (Goodman)--(5321S.12F) (S361)

02/29/2012 SA 1 to SS for SCS S offered & defeated (Dempsey)--(5321S12.03S) (S361)  
 02/29/2012 SA 2 to SS for SCS S offered & adopted (Crowell)--(5321S11.02S) (S361-362)  
 02/29/2012 SS for SCS, as amended, S adopted (S362)  
 02/29/2012 Perfected (S362)  
 03/01/2012 Reported Truly Perfected S Rules Committee (S381)  
 03/05/2012 Referred S Ways & Means and Fiscal Oversight Committee (S396)  
 03/08/2012 Voted Do Pass S Ways & Means and Fiscal Oversight Committee  
 03/08/2012 Reported from S Ways & Means and Fiscal Oversight Committee to Floor (S422)  
 03/08/2012 S Third Read and Passed (S423)  
 03/08/2012 H First Read (H596)  
 03/19/2012 H Second Read (H602)  
 03/26/2012 Referred H Crime Prevention & Public Safety Committee (H713)  
 04/04/2012 Hearing Conducted H Crime Prevention & Public Safety Committee  
 04/11/2012 Voted Do Pass H Crime Prevention & Public Safety Committee  
 04/12/2012 Reported Do Pass H Crime Prevention & Public Safety Committee  
 04/12/2012 Referred to Rules Committee pursuant to Rule 25(32)(f)

EFFECTIVE: August 28, 2012

\*\*\* SB 700 \*\*\*

5318S.011

SENATE SPONSOR: Lamping

SB 700 - Under current law, state agencies that do not adopt merit system appeals procedures are required to adopt dismissal procedures substantially similar to those provided for merit employees. This act repeals that provision of law.

CHRIS HOGERTY

01/25/2012 S First Read--SB 700-Lamping (S144)  
 02/02/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S195)  
 02/20/2012 Hearing Scheduled But Not Heard S Financial and Governmental Organizations and Elections Committee  
 02/27/2012 Hearing Conducted S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 701 \*\*\*

5487S.01P

SENATE SPONSOR: Mayer

SB 701 - Current law prohibits the operation of a motor vehicle with dyed fuel on a public highway except in certain circumstances. This act creates an additional exception for vehicles associated with a public utility or rural electric cooperative engaged in the restoration of utility service during a state of emergency.

ERIKA JAQUES

01/25/2012 S First Read--SB 701-Mayer (S144)  
 02/02/2012 Second Read and Referred S Transportation Committee (S195)  
 02/08/2012 Hearing Conducted S Transportation Committee  
 02/15/2012 Voted Do Pass S Transportation Committee  
 02/16/2012 Reported from S Transportation Committee to Floor (S286)  
 02/20/2012 Perfected (S293)  
 02/21/2012 Reported Truly Perfected S Rules Committee (S298)  
 02/23/2012 S Third Read and Passed (S322-323)  
 02/23/2012 H First Read (H430)  
 02/27/2012 H Second Read (H435)

EFFECTIVE: August 28, 2012

\*\*\* SB 702 \*\*\*

5488S.011

SENATE SPONSOR: Pearce

SB 702 - This act changes the name of the Heroes at Home program to the Show-Me Heroes program. The program is expanded to include spouses of active duty United States military personnel and members of the United States military that have recently ended their service.

The Department of Economic Development will no longer be able to enter into contracts with qualified providers to operate the program. Financial assistance may be provided to families facing a financial crisis from overdue bills regardless of cause.

The Department of Economic Development is given the power to create rules for the implementation of the Show-Me Heroes program.

MIKE HAMMANN

01/25/2012 S First Read--SB 702-Pearce (S144)

02/02/2012 Second Read and Referred S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee (S195)

02/09/2012 Hearing Conducted S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 703 \*\*\*

4991S.011

SENATE SPONSOR: Wright-Jones

SB 703 - This act reinstates provisions of law that expired on January 1, 2005, that require certain percentages of lottery contracts and subcontracts be awarded to businesses owned and controlled by women or ethnic and racial minorities.

EMILY KALMER

01/25/2012 S First Read--SB 703-Wright-Jones (S144)

02/02/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S195)

EFFECTIVE: August 28, 2012

\*\*\* SB 704 \*\*\*

4840S.011

SENATE SPONSOR: Wright-Jones

SB 704 - This act requires that suits against municipal corporations involving dangerous conditions of public property or suits in inverse condemnation be brought in the county in which all or part of the property lies.

This act is similar to HB 1293 (2012).

MIKE HAMMANN

01/25/2012 S First Read--SB 704-Wright-Jones (S144)

02/02/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S195)

EFFECTIVE: August 28, 2012

\*\*\* SB 705 \*\*\*

5486S.011

SENATE SPONSOR: Wright-Jones

This bill has been combined with SB 767

01/25/2012 S First Read--SB 705-Wright-Jones (S144)

02/02/2012 Second Read and Referred S Transportation Committee (S195)

02/15/2012 Hearing Conducted S Transportation Committee

03/07/2012 Bill Combined w/(bill #'s)

03/07/2012 Bill Combined (w/SCS SBs 767, 653, 754, 705, 441, 528, 831, 833 & 847) S Transportation Committee - (5761S.04C)

EFFECTIVE: August 28, 2012

\*\*\* SB 706 \*\*\*

4989S.061

SENATE SPONSOR: Cunningham

SB 706 – This act modifies provisions relating to school operations.

**PASSPORT SCHOLARSHIP PROGRAM:** This act establishes the Passport Scholarship Program to grant scholarships to students from unaccredited districts to attend a qualified nonpublic elementary or secondary school.

To be eligible for a scholarship, a student must reside in an unaccredited district. A student will remain eligible until graduation from high school or age twenty-one, whichever occurs earlier. Students will remain eligible even if their district of residence changes because of a boundary line change, annexation, consolidation, reorganization, or dissolution.

Beginning in tax year 2012, a taxpayer may make a qualifying contribution to an approved or qualified educational assistance organization and claim a tax credit. The annual cumulative amount of tax credits is limited at \$40 million, which will be increased or decreased based on the consumer price index for the Midwest. The tax credit is for sixty percent of the amount of the contribution, is nonrefundable and may be carried forward for four years.

An educational assistance organization that desires to participate or provide scholarships through the Passport Scholarship Program must meet certain requirements, including being a 501(c)(3) organization; providing a receipt to taxpayers for contributions; ensure that funds are used as specified in the act; distribute scholarship payments four times per year; provide the Department of Economic Development, upon request, with criminal background checks on all employees and board members; and demonstrate financial accountability and viability, as described in the act.

Each educational assistance organization must ensure that qualified schools: comply with all health and safety laws applicable to nonpublic schools; hold a valid occupancy permit if required; do not discriminate in admissions based on race, color, national origin, or disability; and provide academic accountability to parents. An educational assistance organization must annually and publicly report to the Department information about the organization, information about the scholarship recipients, and the dollar amounts of scholarships awarded.

A qualified school must comply with state laws applicable to public schools for criminal background checks for employees and exclude from employment anyone prohibited from working in a public school. A qualified school's scholarship students may take the statewide assessments, as described in the act. A qualified school must also meet certain accountability measures, including fiscal soundness, accreditation, and surveys of parents and students.

A qualified school is prohibited from accepting a scholarship check that exceeds its standard tuition and fees. If the scholarship amount is insufficient to cover the cost of tuition, a qualified school may charge the parent or guardian the difference between the cost of tuition and the amount of the scholarship.

The Committee on Legislative Research, in collaboration with the Joint Committee on Education, must contract with one or more qualified researchers with previous experience evaluating school choice programs in order to conduct a study of the scholarship program. Study assessment requirements and methodology requirements are described in the act. The study must begin within five years of commencement of the program and must cover a period of five years. (Sections 135.712-135.719)

**CHARTER SCHOOLS:** This act allows an accredited school district or cooperative association of accredited districts to sponsor or operate a charter school in or for an unaccredited school district, which may enroll resident students of any school district classified as unaccredited. If the district is no longer unaccredited, the charter school may continue to operate. If the school district regains accreditation and the district or cooperative wishes to discontinue the school, it may solicit proposals for the continuation of the school, which will be presented for a vote of the parents or guardians of the students attending the school. Charter schools may enroll students from any unaccredited district. In addition, the school board of an unaccredited or provisionally accredited district may close district schools and lease the school building to the governing board of a charter school that it sponsors. The school board of an accredited district may close a district school it deems to need improvement and may lease the school building to the governing board of a charter school that it sponsors.

When a charter school is sponsored by the local school board or a cooperative association, as described in the act, the State Board of Education will have the accountability and enforcement powers of a charter school sponsor under current law. (Section 160.402)

**LAPSE OF A SCHOOL DISTRICT:** This act removes the two-year waiting period that exists between the classification of a school district as unaccredited and the lapse of the district's corporate organization. Instead, the school district will lapse at the time it becomes unaccredited. This act removes the requirement

that the school board of a district develop a plan to be submitted to the voters to divide the district if it cannot attain accreditation within three years. (Section 162.081)

**INTERSCHOLASTIC ATHLETICS AND ACTIVITIES:** No school district may become a member of or retain membership in a statewide activities association that prohibits or delays athletic or activities eligibility for any student who transfers from an unaccredited district to an accredited district, virtual school, charter school, or nonpublic school with a Passport Scholarship under state law. (Section 162.086)

**RECEIPT OF STATE SCHOOL AID:** As a condition of receiving state school aid, an unaccredited district must transfer any local effort moneys it receives from the county assessor and collector to the custody of the State Treasurer. The State Treasurer may collaborate with the State Board of Education and a clearinghouse, if one exists, to identify the tuition and transportation costs for students transferring out of the unaccredited district and the amount of moneys needed from the local effort moneys to pay the tuition and transportation. The State Board of Education will determine the extent to which the State Treasurer may disburse the funds, as described in the act.

In addition, a school district will not be eligible to receive state aid if it violates state school laws, except as described in the act. (Section 163.021)

**WEIGHTED AVERAGE DAILY ATTENDANCE:** If a school district is using the weighted average daily attendance for the preceding school year or second preceding school year, the Department of Elementary and Secondary Education must adjust it so that the district receives no aid for students who are receiving a Passport Scholarship. (Section 163.036)

**STUDENT TRANSFERS FROM AN UNACCREDITED 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 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. A parent or guardian may choose to enroll his or her child in a provisionally accredited district provided the district has informed the parent or guardian of the accreditation classification. Any district that receives transfer students will not be required to include those student's scores on the statewide assessment in that district's scores for up to five years.

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 must also pay the cost of education in the receiving district for any student with an IEP accepted in the receiving district. The tuition payment will be facilitated and handled by the State Board of Education withholding the necessary amount of funds from the unaccredited district's state aid or the local effort moneys in the custody of the State Treasurer.

By June 30, 2012, 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 but if the receiving school is primarily virtual, parent permission will be required.

When a student from an unaccredited district has been accepted in an accredited district, he or she may complete the educational program through graduation, even if the district of residence regains accreditation.

The Department of Elementary and Secondary Education must develop a uniform document to be used by school districts to keep track of the number of students who seek admission. The parent of a student seeking

admission must receive a copy. Each district must report the information from the document, as described in the act.

In addition, the students of an unaccredited district may be enrolled in the virtual school of an accredited district or cooperative association that is available in the same or an adjoining county as an alternative to or in addition to other enrollment options. The school board of a receiving district may offer a virtual education program in an unaccredited district in which resident and nonresident pupils may enroll. (Sections 167.131 and 167.133)

**PROCEDURES WHEN A DISTRICT BECOMES UNACCREDITED:** This section creates the Hinson Plan. If a school district, except for St. Louis or a district in St. Louis County, becomes unaccredited, surrounding accredited districts must divide up the territory of the district, annex it, and draw up new attendance boundaries. When an accredited district annexes a portion of an unaccredited district, it will not be considered a successor entity for the purposes of employment contracts, unemployment compensation, or any other purpose. In addition, the accredited district may have certain other powers and authorities, as described in the act. If the employees of the unaccredited district are members of a retirement system other than the Public School Retirement System of Missouri or the Public Education Employee Retirement System of Missouri, they will remain members of their present system. New employees will be members of the system in which the receiving district participates. (Section 167.403)

**CLEARINGHOUSE:** This act requires the Department of Elementary and Secondary Education to create a clearinghouse, or appoint a neutral third party to serve as a clearinghouse, to assist students in the St. Louis City School District or any other unaccredited district in St. Louis County, to transfer to an accredited district, charter school, virtual school, or nonpublic school using a Passport Scholarship.

A parent or guardian seeking to enroll his or her child in another school must send initial notification to the district of residence and the clearinghouse by January 15 for enrollment the next school year. A parent or guardian may apply until July if good cause, as defined, exists for failure to meet the deadline. However, a parent or guardian may enroll a child in a school without using the clearinghouse and a school may enroll a child who has missed the deadlines for enrolling through the clearinghouse.

The clearinghouse must provide counselors to assist and advise parents and guardians on school options that are available and assist in preparation of applications. The expenses associated with the clearinghouse will be defrayed by the Department of Elementary and Secondary Education withholding funds, not exceed five hundred dollars per pupil, from the unaccredited district's state school aid.

This program will continue until the district has been accredited for five consecutive years and has met all MSIP academic standards for five consecutive years.

The clearinghouse must identify the number of students who use it to seek admission to a school or school district, as described in the act. (Sections 167.406 & 167.409)

**VIRTUAL SCHOOLS:** A student may enroll in the virtual courses or programs of a virtual education provider or school district that meets Department of Elementary and Secondary Education standards and is accredited. The Department may also offer its own virtual courses. Students enrolled in virtual education must take the components of the statewide assessment that relate to the student's virtual courses or program. The Department shall withhold the tuition amount, as described in the act, from the district of residence's state school aid, and may seek local moneys, as described in the act. (Section 167.418)

**SCHOOL PRINCIPALS:** School principals will have the right to select teachers for their schools who have demonstrated effectiveness and qualifications. School districts with multiple schools must include provisions in teacher contracts for the placement of teachers rated highly effective or effective based on the mutual consent of the teacher and principal of the school. School districts may adopt options for teachers rated effective or higher who are displaced and not selected for a regular position. This act contains additional procedures for when a position is unavailable for a teacher.

**TEACHER TENURE:** Currently, the St. Louis City School District has a separate tenure system. This act ends this separate system and includes St. Louis in the statewide system. If a special administrative board is governing a school district, it may appoint a hearing officer to conduct a teacher termination hearing. In addition, a school board, upon an affirmative vote of a constitutional majority of its members, may appoint a hearing officer to conduct a teacher termination hearing.



This act modifies the procedures and criteria by which school boards may place teachers on leave. Instead of seniority or years of service being used as criteria for placing teachers on leave, the deciding criterion will be effective teacher performance based on documented student learning and growth. (Sections 168.104, 168.106, 168.116, 168.124, 168.221)

EDUCATOR EVALUATIONS: Student performance must be a factor in the measurement of educator evaluations. (Section 168.128)

The provisions of this act are nonseverable. (Section 1)

This act contains an emergency clause. (Section B)

This act contains an effective date of July 1, 2012 for the teacher tenure provisions. (Section C).

MICHAEL RUFF

01/26/2012 S First Read--SB 706-Cunningham (S155)

02/02/2012 Second Read and Referred S General Laws Committee (S195)

04/03/2012 Hearing Conducted S General Laws Committee

04/11/2012 Motion to vote bill do pass failed S General Laws Committee

EFFECTIVE: Emergency Clause

\*\*\* SB 707 \*\*\*

5435S.011

SENATE SPONSOR: Cunningham

SB 707 - Under this act, if a health carrier or health benefit plan provides coverage for diagnostic radiology testing and if a treating physician presents an order for a test to a radiology benefits manager for prior authorization, a decision to deny the authorization shall only be made by a licensed physician. When any decision to deny an authorization for diagnostic testing is made, the treating physician and the patient must be furnished with the name, address, telephone number, and employer of the radiology benefits manager physician who is making the denial decision.

When a carrier, plan, or radiology benefits manager authorizes a test, the authorization will satisfy any requirement of medical necessity in the carrier's or plan's policy of benefits and the claim for payment shall be timely paid unless there was fraud on the part of the provider in procuring the authorization.

Electronic clinical decision support tools which offer ordering guidance to physicians and can document the clinical appropriateness of the order are not subject to the provisions of this act.

This act is similar to HB 982 (2011).

ADRIANE CROUSE

01/26/2012 S First Read--SB 707-Cunningham (S155)

02/02/2012 Second Read and Referred S General Laws Committee (S195)

02/07/2012 Hearing Conducted S General Laws Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 708 \*\*\*

5252S.011

SENATE SPONSOR: Wasson

SB 708 - This act extends the sunset from December 2013 to December 2016 on the section of law that creates the tax credit for certain taxpayers who modify their homes to make them accessible for a disabled resident.

Currently, the Rebuilding Communities tax credit program has a ten million dollar annual cap. If there are tax credits remaining under the cap, up to 100,000 dollars of this tax credit cap shall first be used for the residential dwelling accessibility tax credit. This act repeals the requirement that tax credits under the Rebuilding Communities tax credit cap be provided to the residential dwelling accessibility tax credit.

EMILY KALMER

01/26/2012 S First Read--SB 708-Wasson (S155)

02/02/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S195)

EFFECTIVE: August 28, 2012

\*\*\* SB 709 \*\*\*

5485S.02I

SENATE SPONSOR: Schaaf

SB 709 - This act provides that no person receiving food stamps assistance, temporary assistance for needy families benefits, low income home energy assistance or MO HealthNet services shall be permitted entry into any portion of a riverboat gaming floor except if such person is employed by the gaming facility and is on the premises to perform the duties of the employment.

The Department of Social Services shall submit the names of persons receiving such public assistance to the Missouri Gaming Commission to be placed on the List of Disassociated Persons under Missouri's Voluntary Self-Exclusion Program for problem gamblers. Any rules promulgated for the voluntary self-exclusion program shall apply to the disqualified persons under this act.

The gaming commission shall remove a person from the list under this act when such person no longer receives any of the public assistance programs listed above. The department shall notify the Gaming Commission when a disqualified person no longer receives such assistance.

Any person under this act who is identified on a Missouri gaming floor shall be guilty of trespass and all chips, tokens and electronic credits in such person's possession at the time of discovery shall be subject to forfeiture.

ADRIANE CROUSE

01/26/2012 S First Read--SB 709-Schaaf (S155)

02/02/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S195)

EFFECTIVE: August 28, 2012

\*\*\* SB 710 \*\*\*

SCS SB 710

4886S.05C

SENATE SPONSOR: Engler

SS#2/SCS/SB 710 - LIMITATION ON QUANTITY AND OUT-OF-STATE PRESCRIPTIONS - A pharmacist, in good faith, may sell and dispense controlled substances to any person upon a prescription of a practitioner located in another state, provided that:

- (1) The prescription was issued according to and in compliance with the applicable laws of that state and the United States; and
- (2) The quantity limitations in this state apply to patients located in this state. SECTION 195.060

Currently, the quantity of Schedule III, IV or V controlled substances dispensed at any one time is limited to a 90-day supply with the ability to increase the amount up to 3 months under certain circumstances. This act provides that such supply limitations shall not apply if the prescription is issued by a practitioner located in another state according to and in compliance with the applicable laws of that state and the United States and dispensed to a patient located or residing in another state. SECTION 195.080

#### PRESCRIPTION DRUG MONITORING ACT

This act establishes the Prescription Drug Monitoring Act. The Department of Health and Senior Services is required to establish and maintain a program to monitor the prescribing and dispensing of all Schedule II through Schedule IV controlled substances by all licensed professionals who prescribe or dispense these substances in Missouri. The provisions of this act shall be funded with federal or private moneys.

A dispenser shall electronically submit to the department information for each prescription and specify the frequency of the submissions. The department may 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 paper format or by other approved means. The department shall reimburse each dispenser for the fees and other direct costs of transmitting the information required by this act.

All submitted prescription information shall be kept confidential with specified exceptions. This act authorizes the release of non-personal, general information for statistical, educational, and research purposes. The department shall review the dispensation information and, if there is reasonable cause to believe a violation of law or breach of professional standards may have occurred, the department shall notify the appropriate law enforcement or professional regulatory entity and provide dispensation information

required for an investigation.

Dispensers who knowingly fail to submit the required information or who knowingly submit incorrect dispensation information shall be subject to a \$1,000 administrative penalty per violation. Any persons authorized to have dispensation information who knowingly disclose such information or who use it in a manner and for a purpose in violation of the act shall be guilty of a Class A misdemeanor.

The department shall create and implement an educational course regarding the provisions of this act and, when appropriate, shall work with associations for impaired professionals to ensure the intervention, treatment, and ongoing monitoring of patients who have been identified as being addicted to substances monitored by the act.

The Bureau of Narcotics and Dangerous drugs within the department shall establish, beginning January 1, 2014, a two -year statewide pilot project for the reporting of fraudulently obtained prescription controlled substances. The bureau shall submit on or before February 1, 2014, a report to the General Assembly detailing the specified information regarding the pilot project.

The provisions of the act regarding the pilot project shall expire three years from the effective date and the other provisions of the act shall expire six years from the effective date of this act. SECTIONS 195.450 TO 195.477

#### PHYSICIAN ASSISTANT PRESCRIPTIONS

Under current law, physician assistants who are authorized to prescribe controlled substances shall register with the federal Drug Enforcement Administration and the State Bureau of Narcotics and Dangerous Drugs and shall include such registration numbers on prescriptions for controlled substances. This amendment requires the physician assistants to only include the registration number from the Drug Enforcement Administration on the prescriptions. SECTION 334.747

These provisions are similar to HCS/HB 1193 (2012) and to portions of SB 785 (2012).

ADRIANE CROUSE

01/26/2012 S First Read--SB 710-Engler, et al (S155)  
 02/02/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S195)  
 02/13/2012 Hearing Conducted S Financial and Governmental Organizations and Elections Committee  
 02/20/2012 SCS Voted Do Pass S Financial and Governmental Organizations and Elections Committee (4886S.05C)  
 02/23/2012 Reported from S Financial and Governmental Organizations and Elections Committee to Floor w/SCS (S320)  
 02/29/2012 Bill Placed on Informal Calendar (S360)  
 03/05/2012 SS for SCS S offered (Engler)--(4886S.06F) (S394)  
 03/05/2012 SA 1 to SS for SCS S offered (Schaaf)--(4886S06.01S) (S394-395)  
 03/05/2012 Bill Placed on Informal Calendar (S395)  
 03/20/2012 Taken up for perfection (S473)  
 03/20/2012 Bill Placed on Informal Calendar (S474)  
 03/28/2012 SS for SCS S withdrawn (S536)  
 03/28/2012 SS#2 for SCS S offered (Engler)--(4886S.08F) (S536-537)  
 03/28/2012 Bill Placed on Informal Calendar (S537)  
 04/16/2012 S Informal Calendar S Bills for Perfection--SB 710-Engler, et al, with SCS & SS#2 for SCS (pending)

EFFECTIVE: August 28, 2012

\*\*\* SB 711 \*\*\*

SCS SB 711

5423S.02P

SENATE SPONSOR: Lamping

SCS/SB 711 - This act provides that the race or ethnicity of the adoptive child, the child's biological parents or the prospective adoptive parents shall not be a consideration when determining the best interests of the child, the welfare of the child, the suitability or assessment of prospective adoptive parents or the home of the prospective adoptive parents in adoptive placements. As to any Native American child placed in protective custody, the division shall comply with current federal placement requirements.

ADRIANE CROUSE

01/26/2012 S First Read--SB 711-Lamping (S155)  
 02/02/2012 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S195)  
 02/21/2012 Hearing Conducted S Health, Mental Health, Seniors and Families Committee  
 02/28/2012 SCS Voted Do Pass S Health, Mental Health, Seniors and Families Committee - (5423S.02C)  
 03/01/2012 Reported from S Health, Mental Health, Seniors and Families Committee to Floor w/SCS (S380)  
 03/06/2012 SCS S adopted (S401)  
 03/06/2012 Perfected (S401)  
 03/06/2012 Reported Truly Perfected S Rules Committee (S403)  
 03/08/2012 S Third Read and Passed (S427)  
 03/08/2012 H First Read (H596)  
 03/19/2012 H Second Read (H602)

EFFECTIVE: August 28, 2012

\*\*\* SB 712 \*\*\*

5349S.011

SENATE SPONSOR: Lamping

SB 712 - For the purposes of determining which children are special needs children, so that an individual may receive a tax credit for adopting a special needs child, this act prohibits ethnic background or membership in a minority group from being the sole factor that is used to consider a child who cannot be returned to his parents' home a special needs child.

EMILY KALMER

01/26/2012 S First Read--SB 712-Lamping (S155)  
 02/02/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S195)

EFFECTIVE: August 28, 2012

\*\*\* SB 713 \*\*\*

4355S.031

SENATE SPONSOR: Lamping

SB 713 - Current law allows for an adopted adult to obtain identifying information about the biological parents if the biological parents are deceased or the biological parent consents. This act modifies the provision in current law allowing for identifying information to be obtained from a biological parent who is deceased by also allowing such information to be released if the biological parent is proven to be 100 years of age or older at the time of the request.

This act provides that identifying information regarding biological siblings may be released to the adopted adult if the identifying information regarding the biological parents is released in accordance with the procedures for requesting and obtaining such information.

This act also provides that if the court file does not contain information regarding the biological mother, the court shall request a copy of the original birth certificate from the state registrar in order to provide the requested identifying information to the adopted adult so long as all other requirements for the release of identifying information have been met.

ADRIANE CROUSE

01/26/2012 S First Read--SB 713-Lamping (S155)  
 02/02/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S195)

EFFECTIVE: August 28, 2012

\*\*\* SB 714 \*\*\*

SCS SB 714

5468S.03P

SENATE SPONSOR: Lager

SCS/SB 714 - This act modifies definition of recreational off-highway vehicle as found in Section 301.010. The act modifies the definition by increasing the width and weight limit of the vehicle. The width of a recreational off-highway vehicle is increased from 60 inches to 64 inches and the unladen dry weight of the vehicle is increased from 1,850 pounds to 2000 pounds (Section 301.010).

Under the act, recreational off-highway vehicles shall not be operated on highways except for:

- (1) Governmental owned and operated recreational off-highway vehicles for official use;

- (2) Recreational off-highway vehicles operated for agricultural purposes or industrial on-premise purposes between sunrise and sunset;
- (3) Recreational off-highway vehicles operated within three miles of the operator's primary residence;
- (4) Recreational off-highway vehicles operated occasionally by handicapped persons for short distances only on the state secondary roads between the hours of sunrise and sunset.

Under the act, no person shall operate a utility vehicle in a careless way so as to endanger the person or property of another or while under the influence of alcohol or a controlled substance.

No person shall operate a recreational off-highway vehicle within any stream or river except by an operator who owns the property or has permission to be on the property on which the waterway flows through or when fording a low-water crossing.

A person operating a recreational off-highway vehicle on a highway shall have a valid operator's or chauffeur's license.

Under the terms of the act, an individual shall not operate a recreational off-highway vehicle upon on a highway in this state without displaying a lighted headlamp and a lighted tail lamp. A person may not operate a recreational off-highway vehicle upon a highway of this state unless such person wears a seat belt. When operated on a highway, a recreational off-highway vehicle shall be equipped with a roll bar or roll cage construction to reduce the risk of injury to an occupant of the vehicle in case of the vehicle's rollover.

A violation of the act is a Class C misdemeanor (Section 304.033).

STEPHEN WITTE

01/26/2012 S First Read--SB 714-Lager (S155)  
 02/02/2012 Second Read and Referred S Transportation Committee (S195)  
 02/08/2012 Hearing Conducted S Transportation Committee  
 02/15/2012 SCS Voted Do Pass S Transportation Committee - (5468S.03C)  
 03/01/2012 Reported from S Transportation Committee to Floor w/SCS (S380)  
 03/19/2012 SA 1 to SCS S offered & adopted (Lager)--(5468S03.02S) (S449)  
 03/19/2012 SCS, as amended, S adopted (S449)  
 03/19/2012 Perfected (S449)  
 03/19/2012 Reported Truly Perfected S Rules Committee (S453)  
 03/22/2012 S Third Read and Passed (S491)  
 03/22/2012 H First Read (H695)  
 03/23/2012 H Second Read (H702)

EFFECTIVE: August 28, 2012

\*\*\* SB 715 \*\*\*

SCS SB 715

5607S.02P

SENATE SPONSOR: Kraus

SCS/SB 715 - Currently the maximum age for service in the state militia is sixty-four. This act allows the adjutant general to waive the age limit on a case-by-case basis.

Provisions relating to a procedure for members of the state military to file complaints regarding their commanding officer are repealed.

This act is similar to HB 1105 (2012).

MIKE HAMMANN

01/30/2012 S First Read--SB 715-Kraus (S165)  
 02/02/2012 Second Read and Referred S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee (S195)  
 02/09/2012 Hearing Conducted S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee  
 03/08/2012 SCS Voted Do Pass S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee - (5607S.02C)  
 03/22/2012 Reported from S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee to Floor w/SCS (S498)  
 03/22/2012 Returned to S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee (S500)  
 03/29/2012 Reported from S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee to Floor w/SCS (S566)  
 04/04/2012 SCS S adopted (S610)

04/04/2012 Perfected (S610)  
 04/04/2012 Reported Truly Perfected S Rules Committee (S611)  
 04/05/2012 S Third Read and Passed (S625-626)  
 04/05/2012 H First Read (H971)  
 04/10/2012 H Second Read (H977)  
 04/12/2012 Referred H Veterans Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 716 \*\*\*

5615S.011

SENATE SPONSOR: Schaaf

SB 716 - 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.

This act is identical to SB 98 (2011).

STEPHEN WITTE

01/30/2012 S First Read--SB 716-Schaaf (S165)  
 02/02/2012 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S195)

EFFECTIVE: August 28, 2012

\*\*\* SB 717 \*\*\*

5556S.021

SENATE SPONSOR: Stouffer

SB 717 - This act creates the traffic offense of distracted driving. Under the terms of the act, a person commits the offense of distracted driving if the person, while operating a motor vehicle on the highways of this state:

- (1) Fails to give full time and attention to the operation of the motor vehicle;
- (2) Fails to maintain a proper lookout while operating a motor vehicle; or
- (3) Engages in any other activity which causes the operator to be distracted from the primary mission of driving such motor vehicle.

A person who violates the provisions of the act shall be guilty of a Class C misdemeanor, unless an accident is involved then it shall be a Class A misdemeanor.

STEPHEN WITTE

01/30/2012 S First Read--SB 717-Stouffer (S165)  
 02/02/2012 Second Read and Referred S Transportation Committee (S195)  
 02/15/2012 Hearing Conducted S Transportation Committee  
 02/22/2012 Voted Do Pass S Transportation Committee  
 02/23/2012 Reported from S Transportation Committee to Floor (S320)  
 02/29/2012 Bill Placed on Informal Calendar (S360)  
 04/16/2012 S Informal Calendar S Bills for Perfection--SB 717-Stouffer

EFFECTIVE: August 28, 2012

\*\*\* SB 718 \*\*\*

5438S.011

SENATE SPONSOR: Stouffer

SB 718 - This act modifies provisions relating to the Department of Mental Health Employment Disqualification Registry (EDR).

This act provides uniformity to all of the provisions relating to the EDR by specifying that such provisions apply to the following mental health facilities: any public or private facility, day program, residential facility, or specialized service operated, licensed, certified, accredited, in possession of deemed status or funded by the Department of Mental Health by or to any mental health facility or mental health program in which people are admitted on a voluntary or involuntary basis or are civilly detained.

Current law requires the person disqualified from employment under the EDR to seek an exception to the disqualification through a written request to the director of the department no more than once every twelve months. This act changes the time line to no more than once every six months.

Any person placed on the EDR prior to August 28, 2012, may be removed from the registry by the director or designee if in the judgment of the director or designee a clear showing has been made, by written submission only, that the person will not commit any additional acts for which the person had originally been disqualified for or any other acts that would be harmful to a patient, resident, or client of a facility, program, or service.

Current law requires an applicant for a direct care position in any of the named mental health facilities to sign certain consent forms for a criminal record review and to disclose previous employment disqualifications. This act no longer restricts the requirement to just direct care positions.

Mental health facilities or mental health programs in which people are admitted on a voluntary basis or are civilly detained are included amongst the list of other Department of Mental Health facilities who are required to request a criminal background check and to check the employee disqualification registries from the Department of Mental Health, Department of Health and Senior Services and Department of Social Services for new employees who will have contact with clients, residents or patients. Any of these facilities that decline to employ or discharge a person who is disqualified under the provisions of this act shall be immune from suit by that person for the failure to employ or for the discharge of the person due to disqualification.

A provider is guilty of a Class A misdemeanor if the provider hires a person to hold any position knowing that such person has been disqualified under the provisions of this act.

Any employer who is required to discharge an employee because the employee was placed on the EDR after the date of hire shall not be charged for unemployment insurance benefits based on wages paid to the employee for work prior to the date of discharge.

Under current law, the Department of Mental Health is allowed to maintain the EDR. This act requires the department to do so. This act specifies the procedures for appealing a decision to have an employee placed on the EDR as well as delineating how the department determines the length of time the person's name shall appear on the EDR.

The department shall provide the EDR to other state and federal agencies upon request. The department may also provide the EDR to any of the mental health facilities falling under this act. The department may also provide the EDR to a recognized school of nursing, medicine, or other health profession for the purpose of determining whether students scheduled to participate in clinical rotations are included in the EDR.

ADRIANE CROUSE

01/30/2012 S First Read--SB 718-Stouffer (S165)

02/02/2012 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S195)

02/21/2012 Hearing Conducted S Health, Mental Health, Seniors and Families Committee

04/03/2012 Voted Do Pass S Health, Mental Health, Seniors and Families Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 719 \*\*\*

SS SCS SB 719

5618S.04P

SENATE SPONSOR: Kehoe

HOUSE HANDLER: Brown

SS/SCS/SB 719 - Under this act, any person or company that rents or sells vessels may issue temporary boating safety identification cards to nonresidents to operate rented vessels or vessels being considered for

sale, for a period of up to 7 days, provided that the individual meets the minimum age requirements for operating a vessel in this state. In order to qualify for the temporary boating safety identification card, the applicant shall sign an affidavit that he or she has reviewed the Missouri State Highway Patrol Handbook of Missouri Boating Laws and Responsibilities. The Missouri State Highway Patrol shall charge a fee of \$9 for the temporary boating safety identification card. Nonresidents shall not be eligible for more than one temporary boating safety identification card. Under the act, the Missouri State Highway Patrol is authorized to develop the temporary boating safety identification card. The act requires businesses that issue temporary boating safety identification cards to transmit the applicant's information and payment to the Missouri State Highway Patrol using an electronic online registration process developed and provided by the patrol. The electronic online registration process shall allow the applicant to pay the \$9 fee by credit card, debit card, or other commercially approved electronic method.

The act imposes a sunset date of December 31, 2022, on the nonresident temporary boating safety identification card program.

This act contains an emergency clause.

STEPHEN WITTE

01/30/2012 S First Read--SB 719-Kehoe (S165)  
 02/02/2012 Second Read and Referred S Transportation Committee (S195)  
 02/08/2012 Hearing Conducted S Transportation Committee  
 02/15/2012 SCS Voted Do Pass S Transportation Committee - (5618S.02C)  
 02/16/2012 Reported from S Transportation Committee to Floor w/SCS (S286)  
 02/20/2012 Bill Placed on Informal Calendar (S293)  
 02/22/2012 SS for SCS S offered & adopted (Kehoe)--(5618S.04F) (S307)  
 02/22/2012 Perfected (S307)  
 02/22/2012 Reported Truly Perfected S Rules Committee (S310)  
 02/23/2012 S Third Read and Passed - EC adopted (S324-325)  
 02/23/2012 H First Read (w/EC) (H431)  
 02/27/2012 H Second Read (H435)  
 03/05/2012 Referred H Tourism & Natural Resources Committee (H493)  
 03/22/2012 Hearing Conducted H Tourism & Natural Resources Committee  
 03/29/2012 Voted Do Pass H Tourism & Natural Resources Committee  
 03/29/2012 Reported Do Pass H Tourism & Natural Resources Committee (H847)  
 03/29/2012 Referred to Rules Committee pursuant to Rule 25(32)(f)

EFFECTIVE: Emergency clause

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\*\*\* SB 720 \*\*\*

5230S.011

SENATE SPONSOR: Kehoe

SB 720 - Under current law, a criminal defendant whose case is filed in a county with prisons that have an annual average population of more than 2,000 prisoners must follow certain procedures to obtain a change of venue.

This act reduces the population threshold, so that defendants in counties with prisons that have annual populations in excess of 1,000 prisoners must follow the specified venue change procedures.

MEGHAN LUECKE

01/30/2012 S First Read--SB 720-Kehoe (S165)  
 02/02/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S195)

EFFECTIVE: August 28, 2012

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\*\*\* SB 721 \*\*\*

SB 721

5478S.01P

SENATE SPONSOR: Rupp

SB 721 - Currently, if after having a hearing, a tax increment financing commission makes a recommendation in opposition to the proposed redevelopment plan, project, or area, the county, city, town, or village may only approve the plan by a two-thirds majority vote of the governing body of the county, city, town, or village. This act prohibits St. Louis County, St. Charles County, and Jefferson County, and cities, towns, and villages in these counties from approving a proposed redevelopment plan, unless a majority of the members of a county, city, town, or village tax increment financing commission vote to make a recommendation approving the plan, or the plan is approved by two-thirds of the voters of the county.



EMILY KALMER

01/31/2012 S First Read--SB 721-Rupp (S171)  
 02/02/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S195)  
 03/08/2012 Hearing Conducted S Ways and Means and Fiscal Oversight Committee  
 03/29/2012 Voted Do Pass S Ways and Means and Fiscal Oversight Committee  
 03/29/2012 Reported from S Ways and Means and Fiscal Oversight Committee to Floor (S566)  
 04/03/2012 Perfected (S597)  
 04/03/2012 Reported Truly Perfected S Rules Committee (S602)  
 04/05/2012 S Third Read and Passed (S622)  
 04/05/2012 H First Read (H971)  
 04/10/2012 H Second Read (H977)

EFFECTIVE: August 28, 2012

\*\*\* SB 722 \*\*\* SCS SB 722

5353S.05P

SENATE SPONSOR: Lamping

SCS/SB 722 - This act creates the "Iran Energy Divestment Act" which bars entities that invest in the energy sector in Iran from making contracts in excess of \$1 million with the state and political subdivisions. Entities wishing to make public contracts shall certify that they are not investors in the energy sector in Iran. Upon a determination by the Attorney General, entities that falsely certify shall be subject to a penalty of \$250,000. In addition, contracts shall be terminated and the entity shall be ineligible to bid on and enter into public contracts for 3 years.

CHRIS HOGERTY

01/31/2012 S First Read--SB 722-Lamping (S171)  
 02/02/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S195)  
 02/20/2012 Hearing Conducted S Financial and Governmental Organizations and Elections Committee  
 02/27/2012 SCS Voted Do Pass S Financial and Governmental Organizations and Elections Committee - (5353S.05C)  
 03/01/2012 Reported from S Financial and Governmental Organizations and Elections Committee to Floor w/SCS (S380)  
 03/06/2012 Bill Placed on Informal Calendar (S401)  
 03/07/2012 SCS S adopted (S412)  
 03/07/2012 Perfected (S412)  
 03/07/2012 Reported Truly Perfected S Rules Committee (S414)  
 03/08/2012 S Third Read and Passed (S429)  
 03/08/2012 H First Read (H596)  
 03/19/2012 H Second Read (H602)

EFFECTIVE: August 28, 2012

\*\*\* SB 723 \*\*\*

5366S.02I

SENATE SPONSOR: Ridgeway

SB 723 - This act modifies provisions of law regarding property tax assessment.

Currently, county assessors are required to use the trade-in value published in the October issue of the National Automobile Dealers' Association Official Used Car Guide as the recommended guide for information for determining the value of motor vehicles for personal property tax purposes. This act requires the assessor to use the lowest applicable trade-in value from a issue that is current in October of the assessment year of any nationally recognized motor vehicle valuation guide.

Under current law taxpayers are required to appeal the assessment of their property to their county board of equalization by a particular date each year. The county boards of equalization meet at particular times to consider these appeals. If the taxpayer decides to further appeal the decision of the board of equalization regarding their assessment, they must appeal to the State Tax Commission by September 30th of the year in which the ruling was made. This act eliminates these deadlines for appealing property assessment, eliminates the specific time frames for meetings of the county boards of equalization, and requires the boards of equalization to render a decision within thirty days of the filing of the taxpayer's appeal.

Currently, a taxpayer is entitled to an award of the costs of appeal and reasonable attorney's fees on a

challenge of the assessor's determination, if the assessor classifies real property under a classification that is contrary to or in conflict with a determination by the state tax commission or a court. This act requires that a taxpayer also receive the costs of appeal and reasonable attorney's fees when the assessor values the property incorrectly.

Provisions of this act are similar to SB 591 (2012) and HB 955 (2011).

EMILY KALMER

01/31/2012 S First Read--SB 723-Ridgeway (S171)

02/02/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S195)

EFFECTIVE: August 28, 2012

\*\*\* SB 724 \*\*\*

5132S.011

SENATE SPONSOR: Crowell

SB 724 - Current law requires that a state agency administering a tax credit verify with the Department of Revenue and the Department of Insurance, Financial Institutions and Professional Registration that the applicant for the tax credit is not delinquent on certain state taxes. This act requires the state agency to also verify that the applicant for the tax credit does not owe any delinquent property taxes or federal taxes.

Currently, if the applicant for the tax credit is delinquent on these state taxes, the agency may authorize tax credits, but the amount of tax credits issued is reduced by the amount of the applicant's delinquency. This act prohibits the state agency from authorizing the tax credit application, until the applicant for the tax credit has remedied the delinquent taxes, or made arrangements to remedy the delinquent taxes.

EMILY KALMER

01/31/2012 S First Read--SB 724-Crowell (S172)

02/02/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S195)

02/23/2012 Hearing Scheduled But Not Heard S Ways and Means and Fiscal Oversight Committee

03/08/2012 Hearing Conducted S Ways and Means and Fiscal Oversight Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 725 \*\*\*

5133S.011

SENATE SPONSOR: Crowell

SB 725 - This act prohibits a municipality from adopting a redevelopment plan under the Real Property Tax Increment Allocation Redevelopment Act, unless the municipality finds that the developer, and any business that the developer holds more than a two percent ownership interest in, does not owe any delinquent federal, state, or local taxes, or interest or penalties on these taxes.

EMILY KALMER

01/31/2012 S First Read--SB 725-Crowell (S172)

02/02/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S196)

EFFECTIVE: August 28, 2012

\*\*\* SB 726 \*\*\*

SCS SB 726

5514S.02P

SENATE SPONSOR: Parson

SCS/SB 726 - This act modifies provisions relating to mortgage loan brokers making loans on manufactured homes or modular units. The restriction against charging points or fees on residential real estate loans shall no longer apply to these individuals. Missouri licensed residential mortgage loan brokers with 75% or more of their gross income in Missouri coming from loans secured by manufacture homes or modular units will not be required to maintain an office in the state. They still must obtain a certificate of authority from the secretary of state and file an irrevocable consent to Missouri venue for actions brought against them. The Division of Finance may assess reasonable costs for certain investigations against mortgage loan brokers conducting business but not having an office in the state.

This act is similar to HB 1309 (2012).

MIKE HAMMANN

01/31/2012 S First Read--SB 726-Parson (S172)

02/02/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S196)  
 02/20/2012 Hearing Conducted S Financial and Governmental Organizations and Elections Committee  
 02/27/2012 SCS Voted Do Pass S Financial and Governmental Organizations and Elections Committee - (5514S.02C)  
 03/01/2012 Reported from S Financial and Governmental Organizations and Elections Committee to Floor w/SCS (S380)  
 03/06/2012 SCS S adopted (S401)  
 03/06/2012 Perfected (S401)  
 03/06/2012 Reported Truly Perfected S Rules Committee (S403)  
 03/08/2012 S Third Read and Passed (S426-427)  
 03/08/2012 H First Read (H597)  
 03/19/2012 H Second Read (H602)  
 04/03/2012 Referred H Financial Institutions Committee (H893)  
 04/11/2012 Hearing Conducted H Financial Institutions Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 727 \*\*\*

SS SB 727

5619S.05P

SENATE SPONSOR: Schaaf

SS/SB 727 - This act, to be known as the "Low-Wage Trap Elimination Act", requires the Children's Division within the Department of Social Services, subject to appropriations, to implement a child care subsidy benefit pilot program in at least one rural county and in at least one urban child care center that serves at least 300 families by January 1, 2013, to be known as the "Hand-Up Program".

The Program will be voluntary, and shall be designed such that a participating recipient will not be faced with a sudden loss of full child care benefits should the recipient's income rise above the maximum allowable monthly income for persons to full receive child care benefits. The recipient shall be permitted to continue to receive such benefits if the recipient pays a premium to be applied only to that portion of the recipient's income above such maximum allowable monthly income for the receipt of child care benefits.

The premium shall be 44 percent of the recipient's excess adjusted gross income over the maximum allowable monthly income for the applicable family size for the receipt of child care benefits. The premium shall be paid on a monthly basis by the participating recipient. The Division shall develop a payroll deduction program in conjunction with the Department of Revenue, and shall promulgate rules for the payment of premiums owed under the Hand-Up Program. Participating recipients who fail to pay the premium owed shall be removed permanently from the Program after 60 days of non-payment.

Participating recipients may be eligible to receive child care service benefits at income levels all the way up to the level at which a person's premium equals the value of the child care service benefits received by the recipient.

Only those recipients who currently receive child care benefits as of joining the Program and who had been receiving child care service benefits continuously on or before August 28, 2012, shall be eligible to participate in the Program. Only those recipients who agree to the terms of the Hand-Up Program during a 90 day sign-up period shall be allowed to participate in the Program. A participating recipient shall be allowed to opt out of the Program at any time, but such person shall not be allowed to participate in the program a second time.

The Division shall issue an annual report to the General Assembly by January 1 2014, and annually on January 1 thereafter, detailing, among other requirements, the effectiveness of the pilot program in encouraging recipients to increase their income levels above the income maximum applicable to each recipient.

The "Hand-Up Program Premium Fund", is created and shall consist of premiums collected under this act. All premiums received under the Program shall be deposited in the fund out of which the cost of administering the hand-up program shall be paid, as well as the necessary payments to the federal government, if required by federal law, and to the state general revenue fund. Child care benefits provided under the Hand-Up Program shall continue to be paid for as under the existing state child care assistance program.

The Division shall pursue all necessary waivers from the federal government to implement the pilot program and shall promulgate rules to implement the provisions of the act.

This act contains a three-year sunset provision.

ADRIANE CROUSE

02/01/2012 S First Read--SB 727-Schaaf (S178)  
 02/02/2012 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S196)  
 02/14/2012 Hearing Conducted S Health, Mental Health, Seniors and Families Committee  
 02/21/2012 Voted Do Pass S Health, Mental Health, Seniors and Families Committee  
 02/23/2012 Reported from S Health, Mental Health, Seniors and Families Committee to Floor (S320)  
 02/29/2012 Bill Placed on Informal Calendar (S360)  
 03/05/2012 SS S offered (Schaaf)--(5619S.05F) (S394)  
 03/05/2012 Bill Placed on Informal Calendar (S394)  
 03/21/2012 SA 1 to SS S offered & adopted (Chappelle-Nadal)--(5619S05.01S) (S483)  
 03/21/2012 SS, as amended, S adopted (S483)  
 03/21/2012 Bill Placed on Informal Calendar (S483)  
 04/03/2012 Perfected (S594)  
 04/03/2012 Reported Truly Perfected S Rules Committee (S596)  
 04/03/2012 Referred S Ways & Means and Fiscal Oversight Committee (S602)  
 04/05/2012 Voted Do Pass S Ways & Means and Fiscal Oversight Committee  
 04/05/2012 Reported from S Ways & Means and Fiscal Oversight Committee to Floor (S618)  
 04/05/2012 S Third Read and Passed (S622)  
 04/05/2012 H First Read (H972)  
 04/10/2012 H Second Read (H977)

EFFECTIVE: August 28, 2012

\*\*\* SB 728 \*\*\*

5599S.011

SENATE SPONSOR: Pearce

SB 728 - This act modifies provisions relating to veterans' affairs. The honorably discharged veteran requirement is removed for administrative assistants working for the Missouri Veterans' Commission. Criteria for admission to veterans' homes is solely by veteran status as defined by the United States Department of Veterans. The health care services provided by a veterans' home is expanded to include skilled nursing care. Payments by residents of veterans' homes having a regular source of income is changed from the tenth to the last day of each month.

Funds issued to veterans' service officer programs from the Veterans Commission Capital Improvement Trust Fund can be used for training, outreach, or matching fund grants from other sources. The amount of funds paid out annually is increased from one million five hundred thousand to one million six hundred thousand dollars. A maximum of ten percent of this amount can be used for outreach and training. The training is to be between the veterans service organizations and the Missouri Veterans Commission, with the commission coordinating the training. The remainder of the amount paid out from the fund is for matching grants.

MIKE HAMMANN

02/01/2012 S First Read--SB 728-Pearce (S178)  
 02/02/2012 Second Read and Referred S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee (S196)  
 02/09/2012 Hearing Conducted S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 729 \*\*\*

SCS SB 729

5641S.03P

SENATE SPONSOR: Schaefer

SCS/SB 729 - Under this act, Boone and Greene counties are not required to obtain bids on purchases of \$6,000 or less. Such amount is set at \$4,500 for counties under current law.

Under current law, counties may waive competitive bidding when the County Commission determines that there is only one feasible source for the supply. The commission must post notice for such proposed purchases of at least \$3,000 and also advertise in the newspaper for such purchases of at least \$5,000.

This act changes the notice and advertising requirements for Boone and Greene counties, so they are

only required to advertise and post notice on such proposed purchases when they exceed \$6,000.

This act is similar to SB 871 (2010), SB 1254 (2008), certain provisions of SS/SCS/HB 376 (2009), HCS/SB 386 (2009), and SB 256 (2009).

MEGHAN LUECKE

02/01/2012 S First Read--SB 729-Schaefer (S178)  
 02/02/2012 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S196)  
 02/15/2012 Hearing Conducted S Jobs, Economic Development and Local Government Committee  
 02/22/2012 SCS Voted Do Pass S Jobs, Economic Development and Local Government Committee - (5641S.03C)  
 03/22/2012 Reported from S Jobs, Economic Development and Local Government Committee to Floor w/SCS (S501)  
 04/03/2012 SCS S adopted (S596)  
 04/03/2012 Perfected (S596)  
 04/03/2012 Reported Truly Perfected S Rules Committee (S602)  
 04/05/2012 S Third Read and Passed (S624)  
 04/05/2012 H First Read (H972)  
 04/10/2012 H Second Read (H977)  
 04/12/2012 Referred H Local Government Committee  
 04/18/2012 Hearing Scheduled H Local Government Committee--(8:00 a.m. - HHR 7)

EFFECTIVE: August 28, 2012

\*\*\* SB 730 \*\*\*

5642S.011

SENATE SPONSOR: Schaefer

SB 730 - This act allows Boone County to adopt, by order or ordinance, regulations to control the minimum standards of occupancy for residential units rented or leased and also to develop a program for licensing and inspecting the units. The county may recover the costs to administer the program through establishing reasonable fees.

This act is identical to SB 830 (2010) and is similar to SB 247 (2009).

MEGHAN LUECKE

02/01/2012 S First Read--SB 730-Schaefer (S178)  
 02/02/2012 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S196)  
 02/15/2012 Hearing Conducted S Jobs, Economic Development and Local Government Committee  
 02/22/2012 Voted Do Pass S Jobs, Economic Development and Local Government Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 731 \*\*\*

5232S.011

SENATE SPONSOR: Brown

SB 731 - This act establishes the child custody and visitation rights of a deploying military parent. A deploying parent is a military parent who has received written orders to deploy with the United States Army, Navy, Air Force, Marine Corps, Coast Guard, National Guard, or any other reserve component.

This act provides that if a deploying parent is required to be separated from a child, a court shall not enter a final order modifying the terms of custody or visitation contained in an existing order until 90 days after the deployment ends. Deployment or the potential for future deployment shall not be the sole factor supporting a change in circumstances or grounds sufficient to support a permanent modification of the custody or visitation terms established in an existing order.

#### EXISTING COURT ORDERS

This act provides that a custody or visitation order may be temporarily modified to make reasonable accommodation for the parties due to the deployment. Such temporary order shall also specify the terms of custody or visitation during the deployment and for when there is leave time for the deploying parent. Procedures are delineated for the deploying parent to obtain an expedited hearing in any custody or visitation matters.

This act requires the nondeploying parent to provide 30-day advance notice to the court and to the deploying parent of any change of address and contact information, except in instances where there is a valid order of protection in effect requiring the confidentiality of the nondeploying parent's contact information. In such instances the information shall only be given to the court.

#### AFTER DEPLOYMENT

A temporary modification shall automatically end no later than 30 days after the return of the deploying parent and the original terms of the custody or visitation order in place at the time of deployment are automatically reinstated.

The court may also conduct an expedited or emergency hearing within 10 days of the filing of a motion regarding custody or visitation upon return of the deploying parent in cases alleging an immediate danger or irreparable harm to the child. The nondeploying parent shall bear the burden of showing that reentry of the custody or visitation order in effect before the deployment is no longer in the child's best interests.

The court shall set any nonemergency motion by the nondeploying parent for hearing within 30 days of the filing of the motion and this shall take precedence on the court's docket.

#### DELEGATION OF VISITATION RIGHTS

Upon motion of the deploying parent or upon motion of a family member of the deploying parent with his or her consent, the court may delegate his or her visitation rights, or a portion of such rights, to a family member with a close and substantial relationship to the minor child or children for the duration of the deployment if it is in the best interest of the child. Such rights shall terminate by operation of law upon the end of the deployment, as set forth under the act. There is a rebuttable presumption that delegation of rights shall not be permitted in instances of domestic violence on the part of the family member seeking the delegated visitation rights.

#### ADDITIONAL PROVISIONS

This act specifies certain obligations the nondeploying and deploying parent have toward each other under any order entered. A deploying parent is required to provide a copy of his or her orders to the nondeploying parent promptly and without delay prior to the deployment.

This act prohibits a court from counting any time periods during which the deploying parent did not exercise visitation due to military duties when determining whether a parent failed to exercise such rights. This act also specifies that any absence of a child from the state during a deployment after an order for custody has been entered must be denominated as a temporary absence for the purposes of the Uniform Child Custody Jurisdiction and Enforcement Act.

This act specifies how the court may award attorney's fees and court costs.

This act is substantially similar to HB 1296 (2012).

ADRIANE CROUSE

02/01/2012 S First Read--SB 731-Brown (S178)

02/02/2012 Second Read and Referred S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee (S196)

02/09/2012 Hearing Conducted S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee

EFFECTIVE: August 28, 2012

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\*\*\* SB 732 \*\*\*

5384S.011

SENATE SPONSOR: Curls

SB 732 - Under current law, a person commits the Class A felony of first-degree drug trafficking if such person distributes, delivers, manufactures or produces more than 150 grams of powder cocaine. The person is not eligible for probation or parole if the quantity of cocaine is more than 449 grams. Under a separate provision, a person commits the Class A felony of first-degree drug trafficking if the person distributes, delivers, manufactures, or produces more than 2 grams of crack cocaine and probation and parole are not available if the quantity is 6 grams or more.

Also, under the crime of second-degree drug trafficking, a person who possesses, purchases, or bring into the state more than 150 grams of powder cocaine is guilty of a Class B felony, which becomes a Class A felony if the quantity involved is 450 grams or more. Under a separate provision, the possession, purchase,

or movement into the state of more than 2 grams of crack cocaine is a Class B felony, which becomes a Class A felony if the quantity involved is 6 grams or more.

This act repeals the provisions specific to crack cocaine in the first- and second-degree drug trafficking statutes, so that the punishment for trafficking a certain amount of powder cocaine is the same punishment for trafficking the same amount of crack cocaine.

MEGHAN LUECKE

02/01/2012 S First Read--SB 732-Curls (S178-179)

02/02/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S196)

02/27/2012 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 733 \*\*\*

5568S.011

SENATE SPONSOR: Richard

SB 733 - This act makes grammatical and punctuation changes to sections of law dealing with the Life Sciences Research Trust Fund, the Missouri Science and Innovation Reinvestment Act, and the Seed Capital Tax Credit program. This act also repeals the section making changes from Senate Bill 7 passed in the First Extraordinary Session of 2011 contingent on the passage of another act during that session.

This act contains an emergency clause.

EMILY KALMER

02/01/2012 S First Read--SB 733-Richard, et al (S179)

02/02/2012 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S196)

EFFECTIVE: Emergency clause

\*\*\* SB 734 \*\*\*

5595S.011

SENATE SPONSOR: Richard

SB 734 - This act establishes the Missouri Works Job Training Program which combines several existing job training programs and modifies the eligibility requirements for the programs. The Missouri Works Job Training Program provides 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 as determined by labor market conditions, rather than for specified disciplines. The act also 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 community and technical colleges.

The provisions of the act will automatically sunset July 1, 2018, unless reauthorized.

This act is similar to provisions of HB 1246 (2012) and SB 296 (2011).

EMILY KALMER

02/01/2012 S First Read--SB 734-Richard (S179)

02/02/2012 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S196)

02/29/2012 Hearing Conducted S Jobs, Economic Development and Local Government Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 735 \*\*\*

4190S.031

SENATE SPONSOR: Nieves

SB 735 – 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. Admission must be based on the time of submission of an application. School districts or charter schools must give a preference to a sibling of students who are already enrolled. In addition, a student who enrolls in another school district or charter school for attendance in a virtual program may remain enrolled until completion of all grade levels

offered or until withdrawal. For purposes of state school aid, the student will be included in the average daily attendance of his or her school district of residence. The school district of residence must pay the district or charter school providing the virtual education an amount equal to seventy-two and one half percent of the previous year's statewide average current expenditure per average daily attendance but not to exceed the school district's current expenditure per average daily attendance, provided that the total amount paid by any district shall not exceed the total amount of state aid due to a district under the foundation formula.

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 similar to SB 329 (2011) and HB 463 (2011).

MICHAEL RUFF

02/01/2012 S First Read--SB 735-Nieves and Engler (S179)  
 02/02/2012 Second Read and Referred S Education Committee (S196)  
 03/28/2012 Hearing Conducted S Education Committee  
 04/11/2012 Voted Do Pass S Education Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 736 \*\*\*

4528S.01P

SENATE SPONSOR: Engler

HOUSE HANDLER: Gatschenberger

SB 736 - Currently, certain counties are required to spend at least twenty-five percent of the money coming to the county from the special road and bridge tax levied within a city or town on repairing and improving existing roads, streets, and bridges within the city or town where the money came from. This act exempts St. Francois County from this requirement.

EMILY KALMER

02/01/2012 S First Read--SB 736-Engler (S179)  
 02/02/2012 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S196)  
 02/08/2012 Hearing Conducted S Jobs, Economic Development and Local Government Committee  
 02/15/2012 Voted Do Pass S Jobs, Economic Development and Local Government Committee - Consent  
 02/16/2012 Reported from S Jobs, Economic Development and Local Government Committee to Floor - Consent (S287)  
 02/16/2012 Removed S Consent Calendar (S288)  
 02/21/2012 Reported from S Jobs, Economic Development and Local Government Committee to Floor (S299)  
 02/29/2012 Perfected (S356)  
 02/29/2012 Reported Truly Perfected S Rules Committee (S357)  
 03/01/2012 S Third Read and Passed (S373-374)  
 03/01/2012 H First Read (H482)  
 03/05/2012 H Second Read (H489)  
 03/06/2012 Referred H Local Government Committee (H517)  
 03/21/2012 Hearing Conducted H Local Government Committee  
 04/04/2012 Voted Do Pass H Local Government Committee  
 04/11/2012 Reported Do Pass H Local Government Committee (H1023)  
 04/11/2012 Referred to Rules Committee pursuant to Rule 25(32)(f) (H1023)

EFFECTIVE: August 28, 2012

\*\*\* SB 737 \*\*\*

5520S.03I

SENATE SPONSOR: Engler

SB 737 – This act restricts the Department of Elementary and Secondary Education from creating a report or publication related to the Missouri School Improvement Program that includes the data of any children in facilities serving neglected children or delinquent children in a district's aggregate scores unless the Department creates an annotation with the data collected only from the district's regularly enrolled students and an explanation.

MICHAEL RUFF



02/01/2012 S First Read--SB 737-Engler (S179)  
 02/02/2012 Second Read and Referred S Education Committee (S196)  
 02/15/2012 Hearing Conducted S Education Committee  
 02/22/2012 Voted Do Pass S Education Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 738 \*\*\*

5639S.021

SENATE SPONSOR: Stouffer

SB 738 - The act allows any person to kill a mountain lion in the state. The killing of a mountain lion must be reported to the Department of Conservation and the animal's body must be turned in to the Department within 24 hours.

ERIKA JAQUES

02/02/2012 S First Read--SB 738-Stouffer (S185)  
 02/09/2012 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S235)  
 02/29/2012 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 739 \*\*\*

4209S.021

SENATE SPONSOR: Keaveny

SB 739 - This act grants the authority to administrative hearing officers from the Department of Social Services to set aside or correct administrative child support decisions or orders and proposed administrative modifications of a judicial order. Such authority to set aside or correct decisions, orders or modifications must be done after written notice and an opportunity to respond to all parties. The act specifies the conditions and time frame under which the corrections can be made due to oversights and omissions or errors arising from mistake, fraud, surprise, misrepresentation, excusable neglect or inadvertence.

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 or proposed administrative modification of a judicial order if it is found the order, decision or modification was without subject matter or personal jurisdiction or due process and the order, decision or modification had not been filed with the court. No order, decision or modification may be vacated after 90 days from the mailing of the administrative decision, order, or proposed modification of a judicial order.

This act also specifies however, that no corrections shall be made during the court's review of the applicable administrative decision, order or proposed order as authorized under the judicial review procedures for such administrative decisions under Chapter 536, RSMo.

ADRIANE CROUSE

02/02/2012 S First Read--SB 739-Keaveny (S185)  
 02/09/2012 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S235)  
 03/20/2012 Hearing Conducted S Health, Mental Health, Seniors and Families Committee  
 04/03/2012 Voted Do Pass S Health, Mental Health, Seniors and Families Committee  
 04/12/2012 Reported from S Health, Mental Health, Seniors and Families Committee to Floor  
 04/16/2012 S Formal Calendar S Bills for Perfection--SB 739-Keaveny

EFFECTIVE: August 28, 2012

\*\*\* SB 740 \*\*\*

5685S.011

SENATE SPONSOR: Pearce

SB 740 - This act extends the aviation jet fuel sales and use tax exemption provided to common carriers in the interstate transportation of passengers and cargo from December 31, 2013 to December 31, 2023. The act also allows moneys in the aviation trust fund to be used for updating or establishing airport business plans and strategic plans at existing airports.

STEPHEN WITTE

02/02/2012 S First Read--SB 740-Pearce (S185)  
 02/09/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S235)

EFFECTIVE: August 28, 2012

\*\*\* SB 741 \*\*\*

5644S.011

SENATE SPONSOR: Parson

SB 741 - Under current law, law enforcement agencies involved in the federal forfeiture system must procure an independent audit of the federal seizures at the end of each fiscal year.

Under this act, the audit only has to be procured if the proceeds from the federal seizures exceed \$500,000.

MEGHAN LUECKE

02/02/2012 S First Read--SB 741-Parson (S185)

02/09/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S235)

EFFECTIVE: August 28, 2012

\*\*\* SB 742 \*\*\*

SS SB 742

5590S.04P

SENATE SPONSOR: Brown

SS/SB 742 - This act outlines the requirements for a health carrier to credential a health care practitioner within 90 days of receiving a completed application and to pay the practitioner for treatment services pending approval. "Credentialing" is defined as a health carrier's process of assessing and validating the qualifications of a practitioner to provide patient care services and act as a member of the health carrier's provider network. "Completed application" is defined as a practitioner's application to a health carrier that seeks such authorization for the practitioner to provide patient care services as a member of the health carrier's network and does not omit any information which is clearly required by the application form or the accompanying instructions.

The ninety-day deadline established in this act shall not apply if the application or subsequent verification of information indicates that the practitioner has:

- (1) A history of behavioral disorders or other impairments affecting the practitioner's ability to practice, including but not limited to substance abuse;
- (2) Disciplinary actions against the practitioner's license to practice imposed by any state or territory or foreign jurisdiction;
- (3) Had the practitioner's hospital admitting or surgical privileges or other organizational credentials or authority to practice revoked, restricted, or suspended based on the practitioner's clinical performance; or
- (4) A judgment or judicial award against the practitioner arising from a medical malpractice liability lawsuit.

The Department of Insurance, Financial Institutions and Professional Registration shall establish a mechanism for reporting alleged violations of this act to the Department.

A health carrier shall permit a practitioner to bill and be paid directly by the insurer for providing treatment services as of the date of receipt of the credentialing application to the enrollees of the health carrier while the credentialing application is under review except under specified limitations which are listed in the act. Some of the limitations include limiting the payment rate, refusing to list the practitioner in a directory or allowing a practitioner to be designated as an enrollee's primary care physician.

Nothing in this act shall require a health carrier to pay for treatment services which are excluded from the health carrier's benefit plan.

This act is substantially similar to HB 1490 (2012)

ADRIANE CROUSE

02/02/2012 S First Read--SB 742-Brown (S186)

02/09/2012 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S235)

02/28/2012 Hearing Conducted S Health, Mental Health, Seniors and Families Committee

03/06/2012 Voted Do Pass S Health, Mental Health, Seniors and Families Committee

04/05/2012 Reported from S Health, Mental Health, Seniors and Families Committee to Floor (S629)

04/10/2012 SS S offered &amp; adopted (Brown)--(5590S.04F) (S643-644)

04/10/2012 Perfected (S644)

04/11/2012 Reported Truly Perfected S Rules Committee (S651)

04/12/2012 S Third Read and Passed

EFFECTIVE: August 28, 2012

\*\*\* SB 743 \*\*\*

5693S.011

SENATE SPONSOR: Brown

SB 743 - 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 28 (2011), 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

02/02/2012 S First Read--SB 743-Brown (S186)  
02/09/2012 Second Read and Referred S Transportation Committee (S235)  
02/15/2012 Hearing Conducted S Transportation Committee  
02/22/2012 Voted Do Pass S Transportation Committee  
03/01/2012 Reported from S Transportation Committee to Floor (S380)  
03/19/2012 SA 1 S offered & defeated (Schaaf)--(5693S01.01S) (S450)  
03/19/2012 SA 2 S offered & Ruled out of order (Keaveny)--(5693S01.05S) (S450-452)  
03/19/2012 Bill Placed on Informal Calendar (S452)  
04/16/2012 S Informal Calendar S Bills for Perfection--SB 743-Brown

EFFECTIVE: August 28, 2012

\*\*\* SB 744 \*\*\*

SCS SB 744

5600S.03C

SENATE SPONSOR: Wright-Jones

SCS/SB 744 - This act removes a provision in current law that prohibited the Office of Administration from contracting with a private firm to provide armed security guards at the State Capitol. The act provides that the Office of Administration shall establish and maintain a system of video or digital camera surveillance for all public spaces within the State Capitol building. Such system shall be available to the Missouri Capitol police officers. Any records produced by the system shall only be used for official investigations of criminal offenses, shall be considered closed records under the Sunshine Law, and shall only be disclosed to a law enforcement agency in order for such agency to carry out its official duties.

This act contains an emergency clause.

JIM ERTLE

02/02/2012 S First Read--SB 744-Wright-Jones (S186)  
02/09/2012 Second Read and Referred S General Laws Committee (S235)  
02/21/2012 Hearing Conducted S General Laws Committee  
02/28/2012 SCS Voted Do Pass S General Laws Committee - (5600S.03C)  
03/01/2012 Reported from S General Laws Committee to Floor w/SCS (S381)  
03/05/2012 Corrected Committee Report Submitted (S391)  
03/20/2012 SA 1 to SCS S offered & withdrawn (Green)--(5600S03.03S) (S469-470)  
03/20/2012 SA 2 to SCS S offered (Green)--(5600S03.01F) (S470)  
04/16/2012 S Informal Calendar S Bills for Perfection--SB 744-Wright-Jones, with SCS & SA 2 (pending)

EFFECTIVE: Emergency Clause

\*\*\* SB 745 \*\*\*

5640S.011

SENATE SPONSOR: Lembke

SB 745 - This act provides that the constitutions and laws of the United States and the state of Missouri shall be interpreted, construed, applied, and enforced to fully protect the rights of an alternatives-to-abortion agency and its officers, agents, employees and volunteers to freely assemble and to freely engage in religious practices and speech without governmental interference.

A political subdivision of this state is preempted from enacting, adopting, maintaining, or enforcing any order or other similar measure that prohibits, restricts, limits, controls, directs, interferes with, or otherwise adversely affects an alternatives-to-abortion agency or its officers, agents, employees, or volunteers' assembly, religious practices, or speech, including but not limited to counseling, referrals, or education of,

advertising or information to, or other communications with, clients, patients, other persons, or the public.

Nothing in this act shall preclude or preempt a political subdivision of this state from exercising its lawful authority to regulate zoning or land use or to enforce a building or fire code regulation, provided that such political subdivision treats an alternatives-to-abortion agency in the same manner as a similarly situated agency and that such authority is not used to circumvent the intent of this section.

Alternatives-to-abortion agencies under this act include maternity homes and pregnancy resource centers as defined under current law or an agency or entity that has the primary purpose of providing services or counseling to pregnant women to assist such women in carrying their unborn children to term instead of having abortions, and to assist such women in caring for their dependent children or placing their children for adoption.

A court may order injunctive relief, recovery of damages, or both, as well as payment of reasonable attorney's fees, costs, and expenses or any other remedies permitted by law.

This act is identical to HB 1357 (2012).

ADRIANE CROUSE

02/02/2012 S First Read--SB 745-Lembke (S186)

02/09/2012 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S235)

03/06/2012 Hearing Conducted S Health, Mental Health, Seniors and Families Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 746 \*\*\*

5643S.011

SENATE SPONSOR: Schaefer

SB 746 - This act authorizes counties to seek voter approval for the extension of certain taxes which, by law, are set to terminate after a term of years and provides ballot language for the submission of such question to voters.

This act is identical to Senate Bill 827 (2010) and Senate Bill 257 (2009).

EMILY KALMER

02/02/2012 S First Read--SB 746-Schaefer (S186)

02/09/2012 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S236)

02/22/2012 Hearing Conducted S Jobs, Economic Development and Local Government Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 747 \*\*\*

5523S.021

SENATE SPONSOR: Schaefer

SB 747 – This act modifies the composition of the University of Missouri Board of Curators. One member of the board must be a student curator, who will have the right to vote on any matter before the board, including the hiring or firing of the president of the UM system, the general counsel, the secretary of the board, and the general officers of the university. The student curator cannot participate in decisions regarding the hiring or firing of faculty or staff. The student curator may be from any congressional district, which may also be the same as any member of the board. The first student curator will be appointed in January 2013, must be a graduate or professional student, and will serve a two-year term. The student curator replaces the non-voting student representative. This act also modifies the procedure for selecting the student curator if the university adds additional campuses.

This act is similar to HB 1257 (2012).

MICHAEL RUFF

02/02/2012 S First Read--SB 747-Schaefer (S186)

02/09/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S236)

03/05/2012 Hearing Conducted S Financial and Governmental Organizations and Elections Committee

04/10/2012 Motion to vote bill do pass failed S Financial and Governmental Organizations and Elections Committee

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EFFECTIVE: August 28, 2012

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\*\*\* SB 748 \*\*\*

5694S.011

SENATE SPONSOR: Brown

SB 748 - Currently, the Wood Energy Tax Credit program may not authorize further tax credits after June 30, 2013. This act allow tax credits to be authorized under this program until June 30, 2018. This act also prohibits more than four million five hundred thousand dollars in tax credits under this program in any fiscal year.

EMILY KALMER

02/02/2012 S First Read--SB 748-Brown (S186)

02/09/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S236)

EFFECTIVE: August 28, 2012

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\*\*\* SB 749 \*\*\*

SS SB 749

5697S.02P

SENATE SPONSOR: Lamping

SS/SB 749 - This act provides that the rights guaranteed under the act are in addition to the rights guaranteed under Section 376.805, relating to health plan coverage of abortion, and Section 376.1199, relating to health plan coverage of certain obstetrical and gynecological benefits and pharmaceutical coverage. No employee, self-employed person, or any other person shall be compelled to obtain coverage for, or be discriminated against or penalized for declining or refusing coverage for, abortion, contraception, or sterilization in a health plan if such items or procedures are contrary to the religious beliefs or moral convictions of such employee or person.

When an employee declines or refuses coverage for such items or procedures under this act, any health carrier shall make available and the employer shall provide an alternate health plan that excludes coverage for abortion, contraception, or sterilization if the use or provision of such items or procedures are contrary to the religious beliefs or moral convictions of such person or entity.

No employer, health plan provider, health plan sponsor, health care provider, or any other person or entity shall be compelled to provide coverage for, or be discriminated against or penalized for declining or refusing coverage for, abortion, contraception, or sterilization in a health plan if such items or procedures are contrary to the religious beliefs or moral convictions of such employer, health plan provider, health plan sponsor, health care provider, person, or entity

No such employee, self-employed person, employer, health plan provider, health plan sponsor, health care provider, or any other person or entity shall be discriminated against by any governmental entity, public official, or entity acting in a governmental capacity for failing to obtain or provide coverage for, pay for, participate in, or refer for such coverage because of such religious beliefs or moral convictions.

This act allows the Missouri Attorney General to bring a civil action in any appropriate state or federal court whenever there is reasonable cause to believe that the provisions of this act or other law that protects the religious beliefs or moral convictions of such entities or persons have been or is threatened to be violated.

Nothing in this act shall preclude a private cause of action by any person or entity aggrieved by a violation of this act or other law that protects the religious beliefs or moral convictions of such entities or persons, or be considered a limitation on any other remedy permitted by law. A court may order any appropriate relief, including recovery of damages, payment of reasonable attorney's fees, costs, and expenses.

"Sterilization" for purposes of the act is defined to mean any elective medical procedure for which the sole purpose is to make an individual incapable of reproduction, except that sterilization shall not mean when the procedure is for the purpose of making an individual incapable of reproduction because of such person's diagnosed hereditary genetic disease or disorder.

Nothing in the act shall be construed to exclude coverage for prescription contraceptive drugs or devices ordered by a health care provider with prescriptive authority for reasons other than contraceptive or abortion purposes.

This act contains an emergency clause.

## ADRIANE CROUSE

02/02/2012 S First Read--SB 749-Lamping, et al (S186)  
 02/09/2012 Second Read and Referred S Small Business, Insurance and Industry Committee (S236)  
 02/14/2012 Hearing Conducted S Small Business, Insurance and Industry Committee  
 02/14/2012 Voted Do Pass S Small Business, Insurance and Industry Committee  
 02/16/2012 Reported from S Small Business, Insurance and Industry Committee to Floor (S286)  
 02/21/2012 SS S offered (Lamping)--(5697S.02F) (S298)  
 02/21/2012 SA 1 to SS S offered (Justus)--(5697S02.43S) (S298-299)  
 02/21/2012 Bill Placed on Informal Calendar (S299)  
 03/27/2012 SA 1 to SS S withdrawn (S522)  
 03/27/2012 SA 2 to SS S offered (Lamping)--(5697S02.51S) (S522-523)  
 03/27/2012 Bill Placed on Informal Calendar (S523)  
 03/27/2012 SA 2 S adopted (S524)  
 03/27/2012 SS, as amended, S adopted  
 03/27/2012 Perfected (S524)  
 03/27/2012 Reported Truly Perfected S Rules Committee (S527)  
 03/29/2012 S Third Read and Passed - EC adopted (S556)  
 03/29/2012 H First Read (w/EC) (H857)  
 03/30/2012 H Second Read (H864)

EFFECTIVE: Emergency Clause

\*\*\* SB 750 \*\*\*

5612S.021

SENATE SPONSOR: Schmitt

SB 750 - This act modifies provisions relating to advertising by health care providers. Advertisements by health care providers must identify the type of license they hold. The advertisements can't be deceptive or misleading.

Physicians cannot hold themselves out to the public as being certified by a board unless they identify the board by its full name and include the specialty being certified. The certifying board must also meet one of the following three criteria: the board is a member board of certain physician associations; the board is deemed equivalent to the American Board of Medical Specialities by the Missouri Board of Registration for the Healing Arts; or the physician has a prior certification from a qualifying board and the board from which the physician seeks certification requires completion of a residency program meeting certain criteria.

A health care provider cannot knowingly aid, assist, procure, employ, or advise a person to engage in an act contrary to the health care provider's degree of licensure. The health care provider also cannot delegate the performance of duties to persons not having the required authority to perform.

Health care providers violating the provisions of this act will be subject to discipline by their respective licensing board.

MIKE HAMMANN

02/06/2012 S First Read--SB 750-Schmitt (S200)  
 02/09/2012 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S236)

EFFECTIVE: August 28, 2012

\*\*\* SB 751 \*\*\*

5728S.011

SENATE SPONSOR: Schaaf

SB 751 – This act allows the school board of any school district to adopt an eight-hour school day. To do so, the board must adopt a resolution by a majority vote of all its members. Any board that adopts an eight-hour school day must notify the Commissioner of Education within thirty days.

MICHAEL RUFF

02/06/2012 S First Read--SB 751-Schaaf (S200)  
 02/09/2012 Second Read and Referred S Education Committee (S236)  
 02/22/2012 Hearing Conducted S Education Committee  
 03/21/2012 Voted Do Pass S Education Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 752 \*\*\*

4707S.021

SENATE SPONSOR: Kehoe

SB 752 - This act authorizes the Missouri Highways and Transportation Commission to form a Public-Private Partnership by contract with a private partner to finance, develop and operate I-70 as a toll facility.

PROPOSALS - A potential private partner may submit to the commission an request for approval to finance, develop or operate I-70 as a public private partnership (Section 227.206). The commission must publish a public notice of the commission's request for proposals, including any deadline for submission of such proposals. The notice shall be published once a week for two consecutive weeks in:

- (1) A newspaper of general circulation in the city where the proposed project is located;
- (2) At least one construction industry trade publication that is nationally distributed; and
- (3) Such other publications or manner as the commission may determine (Section 227.709).

PROJECT PROPOSAL REVIEW - The commission shall establish a process for the receipt and review of a request for approval or request for proposal. The commission must establish, prior to the receipt and review of any request for approval or response to a request for proposal, a policy that prohibits a private partner from being eligible to enter into an interim or comprehensive agreement with the commission to finance, develop, or operate the project if such private partner is known to sponsor terrorism or aid the government of countries that are known to sponsor terrorism (Section 227.712).

PROJECT APPROVAL - The commission may by commission minute approve the project if the commission determines the project will improve and is a necessary or desirable addition to the state highway system (Section 227.715).

SELECTION CRITERIA - The commission is not required to award a project based on the lowest price, but may also consider design, financing plan and the private partner's qualifications, industry experience and financial capacity to determine if the project is the best value for the state.

The commission may execute an interim agreement with the tentatively approved private partner to authorize it to commence specific compensable activities to further the development of the project (Section 227.718).

COMPREHENSIVE AGREEMENT REQUIRED - As a condition to granting its final approval of the private partner, the commission shall execute a comprehensive agreement with the private partner with certain provisions to be included, such as: (1) review and approval of private partner plans and specifications; (2) a detailed financing plan; (3) any other provisions the commission and private partner deem appropriate (Section 227.721).

TERMINATION OF NEGOTIATIONS - The commission may terminate negotiations with a potential private partner during the interim or comprehensive agreement phase as well as reject any and all requests for approval and responses to a request for proposal (Section 227.724).

CLOSED RECORDS - Any information submitted to the commission by potential private partners in requests for approval or responses to a request for proposal shall be a closed record under the state open records law. After execution of a comprehensive agreement, the agreement and other materials submitted to the commission by the private partner are open records (Section 227.727).

PRIVATE PARTNER GENERAL POWERS - Under the terms of the act, several powers may be exercised by the private partner, including: (1) contract with any public or private entity; (2) lease or operate the project for any term as provided in the comprehensive agreement; (3) collect and enforce tolls for the use of the project; and (4) any other powers delegated to the private partner by the commission in the comprehensive agreement (Section 227.730).

FINANCIAL STABILITY AND INTEGRITY OF THE PRIVATE PARTNER - Under the terms of the act, private partners are required to provide to the commission's satisfaction and approval: (1) securities and warranties; (2) annual audited financial statements; (3) evidence of sufficient commercial general liability insurance and workers' compensation insurance; and (4) performance and payment bonds (Section 227.733).

COMMISSION GENERAL POWERS - Under the terms of the act, the commission may exercise several powers, including: (1) delegating any of its powers under the act to the department of transportation; (2) promulgating administrative rules to implement the provisions of the act; and (3) making all final

determinations regarding the performance and acceptance of the work (Section 227.736).

**TOLL AUTHORITY** - The commission or the private partner may impose tolls on I-70 and authorize the private partner to collect and enforce the tolls. The rate of the tolls will be set in the comprehensive agreement between the commission and the private partner, and all revenue from tolls will be deposited into the State Road Fund or into a trust account as provided under the comprehensive agreement (Section 227.739).

**STATE OR FEDERAL ASSISTANCE** - Under the act, the commission may take any action to obtain federal, state, or local government or private sector assistance for the project and may enter into any contracts required for such assistance. In the comprehensive agreement, the commission may agree to loan moneys received from any federal, state, or local government or the private sector to the private partner to finance, develop or operate the project.

**INDEBTEDNESS, BONDS AND FINANCING** - The private partner may incur debts and issue bonds to finance the project. All private partner bonds issued to finance the project shall be exempt from state taxes, except the state estate tax. Bonds issued by the private partner will not be a liability of the commission or the state of Missouri. The commission may also issue state road bonds and loan the proceeds to the private partner (Section 227.745).

**EXEMPTION FROM CERTAIN TAXES**- Any revenues received under the act shall be exempt from state income tax. Purchases made by a private partner for use in completing the toll project shall be exempt from various sales taxes. Property financed, developed, or operated by a private partner shall be exempt from all state and political subdivision ad valorem and property taxes (Section 227.746).

**PROJECT DELIVERY** - The private partner may use any project procurement method for the efficient financing, development or operation of I-70. The state limitation on the number of design-build contracts authorized to be let by the commission shall not apply to the I-70 project. Any interim or comprehensive agreement entered into by commission and a private partner may exempt the project from the state's general procurement laws in Chapter 34 (Section 227.748).

**DBE PLAN** - Under the act, the private partner must have a disadvantaged business enterprise (DBE) participation plan (Section 227.751).

**AUTHORITY TO LEASE RIGHT-OF-WAYS AND EASEMENTS** - The commission may lease the project and any interest it has in real property to the private partner (Section 227.754).

**CONDEMNATION POWERS** - The commission may condemn lands for the project in the name of the state of Missouri. If condemnation becomes necessary, the commission shall act under state law and may condemn a fee simple or other interest in land. Any amounts to be paid in such condemnation proceeding shall be paid by the private partner under the comprehensive agreement. The private partner may, after prior notice to the owner to enter upon the private property subject to the taking, survey, and determine the most advantageous route and design. The private partner shall be liable for all damages to the property resulting from such inspection (Section 227.757).

**TOLL COLLECTION AND ENFORCEMENT** - The private partner may use any method for collecting and enforcing tolls, including toll barrier facilities and electronic recording devices (Section 227.760). Motor vehicle owners who fail to pay a required toll are guilty of infractions. The fines for such infractions shall not exceed \$200. The act also provides that certain written reports, telephone calls and photo monitoring system evidence indicating that tolls have not been paid shall be admissible in evidence. The act establishes other procedures for the enforcement of toll collections and the issuance of traffic citations (Section 227.760).

**TORT LIABILITY** - Under the act, specific tort liability caps are established for the private partners and the named insureds in coverage and amounts equal to the sovereign immunity per person (now \$392,734) and per occurrence (now \$2,618,230) cap limitations. Commercial general liability insurance policies purchased by the private partner shall not be used to expand the coverage and amount of the tort liability caps imposed by the act (Section 227.763).

**MATERIAL DEFAULT** - If the private partner defaults on the comprehensive agreement, the commission may terminate the agreement and seek whatever legal or equitable remedies are available, make a claim under the performance bonds, condemn any real property interest the private partner has in the project or collect



and enforce the tolls for the use of the project (Section 227.766).

ANNUAL STATUS REPORT - Under the act, the commission is required to make an annual status report on the project as part of the annual report submitted to the Joint Committee on Transportation Oversight. The annual report shall assess the advantages and disadvantages of the public-private partnership method of financing, developing, or operating the project (Section 227.769).

STEPHEN WITTE

02/06/2012 S First Read--SB 752-Kehoe, et al (S201)  
02/09/2012 Second Read and Referred S Transportation Committee (S236)  
02/22/2012 Hearing Conducted S Transportation Committee  
03/07/2012 Hearing Conducted S Transportation Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 753 \*\*\*

5638S.011

SENATE SPONSOR: Green

SB 753 - Under current law, a customer of an electric company is not eligible to receive a monetary incentive offered by the company for an energy efficiency program if the customer has received a tax credit for low-income housing or historic preservation. The act makes an exception to this restriction for low-income customers.

ERIKA JAQUES

02/06/2012 S First Read--SB 753-Green (S201)  
02/09/2012 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S236)  
03/27/2012 Hearing Cancelled S Commerce, Consumer Protection, Energy and the Environment Committee  
04/03/2012 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 754 \*\*\*

5191S.011

SENATE SPONSOR: Mayer

This bill has been combined with SB 767

02/06/2012 S First Read--SB 754-Mayer (S201)  
02/09/2012 Second Read and Referred S Transportation Committee (S236)  
02/15/2012 Hearing Conducted S Transportation Committee  
03/07/2012 Bill Combined (w/SCS SBs 767, 653, 754, 705, 441, 528, 831, 833 & 847) S Transportation Committee - (5761S.04C)

EFFECTIVE: August 28, 2012

\*\*\* SB 755 \*\*\*

SS SCS SB 755

5566S.03P

SENATE SPONSOR: Mayer

SS/SCS/SB 755 - Under this act, a person commits the crime of disturbing a house of worship if such person intentionally and unreasonably disturbs a building used for religious purposes by using profanity, rude or indecent behavior, or making noise. A person commits the crime if they engage in such behavior within the house of worship or so close to the building that the services are disturbed.

A person also commits the crime if he or she intentionally injures, intimidates, or interferes with any person exercising the right to religious freedom or who is seeking access to a house of worship.

A first offense is a Class B misdemeanor, a second is a Class A misdemeanor, and a third or subsequent offense is a Class D felony.

MEGHAN LUECKE

02/06/2012 S First Read--SB 755-Mayer (S201)  
02/09/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S236)  
02/20/2012 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee  
03/05/2012 SCS Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee (5566S.02C)

03/08/2012 Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor w/SCS (S431)  
 03/21/2012 SS for SCS S offered (Mayer)--(5566S.03F) (S480)  
 03/21/2012 SA 1 to SS for SCS S offered & withdrawn (Crowell)--(5566S03.01S) (S480)  
 03/21/2012 SA 2 to SS for SCS S offered & adopted (Crowell)--(5566S03.01F) (S480-481)  
 03/21/2012 Bill Placed on Informal Calendar (S481)  
 03/21/2012 SA 3 to SS for SCS S offered & adopted (Keaveny)--(5566S03.03S) (S481)  
 03/21/2012 SS for SCS, as amended, S adopted (S481)  
 03/21/2012 Perfected (S481)  
 03/21/2012 Reported Truly Perfected S Rules Committee (S485)  
 03/22/2012 S Third Read and Passed (S496-497)  
 03/22/2012 H First Read (H695)  
 03/23/2012 H Second Read (H702)  
 04/12/2012 Referred H Crime Prevention & Public Safety Committee  
 04/16/2012 Hearing Scheduled H Crime Prevention & Public Safety Committee--(2:00 p.m. - HHR 5)

EFFECTIVE: August 28, 2012

\*\*\* SB 756 \*\*\*

5673S.011

SENATE SPONSOR: Engler

SB 756 - This act modifies provisions relating to the defined contribution retirement plan for employees of certain higher education institutions. The employer contribution rate for institutions will no longer correspond to the rates used by the Missouri State Employees' Retirement System. The employer contribution rate will be set at seven percent of payroll. Institutions can require new employees to contribute up to four percent of their salary into the defined contribution plan. The employee contributions will be considered deferred compensation under the United States tax code. New hires will no longer be able to transfer into the Missouri State Employees' Retirement System after six years.

The provisions of this act do not take effect until July 1, 2013.

MIKE HAMMANN

02/07/2012 S First Read--SB 756-Engler (S206)  
 02/09/2012 Second Read and Referred S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee (S236)  
 03/08/2012 Hearing Conducted S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 757 \*\*\*

5602S.011

SENATE SPONSOR: Wasson

SB 757 - Currently, a limited license for funeral directing may be issued to individuals only providing the services of cremation. This act provides that no new limited licenses will be granted after August 28, 2013. Those already holding limited licenses on that date will be able to continue holding and renew their licenses.

MIKE HAMMANN

02/07/2012 S First Read--SB 757-Wasson (S206)  
 02/09/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S236)  
 02/20/2012 Hearing Scheduled But Not Heard S Financial and Governmental Organizations and Elections Committee  
 02/27/2012 Hearing Cancelled S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 758 \*\*\*

SCS SB 758

5601S.02C

SENATE SPONSOR: Wasson

SCS/SB 758 - This act modifies provisions relating to child abuse and neglect.

**HOTLINE CALLS AND INVESTIGATIONS**

In a case involving the death or serious injury of a child after a report has been made, the Children's Division shall conduct a preliminary evaluation in order to determine whether a review of the ability of the

circuit manager or case worker or workers to perform their duties competently is necessary. Any preliminary evaluation shall be completed no later than three days after the child's death. If the division determines a review and assessment is necessary, it shall be completed no later than three days after the child's death. (Section 210.135)

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 making a hotline call to call 911 when a child may be in immediate danger. (Section 210.145.4 and 6)

#### 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 the worker has a reasonable basis to believe (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 or 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 minutes, 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. (Section 210.145.6)

This act is substantially similar to HCS/HB 143 (2011).

ADRIANE CROUSE

02/07/2012 S First Read--SB 758-Wasson (S206)  
 02/09/2012 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S236)  
 03/27/2012 Hearing Conducted S Health, Mental Health, Seniors and Families Committee  
 04/03/2012 SCS Voted Do Pass S Health, Mental Health, Seniors and Families Committee - 5601S.02C  
 04/12/2012 Reported from S Health, Mental Health, Seniors and Families Committee to Floor w/SCS  
 04/16/2012 S Formal Calendar S Bills for Perfection--SB 758-Wasson, with SCS

EFFECTIVE: August 28, 2012

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\*\*\* SB 759 \*\*\*

5616S.011

SENATE SPONSOR: Lager

#### SCS/SB 759 - SECTION 386.370 - PUBLIC SERVICE COMMISSION

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. 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 .23% of total gross intrastate operating revenue.

This section is identical to the same section in SB 869 (2012).

#### 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 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, and sewer) as well as the amount of expenses that are not directly attributable to one specific type of utility. Costs for telephone companies, water companies, and gas companies may not exceed 3%, 8%, and 15%, respectively, of the total directly attributable costs, with the remainder allocated to electric companies. 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 400ths 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 identical to the same section in SB 869 (2012).

#### 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 up to \$45 million of prudently-incurred expenditures spent by the company to obtain the permit. The company may recover such expenditures from its ratepayers through rates and charges over a period not to exceed 6 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 NRC's issuance of the permit. Cost recovery is limited to only costs that are prudently incurred; if a cost is challenged, the company has the burden of proof to show the cost was prudent. In any challenge to the prudence of the company's decision to obtain an Early Site Permit, the burden of proof is on the party raising the challenge.

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. The PSC may award up to 25% of any excess profits above the amount paid by ratepayers to the company.

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, 2012.

This section is identical to the same section in SB 869 (2012).

#### SECTION 393.150 - TEMPORARY RATE ADJUSTMENTS

The act requires the PSC to authorize temporary rate adjustments in any order it issues after concluding a rate case. The temporary rate adjustment covers the time period between when the utility's rates are trued-up in the rate case and the date the PSC's new rates as determined in the order go into effect. The temporary rates must be implemented over a one-year period. If the effect of the PSC's order is to lower the utility's rates, then the temporary rate adjustment will reflect an overcollection from the utility's customers during that time period. If the effect of the PSC's order is to raise the utility's rates, the temporary rate adjustment will reflect an undercollection from the customers during that timeframe. The effect of the temporary rates must be part of the PSC's calculation for setting the utility's new rates. The act additionally limits the PSC from holding more than rate case in a 12-month period for gas, electric, water, and sewer utilities.

This section is identical to the same section in SB 902 (2012).

#### SECTIONS 393.1025 to 393.1034 - RENEWABLE ENERGY STANDARD

The act modifies the state Renewable Energy Standard (RES), which prescribes certain percentages of electricity sales by electric companies that must come from renewable energy sources.

The act modifies the definitions section by adding definitions for "biomass" and "professional forester" and modifying the definition of "renewable energy resources."

The act removes the 2% portfolio requirement for the years 2011 to 2013, increases the minimum

requirement from 5% to 7% for years 2014 to 2017, and increases the minimum requirement from 10% to 12% for years 2018 to 2020.

Renewable energy credits (RECs) for energy produced anywhere in the continental U.S. may be used to meet the RES through calendar year 2016, but after that, only RECs associated with energy generated in Missouri or any of its bordering states may be used.

The act provides an exemption to the RES if the utility's cost of compliance exceeds the total amount allowed to be recovered from ratepayers for the RES. The costs to the utility for renewable energy resources that it would have acquired or contracted to use regardless of the RES are not to be included in the cost calculation of compliance with the RES.

The act allows the utility to recover the costs to comply with the RES from its customers up to a maximum amount, which is the lower of either: an additional 1% of the utility's base rate portion of its revenue requirement; or caps per month of \$.93 for residential customers, \$3.42 for nonresidential customers that use 100 kW or less, \$46.58 for nonresidential customers that use more than 100 kW but less than 5,000 kW, and \$466 for nonresidential customers that use more than 5,000 kW. Cost recovery may begin in calendar year 2013. Any overrecovery or underrecovery of actual costs related to RES compliance must either be returned to, or collected from, ratepayers during the following calendar year.

The act describes how a utility should calculate its gross and net costs of compliance with the RES. Net cost is determined by subtracting from the gross cost the total value of the energy produced from the renewable energy resources, where the total value of the energy is the amount of energy multiplied by the time-differentiated kilowatt-hour price as set in the utility's rate tariffs.

Under current law, the monetary penalty for non-compliance with the RES is at least twice the average market value of RECs. The act modifies this amount to at least twice the per kilowatt-hour price for the utility.

The act modifies the solar rebate provisions. Solar rebates must be available to customers who install and operate solar electric systems on their property after 2012, instead of 2009. The rebate must be \$2 per watt in the year 2013, with the amount of the rebate reduced by 25 cents each year thereafter. No solar rebates are required to be offered after the year 2020. Customers who receive solar rebates must transfer all rights, title, and interest in any RECs associated with the solar energy to the utility for ten years.

The act specifies that an energy-generating facility that is in compliance with all federal, state, and local environmental laws and regulations shall not be deemed to cause undue adverse environmental impacts for purposes of being certified by the Department of Natural Resources for the RES. Any use of wood feedstocks certified for the RES must comply with certain environmental standards listed in the act.

The act requires electric companies to be able to recover RES costs from their ratepayers, regardless of a previous decision made by the PSC as specified.

These sections are similar to HB 1487 (2012).

#### SECTION 393.1039 - BIOMASS ENERGY PROJECTS

The Department of Natural Resources must charge and collect from electric companies an assessment to fund the Department's costs to develop biomass energy projects. Revenue from the assessment will be deposited in the Agricultural Energy Fund, which is created in the act.

#### SECTION 393.1075 - MISSOURI ENERGY EFFICIENCY INVESTMENT ACT

The act modifies the Missouri Energy Efficiency Investment Act by removing the requirement that the PSC must promulgate a rule each time it approves a rate design modification for a demand-side program.

#### SECTION 620.010 - OFFICE OF PUBLIC COUNSEL

The act removes the requirement that the Office of Public Counsel is funded by general revenue.

The act contains an emergency clause.

This act contains provisions similar to provisions contained in SS/SCS/HB 462 (2011), SB 321 (2011), and SB 406 (2011).

ERIKA JAQUES

02/07/2012 S First Read--SB 759-Lager (S206)

02/09/2012 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S236)  
 02/14/2012 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee  
 03/27/2012 SCS Voted Do Pass S Commerce, Consumer Protection, Energy and the Environment Committee - (5616S.04C)

EFFECTIVE: Emergency Clause

\*\*\* SB 760 \*\*\*

5714S.01P

SENATE SPONSOR: Dempsey

SB 760 - Current law gives the Conservation Commission the authority to suspend or revoke hunting permits and privileges for up to 5 years for anyone who accidentally injures another person while hunting. This act gives authority to the Commission to increase the time period to up to 10 years if the accident results in another's death.

This act is similar to SB 372 (2009).

ERIKA JAQUES

02/07/2012 S First Read--SB 760-Dempsey (S206)  
 02/09/2012 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S236)  
 02/22/2012 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee  
 02/29/2012 Voted Do Pass S Agriculture, Food Production and Outdoor Resources Committee  
 03/08/2012 Reported from S Agriculture, Food Production and Outdoor Resources Committee to Floor (S432)  
 03/26/2012 Perfected (S514)  
 03/26/2012 Reported Truly Perfected S Rules Committee (S517)  
 03/29/2012 S Third Read and Passed (S553-554)  
 03/29/2012 H First Read (H857)  
 03/30/2012 H Second Read (H864)

EFFECTIVE: August 28, 2012

\*\*\* SB 761 \*\*\*

4043S.02I

SENATE SPONSOR: Keaveny

SB 761 - This act modifies the law regarding trusts to specifically allow for the appointment of a trust protector. The trust protector is a person who is given power over the trust by the document that creates the trust.

The trust protector's powers may include: the power to remove and appoint a trustee, or name a successor trust protector, the power to modify or amend the documents that created the trust, the power to modify the interests of a beneficiary of the trust, the power to terminate the trust in favor of the beneficiary, the power to change which law applies to the trust and which state the trust is located in, and any powers that are expressly included in the trust documents.

The trust protector is not a trustee but shall act in a fiduciary capacity in carrying out the duties and powers granted by the trust instrument to the trust protector. The trust protector will not be liable for his or her acts or omissions unless they are done in breach of the trust protector's duty, in bad faith, or with reckless indifference. Unless it is established that the trust protector acted in bad faith or with reckless indifference, the trust protector will be reimbursed from the assets of the trust for the costs and expenses of defending a lawsuit against him or her. A trust protector is entitled to reasonable compensation from the trust assets for carrying out the powers given to them by the trust document.

The act also provides that the trust protector is entitled to certain information about the trust, provides authority for a trust protector to resign by providing written notice to the trustee, and specifies that the courts have jurisdiction over a trust protector while the administration of the trust is in Missouri.

This act is similar to HB 1166 (2012).

MIKE HAMMANN

02/07/2012 S First Read--SB 761-Keaveny (S206)  
 02/09/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S236)

02/20/2012 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 762 \*\*\*

5608S.011

SENATE SPONSOR: Keaveny

SB 762 – 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, performance-based credit, 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. Performance standards for alternative and special purpose charter schools that target high-risk students must be based on measures defined in the school's charters with its sponsor.

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.

This act also modifies the definition of "high risk" student. (Section 160.405)

This act requires charter schools whose mission includes student drop-out prevention or recovery to enroll nonresident pupils from the same or an adjacent county who reside in residential care facilities, transitional living group homes, or independent living programs, whose last school of enrollment is in the school district where the charter school is established, who submit a timely application. Preference will be given to resident pupils over non-resident pupils if there is insufficient capacity. Charter schools may also give an admissions preference to high-risk and dropout students. (Section 160.410)

This act 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. An eligible student who has been unable to obtain employment may provide evidence that he or she has been seeking employment to be eligible. (Section 160.539)

This act is substantially similar to SB 294 (2011), HB 897 (2011), SB 835 (2010) and similar to HCS/HB 473 (2011), SB 317 (2009), SB 64 (2009), and SB 1027 (2008).

MICHAEL RUFF

02/07/2012 S First Read--SB 762-Keaveny (S207)

02/09/2012 Second Read and Referred S Education Committee (S236)

02/29/2012 Hearing Conducted S Education Committee

03/21/2012 Voted Do Pass S Education Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 763 \*\*\*

5561S.031

SENATE SPONSOR: Kehoe

SB 763 - Under the terms of this act, no fee may be charged to an owner for the release of any lien or encumbrance. However, the lienholder may assess a fee not to exceed \$25 for providing a duplicate release. If the owner requests an expedited release of any lien, the lienholder may assess a fee not to exceed \$25 plus actual overnight carrier charges. The fee shall not be charged or it shall be refunded, if charged, if the expedited release is not shipped or sent on the date promised by the lienholder. If a duplicate release is requested to be expedited, then the lienholder may not charge more than a total of \$25 for providing an expedited duplicate release, plus the actual overnight carrier charges, if any.

STEPHEN WITTE

02/07/2012 S First Read--SB 763-Kehoe (S207)

02/09/2012 Second Read and Referred S Transportation Committee (S236)

02/15/2012 Hearing Conducted S Transportation Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 764 \*\*\*

5634S.021

SENATE SPONSOR: Schaefer

SB 764 – This act modifies provisions relating to Missouri's open records law, commonly known as the Sunshine Law.

The definition of a "public body" is modified to include quasi-public governmental bodies that act on behalf of a public body and are funded wholly or in part by a public body, as well as any Missouri high school athletic association that receives public funds. The definition of a "public record" is modified to include any lease, sublease, or similar rental instrument entered into by a public body, or any other agreement for the rental, construction, or renovation of a facility.

Currently, public bodies must provide notice of meetings to members of the news media who request such notices. This act requires the public body to also provide notice to any member of the public who requests it. The act provides that the public body cannot act on or discuss any item not appearing on the agenda, except for brief responses to the question from the public present at the meeting. Currently, a public body must provide 24 hours notice of a meeting. This act changes the time to 48 hours, with the exception of the General Assembly which must continue to provide 24 hours notice. Minutes of meetings must reflect the closed meeting discussions, but shall not require the disclosure of properly closed records.

The act modifies provisions regarding bases for closing a meeting or record. Public disclosure in an open meeting is required for certain legal matters upon final disposition. Such disclosure shall be done orally or in writing and must occur at the next scheduled open meeting of the body, or at the resumption of a recessed open meeting. When a body closes a meeting or record relating to a "cause of action", the body must have received evidence that a lawsuit has been filed or shall have correspondence indicating a lawsuit shall be filed. Certain individually identifiable personnel records may currently be closed. The act exempts from this closure any records of former employment for employees of public schools and charter schools. Certain bases for closure relating to operational guidelines and security systems are set to expire on December 31, 2012. This act extends the sunset to December 31, 2016.

If a public body closes a meeting, only members of the body, their attorney and staff assistants, as well as any person necessary to provide information, shall be permitted in the meeting.

The custodian of records for a public body is encouraged to create and maintain an index of all public records maintained by the body. If records are requested in a particular format, the public body shall provide the records in such format, if the record is readily reproducible in that format. Effective January 1, 2013, all public bodies acquiring new data processing programs shall ensure that such programs allow for copying of data in an easily accessible format. If a public body is required to separate exempt and non-exempt material, it shall do so at the body's expense.

Currently, a member of public body that transmits any public business message by electronic means must transmit the message to the custodian of records. This act provides that a mobile communication device is considered an electronic means.

Currently, a public body can charge for research time in response to a request for records. This act provides that research time shall only include the time reasonably spent in locating the subject records, but shall not include time spent in reviewing the records to determine if the records are open or closed.

In actions against a public body for violations of the Sunshine Law, current law requires the person bringing the action to demonstrate that the body is subject to the Sunshine Law and held a closed meeting. Then the burden is on the body to demonstrate compliance with the Law. This act removes this language and provides that there is a presumption that a meeting, record, or vote is open to the public. The burden is on the body to prove that such meeting, record, or vote may be closed. Currently, a knowing violation of the Sunshine Law subjects the body or member to a civil penalty of up to \$1,000. This act removes the "knowing" element and lessens the fine to \$100. For such violations, the court shall, rather than may, order the payment of costs and attorneys fees to the party establishing the violation. Also, this act removes the ability of a public body to seek the formal opinion of the Attorney General or an attorney for the public body when it is in doubt about the legality of closing a meeting.

The act modifies the definition of an "incident report" to provide that the report must include the home address of the victim. Such address may be redacted in certain crimes involving domestic violence, forcible rape, sexual assault or stalking. Any member of the media operating within the state of Missouri shall, upon



request, obtain a complete unaltered and unedited incident report, with the exception of the home addresses of certain victims described in this paragraph. In actions seeking disclosure of an investigative report of a law enforcement agency, the court shall, rather than may, award costs and attorneys fees if it finds the decision of the law enforcement agency not to open the report was substantially unjustified.

JIM ERTLE

02/08/2012 S First Read--SB 764-Schaefer (S224)

02/09/2012 Second Read and Referred S General Laws Committee (S236)

04/17/2012 Hearing Scheduled S General Laws Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 765 \*\*\*

5665S.02I

SENATE SPONSOR: Schaefer

SB 765 - This act authorizes clerks of circuit courts to collect a surcharge up to ten dollars when processing garnishments.

MIKE HAMMANN

02/08/2012 S First Read--SB 765-Schaefer (S224)

02/09/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S236)

04/02/2012 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee

04/11/2012 Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 766 \*\*\*

4381S.03I

SENATE SPONSOR: Schaefer

SB 766 -Currently, the Residential Treatment Agency Tax Credit program will sunset after August 28, 2012. This act reauthorizes the program until August 28, 2018. The act also allows certain children's homes that are licensed and under contract with the Department of Social Services to be eligible to receive donations and apply for tax credits under this tax credit program. The act also increases the limit on the amount of tax credits that a residential care facility or children's home may receive from forty to fifty percent of the payments made by the Department of Social Services to the facility or home in the last twelve months.

EMILY KALMER

02/08/2012 S First Read--SB 766-Schaefer (S224)

02/09/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S236)

EFFECTIVE: August 28, 2012

\*\*\* SB 767 \*\*\*

SCS SBs 767, 653, 754, 705, 441, 528, 831,833& 84

5761S.04P

SENATE SPONSOR: Goodman

SCS/SBs 767, 653, 754, 705, 441, 528, 831, 833 & 847 - This act designates several highways and creates numerous special license plates.

NAVY CROSS SPECIAL LICENSE PLATE - This act allows recipients of Navy Cross medals to apply for and receive Navy Cross special license plates. Navy Cross recipients who desire Navy Cross special license plates must pay \$15 in addition to regular registration fees. The fee for personalizing such plates is waived (Section 301.3052).

SGT. ISSAC B. JACKSON MEMORIAL HIGHWAY - This act designates a portion of Missouri Route 116 located in Clinton County as the "Sgt. Issac B. Jackson Memorial Highway". The Department of Transportation shall erect and maintain appropriate signs designating such highway, with the costs to be paid for by private donation. This provision is from SB 653 (2012)(Section 227.307).

SPC. JAMES BURNETT, JR. MEMORIAL HIGHWAY - This act designates a portion of Missouri Route 25 in Stoddard County from the city limits of Advance to one mile south of the city limits as the "Spc. James Burnett, Jr. Memorial Highway". The Department of Transportation shall erect and maintain appropriate signs designating such highway, with the costs to be paid for by private donation. This portion of the act is from SB 754 (2012)(Section 227.395).

MISSOURI FOX TROTting HIGHWAY - This act designates a portion of Highway 5 between the city of Ava and Mansfield as the "Missouri Fox Trotting Highway". The costs of such designation shall be paid for by private donation. The portion of the act is identical to SB 831 and HB 1107 (2012)(Section 227.501).

BOB WATTS MEMORIAL BICYCLE & PEDESTRIAN BRIDGE - This act designates the pedestrian and bicycle path on the Heart of America Bridge in Kansas City as the "Bob Watts Memorial Bicycle & Pedestrian Bridge". This portion of the act is identical to SB 833 and HB 1261 (2012)(Section 227.503).

DARRELL B ROEGNER MEMORIAL HIGHWAY - This act designates a portion of 64/40 in St. Charles County shall be designated the "Darrell B Roegner Memorial Highway". Costs for such designation shall be paid by private donations. This portion of the act is identical to SB 847 and HB 1737 (2012)(Section 227.509).

HARRIETT WOODS MEMORIAL HIGHWAY - This act designates a portion of Interstate 170 in St. Louis County as the "Harriett Woods Memorial Highway" (Section 1).

BREAST CANCER AWARENESS SPECIAL LICENSE PLATES - This act modifies the law with respect to the Breast Cancer Awareness Trust Fund and the issuance of Breast Cancer Awareness special license plates. Under the act, moneys transferred to the trust fund shall be distributed by the Director of Revenue to the Department of Health and Senior Services (current law directs it to the Friends of Missouri Women's Council). The act also modifies the Breast Cancer Awareness license plate statute by removing all references to the Missouri Women's Council. The act requires the \$25 annual contribution for the Breast Cancer Awareness license plate to be deposited in the Missouri Public Health Services Fund to support breast cancer awareness activities conducted by the Department of Health and Senior Services. This portion of the act is from SB 705 (2012)(Sections 143.1009 and 301.3084).

MISSOURI JUNIOR GOLD FOUNDATION SPECIAL LICENSE PLATES - This act allows motorists to obtain Missouri Junior Golf Foundation special license plates. In order to obtain Missouri Junior Golf Foundation license plates, a motorist must pay a \$25 emblem-used contribution fee to the Missouri Junior Golf Foundation. After obtaining an emblem-use authorization statement from the Missouri Junior Golf Foundation, the motorist must pay a \$15 fee to the Department of Revenue in addition to regular registration fees. A motorist who was previously issued Missouri Junior Golf Foundation plates and who does not provide an emblem-use authorization statement at a subsequent time of registration will be issued new plates which do not bear the Missouri Junior Golf Foundation's emblem. This portion of the act is from SB 441 (2012) (Section 301.473).

I HAVE A DREAM SPECIAL LICENSE PLATES - This act allows motorists to obtain "I HAVE A DREAM" special license plates after making an annual contribution of \$25 to the Martin Luther King Jr. State Celebration Commission Fund. The act requires all contributions be credited to the Martin Luther King Jr. State Celebration Commission Fund. Moneys in the fund shall be used for the sole purpose of funding appropriate activities for the recognition and celebration of Martin Luther King, Jr. Day in Missouri. Upon payment of the \$25 contribution to the Martin Luther King Jr. state celebration commission fund, the payment of a \$15 fee in addition to regular registration fees, and the presentment of other legal documents, the director shall issue to the vehicle owner the "I HAVE A DREAM" special license plates. The act requires the director to consult with the Martin Luther King Jr. State Celebration Commission and the Office of Administration when formulating the design for the "I HAVE A DREAM" special license plate. This portion of the act is from SB 528 (2012)(Section 301.3165).

STEPHEN WITTE

02/08/2012 S First Read--SB 767-Goodman (S224)  
 02/09/2012 Second Read and Referred S Transportation Committee (S236)  
 02/15/2012 Hearing Conducted S Transportation Committee  
 03/07/2012 SCS Voted Do Pass (w/SCS SBs 767, 653, 754, 705, 441, 528, 831, 833 & 847) S  
 Transportation Committee - (5761S.04C)  
 03/08/2012 Reported from S Transportation Committee to Floor w/SCS (S431)  
 03/21/2012 SA 1 to SCS S offered & adopted (Chappelle-Nadal)--(5761S04.03S) (S479)  
 03/21/2012 SCS, as amended, S adopted (S479)  
 03/21/2012 Perfected (S479)  
 03/21/2012 Reported Truly Perfected S Rules Committee (S485)  
 03/22/2012 S Third Read and Passed (S494-495)  
 03/22/2012 H First Read (H695)  
 03/23/2012 H Second Read (H702)  
 04/12/2012 Referred H Transportation Committee

04/17/2012 Hearing Scheduled H Transportation Committee--(Upon Morning Recess - HHR 7)

EFFECTIVE: August 28, 2012

\*\*\* SB 768 \*\*\*

5763S.011

SENATE SPONSOR: Kraus

SB 768 - This act authorizes circuit courts or a combination of circuits to create veterans treatment courts. These courts will dispose of cases involving substance abuse or mental illness of current or former military personnel. Treatment referrals by the court shall be through the Department of Defense health care, Veterans Administration, or community-based treatment programs. The court shall dismiss, reduce, or modify the charges against the participant upon successful completion of a treatment program.

Community based treatment programs must use programs certified by the Missouri Department of Mental Health unless no certified program is located in the same county as the court. Community based programs shall receive state or federal funds for referrals from veterans treatment courts.

This act is similar to HB 1110 (2012).

MIKE HAMMANN

02/08/2012 S First Read--SB 768-Kraus (S224)

02/09/2012 Second Read and Referred S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee (S236)

EFFECTIVE: August 28, 2012

\*\*\* SB 769 \*\*\*

SS SB 769

5671S.03P

SENATE SPONSOR: Kraus

SS/SB 769 - The act requires certain safety marking of anemometer towers (wind speed testing towers) that are located outside of city limits and that are 50 feet or more in height. The top third of any such tower must be striped orange and white, each outside guy wire must have two attached marker balls, the vegetation around guy wire anchor points must contrast with surrounding vegetation, and guy wires must have safety sleeves.

The act does not supercede any other state or federal law that regulates the appearance of the anemometer tower. Owners of anemometer towers in existence as of August 28, 2012, are given until January 1, 2014, to comply with the act's requirements.

A violation of the act is a Class B misdemeanor.

ERIKA JAQUES

02/08/2012 S First Read--SB 769-Kraus (S224)

02/09/2012 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S236)

02/14/2012 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee

03/06/2012 Voted Do Pass S Commerce, Consumer Protection, Energy and the Environment Committee

03/08/2012 Reported from S Commerce, Consumer Protection, Energy and the Environment Committee to Floor (S432)

03/21/2012 SS S offered &amp; adopted (Kraus)--(5671S.03F) (S482)

03/21/2012 Perfected (S482)

03/21/2012 Reported Truly Perfected S Rules Committee (S485)

03/22/2012 S Third Read and Passed (S497)

03/22/2012 H First Read (H695)

03/23/2012 H Second Read (H702)

EFFECTIVE: August 28, 2012

\*\*\* SB 770 \*\*\*

5049S.011

SENATE SPONSOR: Wright-Jones

SB 770 - Current law requires all of the area agencies on aging to submit an annual performance report to the director of the Division of Senior and Disability Services within the Department of Health and Senior Services, Speaker of the House of Representatives, the Pro Tempore of the Senate and the Governor. This

act requires the agencies to include in the report information concerning each area agency on aging's funding to individual senior centers and all facilities under the agency's planning and service area as well as information on the respective agency's bidding process, how vendors are selected and contracts and grants awarded.

ADRIANE CROUSE

02/08/2012 S First Read--SB 770-Wright-Jones (S224)

02/09/2012 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S236)

EFFECTIVE: August 28, 2012

\*\*\* SB 771 \*\*\*

5710S.011

SENATE SPONSOR: Nieves

SB 771 - This act specifies the duties and liabilities of ski area operators and skiers. Skiers assume the risk of and legal responsibility for injury, death, or loss to person or property that results from the activity of skiing. Ski area operators will not be liable to the users of freestyle terrain parks or tubing parks for collisions with other persons or the conditions of the park so long as the users are allowed to visually inspect the course prior to use and such an inspection would have revealed the dangerous condition.

The duty of ski area operators owed to skiers is not the same as the common law duty owed business invitees but that of an ordinarily prudent person in a similar circumstance. Ski area operators must mark certain areas and conditions of the ski slopes. They also must allow users of terrain parks and tube parks to visually inspect the course prior to use. Skiers have a duty to ski within their range of abilities, refrain from acting in a way that may cause injury to anyone, and assist when involved in a skiing accident.

This act is similar to HB 1978 (2008).

MIKE HAMMANN

02/08/2012 S First Read--SB 771-Nieves and Cunningham (S224)

02/09/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S236)

EFFECTIVE: August 28, 2012

\*\*\* SB 772 \*\*\*

5711S.011

SENATE SPONSOR: Brown

SB 772 - This act creates the "Abortion-inducing Drugs Safety Act" and delineates the procedures for prescribing and administering the drug RU-486 (mifepristone) or any other drug administered for the purpose of inducing an abortion.

This act provides that no person who is not a physician shall knowingly prescribe or administer the drug RU-486 or any other abortion-inducing drug. Prior to prescribing the drug, the physician shall have, at least 24 hours prior to the administration of the drug:

- Complied with all other legal requirements for an abortion to be performed or induced;
- Physically examined the patient;
- Documented in the patient's medical record the gestational age and whether there was an ectopic pregnancy; and
- Provide the patient with a copy of the Food and Drug Administration (FDA) approved label or labels for the drug regardless of whether the drug has been approved by the FDA or the drug manufacturer to induce an abortion.

This act also provides that the drug RU-486 or any other abortion-inducing drug, including a drug administered during a subsequent visit to complete the abortion, shall only be administered in a hospital or in an abortion facility in the physical presence of a physician and not via the internet or webcam or any other video device.

The abortion facility shall also be licensed as an ambulatory surgical center if any second or third trimester abortions or five or more first trimester abortions per month are induced at the facility. A physician is prohibited from prescribing or administering the abortion-inducing drug unless he or she has: (1) clinical privileges at a hospital which offers obstetrical or gynecological care located within 30 miles of the location at which the abortion is induced and (2) privileges at the hospital or at the abortion facility where the drug or drugs were administered to perform surgical intervention, including but not limited to surgical abortion.

If a patient who was administered the drug decides to carry her unborn child to term before the abortion is completed, the patient must immediately be referred to another physician to receive medical assistance for herself and the unborn child. A physician who prescribes or administers such drugs must obtain, in addition to all other medical malpractice requirements, a tail or occurrence-based insurance policy of at least \$1 million per occurrence and \$3 million in the aggregate per year for damages for the personal injury to or death of a child who is born alive after an attempted abortion. The insurance must remain in full force and effect until the child reaches his or her twenty-first birthday, or later under the current statute of limitations for medical malpractice actions.

Any person who is not a physician who prescribes or administers such drugs will be guilty of a class C felony, except that, if prescribed or administered without the knowledge or consent of the patient, he or she will be guilty of a class B felony. A physician who violates any other provision of the act will be guilty of a class A misdemeanor.

This act is identical to HB 1274 (2012).

ADRIANE CROUSE

02/08/2012 S First Read--SB 772-Brown (S225)

02/09/2012 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S236)

03/06/2012 Hearing Conducted S Health, Mental Health, Seniors and Families Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 773 \*\*\*

SCS SB 773

5719S.03P

SENATE SPONSOR: Parson

HOUSE HANDLER: Diehl

SCS/SB 773 - Currently, the filing period for the August 7, 2012 state primary election is from February 28, 2012 to March 27, 2012. Under this act, the filing period for that election shall be from March 27, 2012 to April 24, 2012.

The Secretary of State shall publish the election notice and notice of filing date for the August 7, 2012 primary election.

The act contains an emergency clause.

CHRIS HOGERTY

02/08/2012 S First Read--SB 773-Parson (S225)

02/09/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S236)

02/13/2012 Hearing Conducted S Financial and Governmental Organizations and Elections Committee

02/15/2012 SCS Voted Do Pass S Financial and Governmental Organizations and Elections Committee - (5719S.03C)

02/15/2012 Reported from S Financial and Governmental Organizations and Elections Committee to Floor w/SCS (S268)

02/15/2012 Motion to suspend Rule 52 and take up bill for perfection S adopted (S268)

02/15/2012 SA 1 to SCS S offered & defeated (Rupp)--(5719S03.02S) (S268)

02/15/2012 SCS S adopted (S268)

02/15/2012 Perfected (S268)

02/15/2012 Reported Truly Perfected S Rules Committee (S269)

02/15/2012 Referred S Ways & Means and Fiscal Oversight Committee (S270)

02/16/2012 Hearing Conducted S Ways and Means and Fiscal Oversight Committee

02/16/2012 Voted Do Pass S Ways & Means and Fiscal Oversight Committee

02/16/2012 Reported from S Ways & Means and Fiscal Oversight Committee to Floor (S277)

02/16/2012 S Third Read and Passed - EC adopted (S281-282)

02/16/2012 H First Read w/EC (H354)

02/17/2012 H Second Read (H359)

02/17/2012 Referred H Elections Committee (H359)

02/20/2012 Hearing Conducted H Elections Committee

02/20/2012 Voted Do Pass H Elections Committee

02/20/2012 Reported Do Pass H Elections Committee (H373)

02/20/2012 Referred to Rules Committee pursuant to Rule 25(32)(f) (H373)

02/21/2012 Voted Do Pass H Rules Committee

02/22/2012 Reported Do Pass H Rules Committee (H407)

02/22/2012 Referred H Fiscal Review Committee (H407)

02/23/2012 Voted Do Pass H Fiscal Review Committee  
 02/23/2012 Reported Do Pass H Fiscal Review Committee (H415)  
 02/23/2012 HA 1 H offered & defeated (Hummel)--(5719S03.03H) (H422)  
 02/23/2012 HA 2 H offered & adopted (Dugger)--(5719S03.07H) (H422)  
 02/23/2012 HA 3 H offered & adopted (Conway)--(5719S03.01H) (H422-423)  
 02/23/2012 H Third Read and Passed, as amended - EC adopted (H423-424 / S331-332)  
 02/23/2012 Motion to concur in HA 2 withdrawn (S332)  
 04/16/2012 S Calendar S Bills with H Amendments--SCS for SB 773-Parson, with HA 2 & HA 3

EFFECTIVE: Emergency Clause

\*\*\* SB 774 \*\*\*

5692S.021

SENATE SPONSOR: Rupp

This bill has been combined with SB 817

02/09/2012 S First Read--SB 774-Rupp (S232)  
 02/16/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S287)  
 03/05/2012 Hearing Conducted S Financial and Governmental Organizations and Elections Committee  
 04/02/2012 Bill Combined w/SCS SB's 817 & 774

EFFECTIVE: August 28, 2012

\*\*\* SB 775 \*\*\*

5764S.011

SENATE SPONSOR: Munzlinger

SB 775 - This act requires the Governor to give written notice to the General Assembly at least thirty days before the term ends for an appointment member of any board, commission, or committee.

MIKE HAMMANN

02/09/2012 S First Read--SB 775-Munzlinger (S232)  
 02/16/2012 Second Read and Referred S Gubernatorial Appointments Committee (S287)  
 03/21/2012 Hearing Conducted S Gubernatorial Appointments Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 776 \*\*\*

5771S.011

SENATE SPONSOR: Kraus

SB 776 - This act eliminates a provision of law that allows taxpayers leasing commercial property at certain publicly-owned airports to decrease the value of the lease for real estate property tax assessment purposes by the cost of any new construction or improvements to the property.

EMILY KALMER

02/09/2012 S First Read--SB 776-Kraus (S232)  
 02/16/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S287)  
 03/22/2012 Hearing Conducted S Ways and Means and Fiscal Oversight Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 777 \*\*\*

5436S.021

SENATE SPONSOR: Richard

SB 777 - This act modifies certain requirements of tax increment financing laws for redevelopment areas where a majority of the property is located within an area affected by certain natural disasters.

This act allows municipalities to adopt redevelopment plans for the purpose of tax increment financing where a majority of the property in the redevelopment area is within a disaster area without a finding that the redevelopment area would not reasonably be anticipated to be developed without tax increment financing. The municipality is also authorized to provide information regarding the financial feasibility of the redevelopment plan itself, rather than requiring the developer to provide it. For a redevelopment project to be eligible for the provisions of law regarding tax increment financing in disaster areas, the municipality must approve the redevelopment project within two years after the date the President declares the disaster.

Where a redevelopment area contains a disaster area, all or part of the taxing district's operating costs and debt services costs from the redevelopment project may be included in redevelopment project costs, in addition to the costs that current law allows other redevelopment projects to include.

Current law allows, under the State Supplemental Tax Increment Financing program, for the General Assembly to appropriate funds to the Department of Economic Development to provide to municipalities with approved projects in an amount up to fifty percent of the increase in state income tax revenue from new jobs in the project area, or in an amount up to fifty percent of the incremental increase in the general revenue portion of the state sales tax. Under this act, beginning August 28, 2012, the General Assembly may appropriate funds to the newly created Missouri Supplemental Disaster Recovery Fund for the Department of Economic Development to provide to municipalities with approved redevelopment projects in disaster areas in an amount up to fifty percent of the total of: 1) the increase in the amount of income tax employers withhold from all employees of businesses located in the project area; and 2) the incremental increase in the general revenue portion of state sales tax revenues. Particular municipalities will also be allowed to receive additional amounts from this fund, if the amounts are requested by the Department of Economic Development through appropriations.

This act contains an emergency clause.

This act is similar to HB 8 (1st Ext. Session 2011).

EMILY KALMER

02/13/2012 S First Read--SB 777-Richard (S240)

02/16/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S287)

03/29/2012 Hearing Conducted S Ways and Means and Fiscal Oversight Committee

EFFECTIVE: Emergency Clause

\*\*\* SB 778 \*\*\*

5257S.021

SENATE SPONSOR: Richard

SB 778 - Current law requires an annual adjustment for inflation to the \$1.50 and \$1 per ton fees charged by operators of solid waste sanitary landfills, demolition landfills, and transfer stations, except no adjustment is allowed during the years 2005 through 2014. This act removes the 2014 end date, effectively disallowing an inflation adjustment to these fees any time after October 1, 2005.

ERIKA JAQUES

02/13/2012 S First Read--SB 778-Richard (S240)

02/16/2012 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S287)

03/20/2012 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 779 \*\*\*

5802S.011

SENATE SPONSOR: Munzlinger

SB 779 - Currently sheriffs, county marshals and other officers are not allowed to charge for their services rendered in cases disposed of by a traffic violations bureau. This act allows these official to charge six dollars for their services. One-half of the amount collected will be deposited in the MODEX fund. The other half will be deposited in the inmate security fund of the county or municipality where the citation originated. If the county or municipality does not have an inmate security fund, all of the amount collected shall be deposited in the MODEX fund.

This act creates the MODEX fund. The fund will be used for the support and expansion of the Missouri Data Exchange (MODEX) system. The Peace Officers Standards and Training Commission will administer the fund.

This act is similar to HB 1675 (2012).

MIKE HAMMANN

02/13/2012 S First Read--SB 779-Munzlinger (S240)

02/16/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S287)

EFFECTIVE: August 28, 2012

\*\*\* SB 780 \*\*\*

5769S.011

SENATE SPONSOR: Wasson

SB 780 - This act modifies provisions relating to the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects. The board is reduced from fifteen to fourteen members by eliminating the separately appointed chairperson. The other fourteen members will select one of themselves to be the chairperson. The members will also select one of themselves to be the vice chairperson.

The ten year practice requirement for board membership is modified to require practice with a Missouri license.

The president of the Missouri division of the American Institute of Architects will nominate individuals to fill board vacancies requiring an architect.

MIKE HAMMANN

02/13/2012 S First Read--SB 780-Wasson (S240)

02/16/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S287)

02/27/2012 Hearing Conducted S Financial and Governmental Organizations and Elections Committee

03/05/2012 Voted Do Pass S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 781 \*\*\*

SS SB 781

4499S.03P

SENATE SPONSOR: Goodman

SS/SB 781 - This act requires the Taney County Commission, upon voter approval of a county sales tax for central dispatching of emergency services, to appoint a seven-member board to administer the funds and oversee the provision of emergency services.

The board shall include the heads or a designee of the county's fire protection and ambulance districts, the sheriff or a designee, the head or a designee of any police departments in the county, and the head or a designee of the county's emergency management organizations.

This act is substantially similar to HB 1114.

MEGHAN LUECKE

02/13/2012 S First Read--SB 781-Goodman (S241)

02/16/2012 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S287)

02/22/2012 Hearing Conducted S Jobs, Economic Development and Local Government Committee

02/29/2012 Voted Do Pass S Jobs, Economic Development and Local Government Committee

03/08/2012 Reported from S Jobs, Economic Development and Local Government Committee to Floor (S432)

03/26/2012 SS S offered &amp; adopted (Goodman)--(4499S.03F) (S514)

03/26/2012 Perfected (S514)

03/26/2012 Reported Truly Perfected S Rules Committee (S517)

03/29/2012 S Third Read and Passed (S553)

03/29/2012 H First Read (H857)

03/30/2012 H Second Read (H864)

04/04/2012 Referred H Local Government Committee (H942)

04/11/2012 Hearing Conducted H Local Government Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 782 \*\*\*

5471S.011

SENATE SPONSOR: Curls

SB 782 - This act creates a one dollar check-off on the Missouri individual income tax form and a two dollar check-off on the corporate income tax form. The money designated for the check-off will be deposited



into the Lupus Revolving Research Trust Fund, which is created in this act and which shall be administered by the Department of Health and Senior Services.

The fund shall be a dedicated fund, and upon appropriation, money in the fund shall be used solely as provided under this act. The check-off is primarily for taxpayers who are to receive a refund. However, taxpayers who owe taxes may also contribute to the fund and any taxpayer may elect to contribute more than the one or two-dollar amount. The director of revenue shall deposit at least monthly all contributions designated by individuals under this act to the state treasurer for deposit to the fund.

This act also establishes in the Department of Health and Senior Services a Lupus Research Enhancement Program through which the department shall make grants to state academic medical institutions in this state that currently conduct or have an interest in conducting basic and clinical, social, translational, technological, epidemiological, and behavioral research on Lupus.

In establishing its research priorities, the department shall consult with the Lupus Research Advisory Council which is also created under this act and established within the department in order to consider a broad range of cross-disciplinary lupus research. The list of members and the duties of the council are delineated under the act but shall include reviewing submitted applications for grants from the lupus revolving research trust fund and offering recommendations, consulting with leading health organizations on Lupus research, and submitting on or before December thirty-first of each year a report to the general assembly on grants made, grants in progress, program accomplishments, and future program directions.

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

ADRIANE CROUSE

02/13/2012 S First Read--SB 782-Curls (S241)

02/16/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S287)

EFFECTIVE: August 28, 2012

\*\*\* SB 783 \*\*\*

5721S.011

SENATE SPONSOR: Curls

SB 783 - This act modifies provisions of the Distressed Areas Land Assemblage Tax Credit.

Currently, an applicant for this tax credit is entitled to a tax credit in an amount equal to fifty percent of the applicant's acquisition costs, which includes among other things the cost of demolishing vacant buildings, and for a five-year period, one hundred percent of the applicant's interest costs. These acquisition costs include the reasonable costs of maintaining an eligible parcel of land for a five-year period after acquiring the parcel. This act eliminates the five-year time limitation on receiving a tax credit for maintenance costs and interest costs, and allows the applicant to receive a tax credit equal to one hundred percent of the reasonable costs of demolition, rather than a tax credit equal to fifty percent of the demolition costs.

Currently, for a developer to be eligible for a tax credit under this program the redevelopment agreement between the developer and the municipal authority must prohibit the developer from redeveloping more than 75 percent of the area identified in the redevelopment plan. This act eliminates this restriction for projects in a specific type of redevelopment area.

Currently, the average number of parcels per acre in an area that is eligible for the developer to receive tax credits under this program must be four or more. This act eliminates this requirement for projects in a specific type of redevelopment area.

This act also allows a developer applying for the tax credit to file for the credit on a quarterly basis, rather than annually.

This act increases the cap on the amount of tax credits that can be issued under this program each year from 20 to 30 million dollars. The act also divides the amount of tax credits that can be issued each year into two pools. If there is more than one applicant entitled to tax credits in that year, then half of the annual amount of money will go to projects in a specific type of redevelopment area and half for areas located in other project areas. If the Department of Economic Development does not issue tax credits equal to all of each pool of money by December 15th, the other kind of projects can get the remaining money in the other pool.

Currently, the Department of Economic Development is prohibited from authorizing tax credits under this program after August 28, 2013. This act extends the amount of time the department can authorize tax credits

under this program until August 28, 2016.

If projects in the specific type of redevelopment area created by this act do not promote, grow, or retain significant employment, then after January 1, 2016, the Department of Economic Development can reduce or modify state assistance or tax credits to the applicant for the Distressed Areas Land Assemblage tax credit program, except the department cannot reduce the credits granted under this tax credit program, and the department cannot modify other state assistance in an amount that is more than the tax credits granted to the applicant under this tax credit program.

EMILY KALMER

02/13/2012 S First Read--SB 783-Curls (S241)

02/16/2012 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S287)

EFFECTIVE: August 28, 2012

\*\*\* SB 784 \*\*\*

5472S.011

SENATE SPONSOR: Curls

SB 784 – This act designates the month of May each year as "Lupus Awareness Month." It is recommended to the people of the state that the month be appropriately observed by educating themselves on the symptoms and impact of Lupus and to support programs of research, education, and community service.

ADRIANE CROUSE

02/13/2012 S First Read--SB 784-Curls (S241)

02/16/2012 Second Read and Referred S General Laws Committee (S287)

EFFECTIVE: August 28, 2012

\*\*\* SB 785 \*\*\*

5391S.041

SENATE SPONSOR: Parson

SB 785 - This act modifies provisions relating to the dispensation of controlled substances.

A pharmacist, in good faith, may sell and dispense controlled substances to any person upon a prescription of a practitioner located in another state, provided that:

(1) The prescription was issued according to and in compliance with the applicable laws of that state and the United States; and

(2) The quantity limitations specified under this act apply to prescriptions dispensed to patients located in this state. SECTION 195.060

Currently, the quantity of Schedule III, IV or V controlled substances dispensed at any one time is limited to a 90-day supply with the ability to increase the amount up to 3 months under certain circumstances. This act provides that such supply limitations shall not apply if the prescription is issued by a practitioner located in another state according to and in compliance with the applicable laws of that state and the United States and dispensed to a patient located or residing in another state. SECTION 195.080

This act is substantially similar to provisions in HCS/HB 1193 (2012).

ADRIANE CROUSE

02/13/2012 S First Read--SB 785-Parson (S241)

02/16/2012 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S287)

EFFECTIVE: August 28, 2012

\*\*\* SB 786 \*\*\*

5508S.031

SENATE SPONSOR: Keaveny

SCS/SB 786 - This act requires the state auditor to make a one-time report on the costs of administering the death penalty. As part of the report, the auditor must compare the costs estimated by the auditor to be related to cases in which the death penalty is sought and is imposed to the costs for cases in which the death penalty is not sought and the defendant is sentenced to life without parole and cases in which the death penalty is sought, but not imposed.

The results must be reported to the Governor, General Assembly, and the Missouri Supreme Court by June 30, 2014.

Any person who fails within 60 days to comply with a request of the auditor under this act is subject to a penalty, to be determined by the auditor, of up to \$500 for each day of non-compliance. The Department of Revenue must collect the penalty and deposit it into the state treasury to the credit of the general revenue fund.

MEGHAN LUECKE

02/13/2012 S First Read--SB 786-Keaveny (S241)

02/16/2012 Second Read and Referred S Governmental Accountability Committee (S287)

02/29/2012 Hearing Conducted S Governmental Accountability Committee

03/07/2012 SCS Voted Do Pass S Governmental Accountability Committee - (5508S.05C)

EFFECTIVE: August 28, 2012

\*\*\* SB 787 \*\*\*

4174S.02I

SENATE SPONSOR: Curls

SB 787 - This act authorizes the expungement of certain criminal records after ten years have elapsed since the person has completed his or her imprisonment, period of probation, or period of parole and has not been convicted of or been placed on probation for any misdemeanor or felony during that time.

The crimes eligible for expungement include felonies, misdemeanors, infractions, and municipal offenses other than certain specified violent crimes and crimes that require registration on the sex offender registry.

To expunge a criminal record under this act, the person must file a petition in the civil division of the circuit court in a county where any of the arrests, pleas, trials, or convictions occurred. Once expunged, the court records and files will be confidential and only available to the parties or by order of the court for good cause shown. The expungement also restores all rights to the person as if the crime had never occurred.

The clerk of the court is required to assess a \$500 surcharge on all petitions for expungement. Moneys collected are payable to the General Revenue Fund.

This act repeals Section 577.054, RSMo, which allows for the expungement of a first alcohol-related driving offense after a period of ten years, because the act's expungement provisions will apply to alcohol-related driving offenses.

This act is similar to HB 75 (2011).

MEGHAN LUECKE

02/13/2012 S First Read--SB 787-Curls (S241)

02/14/2012 Bill Withdrawn (S254)

EFFECTIVE: August 28, 2012

\*\*\* SB 788 \*\*\*

SCS SB 788

5390S.02C

SENATE SPONSOR: Keaveny

SCS/SB 788 - This act requires that the circuit clerk for the twenty-second judicial circuit be appointed by a majority of the judges of that circuit. The circuit clerk shall be removable for cause by a majority of the circuit judges.

This act is similar to HB 1560 (2012), HB 1025 (2011) and SB 53 (2005).

MIKE HAMMANN

02/14/2012 S First Read--SB 788-Keaveny (S254)

02/16/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S287)

02/27/2012 Hearing Conducted S Financial and Governmental Organizations and Elections Committee

03/05/2012 SCS Voted Do Pass S Financial and Governmental Organizations and Elections Committee - (5390S.02C)

03/08/2012 Reported from S Financial and Governmental Organizations and Elections Committee to Floor w/SCS (S431)  
 03/21/2012 Taken up for Perfection (S478)  
 03/21/2012 Bill Placed on Informal Calendar (S479)  
 04/16/2012 S Informal Calendar S Bills for Perfection--SB 788-Keaveny, with SCS (pending)

EFFECTIVE: August 28, 2012

\*\*\* SB 789 \*\*\*      SCS SB 789

5832S.02P

SENATE SPONSOR: Kraus

SCS/SB 789 - Under current law, a surcharge of \$30 is assessed in criminal cases in which a defendant is found guilty of a felony, a surcharge of \$60 is assessed if the defendant is found guilty of a Class A or B felony or an unclassified felony under Chapter 195, and \$15 is assessed if the defendant is found guilty of a misdemeanor. The money goes into the "DNA Profiling Analysis Fund".

The surcharge was set to expire on August, 28, 2013. This act extends the expiration date to August 28, 2019.

In addition, this act repeals a provision that redirects the funds to the state's general revenue if such revenue did not increase by two percent or more from the previous fiscal year.

Current law requires people who move to Missouri under an interstate compact or other reciprocal agreement to provide a DNA sample if the offense committed in the other jurisdiction would be considered an offense requiring the collection of a DNA sample under Missouri law. Under this act, a DNA sample is collected from any person found guilty of any felony offense who moves to Missouri pursuant to an interstate compact or similar agreement.

This act requires offenders to provide a DNA sample at the time of registering as a sex offender.

When a prosecutor declines to prosecute someone whose DNA was collected at the time of arrest, the arresting agency is required under current law to notify the crime laboratory within 90 days. The crime lab must expunge the DNA records and sample unless the person is otherwise obligated to submit a sample.

This act specifies that the arresting agency has 90 days upon receiving notification by the prosecuting attorney to contact the crime lab. The crime lab then has 30 days from receiving notice by the arresting agency to determine whether the person arrested has any other offenses or arrests on record that would require the person to submit a DNA sample. If the person does not have any other qualifying arrests or offenses, then the crime lab must destroy the DNA records and sample.

This act is similar to HB 1422 (2012).

MEGHAN LUECKE

02/14/2012 S First Read--SB 789-Kraus (S254)  
 02/16/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S287)  
 02/27/2012 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee  
 03/21/2012 SCS Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee - (5832.02C)  
 03/22/2012 Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor w/SCS (S499)  
 03/27/2012 SCS S adopted (S525)  
 03/27/2012 Perfected (S525)  
 03/27/2012 Reported Truly Perfected S Rules Committee (S527)  
 03/28/2012 Referred S Ways & Means and Fiscal Oversight Committee (S533)  
 03/29/2012 Voted Do Pass S Ways & Means and Fiscal Oversight Committee  
 03/29/2012 Reported from S Ways & Means and Fiscal Oversight Committee to Floor (S552)  
 03/29/2012 S Third Read and Passed (S555)  
 03/29/2012 H First Read (H858)  
 03/30/2012 H Second Read (H864)

EFFECTIVE: August 28, 2012

\*\*\* SB 790 \*\*\*

5731S.011

SENATE SPONSOR: Crowell

SB 790 - This act prohibits the Department of Revenue from allowing or redeeming any tax credit issued under the Low-Income Housing tax credit program and the Historic Preservation tax credit program from the effective date of the act until after June 30, 2013.

This act has an emergency clause.

EMILY KALMER

02/14/2012 S First Read--SB 790-Crowell (S254)

02/16/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S288)

02/23/2012 Hearing Conducted S Ways and Means and Fiscal Oversight Committee

EFFECTIVE: Emergency clause

\*\*\* SB 791 \*\*\*

5437S.021

SENATE SPONSOR: Curls

SB 791 - This act creates the Small Loan Community Reinvestment Program to distribute grants to non-profits dedicated to community reinvestment in educational tutoring and development, financial literacy, early childhood development, youth mentoring, and senior services. The grants shall be used in geographic areas containing the highest concentration of payday and title loan lenders in the state as determined by the division of finance. The grants shall consist of moneys collected as a \$1 surcharge on every payday and title loan which shall be deposited in the newly created Small Loan Community Reinvestment Fund. The director of the division of finance shall administer the program.

The act also makes modifications to the law regulating payday lenders.

Currently, such lenders may renew payday loans 6 times. This act bars renewals.

Currently, lenders may charge simple interest and fees up to 75% of the initial loan amount. This act does not allow lenders to charge interest. Only fees may be charged.

Lenders shall not make more than one loan to a borrower at a time and shall wait one business day before making another loan to a borrower who has just paid a previous loan.

Currently, payday loans have a minimum term of 14 days and a maximum term of 31 days. This act repeals that provision and allows the borrower to choose a loan with a 30, 60 or 90 day duration. Loan renewals are no longer allowed. Borrowers are required to make two installment payments within each 30 day period.

Fees shall be prorated and paid back to the borrower when the borrower prepays the loan and all fees shall be returned to the borrower when the borrower repays the loan at the end of the lender's next full business day.

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), HB 656 (2011), SB 295 (2011), SB 462 (2012), and SB 476 (2012).

CHRIS HOGERTY

02/14/2012 S First Read--SB 791-Curls (S254)

02/16/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S288)

03/19/2012 Hearing Conducted S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 792 \*\*\*

5848S.011

SENATE SPONSOR: Brown

SB 792 - This act classifies a retailer who has a machine that allows a person to process tobacco into a roll or tube as a manufacturer of cigarettes for the purposes of the requirements of the Tobacco Master Settlement Agreement, the chapter governing the tobacco tax, and the requirements of the Fire Safety Standard and Firefighter Protection Act.

EMILY KALMER

02/15/2012 S First Read--SB 792-Brown (S266)

02/16/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S288)

EFFECTIVE: August 28, 2012

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\*\*\* SB 793 \*\*\*

5854S.021

SENATE SPONSOR: Munzlinger

SB 793 - This act requires that 32 percent of the money from the sale of lottery tickets be appropriated to education, with 27 percent to general education and five percent to early childhood development.

The act also modifies how money from the Gaming Commission Fund is allocated. This act increases the amount of specified funding for the Missouri National Guard Trust Fund from four million dollars to seven million five hundred thousand, removes the specific funding for the Early Childhood Development, Education and Care fund from this fund, and provides the net proceeds of the fund remaining after distribution to the specified funds go to the Veterans' Commission Capital Improvement Fund.

EMILY KALMER

02/15/2012 S First Read--SB 793-Munzlinger (S266)

02/16/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S288)

03/22/2012 Hearing Conducted S Ways and Means and Fiscal Oversight Committee

EFFECTIVE: August 28, 2012

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\*\*\* SB 794 \*\*\*

5803S.011

SENATE SPONSOR: Schmitt

SB 794 - This act establishes the Missouri Works Program which combines six existing business incentive programs and will provide tax incentives for job creation and capital investment.

The Missouri Works Program is established to provide tax incentives in the form of retained withholding taxes and refundable income and financial institutions tax credits for qualified companies. 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.

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 twelve 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.

A qualified company that is located within a dormant manufacturing zone and creates two or more new

jobs with an average wage equal to or in excess of eighty percent of the county average wage 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 conditions under the Missouri Works program will be entitled to retain withholding taxes for an additional year.

The Department of Economic Development is required to respond to a request for a proposed benefit award under the Missouri Works 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, 2013, 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.

The act prohibits the approval of new projects after the effective date of the act, under the Quality Jobs, Enhanced Enterprise Zone, BUILD, Development, Rebuilding Communities, and Business Facilities programs.

The total amount of all tax credits authorized for each fiscal year under the Missouri Works Program including any outstanding authorizations for tax credits under the six programs prohibited from approving new projects after the effective date of the act, cannot exceed:

- 1) \$111 million for FY 2013;
- 2) \$126 million for FY 2014; and
- 3) \$141 million for FY 2015 and each subsequent fiscal year.

The provisions of the act creating the Missouri Works Program will automatically sunset six years after the effective date of the act unless reauthorized.

This act is similar to provisions of SS/SCS/SB 8 (1st Ext. Sess. 2012), SS/SCS/SB 280 (2011), and SB 279 (2011).

EMILY KALMER

02/15/2012 S First Read--SB 794-Schmitt (S270)

02/23/2012 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S329)

02/29/2012 Hearing Conducted S Jobs, Economic Development and Local Government Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 795 \*\*\*

SCS SB 795

5749S.02C

SENATE SPONSOR: Callahan

SCS/SB 795 - The act authorizes the establishment of a land bank agency in Kansas City. This act also modifies provisions of law that apply to the sale of tax-delinquent property in certain first class counties and that govern land trusts in certain counties to provide for how these provisions will interact with land bank agency powers and operations.

The act authorizes Kansas City to create a land bank agency by adopting an ordinance or resolution. The board of commissioners of the land bank agency will have five or seven members, one member appointed by the county, one member appointed by the school district with the largest population in the county, and the remaining members appointed by Kansas City. Board members serve four year terms and may only be reimbursed for expenses.

All property held by a land trust that is within Kansas City is required to be transferred to the land bank, within a year after the city adopts the ordinance or resolution creating the land bank agency. Land bank property and income are exempt from state and local taxes.

The land bank has the power to borrow money, issue bonds, contract, invest money, and acquire, develop, demolish, rehabilitate, lease, sell, or otherwise dispose of real estate. The land bank does not have the power of eminent domain. To carry out its functions the land bank may hire staff, and contract with political subdivisions for staffing services. The act requires the land bank agency to have the approval of the

municipality that created the land bank to issue bonds.

The land bank is authorized to acquire property by gift, transfer, exchange, foreclosure, or purchase. The land bank is prohibited from owning real estate outside the boundaries of Kansas City, but may accept transfers of real estate from political subdivisions.

If a land bank bids at a tax foreclosure sale in amount that equals the amount of the tax liens, plus interest and costs, the land bank shall be sold the property. If property inside Kansas City has been offered for sale at three different tax sales and has not sold, it is automatically transferred to the land bank. The act limits the land bank agency's ability to make certain bids at a sheriff's foreclosure sale to bidding on property that is located within a low to moderate income area designated as a target area for revitalization by the municipality that created the land bank agency.

After the land bank transfers property, for the next three years, the taxes on the real estate go to the land bank agency to fund its operations. The act also specifies how money from the sale of land bank property is distributed.

The land bank is subject to Missouri open meetings and open records laws.

Members of the board of the land bank and its employees are prohibited from having any interest in the land bank property, or from profiting from land bank operations.

The a land trust and the land bank agency are authorized to file a court petition to quiet title to several parcels of property in one petition. The act requires the court to hold a hearing within ninety days of filing the petition and issue its final judgment within one hundred twenty days.

This act is similar to HB 1659 (2012).

EMILY KALMER

02/16/2012 S First Read--SB 795-Callahan, et al (S275)  
 02/23/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S329)  
 03/05/2012 Hearing Conducted S Financial and Governmental Organizations and Elections Committee  
 03/19/2012 SCS Voted Do Pass S Financial and Governmental Organizations and Elections Committee - (5749S.02C)  
 03/22/2012 Reported from S Financial and Governmental Organizations and Elections Committee to Floor w/SCS (S498)  
 03/26/2012 Bill Placed on Informal Calendar (S517)  
 04/16/2012 S Informal Calendar S Bills for Perfection--SB 795-Callahan, et al, with SCS

EFFECTIVE: August 28, 2012

\*\*\* SB 796 \*\*\*

5564S.011

SENATE SPONSOR: Justus

SB 796 - This act repeals the section making changes from Senate Bill 7 passed in the First Extraordinary Session of 2011 contingent on the passage of another act during that session.

EMILY KALMER

02/16/2012 S First Read--SB 796-Justus (S275)  
 02/23/2012 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S329)

EFFECTIVE: August 28, 2012

\*\*\* SB 797 \*\*\*

5829S.021

SENATE SPONSOR: Justus

SB 797 – This act establishes the Voluntary Prekindergarten Education Program to provide an opportunity for each child, who has reached the age of three, to voluntarily enroll in a publicly-funded prekindergarten program. Children will remain eligible to enroll in the program until they enroll in kindergarten or attain the age of seven.

The Department of Elementary and Secondary Education will be responsible for implementing and



overseeing the program. Private, for-profit, non-profit, and public schools may enroll children in their prekindergarten programs and receive public funds for doing so. The Department must establish standards that providers must meet in order to participate in the program. The department must also establish teacher-child ratios, class sizes, student learning standards, guidelines, and qualifications for teachers and staff, as described in the act.

The Department must begin implementing the program by November 30, 2012 and complete the phase-in of the program by July 1, 2017. The Department must establish the rate of payment or reimbursement for providers. The program is subject to appropriations.

The provisions of this act will sunset after six years unless reauthorized.

MICHAEL RUFF

02/16/2012 S First Read--SB 797-Justus (S275)

02/23/2012 Second Read and Referred S Education Committee (S329)

04/04/2012 Hearing Conducted S Education Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 798 \*\*\*

5420S.011

SENATE SPONSOR: Justus

SB 798 - This act prohibits discrimination based upon a person's sexual orientation or gender identity. 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. The term "gender identity" is defined as the gender-related identity, appearance, or mannerisms, or other gender-related characteristics of an individual, with or without regard to the individual's designed sex at birth.

This act is similar to SB 239 (2011), SB 626 (2010), SB 109 (2009), SB 824 (2008), and SB 266 (2007).  
JIM ERTLE

02/16/2012 S First Read--SB 798-Justus, et al (S275)

02/23/2012 Second Read and Referred S Progress and Development Committee (S329)

EFFECTIVE: August 28, 2012

\*\*\* SB 799 \*\*\*

5441S.011

SENATE SPONSOR: Justus

SB 799 - 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, 2013, and has authority to promulgate rules and regulations under this act.

This act is identical to SB 240 (2011), HB 460 (2011), SB 946 (2010) and is substantially similar to HB 1049 (2012), HB 460 (2011), HB 273 (2011), HB 2036 (2010), SB 132 (2009), HB 1751 (2008) and provisions contained in HCS/SB 147 (2011).

MICHAEL RUFF

02/16/2012 S First Read--SB 799-Justus, et al (S275-276)

02/23/2012 Second Read and Referred S Education Committee (S329)

EFFECTIVE: August 28, 2012

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\*\*\* SB 800 \*\*\*

4565S.011

SENATE SPONSOR: Justus

SB 800 – 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 SB 332 (2011).

ADRIANE CROUSE

02/16/2012 S First Read--SB 800-Justus (S276)

02/23/2012 Second Read and Referred S Education Committee (S329)

EFFECTIVE: August 28, 2012

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\*\*\* SB 801 \*\*\*

4563S.021

SENATE SPONSOR: Justus

SB 801 – This act creates the "Missouri Tuition Equity Act."

This act requires any higher education institution that receives state funding to treat any individual as a Missouri resident for purposes of tuition, fees, and admission who meets the following conditions: the individual resided with his or her parent or guardian, or was emancipated, 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.

Any information collected under this act as part of a student's admission will remain confidential.

This act contains an emergency clause.

This act is similar to SB 114 (2011), SB 783 (2010) and is substantially similar to SB 331 (2009) and similar to SB 1109 (2004).

MICHAEL RUFF

02/16/2012 S First Read--SB 801-Justus (S276)

02/23/2012 Second Read and Referred S Education Committee (S329)

EFFECTIVE: July 1, 2012

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\*\*\* SB 802 \*\*\*

5431S.011

SENATE SPONSOR: Justus

SB 802 – Current law allows school districts to contract with other agencies or entities for the provision of alternative education services for students whose demonstrated disruptive behavior indicates that they cannot be adequately served in a traditional classroom setting. This act requires school districts to contract with other agencies or entities for the provision of alternative education services in these circumstances.

MICHAEL RUFF

02/16/2012 S First Read--SB 802-Justus (S276)

02/23/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S329)

EFFECTIVE: August 28, 2012

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\*\*\* SB 803 \*\*\*

SCS SB 803

5876S.03C

SENATE SPONSOR: Rupp

SCS/SB 803 - This act modifies provisions relating to temporary behavior analysts, temporary assistant behavior analysts, provisional behavior analysts, provisional assistant behavior analysts, and the Behavior Analyst Advisory Board.

Currently, the Governor selects one of the professional members of the State Committee of Psychologists to serve on the Behavior Analyst Advisory Board. This act mandates that the committee will select by a majority vote which professional member of the committee will serve on the advisory board

The Behavior Analyst Advisory Board will review all applications for any behavior analyst license. The board will also recommend to the State Committee of Psychologists rules for promulgation regarding all types of behavior analyst licenses.

Submission of a fee set by the State Committee of Psychologists will be required before a temporary license is issued. For licensure as a temporary assistant behavior analyst, proof of a valid license as an assistant behavior analyst in another state is required.

The requirements for submission of a passport photograph, passage of an examination, and board certification are eliminated for provisional licenses. To receive a provisional license, the applicant must submit a complete application, pay the appropriate fee, and satisfy the requirements for either a licensed behavior analyst or licensed assistant behavior analyst, depending the provisional license sought. Those holding provisional licenses may only practice under the supervision of licensed behavior analyst. Provisional licenses will terminate upon issuance of a permanent license, a finding of cause to discipline, termination of supervision, or one year after issuance. Provisional licenses may only be renewed for one additional year.

No person shall hold themselves out as having a temporary or provisional license unless they meet the applicable requirements. Individual holding a temporary or provisional license shall limit their practice to their respective areas of competence and not practice in another area without obtaining additional training, education, and experience.

To receive reimbursement, the supervising behavior analyst shall do the billing to insurance providers for the services of temporary licensed behavior analysts, provisionally licensed assistant behavior analysts, and provisionally licensed behavior analysts.

This act is similar to HB 1518 (2012) and HB 1522 (2012).

MIKE HAMMANN

02/16/2012 S First Read--SB 803-Rupp (S276)

02/23/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S329)  
 03/05/2012 Hearing Conducted S Financial and Governmental Organizations and Elections Committee  
 04/02/2012 SCS Voted Do Pass S Financial and Governmental Organizations and Elections Committee - 5876S.03C  
 04/12/2012 Reported from S Financial and Governmental Organizations and Elections Committee to Floor w/SCS  
 04/16/2012 S Formal Calendar S Bills for Perfection--SB 803-Rupp, with SCS

EFFECTIVE: August 28, 2012

\*\*\* SB 804 \*\*\*

4474S.01P

SENATE SPONSOR: Engler

SB 804 - Under the terms of this act, if, after 10 days from the date of the judgment in a rent possession case the judgment is not set aside or an application for a trial de novo has not been filed, the tenant willfully refuses to vacate and surrender the possession of the premises to the landlord or the landlord's agent, the tenant shall be guilty of a class B misdemeanor.

STEPHEN WITTE

02/16/2012 S First Read--SB 804-Engler (S276)  
 02/23/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S329)  
 03/19/2012 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee  
 04/02/2012 Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee  
 04/05/2012 Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor (S630)  
 04/10/2012 Perfected (S644)  
 04/11/2012 Reported Truly Perfected S Rules Committee (S651)  
 04/12/2012 S Third Read and Passed

EFFECTIVE: August 28, 2012

\*\*\* SB 805 \*\*\*

5880S.01I

SENATE SPONSOR: Engler

SCS/SB 805 - Under current law, persons who cause physical injury or death to a person by failing to yield the right-of-way are subject to additional monetary penalties and driver's license suspensions (Section 304.351).

Under current law, a person who causes physical injury to a person by failing to yield the right-of-way shall be assessed a penalty of up to \$200 and may have his or her driving privilege suspended for 30 days. This act increases the penalty from "up to \$200" to "up to \$1,000", with a minimum penalty of \$500.

Under current law, a person who causes serious physical injury to another by failing to yield the right-of-way is subject to an additional penalty of up to \$500 and may have his or her driving privilege suspended for 90 days. This act increases the penalty from "up to \$500" to "up to \$3,000", with a minimum \$1,000 additional penalty. The act further makes the 90 day suspension mandatory rather than discretionary.

Under current law, a person causes the death of another by failing to yield the right-of-way is subject to an additional penalty of up to \$1,000 and may have his or driving privilege suspended for 6 months. This act increases the additional penalty from "up to \$1,000" to "up to \$10,000", with a minimum \$5,000 additional penalty. In lieu of a discretionary 6 month suspension, the act requires the court to issue an order of suspension of up to one year, but no less than 6 months. In addition, the person who causes a fatality by failing to yield the right-of-way must successfully complete a driver-improvement program (Section 304.351).

STEPHEN WITTE

02/16/2012 S First Read--SB 805-Engler (S276)  
 02/23/2012 Second Read and Referred S Transportation Committee (S329)  
 03/07/2012 Hearing Conducted S Transportation Committee  
 03/28/2012 SCS Voted Do Pass S Transportation Committee - (5880S.02C)

EFFECTIVE: August 28, 2012

\*\*\* SB 806 \*\*\*

SS#2 SCS SB 806

5825S.06P

SENATE SPONSOR: Cunningham

SS#2/SCS/SB 806 – This act modifies provisions relating to the employment of school personnel.

**LENGTH OF TIME TO EARN TENURE:** Currently, a teacher who is employed in the same school district for five successive years earns permanent teacher status. This act increases the length of time to earn permanent teacher status to ten successive years. This change applies to the statewide tenure system and the system in place for the St. Louis City School District. (Sections 168.104 & 168.221)

**REDUCTION IN FORCE:** This act modifies the criteria that a school board uses when placing teachers on leave of absence because of a decrease in student enrollment, district reorganization, or financial condition. This act repeals requirements and procedures commonly referred to as "last in first out" which, when placing teachers on leave, gives preference to permanent teachers and retains permanent teachers based on performance-based evaluation and seniority. Instead, this act provides that seniority or years of service cannot be used as criteria for reduction in force; effective teacher performance will be the deciding criterion. This act defines adverse financial condition for purposes of a reduction in force. (Section 168.124)

**REDUCTION IN FORCE FOR TEACHERS IN ST. LOUIS:** Currently, a separate tenure system exists for the St. Louis City School District. This act ends the "last in first out" system of placing teachers on leave. Instead, effective teacher performance will be the deciding criterion for placing teachers on leave. (Section 168.221)

**REDUCTION IN FORCE FOR NON-CERTIFIED EMPLOYEES IN ST. LOUIS:** Currently, non-certified employees in the St. Louis City School District have a system with tenure-like protections. This act repeals Section 168.291, which governs reduction in force for these employees and established a "last in first out" system for them. (Section 168.291)

This act has a delayed effective date of July 1, 2013. (Section B)

MICHAEL RUFF

02/16/2012 S First Read--SB 806-Cunningham (S276)  
 02/23/2012 Second Read and Referred S General Laws Committee (S329)  
 02/28/2012 Hearing Conducted S General Laws Committee  
 03/06/2012 SCS Voted Do Pass S General Laws Committee - (5825S.02C)  
 03/22/2012 Reported from S General Laws Committee to Floor w/SCS (S500)  
 03/27/2012 Bill Placed on Informal Calendar (S526)  
 04/03/2012 SA 1 to SCS S offered (Crowell)--(5825S02.09S) (S593-594)  
 04/03/2012 Bill Placed on Informal Calendar (S594)  
 04/03/2012 SA 1 to SCS S withdrawn (S597)  
 04/03/2012 SS for SCS S offered (Cunningham)--(5825S.04F) (S597)  
 04/03/2012 SA 1 to SS for SCS S offered & adopted (Lembke)--(5825S04.03S) (S597-598)  
 04/03/2012 SA 2 to SS for SCS S offered & adopted (Cunningham)--(5825S04.07S) (S598-599)  
 04/03/2012 SA 3 to SS for SCS S offered & adopted (Chappelle-Nadal)--(5825S04.09S) (S599)  
 04/03/2012 SA 4 to SS for SCS S offered & adopted (Pearce)--(5825S04.04S) (S599-601)  
 04/03/2012 Bill Placed on Informal Calendar (S601)  
 04/05/2012 SS for SCS S withdrawn (S618)  
 04/05/2012 SS#2 for SCS S offered (Cunningham)--(5825S.06F) (S618)  
 04/05/2012 SA 1 to SS#2 for SCS S offered & adopted (Dempsey)--(5825S06.02S) (S618)  
 04/05/2012 SA 2 to SS#2 for SCS S offered & adopted (Dempsey)--(5825S06.04S) (S619)  
 04/05/2012 SA 3 to SS#2 for SCS S offered (Dempsey)--(5825S06.03S) (S619-620)  
 04/05/2012 SSA 1 for SA 3 to SS#2 for SCS S offered & defeated (Chappelle-Nadal)--(5825S06.06S) (S620-621)  
 04/05/2012 SA 3 to SS#2 for SCS S adopted (S621)  
 04/05/2012 SS#2 for SCS, as amended, S adopted (S621)  
 04/05/2012 Perfected (S621)  
 04/10/2012 Reported Truly Perfected S Rules Committee (S643)  
 04/12/2012 Bill Placed on Informal Calendar  
 04/16/2012 S Informal Calendar S Bills for Third Reading--SS#2 for SCS for SB 806-Cunningham

EFFECTIVE: July 1, 2013

SB 807 - This act modifies several provisions relating to the Second Injury Fund.

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.

Currently, employers and insurers are not required to pay transportation costs for treatment requiring over 500 miles of travel. The Second Injury Fund is included in this provision.

Currently, employees are entitled to \$40 per week for rehabilitation paid out of the Second Injury Fund. This benefit is eliminated.

Employees shall submit to vocational testing and a vocational rehabilitation assessment scheduled by the Attorney General on behalf of 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 Attorney General on behalf of the second injury fund.

Currently, delinquent benefit payments are subject to interest at 10% per year. This act allows the Director of Revenue to set the interest to equal the adjusted prime rate charged by banks.

Currently, medical reports are admissible in evidence under certain circumstances in workers' compensation claims but not in claims against the Second Injury Fund. The act allows the reports to be admissible in claims against 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 for permanent total disability 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 work-related 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.

The act places limitations on when the Treasurer may enter agreed statements of fact and compromise settlements. Settlements are capped at \$60,000 for claims other than permanent total disability claims filed prior to the effective date of the act and capped at 200 times the employee's permanent total disability rate for all permanent total disability claims. Settlements may be made in any amount if a majority of the Second Injury Fund commission expressly authorizes the amount.

The Treasurer, with the advice and consent of the Attorney General and the authorization of the Second Injury Fund Commission, may enter into compromise settlements with dependents of claimants arising from the Schoemehl v. Treasurer decision.

Currently, the Second Injury Fund covers the fair, reasonable, and necessary expenses relating to the death and injury of employees of uninsured employers. The fund will no longer cover those costs going forward.

Currently, an actuarial study of the fund is conducted every 3 years. This act requires a yearly study beginning in 2013.

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 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. 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.

The act establishes a priority for paying fund liabilities as follows:

1. Expenses relating to legal defense of the fund.
2. Permanent total disability awards in the order in which they are settled or finally adjudicated.
3. Permanent partial disability awards in the order in which they are settled or finally adjudicated.
4. Medical expenses incurred prior to July 1, 2011.
5. Interest on unpaid awards.

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 institutes a funding mechanism to bolster the Second Injury Fund when usual collections are inadequate. If funds fall short, the Director of the Division of Workers' Compensation shall determine the shortfall which shall be collected with a supplemental surcharge not to exceed 1 1/2%. If funds continue to fall short, the Second Injury Fund Commission shall determine the shortfall which shall be collected with a supplemental surcharge not to exceed 1 1/2%. The provisions containing the authorization of additional surcharges expire on December 31, 2019.

The Attorney General shall reduce staff in proportion to the number of Second Injury Fund cases that remain.

The act creates the Second Injury Fund Commission composed of the Governor, Attorney General, President Pro Tem of the Senate, and the Speaker of the House of Representatives to approve additional surcharges and authorize certain settlements.

Sections 287.165 and 287.220 that establish the type of claims to be paid out of the fund, limitations on settlement agreements, and allowable interest under the chapter carry an emergency clause.

This act is similar to SB 430 (2011), and SB 572 (2012).

CHRIS HOGERTY

02/16/2012 S First Read--SB 807-Dempsey (S276)  
 02/23/2012 Second Read and Referred S Small Business, Insurance and Industry Committee (S329)  
 03/27/2012 Hearing Conducted S Small Business, Insurance and Industry Committee  
 04/03/2012 Voted Do Pass S Small Business, Insurance and Industry Committee  
 04/05/2012 Reported from S Small Business, Insurance and Industry Committee to Floor (S631)  
 04/10/2012 Bill Placed on Informal Calendar (S644)  
 04/16/2012 S Informal Calendar S Bills for Perfection--SB 807-Dempsey

EFFECTIVE: Emergency clause

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\*\*\* SB 808 \*\*\*

5129S.011

SENATE SPONSOR: Lembke

SB 808 - This act authorizes legal voters to petition for a recall election for United States senators. Petitions shall be signed by at least 8% of voters in each of 3/4 of the congressional districts, the total number of voters being based on the number of votes cast for the incumbent at the last preceding election in which he or she was elected.

If an election is held, opposing candidates are then nominated as if in an election to fill a vacancy and the incumbent shall continue to serve until the election results are declared. The election shall be held on the next day available for holding public elections that occurs at least 10 weeks after the Secretary of State verifies the petition. Senators are only subject to one recall per term.

CHRIS HOGERTY

02/16/2012 S First Read--SB 808-Lembke (S276)  
 02/23/2012 Second Read and Referred S Governmental Accountability Committee (S329)

EFFECTIVE: August 28, 2012

\*\*\* SB 809 \*\*\*

5852S.011

SENATE SPONSOR: Lamping

SCS/SB 809 - Under this act an individual with mental disabilities is added 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.

The term "service dog" is revised to mean a search and rescue dog that is trained to assist a person with a physical or mental disability by performing necessary tasks or doing work which the person cannot perform. Such tasks include, but are not limited to, helping the person from becoming lost, retrieving items or carrying supplies. 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 person with a disability or child, and an adult person who has been trained to handle the dog.

This act is substantially similar to HB 1436 (2012) and HB 513 (2011).

ADRIANE CROUSE

02/16/2012 S First Read--SB 809-Lamping (S276)

02/23/2012 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S329)

03/27/2012 Hearing Conducted S Health, Mental Health, Seniors and Families Committee

04/03/2012 SCS Voted Do Pass S Health, Mental Health, Seniors and Families Committee - 5852S.02C

EFFECTIVE: August 28, 2012

\*\*\* SB 810 \*\*\*

5787S.011

SENATE SPONSOR: Lamping

SB 810 - This act modifies current provisions relating to tuberculosis ("TB") treatment, prevention and commitment by granting more authority to the Department of Health and Senior Services and local public health authorities. Definitions for "directly-observed therapy", "facility", "immediate threat", "isolation", and "targeted testing program" are included. A modified definition for "local public health authority" is included as well.

Current law requires a person found to have TB to obtain the required treatment, minimize the risk of infection and allow for a TB patient to be committed under certain circumstances. This act specifies that local public health authorities may institute proceedings to petition for directly observed therapy or commitment of the person with TB.

The Department of Health and Senior Services is authorized to contract for the care of any TB patient. These contracts shall provide that state payment shall be available for the treatment and care of such patients only after benefits from all third party payers have been exhausted.

It shall be a Class D felony for any individual knowingly infected with active pulmonary or laryngeal TB to expose another person without that person's consent or report to work with active contagious TB and without following the prescribed treatment or by violating the requirements of a commitment order. If a victim contracts TB, it shall be a Class C felony.

In performance of the duty to prevent or control TB, the local public health authority or the department, at reasonable times and within reasonable limits, may enter and inspect a public place, any public or commercial means of transportation, or private property and premises to locate and inspect persons who may have active TB. The act specifies the manner in which the inspections shall occur and whether a petition from the circuit court must be granted prior to inspection.



All employees and volunteers of a health care facility shall be tested for TB upon employment as recommended by the most recent federal guidelines from the Centers for Disease Control and Prevention.

All college or university campuses in this state may implement a TB screening and targeted testing program for all on-campus students upon matriculation. Any entering student of a college or university in this state who does not comply with the TB screening and targeted testing program may not be permitted to maintain enrollment in the subsequent semester.

This act is substantially similar to HB 1471 (2012).

ADRIANE CROUSE

02/16/2012 S First Read--SB 810-Lamping (S276-277)

02/23/2012 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S329)

04/10/2012 Hearing Scheduled But Not Heard S Health, Mental Health, Seniors and Families Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 811 \*\*\*

5747S.02P

SENATE SPONSOR: Dixon

SB 811 – This act authorizes the Board of Governors of Missouri State University to convey a perpetual street right of way at National Avenue and Monroe Street to the City of Springfield. (Section 1)

The board may convey a perpetual street right of way at National Avenue and Grand Street to the City of Springfield. (Section 2)

The board may convey a drainage easement over, on, and under property owned by Missouri State University located at National Avenue and Grand Street to the City of Springfield. (Section 3)

The board may convey a sanitary sewer easement over, on, and under property owned by Missouri State University located at National Avenue and Grand Street to the City of Springfield. (Section 4)

The parties must negotiate the terms for each conveyance. The Attorney General must approve the form of the conveyance instrument.

MICHAEL RUFF

02/16/2012 S First Read--SB 811-Dixon (S277)

02/23/2012 Second Read and Referred S General Laws Committee (S329)

03/06/2012 Hearing Conducted S General Laws Committee

03/20/2012 Voted Do Pass S General Laws Committee

03/22/2012 Reported from S General Laws Committee to Floor (S500)

03/28/2012 Perfected (S535)

03/28/2012 Reported Truly Perfected S Rules Committee (S546)

03/29/2012 S Third Read and Passed (S561)

03/29/2012 H First Read (H858)

03/30/2012 H Second Read (H864)

04/12/2012 Referred H Higher Education Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 812 \*\*\*

5850S.011

SENATE SPONSOR: Schaefer

SB 812 - This act establishes the Missouri Electronic Prior Authorization Committee in order to facilitate, monitor, and report to the General Assembly on Missouri-based efforts to contribute to the establishment of national electronic prior authorization standards. Such efforts shall include the Missouri-based electronic prior authorization pilot program established under the act and the study and dissemination of information by the committee of the efforts of the National Council on Prescription Drug Programs (NCPDP) to develop national electronic prior authorization standards that will be promulgated by the appropriate Missouri administrative regulations and effective as soon as practically possible.

The director of the Department of Insurance, Financial Institutions and Professional Registration shall be chair of the committee. The list of the other members to be appointed to the committee are specified under the act.

The full list of the duties of the committee are prescribed under the act but include preparing a report at the end of each calendar year to be distributed to the General Assembly and Governor with a summary of the committee's progress and plans for the next calendar year. Such annual report shall continue until such time as the NCPDP has established national electronic prior authorization standards.

Upon the adoption of national electronic prior authorization standards by the NCPDP, the committee shall prepare a final report to be distributed to the General Assembly and Governor that identifies the appropriate Missouri administrative regulations that will need to be promulgated in order to make those standards effective as soon as practically possible, and advise the General Assembly and Governor if there are any legislative actions necessary to the furtherance of that end.

In consultation with the Department and the Missouri Electronic Prior Authorization Committee, a Missouri-based pharmacy benefits manager doing business nationally shall conduct an electronic prior authorization pilot program in Missouri, provided that there are adequate Missouri licensed physicians and an electronic prior authorization vendor capable and willing to participate in a Missouri-based pilot program. Such pilot program established under this section shall be operational by January 1, 2014.

ADRIANE CROUSE

02/16/2012 S First Read--SB 812-Schaefer, et al (S277)

02/23/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S329)

03/05/2012 Hearing Conducted S Financial and Governmental Organizations and Elections Committee

04/02/2012 Voted Do Pass S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 813 \*\*\*

5878S.01P

SENATE SPONSOR: Richard

SB 813 - Under current law, political subdivisions and other public entities may invest certain funds in certificates of deposits. This act provides that the funds may be deposited in deposit accounts rather than in certificates of deposits.

Current law also provides that the financial institution receive the same amount of deposits from customers of other financial institutions at the same time the public funds are deposited and the certificates of deposit are issued. This act requires the financial institution to receive the same amount of deposits on the same date the public funds are deposited.

This act is identical to HB 1400 (2012).

MEGHAN LUECKE

02/20/2012 S First Read--SB 813-Richard (S292)

02/23/2012 Second Read and Referred S General Laws Committee (S329)

03/20/2012 Hearing Conducted S General Laws Committee

03/27/2012 Voted Do Pass S General Laws Committee

03/29/2012 Reported from S General Laws Committee to Floor (S567)

04/04/2012 Perfected (S611)

04/04/2012 Reported Truly Perfected S Rules Committee (S612)

04/05/2012 S Third Read and Passed (S628)

04/05/2012 H First Read (H972)

04/10/2012 H Second Read (H977)

EFFECTIVE: August 28, 2012

\*\*\* SB 814 \*\*\*

5868S.01I

SENATE SPONSOR: Brown

SB 814 - Under current law, \$1 of a \$4 fee collected by county recorders is remitted to the state for purposes of administering state land survey duties by the Department of Natural Resources. The act creates the Missouri Land Survey Fund and directs the fee revenue into this fund.

The act changes the name of the state land survey authority to the land survey program and updates statutory references in numerous places.

The act modifies several of the land survey duties of the Department of Natural Resources. It directs the department to provide the framework for all geodetic positioning activities in the state. Under current law, the department's regulations for land surveyors are advisory in nature. The act removes the advisory nature of the department's regulations, making the department's regulations enforceable.

The act changes the name of the Land Survey Advisory Committee to the Land Survey Commission and increases the membership on the Commission from 5 to 7. It limits members to three consecutive terms. The act adds a few additional duties to the Commission: providing recommendations on the operation of the land survey program and the selection of the state land surveyor. It also requires the Attorney General to advise the Commission upon its request and represent the Commission in legal proceedings.

The act allows revenue from sales of the department's surveying information to be deposited in the Department of Natural Resources Revolving Services Fund and expands what the Fund may be used for, which includes computer hardware and software and personnel related to retail services provided by the land survey program to the public.

The act is similar to HCS/HB 1395 (2012).

ERIKA JAQUES

02/20/2012 S First Read--SB 814-Brown (S292)

02/23/2012 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S329)

03/06/2012 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee

04/03/2012 Voted Do Pass S Commerce, Consumer Protection, Energy and the Environment Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 815 \*\*\*

5928S.01I

SENATE SPONSOR: McKenna

SB 815 - This act allows Jefferson County officers to contract with municipalities in Jefferson County to perform the same type of duties for the municipality as the county officer is performing for the county. Under current law, county officers in all counties except charter counties may enter such contracts.

In addition, this act allows the Jefferson County collector to contract with cities in the county to collect municipal taxes. This section currently only applies to first class counties.

MEGHAN LUECKE

02/20/2012 S First Read--SB 815-McKenna (S292)

02/23/2012 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S329)

03/07/2012 Hearing Conducted S Jobs, Economic Development and Local Government Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 816 \*\*\*

SCS SB 816

5923S.02C

SENATE SPONSOR: Kraus

SCS/SB 816 - This act redefines "misconduct" for which an employee may be disqualified from unemployment benefits. Currently, misconduct includes a wonton or willful disregard of the employer's interest and a disregard of standards of behavior the employer has the right to respect. The act changes that standard to a knowing disregard of that interest and a knowing violation of the standards the employer expects. Currently, an intentional and substantial disregard of the employer's interest or of the employer's duties and obligations to the employer also qualifies as misconduct. The act changes that standard to a knowing disregard of such interests, duties and obligations. Currently, a deliberate violation of the employer's rules constitutes misconduct. Under the act, a violation of an employer's rule is misconduct unless the employee demonstrates that he or she did not know and could not reasonably know the requirement or the rule is unlawful.

Misconduct also includes a violation of a no-call, no-show policy, chronic absenteeism, tardiness, unapproved absences following a written warning, and a knowing violation of a state standard or regulation of an employee of a licensed employer which would cause the employer to be sanctioned.

The misconduct standard shall apply irrespective of whether it occurs at the workplace or during work hours.

Currently, employees are disqualified from benefits if they voluntarily leave work without good cause. The act defines "good cause" as that which would compel a reasonable employee to cease working or which would require separation from work due to illness or disability.

CHRIS HOGERTY

02/20/2012 S First Read--SB 816-Kraus (S293)

02/23/2012 Second Read and Referred S Small Business, Insurance and Industry Committee (S329)

04/03/2012 Hearing Conducted S Small Business, Insurance and Industry Committee

04/10/2012 SCS Voted Do Pass S Small Business, Insurance and Industry Committee - 5923S.02C

04/12/2012 Reported from S Small Business, Insurance and Industry Committee to Floor w/SCS

04/16/2012 S Formal Calendar S Bills for Perfection--SB 816-Kraus, with SCS

EFFECTIVE: August 28, 2012

\*\*\* SB 817 \*\*\* SCS SBs 817 & 774

5729S.06C

SENATE SPONSOR: Parson

SCS/SBs 817 & 774 - A person shall not qualify as a petition circulator if he or she has been found guilty of forgery.

Currently, those who sign a false name on a petition are guilty of a Class A misdemeanor. Under the act, those who knowingly do so are guilty of a class one election offense.

Petitioners shall submit a copy of the filed statement of committee organization to the Secretary of State, with the sample petition.

The act requires the Secretary of State to post the full text of initiative and referendum petitions within two days of receiving such petition and a disclaimer stating that the text of the proposed measure may not constitute the full and correct text as required by law to qualify for circulation. The name of the individual or organization submitting the petition shall also be included. Failure to do so shall be considered an open records violation.

Currently, the Secretary of State has 30 days to approve or reject the form of a petition. This act decreases that time period to 15 days.

The petition sponsor shall submit, at the same time and with the sample petition, at least 1,000 sponsoring signatures to the Secretary of State. The Secretary of State shall send the signatures to the election authorities for verification within 5 days to be verified by the election authorities within 15 days. If the sponsoring signatures are verified, the Secretary of State shall notify the petition sponsor and accept public comment regarding the proposed measure. The Secretary has 23 days from certification of the sponsoring signatures to prepare the summary statement. Sponsoring signatures and signatures collected prior to the date the official ballot title is certified shall not be counted for the purposes of determining the number of signatures constitutionally required to have the measure placed on the ballot.

Within 30 days of certification that the petition sponsor has the required signatures to have the provision placed on the ballot, the Joint Committee on Legislative Research shall hold an informational public hearing to take public testimony of those in support of and in opposition to the position.

Persons challenging the ballot title are barred from delaying the disposition of the case for more than 120 days. At the end of that period, the action shall be dismissed with prejudice for failure to prosecute unless the court enters an order expressly stating that the sole cause for delay was the court's unavailability.

The provision requiring the Joint Committee on Legislative Research to conduct a public hearing carries an emergency clause.

CHRIS HOGERTY

02/21/2012 S First Read--SB 817-Parson (S298)

02/23/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S329)

03/05/2012 Hearing Conducted S Financial and Governmental Organizations and Elections Committee

04/02/2012 SCS Voted Do Pass (w/SCS SB's 817 & 774) S Financial and Governmental Organizations and Elections Committee - 5729S.06C  
 04/12/2012 Reported from S Financial and Governmental Organizations and Elections Committee to Floor w/SCS  
 04/16/2012 S Formal Calendar S Bills for Perfection--SBs 817 & 774-Parson, with SCS

EFFECTIVE: Varies

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\*\*\* SB 818 \*\*\* SCS SB 818

5941S.02C

SENATE SPONSOR: Parson

SCS/SB 818 - This act modifies the process for issuing temporary permits to motor vehicle owners. Under the terms of the act, the director of revenue is authorized to allow others to produce weather resistant, nontearing temporary permits that allow buyers of motor vehicle or trailers to operate such vehicles for a 30 day period. The temporary permit may be purchased by the motor vehicle buyer from the central office or from an authorized agent of the department. A motor vehicle buyer may also purchase a temporary permit from a motor vehicle dealer. The price paid by a registered dealer for a temporary permit shall not exceed \$5.00 per permit (current law sets the amount at \$7.50). The director shall direct motor vehicle dealers and authorized agents to obtain temporary permits from an authorized producer.

Under the act, amounts received by the director for temporary permits shall constitute state revenue while amounts received by an authorized producer shall not constitute state revenue. Amounts received by motor vehicle dealers or authorized agents for temporary permits purchased from an authorized producer shall not constitute state revenue. The act specifically provides that general revenue funds or other state funds shall not be used to compensate motor vehicle dealers and other producers for their role in producing temporary permits. Dealers may not charge more than \$5.00 for each permit it issues (down from \$7.50).

Under the act, each temporary permit issued shall be fastened to the rear of the motor vehicle in a manner and place on the motor vehicle consistent with placement of regular registration plates.

The act allows the director to reissue and extend the use of a temporary permit during the time period a title and registration are being obtained.

Under the terms of the act, upon the issuance of a temporary permit, the director shall make the temporary permit information immediately available to the law enforcement community of the state of Missouri (Section 301.140).

The provisions contained in this act are similar to those contained in HB 1329 (2012).  
 STEPHEN WITTE

02/21/2012 S First Read--SB 818-Parson (S298)  
 02/23/2012 Second Read and Referred S Transportation Committee (S329)  
 03/07/2012 Hearing Conducted S Transportation Committee  
 03/28/2012 SCS Voted Do Pass S Transportation Committee - (5941S.02C)  
 04/05/2012 Reported from S Transportation Committee to Floor w/SCS (S630)  
 04/10/2012 Bill Placed on Informal Calendar (S644)  
 04/16/2012 S Informal Calendar S Bills for Perfection--SB 818-Parson, with SCS

EFFECTIVE: August 28, 2012

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\*\*\* SB 819 \*\*\*

5814S.011

SENATE SPONSOR: Nieves

SB 819 - This act creates the Missouri Liberty Preservation Act. The state of Missouri will be prohibited from participating or providing material support for the implementation of sections 1021 and 1022 of the National Defense Authorization Act for Fiscal Year 2012. The Department of Public Safety is to report to the Governor and General Assembly attempts by the United States government to implement the specified sections through any Missouri state department. Any indefinite detention, prosecution under the law or war, or transfer to a foreign jurisdiction under the specified sections are deemed illegal in Missouri.

A violation of this act by any public officers, employees, or agents of the state of Missouri or employee providing services to the state of Missouri will be a Class B misdemeanor. A violation of this act by any official, agent, or employee of the United States government or employee of a corporation providing services

to the United States government will be deemed a Class A misdemeanor.

MIKE HAMMANN

02/22/2012 S First Read--SB 819-Nieves (S305)

02/23/2012 Second Read and Referred S General Laws Committee (S329)

EFFECTIVE: August 28, 2012

\*\*\* SB 820 \*\*\*

5857S.021

SENATE SPONSOR: Nieves

SB 820 - The act requires that 911 operators receive training in state law regarding self-defense and defense of others in order to assist callers who are in imminent danger of sustaining serious injury or death. The act gives 911 operators immunity from civil liability when providing this information except in cases of willful and wanton misconduct or gross negligence. Newly employed 911 operators must complete the training within the first 12 months of employment.

This act is similar to HB 1683 (2012).

ERIKA JAQUES

02/22/2012 S First Read--SB 820-Nieves (S305)

02/23/2012 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S330)

04/04/2012 Hearing Conducted S Jobs, Economic Development and Local Government Committee

04/11/2012 Voted Do Pass S Jobs, Economic Development and Local Government Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 821 \*\*\*

5902S.011

SENATE SPONSOR: McKenna

SB 821 - This act allows council members in third class cities to serve four-year terms by ordinance or vote of the people. If four-year terms are approved, the extended terms begin with any council member elected to office after the adoption of the ordinance or approval of the ballot question.

MEGHAN LUECKE

02/22/2012 S First Read--SB 821-McKenna (S305)

02/23/2012 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S330)

03/07/2012 Hearing Conducted S Jobs, Economic Development and Local Government Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 822 \*\*\*

5940S.011

SENATE SPONSOR: Munzlinger

SB 822 - The act makes a technical correction in the reference to the Missouri Agricultural and Small Business Development Authority.

ERIKA JAQUES

02/22/2012 S First Read--SB 822-Munzlinger (S305-306)

02/23/2012 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S330)

EFFECTIVE: August 28, 2012

\*\*\* SB 823 \*\*\*

5831S.011

SENATE SPONSOR: Munzlinger

SB 823 - This act allows the board of probation and parole, or a hearing panel of such board, to conduct hearings with offenders via videoconference. Victims may testify at the site where the board is conducting the videoconference or at the institution where the offender is located. The offender or the victim may object to the use of videoconferencing and, upon such objection, the hearing will be conducted in person.

MEGHAN LUECKE

02/22/2012 S First Read--SB 823-Munzlinger (S306)

02/23/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S330)  
 02/27/2012 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee  
 03/05/2012 Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 824 \*\*\*

5891S.011

SENATE SPONSOR: Schaefer

SB 824 - This act designates the month of May as "Motorcycle Awareness Month".

This act is identical to HB 782 (2011).

STEPHEN WITTE

02/22/2012 S First Read--SB 824-Schaefer, et al (S306)  
 02/23/2012 Second Read and Referred S General Laws Committee (S330)

EFFECTIVE: August 28, 2012

\*\*\* SB 825 \*\*\*

5931S.011

SENATE SPONSOR: Justus

SB 825 - The act imposes contribution limits for individuals and committees in support of candidates running for public office. Surcharges will be imposed upon committees that accept or give contributions exceeding the limits.

The limits are as follows for contributions made by or accepted from any person other than the candidate and all committees:

- \$10,000 for Governor, Lieutenant Governor, Secretary of State, Treasurer, Auditor, or Attorney General.
- \$5,000 for Senators.
- \$2,500 for Representatives.
- \$2,500 for any other office, including judicial office if the population of the area is under 100,000.
- \$5,000 for any other office, including judicial office if the population of the area is between 100,000 and 250,000.
- \$10,000 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), SB 648 (2010), and SB 546 (2012).

CHRIS HOGERTY

02/22/2012 S First Read--SB 825-Justus (S306)  
 02/23/2012 Second Read and Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S330)

EFFECTIVE: August 28, 2012

\*\*\* SB 826 \*\*\*

5947S.011

SENATE SPONSOR: Crowell

SB 826 - This act modifies the law relating to ethics.

**SECTION 105.456**

A statewide elected official is guilty of the crime of bribery of a public servant if he or she makes offers or promises to confer paid employment to any other statewide elected official in exchange for the legislator's official vote. Those who agree to such an arrangement are guilty of the crime of acceding to corruption.

**SECTION 105.463**

Nominees for gubernatorial appointments to a board or commission requiring Senate confirmation shall file a financial interest statement and shall request a list of political contributions from the Ethics Commission. The nominee shall deliver the information to the Senate pro tem prior to confirmation.

**SECTION 105.473**

Lobbyists who knowingly omit, conceal, or falsify information in expenditure reports are guilty of a Class A misdemeanor. Lobbyists are required to report expenditures when all members of certain bodies (such as the Senate) are invited in writing. This act stipulates that those bodies may or may not include staff.

Statewide officials are included.

SECTIONS 105.955, 105.957, 105.959, 105.961

With a unanimous vote of the Ethics Commission, the executive director may conduct an independent investigation of an ethics violation without a complaint if there are reasonable grounds to believe that a violation has occurred. The commission shall notify the person under investigation and assign a special investigator. The investigations of the executive director are confidential and the revealing of such information shall be cause for removal or dismissal. Investigations failing to establish reasonable grounds to believe a violation has occurred shall be terminated.

SECTION 105.961

Currently, within 120 days of receipt of a complaint, the special investigator submits a report to the commission. This act changes that threshold to 90 days.

Determinations that violations have occurred, other than referrals for criminal prosecution, may be appealed de novo to the Circuit Court of Cole County instead of the Administrative Hearing Commission.

SECTION 105.963

The late filing fee for filing campaign disclosure reports and statements of limited activity are increased from \$10 to \$50 per day not to exceed \$3,000. The executive director is allowed to send notice by other means than registered mail within 7 days of failure to file. Lobbyists required to file expenditure reports, individuals required to file financial disclosure reports, and candidates and committees required to file disclosure statements may appeal late fee assessments in the same manner with the commission.

The act allows the commission to collect unpaid fees through garnishment and other means.

SECTION 105.966

The act removes a provision allowing extra time for investigations when they are assigned to a retired judge and a provision allowing the commission to file a petition to seek extra time.

SECTION 115.364

Party nominating committees are barred from nominating a disqualified candidate to the office he or she was disqualified from in either the primary or general elections.

SECTION 130.011

This act redefines committees for the purposes of campaign finance. Political party committees are redefined to only include one congressional district committee for each congressional district in the state, and one state party committee. Legislative and senatorial district committees are abolished. Continuing committees are redefined as political action committees which are all committees other than a candidate committee, political party committee, campaign committee, exploratory committee, or debt service committee and can carry out the same functions as continuing committees under current law.

SECTION 130.021

Treasurers and deputy treasurers are no longer required to be residents of the county or district in which their committee sits.

Persons shall not form a new committee or serve as a deputy treasurer of a committee until all disclosure reports and statements of limited activity are filed and all fees paid.

SECTION 130.031

Political action committees shall only receive contributions from individuals, corporations, unions, and federal political action committees. They shall be barred from receiving contributions from all other committees. Candidate committees, political party committees, campaign committees, exploratory committees, political party committees, campaign committees, exploratory committees, and debt service committees shall be allowed to return a contribution to a donor political action committee that is the origin of the contribution. The state house committee and the state senate committee shall be exempt from the prohibited transfers.

All committees are required to file financial disclosure reports electronically beginning January 1, 2011.

Treasurers shall not transfer funds to another committee with the intent to conceal the identity of the source of the funds.



**SECTION 130.044**

State senators and representatives and candidates for those offices shall report contributions received during the legislative session exceeding \$500 within 48 hours of receiving the contribution. The same 48 hour reporting requirement is imposed for contributions given to the Governor, all statewide elected officials, and candidates for those offices during legislative session and any time when legislation from the regular legislative session awaits gubernatorial action.

**SECTION 130.071**

Currently, candidates who fail to file disclosure reports shall not take office until reports are filed. This act extends that requirement to all reports filed with the commission and fees owed. Currently, those who have not filed disclosure reports shall not file for office. This act also extends that requirement to fees owed.

**SECTION 575.021**

The act creates the Class A misdemeanor crime of obstruction of an ethics investigation if one knowingly bribes a person in exchange for withholding information, knowingly accepts such a bribe for withholding the information, knowingly makes a false statement to a member or employee of the Ethics Commission.

SECTIONS 105.485, 105.955, 130.021, 130.026, 130.028, 130.041, 130.046, 130.057, 226.033  
Changes references from "continuing committee" to "political action committee".

This act is similar to SB 577 (2010), SB 882 (2010), SB 893 (2010), HB 1868 (2010), HB 1500 (2010), HB 1846 (2010), HB 2039 (2010), HB 2300 (2010), SB 844 (2010).

CHRIS HOGERTY

02/22/2012 S First Read--SB 826-Crowell (S306)

02/23/2012 Second Read and Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S330)

EFFECTIVE: August 28, 2012

**\*\*\* SB 827 \*\*\***

5907S.011

SENATE SPONSOR: Crowell

SB 827 - This act ensures that co-employees shall be released from liability for all workplace injuries under the workers' compensation system except when they engaged in an affirmative negligent act with the purpose of causing or increasing the risk of injury.

CHRIS HOGERTY

02/22/2012 S First Read--SB 827-Crowell (S306)

02/23/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S330)

EFFECTIVE: August 28, 2012

**\*\*\* SB 828 \*\*\***

5909S.011

SENATE SPONSOR: Crowell

SB 828 - The act affirmatively states that occupational diseases are covered under workers' compensation laws.

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.

This act is similar to SB 8 (2011) and SB 572 (2012).

CHRIS HOGERTY

02/22/2012 S First Read--SB 828-Crowell (S306)

02/23/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S330)

EFFECTIVE: August 28, 2012

**\*\*\* SB 829 \*\*\***

5908S.011

SENATE SPONSOR: Crowell

SB 829 - This act modifies provisions relating to the Second Injury Fund.

No new claims shall be filed against the Second Injury Fund after July 1, 2012.

Only awards granted prior to July 1, 2012, awards or settlements in cases filed before July 1, 2012 and medical bills incurred and filed by employees of uninsured employers before July 1, 2012 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, 2012.

This act contains an emergency clause.

This act is identical to SB 417 (2011).

CHRIS HOGERTY

02/22/2012 S First Read--SB 829-Crowell (S306)

02/23/2012 Second Read and Referred S Small Business, Insurance and Industry Committee (S330)

03/27/2012 Hearing Conducted S Small Business, Insurance and Industry Committee

EFFECTIVE: Emergency clause

\*\*\* SB 830 \*\*\*

5963S.011

SENATE SPONSOR: Wasson

SB 830 - Currently, a physician assistant must work in the same facility as the supervising physician 66% of the time and never more than 30 miles from the location of the physician. This act mandates that the physician assistant must practice in the same facility where the physician routinely practices. The physician must be immediately available in person or by telecommunication when the physician assistant is providing care. Supervision distance waivers are eliminated.

The act requires supervising physicians and physician assistants to attest that the physician assistant will practice only to the extent of his or her training and experience. Failure of a physician to appropriately supervise a physician assistant shall be considered unprofessional conduct which may subject them to discipline by the State Board of Registration for the Healing Arts.

MIKE HAMMANN

02/23/2012 S First Read--SB 830-Wasson (S318)

03/01/2012 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S384)

EFFECTIVE: August 28, 2012

\*\*\* SB 831 \*\*\*

5922S.011

SENATE SPONSOR: Wasson

This bill has been combined with SB 767

02/23/2012 S First Read--SB 831-Wasson (S318)

03/01/2012 Second Read and Referred S Transportation Committee (S384)

03/07/2012 Hearing Conducted S Transportation Committee

03/07/2012 Bill Combined (w/SCS SBs 767, 653, 754,705, 441, 528, 831, 833 & 847) S Transportation Committee - (5761S.04C)

EFFECTIVE: August 28, 2012

\*\*\* SB 832 \*\*\*

5990S.011

SENATE SPONSOR: Wasson

SB 832 - This act establishes a closed primary system.

For primary elections occurring after January 1, 2013, voters will only be allowed to vote a ballot of the political party designated in the individual's voter registration. Those attempting to vote a different party ballot are guilty of a class four election offense.

Voters may change their party affiliation at any time before the deadline for registration for the primary by giving written notice to the election authority in the same manner as delivering a notice of change of address.

Those who fail to designate party affiliation shall be registered without such affiliation and the election authority shall notify the voter that the voter may update the party affiliation.

This act is identical to HB 1052 (2012).

CHRIS HOGERTY

02/23/2012 S First Read--SB 832-Wasson (S318-319)

03/01/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S384)

03/19/2012 Hearing Conducted S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 833 \*\*\*

5991S.011

SENATE SPONSOR: Ridgeway

This bill has been combined with SB 767

02/23/2012 S First Read--SB 833-Ridgeway (S319)

03/01/2012 Second Read and Referred S Transportation Committee (S384)

03/07/2012 Hearing Conducted S Transportation Committee

03/07/2012 Bill Combined (w/SCS SBs 767, 653, 754, 705, 441, 528, 831, 833 &amp; 847) S Transportation Committee - (5761S.04C)

EFFECTIVE: August 28, 2012

\*\*\* SB 834 \*\*\*

SCS SB 834

5772S.03C

SENATE SPONSOR: Mayer

SCS/SB 834 - Under current law, there is a special fund in each county treasury for certain funds coming into the possession of sheriffs that is to be used for the sheriff's office. Land sale proceeds and regular budget allocations are not to be directed into the fund. The fund may not exceed \$50,000, and any proceeds in excess of such amount go into the general revenue in the county treasury.

This act specifies that charges received by sheriffs for executing service of process or other court orders must be placed in the special fund, subject to the \$50,000 cap on the fund.

MEGHAN LUECKE

02/23/2012 S First Read--SB 834-Mayer and Parson (S319)

03/01/2012 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S384)

03/28/2012 Hearing Conducted S Jobs, Economic Development and Local Government Committee

04/11/2012 SCS Voted Do Pass S Jobs, Economic Development and Local Government Committee - 5772S.03C

04/12/2012 Reported from S Jobs, Economic Development and Local Government Committee to Floor w/SCS

04/16/2012 S Formal Calendar S Bills for Perfection--SB 834-Mayer and Parson, with SCS

EFFECTIVE: August 28, 2012

\*\*\* SB 835 \*\*\*

5877S.011

SENATE SPONSOR: Kehoe

SCS/SB 835 - This act updates references to fireworks classifications in the Code of Federal Regulations and removes references to American Pyrotechnics Association standards.

This act contains an emergency clause.

MEGHAN LUECKE

02/23/2012 S First Read--SB 835-Kehoe (S319)

03/01/2012 Second Read and Referred S Small Business, Insurance and Industry Committee (S384)

04/03/2012 Hearing Conducted S Small Business, Insurance and Industry Committee

04/10/2012 SCS Voted Do Pass S Small Business, Insurance and Industry Committee - 5877S.02C

EFFECTIVE: August 28, 2012

\*\*\* SB 836 \*\*\*

6021S.011

SENATE SPONSOR: Schaaf

SB 836 - This act requires the Departments of Health and Senior Services; Social Services; Corrections; 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 social service, at least twice annually.

ADRIANE CROUSE

02/27/2012 S First Read--SB 836-Schaaf (S337)

03/01/2012 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S384)

EFFECTIVE: August 28, 2012

\*\*\* SB 837 \*\*\*

SCS SB 837

6000S.02P

SENATE SPONSOR: Dempsey

SCS/SB 837 - The act modifies the definition of franchise under Missouri franchise law, specifically for agreements between alcohol wholesalers and suppliers so that a franchise may exist even without a license to use a trade name, trademark, or service mark and regardless if there is a community of interest in the marketing of the products. The act states the General Assembly's intention that judicial interpretation of cases involving the definition of franchise should rely on certain state cases as indicated as opposed to a recent federal court decision as specified.

This act is similar to HCS/HB 1841 (2012).

ERIKA JAQUES

02/27/2012 S First Read--SB 837-Dempsey (S337)

03/01/2012 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S384)

03/05/2012 Hearing Cancelled S Commerce, Consumer Protection, Energy and the Environment Committee

03/20/2012 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee

03/27/2012 SCS Voted Do Pass S Commerce, Consumer Protection, Energy and the Environment Committee - (6000S.02C)

03/29/2012 Reported from S Commerce, Consumer Protection, Energy and the Environment Committee to Floor w/SCS (S567)

04/04/2012 Bill Placed on Informal Calendar (S611)

04/04/2012 Taken up for Perfection (S612)

04/04/2012 Bill Placed on Informal Calendar (S612)

04/05/2012 SCS S adopted (S629)

04/05/2012 Perfected (S629)

04/10/2012 Reported Truly Perfected S Rules Committee (S643)

04/12/2012 S Third Read and Passed

EFFECTIVE: August 28, 2012

\*\*\* SB 838 \*\*\*

6012S.011

SENATE SPONSOR: Richard

SB 838 - When requested by a property owner who is applying for a remediation tax credit, the Department of Natural Resources must send a letter to the Department of Economic Development stating the remediation status of the property owner's site or site improvement.

The act allows funds from the Petroleum Storage Tank Insurance Fund to be used for cleanup of sites contaminated by petroleum that have been acquired involuntarily through foreclosure by the Land Reutilization Authority of St. Louis.

ERIKA JAQUES

02/27/2012 S First Read--SB 838-Richard (S337)

03/01/2012 Second Read and Referred S Small Business, Insurance and Industry Committee (S384)

03/22/2012 Re-referred S Jobs, Economic Development and Local Government Committee (H503)

03/28/2012 Hearing Conducted S Jobs, Economic Development and Local Government Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 839 \*\*\*

5898S.02I

SENATE SPONSOR: Lembke

SB 839 – 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 any unaccredited school district during the first two full school years in which it operates under the authority of a special administrative board. In addition, such a school district will be exempt if, while operating under the authority of the special administrative board, it demonstrates improvement in its annual performance report. Improvement will be demonstrated by the district gaining at least one additional point during the initial two-year period, not losing any points in the subsequent year, and gaining at least one additional annual performance point within each subsequent two-year period after the initial two-year period. If such improvement does not occur, the special administrative board will pay the tuition and transportation of resident students.

A student residing in an unaccredited district operating under the authority of a special administrative board will have the right to transfer to a school within the student's district of residence that offers the student's grade level of enrollment that has met or exceeded state targets for the previous academic year, provided adequate space is available as determined by the special administrative board.

This act contains an emergency clause.

MICHAEL RUFF

02/27/2012 S First Read--SB 839-Lembke (S338)

03/01/2012 Second Read and Referred S Education Committee (S384)

03/21/2012 Hearing Conducted S Education Committee

04/04/2012 Voted Do Pass S Education Committee

EFFECTIVE: Emergency clause

\*\*\* SB 840 \*\*\*

5974S.01I

SENATE SPONSOR: Ridgeway

SB 840 - This act requires the Department of Revenue to implement an automated sales and use tax system for sending and collecting state and local sales and use taxes on July 1, 2013. Except for businesses that only file sales tax returns once a year or monthly, all new businesses and any business delinquent in paying sales or use taxes after July 1, 2013, will be required to use the automated system, or face revocation of the business's state sales and use tax license. Other businesses may voluntarily use the automated system. The Director of Revenue may defer implementation of the automated system for certain businesses.

All costs of purchasing and maintaining the computer hardware and software will be the responsibility of each business, except that each new business will receive one installed electronic cash register hardware unit and system software at the cost of the payment service provider.

The Director of Revenue may contract with third-parties to implement and operate the automated system. The act specifies how the system is required to operate. Among other requirements the system will include a unique merchant identification number for each merchant and a process requiring the business and payment service provider to send information electronically to the contractor each business day. The business's

payment service provider will be required to send sales and use tax to the Department of Revenue on behalf of the business. The contractor is required to provide telephone support for businesses.

New businesses and any business delinquent in paying sales or use taxes after July 1, 2013, will not have to post a bond with the Director of Revenue, if the business complies with the requirement that they use the automated system.

Currently, sellers are allowed to retain two percent of the amount they pay to the director of revenue, if the seller sends the amount before it is due. Businesses that use the automated system will be allowed to claim this allowance for all sales and use taxes paid.

This act is similar to HB 1679 (2012).

EMILY KALMER

02/27/2012 S First Read--SB 840-Ridgeway (S338)

03/01/2012 Second Read and Referred S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee (S384)

EFFECTIVE: August 28, 2012

\*\*\* SB 841 \*\*\*

6002S.011

SENATE SPONSOR: Ridgeway

SB 841 - Current law provides a limited exception to state milk inspection laws for a farmer to sell raw milk or cream directly to consumers if delivered to them for their own use. The act expands the exception to allow a farmer to sell up to 100 gallons of raw milk or cream per day at a farmer's market.

The act is similar to HB 1351 (2010) and HB 233 (2009).

ERIKA JAQUES

02/27/2012 S First Read--SB 841-Ridgeway (S338)

03/01/2012 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S384)

03/21/2012 Hearing Cancelled S Agriculture, Food Production and Outdoor Resources Committee

03/28/2012 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 842 \*\*\*

SCS SB 842

5194S.04P

SENATE SPONSOR: Lamping

SCS/SB 842 – This act modifies the Public School Retirement System of Missouri (PSRS) and the Public Education Employee Retirement System of Missouri (PEERS). This act requires that the employee and employer contribution rates for both systems not be fixed below the 2011-2012 school year rate until the systems experience a funded ratio of one hundred percent. In addition, the level rate of contribution for a fiscal year cannot exceed the level rate of contribution for the prior fiscal year by more than one-half percent for PSRS or one-quarter percent for PEERS.

The systems' annual actuarial valuations will not be used to fix the contribution rates so long as contribution rate is set at or above the 2011-2012 school year rates.

This act implements a thirty-year amortization period beginning with the 2011-2012 school year to pay off the unfunded actuarial accrued liability or until the system becomes one hundred percent funded.

Retirees will receive a two percent cost-of-living adjustment when the cost of living increases less than five percent until the system experiences a funded ratio of one hundred percent.

This act contains an emergency clause.

MICHAEL RUFF

02/27/2012 S First Read--SB 842-Lamping (S338)

03/01/2012 Second Read and Referred S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee (S384)

03/08/2012 Hearing Conducted S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee

03/21/2012 SCS Voted Do Pass S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee (5194S.04C)  
 03/29/2012 Reported from S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee to Floor w/SCS (S566)  
 04/04/2012 Bill Placed on Informal Calendar (S609)  
 04/04/2012 Taken up for Perfection (S610-611)  
 04/04/2012 Bill Placed on Informal Calendar (S611)  
 04/04/2012 SCS S adopted (S611)  
 04/04/2012 Perfected (S611)  
 04/04/2012 Reported Truly Perfected S Rules Committee (S612)  
 04/05/2012 Bill Placed on Informal Calendar (S628)  
 04/16/2012 S Informal Calendar S Bills for Third Reading--SCS for SB 842-Lamping

EFFECTIVE: Emergency clause

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\*\*\* SB 843 \*\*\* SCS SB 843

5901S.02C

SENATE SPONSOR: Lamping

SCS/SB 843 - This act allows motorists to purchase an additional temporary license plate that matches an existing or newly issued plate to serve as a visible plate when a bicycle rack or other item obstructs the view of the actual plate. The fee for the additional temporary license plate shall be \$7.50. The third plate may only be used on the vehicle with the matching plate, and the additional third plate must be clearly recognizable as a third plate and only used for such purposes. The act allows the director to promulgate rules regarding the recommended placement of the temporary plate within the vehicle's back window.

This act is similar to HB 1958 (2012).

STEPHEN WITTE

02/27/2012 S First Read--SB 843-Lamping (S338)  
 03/01/2012 Second Read and Referred S Transportation Committee (S384)  
 03/07/2012 Hearing Scheduled But Not Heard S Transportation Committee  
 03/28/2012 Hearing Conducted S Transportation Committee  
 04/04/2012 SCS Voted Do Pass S Transportation Committee 5901S.02C  
 04/05/2012 Reported from S Transportation Committee to Floor w/SCS (S630)  
 04/10/2012 SS for SCS S offered (Lamping)--(5901S.03F) (S644)  
 04/10/2012 Bill Placed on Informal Calendar (S644)  
 04/16/2012 S Informal Calendar S Bills for Perfection--SB 843-Lamping, with SCS & SS for SCS (pending)

EFFECTIVE: August 28, 2012

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\*\*\* SB 844 \*\*\*

6007S.011

SENATE SPONSOR: Lamping

SB 844 - Current law requires the Public Service Commission (PSC) to make printed copies available of its findings, decisions, and studies that are of interest to the public. The act allows this information to also be made available in an electronic format.

When a party seeks to appeal a decision by the PSC in the court of appeals, the party must first file a notice of appeal with the PSC but current law does not specify who then files the appeal with the court. The act modifies this provision by requiring the PSC to forward any such appeal to the appropriate appellate court.  
 ERIKA JAQUES

02/27/2012 S First Read--SB 844-Lamping (S338)  
 03/01/2012 Second Read and Referred S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee (S384)  
 04/12/2012 Hearing Conducted S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee

EFFECTIVE: August 28, 2012

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\*\*\* SB 845 \*\*\*

5970S.011

SENATE SPONSOR: Keaveny

SB 845 - This act allows a city that adopts or has already adopted a local option economic development sales tax to increase the number of members on the economic development tax board. The city will

designate by order or ordinance whether the board has five or nine members. If the city designates a nine member board, the area school districts and the county will each appoint one new member to the board, and the city will appoint two new members to the board. The act also specifies how the board members terms are staggered.

This act is similar to HB 1623 (2012).

EMILY KALMER

02/28/2012 S First Read--SB 845-Keaveny (S345)

03/01/2012 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S384)

EFFECTIVE: August 28, 2012

\*\*\* SB 846 \*\*\*

6001S.011

SENATE SPONSOR: Engler

SB 846 - This act defines the duties and liabilities of landlords and tenants of multifamily residential units in regards to bed bugs. Landlords and tenants both must use reasonable care to keep units free of bed bugs.

Landlords must inspect a unit within seven days of being notified by the tenant that they suspect bed bugs. If it is determined that the unit has bed bugs, the landlord must begin the process of controlling the bed bugs within fourteen days. The landlord must also notify surrounding units about the bed bugs. The landlord must give twenty-four hours notice to the tenant before entering their unit to inspect or control bed bugs. Only landlords or their designated pest control agent shall apply bed bug control techniques.

If after notice a tenant does not grant permission to the landlord or pest control agents to enter their unit or fails to comply with the bed bug control methods, the landlord will not be liable to the tenant for damages relating to the bedbugs and the tenant may be found in breach of their lease. Landlords are not liable to a tenant or a tenant's guest for damages arising from an infestation of bed bugs, inspection, or control of bed bugs unless the landlord was grossly negligent.

If a tenant does not notify the landlord within seven days of moving into a unit that it has bed bugs, the tenant will be deemed to have acknowledged that the unit is bed bug free. Tenants shall notify the landlord within forty-eight hours of knowing, suspecting, or when they should have known of a bed bug infestation. Failing to do so notify may make the tenant liable for the costs of treating the unit for bed bugs. The tenant giving notice to the landlord shall also constitute permission for the landlord to enter the premises. If a tenant gives proper notice to their landlord and the landlord fails to properly act, the tenant will not be liable to the landlord for damages relating to the bed bugs.

MIKE HAMMANN

02/28/2012 S First Read--SB 846-Engler (S345)

03/01/2012 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S384)

EFFECTIVE: August 28, 2012

\*\*\* SB 847 \*\*\*

5989S.011

SENATE SPONSOR: Rupp

This bill has been combined with SB 767

02/28/2012 S First Read--SB 847-Rupp and Dempsey (S345)

03/01/2012 Second Read and Referred S Transportation Committee (S384)

03/07/2012 Hearing Conducted S Transportation Committee

03/07/2012 Bill Combined (w/SCS SBs 767, 653, 754, 705, 441, 528, 831, 833 & 847) S Transportation Committee - (5761S.04C)

EFFECTIVE: August 28, 2012

\*\*\* SB 848 \*\*\*

6018S.021

SENATE SPONSOR: Rupp

SB 848 - This act modifies numerous provisions of law that specify the application of a particular interest



rate. The act requires that the interest rate used by these statutes be either the adjusted prime rate charged by banks as determined by the Department of Revenue, or in some situations this adjusted prime rate plus one percent.

The provisions where interest rates are modified include: certain interest rates used by the director of revenue, late payments by the state for supplies and services, late payments by public entities to contractors, repayment of teaching degree scholarships, worker's compensation benefit payments, delinquent worker's compensation taxes, nursing student loans, large animal veterinary student loans, notes and bonds issued by the Small Business Agriculture and Small Business Development Authority, creditors claims on written contracts that did not specify the rate of interest, judgments in tort cases, securities litigation, loans to political subdivisions for alternative fuel vehicles, failure to pay the odorized propane assessment, certain payments by and to the Land Reclamation Commission, unclaimed property that the holder fails to pay the state treasurer, overpayments by the Department of Mental Health to vendors, and judgments against air contaminant sources that have not paid fees.

EMILY KALMER

02/28/2012 S First Read--SB 848-Rupp and Kehoe (S345)

03/01/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S384)

03/19/2012 Hearing Scheduled But Not Heard S Financial and Governmental Organizations and Elections Committee

03/26/2012 Hearing Scheduled But Not Heard S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2012

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\*\*\* SB 849 \*\*\*

5874S.021

SENATE SPONSOR: Purgason

SB 849 - The act modifies provisions relating to solid waste management districts.

Current law allows counties to make a request to the department to be part of a different solid waste region during a certain period of time every three years. The act allows a county to make such a request during the last three months of every calendar year, starting in calendar year 2014.

The act removes the ability of a county to form a solid waste management district.

Current law allows a solid waste management district to enter into a contract with a city or county within the district to provide solid waste management services. The act prohibits administrative or other district operations services from being part of the contract.

Current law requires the governing bodies of counties and certain size cities in a solid waste management district to appoint representatives to the solid waste management council. The act makes this provision discretionary on the part of the counties and cities. The act reduces the requirement that the council must meet at least twice annually to once annually.

Current law prescribes a number of duties for the executive board of a solid waste management council. The act removes the duty to identify illegal dump sites and adds the duties to: review and report to the Department of Natural Resources on the performance of the solid waste management district; evaluate grant proposals to be submitted to the Department of Natural Resources; and meet at least quarterly. The executive board may enter into contracts for solid waste management services except district administrative services may not be part of the contract. The act prohibits any person from participating in the evaluating or ranking of grant proposals if the person is affiliated with the organization submitting the proposal.

The act removes the requirement that the executive board submit a solid waste management plan within 18 months of the formation of the solid waste management district and modifies a few of the requirements of a solid waste management plan. The act removes the requirements that a plan must establish timetables for the reduction of solid waste placed in landfills and for financing the solid waste management system.

Current law requires an annual adjustment for inflation to the \$1.50 and \$1 per ton fees charged by operators of solid waste sanitary landfills, demolition landfills, and transfer stations, except no adjustment is allowed during the years 2005 through 2014. This act removes the 2014 end date, effectively disallowing an inflation adjustment to these fees any time after October 1, 2005.

Current law requires up to \$200,000 from the Solid Waste Management Fund to be annually distributed as grants to solid waste management districts for district operations. The act removes this provision. The act transfers the duty, from the Environmental Improvement and Energy Resources Authority to the Department of Natural Resources, to measure the effectiveness of the program to develop markets for recovered materials. Also through the Solid Waste Management Fund, current law directs that 61% of certain remaining revenues be used for grants to cities, counties, and solid waste management districts. The act lowers this percentage to 51%. The act also lowers, from 50% to 30%, the maximum amount of this funding that may be awarded to districts. The 10% difference (from 61% to 51%) is directed to fund the cleanup of closed abandoned disposal sites, illegal sites, or closed or abandoned recovery sites including composting sites. The act removes a provision that certain funding from the Solid Waste Management Fund may be used for the used motor oil program.

The act modifies provisions pertaining to the Solid Waste Advisory Board. The act requires the boardmembers to represent either the interest of the public or solid waste systems. Current law requires the director of the Department of Natural resources to appoint up to 5 members to the board. The act instead requires the director to appoint 6 members and specifies the representation of each member. The board must meet at least 4 times a year. In addition to its duties under current law, the board must advise the Department of Natural Resources regarding solid waste management problems experienced by the public or members of the solid waste industry, as well the effectiveness of the solid waste management districts in meeting solid waste needs.

ERIKA JAQUES

02/28/2012 S First Read--SB 849-Purgason (S345)

03/01/2012 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S384)

EFFECTIVE: August 28, 2012

\*\*\* SB 850 \*\*\*

5713S.011

SENATE SPONSOR: Purgason

SB 850 - Under the act, if a person's animal is seized or confiscated, the outcome of the charges against the person must be determined before the confiscated animal may be sterilized, put up for adoption, euthanized, or otherwise disposed of. Confiscated animals must receive proper care while awaiting the outcome of the charges against their owners. Facilities that have custody of confiscated animals are liable for any negligent acts or abuse to the animals while in their custody.

If the animal owner is convicted of the charges that resulted in the loss of his or her animal, the court shall not return custody of the animal to the owner and the animal may be sterilized, put up for adoption, euthanized, or otherwise disposed of. The owner is liable for all costs relating to the animal's care and disposition.

If the animal owner is acquitted of the charges or there is a final discharge without conviction, the owner may request that his or her animal be returned. The facility with custody of the animal must immediately return the animal to the owner upon receiving proof of the acquittal or non-conviction. The owner is not liable for any of the costs relating to the animal's care while in custody.

The Department of Agriculture must promulgate rules to implement the act. A first violation of the act is a class B misdemeanor and each animal for which a violation occurs is a separate offense. A second or subsequent violation is a class A misdemeanor and if the violator is a state licensed entity, the entity shall additionally be subject to license sanction.

The act is similar to HB 1444 (2012).

ERIKA JAQUES

02/28/2012 S First Read--SB 850-Purgason (S345)

03/01/2012 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S384)

03/07/2012 Hearing Cancelled S Agriculture, Food Production and Outdoor Resources Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 851 \*\*\*

6017S.011

SENATE SPONSOR: Crowell

SB 851 - Legislators are barred from acting as lobbyists, being employed in the executive branch, or being appointed to any board, commission, or committee where the person is paid above reimbursement for their expenses for two years after leaving office.

This act is similar to SB 1051 (2010).

CHRIS HOGERTY

02/28/2012 S First Read--SB 851-Crowell (S346)

03/01/2012 Second Read and Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S385)

EFFECTIVE: August 28, 2012

\*\*\* SB 852 \*\*\*

6019S.011

SENATE SPONSOR: Crowell

SB 852 - This act mandates that if St. Louis City adopts a new firemen's retirement plan by ordinance, then any new firemen hired after the adoption of the ordinance will be covered by the new local ordinance pension plan and not the previous pension plan established under state statute.

MIKE HAMMANN

02/28/2012 S First Read--SB 852-Crowell (S346)

03/01/2012 Second Read and Referred S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee (S385)

EFFECTIVE: August 28, 2012

\*\*\* SB 853 \*\*\*

6020S.011

SENATE SPONSOR: Crowell

SB 853 - This act mandates that St. Louis City firemen hired on or after August 28, 2012, will no longer be covered by the current pension plan. These new hires may be covered by a pension plan established by local ordinance.

MIKE HAMMANN

02/28/2012 S First Read--SB 853-Crowell (S346)

03/01/2012 Second Read and Referred S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee (S385)

EFFECTIVE: August 28, 2012

\*\*\* SB 854 \*\*\*

5977S.011

SENATE SPONSOR: Mayer

SB 854 - This act provides that any home care employer required to deny employment to an applicant or discharge an employee as a result of information obtained through a portion of the background screening and employment eligibility determination process required under the Family Care Safety Registry provisions shall not be liable in any action brought by the applicant or employee.

The employer shall also not be charged for unemployment insurance benefits based on wages paid to the employee or based on an employer making payments in lieu of contributions for work prior to the date of discharge, if the employer terminated the employee because the employee:

- (1) Has pled guilty to or nolo contendere or been found guilty in this state or any other state of a crime, which if committed in Missouri would be a class A or B felony violation of certain specified crimes such as offenses against the persons, sexual offenses and robbery or burglary offenses;
- (2) Was placed on the employee disqualification list maintained by the Department of Health and Senior Services, after the date of hire;
- (3) Was placed on the employee disqualification list maintained by the Department of Mental Health, after the date of hire;
- (4) Is listed on any of the background check lists in the Family Care Safety Registry; or
- (5) Has a disqualifying finding or was denied a good cause waiver under the employee disqualification list maintained by the Department of Health and Senior Services.

ADRIANE CROUSE

02/28/2012 S First Read--SB 854-Mayer (S346)  
 03/01/2012 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S385)  
 03/20/2012 Hearing Conducted S Health, Mental Health, Seniors and Families Committee  
 04/03/2012 Voted Do Pass S Health, Mental Health, Seniors and Families Committee  
 04/12/2012 Reported from S Health, Mental Health, Seniors and Families Committee to Floor  
 04/16/2012 S Formal Calendar S Bills for Perfection--SB 854-Mayer

EFFECTIVE: August 28, 2012

\*\*\* SB 855 \*\*\*

6033S.011

SENATE SPONSOR: Schaaf

SB 855 - This act modifies provisions relating to food stamps eligibility as it relates to ineligible immigrants. Pursuant to the option granted the state by federal law:

(1) The income and financial resources of an individual who was ineligible for the food stamp program prior to the Personal Responsibility and Work Opportunity Act of 1996 (PRWORA) based on such individual's immigration status and who remains ineligible shall be considered in determining the eligibility and the value of the allotment of the household; and

(2) The income and financial resources of an individual ineligible for the food stamp program shall be not be considered in determining the eligibility and the value of the allotment of the household of which such individual is a member. The resulting benefit amount for eligible members shall be capped at the allotment amount the household would have received if the ineligible household member had been included.

ADRIANE CROUSE

02/28/2012 S First Read--SB 855-Schaaf (S346)  
 03/01/2012 Second Read and Referred S Governmental Accountability Committee (S385)  
 03/21/2012 Hearing Conducted S Governmental Accountability Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 856 \*\*\*

SCS SB 856

6067S.02P

SENATE SPONSOR: Rupp

SCS/SB 856 - This act establishes the "Senate Interim Committee on the Structure of the Missouri Employers Mutual Insurance Company". The Senate interim committee shall consist of five senators. Three of the Senate members shall be appointed by the President pro tempore of the Senate and two by the Senate minority leader. The interim committee shall meet at least 2 times between the months of August to December of 2012.

The interim committee shall study whether the Missouri Employers Mutual Insurance Company (MEMIC) should be sold, privatized, or have its current structure modified. The interim committee shall calculate the value of the MEMIC in case the committee recommends selling the company to another insurer. Under the act, the interim committee must submit a report of its findings to the General Assembly no later than December 31, 2012, and its jurisdiction shall end on such date.

STEPHEN WITTE

02/29/2012 S First Read--SB 856-Rupp (S353)  
 03/01/2012 Second Read and Referred S Small Business, Insurance and Industry Committee (S385)  
 03/06/2012 Hearing Conducted S Small Business, Insurance and Industry Committee  
 03/27/2012 SCS Voted Do Pass S Small Business, Insurance and Industry Committee - (6067S.02C)  
 03/29/2012 Reported from S Small Business, Insurance and Industry Committee to Floor w/SCS (S566)  
 04/04/2012 SCS S adopted (S610)  
 04/04/2012 Perfected (S610)  
 04/04/2012 Reported Truly Perfected S Rules Committee (S611)  
 04/05/2012 S Third Read and Passed (S625)  
 04/05/2012 H First Read (H972)  
 04/10/2012 H Second Read (H977)

EFFECTIVE: August 28, 2012

\*\*\* SB 857 \*\*\*

6045S.011

SENATE SPONSOR: Brown

SB 857 - This act allows certain funds collected for a sheriff's operating costs to be used to supplement the sheriff's base salary.

MEGHAN LUECKE

02/29/2012 S First Read--SB 857-Brown (S353)

03/08/2012 Second Read and Referred S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee (S433)

EFFECTIVE: August 28, 2012

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\*\*\* SB 858 \*\*\*

6068S.011

SENATE SPONSOR: Schaaf

SB 858 - Under current law, physical or chemical restraints, isolation, or seclusion cannot be used on patients, residents or clients of a mental health facility or mental health program unless it is determined by the head of the facility or the attending licensed physician that it is necessary to protect the health and safety of the individual or others and that it provides the least restrictive environment. This act allows such orders to also be made by the attending advanced practice registered nurse in a collaborative practice arrangement with the attending licensed physician.

If the attending advanced practice registered nurse orders the use of restraints, isolation or seclusion, it shall be reviewed in person by the attending licensed physician if the episode of restraint extends beyond 4 hours duration for a person under 18 years of age, or beyond 8 hours duration for a person 18 years of age or older.

Depending on the circumstances under which an individual has been committed to the facility, security escort devices may be used when such individuals are transported outside a mental health facility based on the determination of the head of the facility or the attending licensed physician. This act allows such determinations to also be made by the attending advanced practice registered nurse in a collaborative practice arrangement with the attending licensed physician.

All orders made by the attending advanced practice registered nurse under this act shall be reviewed in person by the attending licensed physician of the facility within 24 hours or the next regular working day of the order being issued, and such review shall be documented in the clinical record of the patient, resident, or client. The attending advanced practice registered nurse shall also document the use of the restraint, isolation or seclusion.

ADRIANE CROUSE

02/29/2012 S First Read--SB 858-Schaaf (S353)

03/08/2012 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S433)

EFFECTIVE: August 28, 2012

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\*\*\* SB 859 \*\*\*

6006S.021

SENATE SPONSOR: Nieves

SB 859 - Currently, the Division of Professional Registration has the authority to regulate professional boxing, sparring, professional wrestling, professional kickboxing, and professional full-contact karate. This act extends similar authority for the Division to regulate professional and amateur mixed martial arts. Participants must be eighteen to participate in any of these events regulated by the Division. Promoters of professional mixed martial arts contests must have signed written bout contracts with the professional contestants.

This act creates several rules for amateur mixed martial arts contests. The cages need to have two doors. State licenses will not be required for contestants. Blood work, physicals, and federal mixed martial arts identification won't be required for competitions. Forearm and elbow strikes are not allowed. Head gear and shin guards are not to be worn. Gloves are to be six ounces. Regular bouts will be three rounds of three minutes each with one minute rest between rounds. Promotional title matches will be three rounds of five minutes each with one minute rest between rounds.

MIKE HAMMANN

02/29/2012 S First Read--SB 859-Nieves (S353)

03/08/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S433)  
 03/26/2012 Hearing Scheduled But Not Heard S Financial and Governmental Organizations and Elections Committee  
 04/02/2012 Hearing Conducted S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 860 \*\*\*

4783S.051

SENATE SPONSOR: Nieves

SCS/SB 860 - This act allows contractors who engage in the installation of fire sprinkler systems or service fire sprinkler systems to apply for a certificate of registration. The registration statutes and rules have uniform effect throughout the state. Municipalities, counties, and other local governmental bodies are authorized to enact or enforce their own registration or licensing requirements.

The State Fire Marshal is given authority to promulgate rules. Such rules shall concern the procedure for filing an application, applicable fees, and procedures for reciprocity with other states.

A contractor that applies with the state fire marshal for a certificate of registration must pay an application fee. 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.

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. A contractor holding itself out as a certified fire sprinkler contractor must display its certificate in a conspicuous place in the contractor's business. 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 state fire marshal 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 persons or organization holding themselves out as being certified when they do not hold a certificate of registration.

This act is similar to HB 1904 (2012), SB 397 (2011), SB 927 (2010) and HB 2132(2010).

MIKE HAMMANN

02/29/2012 S First Read--SB 860-Nieves (S353)  
 03/08/2012 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S433)  
 04/04/2012 Hearing Conducted S Jobs, Economic Development and Local Government Committee  
 04/11/2012 SCS Voted Do Pass S Jobs, Economic Development and Local Government Committee - 4783S.06C

EFFECTIVE: August 28, 2012

\*\*\* SB 861 \*\*\*

6044S.011

SENATE SPONSOR: Purgason

SB 861 - The "Task Force on Government Continuity" is established to study the potential impacts on Missouri from, and preparation of the government and the citizens of Missouri for, a potential disruption of the United States government. The task force is charged with studying the following issues:

- Potential effects of the rapid decline of the United States dollar and the ability to quickly provide an alternative currency;
- Potential effects of a situation in which the federal government has no effective power or authority over the people of the United States;
- Potential effects of a constitutional crisis;
- Coordination between the Governor's office, Missouri national guard and any federal military in Missouri;
- Potential effects of a disruption in food distribution; and

- Potential effects of a disruption in energy distribution.

The task force shall submit a report containing recommendations to the Governor and the General Assembly by December 1, 2012.

This act contains an emergency clause.

CHRIS HOGERTY

02/29/2012 S First Read--SB 861-Purgason (S353)

03/08/2012 Second Read and Referred S General Laws Committee (S433)

EFFECTIVE: Emergency clause

\*\*\* SB 862 \*\*\*

6058S.011

SENATE SPONSOR: Engler

SB 862 - This act modifies the Missouri Public Prompt Payment Act.

Currently, a public owner may retain 5% of the value of a public works contract or up to 10% if it is determined by the public owner and the architect or engineer determine that a higher rate is required to ensure performance. This act repeals these provisions and does not allow retainage if the public owner has obtained a bond. Retainage of up to 5% is allowed by the public owner if the public owner is not required to obtain a bond. Contractors are not allowed to retain amounts owed to subcontractors.

Under current law, retainage may be adjusted prior to completion when work is proceeding satisfactorily and retainage is paid after substantial completion of the contract or per contract terms. In such cases, 200% of the value of the remaining work is withheld until completion. This act repeals this provision.

Under current law, the contractor or subcontractor may withhold certifications to the owner or contractor for payment to the subcontractor or material supplier for many reasons including that the contract cannot be completed for the amount of retainage. This provision is repealed.

Currently, in contracts which provide for payments to the contractor based upon estimates of materials and work performed rather than certifications, the public owner may retain 5% from the amount due. This act repeals this provision.

CHRIS HOGERTY

02/29/2012 S First Read--SB 862-Engler (S353)

03/08/2012 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S433)

04/03/2012 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 863 \*\*\*

6023S.011

SENATE SPONSOR: Wright-Jones

SB 863 - Under current law, upon a finding of paternity by a court, the parties to a paternity action may submit, either separately or jointly, a parenting plan to establish a child custody order. This act requires the parties to file the paternity action. In such instances when the parenting plan is filed separately, the court shall determine whether the parties shall be referred for mediation services or whether a guardian ad litem shall be appointed for the child during the pendency of the custody determination.

If a parenting plan is submitted and is determined by the court to be in the best interests of the child considering resources in the community such as mediation services, parenting coordination or parenting classes that may be available for the parents to ensure the success of the parenting plan, the court shall order a parenting plan for such child.

The Family Support Division within the Department of Social Services shall pursue any funding through the federal Access and Visitation grant program, or any successor grants or funding that may be available, to fund the costs of the community resources specified under this act.

ADRIANE CROUSE

02/29/2012 S First Read--SB 863-Wright-Jones (S353)

03/08/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S433)

EFFECTIVE: August 28, 2012

\*\*\* SB 864 \*\*\*

6022S.011

SENATE SPONSOR: Wright-Jones

SB 864 - Under current law, the MO HealthNet Division is required to urge hospitals serving infants eligible for medical assistance under MO HealthNet and the State Children's Health Insurance Program (SCHIP) to report to the state the causes and incidence of rehospitalizations of premature infants within their first six months of life. This act requires the MO HealthNet Division to obtain such information from the hospitals. Also, the MO HealthNet Division shall submit such hospital reports to the Missouri Task Force on Prematurity and Infant Mortality by October 1, 2012, and annually thereafter by October first, until such time as the task force has expired.

ADRIANE CROUSE

02/29/2012 S First Read--SB 864-Wright-Jones (S353)

03/08/2012 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S433)

EFFECTIVE: August 28, 2012

\*\*\* SB 865 \*\*\*

SCS SB 865

5797S.04C

SENATE SPONSOR: Pearce

SCS/SB 865 – This act allows University of Missouri extension councils to form extension districts made up of cooperating counties for the purpose of funding extension programming. An extension district can be a single-council district or a consolidated district, which would consist of two or more extension councils. A majority vote of each participating council is required to form an extension district.

In a single-council district, the existing University of Missouri extension council will serve as the extension district's governing body. In a consolidated district, the governing board will consist of three to five representatives appointed by each participating council. The powers and authorities granted to a district's governing body are described in the act.

The governing body of a district may submit a question to the voters of the district to institute a property tax levy in the district's counties. A property tax levy cannot exceed thirty cents per one hundred dollars of assessed valuation. In a single-county district, the property tax levy will be imposed if a majority of the voters vote in favor of it. In a consolidated district, the property tax levy will be imposed if a majority of the voters in each county in the district approves it. If one county does not approve it, the council in that county may withdraw from the district by a majority vote; upon such withdrawal, the district would be made up of the remaining counties and the tax would be imposed on them. However, if the county that did not approve the tax does not withdraw from the district, then the tax will not be imposed.

A single-council district for which a tax has not been levied may be dissolved in the same manner in which it was formed. A county may withdraw from a consolidated district at any time by filing a petition, as described in the act, with the circuit court having jurisdiction over the council. The court must hear evidence on the petition, and if it determines it is in the best interest of the county inhabitants, it must submit the question to the voters at the next general municipal election. If two-thirds of the voters vote in favor of withdrawing from the district, the court must issue an order withdrawing the county from the district. However, the withdrawal will not become effective until the following January 1 and the district will remain intact for the purposes of paying all outstanding and lawful obligations and to dispose of the district's property.

The governing body of any district may seek voter approval to increase its current tax rate, provided the tax will not exceed thirty cents per one hundred dollars of assessed valuation. The governing body must submit such a question to the voters at the next general municipal election. In a single-council district, if a majority of the voters in the county approve the question, the tax will be imposed. In a consolidated district, a majority of voters in the district is required.

MICHAEL RUFF

02/29/2012 S First Read--SB 865-Pearce (S353-354)

03/08/2012 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S433)

03/28/2012 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee



04/04/2012 SCS Voted Do Pass S Agriculture, Food Production and Outdoor Resources Committee - 5797S.04C  
 04/12/2012 Reported from S Agriculture, Food Production and Outdoor Resources Committee to Floor w/SCS  
 04/16/2012 S Formal Calendar S Bills for Perfection--SB 865-Pearce, with SCS

EFFECTIVE: August 28, 2012

\*\*\* SB 866 \*\*\*

6041S.011

SENATE SPONSOR: Lembke

SB 866 - This act privatizes the Missouri Employer's Mutual Insurance Company (MEMIC) by January 1, 2014. The act further repeals almost all of the statutes relating to the establishment and operation of MEMIC on the same date.

Before January 1, 2014, the board of directors of MEMIC shall perform all acts necessary to establish a successor mutual insurance company. The successor company shall operate to the same extent as any mutual casualty insurer that is licensed and authorized to write insurance in this state, subject to the authority and regulation by the department of insurance, and with all the powers and subject to all the laws, rules, and requirements of a mutual insurance company that is organized under the laws of this state.

On or before January 1, 2013, the board of directors shall provide a report to the Governor, the President pro tem of the Senate, and the Speaker of the House of Representatives that outlines the steps it will take to become a private successor mutual insurance company. The report shall also calculate the value, if any, of state equity or other state financial interests in the Missouri employers mutual insurance company. A copy of the report shall be provided to the secretary of state.

The board of directors shall perform all necessary acts to file articles of incorporation of the successor mutual insurer corporation and shall take all necessary actions to qualify for a certificate of authority as provided by law.

Beginning January 1, 2014, the successor mutual insurance company shall become the successor in interest to all the assets and liabilities of MEMIC without any conveyance or transfer and without any further act or deed and shall be vested by operation of law with title to all property of MEMIC. The successor company shall be responsible for the obligations of the MEMIC to the same extent as though incurred originally by the successor company.

The act further provides that the director of the Department of Insurance is authorized to supervise MEMIC's transition into a private successor mutual insurance company.

The act repeals MEMIC's enabling legislation. The repeal of these sections become effective January 1, 2014.

This act is identical to SB 624 (2012).

STEPHEN WITTE

02/29/2012 S First Read--SB 866-Lembke (S354)

03/08/2012 Second Read and Referred S Small Business, Insurance and Industry Committee (S433)

EFFECTIVE: Varies

\*\*\* SB 867 \*\*\*

6076S.011

SENATE SPONSOR: Lembke

SB 867 - This act categorizes site consultants as executive lobbyists. A "site consultant" is defined as "any person who, for valuable consideration, contacts the Department of Economic Development to determine the tax incentives and economic development programs available to a business interested in locating in the state or relocating within the state".

CHRIS HOGERTY

02/29/2012 S First Read--SB 867-Lembke (S354)

03/08/2012 Second Read and Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S433)

04/03/2012 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 868 \*\*\*

5722S.021

SENATE SPONSOR: Kehoe

SB 868 - Currently, fees that certain employers and business that store, use, produce, or transport petroleum and other hazardous materials pay to the Missouri Emergency Response Commission are set to sunset on August 28, 2012. This act extends that sunset to August 28, 2018.

Employers required to report hazardous substances, known as Tier II filers, may request the Commission to distribute the report to the local emergency planning committees and fire departments by paying a \$10 fee for each facility listed which shall not be applied to the employer's fee cap.

CHRIS HOGERTY

02/29/2012 S First Read--SB 868-Kehoe (S354)

03/08/2012 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S433)

03/27/2012 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 869 \*\*\*

5999S.011

SENATE SPONSOR: Kehoe

SB 869 - This act modifies provisions pertaining to public utilities.

**SECTION 386.370 - PUBLIC SERVICE COMMISSION**

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. 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 .23% of total gross intrastate operating revenue.

**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 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, and sewer) as well as the amount of expenses that are not directly attributable to one specific type of utility. Costs for telephone companies, water companies, and gas companies may not exceed 3%, 8%, and 15%, respectively, of the total directly attributable costs, with the remainder allocated to electric companies. 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 400ths 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 4 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.

**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 up to \$45 million of prudently-incurred

expenditures spent by the company to obtain the permit. The company may recover such expenditures from its ratepayers through rates and charges over a period not to exceed 6 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 NRC's issuance of the permit. Cost recovery is limited to only costs that are prudently incurred; if a cost is challenged, the company has the burden of proof to show the cost was prudent. In any challenge to the prudence of the company's decision to obtain an Early Site Permit, the burden of proof is on the party raising the challenge.

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. The PSC may award up to 25% of any excess profits above the amount paid by ratepayers to the company.

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, 2012.

**SECTION 620.010 - OFFICE OF PUBLIC COUNSEL**

The act removes the requirement that the Office of Public Counsel is funded by general revenue.

The act contains an emergency clause.

This act contains provisions similar to SS/SCS/HB 462 (2011), SB 321 (2011), and SB 406 (2011).  
ERIKA JAQUES

02/29/2012 S First Read--SB 869-Kehoe, et al (S354)

03/08/2012 Second Read and Referred S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee (S433)

EFFECTIVE: Emergency clause

\*\*\* SB 870 \*\*\*

6066S.011

SENATE SPONSOR: Lamping

SB 870 - This act authorizes the State Committee for Social Work to certify individuals as school social workers. Certificates are to be issued to persons with a degree in social work from an accredited college and holding a credential in school social work from a nationally recognized credentialing organization. The Department of Elementary and Secondary Education, State Board of Education, and Office of Educator Equality are to recognize such individuals as certified school social workers. The State Committee for Social Work is authorized to promulgate rules and fees to implement this act.

This act is similar to HB 1803 (2012).

MIKE HAMMANN

02/29/2012 S First Read--SB 870-Lamping (S354)

03/08/2012 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S433)

EFFECTIVE: August 28, 2012

\*\*\* SB 871 \*\*\*

5969S.011

SENATE SPONSOR: Lamping

SB 871 - This act modifies provisions relating to domestic violence and makes various changes to the domestic violence chapter as follows:

(1) Provides for the consistent use of the terms "person" rather than "adult" and the use of "domestic violence" rather than "abuse" in the domestic violence chapter as well as in the criminal domestic assault provisions in Sections 565.072 to 565.074;

(2) Under this act, notice for both ex parte and full orders of protection shall have priority over other non-emergency actions. 455.040.2;

(3) The provisions requiring a court to "dismiss a petitioner" when there are insufficient allegations have been revised to provide that the court shall deny the ex parte order and dismiss the petition. 455.035.1 and 455.513.1;

(4) Service on a custodial parent, guardian or guardian ad litem for a juvenile respondent will require the person to bring the respondent to court. 455.035.2;

(5) Court review for a motion to dismiss an order of protection shall take place in camera rather than in open court. 455.060.5.

Also, current law provides for an exception to the requirement for public notice of a name change for instances where the person changing his or her name is a victim of domestic violence. This act extends such exception to prohibit publication on CaseNet or through other any system operated by the judiciary that is designed to provide public case information electronically. 527.290.2

ADRIANE CROUSE

02/29/2012 S First Read--SB 871-Lamping (S354)

03/08/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S433)

04/02/2012 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee

04/11/2012 Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 872 \*\*\*

5258S.011

SENATE SPONSOR: Justus

SB 872 - This act modifies provisions relating to crime.

The term "crime" was replaced with "offense" in many sections of this act. Several sections relating to crimes were moved to chapters within the state's "Criminal Code", which encompasses chapters 556 to 600. Other sections within chapters 556 to 600 not relating to crime, such as the process to obtain a concealed carry endorsement, were moved to chapters outside of the code. This act creates a new chapter 579 for the drug crimes, which were previously codified outside of the code in chapter 195. Some crimes were renamed, renumbered, or consolidated into other crimes. Several crimes were repealed that were considered to be obsolete or duplicative by a committee of the Missouri Bar Association. Other crimes were reclassified with the effect of lowering or raising the penalty of the crime depending on the reclassification.

#### NEW FELONY AND MISDEMEANOR CLASSES

This act creates a new classification for felonies to be known as Class E, and a new classification for misdemeanors to be known as Class D.

The term of imprisonment for a Class C felony was changed from no more than 7 years to 3 to 10 years. Under current law, the maximum term for a Class D felony is 4 years. This act makes the maximum term 7 years, which is the current maximum term for Class C felonies. Under this act, the new Class E felony has the same maximum authorized term of imprisonment as a Class D felony under current law. The terms of imprisonment for misdemeanors were not revised and the new Class D misdemeanor has no authorized term of imprisonment.

To reflect the change in the authorized terms of imprisonment, crimes once classified as Class C felonies were changed to Class D felonies and crimes once classified as Class D felonies were changed to Class E felonies throughout the statutes.

This act provides that fines for Class C, D, and E felonies may not exceed \$10,000 rather than \$5,000. The maximum fines for Class A and B misdemeanors, offenses committed by corporations, and infractions were also doubled. This act increases the maximum fine for a Class C misdemeanor from \$300 to \$750 and the maximum fine for the new Class D misdemeanor is \$500. The \$20,000 cap on the amount a court may fine a person who has gained from an offense was repealed.

#### INCHOATE OFFENSES

Under current law, any attempt or conspiracy to commit a misdemeanor regardless of the classification of the underlying offense is a Class C misdemeanor. This act makes the classification of an attempt or conspiracy to commit a misdemeanor offense to be one step lower than the class provided for the underlying offense.

#### REPEAT OFFENDERS

Additional crimes were added to provisions that allow for enhanced penalties for repeat offenders.

#### DEATH PENALTY

This act increases the age at which a person is eligible for the death penalty from 16 to 18 to reflect a decision by the U.S. Supreme Court that only offenders 18 and older may be sentenced to death.

## SEX OFFENSES

Under current law, consent is not a defense to a sex offense if the victim is under the age of 12. This act raises the age to 14. Also, a person who engages in certain acts of a sexual nature with a child under the age of 15 commits sexual misconduct with a child and a person commits enticement of a child if he or she lures a person less than 15 years old via the Internet. This act lowers the age of possible victims under both crimes to 14.

Current law provides that a person commits the crime of use of a child in a sexual performance if he or she allows a child under the age of 17 to engage in a sexual performance or consents to his or her child being in a sexual performance. This act raises the age of the child to under 18 years of age.

This act expands the offense of sexual contact with a student to private elementary and secondary schools. It currently only applies to public schools.

This act repeals a provision allowing a court to prohibit a person found guilty of bestiality from harboring or living with animals for two years after the completion of the sentence.

Under current law, a person commits child abuse if he or she knowingly inflicts cruel and inhuman punishment on a child less than 17 years old or photographs a child under the age of 18 in a sexual act. This act removes the provision regarding the photographing of a child.

This act expands the list of victims who shall not be forced to submit to a lie detector test by law enforcement as a condition for proceeding with a criminal investigation and victims whose identities shall be protected to cover all offenses under chapter 566, domestic assault and stalking rather than just sexual assault and forcible rape.

## CRIMES INVOLVING SPECIFIC DISTANCES

All statutes that provide for enhanced criminal penalties when the crime is committed within distances greater than 1,000 feet of a certain person, place, thing have been amended so that the distance is 1,000 feet.

## PROPERTY CRIMES

Under current law, the classification of a crime involving property damage is often based on the value of the property damage. The values differ throughout the statutes. This act makes such values \$750 when they fall within the range of \$500 to \$1,000. Several other values are modified within the property crimes chapter.

## GAMBLING

This act makes gambling an infraction rather than a Class C misdemeanor.

## ENDANGERING VISITORS TO CORRECTIONAL FACILITIES

Visitors to a county or city jail are added to the class of possible victims under the crime of endangering a visitor to a correctional facility.

## INTOXICATION-RELATED OFFENSES

This act adds a new repeat offender of intoxication-related driving offenses, called the habitual offender, which is a person who has been found guilty of five or more intoxication-related offenses committed on separate occasions, four or more intoxication-related offenses committed on separate occasions where at least one of the offenses involved another person being injured or killed, or three intoxication-related offenses when at least two of the offenses involved another person being injured or killed.

This act creates the crimes of boating while intoxicated and with an excessive blood alcohol content, which are similar to current provisions of law that prohibit operating a vessel on the Mississippi or Missouri Rivers or lakes in the state while intoxicated or with an excessive blood alcohol level, except the new crimes are not limited to boating on specific waterways.

Phlebotomists are added to the list of people who may draw blood to determine blood alcohol content.

## LEAVING THE SCENE OF AN ACCIDENT

Under current law, it is only a crime to leave the scene of an accident on a highway or parking lot or facility and only the person who caused the accident is required to report the accident. This act repeals both limitations, so the crime applies to an accident taking place anywhere and caused by anyone. In addition, accidents involving vessels and ATVs are added to the crime. This act limits the requirement to report an

accident to incidents resulting in property damage to another person's property.

#### DRUG OFFENSES

Under this act, the amount of crack that is required before a person can be charged with drug trafficking is raised to 8 grams rather than 2 grams. In addition, the amount of crack that leads to an enhanced penalty is raised to 24 grams from 6 grams.

Under the current law, it is unlawful for manufacturers and distributors and their agents and employees to deliver a controlled substance if the person has reasonable cause to believe the controlled substance will be used in violation of the law. Under this act, the offense is committed when the person knowingly delivers a controlled substance while acting recklessly as to whether it will be used in violation of the law. Agents of manufacturers and distributors are removed from the people who can commit the crime.

Under current law, a person commits the Class C felony of maintaining a public nuisance when such person keeps or maintains a room, building, structure, or inhabitable structure that is used for the illegal use, keeping, or selling of drugs, including marijuana.

Under this act, a person commits the crime, which is a Class E felony, if such person knowingly keeps or maintains a room or building that is used for the illegal manufacture, distribution, storage or sale of drugs except for 35 grams or less of synthetic or real marijuana. A person also commits the crime if, on three or more separate occasions within a year, two or more people not living in the room or building, gather to ingest, inject, inhale drugs, not including marijuana or synthetic marijuana.

In addition, a provision was repealed that contained procedures for a prosecutor to bring a civil lawsuit to enjoin the nuisance and allowing the court to order the premises to not be occupied or used for no longer than one year.

MEGHAN LUECKE

02/29/2012 S First Read--SB 872-Justus (S358-360)

03/08/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S433)

EFFECTIVE: August 28, 2012

\*\*\* SB 873 \*\*\*

6088S.011

SENATE SPONSOR: Lembke

SB 873 - Currently, no person may engage in real estate appraisal without a license unless they meet an exception. This act creates an exception for persons employed by the property owner to represent the owner in appealing an assessment of the owner's property.

MIKE HAMMANN

02/29/2012 S First Read--SB 873-Lembke (S360)

03/08/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S433)

EFFECTIVE: August 28, 2012

\*\*\* SB 874 \*\*\*

6046S.011

SENATE SPONSOR: McKenna

SB 874 - Under the Property Assessment Clean Energy (PACE) Act in current law, a Clean Energy Development Board must provide a copy of each PACE contract to the local county assessor, county collector, and the recorder of deeds. The act removes this provision and requires the Board to provide a notice of assessment, instead of a copy of the actual contract, to these entities. The Board must retain each PACE contract in its own records until three years after the assessments in the contract have been fully paid.

ERIKA JAQUES

02/29/2012 S First Read--SB 874-McKenna (S360)

03/08/2012 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S433)

EFFECTIVE: August 28, 2012

\*\*\* SB 875 \*\*\*

5946S.011

SENATE SPONSOR: Goodman

SB 875 - This act allows up to \$9,999 to be set aside in an irrevocable personal funeral trust without that trust being considered an asset when determining eligibility for public assistance. The trust must be designated to pay for certain burial and funeral costs.

No person or entity may charge more than 10% of trust assets for creation of the trust and no more than 3% for maintenance of the trust. Trustees may commingle up to three personal funeral trust accounts so long as accurate records are kept. The standard of care for investments by the trustee is that of a prudent investor.

Excess money left in the account and not required for burial or funeral purposes 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 365 (2011), SB 1025 (2010), and SB 1 (2009).

MIKE HAMMANN

02/29/2012 S First Read--SB 875-Goodman (S360)

03/08/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S433)

04/02/2012 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 876 \*\*\*

5869S.011

SENATE SPONSOR: Kehoe

SB 876 - This act prohibits the following entities from having any financial interest in a beer wholesaler, or serving as a director, manager, employee, or agent of a beer wholesaler: brewers; the officers, directors, agents, managers, agents, employees of brewers; and the affiliates of any of the above.

There are several exceptions to a brewer having a financial interest in a wholesaler under this act, including security interests, interests from a judgement against the wholesaler or an acquisition for a short period of time while the interest is being transferred to a third party, or a minority interest for no more than two years per a written agreement.

In addition, brewers may act as wholesalers of their own products in certain circumstances and brewers with an annual production of 10,000 barrels or less may have an interest in a beer wholesaler that only sells its products.

Beer wholesalers are also prohibited from having a financial interest in a brewer.

Definitions are included for "affiliate", "brewer", "financial interest", "person", and "wholesaler".

This act is similar to SB 64 (2011).

MEGHAN LUECKE

02/29/2012 S First Read--SB 876-Kehoe and Parson (S360)

03/08/2012 Second Read and Referred S General Laws Committee (S433)

04/03/2012 Hearing Conducted S General Laws Committee

04/11/2012 Voted Do Pass S General Laws Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 877 \*\*\*

SS SB 877

6077S.03P

SENATE SPONSOR: Mayer

SS/SB 877 -Beginning on September 1, 2012, and the first day of every quarter thereafter, this act requires each state department to file a report with the President Pro Tempore of the Senate and the Speaker of the House of Representatives that lists the number of full time equivalent employees of the department by job classification or job description and the geographic location of such employees. The act also requires the report to indicate the number of vacancies over the past quarter and the number of such vacancies that were filled over that quarter.

JIM ERTLE

02/29/2012 S First Read--SB 877-Mayer (S360)  
 03/08/2012 Second Read and Referred S Governmental Accountability Committee (S433)  
 03/21/2012 Hearing Conducted S Governmental Accountability Committee  
 03/21/2012 Voted Do Pass S Governmental Accountability Committee  
 03/22/2012 Reported from S Governmental Accountability Committee to Floor (S500)  
 03/28/2012 SS S offered (Mayer)--(6077S.03F) (S536)  
 03/28/2012 SA 1 to SS S offered & adopted (Mayer)--(6077S03.01S) (S536)  
 03/28/2012 SS, as amended, S adopted (S536)  
 03/28/2012 Perfected (S536)  
 03/28/2012 Reported Truly Perfected S Rules Committee (S546)  
 03/29/2012 S Third Read and Passed (S560-561)  
 03/29/2012 H First Read (H858)  
 03/30/2012 H Second Read (H864)

EFFECTIVE: August 28, 2012

\*\*\* SB 878 \*\*\*

6027S.011

SENATE SPONSOR: Mayer

SB 878 - The act affirmatively states that occupational diseases are exclusively covered under workers' compensation laws.

This act states that co-employees shall be released from all liability for workplace injuries or death for which compensation is recoverable under the workers' compensation statutes. However, the employee shall not escape liability when the employee engages in an affirmative negligent act that purposefully and dangerously caused or increased the risk of injury. When an employer acts knowingly and is reasonably certain that injury to or death of an employee will result, subsequent injury or death shall fall outside of the exclusive remedy provisions of the workers' compensation statutes and the employer shall not retain subrogation rights.

No new claims shall be filed against the Second Injury Fund after July 1, 2012.

Only awards granted prior to July 1, 2012, awards or settlements in cases filed before July 1, 2012 and medical bills incurred and filed by employees of uninsured employers before July 1, 2012 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, 2012.

The act institutes a funding mechanism to bolster the Second Injury Fund when usual collections are inadequate. If funds fall short, the Director of the Division of Workers' Compensation shall determine the shortfall which shall be collected with a supplemental surcharge not to exceed 1 1/2%. If funds continue to fall short, the Second Injury Fund Commission shall determine the shortfall which shall be collected with a supplemental surcharge not to exceed 1 1/2%. The provisions containing the authorization of additional surcharges expire on December 31, 2019.

The Attorney General shall reduce staff in proportion to the number of Second Injury Fund cases that remain.

The act creates the Second Injury Fund Commission composed of the Governor, Attorney General, President Pro Tem of the Senate, and the Speaker of the House of Representatives to approve additional



surcharges and authorize certain settlements.

A provision requiring the workers' compensation statutes to be strictly construed is repealed.

This act contains an emergency clause.

This act is similar to SB 430 (2011), SB 8 (2011), 668 (2007), SB 417 (2011), and SB 430 (2011), SB 572 (2012), SB 827 (2012), SB 828 (2012), SB 829 (2012), and SB 807 (2012).

CHRIS HOGERTY

02/29/2012 S First Read--SB 878-Mayer (S360)

03/08/2012 Second Read and Referred S Small Business, Insurance and Industry Committee (S434)

EFFECTIVE: Emergency clause

\*\*\* SB 879 \*\*\*

6048S.011

SENATE SPONSOR: Wasson

SB 879 - Under the terms of this act, any insurer which purchases a vehicle, other than abandoned vehicles, through the claims adjustment process for which the insurer is unable to obtain a negotiable title, may make application to the department of revenue for a salvage certificate of title or junking certificate. The application may be made by the insurer or its designated salvage pool on a form provided by the department and signed under penalty of perjury. The application shall include a declaration that the insurer has made at least two written attempts to obtain the certificate of ownership, transfer documents, or other acceptable evidence of title, and be accompanied by proof of claims payment from the insurer, evidence that letters were delivered to the vehicle owner, a statement explaining the circumstances by which the property came into the insurer's possession, a description of the property including the year, make, model, vehicle identification number, and current location of the property, and a fee of \$8.50. The department, upon receipt of a properly executed application and the fee, shall attempt to notify any lienholders of record. After 30 days from receipt of the application, if no valid lienholders have notified the department of the existence of a lien, the department shall issue a salvage certificate of title or junking certificate for the vehicle in the name of the insurer.

STEPHEN WITTE

02/29/2012 S First Read--SB 879-Wasson (S360)

03/08/2012 Second Read and Referred S Transportation Committee (S434)

03/28/2012 Hearing Conducted S Transportation Committee

04/04/2012 Voted Do Pass S Transportation Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 880 \*\*\*

6039S.011

SENATE SPONSOR: Wasson

SB 880 - Currently, physician assistants are allowed to practice without physician supervision in emergency situations. This act defines emergency situations to include declared emergencies by the state or federal government.

MIKE HAMMANN

02/29/2012 S First Read--SB 880-Wasson (S360)

03/08/2012 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S434)

EFFECTIVE: August 28, 2012

\*\*\* SB 881 \*\*\*

6109S.011

SENATE SPONSOR: Pearce

SB 881 - 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 House Bill 1069 (2012), Senate Bill 635 (2010), Senate Bill 420 (2009), and House Bill 809 (2009).

EMILY KALMER

03/01/2012 S First Read--SB 881-Pearce (S369)

03/08/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S434)

EFFECTIVE: August 28, 2012

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\*\*\* SB 882 \*\*\*

6118S.011

SENATE SPONSOR: Pearce

SB 882 - This act specifies that the current state income tax deduction for a small business that create new jobs applies to a sole proprietorship, partnership, S-corporation, C-corporation, limited liability company, limited liability partnership, or other business entity that has fewer than fifty employees. When the small business is a type of business entity where taxation is passed through to the partners or shareholders, this deduction may be allocated to those individuals according to their agreement.

This act is similar to HB 1661 (2012).

EMILY KALMER

03/01/2012 S First Read--SB 882-Pearce (S369)

03/08/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S434)

EFFECTIVE: August 28, 2012

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\*\*\* SB 883 \*\*\*

6105S.011

SENATE SPONSOR: Richard

SB 883 - This act adopts an agreement to elect the president by popular vote.

Under the act, each participating state will award its electoral votes to the presidential candidate who receives the majority of the popular vote in all of the states and the District of Columbia. The compact only becomes effective when it is enacted by states that collectively hold a majority of the electoral votes. The agreement terminates when the electoral college is abolished.

This act is similar to HB 289 (2007), SB 565 (2007), SB 853 (2008), HB 1719 (2012).

CHRIS HOGERTY

03/01/2012 S First Read--SB 883-Richard (S369)

03/08/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S434)

EFFECTIVE: August 28, 2012

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\*\*\* SB 884 \*\*\*

6116S.011

SENATE SPONSOR: Nieves

SB 884 - This act reenacts a provision that was rescinded from law by HB 294 (2011). The provision authorizes the use of certain otherwise unlawful weapons if the weapons are being dealt with as curios, ornaments, or keepsakes.

Training requirements for concealed carry endorsement applicants were increased in HB 294 (2011). This act adopts a grandfather clause for those who were issued a firearms safety training certificate prior to the date the standards were increased, so these certificate-holders can receive a concealed carry endorsement without having to retake a training course.

Under current law, a sheriff may make any inquiries he or she deems necessary to determine the accuracy of statements made in the application for a concealed carry permit. This act provides that the sheriff may only make inquiries necessary to verify statements made in the application.

This act specifies that any person who meets certain qualifications must be considered a qualified firearms safety instructor with regard to training requirements for concealed carry permits.

This act contains provisions identical to SB 489 (2012).

MEGHAN LUECKE

03/01/2012 S First Read--SB 884-Nieves (S369)

03/08/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S434)

EFFECTIVE: August 28, 2012

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\*\*\* SB 885 \*\*\*

6117S.011

SENATE SPONSOR: Engler

SB 885 - This act makes it a violation of the Missouri Blasting Safety Act to negligently cast flyrock onto an area not under the responsibility of the person using explosives.

MEGHAN LUECKE

03/01/2012 S First Read--SB 885-Engler (S369)

03/08/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S434)

EFFECTIVE: August 28, 2012

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\*\*\* SB 886 \*\*\*

6078S.011

SENATE SPONSOR: Engler

SB 886 - 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 (Section 383.016).

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 (Section 383.015).

**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 (Section 383.035.5). Assessable associations licensed under Chapter 383 as of February 9, 2012, may renew their licenses with lower surplus requirements over a three year period (\$200,000 surplus after 2012, \$400,000 surplus after 2013, and \$600,000 surplus after 2014). 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, 2012, may renew their licenses with higher ratios over a three year period (4 to 1 after 2012, 3.5 to 1 after 2013, and 3 to 1 after 2014)(Section 383.035.6).

Failure to comply with the surplus or premiums written/surplus ratio requirements constitutes grounds for revocation of an association's license (Section 383.035).

**EXCEPTION TO SURPLUS AND PREMIUMS/SURPLUS HELD RATIOS FOR PROVIDING REINSURANCE** - Under the terms of the act, any assessable association that cedes reinsurance in compliance with Section

375.426, for the term of all policies written by the association and with an annual cap of not less than 250% of the associations's annual net written premium, shall be exempt from the surplus and premiums written/surplus ratio provisions, if such reinsurance covers the association's per claim risk on such policies in at least the percentages set forth below that correspond to the association's surplus:

Surplus	Per Claim Risk
0 to \$ 999,999	80%
\$1,000,000 to \$ 2,999,999	70%
\$3,000,000 to \$ 5,999,999	60%
\$6,000,000 to \$10,000,000	50%

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, 2012, 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).

The provisions of this act are virtually identical to those contained in SB 440 (2012) and SB 302 (2011).  
STEPHEN WITTE

03/01/2012 S First Read--SB 886-Engler (S369-370)

03/08/2012 Second Read and Referred S Small Business, Insurance and Industry Committee (S434)

EFFECTIVE: August 28, 2012

\*\*\* SB 887 \*\*\*

6032S.011

SENATE SPONSOR: Ridgeway

SB 887 - This act authorizes North Kansas City to impose a sales tax up to one-half of one percent for improving public safety, upon approval of the voters.

This act is identical to HB 1802 (2012).

EMILY KALMER

03/01/2012 S First Read--SB 887-Ridgeway (S370)

03/08/2012 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S434)

EFFECTIVE: August 28, 2012

\*\*\* SB 888 \*\*\*

6034S.011

SENATE SPONSOR: Ridgeway

SB 888 - Currently, Jefferson County can prosecute and punish violations of its county orders in either the circuit court or a county municipal court if one is so created. This act grants Franklin County and Clay County the same authority.

If Franklin County or Clay County establish a county municipal court, the respective county commission will appoint the first judges. Subsequent judges will be elected and all judges will serve terms of four years. The number of judges and their qualifications will be established by the county commission.

This act is similar to HB 1211 (2012).

MIKE HAMMANN

03/01/2012 S First Read--SB 888-Ridgeway (S370)

03/08/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S434)

EFFECTIVE: August 28, 2012

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\*\*\* SB 889 \*\*\*

5920S.011

SENATE SPONSOR: Lager

SB 889 - The act modifies provisions relating to natural resources.

#### SECTIONS 59.319 TO 60.620 - LAND SURVEY PROGRAM

Under current law, \$1 of a \$4 fee collected by county recorders is remitted to the state for purposes of administering state land survey duties by the Department of Natural Resources. The act creates the Missouri Land Survey Fund and directs the fee revenue into this fund.

The act changes the name of the state land survey authority to the land survey program and updates statutory references in numerous places.

The act modifies several of the land survey duties of the Department of Natural Resources. It directs the department to provide the framework for all geodetic positioning activities in the state. Under current law, the department's regulations for land surveyors are advisory in nature. The act removes the advisory nature of the department's regulations, making the department's regulations enforceable.

The act changes the name of the Land Survey Advisory Committee to the Land Survey Commission and increases the membership on the Commission from 5 to 7. It limits members to three consecutive terms. The act adds a few additional duties to the Commission: providing recommendations on the operation of the land survey program and the selection of the state land surveyor. It also requires the Attorney General to advise the Commission upon its request and represent the Commission in legal proceedings.

The act allows revenue from sales of the department's surveying information to be deposited in the Department of Natural Resources Revolving Services Fund and expands what the Fund may be used for, which includes computer hardware and software and personnel related to retail services provided by the land survey program to the public.

These provisions are identical to SB 814 (2012) and similar to HCS/HB 1395 (2012).

#### SECTION 260.373 - HAZARDOUS WASTE

The act prohibits the Missouri Hazardous Waste Commission from promulgating any state regulation that either exceeds the requirements of the federal Resource Conservation and Recovery Act (RCRA) or that regulates an aspect of hazardous waste not covered under RCRA. The Commission may grant exceptions to its rules under certain circumstances such as hardship, practicality, or extent of environmental damage caused by compliance.

By July 31, 2013, the Department of Natural Resources must file amendments to any of its existing regulations that are stricter than RCRA to make them comply with the act. Any regulation that is not amended by July 31, 2014 is considered null and void.

The Department may not selectively exclude any or part of any state hazardous waste regulation in certain authorization applications to the U.S. Environmental Protection Agency unless allowed by the Missouri Hazardous Waste Commission.

#### SECTIONS 414.530 TO 414.570 - MISSOURI PROPANE EDUCATION & RESEARCH COUNCIL

Under current law, there are 3 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 3 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) and HB 751 (2009).

#### SECTION 640.100 - SAFE DRINKING WATER

Under current law, the authority expires on September 1, 2012 for the Department of Natural Resources to impose an annual per customer fee for connections to a public water system. This act extends the expiration date to September 1, 2017.

This section is identical to HB 1251 (2012).

#### SECTION 644.051 & 644.145 - WATER POLLUTION CONTROL

The act requires an application for renewal of a general permit to be submitted to the Department of Natural Resources at least 60 days prior to the expiration date of the master general permit unless the Department notifies the permit holder that an earlier application must be made. The act allows general permits to be acquired electronically once available by the Department.

When public participation is not required as part of a general permit application review, the Department must issue or deny the general permit within the later of either 60 days or the date of issuance of the master general permit.

Current law requires the Department to make a finding of affordability when issuing water pollution control permits for combined or separate sanitary sewer systems or publicly owned treatment works. The act requires the affordability finding to also be made for stormwater sewer systems.

#### SECTION 260.255 - NEWSPAPER PUBLISHERS

The act repeals section 260.255 which requires certain newspaper publishers to file a statement with the Department of Natural Resources declaring whether or not they have complied with recycled paper content percentage requirements.

ERIKA JAQUES

03/01/2012 S First Read--SB 889-Lager (S370)

03/08/2012 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S434)

04/17/2012 Hearing Scheduled S Commerce, Consumer Protection, Energy and the Environment Committee

EFFECTIVE: August 28, 2012

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\*\*\* SB 890 \*\*\*

6104S.011

SENATE SPONSOR: Lager

SB 890 - This act requires the Division of Finance to establish an internal policy to ensure the professional conduct of Division employees who participate in examinations or who make determinations about the operations of persons or entities under the Division's jurisdiction. The policy shall include procedures to mitigate conflicts of interest.

This act allows disclosure of facts and information obtained in the course of the Division's examinations and investigations when undergoing a state audit when the Director of Finance has entered an agreement of

confidentiality with the State Auditor. Such agreement shall provide for the redaction of certain information including nonpublic personal or proprietary commercial and financial information, trade secrets, information that could prejudice the performance or security of the Division, information protected under any recognized privilege, and identifying bank information.

CHRIS HOGERTY

03/01/2012 S First Read--SB 890-Lager (S370)

03/08/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S434)

04/02/2012 Hearing Conducted S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 891 \*\*\*

5919S.011

SENATE SPONSOR: Lager

SB 891 - The act allows telecommunications providers and rural electric cooperatives to enter into written agreements to attach equipment to other telecommunications providers' or rural electric cooperatives' poles for the purpose of deploying electric smart grid or broadband technology. The act does not confer any additional authority or duty to the Public Service Commission to regulate pole attachments.

Under the act, a service provider wishing to attach equipment to another provider's pole must give prior notice to the pole owner and the pole owner has 15 days in which to respond. The 15-day timeframe does not apply when the pole owner is engaged in large-scale emergency repairs or disaster recovery. The pole owner must let the attaching service provider know whether any modifications are necessary to the pole before the attachment can be made, in accordance with applicable safety and reliability codes.

The service provider attaching equipment to another's pole is responsible for any damages caused by the attachment and must pay the reasonable costs of any necessary repairs to ensure the safety and reliability of the pole owner's system is not affected. A pole owner may charge a penalty and retroactive pole fees to anyone who attaches equipment to any of its poles without prior notice to the pole owner. The penalty amount can be set by the parties involved, or in the case of disagreement, the penalty is 25% of the pole rate for up to 12 months.

Pole owners may charge reasonable fees for attaching equipment to their poles. The rates can be agreed upon by the parties involved but must be set on a per-pole basis and should not exceed the reasonable costs to the pole owner. Existing contracts for pole attachments are not affected by the act but after they expire, any new contract must comply with the act's requirements and the new pole rate may not exceed the old pole rate by more than 10% per year except in certain circumstances when the old rate was determined to be too low.

When the parties cannot agree on a pole rate, they may request mediation. If mediation does not resolve the matter, the pole owner sets the rate and the other party may file a petition in circuit court.

The act provides procedures for a pole owner for collecting past-due pole rates that it believes are owed. If a pole owner prevails in a court action to recover past-due rates, it may be awarded past-due rates, interest and penalties, and reasonable attorney fees.

The act provides that for any easement or right-of-way interest acquired by a pole owner before August 28, 2006, for the location of its poles, the pole owner does not have to get permission or otherwise seek approval from the easement holder for any attachments to the pole, unless the easement or contract specifically requires otherwise. The act does not limit a property owner's right to compensation for damages as relating to pole attachments under the act.

The act includes a non-severability clause.

The act is similar to HCS/HB 1361 (2012).  
ERIKA JAQUES

03/01/2012 S First Read--SB 891-Lager (S370)

03/08/2012 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S434)

04/03/2012 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 892 \*\*\*

6094S.011

SENATE SPONSOR: Kraus

SB 892 - Currently, the Secretary of State is charged with establishing procedures for absent uniformed services voters and overseas voters to request, receive, and send voter registration applications and request and receive absentee ballots by mail or electronically. This act repeals provisions related to absent uniformed services voters and overseas voters and institutes the Uniform Military and Overseas Voters Act to apply to all federal elections, statewide and state legislative elections and local elections where absentee ballots are authorized.

The Secretary of State is required to establish an electronic transmission system through which a covered voter may apply and receive voter registration materials and military-overseas ballots.

The act allows covered voters to use a federal postcard application or the declaration accompanying a federal write-in absentee ballot to apply to register to vote. Such voters who are registered to vote in Missouri may apply for a military-overseas ballot and those who are not registered may use a federal postcard application to simultaneously register and apply for a military-overseas ballot.

Covered voters who are eligible to register and vote but who are not registered may vote for President, Vice President, and United States Senator and Representative by absentee ballot, federal write-in absentee ballot or at the person's polling place after submitting an affidavit that the person is qualified to vote.

Covered voters may use a federal write-in absentee ballot to vote for all offices and ballot measures.

A "covered voter" is defined as :

- (1) A uniformed-service voter or an overseas voter who is registered to vote in this state;
- (2) A member of the active or reserve components of the Army, Navy, Air Force, Marine Corps, or Coast Guard of the United States who is on active duty whose voting residence is in this state and who otherwise satisfies this state's voter eligibility requirements;
- (3) An overseas voter who, before leaving the United States, was last eligible to vote in this state and, except for a state residency requirement, otherwise satisfies this state's voter eligibility requirements;
- (4) An overseas voter who, before leaving the United States, would have been last eligible to vote in this state had the voter then been of voting age and, except for a state residency requirement, otherwise satisfies this state's voter eligibility requirements; or
- (5) An overseas voter who was born outside the United States, is not described in (3) or (4) above, and, except for a state residency requirement, otherwise satisfies this state's voter eligibility requirements, if the last place where a parent or legal guardian of the voter was, or would have been, eligible to vote before leaving the United States is within this state; and the voter has not previously registered to vote in any other state.

CHRIS HOGERTY

03/01/2012 S First Read--SB 892-Kraus (S370)

03/08/2012 Second Read and Referred S Financial and Governmental Organizations and Elections  
Committee (S434)04/02/2012 Hearing Scheduled But Not Heard S Financial and Governmental Organizations and Elections  
Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 893 \*\*\*

6092S.011

SENATE SPONSOR: Kraus

SB 893 - This act requires certain offenders to undergo criminal history checks in order to have their driver's licenses reinstated or have limited driving privileges granted.

This act provides a definition for the term "criminal history check" for the drivers' license chapter (Section 302.010)

Under current law, the Department of Revenue is prohibited from issuing a driver's license to anyone who more than 2 driving while intoxicated convictions. However, a person may petition the court after 10 years



from the date of the last conviction to have a new license issued. If, after reviewing the person's record, it is found that the petitioner has not been convicted of alcohol-related offenses during the preceding 10 years, then the court may order the director to issue the petitioner a driver's license. This act requires the court to review the results of a criminal history check prior to making that determination (Section 302.060).

Under current law, the Department of Revenue is prohibited from issuing a driver's license to anyone convicted twice within a 5 year period of violating any driving while intoxicated law or any other intoxication-related traffic offense or to a person who has been convicted of the crime of involuntary manslaughter while operating a motor vehicle in an intoxicated condition. Under the terms of this act, after the expiration of 5 years from the date of the last conviction, a person may petition the court to have a new license issued. The court must review the petitioner's record, including the results of a criminal background check, to determine whether the petitioner has not be convicted of and has no pending charges for alcohol-related offenses. If satisfied, the court may order the director to issue the petitioner a driver's license (Section 302.060).

Persons who petition the court for a reinstatement of his or her driver's license under this act must submit a criminal record review application with the Missouri State Highway Patrol. The petitioner shall submit 2 sets of fingerprints. One set of fingerprints will be used by the highway patrol to search the criminal history repository while the other set will sent to the FBI for searching the federal criminal history files. The person seeking a reinstatement of his or her license must pay all fees related to the criminal history check.

The act makes similar provisions for those who apply for limited driving privileges (hardship license). Under the terms of the act, the court or the director must review the results of a criminal history check prior to granting any limited driving privilege to any person denied a license for a period of 10 years or any person that cannot obtain a license for a period of 5 years. If the court or director finds that the person applying for the limited driving privileges has been convicted or has pending charges for offenses related to alcohol, controlled substances, or drugs, during the preceding 3 years (for 10 year denial petitioners) or preceding 2 years (for 5 year denial petitioners), then the limited driving privilege shall be denied. The person who petitions the court for a limited driving privilege must submit a criminal record review application with the Missouri State Highway Patrol. The petitioner shall submit 2 sets of fingerprints. One set of fingerprints will be used by the highway patrol to search the criminal history repository while the other set will sent to the FBI for searching the federal criminal history files. The person seeking a reinstatement of his or her license must pay all fees related to the criminal history check (Section 302.309).

STEPHEN WITTE

03/01/2012 S First Read--SB 893-Kraus (S370)  
 03/08/2012 Second Read and Referred S Transportation Committee (S434)  
 04/04/2012 Hearing Conducted S Transportation Committee  
 04/11/2012 Voted Do Pass S Transportation Committee  
 04/12/2012 Reported from S Transportation Committee to Floor  
 04/16/2012 S Formal Calendar S Bills for Perfection--SB 893-Kraus

EFFECTIVE: August 28, 2012

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\*\*\* SB 894 \*\*\*

6103S.011

SENATE SPONSOR: Curls

SB 894 - This act requires applicants for registration of a motor vehicle or trailer to provide their legal name as it appears on a birth certificate or as legally changed through marriage or court order to the Department of Revenue. Such applicants must also indicate whether any owner of the vehicle or trailer has been issued a concealed carry endorsement.

In addition, applicants for a new concealed carry certificate of qualification must provide the year, make, model and vehicle identification number of any vehicle owned by the applicant that is registered in Missouri.

MEGHAN LUECKE

03/01/2012 S First Read--SB 894-Curls (S370)  
 03/08/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S434)

EFFECTIVE: August 28, 2012

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\*\*\* SB 895 \*\*\*

6111S.011

SENATE SPONSOR: Curls

SB 895 – This act modifies provisions relating to school districts classified as provisionally accredited or unaccredited by the State Board of Education.

**SCHOOL ATTENDANCE AGE:** In any provisionally accredited or unaccredited school district, parents and guardians must enroll their children in school at age five, as described in the act. (Section 160.057)

**PRESCHOOL ATTENDANCE:** This act creates a preschool program for children residing in provisionally accredited or unaccredited districts who are no more than two years away from kindergarten entry. The Department of Elementary and Secondary will administer the program. Eligible children must attend preschool through their school district of residence unless enrolled in another preschool, pre-kindergarten program, or Head Start program. Preschool services under this program will be at no cost for the children or their families. School districts providing preschool through this program may include the students in the district's weighted average daily attendance count for state school aid through the elementary and secondary education foundation formula. (Sections 161.236 & 163.412)

**SUMMER SCHOOL:** In any provisionally accredited or unaccredited school district, any student who is deemed to be underperforming by the school principal must attend summer school at a learning center. The district must pay the cost of the program but may include the student's attendance in its summer school attendance count. The district must follow up with the learning center for purposes of monitoring and determining the student's academic growth and achievement. (Section 170.0345)

**LENGTH OF SCHOOL DAY:** School districts that are provisionally accredited or unaccredited must adopt a seven hour school day for certain attendance centers.

If a district operates four or more attendance centers, it must adopt a seven hour school day for any school identified as being in the lowest twenty-five percent in terms of performance. Attendance center performance will be measured by the Department of Elementary and Secondary Education based on standardized assessment data, achievement data, and other measures.

If a district has fewer than four attendance centers, it must adopt a seven hour school day for at least one attendance center. (Section 171.032)

MICHAEL RUFF

03/01/2012 S First Read--SB 895-Curls (S370)

03/08/2012 Second Read and Referred S General Laws Committee (S434)

EFFECTIVE: August 28, 2012

\*\*\* SB 896 \*\*\*

6080S.021

SENATE SPONSOR: Schaefer

SB 896 - This act requires the General Assembly to take into consideration statistics regarding youth smoking as reported by the Missouri youth tobacco survey when appropriating money in the Life Sciences Research Trust fund.

EMILY KALMER

03/01/2012 S First Read--SB 896-Schaefer (S370)

03/08/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S434)

EFFECTIVE: August 28, 2012

\*\*\* SB 897 \*\*\*

6082S.011

SENATE SPONSOR: Schaefer

SB 897 - This act prohibits law enforcement agencies from establishing roadside checkpoint or road block patterns based upon a particular vehicle type, including the establishment of motorcycle-only checkpoints. Law enforcement agencies may establish roadside checkpoint patterns that only stop and check commercial motor vehicles. The provisions of the act shall not be construed to restrict any other type of checkpoint or road block which is lawful and is established and operated in accordance with the provisions of the United States Constitution and the Constitution of Missouri.

STEPHEN WITTE

03/01/2012 S First Read--SB 897-Schaefer (S370)

03/08/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S434)

EFFECTIVE: August 28, 2012

\*\*\* SB 898 \*\*\*

6089S.011

SENATE SPONSOR: Schaefer

SB 898 - The act provides an exemption to certain asbestos-related state requirements for businesses that regularly engage in asbestos abatement at their locations and that are subject to federal laws relating to construction work and asbestos. The exemption applies to state requirements for: certification of certain individuals for asbestos-related work, accreditation for asbestos-related training programs, registration as an asbestos abatement contractor, and notification of the Department of Natural Resources for certain-sized asbestos abatement projects. Certain entities are not eligible for the exemption.

To receive the exemption, businesses must submit to the Department of Natural Resources information about their asbestos-related employee training programs and their asbestos abatement projects. If the Department determines that the entity does not qualify for the exemption, it may deny the exemption but must notify the entity of the denial within a 180-day timeframe. Entities whose exemptions are denied may appeal. Exempted entities must submit a one-time fee of \$250 for the exemption and must submit documentation of any significant changes as they occur over time in their asbestos-related training programs. Entities that receive an exemption before August 28, 2012, are exempt from the fee.

The act allows staff of the Department of Natural Resources to attend, without prior notice, any asbestos-related training programs of exempted entities.

ERIKA JAQUES

03/01/2012 S First Read--SB 898-Schaefer (S371)

03/08/2012 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S434)

03/27/2012 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 899 \*\*\*

6079S.011

SENATE SPONSOR: Green

SB 899 - This act relates to the transfer to certain fund balances to the general revenue fund.

On July 1, 2012, after all statutorily and constitutionally required transfer of funds have been made, this act requires the state treasurer to transfer the balance of any fund in excess of 200% of the previous fiscal year's expenditures into the state general revenue fund. This act applies to all state funds created by statute or administratively created by the office of administration.

This act does not apply to certain constitutionally created funds, special trust funds created by statute, funds for the payment of bonded indebtedness, insurance and indemnity funds, and funds created to receive federal funds. Further, this act does not apply to any fund that is subject to current fund sweeps. For any fund in which statutory limitations allow the fund to accumulate balances equal to or greater than 200% of the previous year's expenditures, the act shall apply to the extent necessary to transfer any balance in excess of 200%.

JIM ERTLE

03/01/2012 S First Read--SB 899-Green (S371)

03/08/2012 Second Read and Referred S Appropriations Committee (S434)

03/21/2012 Hearing Conducted S Appropriations Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 900 \*\*\*

5926S.021

SENATE SPONSOR: Munzlinger

SB 900 - Under current law, prisoners in a county jail must pay the costs of their board. This act requires the Circuit Clerk in each county to report to the Office of State Courts Administrator the names of people certified by the sheriff as being delinquent in the payment of money owed for a period of imprisonment in a county jail. Whenever a person has satisfied his or her debt or begun making regular payments to the sheriff,

the sheriff must notify the clerk that the person is no longer considered delinquent.

When the Office of State Courts Administrator receives the name of a debtor, it is required to seek a setoff of state tax refunds and state lottery winnings until the full debt has been paid.

This act requires the Office of State Courts Administrator to notify debtors when it seeks to setoff a tax refund or lottery winnings before it forwards a person's name to the Director of Revenue or Department of Conservation. The notice must contain information regarding the right of review of the debt in the court in which the debt arose.

Once the appeal period has expired or after a determination in an appeal has been made that the person has not satisfied his or her debt, the State Courts Administrator must forward the names of debtors to the Director of Revenue. The director must verify that a person does not owe money to a county jail before issuing a new or renewed concealed carry endorsement. In addition, the department must suspend any current concealed carry endorsement in the name of any debtor and such persons must surrender any driver's license or non-driver's license with the endorsement on it to the Department of Revenue.

This act also requires the State Courts Administrator forward the names of debtors to the Department of Conservation. No debtor may be issued a license to hunt or fish and any such license held by the debtor must be suspended.

MEGHAN LUECKE

03/01/2012 S First Read--SB 900-Munzlinger (S371)

03/08/2012 Second Read and Referred S General Laws Committee (S434)

EFFECTIVE: August 28, 2012

\*\*\* SB 901 \*\*\*

6073S.011

SENATE SPONSOR: Lembke

SB 901 - This act requires a county, city, town, or village that issues revenue bonds for industrial development without approval of the voters to secure bond insurance for the bond issue.

This act also prohibits a county, city, town, or village from authorizing the formation of an industrial development corporation beginning on August 28, 2012. Industrial development corporations already formed are not authorized to issue revenue bonds beginning on August 28, 2012.

EMILY KALMER

03/01/2012 S First Read--SB 901-Lembke (S371)

03/08/2012 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S434)

EFFECTIVE: August 28, 2012

\*\*\* SB 902 \*\*\*

6073S.011

SENATE SPONSOR: Lamping

**SB 902 - 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, 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 400ths 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 4 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 provisions in SB 869 (2012), SS/SCS/HB 462 (2011), and SB 406 (2011).

#### SECTION 393.150 - TEMPORARY RATE ADJUSTMENTS

The act requires the PSC to authorize temporary rate adjustments in any order it issues after concluding a rate case. The temporary rate adjustment covers the time period between when the utility's rates are trued-up in the rate case and the date the PSC's new rates as determined in the order go into effect. The temporary rates must be implemented over a one-year period. If the effect of the PSC's order is to lower the utility's rates, then the temporary rate adjustment will reflect an overcollection from the utility's customers during that time period. If the effect of the PSC's order is to raise the utility's rates, the temporary rate adjustment will reflect an undercollection from the customers during that timeframe.

ERIKA JAQUES

03/01/2012 S First Read--SB 902-Lamping (S371)

03/08/2012 Second Read and Referred S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee (S434)

EFFECTIVE: August 28, 2012

\*\*\* SB 903 \*\*\*

6108S.011

SENATE SPONSOR: Lamping

SB 903 - A law enforcement officer performing a lawful seizure because of a dog fighting violation, under the authority of a warrant, shall be given a disposition hearing within 30 days of filing the request in order to grant immediate disposition of the impounded dog. The person seizing the dog shall place it in the care of a veterinarian, animal shelter, or animal control authority. If such people are not available, the dog shall not be impounded unless diseased or disabled. The dog shall be humanely killed if a veterinarian determines the dog is diseased or disabled beyond recovery. No person who lawfully seizes a dog shall be liable for necessary property damage.

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

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

This act is substantially similar to SB 201 (2009).

MEGHAN LUECKE

03/01/2012 S First Read--SB 903-Lamping (S371)

03/08/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S434)

03/26/2012 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee

04/02/2012 Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee

04/05/2012 Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor (S630)

04/10/2012 Bill Placed on Informal Calendar (S644)

04/16/2012 S Informal Calendar S Bills for Perfection--SB 903-Lamping

EFFECTIVE: August 28, 2012

\*\*\* SB 904 \*\*\*

6072S.011

SENATE SPONSOR: Mayer

SB 904 - A licensed, outpatient only ambulatory surgical center shall be permitted to operate under the license of a hospital that owns and operates it so long as the ambulatory surgical center continues to meet all

the rules and regulations governing ambulatory surgical centers. The Department of Health and Senior Services shall continue to inspect, survey, and require the same general design and construction standards for ambulatory surgical centers for the outpatient only ambulatory surgical center operating under the license of a hospital under this act.

ADRIANE CROUSE

03/01/2012 S First Read--SB 904-Mayer (S371)

03/08/2012 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S434)

04/03/2012 Hearing Cancelled S Health, Mental Health, Seniors and Families Committee

EFFECTIVE: August 28, 2012

\*\*\* SB 905 \*\*\*

6090S.011

SENATE SPONSOR: Mayer

SB 905 - The act allows county commissioners, public water supply districts, soil and water conservation districts, sanitary districts, sewer districts, and municipal corporations to enter into contracts for the engineering, water quality management, and maintenance of their existing water storage tanks and related facilities, provided that the terms of the contract do not change the size or capacity of the storage tanks. Maintenance work under these contracts is not subject to prevailing wage requirements. Certain provisions must be included in any such contract concerning maximum annual payments by the political subdivision, licensed professional engineers, and regulatory compliance.

The act is similar to HB 1671 (2012).

ERIKA JAQUES

03/01/2012 S First Read--SB 905-Mayer (S371)

03/08/2012 Second Read and Referred S Small Business, Insurance and Industry Committee (S434)

04/03/2012 Hearing Conducted S Small Business, Insurance and Industry Committee

04/10/2012 Voted Do Pass S Small Business, Insurance and Industry Committee

04/12/2012 Reported from S Small Business, Insurance and Industry Committee to Floor

04/16/2012 S Formal Calendar S Bills for Perfection--SB 905-Mayer

EFFECTIVE: August 28, 2012

\*\*\* SB 906 \*\*\*

SCS SB 906

6119S.02C

SENATE SPONSOR: Kraus

SCS/SB 906 - This act makes a taxpayer that acquires a facility from a company that has a federal contract ineligible for tax incentives or grants under the Business Facility Tax Credit program, the Business Use Incentives for Large Scale Development program, the Development Tax Credit program, the Rebuilding Communities Tax Credit program, the Enhanced Enterprise Zone Tax Credit program, and the Missouri Quality Jobs program, when the taxpayer will use the facility for a similar business.

EMILY KALMER

03/01/2012 S First Read--SB 906-Kraus (S371)

03/08/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S434)

04/02/2012 Hearing Conducted S Financial and Governmental Organizations and Elections Committee

04/10/2012 SCS Voted Do Pass S Financial and Governmental Organizations and Elections Committee - 6119S.02C

04/12/2012 Reported from S Financial and Governmental Organizations and Elections Committee to Floor w/SCS

04/16/2012 S Formal Calendar S Bills for Perfection--SB 906-Kraus, with SCS

EFFECTIVE: August 28, 2012

\*\*\* SB 907 \*\*\*

6120S.011

SENATE SPONSOR: Schaaf

SB 907 - This act requires certain employers to post certain rights of employees with respect to labor organizations with contact information for the National Labor Relations Board. Such employers are required to post the following notices:

- Employees in Missouri have the right to refuse to join or affiliate with, or to withdraw from or cease

membership in, any labor union or employee organization of any kind;

- Employees in Missouri have the right to refuse to pay certain dues, fees, assessments, or other charges to any labor union or employee organization of any kind; and
- Employees in Missouri have the right to decertify a union or other bargaining representative upon compliance with the applicable provisions of federal law.

CHRIS HOGERTY

03/01/2012 S First Read--SB 907-Schaaf (S371)

03/08/2012 Second Read and Referred S General Laws Committee (S434)

EFFECTIVE: August 28, 2012

\*\*\* SB 908 \*\*\*

5830S.011

SENATE SPONSOR: Kehoe

SB 908 - Under current law, a person does not commit the Class B misdemeanor of first degree trespassing by entering or remaining on property that is not fenced, enclosed, or posted, or if the person has not received actual notice that he or she is trespassing. Current law also provides that anyone who unlawfully enters the property of another regardless of the person's mental intent, the physical characteristics of the property, or any other aspect of the trespass is guilty of the infraction of second degree trespassing.

Under this act, anyone who knowingly and unlawfully enters or remains in or on the property of another is guilty of the Class B misdemeanor of trespassing regardless of whether he or she was given notice or whether the property was posted, enclosed, or fenced. Second degree trespassing is repealed entirely.

MEGHAN LUECKE

03/01/2012 S First Read--SB 908-Kehoe (S382)

03/08/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S434)

EFFECTIVE: August 28, 2012

\*\*\* SB 909 \*\*\*

6112S.011

SENATE SPONSOR: Cunningham

SB 909 - This act modifies provisions relating to the business records exception to hearsay in evidence law. This evidence rule is renamed The Records of Regularly Conducted Activity. The definition of business is expanded to include institutions and associations.

Currently, a record is admissible at the court's discretion if the custodian or other qualified witness testifies to the identity and preparation of the record and that it was made in the regular course of business at or near the time of the act described. This act further requires that the record be made by someone with knowledge or from information transmitted by a person with knowledge. It must also be a regular practice of that business to make such a record.

The record of regularly conducted activity exception is to be interpreted so that it has a similar effect as the rules in other states for third-party business records hearsay exception. If the record is domestic, the certification by the custodian that the requirements have been met must contain a written declaration under oath subject to perjury. If a foreign record, the evidence must have a written declaration that if made falsely would subject the maker to criminal penalty under the laws of such country.

MIKE HAMMANN

03/01/2012 S First Read--SB 909-Cunningham, et al (S382)

03/08/2012 Second Read and Referred S General Laws Committee (S434)

03/20/2012 Hearing Conducted S General Laws Committee

04/03/2012 Voted Do Pass S General Laws Committee

04/05/2012 Reported from S General Laws Committee to Floor (S631)

04/10/2012 Bill Placed on Informal Calendar (S644)

04/16/2012 S Informal Calendar S Bills for Perfection--SB 909-Cunningham, et al

EFFECTIVE: August 28, 2012

\*\*\* SB 910 \*\*\*

6122S.011

SENATE SPONSOR: Ridgeway

SB 910 - The act allows political subdivisions to use the state's ".mo.gov" domain name for their own use. Any such political subdivision must apply to the Office of Administration for such use.

ERIKA JAQUES

03/01/2012 S First Read--SB 910-Ridgeway (S382)

03/08/2012 Second Read and Referred S General Laws Committee (S435)

EFFECTIVE: August 28, 2012

\*\*\* SB 911 \*\*\*

6085S.02P

SENATE SPONSOR: Ridgeway

SB 911 - Currently, no person or entity shall require an individual to use his or her Social Security number as an employee number. This act prohibits employers from using the last four digits of the employee's Social Security number as an employee number.

MIKE HAMMANN

03/01/2012 S First Read--SB 911-Ridgeway (S382)

03/08/2012 Second Read and Referred S General Laws Committee (S435)

03/20/2012 Hearing Conducted S General Laws Committee

03/27/2012 Voted Do Pass S General Laws Committee

03/29/2012 Reported from S General Laws Committee to Floor (S567)

04/04/2012 Perfected (S611)

04/04/2012 Reported Truly Perfected S Rules Committee (S612)

04/05/2012 S Third Read and Passed (S627-628)

04/05/2012 H First Read (H972)

04/10/2012 H Second Read (H977)

EFFECTIVE: August 28, 2012

\*\*\* SB 912 \*\*\*

6124S.011

SENATE SPONSOR: McKenna

SB 912 - This act authorizes the city of Pevely to impose a transient guest tax, upon approval of the voters, to fund the promotion of tourism.

EMILY KALMER

03/01/2012 S First Read--SB 912-McKenna and Green (S382)

03/08/2012 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S435)

03/28/2012 Hearing Conducted S Jobs, Economic Development and Local Government Committee

EFFECTIVE: August 28, 2012

\*\*\* SCR 14 \*\*\*

5236S.011

SENATE SPONSOR: Stouffer

SCR 14 - This concurrent resolution expresses the respect and admiration of the General Assembly for the people of Israel, commends the people of Israel for their dedication to democratic ideals as expressed in their most recent election, and restates the mission of the Missouri-Israel Cooperative Agreement which calls for projects of mutual economic benefit.

JIM ERTLE

01/19/2012 S offered--SCR 14-Stouffer (S117-118)

01/23/2012 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S127)

01/31/2012 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee

EFFECTIVE: upon approval

\*\*\* SCR 15 \*\*\*

5400S.011

SENATE SPONSOR: Dempsey

SCR 15 - 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 oppose Plan H for the Upper Mississippi River Basin.

This resolution is identical to SS/SCR 8 (2011) and similar to HCR 17 (2011).

ERIKA JAQUES

01/23/2012 S offered--SCR 15-Dempsey (S126)  
 01/23/2012 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S138)  
 01/31/2012 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee  
 02/07/2012 Voted Do Pass S Rules, Joint Rules, Resolutions and Ethics Committee  
 02/09/2012 Reported from S Rules, Joint Rules, Resolutions and Ethics Committee to Floor (S235)  
 02/16/2012 S adopted (S284)  
 02/16/2012 Reported to the House (H351-352)

EFFECTIVE: upon approval

\*\*\* SCR 16 \*\*\*

5281S.02F

SENATE SPONSOR: Stouffer

SS/SCR 16 - This resolution urges the U.S. Army Corps of Engineers to: accept the recommendations of the independent technical review panel regarding the improvement of its flood protection operations; conduct its river management in accordance with its duty to control flooding; and continually make flood control a top priority in its future river management planning activities.

ERIKA JAQUES

01/24/2012 S Offered--SCR 16-Stouffer (S131-132)  
 01/25/2012 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S147)  
 01/31/2012 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee  
 02/07/2012 Voted Do Pass S Rules, Joint Rules, Resolutions and Ethics Committee  
 02/09/2012 Reported from S Rules, Joint Rules, Resolutions and Ethics Committee to Floor (S235)  
 04/12/2012 SS S offered & adopted (Stouffer)--(5281S.02F)  
 04/12/2012 S adopted

EFFECTIVE: upon approval

\*\*\* SCR 17 \*\*\* SCS SCR 17

4596S.07C

SENATE SPONSOR: Lamping

SCS/SCR 17 - This resolution encourages the use of the slogan "The Great Rivers State" as a slogan for the State of Missouri.

This resolution is similar to HCR 31 (2006).

JIM ERTLE

01/24/2012 S Offered--SCR 17-Lamping (S132)  
 01/25/2012 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S147)  
 01/31/2012 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee  
 03/20/2012 SCS Voted Do Pass S Rules, Joint Rules, Resolutions and Ethics Committee - (4596S.07C)  
 03/21/2012 Reported from S Rules, Joint Rules, Resolutions and Ethics Committee to Floor w/SCS (S484-485)  
 03/29/2012 SCS S adopted (S565)  
 03/29/2012 S adopted (S565)  
 03/29/2012 Reported to the House (H854)

EFFECTIVE: upon approval

\*\*\* SCR 18 \*\*\*

5322S.011

SENATE SPONSOR: Rupp

SCR 18 - 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 9 (2011), SCR 38 (2010), and SCR 10 (2009).

EMILY KALMER

01/24/2012 S Offered--SCR 18-Rupp (S138-139)  
 01/25/2012 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S147)  
 01/31/2012 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee

EFFECTIVE: upon approval

\*\*\* SCR 19 \*\*\*

5408S.011

SENATE SPONSOR: Munzlinger

SCR 19 - This resolution disapproves the regulation filed by the State Tax Commission on December 23, 2011, that establishes new values for certain agricultural and horticultural property based on the land's productive capability. The State Tax Commission is required to set the value for each of the eight grades of agricultural land based upon productive capability for use by county assessors to determine property tax liabilities.

Section 137.021, RSMo, authorizes the General Assembly to disapprove any regulation containing new agricultural land values by a concurrent resolution adopted within the first sixty calendar days of the session following promulgation of such regulation.

This resolution is similar to HCR 8 (2012).

EMILY KALMER

01/25/2012 S First Read--SCR 19-Munzlinger, et al (S147-148)  
 01/26/2012 Second Read and Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S161)  
 02/07/2012 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee

EFFECTIVE: upon approval

\*\*\* SCR 20 \*\*\*

4626S.021

SENATE SPONSOR: Rupp

SCR 20 - This resolution gives the Department of Economic Development the authority to approve qualified equity investments for the Missouri New Markets Development Program for fiscal year 2013 and part of fiscal year 2014.

EMILY KALMER

02/08/2012 S First Read--SCR 20, Rupp, et al (S223-224)  
 02/09/2012 Second Read and Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S233)  
 02/28/2012 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee  
 04/03/2012 Voted Do Pass S Rules, Joint Rules, Resolutions and Ethics Committee  
 04/04/2012 Reported from S Rules, Joint Rules, Resolutions and Ethics Committee to Floor (S613)  
 04/16/2012 Resolutions Calendar - Reported from Committee--SCR 20-Rupp

EFFECTIVE: upon approval

\*\*\* SCR 21 \*\*\*

5516S.011

SENATE SPONSOR: Pearce

SCR 21 - This resolution supports increased acquisition and delivery of North American oil resources for domestic refining and urges Congress to: support increased delivery of oil from Canada to the U.S.; enact legislation that deems the Keystone XL pipeline to be in the national interest; and ask the U.S. Secretary of State to approve the Keystone XL pipeline project.

ERIKA JAQUES

02/14/2012 S Offered--SCR 21-Pearce, et al (S253-254)  
 02/15/2012 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S268)  
 02/28/2012 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee  
 02/29/2012 Voted Do Pass S Rules, Joint Rules, Resolutions and Ethics Committee  
 03/01/2012 Reported from S Rules, Joint Rules, Resolutions and Ethics Committee to Floor (S381)  
 03/07/2012 Motion to adopt SCR withdrawn (S412)  
 04/16/2012 Resolutions Calendar - Reported from Committee--SCR 21-Pearce, et al

EFFECTIVE: upon approval

\*\*\* SCR 22 \*\*\*

4568S.011

SENATE SPONSOR: Justus

SCR 22 – This resolution urges ratification of the Equal Rights Amendment to the United States Constitution.

This SCR is similar to SCR 5 (2011), SCR 40 (2010), SCR 3 (2009), SCR 28 (2008) and SCR 30 (2008).  
ADRIANE CROUSE

02/15/2012 S First Read--SCR 22-Justus (S264-265)

02/16/2012 Second Read and Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S285)

EFFECTIVE: upon approval

\*\*\* SCR 23 \*\*\*

5833S.011

SENATE SPONSOR: Munzlinger

SCR 23 - The resolution urges Congress to address again the issue of allowing interstate sale of state-inspected meat and poultry and urges Congress to provide states more flexibility to develop their own policies and procedures for regulating meat and poultry sold within their boundaries. The resolution also encourages other states to work collaboratively to develop memoranda of understanding with regard to the interstate sale of state-inspected meat and poultry.

ERIKA JAQUES

02/15/2012 S First Read--SCR 23-Munzlinger (S265-266)

02/16/2012 Second Read and Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S285)

EFFECTIVE: upon approval

\*\*\* SCR 24 \*\*\*

5986S.011

SENATE SPONSOR: Stouffer

SCR 24 - This Senate Concurrent Resolution urges the Federal Motor Carrier Safety Administration to rescind its newly published rule regarding hours of service and refrain from adopting regulations concerning sleep apnea and other measures affecting the trucking industry.

STEPHEN WITTE

02/23/2012 S Offered (S317-318)

02/27/2012 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S340)

02/28/2012 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee

02/29/2012 Voted Do Pass S Rules, Joint Rules, Resolutions and Ethics Committee

03/01/2012 Reported from S Rules, Joint Rules, Resolutions and Ethics Committee to Floor (S381)

03/07/2012 S adopted (S413-414)

03/07/2012 Reported to the House (H551-552)

EFFECTIVE: upon approval

\*\*\* SCR 25 \*\*\*

5849S.031

SENATE SPONSOR: Mayer

SCR 25 - This resolution strongly urges the U.S. Army Corps of Engineers to: re-examine the flood plan for the Mississippi River, conduct its river operations to avoid flooding disasters like those experienced in 2011, and rebuild the damaged levees as quickly as possible. The resolution also encourages communities to restore prime agricultural lands that were damaged by the flooding and strongly encourages Missouri's congressional delegation to support Mississippi River management policies that minimize flood events.

ERIKA JAQUES

02/23/2012 S Offered (S319-820)

02/27/2012 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S340)

03/20/2012 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee

04/03/2012 Voted Do Pass S Rules, Joint Rules, Resolutions and Ethics Committee

04/04/2012 Reported from S Rules, Joint Rules, Resolutions and Ethics Committee to Floor (S613)

04/12/2012 S adopted

EFFECTIVE: upon approval

\*\*\* SCR 26 \*\*\*

6093S.011

SENATE SPONSOR: Stouffer

SCR 26 - This Senate Concurrent Resolution establishes the Joint Interim Committee on Transportation Needs. The committee is charged with conducting a comprehensive analysis of the transportation infrastructure needs of Missouri, examining any other issues that the committee deems relevant, and making any recommendations for improving the efficiency and effectiveness of funding Missouri's transportation needs. The committee must report its findings to the General Assembly by January 1, 2013.

STEPHEN WITTE

03/01/2012 S Offered--SCR 26-Stouffer (S368-369)

03/05/2012 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S395)

04/17/2012 Hearing Scheduled S Rules, Joint Rules, Resolutions and Ethics Committee

EFFECTIVE: upon approval

\*\*\* SCR 27 \*\*\*

6126S.011

SENATE SPONSOR: Ridgeway

SCR 27 - This concurrent resolution calls for a constitutional convention to propose an amendment to the United States Constitution that requires a balanced federal budget, except in times of war, and prohibits a increases in taxes, unless approved by two-thirds of the state legislatures.

EMILY KALMER

03/01/2012 S Offered--SCR 27-Ridgeway (S382)

03/05/2012 Referred S Rules, Joint Rules, Resolutions and Ethics Committee

EFFECTIVE: upon approval

\*\*\* SCR 28 \*\*\*

6326S.021

SENATE SPONSOR: Mayer

SCR 28 - This Senate Concurrent Resolution establishes a Joint Committee on the Missouri Criminal Code.

The committee is to be composed of three Senate members and three House members who may meet during the current legislative session and continue to meet during the interim.

The committee's charge is to conduct a comprehensive review of the Missouri Criminal Code and the Missouri Bar Association's recommendations for revising the Code, examine any other relevant issues, and recommend ways to improve the cohesiveness, consistency, and effectiveness of the state's criminal laws.

The committee must report its findings to the General Assembly by November 15, 2012.

MEGHAN LUECKE

04/04/2012 S offered--SCR 28-Mayer (S608-609)

04/04/2012 S adopted (S609)

04/04/2012 Reported to the House (H946-947)

04/10/2012 Referred H Rules Committee (H980)

EFFECTIVE: Upon approval

\*\*\* SJR 23 \*\*\*

4470S.011

SENATE SPONSOR: Crowell

SJR 23 - 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.

This amendment is identical to SJR 7 (2011).

JIM ERTLE

12/01/2011 Prefiled

01/04/2012 S First Read--SJR 23-Crowell (S48)

01/05/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S64)  
 01/23/2012 Hearing Conducted S Financial and Governmental Organizations and Elections Committee  
 EFFECTIVE: Upon voter approval

\*\*\* SJR 24 \*\*\*

4293S.011

SENATE SPONSOR: Crowell

SJR 24 – Upon voter approval, the proposed constitutional amendment would require the joint election of the Governor and Lieutenant Governor beginning in the year 2016.

This act is similar to SJR 23 (2002).

JIM ERTLE

12/01/2011 Prefiled  
 01/04/2012 S First Read--SJR 24-Crowell (S48)  
 01/05/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S64)  
 01/23/2012 Hearing Conducted S Financial and Governmental Organizations and Elections Committee  
 EFFECTIVE: Upon voter approval

\*\*\* SJR 25 \*\*\*

4471S.011

SENATE SPONSOR: Crowell

SJR 25 - This proposed constitutional amendment, if approved by voters, would reduce the House of Representatives from 163 members to 101 members beginning with the 102nd General Assembly in the year 2023.

This amendment is similar to SJR 10 (2011).

JIM ERTLE

12/01/2011 Prefiled  
 01/04/2012 S First Read--SJR 25-Crowell (S48)  
 01/05/2012 Second Read and Referred S Governmental Accountability Committee (S64)  
 01/11/2012 Hearing Conducted S Governmental Accountability Committee  
 01/18/2012 Voted Do Pass S Governmental Accountability Committee  
 03/22/2012 Reported from S Governmental Accountability Committee to Floor (S500)  
 04/03/2012 Bill Placed on Informal Calendar (S594)  
 04/16/2012 S Informal Calendar S Bills for Perfection--SJR 25-Crowell

EFFECTIVE: Upon voter approval

\*\*\* SJR 26 \*\*\*

4512S.01P

SENATE SPONSOR: Lager

SJR 26 - 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.

This amendment is identical to SJR 7 (2011).

JIM ERTLE

12/01/2011 Prefiled  
 01/04/2012 S First Read--SJR 26-Lager (S48)  
 01/05/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S64)  
 01/23/2012 Hearing Conducted S Financial and Governmental Organizations and Elections Committee  
 02/13/2012 Voted Do Pass S Financial and Governmental Organizations and Elections Committee  
 02/16/2012 Reported from S Financial and Governmental Organizations and Elections Committee to Floor (S286)  
 02/20/2012 Perfected (S293)

02/21/2012 Reported Truly Perfected S Rules Committee (S298)  
 02/21/2012 Referred S Ways & Means and Fiscal Oversight Committee (S300)  
 02/23/2012 Voted Do Pass S Ways & Means and Fiscal Oversight Committee  
 02/23/2012 Reported from S Ways & Means and Fiscal Oversight Committee to Floor (S321)  
 02/23/2012 S Third Read and Passed (S322)  
 02/23/2012 H First Read (H430)  
 02/27/2012 H Second Read (H435)

EFFECTIVE: Upon voter approval

\*\*\* SJR 27 \*\*\*

4147S.021

SENATE SPONSOR: Munzlinger

SJR 27 - Currently, four members comprise the Conservation Commission. Upon voter approval, the resolution increases the membership to eight and requires members to be appointed from each of the eight conservation regions as such regions have been designated as of December 1, 2011. The resolution also limits the time a member may serve on the commission to the earlier of either two terms or twelve years.

ERIKA JAQUES

12/01/2011 Prefiled  
 01/04/2012 S First Read--SJR 27-Munzlinger (S48)  
 01/05/2012 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S64)  
 01/11/2012 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee

EFFECTIVE: Upon voter approval

\*\*\* SJR 28 \*\*\*

4040S.011

SENATE SPONSOR: Munzlinger

SJR 28 - 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.

This Senate joint resolution is identical SCS/SJR 18 (2011).

EMILY KALMER

12/01/2011 Prefiled  
 01/04/2012 S First Read--SJR 28-Munzlinger (S49)  
 01/05/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S64)

EFFECTIVE: Upon voter approval

\*\*\* SJR 29 \*\*\*

4436S.021

SENATE SPONSOR: Lamping

SJR 29 – Upon voter approval, the proposed constitutional amendment would require the legislative session to end in late March rather than the middle of May. The veto session is moved from September to June. These changes to the legislative process would begin with the 98th General Assembly, which starts in 2015.

This resolution is similar to SJR 38 (2010).

JIM ERTLE

12/01/2011 Prefiled  
 01/04/2012 S First Read--SJR 29-Lamping (S49)  
 01/05/2012 Second Read and Referred S General Laws Committee (S64)  
 01/17/2012 Hearing Conducted S General Laws Committee  
 01/24/2012 Voted Do Pass S General Laws Committee  
 01/26/2012 Reported from S General Laws Committee to Floor (S160)  
 01/31/2012 Bill Placed on Informal Calendar (S172)  
 02/07/2012 SS S offered (Lamping)--(4436S.03F) (S219)  
 02/07/2012 SA 1 to SS S offered (Kraus)--(4436S03.03S) (S219-220)

02/07/2012 Bill Placed on Informal Calendar (S220)

04/16/2012 S Informal Calendar S Bills for Perfection--SJR 29-Lamping, with SS &amp; SA 1 (pending)

EFFECTIVE: Upon voter approval

\*\*\* SJR 30 \*\*\* SJR 30

4437S.011

SENATE SPONSOR: Lamping

SJR 30 – Upon voter approval, the proposed constitutional amendment would require the joint election of the Governor and Lieutenant Governor beginning in the year 2016.

This act is similar to SJR 23 (2002).

JIM ERTLE

12/01/2011 Prefiled

01/04/2012 S First Read--SJR 30-Lamping (S49)

01/05/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S64)

01/23/2012 Hearing Conducted S Financial and Governmental Organizations and Elections Committee

03/26/2012 Voted Do Pass S Financial and Governmental Organizations and Elections Committee

03/29/2012 Reported from S Financial and Governmental Organizations and Elections Committee to Floor (S567)

04/10/2012 Taken up for Perfection (S643)

04/10/2012 Bill Placed on Informal Calendar (S643)

04/16/2012 S Informal Calendar S Bills for Perfection--SJR 30-Lamping

EFFECTIVE: Upon voter approval

\*\*\* SJR 31 \*\*\*

4108S.011

SENATE SPONSOR: Chappelle-Nadal

SJR 31 - 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.

This act is identical to SJR 19 (2011).

MEGHAN LUECKE

12/09/2011 Prefiled

01/04/2012 S First Read--SJR 31-Chappelle-Nadal (S49)

01/05/2012 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S64)

EFFECTIVE: Upon voter approval

\*\*\* SJR 32 \*\*\*

4106S.011

SENATE SPONSOR: Chappelle-Nadal

SJR 32 - This proposed constitutional amendment, if approved by the voters, requires the St. Louis Board of Freeholders to hold monthly meetings from January 2014 through December 2017. 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 SJR 6 (2011) and HJR 54 (2010).

MEGHAN LUECKE

12/09/2011 Prefiled

01/04/2012 S First Read--SJR 32-Chappelle-Nadal (S49)

01/05/2012 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S64)

EFFECTIVE: Upon voter approval

\*\*\* SJR 33 \*\*\*

4107S.011

SENATE SPONSOR: Chappelle-Nadal

SJR 33 - Under this proposed Senate Joint Resolution, the Highways and Transportation Commission is replaced by a Director of Transportation. The director is 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 similar to SJR 5 (2011) and HJR 55 (2010).

STEPHEN WITTE

12/09/2011 Prefiled

01/04/2012 S First Read--SJR 33-Chappelle-Nadal (S49)

01/05/2012 Second Read and Referred S Transportation Committee (S64)

EFFECTIVE: Upon voter approval

\*\*\* SJR 34 \*\*\*

4372S.011

SENATE SPONSOR: Purgason

SJR 34 - Upon voter approval, this proposed constitutional amendment repeals the corporate income, corporate franchise, and bank franchise, effective January 1, 2013, and repeals the state sales and use taxes effective June 30, 2013. For each tax year beginning January 1, 2013, the tax rates for the state individual income tax will be reduced by twenty percent from the previous year's rate until all such rates are zero. Effective January 1, 2018, state taxes upon income will be prohibited. Beginning July 1, 2013, a new state tax on taxable purchases and services will be imposed at a rate not to exceed seven percent. The General Assembly must provide for annual rate adjustments to ensure revenue neutrality during the phase out of the individual income tax.

Component parts or ingredients of a new tangible personal property to be sold at retail, intangible property, previously taxed property, motor fuel, insurance premiums and fees paid on insurance products, donations to and purchases by charitable organizations, federal government purchases, tuition paid for educational services, 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. The General Assembly must provide a method to calculate and provide sales tax rebates or prebates to exempt a portion of taxable purchases made by Missouri residents.

This act is similar to SS#2/SCS/SJR 29 (2010).

EMILY KALMER

12/12/2011 Prefiled

01/04/2012 S First Read--SJR 34-Purgason (S49)

01/05/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S64)

EFFECTIVE: upon voter approval

\*\*\* SJR 35 \*\*\*

4387S.011

SENATE SPONSOR: Ridgeway

SJR 35 - This constitutional amendment, upon the approval of the voters, eventually repeals the individual income tax and certain state and local sales and use taxes and authorizes the imposition of different sales and use taxes that are capped at certain tax rates.

## INCOME AND EARNINGS TAXES

This amendment caps the individual income tax rate at three percent for each tax year between January 1, 2014 and January 1, 2016. After January 1, 2016, the individual income tax is repealed.

Currently, senior citizens and the disabled receive an income tax credit that provides relief from property taxes. Because the income tax will no longer exist after January 1, 2016, the General Assembly is required to



pass a law that provides senior citizens and the disabled with a continuation of relief from property taxes.

The General Assembly is prohibited from authorizing any political subdivision to tax individual earnings, except for a city that has a tax on individual earnings before January 1, 2013.

#### SALES AND USE TAXES

Effective January 1, 2014, state sales and use tax laws and exemptions are repealed, except for taxes on alcohol, aviation fuel, insurance products, tobacco, the conservation sales tax, the soil and parks sales tax, and the motor vehicle fuel tax. Between January 1, 2014 and January 1, 2016, a new state tax on sales and services will be imposed at a rate not to exceed five percent, except the rate of tax on food is prohibited from exceeding four percent. Beginning January 1, 2016, the tax rate on sales and services combined with the conservation sales tax rate, and the soil and parks sales tax rate cannot exceed seven percent and the tax rate on the sale of food combined with the conservation sales tax rate and the soil and parks sales tax rate cannot exceed five and one-half percent. All revenues from the new tax on sales and services are required to go to the state general revenue fund, except that the School District Fund is required to receive at least the average amount of revenue it received in fiscal years 2008 to 2012.

Previously taxed property, sales for resale, certain professional services, real estate sales and commissions, utility sales, certain pharmaceutical sales and medical services, child care services, assisted living services, tuition paid for educational services, employee services, component parts of a product or service, construction, warehousing, computer system, software design, employment, call center, and payroll processing services, sales of financial instruments, sales of insurance, sales of railroad rolling stock, sales of barges, property purchased by carriers engaged in air transportation, gaming sales, government purchases, purchases by charitable organizations, food stamp purchases, and purchases made under the supplemental feeding for women, infants, and children program will be exempt from the new tax and from the conservation sales tax and the soil and parks sales tax. The enactment of any new exemption will require a two-thirds vote by each house of the General Assembly and approval by the Governor.

The conservation sales tax and the soil and parks sales tax, will be recalculated to produce substantially the same amount of revenue for fiscal year 2015 as was received on average annually in fiscal years 2008 to 2012. These rates may be readjusted one time after January 1, 2014 and before January 1, 2016 to produce substantially the same amount of revenue as was received on average annually in fiscal years 2008 to 2012.

Effective January 1, 2014 all local sales taxes and exemptions, except those expressly approved by local voters and in effect on January 1, 2013 will be void. The Department of Revenue is required to calculate a new rate for the counties and other taxing to produce substantially the same amount of revenue as was produced on average in the five years before January 1, 2014.

Beginning January 1, 2016 all combined state and local sales taxes cannot exceed ten percent, unless the rate established by the Department of Revenue to produce the same amount of revenue to the local taxing jurisdiction results in a rate above ten percent, or the voters in the taxing district approve a new tax by fourth-sevenths of the voters at certain elections and two-thirds of the voters at all other elections.

#### PROPERTY TAX

If a person who owns real estate has an increase in their property tax liability by more than a certain percentage, and the person is sixty-five or older, with an income of less than 75,000 dollars, and a home that is appraised at 400,000 dollars or less, the person is entitled to receive a property tax credit. The state is required to reimburse local governments for seventy-five percent of the amount of this credit.

EMILY KALMER

12/13/2011 Prefiled

01/04/2012 S First Read--SJR 35-Ridgeway (S49)

01/05/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S65)

EFFECTIVE: Upon voter approval

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\*\*\* SJR 36 \*\*\*

4525S.011

SENATE SPONSOR: Ridgeway

SJR 36 - Upon approval of the voters, this constitutional amendment would freeze the property tax levied on residential real estate owned by a person who is sixty-two years old or older beginning with all tax years on or after January 1, 2013.

This amendment would also cap the tax levied on real property at one half of one percent of the market value of the property.

EMILY KALMER

12/13/2011 Prefiled

01/04/2012 S First Read--SJR 36-Ridgeway (S49)

01/05/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S65)

EFFECTIVE: Upon voter approval

\*\*\* SJR 37 \*\*\*

4678S.01P

SENATE SPONSOR: Crowell

SJR 37 - This proposed constitutional amendment, if approved by the voters, provides that all meetings of any Senate or House apportionment commission, including any appellate apportionment commission, shall be public, and that such commissions shall be subject to general laws concerning open records and open meetings. The resolution further prohibits any member of an apportionment commission created for redistricting the House of Representatives or the Senate from serving as a member of the General Assembly for ten years after the commission is discharged for its failure to file a final statement and map with the Secretary of State. Under current provisions of the Constitution, such members are prohibited from serving in the General Assembly for four years after the filing of the statement and map with the Secretary of State.

This resolution contains provisions that are similar to SJR 48 (2012).

JIM ERTLE

12/14/2011 Prefiled

01/04/2012 S First Read--SJR 37-Crowell (S49-50)

01/05/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S65)

01/30/2012 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee

02/20/2012 Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee

02/23/2012 Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor (S321)

02/29/2012 Bill Placed on Informal Calendar (S360)

03/06/2012 SA 1 S offered & adopted (Dixon)--(4678S01.02S) (S401)

03/06/2012 Perfected, as amended (S401)

03/06/2012 Reported Truly Perfected S Rules Committee (S403)

03/06/2012 Referred S Ways & Means and Fiscal Oversight Committee (S404)

03/08/2012 Voted Do Pass S Ways & Means and Fiscal Oversight Committee

03/08/2012 Reported from S Ways & Means and Fiscal Oversight Committee to Floor (S422)

03/08/2012 S Third Read and Passed (S428)

03/08/2012 H First Read (H595)

03/19/2012 H Second Read (H602)

04/12/2012 Referred H Special Standing Committee on Judicial Reform Committee

EFFECTIVE: Upon voter approval

\*\*\* SJR 38 \*\*\*

4096S.011

SENATE SPONSOR: Kraus

SJR 38 - 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 seven and one-half percent or more. In any such fiscal year, twenty-five percent of the excess total state revenues will be refunded to income taxpayers on a pro rata basis.

This Senate Joint Resolution is similar to SJR 8 (2011).

EMILY KALMER

12/15/2011 Prefiled

01/04/2012 S First Read--SJR 38-Kraus (S50)

01/05/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S65)

EFFECTIVE: Upon voter approval

\*\*\* SJR 39 \*\*\*

4838S.011

SENATE SPONSOR: Cunningham

SJR 39 - Upon voter approval, this constitutional amendment provides that no law shall compel a patient, employer, or health care provider to participate in any government or privately run health care system, nor prohibit a patient or employer from paying directly for legal health care services.

This amendment does not affect laws or regulations in effect as of January 1, 2012, affect which health care services a health care provider is required to perform, affect which health care services are provided by law, or prohibit care provided under worker's compensation.

This amendment is substantially similar to SCS/SJR 25 (2010).

ADRIANE CROUSE

12/21/2011 Prefiled  
 01/04/2012 S First Read--SJR 39-Cunningham (S50)  
 01/05/2012 Second Read and Referred S General Laws Committee (S65)  
 02/14/2012 Hearing Conducted S General Laws Committee  
 03/20/2012 Voted Do Pass S General Laws Committee  
 03/22/2012 Reported from S General Laws Committee to Floor (S500)  
 03/27/2012 Bill Placed on Informal Calendar (S526)  
 04/16/2012 S Informal Calendar S Bills for Perfection--SJR 39-Cunningham

EFFECTIVE: Upon voter approval

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\*\*\* SJR 40 \*\*\* SS SCS SJR 40

4812S.04P

SENATE SPONSOR: Kraus

SS/SCS/SJR 40 - Upon voter approval, this constitutional amendment creates exceptions to the prohibition against laws retrospective in operation for laws that impose a new obligation, duty, or disability on sex offenders, and laws requiring persons to provide a DNA sample for analysis and inclusion in the DNA profiling system.

This act is similar to SS/SJR 3 (2009) and SS/SCS/SJR 34 & 30 (2008).

MEGHAN LUECKE

12/23/2011 Prefiled  
 01/04/2012 S First Read--SJR 40-Kraus (S50)  
 01/05/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S65)  
 02/06/2012 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee  
 03/05/2012 SCS Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee (4812S.03C)  
 03/22/2012 Reported from S Judiciary and Civil and Criminal Jurisprudence Committee to Floor w/SCS (S499)  
 03/27/2012 SS for SCS S offered & adopted (Kraus)--(4812S.04F) (S526)  
 03/27/2012 Perfected (S526)  
 03/27/2012 Reported Truly Perfected S Rules Committee (S527)  
 03/28/2012 Referred S Ways & Means and Fiscal Oversight Committee (S533)  
 03/29/2012 Voted Do Pass S Ways & Means and Fiscal Oversight Committee  
 03/29/2012 Reported from S Ways & Means and Fiscal Oversight Committee to Floor (S552)  
 03/29/2012 S Third Read and Passed (S559)  
 03/29/2012 H First Read (H855)  
 03/30/2012 H Second Read (H864)  
 04/12/2012 Referred H Judiciary Committee

EFFECTIVE: Upon voter approval

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\*\*\* SJR 41 \*\*\*

4777S.02I

SENATE SPONSOR: Lembke

SJR 41 - Currently, Missouri Supreme Court judges, appellate judges, and certain circuit court judges are selected from a list of candidates nominated by a judicial commission. This constitutional amendment, if approved by the voters, would mandate that each congressional district as drawn on January 1, 2012 shall elect a judge to the supreme court. Elections of supreme court judges will be nonpartisan. One at-large judge will be appointed by the governor with the advice and consent of the senate. Selections and elections of supreme court judges under this plan are to occur as part of the general election in 2014. Court of appeals judges, circuit judges, and associate circuit judges will be elected from their respective district, circuit, or

county. Elections under this plan shall begin upon the ending of a term of the then serving judge.

MIKE HAMMANN

01/03/2012 Prefiled

01/04/2012 S First Read--SJR 41-Lembke (S50)

01/12/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S87)

EFFECTIVE: Upon voter approval

\*\*\* SJR 42 \*\*\*

4778S.011

SENATE SPONSOR: Lembke

SJR 42 - This constitutional amendment, if approved by the voters, would modify the way in which Missouri Supreme Court judges, appellate judges, and circuit court and associate circuit court judges in certain counties are selected. These judges would be appointed by the Governor, but have no authority to act until confirmed by the Senate. If the Senate is in session when the Governor appoints the prospective judge and it is more than sixty days before the end of session, the Senate is required to vote on the appointment within sixty days. If the appointment is made in the last sixty days of the regular session, or prior to the veto session, the Senate shall vote on the appointment at the veto session in September. If the appointment is made after the September session, the Senate shall vote on the appointment at the next regular session.

MIKE HAMMANN

01/03/2012 Prefiled

01/04/2012 S First Read--SJR 42-Lembke (S50)

01/12/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S87)

EFFECTIVE: Upon voter approval

\*\*\* SJR 43 \*\*\*

4466S.021

SENATE SPONSOR: Green

SJR 43 - 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 the perfected version SJR 12 (2011) and HJR 70 (2010), and similar to SJR 15 (2007) and SJR 46 (2008).

JIM ERTLE

01/04/2012 S First Read--SJR 43-Green (S51)

02/02/2012 Second Read and Referred S General Laws Committee (S196)

03/27/2012 Hearing Cancelled S General Laws Committee

04/03/2012 Hearing Conducted S General Laws Committee

EFFECTIVE: Upon voter approval

\*\*\* SJR 44 \*\*\*

4757S.011

SENATE SPONSOR: Green

SJR 44 - This proposed constitutional amendment, if approved by the voters, requires the first legislative session of each General Assembly to be used exclusively for the enactment of appropriations laws except for emergency legislation where health, welfare, and safety requires legislative action. The second legislative session shall be used exclusively for the enactment of general laws except for the enactment of supplemental appropriations laws if necessary.

This proposed constitutional amendment is identical to SJR 14 (2007), SJR 25 (2006) and SJR 9 (2005).

JIM ERTLE

01/04/2012 S First Read--SJR 44-Green (S51)

02/02/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S196)

EFFECTIVE: Upon voter approval

\*\*\* SJR 45 \*\*\*

4759S.021

SENATE SPONSOR: Nieves

SJR 45 - 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 wall of 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 SS/SJR 15 (2011).

MIKE HAMMANN

01/09/2012 S First Read--SJR 45-Nieves (S70)  
 02/02/2012 Second Read and Referred S General Laws Committee (S196)  
 03/27/2012 Hearing Conducted S General Laws Committee  
 04/03/2012 Voted Do Pass S General Laws Committee  
 04/12/2012 Reported from S General Laws Committee to Floor  
 04/16/2012 S Formal Calendar S Bills for Perfection--SJR 45-Nieves

EFFECTIVE: Upon voter approval

\*\*\* SJR 46 \*\*\*

5250S.011

SENATE SPONSOR: Lager

SJR 46 - 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 20 (2011), SJR 35 (2010), SJR 13 (2009), and SJR 50 (2008).

EMILY KALMER

01/18/2012 S First Read--SJR 46-Lager (S110)  
 02/02/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S196)

EFFECTIVE: Upon voter approval

\*\*\* SJR 47 \*\*\*

SCS SJR 47

5430S.02C

SENATE SPONSOR: Rupp

SCS/SJR 47 – This proposed constitutional amendment, if approved by voters, would modify Article IX, Section 8, commonly referred to as the "Blaine Amendment" by removing the prohibition on the distribution of

public moneys to religious organizations. Instead, it provides that nothing will prohibit the enactment of legislation pertaining to any education program, funding, or other support to benefit children attending any Missouri public or nonpublic elementary or secondary school, so long as the legislation complies with the requirements of the First Amendment to the United States Constitution.

MICHAEL RUFF

01/19/2012 S First Read--SJR 47-Rupp (S118)  
 02/02/2012 Second Read and Referred S General Laws Committee (S196)  
 02/14/2012 Hearing Conducted S General Laws Committee  
 03/06/2012 Voted Do Pass S General Laws Committee  
 03/07/2012 Committee Vote Reconsidered  
 03/07/2012 SCS Voted Do Pass S General Laws Committee (5430S.02C)  
 03/08/2012 Reported from S General Laws Committee to Floor w/SCS (S432)  
 03/21/2012 Bill Placed on Informal Calendar (S482)  
 04/16/2012 S Informal Calendar S Bills for Perfection--SJR 47-Rupp, with SCS

EFFECTIVE: Upon voter approval

\*\*\* SJR 48 \*\*\*      SS#2 SJR 48

5476S.03P

SENATE SPONSOR: Dixon

SS#2/SJR 48 - This proposed constitutional amendment, if approved by the voters, provides that all meetings of any Senate or House apportionment commission, including any appellate apportionment commission, shall be public, and that such commissions shall be subject to general laws concerning open records and open meetings. The resolution further prohibits any member of an apportionment commission created for redistricting the House of Representatives or the Senate from serving as a member of the General Assembly for ten years after the date of their appointment to the commission by the Governor. Under current provisions of the Constitution, such members are prohibited from serving in the General Assembly for four years after the filing of the statement and map with the Secretary of State.

JIM ERTLE

01/26/2012 S First Read--SJR 48-Dixon (S156)  
 02/02/2012 Second Read and Referred S Governmental Accountability Committee (S196)  
 02/15/2012 Hearing Conducted S Governmental Accountability Committee  
 02/22/2012 Voted Do Pass S Governmental Accountability Committee  
 03/01/2012 Reported from S Governmental Accountability Committee to Floor (S381)  
 03/21/2012 Bill Placed on Informal Calendar (S478)  
 03/21/2012 SS S offered & withdrawn (Dixon)--(5476S.02F) (S481-482)  
 03/21/2012 SS#2 S offered & adopted (Dixon)--(5476S.03F) (S482)  
 03/21/2012 Perfected (S482)  
 03/21/2012 Reported Truly Perfected S Rules Committee (S485)  
 03/21/2012 Referred S Ways & Means and Fiscal Oversight Committee (S485)  
 03/29/2012 Voted Do Pass S Ways & Means and Fiscal Oversight Committee  
 03/29/2012 Reported from S Ways & Means and Fiscal Oversight Committee to Floor (S552)  
 03/29/2012 S Third Read and Passed (S552)  
 03/29/2012 H First Read (H855)  
 03/30/2012 H Second Read (H864)  
 04/04/2012 Referred H Special Standing Committee on Judicial Reform Committee (H942)  
 04/11/2012 Hearing Conducted H Special Standing Committee on Judicial Reform Committee

EFFECTIVE: Upon voter approval

\*\*\* SJR 49 \*\*\*

5676S.02I

SENATE SPONSOR: Rupp

SJR 49 - Upon voter approval, this constitutional amendment provides that no law, regulation or rule shall compel, directly or indirectly, any person, employer, health care provider, or entity to provide coverage for any of the following medical services, if such medical services are contrary to the moral, ethical or religious beliefs or tenets of such person, employer, health care provider, or entity:

- (1) Abortion;
- (2) Contraceptives, including but not limited to all contraceptives approved by the federal Food and Drug Administration, emergency contraceptives;
- (3) Abortion-inducing drugs; and
- (4) Sterilization procedures.

ADRIANE CROUSE

02/07/2012 S First Read--SJR 49-Rupp (S207)

02/09/2012 Second Read and Referred S General Laws Committee (S236)

EFFECTIVE: Upon voter approval

\*\*\* SJR 50 \*\*\*

5594S.011

SENATE SPONSOR: Curls

SJR 50 - Upon approval of the voters, this constitutional amendment increases the amount of time for repaying the Budget Reserve Fund, when funds from the Budget Reserve Fund are appropriated due to a disaster, or the governor's reduction of the state's expenditures. Currently, the Budget Reserve Fund must be repaid during each of the next three fiscal years after the money is used from the fund due to these purposes. This amendment allows the state to have one fiscal year before any money must be repaid to the Budget Reserve Fund, and then requires the money to be repaid during each of the next five fiscal years.

EMILY KALMER

02/13/2012 S First Read--SJR 50-Curls (S241)

02/16/2012 Second Read and Referred S Appropriations Committee (S288)

02/28/2012 Hearing Conducted S Appropriations Committee

02/28/2012 Voted Do Pass S Appropriations Committee

03/01/2012 Reported from S Appropriations Committee to Floor (S381)

03/21/2012 Taken up for Perfection (S478)

03/21/2012 Bill Placed on Informal Calendar (S478)

04/16/2012 S Informal Calendar S Bills for Perfection--SJR 50-Curls

EFFECTIVE: Upon voter approval

\*\*\* SJR 51 \*\*\*

5988S.011

SENATE SPONSOR: Lembke

SJR 51 - This constitutional amendment, if approved by the voters, would modify the way in which members of Nonpartisan Judicial Commissions are selected.

Currently, the Appellate Judicial Commission consists of seven members as follows: one Supreme Court judge, a member of the bar from each appellate district elected by members of the bar in that district, and a non-bar member citizen from each appellate district appointed by the Governor. The circuit judicial commissions consist of five members as follows: the chief judge of the appellate district that the circuit lies in, two members of the bar from the circuit and elected by members of the bar in that circuit, and two non-bar member citizens from the circuit appointed by the Governor.

This constitutional amendment would allow the Governor to appoint members to these commissions with the advice and consent of the Senate. The Governor cannot appoint members of the bar, judiciary, or spouses of members of the bar or judiciary. The terms of the members would be four years. The Governor would appoint to the Appellate Judicial Commission 4 members at the beginning of his term and 3 members after two years. The Governor would appoint to circuit judicial commissions 3 members at the beginning of his or her term and 2 members after two years.

MIKE HAMMANN

02/27/2012 S First Read--SJR 51-Lembke (S338)

03/01/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S385)

04/02/2012 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: upon voter approval

\*\*\* SR 1316 \*\*\*

SENATE SPONSOR: Dempsey

01/26/2012 S Offered--SR 1316-Dempsey (S156-157)

01/30/2012 S adopted (S166)

\*\*\* SR 1762 \*\*\*

6195S.021

SENATE SPONSOR: Schmitt

SR 1762 - This resolution urges the Turkish Government to uphold and safeguard religious and human rights without compromise, cease its discrimination of the Ecumenical Patriarchate of Turkey, grant the Ecumenical Patriarch appropriate international recognition, and respect the property rights and human rights of the Ecumenical Patriarch.

JIM ERTLE

03/29/2012 S Offered--SR 1762-Schmitt (S551-552)

03/29/2012 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S588)

04/17/2012 Hearing Scheduled S Rules, Joint Rules, Resolutions and Ethics Committee

EFFECTIVE: upon approval

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\*\*\* HB 1029 \*\*\*

4091L.01P

HOUSE HANDLER: Flanigan

HB 1029 - Currently, the Oversight Division of the Committee on Legislative Research conducts management and program audits. This act replaces those audits with program evaluations of state agencies, including budget transparency and accountability evaluations.

Program evaluations by the Division shall, in addition to the current requirement of determining whether the objectives and intended benefits are being achieved, indicate whether the absence of such achievements suggests the need for correction or additional legislation. Progress reports on program evaluations shall be made at least quarterly, rather than monthly, to the committee.

The Division Director shall present program evaluations completed during the previous legislative interim to the appropriate committee of each chamber during early hearings of that committee in the next regular session. Currently, the Division Director shall present a report on programs scheduled to sunset to General Assembly and the Governor at the beginning of each regular session of the General Assembly. This act requires such report to be presented to the House Budget Committee and Senate Appropriations Committee at the request of the chairs of the Committees.

JIM ERTLE

12/01/2011 Prefiled (H)  
 01/04/2012 Read First Time (H) (H13)  
 01/05/2012 Read Second Time (H) (H29)  
 01/05/2012 Referred: Budget (H) (H29)  
 02/08/2012 Public Hearing Completed (H)  
 02/15/2012 Executive Session Completed (H)  
 02/15/2012 Voted Do Pass (H)  
 02/15/2012 Reported Do Pass (H) (H342)  
 02/15/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 02/23/2012 Rules - Executive Session Completed (H)  
 02/23/2012 Rules - Voted Do Pass (H)  
 02/23/2012 Rules - Reported Do Pass (H) (H427)  
 03/06/2012 Perfected (H) (H510)  
 03/08/2012 Third Read and Passed (H) (H565)  
 03/08/2012 S First Read--HB 1029-Flanigan and Allen (S437)  
 03/22/2012 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (H503)  
 04/03/2012 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee

EFFECTIVE: August 28, 2012

\*\*\* HB 1030 \*\*\*

HCS HB 1030

4140L.03P

HOUSE HANDLER: Flanigan

HCS/HB 1030 - This act modifies laws regarding the collection of moneys owed to the state.

The act authorizes the Director of Revenue to choose to send certain documents by first class mail, if the director sent at least one notice of deficiency or assessment by certified mail to the last known address.

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, 2013, 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 ninety days from the date of application for license to be valid. Instead of requiring the statement of no tax due, the Director of Revenue is required to 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.

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, 2011. 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, 2012, to October 31, 2012; 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 or by state statute.

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.

State agencies, community college districts, and state and municipal courts may refer any debt owed to them to the Department of Revenue for 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. Collections costs shall be deposited in state general revenue.

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 less from the fund for property damage claims are not required to have a no-tax due statement.

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.

This act also modifies the procedures for seeking a refund of sales taxes, penalties, or interest collected or computed in error or illegally. The Director of Revenue is required to hold a refund claim unprocessed at a taxpayer's request pending the outcome of legal proceedings on the same or similar grounds or transactions. A purchaser is allowed to submit a claim for a refund of the sales tax directly to the Director of Revenue. The purchaser is allowed to appeal the decision to deny a refund within sixty days of the date the notice of denial is mailed. A decision of the director to deny a refund claim based solely on the issue of the exemption of the electronic transmission or delivery of computer software that occurred on or after January 1, 2007 will be appealable by the purchaser, if the purchaser appealed by September 28, 2012.

The provision regarding tax amnesty has an emergency clause.

Provisions of this act are similar to provisions of HB 116 (2011) and HCS/SB 117 (2011).  
EMILY KALMER

12/01/2011 Prefiled (H)  
01/04/2012 Read First Time (H) (H13)  
01/05/2012 Read Second Time (H) (H29)  
01/19/2012 Referred: Budget (H) (H124)  
02/08/2012 Public Hearing Completed (H)  
02/15/2012 Executive Session Completed (H)  
02/15/2012 HCS Voted Do Pass (H)  
02/15/2012 HCS Reported Do Pass (H) (H342)  
02/15/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
02/23/2012 Rules - Executive Session Completed (H)

02/23/2012 Rules - Voted Do Pass (H)  
 02/23/2012 Rules - Reported Do Pass (H) (H427)  
 02/29/2012 Perfected with Amendments (H) (H4554-56)  
 03/01/2012 Third Read and Passed (H) (H469)  
 03/01/2012 Emergency Clause Adopted (H) (H470)  
 03/01/2012 S First Read (w/EC)--HCS for HB 1030 (S378)  
 03/08/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S436)

EFFECTIVE: Emergency Clause

\*\*\* HB 1036 \*\*\*

4221L.01P

HOUSE HANDLER: Dugger

SCS/HB 1036 - This act removes the first Tuesday after the first Monday in June as a date available for public elections. Currently, the first Tuesday after the first Monday in February is available for public elections. This act only allows bond elections to occur on that date.

This act allows tax elections necessitated by a financial hardship due to a 5% or greater decline in per-pupil state revenue to a school district from the previous year, to be conducted at any time.

A provision requiring party emblems to be printed on ballots above party captions is repealed.

This act is similar to HB 2294 (2010), SB 270 (2011), SB 282 (2011), HB 121 (2011), and SB 569 (2012).  
 CHRIS HOGERTY

12/01/2011 Prefiled (H)  
 01/04/2012 Read First Time (H) (H13)  
 01/05/2012 Read Second Time (H) (H29)  
 01/12/2012 Referred: Elections (H) (H67)  
 01/24/2012 Public Hearing Completed (H)  
 01/24/2012 Executive Session Completed (H)  
 01/24/2012 Voted Do Pass - Consent (H)  
 01/24/2012 Reported Do Pass by Consent (H) (H152)  
 01/24/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 01/30/2012 Rules - Executive Session Completed (H)  
 01/30/2012 Rules - Voted Do Pass - Consent (H)  
 01/30/2012 Rules - Reported Do Pass Consent (H) (H185)  
 02/07/2012 Perfected by Consent - Pursuant to House Rules (H) (H253)  
 02/08/2012 Third Read and Passed (H) (H265)  
 02/08/2012 S First Read--HB 1036-Dugger (S226-227)  
 03/01/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S385)  
 03/19/2012 Hearing Conducted S Financial and Governmental Organizations and Elections Committee  
 03/26/2012 SCS Voted Do Pass S Financial and Governmental Organizations and Elections Committee (4221S.02C)

EFFECTIVE: August 28, 2012

\*\*\* HB 1037 \*\*\*

4220L.01P

HOUSE HANDLER: Dugger

HB 1037 - 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, including reasonable attorney's fees is authorized).

This provision was contained in the truly agreed to version of HB 184 (2011)(Section 233.280).  
 STEPHEN WITTE

12/01/2011 Prefiled (H)  
 01/04/2012 Read First Time (H) (H13)  
 01/05/2012 Read Second Time (H) (H29)  
 01/12/2012 Referred: Local Government (H) (H67)  
 01/25/2012 Public Hearing Completed (H)

02/01/2012 Executive Session Completed (H)  
 02/01/2012 Voted Do Pass (H)  
 02/08/2012 Executive Session Completed (H)  
 02/08/2012 Voted Do Pass - Consent (H)  
 02/13/2012 Reported Do Pass by Consent (H) (H301)  
 02/13/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 02/15/2012 Rules - Executive Session Completed (H)  
 02/15/2012 Rules - Voted Do Pass - Consent (H)  
 02/15/2012 Rules - Reported Do Pass Consent (H) (H343)  
 02/23/2012 Perfected by Consent (H) (H429)  
 03/05/2012 Third Read and Passed (H) (H489-490)  
 03/05/2012 S First Read--HB 1037-Dugger (S395)  
 03/08/2012 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S436)  
 04/11/2012 Hearing Conducted S Jobs, Economic Development and Local Government Committee

EFFECTIVE: August 28, 2012

\*\*\* HB 1039 \*\*\*

4037L.01P

HOUSE HANDLER: Leara

HB 1039 - This act allows retirees of the Missouri Local Government Employees' Regiment System to have premiums for health insurance or long-term care deducted from their retirement allowance.

MIKE HAMMANN

12/01/2011 Prefiled (H)  
 01/04/2012 Read First Time (H) (H13)  
 01/05/2012 Read Second Time (H) (H29)  
 01/12/2012 Referred: Retirement (H) (H67)  
 01/19/2012 Public Hearing Completed (H)  
 01/19/2012 Executive Session Completed (H)  
 01/19/2012 Voted Do Pass - Consent (H)  
 01/24/2012 Reported Do Pass by Consent (H) (H152)  
 01/24/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 01/30/2012 Rules - Executive Session Completed (H)  
 01/30/2012 Rules - Voted Do Pass - Consent (H)  
 01/30/2012 Rules - Reported Do Pass Consent (H) (H185)  
 02/07/2012 Perfected by Consent - Pursuant to House Rules (H) (H253)  
 02/08/2012 Third Read and Passed (H) (H266)  
 02/08/2012 S First Read--HB 1039-Leara (S227)  
 03/01/2012 Second Read and Referred S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee (S385)  
 03/08/2012 Hearing Conducted S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee  
 04/05/2012 Voted Do Pass S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee

EFFECTIVE: August 28, 2012

\*\*\* HB 1041 \*\*\*

4219L.02P

HOUSE HANDLER: Thomson

HB 1041 – Current law provides that the Board of Governors of Missouri Western State University may convey or transfer the title to certain real property, except in fee simple, without authorization from the General Assembly until August 28, 2014. This act would also allow the board of governors of Missouri Western, the University of Central Missouri, Missouri State University, Missouri Southern State University; the board of regents of Southeast Missouri State University, Northwest Missouri State University, or Harris-Stowe State University; or the board of curators of Lincoln University to convey or transfer the title to certain real property, except in fee simple, without authorization from the General Assembly until August 28, 2017.

This act contains an emergency clause.

This act is substantially similar to SB 562 (2012).

MICHAEL RUFF

12/01/2011 Prefiled (H)

01/04/2012 Read First Time (H) (H13)  
 01/05/2012 Read Second Time (H) (H29)  
 01/12/2012 Referred: Higher Education (H) (H67)  
 01/24/2012 Public Hearing Completed (H)  
 01/31/2012 Executive Session Completed (H)  
 01/31/2012 Voted Do Pass (H)  
 02/07/2012 Reported Do Pass (H) (H251)  
 02/07/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 02/13/2012 Rules - Executive Session Completed (H)  
 02/13/2012 Rules - Voted Do Pass (H)  
 02/13/2012 Rules - Reported Do Pass (H) (H301)  
 02/15/2012 Perfected (H) (H338)  
 02/20/2012 Third Read and Passed (H) (H368-369)  
 02/20/2012 Emergency Clause Adopted (H) (H369)  
 02/20/2012 S First Read--HB 1041-Thomson (S294)  
 03/08/2012 Second Read and Referred S General Laws Committee (S435)

EFFECTIVE: Emergency Clause

\*\*\* HB 1042 \*\*\*

HCS HB 1042

4431L.03P

HOUSE HANDLER: Thomson

SCS/HCS/HB 1042 – This act modifies the duties prescribed to the Coordinating Board for Higher Education.

The Coordinating Board will require all public two-year and four-year higher education institutions to replicate best practices in remediation, as described in the act. (Section 173.005)

The Coordinating Board will also require all public two-year and four-year higher education institutions, by July 1, 2014, to create a statewide core transfer library of at least twenty-five lower division courses across all institutions that are transferable among all public higher education institutions. (Section 173.005)

The Coordinating Board must develop a policy to foster reverse transfer for students who have accumulated enough hours in combination with public higher education institution in Missouri that offers an associate degree and four-year institutions to be awarded an associate degree. (Section 173.005)

The Department of Elementary and Secondary Education must maintain the alignment of the statewide assessments for entry-level courses in English, mathematics, foreign language, sciences, and social sciences associated with an institution's general education core with the existing competencies. (Section 173.005)

The Coordinating Board may charge and collect fees from out-of-state public institutions to cover the costs of reviewing and assuring the quality of programs offered by out-of-state public institutions. (Section 173.005)

The annual report that the Coordinating Board submits prior to the start of the legislative session must include the campus-level data on student persistence and a description of progress towards implementing revised remediation, transfer, and retention practices. (Section 173.040)

Current law requires each proprietary school to annually apply to the Coordinating Board for Higher Education for a certificate of approval. This act allows a proprietary school in continuous operation for no less than five years to be able to apply for certification valid for two years. (Section 173.606)

This act modifies the fees for a certificate of approval. The base annual fee is set at \$.0013 per one dollar of net tuition and fees income with a maximum of five thousand dollars and a minimum of five hundred dollars per school. For a school having a certificate of approval for the sole purpose of recruiting Missouri students, the fee will be five hundred dollars plus the amount produced by the foundation calculation, with a maximum of five thousand dollars. The Coordinating Board may increase the base annual fee every five years, beginning in fiscal year 2013 by administrative rule based on the consumer price index. The Coordinating Board may also establish additional appropriate fees if necessary to generate funding sufficient to cover the entirety of costs associated with the operation of the certification program. (Section 173.608)

Currently, the Coordinating Board may require each proprietary school to file a security bond. This act

increases the maximum amount of the security bond from twenty-five thousand dollars to one hundred thousand dollars. This act also limits the Coordinating Board's collection of data from proprietary schools to that which is necessary for the administration, supervision, and enforcement of the proprietary school laws. The Department of Higher Education must establish a system to electronically submit all data. Also, the Department of Higher Education must review new programs within ninety days of a proprietary school's submission of such program and must review a revised program submission within sixty days. If the Department fails to review the program within the established timeframe, the proprietary school may offer the program until the review is completed. If the Department finds an issue that needs correction, it must give the school ninety days' notice and allow for correction. (Section 173.612)

The members of the Proprietary School Advisory Committee will be appointed by the Commissioner of Higher Education, instead of the Coordinating Board. Also, members of the committee must be owners or managerial employees of proprietary schools. At least three members of the committee must represent schools that confer a degree and at least one of the three must represent a school that confers a baccalaureate degree or higher. (Section 173.614)

This act allows the Department of Higher Education to take action against any violation of the proprietary school laws that is authorized in section 407.020, relating to unlawful merchandising practices. (Section 173.618)

This act is substantially similar to SB 455 (2012) and HCS/HB 1722 (2012).

MICHAEL RUFF

12/01/2011 Prefiled (H)  
 01/04/2012 Read First Time (H) (H13)  
 01/05/2012 Read Second Time (H) (H29)  
 01/12/2012 Referred: Higher Education (H) (H67)  
 01/24/2012 Public Hearing Completed (H)  
 01/31/2012 Executive Session Completed (H)  
 01/31/2012 HCS Voted Do Pass (H)  
 02/09/2012 HCS Reported Do Pass (H) (H287)  
 02/09/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 02/23/2012 Rules - Executive Session Completed (H)  
 02/23/2012 Rules - Voted Do Pass (H)  
 02/23/2012 Rules - Reported Do Pass (H) (H427)  
 03/07/2012 HCS Adopted (H)  
 03/07/2012 Perfected (H) (H545)  
 03/07/2012 Referred: Fiscal Review (H) (H546)  
 03/08/2012 Executive Session Completed (H)  
 03/08/2012 Voted Do Pass (H)  
 03/08/2012 Reported Do Pass (H) (H560)  
 03/08/2012 Third Read and Passed (H) (H579)  
 03/19/2012 S First Read--HCS for HB 1042 (S449)  
 03/29/2012 Second Read and Referred S Education Committee (S574)  
 04/04/2012 Hearing Conducted S Education Committee  
 04/11/2012 SCS Voted Do Pass S Education Committee - 4431S.04C

EFFECTIVE: August 28, 2012

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\*\*\* HB 1046 \*\*\*

4081L.01P

HOUSE HANDLER: Rowland

HB 1046 - 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 of the nominee.

This act is similar to HCS/SB 282 (2011), HB 283 (2011), HCS/HB 121 (2011), and SB 292 (2011).  
 CHRIS HOGERTY

12/02/2011 Prefiled (H)  
 01/04/2012 Read First Time (H) (H13)  
 01/05/2012 Read Second Time (H) (H29)  
 02/01/2012 Referred: Elections (H) (H204)  
 02/14/2012 Public Hearing Completed (H)

02/21/2012 Executive Session Completed (H)  
 02/21/2012 Voted Do Pass (H)  
 02/22/2012 Reported Do Pass (H) (H406)  
 02/22/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/08/2012 Rules - Executive Session Completed (H)  
 03/08/2012 Rules - Voted Do Pass (H)  
 03/08/2012 Rules - Reported Do Pass (H) (H590)  
 03/28/2012 Perfected (H) (H743)  
 03/29/2012 Third Read and Passed (H) (H840)  
 04/02/2012 S First Read--HB 1046-Rowland (S583)  
 04/05/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S634)  
 04/16/2012 Hearing Scheduled S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2012

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\*\*\* HB 1048 \*\*\*

4217L.01P

HOUSE HANDLER: Schneider

HB 1048 – Current law provides that school board members of urban school districts serve a term of six years whereas board members in a seven director school district serve a term of three years. This act provides that any school district that becomes an urban school district because of the 2010 federal decennial census will retain terms of three years for its school board members. In addition, school board member elections will continue to be held at the general municipal election in April of each year.

This act contains an emergency clause.

MICHAEL RUFF

12/05/2011 Prefiled (H)  
 01/04/2012 Read First Time (H) (H14)  
 01/05/2012 Read Second Time (H) (H29)  
 01/12/2012 Referred: Elementary and Secondary Education (H) (H67)  
 02/29/2012 Public Hearing Completed (H)  
 02/29/2012 Executive Session Completed (H)  
 02/29/2012 Voted Do Pass - Consent (H)  
 02/29/2012 Reported Do Pass by Consent (H) (H458)  
 02/29/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/20/2012 Rules - Executive Session Completed (H)  
 03/20/2012 Rules - Voted Do Pass - Consent (H)  
 03/20/2012 Rules - Reported Do Pass Consent (H) (H630)  
 03/27/2012 Perfected by Consent - Pursuant to House Rules (H) (H735)  
 03/28/2012 Third Read and Passed (H) (H764)  
 03/28/2012 Emergency Clause Adopted (H) (H765)  
 03/28/2012 S First Read--HB 1048-Schneider (S539)  
 04/05/2012 Second Read and Referred S Education Committee (S632)

EFFECTIVE: Emergency Clause

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\*\*\* HB 1051 \*\*\*

4592L.01P

HOUSE HANDLER: Allen

HB 1051 - This act requires the State Auditor to conduct a one-time comparative audit of 5 to 10 of the largest state agencies and each chamber of the General Assembly, by August 28, 2014. 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.

This act is similar to SB 323 (2011).

CHRIS HOGERTY

12/06/2011 Prefiled (H)  
 01/04/2012 Read First Time (H) (H14)  
 01/05/2012 Read Second Time (H) (H29)  
 01/19/2012 Referred: General Laws (H) (H124)  
 01/31/2012 Public Hearing Completed (H)

02/08/2012 Executive Session Completed (H)  
 02/08/2012 Voted Do Pass (H)  
 02/09/2012 Reported Do Pass (H) (H287)  
 02/09/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/01/2012 Rules - Executive Session Completed (H)  
 03/01/2012 Rules - Voted Do Pass (H)  
 03/01/2012 Rules - Reported Do Pass (H) (H478)  
 03/21/2012 Perfected with Amendments (H) (H653)  
 03/21/2012 Referred: Fiscal Review (H) (H657)  
 03/26/2012 Executive Session Completed (H)  
 03/26/2012 Voted Do Pass (H)  
 03/26/2012 Reported Do Pass (H) (H711)  
 03/26/2012 Third Read and Passed (H) (H712)  
 03/26/2012 S First Read--HB 1051-Allen, et al (S517-518)  
 03/29/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S574)  
 04/16/2012 Hearing Scheduled S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2012

\*\*\* HB 1059 \*\*\*

HCS HB 1059

4342L.02P

HOUSE HANDLER: Dugger

SCS/HCS/HB 1059 - Currently, election recounts may be requested when the candidate or ballot question is defeated by 1% of the votes cast. This act reduces that threshold to 1/2 of 1%.

CHRIS HOGERTY

12/09/2011 Prefiled (H)  
 01/04/2012 Read First Time (H) (H14)  
 01/05/2012 Read Second Time (H) (H29)  
 01/12/2012 Referred: Elections (H) (H67)  
 01/24/2012 Public Hearing Completed (H)  
 01/24/2012 Executive Session Completed (H)  
 01/24/2012 Voted Do Pass - Consent (H)  
 01/24/2012 Reported Do Pass by Consent (H) (H152)  
 01/24/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 01/30/2012 Rules - Executive Session Completed (H)  
 01/30/2012 Rules - Voted to Return to Committee of Origin (H)  
 01/30/2012 Rules - Returned to the Committee of Origin (H) (H185)  
 02/07/2012 Executive Session Completed (H)  
 02/07/2012 HCS Voted Do Pass - Consent (H)  
 02/08/2012 HCS Reported Do Pass by Consent (H) (H274)  
 02/08/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 02/13/2012 Rules - Executive Session Completed (H)  
 02/13/2012 Rules - Voted Do Pass - Consent (H)  
 02/13/2012 Rules - Reported Do Pass Consent (H) (H301)  
 02/20/2012 Perfected by Consent (H) (H376)  
 02/22/2012 Third Read and Passed (H) (H398)  
 02/23/2012 S First Read--HCS for HB 1059 (S327)  
 03/08/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S435)  
 04/02/2012 Hearing Conducted S Financial and Governmental Organizations and Elections Committee  
 04/10/2012 SCS Voted Do Pass S Financial and Governmental Organizations and Elections Committee - 4342S.03C

EFFECTIVE: August 28, 2012

\*\*\* HB 1060 \*\*\*

HCS HB 1060

4222L.05P

HOUSE HANDLER: Dugger

HCS/HB 1060 - This act modifies the law relating to elections.

Certain third class cities are allowed to eliminate, by ordinance or order, primary elections for mayor and



councilmen offices. Any person wishing to become a candidate for these offices must file a statement of candidacy with the city clerk in order to be placed on the ballot.

This act removes the first Tuesday after the first Monday in June as a date available 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 6,000 inhabitants or with 3,000 or fewer inhabitants. Such elections are not required in such municipalities with 3,000 or fewer inhabitants if such a measure is approved by popular vote.

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 act removes a provision providing that absentee ballots of deceased voters be rejected when sufficient evidence is shown to an election authority that the voter has died prior to the opening of the polls.

With the exception of certain candidates for local office, candidates shall file affidavits that they are not in violation of Section 115.348 which prohibits felons from qualifying as candidates for certain offices. Those found to be in violation shall be removed from the ballot or office.

It shall be a class four election offense for an election authority or political subdivision to discourage potential candidates from filing for the purposes of eliminating the requirement to hold an election.

Currently, state committees of political parties are required to pay a filing fee of \$1,000 to place a candidate on the presidential primary ballot. This act increases that fee to \$10,000.

Party emblems shall not be printed on the ballot above the party caption.

This act is similar to HCS/SCS/SB 270 (2011), HCS/SCS/SB 569 (2012), HB 1250 (2012), and HB 1036 (2012).

CHRIS HOGERTY

12/09/2011 Prefiled (H)  
 01/04/2012 Read First Time (H) (H14)  
 01/05/2012 Read Second Time (H) (H29)  
 01/12/2012 Referred: Elections (H) (H67)  
 01/24/2012 Public Hearing Scheduled, Bill not Heard (H)  
 01/31/2012 Public Hearing Completed (H)  
 02/07/2012 Executive Session - No Action Taken  
 02/28/2012 Executive Session Completed (H)  
 02/28/2012 HCS Voted Do Pass (H)  
 02/28/2012 HCS Reported Do Pass (H) (H447)  
 02/28/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/08/2012 Rules - Executive Session Completed (H)  
 03/08/2012 Rules - Voted Do Pass (H)  
 03/08/2012 Rules - Reported Do Pass (H) (H591)  
 04/03/2012 Taken Up for Perfection (H) (H884)  
 04/03/2012 Laid Over (H)  
 04/03/2012 Taken Up for Perfection (H)  
 04/03/2012 HCS Adopted (H)  
 04/03/2012 Perfected with Amendments (H) (H887)  
 04/05/2012 Third Read and Passed (H) (H954-955)  
 04/05/2012 S First Read--HCS for HB 1060 (S634-635)  
 04/12/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2012

HB 1062 – 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 act is identical to SB 599 (2012), SB 147 (2011) and is similar to provisions contained in HB 1295 (2010), SB 962 (2010), SB 498 (2009), and HB 2542 (2008).

MICHAEL RUFF

12/09/2011 Prefiled (H)  
 01/04/2012 Read First Time (H) (H14)  
 01/05/2012 Read Second Time (H) (H29)  
 01/25/2012 Referred: Elementary and Secondary Education (H) (H165)  
 02/29/2012 Public Hearing Completed (H)  
 03/07/2012 Executive Session Completed (H)  
 03/07/2012 Voted Do Pass - Consent (H)  
 03/07/2012 Reported Do Pass by Consent (H) (H548)  
 03/07/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/20/2012 Rules - Executive Session Completed (H)  
 03/20/2012 Rules - Voted Do Pass - Consent (H)  
 03/20/2012 Rules - Reported Do Pass Consent (H) (H630)  
 03/27/2012 Perfected by Consent - Pursuant to House Rules (H) (H735)  
 03/28/2012 Third Read and Passed (H) (H766)  
 03/28/2012 S First Read--HB 1062-Dieckhaus and Lampe (S540)  
 04/05/2012 Second Read and Referred S Education Committee (S632)

EFFECTIVE: August 28, 2012

\*\*\* HB 1063 \*\*\*

4576L.01P

HOUSE HANDLER: Conway

HB 1063 - This act provides that "jumping jacks" is selected for and shall be known as the official exercise of the state of Missouri.

JIM ERTLE

12/12/2011 Prefiled (H)  
 01/04/2012 Read First Time (H) (H14)  
 01/05/2012 Read Second Time (H) (H29)  
 02/06/2012 Referred: Tourism and Natural Resources (H228)  
 02/09/2012 Public Hearing Completed (H)  
 02/23/2012 Executive Session Completed (H)  
 02/23/2012 Voted Do Pass - Consent (H)  
 02/23/2012 Reported Do Pass by Consent (H) (H427)  
 02/23/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/20/2012 Rules - Executive Session Completed (H)  
 03/20/2012 Rules - Voted Do Pass - Consent (H)  
 03/20/2012 Rules - Reported Do Pass Consent (H) (H631)  
 03/27/2012 Perfected by Consent - Pursuant to House Rules (H) (H735)  
 03/28/2012 Taken Up for Third Reading (H) (H766)  
 03/28/2012 Laid Over - Third Reading (H) (H766)  
 03/28/2012 Taken Up for Third Reading (H) (H779)  
 03/28/2012 Third Read and Passed (H) (H779-780)  
 03/28/2012 S First Read--HB 1063-Conway (27) (S543)  
 04/05/2012 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S632)

EFFECTIVE: August 28, 2012

\*\*\* HB 1072 \*\*\*

HCS HB 1072

4051L.02P

HOUSE HANDLER: Sater

HCS/HB 1072 - 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.

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.

This act is substantially similar to HB 29 (2011).

ADRIANE CROUSE

12/13/2011 Prefiled (H)  
 01/04/2012 Read First Time (H) (H15)  
 01/05/2012 Read Second Time (H) (H29)  
 02/08/2012 Referred: Health Care Policy (H) (H270)  
 02/15/2012 Public Hearing Completed (H)  
 02/15/2012 Executive Session Completed (H)  
 02/15/2012 HCS Voted Do Pass (H)  
 02/17/2012 HCS Reported Do Pass (H) (H359)  
 02/17/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 02/23/2012 Rules - Executive Session Completed (H)  
 02/23/2012 Rules - Voted Do Pass (H)  
 02/23/2012 Rules - Reported Do Pass (H) (H427)  
 02/29/2012 Perfected with Amendments (H) (H456)  
 03/05/2012 Third Read and Passed (H) (H492-493)  
 03/05/2012 S First Read--HCS for HB 1072 (S396)  
 03/08/2012 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S436)

EFFECTIVE: August 28, 2012

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\*\*\* HB 1073 \*\*\*

4213L.01P

HOUSE HANDLER: Sater

HB 1073 - Under current law, certain manufacturers and processors of animal feed are by definition not considered grain dealers under the Missouri Grain Dealer law if, among other things, such individuals do not purchase more than \$100,000 worth of grain a year. This act replaces the \$100,000 threshold with a 50,000 bushel threshold.

This act is identical to HCS/HB 1477 (2012) and similar to SCS/SB 631 (2012).

ERIKA JAQUES

12/13/2011 Prefiled (H)  
 01/04/2012 Read First Time (H) (H15)  
 01/05/2012 Read Second Time (H) (H29)  
 02/01/2012 Referred: Agriculture Policy (H) (H204)  
 02/14/2012 Public Hearing Completed (H)  
 02/21/2012 Executive Session Completed (H)  
 02/21/2012 Voted Do Pass - Consent (H)  
 02/21/2012 Reported Do Pass by Consent (H) (H386)  
 02/21/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/01/2012 Rules - Executive Session Completed (H)  
 03/01/2012 Rules - Voted Do Pass - Consent (H)  
 03/01/2012 Rules - Reported Do Pass Consent (H) (H478)  
 03/19/2012 Perfected by Consent - Pursuant to House Rules (H) (H607)  
 03/28/2012 Third Read and Passed (H) (H749)

03/28/2012 S First Read--HB 1073-Sater (S534)  
 04/05/2012 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S631)  
 04/11/2012 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee

EFFECTIVE: August 28, 2012

\*\*\* HB 1075 \*\*\*

4257L.01P

HOUSE HANDLER: Sater

HB 1075 - This act states that Missouri licensed pharmacies cannot be required to carry or maintain an inventory of any specific drug or device.

MIKE HAMMANN

12/13/2011 Prefiled (H)  
 01/04/2012 Read First Time (H) (H15)  
 01/05/2012 Read Second Time (H) (H29)  
 01/19/2012 Referred: Health Care Policy (H) (H124)  
 01/25/2012 Public Hearing Completed (H)  
 01/25/2012 Executive Session Completed (H)  
 01/25/2012 Voted Do Pass - Consent (H)  
 01/25/2012 Reported Do Pass by Consent (H) (H166)  
 01/25/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 02/06/2012 Rules - Executive Session Completed (H)  
 02/06/2012 Rules - Voted Do Pass - Consent (H)  
 02/06/2012 Rules - Reported Do Pass Consent (H) (H229)  
 02/14/2012 Perfected by Consent (H) (H321)  
 02/15/2012 Third Read and Passed (H) (H329-330)  
 02/15/2012 S First Read--HB 1075-Sater (S269)  
 03/08/2012 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S435)

EFFECTIVE: August 28, 2012

\*\*\* HB 1093 \*\*\*

4304L.01P

HOUSE HANDLER: Elmer

HB 1093 - This act allows recipients of Navy Cross medals to apply for and receive Navy Cross special license plates. Navy Cross recipients who desire Navy Cross special license plates must pay \$15 in addition to regular registration fees.

The act is similar to, but not identical to, SB 767 (2012).

STEPHEN WITTE

12/19/2011 Prefiled (H)  
 01/04/2012 Read First Time (H) (H16)  
 01/05/2012 Read Second Time (H) (H29)  
 01/05/2012 Referred: Transportation (H) (H29)  
 01/24/2012 Public Hearing Completed (H)  
 01/31/2012 Executive Session Completed (H)  
 01/31/2012 Voted Do Pass - Consent (H)  
 02/01/2012 Reported Do Pass by Consent (H) (H205)  
 02/01/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 02/06/2012 Rules - Executive Session Completed (H)  
 02/06/2012 Rules - Voted Do Pass - Consent (H)  
 02/06/2012 Rules - Reported Do Pass Consent (H) (H229)  
 02/14/2012 Perfected by Consent (H) (H321)  
 02/15/2012 Third Read and Passed (H) (H330-331)  
 02/15/2012 S First Read--HB 1093-Elmer, et al (S269)  
 03/08/2012 Second Read and Referred S Transportation Committee (S435)  
 03/28/2012 Hearing Conducted S Transportation Committee

EFFECTIVE: August 28, 2012

\*\*\* HB 1094 \*\*\*

HCS HB 1094

4322L.02P

HOUSE HANDLER: Wieland

HCS/HB 1094 - This act requires the Commissioner of the Office of Administration, to instruct state agencies to use a statewide commercial payments system or contract with a third party to make payments by commercial payment card within 6 months of August 28, 2012. Alternatively, where such cards are not accepted, payments are to be made by automated clearing house, check, or other electronic methods designated by the commissioner.

CHRIS HOGERTY

12/19/2011 Prefiled (H)  
 01/04/2012 Read First Time (H) (H16)  
 01/05/2012 Read Second Time (H) (H29)  
 01/12/2012 Referred: Downsizing State Government (H) (H67)  
 01/19/2012 Public Hearing Completed (H)  
 02/23/2012 Executive Session Completed (H)  
 02/23/2012 HCS Voted Do Pass (H)  
 03/06/2012 HCS Reported Do Pass (H) (H517)  
 03/06/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/08/2012 Rules - Executive Session Completed (H)  
 03/08/2012 Rules - Voted Do Pass (H)  
 03/08/2012 Rules - Reported Do Pass (H) (H591)  
 03/27/2012 HCS Adopted (H)  
 03/27/2012 Perfected with Amendments (H) (H728)  
 03/28/2012 Referred: Fiscal Review (H) (H818)  
 03/29/2012 Executive Session Completed (H)  
 03/29/2012 Voted Do Pass (H)  
 03/29/2012 Reported Do Pass (H) (H825)  
 03/29/2012 Third Read and Passed (H) (H826-827)  
 03/29/2012 S First Read--HCS for HB 1094 (S872)  
 04/05/2012 Second Read and Referred S General Laws Committee (S633)  
 04/11/2012 Hearing Conducted S General Laws Committee

EFFECTIVE: August 28, 2012

\*\*\* HB 1096 \*\*\*

4319L.01P

HOUSE HANDLER: Wieland

HB 1096 - This act allows a county health center to make payments approved by its board of health center trustees through an electronic funds transfer system. Under current law, a center may only make payments using approved vouchers of the board. ADRIANE CROUSE

12/19/2011 Prefiled (H)  
 01/04/2012 Read First Time (H) (H16)  
 01/05/2012 Read Second Time (H) (H29)  
 02/07/2012 Referred: Local Government (H) (H250)  
 02/15/2012 Public Hearing Completed (H)  
 02/22/2012 Executive Session Completed (H)  
 02/22/2012 Voted Do Pass - Consent (H)  
 02/23/2012 Reported Do Pass by Consent (H) (H425)  
 02/23/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H425)  
 03/01/2012 Rules - Executive Session Completed (H)  
 03/01/2012 Rules - Voted Do Pass - Consent (H)  
 03/01/2012 Rules - Reported Do Pass Consent (H) (H478)  
 03/19/2012 Perfected by Consent - Pursuant to House Rules (H) (H607)  
 03/28/2012 Third Read and Passed (H) (H750)  
 03/28/2012 S First Read--HB 1096-Wieland (S534)  
 04/05/2012 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S631)

EFFECTIVE: August 28, 2012

\*\*\* HB 1098 \*\*\*

HCS HB 1098 &amp; 1084

4305H.02P

HOUSE HANDLER: Shumake

HCS/HBs 1098 & 1084 - Under current law, cities are prohibited from passing laws that restrict certain 501(c)(3) organizations from operating retail businesses that sell donated items. This act expands the law to include 501(c)(19) organizations.

This act is identical to the perfected SB 498 (2012).

ERIKA JAQUES

12/20/2011 Prefiled (H)  
 01/04/2012 Read First Time (H) (H16)  
 01/05/2012 Read Second Time (H) (H29)  
 01/12/2012 Referred: Veterans (H) (H67)  
 02/07/2012 Public Hearing Completed (H)  
 02/14/2012 Executive Session Completed (H)  
 02/14/2012 HCS Voted Do Pass - Consent (H)  
 02/14/2012 HCS Reported Do Pass by Consent (H) (H320)  
 02/14/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H320)  
 02/23/2012 Rules - Executive Session Completed (H)  
 02/23/2012 Rules - Voted Do Pass - Consent (H)  
 02/23/2012 Rules - Reported Do Pass Consent (H) (H427)  
 03/06/2012 Perfected by Consent - Pursuant to House Rules (H) (H518)  
 03/08/2012 Third Read and Passed (H) (H580)  
 03/19/2012 S First Read--HCS for HBs 1098 & 1084 (S448)  
 03/22/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (H503)

EFFECTIVE: August 28, 2012

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\*\*\* HB 1099 \*\*\*

4205L.01P

HOUSE HANDLER: Fitzwater

HB 1099 - This act provides that March 26th of each year shall be known and designated as "Veterans of Operation Iraq/Enduring Freedom Day" in Missouri. The citizens of Missouri are encouraged to observe the day with appropriate events and remembrances in honor of the veterans who fought, served and sacrificed during the military operations in Iraq and Afghanistan.

JIM ERTLE

12/20/2011 Prefiled (H)  
 01/04/2012 Read First Time (H) (H16)  
 01/05/2012 Read Second Time (H) (H29)  
 01/12/2012 Referred: Veterans (H) (H67)  
 01/24/2012 Public Hearing Completed (H)  
 01/24/2012 Executive Session Completed (H)  
 01/24/2012 Voted Do Pass - Consent (H)  
 01/24/2012 Reported Do Pass by Consent (H) (H153)  
 01/24/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 01/30/2012 Rules - Executive Session Completed (H)  
 01/30/2012 Rules - Voted Do Pass - Consent (H)  
 01/30/2012 Rules - Reported Do Pass Consent (H) (H185)  
 02/07/2012 Perfected by Consent - Pursuant to House Rules (H) (H253)  
 02/08/2012 Third Read and Passed (H) (H267)  
 02/08/2012 S First Read--HB 1099-Fitzwater, et al (S227)  
 03/01/2012 Second Read and Referred S General Laws Committee (S385)

EFFECTIVE: August 28, 2012

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\*\*\* HB 1100 \*\*\*

4203L.02P

SENATE SPONSOR: Kraus

HOUSE HANDLER: Fitzwater

HB 1100 - This act provides that March 30th of each year shall be known and designated as "Vietnam Veterans Day" in Missouri. The citizens of Missouri are encouraged to observe the day with appropriate events and remembrances in honor of the veterans who fought, served and sacrificed during the Vietnam Conflict.

JIM ERTLE

12/20/2011 Prefiled (H)  
 01/04/2012 Read First Time (H) (H16)  
 01/05/2012 Read Second Time (H) (H29)  
 01/12/2012 Referred: Veterans (H) (H67)  
 01/24/2012 Public Hearing Completed (H)  
 01/24/2012 Executive Session Completed (H)  
 01/24/2012 Voted Do Pass - Consent (H)  
 01/24/2012 Reported Do Pass by Consent (H) (H153)  
 01/24/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 01/30/2012 Rules - Executive Session Completed (H)  
 01/30/2012 Rules - Voted Do Pass - Consent (H)  
 01/30/2012 Rules - Reported Do Pass Consent (H) (H185)  
 02/07/2012 Perfected by Consent - Pursuant to House Rules (H) (H253)  
 02/08/2012 Third read and passed (H) (H268)  
 02/08/2012 S First Read--HB 1100-Fitzwater, et al (S227)  
 03/01/2012 Second Read and Referred S General Laws Committee (S385)

EFFECTIVE: August 28, 2012

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\*\*\* HB 1103 \*\*\*

4239L.01P

HOUSE HANDLER: Crawford

HB 1103 - 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.

This act is identical to SB 579 and the perfected version of SB 71 (2011).

MIKE HAMMANN

12/20/2011 Prefiled (H)  
 01/04/2012 Read First Time (H) (H17)  
 01/05/2012 Read Second Time (H) (H29)  
 01/12/2012 Referred: Financial Institutions (H) (H67)  
 02/01/2012 Public Hearing Completed (H)  
 02/01/2012 Executive Session Completed (H)  
 02/01/2012 Voted Do Pass (H)  
 02/07/2012 Reported Do Pass (H) (H251)  
 02/07/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 02/13/2012 Rules - Executive Session Completed (H)  
 02/13/2012 Rules - Voted Do Pass (H)  
 02/13/2012 Rules - Reported Do Pass (H) (H302)  
 02/15/2012 Perfected (H) (H331)  
 02/20/2012 Third Read and Passed (H) (H366-367)  
 02/20/2012 S First Read--HB 1103-Crawford and Wyatt (S294)  
 03/08/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S435)  
 03/26/2012 Hearing Conducted S Financial and Governmental Organizations and Elections Committee  
 04/02/2012 Voted Do Pass S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2012

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\*\*\* HB 1104 \*\*\*

SCS HB 1104

4521S.03C

SENATE SPONSOR: Engler

HOUSE HANDLER: Schoeller

SCS/HB 1104 - 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 to the election authority within 3 days after the election and provides proper identification. Provisional ballots shall be available in all elections.

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 prior to the next election held after the effective date of the act.

The state and all fee offices shall provide at least one form of identification required to vote at no cost to the voter.

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

This act is similar to SB 1014 (2006), SB 523 (2009), HB 1966 (2010), SB 3 (2011), SB 442 (2012).  
CHRIS HOGERTY

12/20/2011 Prefiled (H)  
01/04/2012 Read First Time (H) (H17)  
01/05/2012 Read Second Time (H) (H29)  
01/05/2012 Referred: Elections (H) (H29)  
01/24/2012 Public Hearing Completed (H)  
01/24/2012 Executive Session Completed (H)  
01/24/2012 Voted Do Pass (H)  
01/24/2012 Reported Do Pass (H) (H152)  
01/24/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
01/30/2012 Rules - Executive Session Completed (H)  
01/30/2012 Rules - Voted Do Pass (H)  
01/30/2012 Rules - Reported Do Pass (H) (H185)  
02/01/2012 Taken Up for Perfection (H) (H204)  
02/01/2012 Laid Over (H)  
02/06/2012 Taken Up for Perfection (H) (H228)  
02/06/2012 Laid Over (H)  
02/07/2012 Taken Up for Perfection (H) (H242)  
02/07/2012 Perfected (H) (H244)  
02/08/2012 Referred: Fiscal Review (H) (H270)  
02/09/2012 Executive Session Completed (H)  
02/09/2012 Voted Do Pass (H)  
02/09/2012 Reported Do Pass (H) (H280)  
02/09/2012 Third Read and Passed (H) (H286)  
02/13/2012 S First Read--HB 1104-Schoeller and Smith (150) (S249)  
03/08/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S435)  
03/26/2012 Hearing Conducted S Financial and Governmental Organizations and Elections Committee  
04/02/2012 SCS Voted Do Pass S Financial and Governmental Organizations and Elections Committee 4521S.03C  
04/05/2012 Reported from S Financial and Governmental Organizations and Elections Committee to Floor w/SCS (S630)  
04/10/2012 Referred S Ways & Means & Fiscal Oversight Committee (S645)  
04/17/2012 Hearing Scheduled S Ways and Means and Fiscal Oversight Committee  
04/16/2012 S Formal Calendar H Bills for Third Reading--HB 1104-Schoeller and Smith (150), with SCS (Engler) (In Fiscal Oversight)

EFFECTIVE: Contingent



HOUSE HANDLER: Day

HB 1105 - Currently the maximum age for service in the state militia is sixty-four. This act allows the Adjutant General to waive the age limit on a case-by-case basis.

This act is similar to SB 715 (2012).

MIKE HAMMANN

12/21/2011 Prefiled (H)  
 01/04/2012 Read First Time (H) (H17)  
 01/05/2012 Read Second Time (H) (H29)  
 01/12/2012 Referred: Veterans (H) (H68)  
 01/24/2012 Public Hearing Completed (H)  
 01/24/2012 Executive Session Completed (H)  
 01/24/2012 Voted Do Pass - Consent (H)  
 01/24/2012 Reported Do Pass by Consent (H) (H153)  
 01/24/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 01/30/2012 Rules - Executive Session Completed (H)  
 01/30/2012 Rules - Voted Do Pass - Consent (H)  
 01/30/2012 Rules - Reported Do Pass Consent (H) (H185)  
 02/07/2012 Perfected by Consent - Pursuant to House Rules (H) (H253)  
 02/08/2012 Third read and passed (H) (H269)  
 02/08/2012 S First Read--HB 1105-Day (S227)  
 03/01/2012 Second Read and Referred S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee (S385)  
 04/05/2012 Hearing Conducted S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee  
 04/12/2012 Voted Do Pass S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee

EFFECTIVE: August 28, 2012

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\*\*\* HB 1106 \*\*\* SS HCS HB 1106

4666S.04F

SENATE SPONSOR: Parson

HOUSE HANDLER: Dugger

SS/HCS/HB 1106 - This act establishes minimum qualifications for the offices county collector and county treasurer-collector. Except for county collectors in charter counties, a candidate for such offices must be at least 21 years of age, a resident of the state and the county in which the candidate will serve for one year prior to filing for office, and a registered voter.

Candidates for county collector and county treasurer-collector must be current in the payment of state and local taxes.

County collector-treasurers are given the sole authority to appoint their deputies and must remain in office until a successor is elected.

Once elected, collectors and collector-treasurers must reside in the county for the duration of their terms.

In addition, this act specifies that, in the event of a vacancy in the office of county collector-treasurer, the procedure for a county collector vacancy applies rather than the procedure for a county treasurer vacancy.

All candidates for public office must declare their ability to meet statutory bond requirements when filing for office.

This act is identical to the perfected version of SCS/SB 671 (2012).

MEGHAN LUECKE

SA 1 - THIS ACT ALLOWS JEFFERSON COUNTY OFFICERS TO CONTRACT WITH MUNICIPALITIES IN JEFFERSON COUNTY TO PERFORM THE SAME TYPE OF DUTIES FOR THE MUNICIPALITY AS THE COUNTY OFFICER IS PERFORMING FOR THE COUNTY. UNDER CURRENT LAW, COUNTY OFFICERS IN ALL COUNTIES EXCEPT CHARTER COUNTIES MAY ENTER SUCH CONTRACTS.

IN ADDITION, THIS ACT ALLOWS THE JEFFERSON COUNTY COLLECTOR TO CONTRACT WITH CITIES IN THE COUNTY TO COLLECT MUNICIPAL TAXES. THIS SECTION CURRENTLY ONLY APPLIES TO FIRST CLASS COUNTIES.

12/21/2011 Prefiled (H)  
 01/04/2012 Read First Time (H) (H17)  
 01/05/2012 Read Second Time (H) (H29)  
 01/12/2012 Referred: Elections (H) (H68)  
 01/24/2012 Public Hearing Scheduled, Bill not Heard (H)  
 01/31/2012 Public Hearing Completed (H)  
 02/07/2012 Executive Session Completed (H)  
 02/07/2012 HCS Voted Do Pass (H)  
 02/08/2012 HCS Reported Do Pass (H) (H274)  
 02/08/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 02/15/2012 Rules - Executive Session Completed (H)  
 02/15/2012 Rules - Voted Do Pass (H)  
 02/15/2012 Rules - Reported Do Pass (H) (H343)  
 02/27/2012 HCS Adopted (H) (H436)  
 02/27/2012 Perfected (H) (H436)  
 03/01/2012 Third Read and Passed (H) (H472)  
 03/01/2012 S First Read--HCS for HB 1106 (S378)  
 03/08/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S436)  
 03/26/2012 Hearing Conducted S Financial and Governmental Organizations and Elections Committee  
 04/02/2012 Voted Do Pass S Financial and Governmental Organizations and Elections Committee  
 04/05/2012 Reported from S Financial and Governmental Organizations and Elections Committee to Floor (S630)  
 04/11/2012 SS S offered (Parson)--(4666S.04F) (S656)  
 04/11/2012 SA 1 to SS S offered & adopted (McKenna)--(4666S04.01S) (S656-657)  
 04/11/2012 SS, as amended, S adopted (S657)  
 04/11/2012 S Third Read and Passed (S657 / H1024)

EFFECTIVE: August 28, 2012

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\*\*\* HB 1107 \*\*\*

4338L.01P

HOUSE HANDLER: Dugger

HB 1107 - This act designates a portion of Highway 5 between the city of Ava and Mansfield as the "Missouri Fox Trotting Highway". The costs of such designation shall be paid for by private donation.

The act is identical to SB 831 (2012).

STEPHEN WITTE

12/21/2011 Prefiled (H)  
 01/04/2012 Read First Time (H) (H17)  
 01/05/2012 Read Second Time (H) (H29)  
 01/12/2012 Referred: Transportation (H) (H68)  
 01/24/2012 Public Hearing Completed (H)  
 02/07/2012 Executive Session Completed (H)  
 02/07/2012 Voted Do Pass - Consent (H)  
 02/08/2012 Reported Do Pass by Consent (H) (H274)  
 02/08/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 02/13/2012 Rules - Executive Session Completed (H)  
 02/13/2012 Rules - Voted Do Pass - Consent (H)  
 02/13/2012 Rules - Reported Do Pass Consent (H) (H302)  
 02/20/2012 Perfected by Consent (H) (H376)  
 02/22/2012 Third Read and Passed (H) (H399)  
 02/23/2012 S First Read--HB 1107-Dugger, et al (S327)  
 03/08/2012 Second Read and Referred S Transportation Committee (S435)  
 03/28/2012 Hearing Conducted S Transportation Committee

EFFECTIVE: August 28, 2012

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\*\*\* HB 1108 \*\*\*

HCS HB 1108

4200L.02P

HOUSE HANDLER: Lauer

HCS/HB 1108 - The act requires any telecommunications or cell phone service provider to provide call

location information to law enforcement if law enforcement makes such a request when responding to an emergency that involves potential death or serious injury and the call location information is needed immediately. No cause of action may be brought in any court of law against a telecommunications or cell phone service provider, or their employees or agents, for providing the information required in the act. The act does not prohibit telecommunications or cell phone service providers from developing their own protocols for voluntary disclosure of call location information.

ERIKA JAQUES

12/21/2011 Prefiled (H)  
 01/04/2012 Read First Time (H) (H17)  
 01/05/2012 Read Second Time (H) (H29)  
 01/25/2012 Referred: Utilities (H) (H165)  
 01/31/2012 Public Hearing Completed (H)  
 02/07/2012 Executive Session Completed (H)  
 02/07/2012 HCS Voted Do Pass (H)  
 02/14/2012 Executive Session Completed (H)  
 02/14/2012 HCS Voted Do Pass - Consent (H)  
 02/15/2012 HCS Reported Do Pass by Consent (H) (H343)  
 02/15/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 02/23/2012 Rules - Executive Session Completed (H)  
 02/23/2012 Rules - Voted Do Pass - Consent (H)  
 02/23/2012 Rules - Reported Do Pass Consent (H) (H427)  
 03/06/2012 Perfected by Consent - Pursuant to House Rules (H) (H518)  
 03/08/2012 Third Read and Passed (H) (H581)  
 03/19/2012 S First Read--HCS for HB 1108 (S448)  
 03/22/2012 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (H503)

EFFECTIVE: August 28, 2012

\*\*\* HB 1109 \*\*\*

4748L.01P

HOUSE HANDLER: Brattin

HB 1109 – This act prohibits any state or local governmental entity, public building, public park, public school or other public setting from banning or restricting the practice, mention, celebration or discussion of any federal holiday. This act will not limit the ability of such entities or places to restrict the use of fireworks.

JIM ERTLE

12/21/2011 Prefiled (H)  
 01/04/2012 Read First Time (H) (H17)  
 01/05/2012 Read Second Time (H) (H29)  
 01/12/2012 Referred: General Laws (H) (H68)  
 03/06/2012 Public Hearing Completed (H)  
 03/08/2012 Executive Session Completed (H)  
 03/08/2012 Voted Do Pass (H)  
 03/21/2012 Reported Do Pass (H) (H660)  
 03/21/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/29/2012 Rules - Executive Session Completed (H)  
 03/29/2012 Rules - Voted Do Pass (H)  
 03/29/2012 Rules - Reported Do Pass (H) (H849)  
 04/04/2012 Perfected with Amendments (H) (H936)  
 04/05/2012 Third read and passed (H) (H964)  
 04/05/2012 S First Read--HB 1109-Brattin, et al (S636)  
 04/12/2012 Second Read and Referred S General Laws Committee

EFFECTIVE: August 28, 2012

\*\*\* HB 1110 \*\*\*

HCS HB 1110

4685L.03P

HOUSE HANDLER: Barnes

HCS/HB 1110 - Currently, a drug court can only dispose of cases against criminal defendants if they are deemed a nonviolent person by the prosecuting attorney. This act removes that requirement.

This act authorizes circuit courts or a combination of circuits to create veterans treatment courts. These

courts will dispose of cases involving substance abuse or mental illness of current or former military personnel. Treatment referrals by the court shall be through the Department of Defense health care, Veterans Administration, or community-based treatment programs. The court shall dismiss, reduce, or modify the charges against the participant upon successful completion of a treatment program.

Community based treatment programs must use programs certified by the Missouri Department of Mental Health or the United States Veterans Association unless no certified program is located in the same county as the court. Community based programs shall receive state or federal funds for referrals from veterans treatment courts.

Persons who have previously had charges against them dismissed, reduced or modified by a veterans treatment court will be ineligible for future disposition of cases by a veterans treatment court.

This act is similar to SB 768 (2012).

MIKE HAMMANN

12/21/2011 Prefiled (H)  
 01/04/2012 Read First Time (H) (H17)  
 01/05/2012 Read Second Time (H) (H29)  
 02/07/2012 Referred: Veterans (H) (H250)  
 02/14/2012 Public Hearing Completed (H)  
 02/28/2012 Executive Session Completed (H)  
 02/28/2012 Voted Do Pass - Consent (H)  
 03/20/2012 HCS Reported Do Pass (H) (H630)  
 03/20/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/29/2012 Rules - Executive Session Completed (H)  
 03/29/2012 Rules - Voted Do Pass (H)  
 03/29/2012 Rules - Reported Do Pass (H) (H849)  
 04/04/2012 HCS Adopted (H)  
 04/04/2012 Perfected with Amendments (H) (H936)  
 04/05/2012 Referred: Fiscal Review (H) (H953)  
 04/05/2012 Executive Session Completed (H)  
 04/05/2012 Voted Do Pass (H)  
 04/05/2012 Reported Do Pass (H) (H953)  
 04/05/2012 Third read and passed (H) (H956)  
 04/05/2012 S First Read--HCS for HB 1110 (S637)  
 04/12/2012 Second Read and Referred S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs  
 Committee

EFFECTIVE: August 28, 2012

\*\*\* HB 1111 \*\*\*

HCS HB 1111

4116L.02P

HOUSE HANDLER: Gosen

HCS/HB 1111 - This act modifies the law with respect to the towing of abandoned vehicles by law enforcement and other governmental agencies. The act allows towed abandoned property to be released to the owner's designated representative. Current law only allows the release of an abandoned vehicle to the owner or to the holder of a valid security interest of record. The act further provides that any nonvehicular personal property within the abandoned vehicle must be released to the owner regardless of payment arrangements.

Under current law, personal property within the abandoned vehicle need not be released to the owner. The act provides that the company holding or storing the abandoned property must allow the owner or the owner's authorized representative to inspect the property and must provide an itemized written receipt for the contents within 10 days of receiving the vehicle.

STEPHEN WITTE

12/21/2011 Prefiled (H)  
 01/04/2012 Read First Time (H) (H17)  
 01/05/2012 Read Second Time (H) (H29)  
 02/07/2012 Referred: General Laws (H) (H250)  
 02/14/2012 Public Hearing Completed (H)  
 02/28/2012 Executive Session Completed (H)  
 02/28/2012 HCS Voted Do Pass (H)

03/01/2012 HCS Reported Do Pass (H) (H476)  
 03/01/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/22/2012 Rules - Executive Session Completed (H)  
 03/22/2012 Rules - Voted Do Pass (H)  
 03/22/2012 Rules - Reported Do Pass (H) (H691)  
 04/03/2012 HCS Adopted (H)  
 04/03/2012 Perfected (H) (H892)  
 04/05/2012 Third read and passed (H) (H956-597)  
 04/05/2012 S First Read--HCS for HB 1111 (S635)  
 04/12/2012 Second Read and Referred S Transportation Committee  
 04/18/2012 Hearing Scheduled S Transportation Committee

EFFECTIVE: August 28, 2012

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\*\*\* HB 1112 \*\*\*

4764L.01P

HOUSE HANDLER: Gosen

SCS/HB 1112 - This act amends Section 376.010 to allow life insurers licensed in Missouri to write limited amounts of non-life business outside of the United States, subject to specified limitations. Primarily, a Missouri domestic life insurance company may only write or assume such business if it is written outside of the United States. Additionally, such exposure may only be written or assumed as a rider attached to a base life insurance policy. Finally, the domestic insurance company's exposure to such business is capped based upon the insurance company's annual premium, which shall be not more than 3% of the prior year's capital and surplus (Section 376.010).

The act also permits a Missouri-domiciled insurance company to write or assume involuntary unemployment insurance in connection with group life insurance business as well as credit insurance business, but only to the extent that such business is written or assumed outside of the United States (Section 376.015). The act also "cleans-up" an insurance investment statute by inserting a number of commas in Section 376.307 which were inadvertently omitted in a bill passed in 2007 (Section 376.307).

This act is identical to SB 620 (2012).

STEPHEN WITTE

12/21/2011 Prefiled (H)  
 01/04/2012 Read First Time (H) (H17)  
 01/05/2012 Read Second Time (H) (H29)  
 01/12/2012 Referred: Insurance Policy (H) (H68)  
 01/23/2012 Public Hearing Completed (H)  
 02/06/2012 Executive Session Completed (H)  
 02/06/2012 Voted Do Pass - Consent (H)  
 02/07/2012 Reported Do Pass by Consent (H) (H251)  
 02/07/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 02/13/2012 Rules - Executive Session Completed (H)  
 02/13/2012 Rules - Voted Do Pass - Consent (H)  
 02/13/2012 Rules - Reported Do Pass Consent (H) (H302)  
 02/20/2012 Perfected by Consent (H) (H376)  
 02/22/2012 Third Read and Passed (H) (H400)  
 02/23/2012 S First Read--HB 1112-Gosen (S327)  
 03/08/2012 Second Read and Referred S Small Business, Insurance and Industry Committee (S435)  
 03/27/2012 Hearing Conducted S Small Business, Insurance and Industry Committee  
 04/03/2012 SCS Voted Do Pass S Small Business, Insurance and Industry Committee - 4764S.02C

EFFECTIVE: August 28, 2012

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\*\*\* HB 1114 \*\*\*

4731L.02P

HOUSE HANDLER: Weter

HB 1114 - This act requires the Taney County Commission, upon voter approval of a county sales tax for central dispatching of emergency services, to appoint a seven-member board to administer the funds and oversee the provision of emergency services.

The act also requires that at least one member of the seven-member board represent each of the types

of people delineated in the statute.

This act is similar to SB 761 (2012).

MEGHAN LUECKE

12/22/2011 Prefiled (H)  
 01/04/2012 Read First Time (H) (H17)  
 01/05/2012 Read Second Time (H) (H29)  
 01/25/2012 Referred: Local Government (H) (H165)  
 02/01/2012 Public Hearing Completed (H)  
 02/08/2012 Executive Session Completed (H)  
 02/08/2012 Voted Do Pass - Consent (H)  
 02/13/2012 Reported Do Pass by Consent (H) (H301)  
 02/13/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H301)  
 02/15/2012 Rules - Executive Session Completed (H)  
 02/15/2012 Rules - Voted Do Pass - Consent (H)  
 02/15/2012 Rules - Reported Do Pass Consent (H) (H343)  
 02/23/2012 Perfected by Consent (H) (H429)  
 03/05/2012 Third Read and Passed (H) (H490-491)  
 03/05/2012 S First Read--HB 1114-Weter (S395)  
 03/08/2012 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S436)  
 04/11/2012 Hearing Conducted S Jobs, Economic Development and Local Government Committee

EFFECTIVE: August 28, 2012

\*\*\* HB 1123 \*\*\*

HCS HB 1123

4849L.02P

HOUSE HANDLER: Frederick

HCS/HB 1123 - 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; (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 a documented immediate and serious threat, as defined directly and through interpretive guidelines included in hospital licensure regulations; 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 three years, rather than one 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.

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 substantially similar to SS/SCS/SB 621 and substantially similar to HCS/HB 579 (2011).

ADRIANE CROUSE

12/27/2011 Prefiled (H)  
 01/04/2012 Read First Time (H) (H18)

01/05/2012 Read Second Time (H) (H29)  
 01/12/2012 Referred: Health Care Policy (H) (H68)  
 01/25/2012 Public Hearing Completed (H)  
 02/08/2012 Executive Session Completed (H)  
 02/08/2012 HCS Voted Do Pass (H)  
 02/09/2012 HCS Reported Do Pass (H) (H287)  
 02/09/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 02/23/2012 Rules - Executive Session Completed (H)  
 02/23/2012 Rules - Voted Do Pass (H)  
 02/23/2012 Rules - Reported Do Pass (H) (H427)  
 03/06/2012 Perfected with Amendments (H) (H514)  
 03/08/2012 Third Read and Passed (H) (H570)  
 03/08/2012 S First Read--HCS for HB 1123 (S437)  
 03/22/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (H503)  
 04/02/2012 Hearing Conducted S Financial and Governmental Organizations and Elections Committee  
 04/10/2012 Voted Do Pass S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2012

\*\*\* HB 1126 \*\*\*

HCS HB 1126

4842L.02P

HOUSE HANDLER: Largent

HCS/HB 1126 - Under this act, the tax credit freight line companies are allowed against their property taxes for eligible expenses incurred on qualified rolling stock in Missouri is extended from August 28, 2014, to August 28, 2020 (Section 137.1018). This provision is similar to one contained in SB 630 (2012).

This act amends Missouri's move over law so that drivers of motor vehicles approaching stationary emergency vehicles or vehicles owned by the commission and operated by Department of Transportation employees displaying amber or amber and white lights shall proceed with caution by making a lane change away from the stationary vehicle, if possible. The act further modifies the definition of "emergency vehicle" to include any vehicle owned by the commission and operated by a Department of Transportation employee that is marked as an emergency response or motorist assistance vehicle (Section 304.022). This provision is contained in SB 568 and HB 1040 (2012).

STEPHEN WITTE

01/03/2012 Prefiled (H)  
 01/04/2012 Read First Time (H) (H18)  
 01/05/2012 Read Second Time (H) (H29)  
 02/08/2012 Referred: Transportation (H) (H270)  
 02/14/2012 Public Hearing Completed (H)  
 03/06/2012 Executive Session Completed (H)  
 03/06/2012 HCS Voted Do Pass (H)  
 03/08/2012 HCS Reported Do Pass (H) (H590)  
 03/08/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/22/2012 Rules - Executive Session Completed (H)  
 03/22/2012 Rules - Voted Do Pass (H)  
 03/22/2012 Rules - Reported Do Pass (H) (H691)  
 03/28/2012 HCS Adopted (H)  
 03/28/2012 Perfected (H) (H746)  
 03/28/2012 Referred: Fiscal Review (H) (H818)  
 03/29/2012 Executive Session Completed (H)  
 03/29/2012 Voted Do Pass (H)  
 03/29/2012 Reported Do Pass (H) (H825)  
 03/29/2012 Third Read and Passed (H) (H842)  
 04/02/2012 S First Read--HCS for HB 1126 (S583)  
 04/05/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S634)

EFFECTIVE: August 28, 2012

\*\*\* HB 1128 \*\*\*

4771L.02P

HOUSE HANDLER: Largent

HB 1128 - This act authorizes the Adjutant General to present a Missouri National Guard Overseas Training Ribbon to members of the Missouri National Guard who have participated in training outside the United States for 10 or more cumulative days. The Adjutant General is also authorized to present a Missouri National Guard State Partnership Program Ribbon to a member of the Missouri National Guard who has participated in a state partnership program mission to a country with which Missouri has a federally recognized partnership.

The Governor, upon the recommendation of the Adjutant General, is authorized to present the Order of the Minuteman Award to a military or civilian individual who has distinguished himself or herself by exceptionally meritorious service or achievement to the state or to the Missouri National Guard. No more than one award can be presented to any person and no more than five awards can be issued in a year. In the event of the death of an individual who is entitled to the award, it may be presented to his or her next of kin.

MIKE HAMMANN

01/03/2012 Prefiled (H)  
 01/04/2012 Read First Time (H) (H18)  
 01/05/2012 Read Second Time (H) (H29)  
 01/26/2012 Referred: Veterans (H) (H173)  
 02/07/2012 Public Hearing Completed (H)  
 02/07/2012 Executive Session Completed (H)  
 02/07/2012 Voted Do Pass - Consent (H)  
 02/07/2012 Reported Do Pass by Consent (H) (H252)  
 02/07/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 02/13/2012 Rules - Executive Session Completed (H)  
 02/13/2012 Rules - Voted Do Pass - Consent (H)  
 02/13/2012 Rules - Reported Do Pass Consent (H) (H302)  
 02/20/2012 Perfected by Consent (H) (H376)  
 02/22/2012 Third Read and Passed (H) (H401)  
 02/23/2012 S First Read--HB 1128-Largent (S327)  
 03/08/2012 Second Read and Referred S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee (S435)  
 04/05/2012 Hearing Conducted S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee  
 04/12/2012 Voted Do Pass S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee

EFFECTIVE: August 28, 2012

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\*\*\* HB 1131 \*\*\*

4892L.01P

HOUSE HANDLER: Fisher

HB 1131 - This act requires the withholding form that is equivalent to the federal W-4 form to include the date services for remuneration were first performed by the employee.

EMILY KALMER

01/04/2012 Introduced and Read First Time (H) (H18)  
 01/05/2012 Read Second Time (H) (H29)  
 01/19/2012 Referred: Workforce Development & Workplace Safety (H) (H124)  
 02/06/2012 Public Hearing Completed (H)  
 02/06/2012 Executive Session Completed (H)  
 02/06/2012 Voted Do Pass (H)  
 02/08/2012 Executive Session Completed (H)  
 02/08/2012 Voted Do Pass - Federal Mandate (H)  
 02/08/2012 Reported Do Pass - Federal Mandate (H) (H274)  
 02/08/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 02/15/2012 Rules - Executive Session Completed (H)  
 02/15/2012 Rules - Voted Do Pass - Federal Mandate (H)  
 02/15/2012 Rules - Reported Do Pass - Federal Mandate (H) (H343)  
 02/22/2012 Perfected (H) (H397)  
 02/23/2012 Third Read and Passed (H) (H420)  
 02/23/2012 S First Read--HB 1131-Fisher (S331)  
 03/08/2012 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S435)  
 04/11/2012 Hearing Conducted S Jobs, Economic Development and Local Government Committee



EFFECTIVE: August 28, 2012

\*\*\* HB 1134 \*\*\*

HCS HB 1134

4212L.02P

HOUSE HANDLER: Scharnhorst

HCS/HB 1134 - This act prohibits health carriers from imposing greater copayments, coinsurance, or office visit deductibles to insureds for services provided by occupational therapists, speech therapists, or physical therapists that are greater than the copayments, coinsurance, or deductibles charged to insureds for the services provided by primary care physicians or osteopaths. Under the act, a health carriers must clearly state the availability of occupational, speech, and physical therapy coverage under its plan and all related limitations, conditions, and exclusions.

This act is similar to SB 687 (2012).

STEPHEN WITTE

01/04/2012 Introduced and Read First Time (H) (H18)  
 01/05/2012 Read Second Time (H) (H29)  
 02/01/2012 Referred: Small Business (H) (H204)  
 02/15/2012 Public Hearing Completed (H)  
 02/29/2012 Executive Session Completed (H)  
 02/29/2012 HCS Voted Do Pass (H)  
 02/29/2012 HCS Reported Do Pass (H) (H459)  
 02/29/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/08/2012 Rules - Executive Session Completed (H)  
 03/08/2012 Rules - Voted Do Pass (H)  
 03/08/2012 Rules - Reported Do Pass (H) (H591)  
 04/04/2012 Taken Up for Perfection (H) (H902)  
 04/04/2012 Laid Over (H)  
 04/11/2012 Taken Up for Perfection (H)  
 04/11/2012 Laid Over (H)  
 04/11/2012 Taken Up for Perfection (H)  
 04/11/2012 HCS Adopted (H)  
 04/11/2012 Perfected (H)  
 04/12/2012 Third read and passed (H)  
 04/12/2012 S First Read--HCS for HB 1134

EFFECTIVE: August 28, 2012

\*\*\* HB 1135 \*\*\*

4770L.01P

HOUSE HANDLER: Smith

HB 1135 - 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, 2012, shall automatically sunset ten years after their effective date. The act creates a schedule for the expiration of currently enacted rules. If an agency wants to continue the effectiveness of the rule beyond ten years, the agency shall repromulgate the rule at least once every ten years after its sunset.

For each rule filed, amended or repromulgated under this act, the agency shall review the rule to determine whether the rule: continues to be necessary or is obsolete; duplicates, overlaps or conflicts with other state, federal or local rules; needs changes or should be rescinded in order to reduce regulatory burdens on businesses, individuals or political subdivisions, or to eliminate unnecessary paperwork; and whether a less restrictive, more narrowly tailored rule could adequately protect the public or accomplish the same statutory purpose.

Within sixty days after receipt by an agency of a petition filed by an individual requesting an agency to adopt, amend or repeal a rule, the act requires an agency to submit a written response to the petitioner, the Joint Committee on Administrative Rules, and the Commissioner of Administration containing its determination, along with the basis for its determination.

The Joint Committee on Administrative Rules shall provide a semi-annual report to state departments and the Secretary of State on rules that are scheduled to expire, however, the state agencies retain ultimate responsibility for monitoring the effectiveness of their rules.

This act is identical to SB 469 (2012) and is similar to SB 350 (2011) and HCS/HB 697 (2011).

JIM ERTLE

01/04/2012 Introduced and Read First Time (H) (H18)  
 01/05/2012 Read Second Time (H) (H29)  
 01/05/2012 Referred: Downsizing State Government (H) (H29)  
 01/10/2012 Public Hearing Completed (H)  
 01/11/2012 Executive Session Completed (H)  
 01/11/2012 Voted Do Pass (H)  
 01/11/2012 Reported Do Pass (H) (H58)  
 01/11/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H58)  
 01/12/2012 Rules - Executive Session Completed (H)  
 01/12/2012 Rules - Voted Do Pass (H)  
 01/12/2012 Rules - Reported Do Pass (H) (H69)  
 01/23/2012 Taken Up for Perfection (H) (H142)  
 01/23/2012 Laid Over (H) (H142)  
 01/24/2012 Taken Up for Perfection (H) (H151)  
 01/24/2012 Perfected (H) (H151-152)  
 01/24/2012 Referred: Fiscal Review (H) (H152)  
 01/25/2012 Executive Session Completed (H)  
 01/25/2012 Voted Do Pass (H)  
 01/25/2012 Reported Do Pass (H) (H163)  
 01/25/2012 Third Read and Passed (H) (H163-164)  
 01/25/2012 S First Read--HB 1135-Smith (150), et al (S145)  
 03/01/2012 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S385)  
 04/11/2012 Hearing Conducted S Jobs, Economic Development and Local Government Committee

EFFECTIVE: August 28, 2012

\*\*\* HB 1139 \*\*\*

HCS HB 1139

4093H.06P

HOUSE HANDLER: Gatschenberger

HCS/HB 1139 - This act establishes the 2012 State Employee Retirement Incentive Program. This program applies to employees covered under the Missouri State Employees' Retirement System (MOSERS), who have not been a retiree of the system, that are eligible to receive a normal or life annuity, that terminate employment on or after December 1, 2012, whose annuity commences between January 1, 2013, and March 1, 2013, and have ten years of creditable service. These employees will be eligible to receive a years of service incentive benefit. Any employee terminated for cause will not be eligible to receive this incentive benefit.

The incentive benefit will be an amount equal to \$1,000 for each year of creditable service up to a maximum of 20 years. The state, through the Office of Administration, must pay the benefit to the retiree or the retiree's beneficiary in five equal installments beginning in March 2013, and each March thereafter until all five installments have been paid. An employee electing to take this retirement incentive is prohibited from any future full-time or part-time employment with a state department.

The state may only fill positions vacated under this program using up to fifty percent of the funds from the vacated positions, unless the position is federally funded.

Certain state higher education institutions, the Missouri Department of Transportation, the Missouri State Highway Patrol, and the Department of Conservation may elect to provide their employees with similar benefits provided by this program.

MOSERS must submit a report to the Commissioner of the Office of Administration by July 31, 2013, regarding the number of state employees eligible to retire and the actual number of retirements utilizing this program. The commissioner must then report this information to the Governor and General Assembly by August 31, 2013, along with a cost and savings analysis, the payroll reduction amount, and the number of positions that are core cut as a result of these retirements. The Commissioner must also submit an annual

update concerning the program for the next four years beginning August 31, 2014.

MIKE HAMMANN

01/04/2012 Introduced and Read First Time (H) (H19)  
 01/05/2012 Read Second Time (H) (H29)  
 01/19/2012 Referred: Retirement (H) (H124)  
 02/06/2012 Public Hearing Completed (H)  
 02/13/2012 Executive Session Completed (H)  
 02/13/2012 HCS Voted Do Pass (H)  
 02/13/2012 HCS Reported Do Pass (H) (H301)  
 02/13/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 02/23/2012 Rules - Executive Session Completed (H)  
 02/23/2012 Rules - Voted Do Pass (H)  
 02/23/2012 Rules - Reported Do Pass (H) (H428)  
 02/29/2012 HCS Adopted (H) (H454)  
 02/29/2012 Perfected (H) (H454)  
 03/01/2012 Third Read and Passed (H) (H471)  
 03/01/2012 S First Read--HCS for HB 1139 (S378)  
 03/08/2012 Second Read and Referred S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs  
 Committee (S436)

EFFECTIVE: August 28, 2012

\*\*\* HB 1140 \*\*\*

HCS HB 1140

4440L.03P

HOUSE HANDLER: Smith

SCS/HCS/HB 1140 - This act requires the Office of Administration to include information about public schools, county and municipal governments on the Missouri accountability portal.

Municipal governments, including any city not within an county, shall send a copy of their annual report of financial transactions to the Office of Administration.

School districts and public charter schools shall annually provide the Office of Administration with compensation information for employees and the district's annual operating budget and bonded indebtedness.

County governments shall annually provide to the Office of Administration with compensation information for elected officials, employee benefits, a copy of their detailed financial statement, cash reserves, bonded indebtedness, and real property lease expenditures.

The act requires the school board of each district to provide a full detailed financial statement containing the names and total compensation packages of each district's superintendent, assistant superintendent, and consultants. The statement shall be forwarded to the Department of Elementary and Secondary Education to be posted on its website.

The accountability portal sections become effective December 31, 2013.

This act is similar to HB 139 (2011), and SS/SCS/SB 467 (2012).

CHRIS HOGERTY

01/04/2012 Introduced and Read First Time (H) (H19)  
 01/05/2012 Read Second Time (H) (H29)  
 01/05/2012 Referred: Downsizing State Government (H) (H29)  
 01/10/2012 Public Hearing Completed (H)  
 01/11/2012 Executive Session Completed (H)  
 01/11/2012 HCS Voted Do Pass (H)  
 01/11/2012 HCS Reported Do Pass (H) (H58)  
 01/11/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H58)  
 01/12/2012 Rules - Executive Session Completed (H)  
 01/12/2012 Rules - Voted Do Pass (H)  
 01/12/2012 Rules - Reported Do Pass (H) (H69)  
 01/23/2012 HCS Adopted (H)  
 01/23/2012 Perfected with Amendments (H) (H142)  
 01/25/2012 Third Read and Passed (H) (H164-165)

01/25/2012 S First Read--HCS for HB 1140 (S145)  
 03/01/2012 Second Read and Referred S General Laws Committee (S385)  
 03/27/2012 Hearing Conducted S General Laws Committee  
 04/11/2012 SCS Voted Do Pass S General Laws Committee (4440S.05C)

EFFECTIVE: August 28, 2012

\*\*\* HB 1141 \*\*\*

4675L.03P

HOUSE HANDLER: Gatschenberger

HB 1141 - This act modifies the laws regarding the "Don't Tread on Me" special license plate. The act requires a person applying for the plate to pay a \$15 fee in addition to the regular registration fees and to present any documents required by law. The act further specifies that no additional fee can be charged for the personalization of the special license plates. The act also specifies the detailed design of the plate by going into a painstaking description of what the Gadsen snake must look like and a description of the grass of which it sits.

STEPHEN WITTE

01/04/2012 Introduced and Read First Time (H) (H19)  
 01/05/2012 Read Second Time (H) (H29)  
 01/12/2012 Referred: Transportation (H) (H68)  
 01/24/2012 Public Hearing Completed (H)  
 01/31/2012 Executive Session Completed (H)  
 01/31/2012 Voted Do Pass - Consent (H)  
 02/01/2012 Reported Do Pass by Consent (H) (H205)  
 02/01/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 02/06/2012 Rules - Executive Session Completed (H)  
 02/06/2012 Rules - Voted Do Pass - Consent (H)  
 02/06/2012 Rules - Reported Do Pass Consent (H) (H229)  
 02/14/2012 Perfected by Consent (H) (H321)  
 02/15/2012 Third Read and Passed (H) (H331-332)  
 02/15/2012 S First Read--HB 1141-Gatschenberger, et al (S269)  
 03/08/2012 Second Read and Referred S Transportation Committee (S435)  
 03/28/2012 Hearing Conducted S Transportation Committee

EFFECTIVE: August 28, 2012

\*\*\* HB 1150 \*\*\*

HCS HB 1150

4966L.02P

HOUSE HANDLER: Smith

HCS/HB 1150 - Under the terms of this act, owners of rebuilt salvage vehicles which are 11 years of age or older who submit such vehicles to examinations conducted by the Highway Patrol in order to obtain certificates of ownership with prior salvage motor vehicle designations are not required to repair or restore such vehicles to their original appearance in order to pass or complete the vehicle examination (Section 301.190). This portion of the act is similar to SB 557 (2012).

Under the terms of this act, a person who purchases a motor vehicle with a certificate of destruction, junking certificate, salvage certificate, or its equivalent, issued by another state, may apply for a salvage certificate of title from the Missouri Department of Revenue. Prior to making an application for the certificate of title, the owner must have the vehicle inspected by law enforcement. The application for the title must be accompanied by:

- (1) A statement explaining the circumstances by which the property came into the owner's possession;
- (2) A description of the property including the year, make, model, and vehicle identification number; the current location of the property; and the retail value of the property;
- (3) An inspection report of the vehicle by a law enforcement agency; and
- (4) A fee of \$8.50.

Once the requirements of the act are satisfied, the director shall issue an original certificate of title designated as prior salvage or a salvage certificate of title designated with the words "salvage" or junking certificate

based on the condition of the property as stated in the inspection report.  
STEPHEN WITTE

01/04/2012 Introduced and Read First Time (H) (H19)  
01/05/2012 Read Second Time (H) (H29)  
01/25/2012 Referred: Transportation (H) (H165)  
01/31/2012 Public Hearing Completed (H)  
02/28/2012 Executive Session - No Action Taken  
03/01/2012 Executive Session Completed (H)  
03/01/2012 HCS Voted Do Pass (H)  
03/01/2012 HCS Reported Do Pass (H) (H477)  
03/01/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
03/20/2012 Rules - Executive Session Completed (H)  
03/20/2012 Rules - Voted Do Pass (H)  
03/20/2012 Rules - Reported Do Pass (H) (H631)  
04/03/2012 HCS Adopted (H)  
04/03/2012 Perfected with Amendments (H) (H892)  
04/05/2012 Third read and passed (H) (H957-958)  
04/05/2012 S First Read--HCS for HB 1150 (S635)  
04/12/2012 Second Read and Referred S Transportation Committee  
04/18/2012 Hearing Scheduled S Transportation Committee

EFFECTIVE: August 28, 2012

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\*\*\* HB 1156 \*\*\*

4969L.01P

HOUSE HANDLER: Rowland

HB 1156 - This act designates a portion of U.S. Highway 160 in Ozark County as the "Matthew J. England Memorial Highway". The costs for erecting and maintaining the memorial highway shall be paid for by private donations.

STEPHEN WITTE

01/05/2012 Introduced and Read First Time (H) (H30)  
01/09/2012 Read Second Time (H) (H37)  
01/19/2012 Referred: Transportation (H) (H124)  
01/24/2012 Public Hearing Completed (H)  
01/31/2012 Executive Session Completed (H)  
01/31/2012 Voted Do Pass - Consent (H)  
02/01/2012 Reported Do Pass by Consent (H) (H205)  
02/01/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
02/06/2012 Rules - Executive Session Completed (H)  
02/06/2012 Rules - Voted Do Pass - Consent (H)  
02/06/2012 Rules - Reported Do Pass Consent (H) (H229)  
02/14/2012 Perfected by Consent (H) (H321)  
02/15/2012 Third Read and Passed (H) (H332-333)  
02/15/2012 S First Read--HB 1156-Rowland, et al (S269)  
03/08/2012 Second Read and Referred S Transportation Committee (S435)  
03/28/2012 Hearing Conducted S Transportation Committee

EFFECTIVE: August 28, 2012

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\*\*\* HB 1165 \*\*\*

4862L.01P

HOUSE HANDLER: Diehl

HB 1165 - This act modifies the requirements for a type of trust known as a qualified spousal trust. Currently trusts that hold a certain kind of property owned by a husband and a wife will be considered a qualified spousal trust if the property is held in one trust or the property is held in two separate shares of one trust. This act allows a trust to be considered a qualified spousal trust if the trust consists of both property held in one trust for both spouses and property held in two shares of one trust for each spouse.

This act is similar to SB 636 (2012).

MIKE HAMMANN

01/05/2012 Introduced and Read First Time (H) (H31)

01/09/2012 Read Second Time (H) (H37)  
 01/12/2012 Referred: Judiciary (H) (H68)  
 01/25/2012 Public Hearing Scheduled, Bill not Heard (H)  
 02/01/2012 Public Hearing Completed (H)  
 02/08/2012 Executive Session Completed (H)  
 02/08/2012 Voted Do Pass (H)  
 02/15/2012 Executive Session Completed (H)  
 02/15/2012 Voted Do Pass - Consent (H)  
 02/20/2012 Reported Do Pass by Consent (H) (H373)  
 02/20/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/01/2012 Rules - Executive Session Completed (H)  
 03/01/2012 Rules - Voted Do Pass - Consent (H)  
 03/01/2012 Rules - Reported Do Pass Consent (H) (H478)  
 03/19/2012 Perfected by Consent - Pursuant to House Rules (H) (H607)  
 03/28/2012 Third Read and Passed (H) (H816)  
 03/29/2012 S First Read--HB 1165-Diehl (S872)  
 04/05/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S633)  
 04/16/2012 Hearing Scheduled S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2012

\*\*\* HB 1169 \*\*\*

HCS HB 1169

4303L.02P

HOUSE HANDLER: Franz

HCS/HB 1169 – Under current law, if a school receives a report of child abuse arising from school personnel following the district's policy on spanking or the use of reasonable force to protect persons or property, the school superintendent or school board president must send a notice of the incident to the county juvenile. This act requires the notice to be sent to the law enforcement in the county.

Also, under current law, the report of the incident must be investigated by a law enforcement officer designated by the juvenile officer. This act requires that the investigation be conducted by the law enforcement in the county.

MICHAEL RUFF

01/05/2012 Introduced and Read First Time (H) (H31)  
 01/09/2012 Read Second Time (H) (H37)  
 01/26/2012 Referred: General Laws (H) (H173)  
 01/31/2012 Public Hearing Completed (H)  
 02/08/2012 Executive Session Completed (H)  
 02/08/2012 HCS Voted Do Pass (H)  
 02/09/2012 HCS Reported Do Pass (H) (H287)  
 02/09/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/01/2012 Rules - Executive Session Completed (H)  
 03/01/2012 Rules - Voted Do Pass (H)  
 03/01/2012 Rules - Reported Do Pass (H) (H478)  
 03/28/2012 Perfected (H) (H742)  
 03/29/2012 Third Read and Passed (H) (H838)  
 04/02/2012 S First Read--HCS for HB 1169 (S582)  
 04/05/2012 Second Read and Referred S Education Committee (S634)

EFFECTIVE: August 28, 2012

\*\*\* HB 1170 \*\*\*

4990H.01P

HOUSE HANDLER: Franz

HB 1170 - Despite contrary provisions of law, currently the county collector in Boone County is authorized to add special assessments levied for community improvement districts 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 delinquent bills is 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 sales. This act allows these provisions to apply to any county.

EMILY KALMER

01/05/2012 Introduced and Read First Time (H) (H31)

01/09/2012 Read Second Time (H) (H37)  
 02/08/2012 Referred: General Laws (H) (H271)  
 03/06/2012 Public Hearing Completed (H)  
 03/08/2012 Executive Session Completed (H)  
 03/08/2012 Voted Do Pass - Consent (H)  
 03/08/2012 Reported Do Pass by Consent (H) (H588)  
 03/08/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/20/2012 Rules - Executive Session Completed (H)  
 03/20/2012 Rules - Voted Do Pass - Consent (H)  
 03/20/2012 Rules - Reported Do Pass Consent (H) (H631)  
 03/27/2012 Perfected by Consent - Pursuant to House Rules (H) (H735)  
 03/28/2012 Third Read and Passed (H) (H767)  
 03/28/2012 S First Read--HB 1170-Franz (S540)  
 04/05/2012 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S632)

EFFECTIVE: August 28, 2012

\*\*\* HB 1171 \*\*\*

HCS HB 1171

4651L.02P

HOUSE HANDLER: Franz

HCS/HB 1171 - Current law provides that the juvenile court shall have jurisdiction over any child up to 15 and 1/2 years of age who is involved in a state or local traffic violation. This act lowers such age so that the juvenile court would have jurisdiction over any child up to 15 years of age in such instances.

ADRIANE CROUSE

01/05/2012 Introduced and Read First Time (H) (H31)  
 01/09/2012 Read Second Time (H) (H37)  
 02/23/2012 Referred: Judiciary (H) (H425)  
 02/29/2012 Public Hearing Completed (H)  
 03/07/2012 Executive Session Completed (H)  
 03/07/2012 HCS Voted Do Pass - Consent (H)  
 03/08/2012 HCS Reported Do Pass by Consent (H) (H589)  
 03/08/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/20/2012 Rules - Executive Session Completed (H)  
 03/20/2012 Rules - Voted Do Pass - Consent (H)  
 03/20/2012 Rules - Reported Do Pass Consent (H) (H631)  
 03/27/2012 Perfected by Consent - Pursuant to House Rules (H) (H735)  
 03/28/2012 Third Read and Passed (H) (H768)  
 03/28/2012 S First Read--HCS for HB 1171 (S540)  
 04/05/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S632)  
 04/16/2012 Hearing Scheduled S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2012

\*\*\* HB 1172 \*\*\*

4805L.01P

HOUSE HANDLER: Franz

HB 1172 - 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 December 31, 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, 2012, to a qualifying developmental disability care provider. Qualifying developmental disability care provider are care providers that provide assistance to people with developmental disabilities and are either accredited by certain organizations or under contract with the Department of Social Services or the Department of Mental Health. 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 Social Services for the tax credits. The provisions of this act shall automatically sunset six on December 31, 2016 unless reauthorized.

This act is similar to SB 481 (2012), provisions of SCS/SB 548 (2012), the perfected version of SB 100 (2011), SB 608 (2010) and provisions of SB 71 (2009), and SB 1274 (2008).

EMILY KALMER

01/05/2012 Introduced and Read First Time (H) (H31)  
 01/09/2012 Read Second Time (H) (H37)  
 01/26/2012 Referred: Economic Development (H) (H173)  
 02/08/2012 Re-referred to Committee (H)  
 02/08/2012 Referred: Children and Families (H) (H271)  
 02/09/2012 Re-referred to Committee (H)  
 02/09/2012 Referred: Special Standing Committee on Disability Services (H286)  
 02/13/2012 Public Hearing Completed (H)  
 02/27/2012 Executive Session Completed (H)  
 02/27/2012 Voted Do Pass (H)  
 03/07/2012 Reported Do Pass (H) (H550)  
 03/07/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/22/2012 Rules - Executive Session Completed (H)  
 03/22/2012 Rules - Voted Do Pass (H)  
 03/22/2012 Rules - Reported Do Pass (H) (H691)  
 03/28/2012 Perfected (H) (H746)  
 03/29/2012 Third Read and Passed (H) (H843)  
 04/02/2012 S First Read--HB 1172-Franz (S583)  
 04/05/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S634)

EFFECTIVE: August 28, 2012

\*\*\* HB 1174 \*\*\*

SCS HCS HB 1174

4621S.03C

SENATE SPONSOR: Pearce

HOUSE HANDLER: Lair

SCS/HCS/HB 1174 – This act removes the two-year waiting period that exists between the classification of a school district as unaccredited and the lapse of the district's corporate organization. Instead, when the State Board of Education classifies a district as unaccredited, it must review the governance of the district to establish the conditions under which the existing school board will continue to govern. The State Board must also determine the date on which the district will lapse and must determine an alternative governing structure for the district.

This act changes the timing and purpose of the hearing that the Department of Elementary and Secondary Education must conduct. When a district is classified as unaccredited, the hearing must be regarding the accreditation status of the district. Also, the hearing must provide an opportunity to convene community resources that may be useful or necessary to support the school district as it attempts to return to accredited status.

When it classifies a district as unaccredited, the State Board of Education may allow continued governance by the existing local board of education under specific terms and conditions. If the State Board appoints a special administrative board to oversee the district, it may determine the number of members and specify the board's duties. If the State Board determines an alternative governing structure, it must provide a rationale for its decision and review and recertify the alternative form of governance every three years. In addition, the State Board must create a public comment method, establish expectations for academic progress by creating a time line for full accreditation, and provide annual reports to the General Assembly and Governor on the district's progress, as described in the act.

A special administrative board appointed under this act will retain the authority granted to a school board under the laws of the state in effect at the time of the district's lapse.

When a special administrative is appointed, or when another district or other entity is assigned territory, assets, or funds from a lapsed district, all contracts must be honored until the end of the contracts' term. At the end of the contracts' term, a special administrative board or other district or entity is assigned territory, assets, or funds from a lapsed district will have the authority to employ or terminate the employment of all personnel employed in the district and will be under no obligation to renew, or enter into, any contract with any employee. No special administrative board or other entity assigned territory, assets, or funds from a lapsed district may enter into any contracts with any teacher or school employee union.



This act prohibits school districts from compensating teachers who serve as officers in a teacher or school employee union unless the teacher performs actual work for the district on a full-time basis.

This act repeals the requirement that provisionally accredited and unaccredited districts develop a plan to divide up the district if the district cannot regain accreditation within three years of the loss of accreditation.

No action of the State Board of Education under this section will be construed to supersede the right of a student residing in an unaccredited school district, under section 167.131, to transfer to an accredited district in the same or an adjoining county and have his or her tuition paid by the school district of residence.

This act contains an emergency clause.

This act is similar to SCS/SB 677 (2012).

MICHAEL RUFF

01/05/2012 Introduced and Read First Time (H) (H31)  
 01/09/2012 Read Second Time (H) (H37)  
 01/12/2012 Referred: Elementary and Secondary Education (H) (H68)  
 01/25/2012 Public Hearing Completed (H)  
 02/01/2012 Executive Session Completed (H)  
 02/01/2012 HCS Voted Do Pass (H)  
 02/09/2012 HCS Reported Do Pass (H) (H287)  
 02/09/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 02/20/2012 Rules - Executive Session Completed (H)  
 02/20/2012 Rules - Voted Do Pass (H)  
 02/20/2012 Rules - Reported Do Pass (H) (H376)  
 02/28/2012 HCS Adopted (H)  
 02/28/2012 Perfected with Amendments (H) (H444)  
 03/01/2012 Third Read and Passed (H) (H473)  
 03/01/2012 Emergency Clause Adopted (H) (H474)  
 03/01/2012 S First Read (w/EC)--HCS for HB 1174 (S384)  
 03/08/2012 Second Read and Referred S Education Committee (S436)  
 03/21/2012 Hearing Conducted S Education Committee  
 03/28/2012 SCS Voted Do Pass S Education Committee (4621S.03C)  
 04/05/2012 Reported from S Education Committee to Floor w/SCS (S631)  
 04/11/2012 SA 1 to SCS S offered (Schmitt)--(4621S03.01S) (S658-661)  
 04/11/2012 Bill Placed on Informal Calendar (S661)  
 04/16/2012 S Informal Calendar H Bills for Third Reading--HCS for HB 1174, with SCS & SA 1 (pending) (Pearce)

EFFECTIVE: Emergency Clause

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\*\*\* HB 1179 \*\*\*

4114L.01P

SENATE SPONSOR: Mayer

HOUSE HANDLER: Hampton

HB 1179 - 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.

The act is identical to SB 63 (2011) and similar to SB 604 (2010) and SB 556 (2009).

ERIKA JAQUES

01/05/2012 Introduced and Read First Time (H) (H31)  
 01/09/2012 Read Second Time (H) (H37)  
 01/25/2012 Referred: Rural Community Development (H) (H165)  
 01/31/2012 Public Hearing Completed (H)  
 01/31/2012 Executive Session Completed (H)  
 01/31/2012 Voted Do Pass - Consent (H)  
 01/31/2012 Reported Do Pass by Consent (H) (H195)  
 01/31/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 02/06/2012 Rules - Executive Session Completed (H)

02/06/2012 Rules - Voted Do Pass - Consent (H)  
 02/06/2012 Rules - Reported Do Pass Consent (H) (H229)  
 02/14/2012 Perfected by Consent (H) (H321)  
 02/15/2012 Third Read and Passed (H) (H335)  
 02/16/2012 S First Read--HB 1179-Hampton, et al (S284)  
 03/08/2012 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S435)  
 03/21/2012 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee  
 03/28/2012 Voted Do Pass S Agriculture, Food Production and Outdoor Resources Committee  
 04/05/2012 Reported from S Agriculture, Food Production and Outdoor Resources Committee to Floor (S631)  
 04/16/2012 S Formal Calendar H Bills for Third Reading--HB 1179-Hampton, et al (Mayer)

EFFECTIVE: August 12, 2012

\*\*\* HB 1185 \*\*\*

4583L.01P

HOUSE HANDLER: Parkinson

HB 1185 - 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.

This act is identical to HB 731 (2011).

MEGHAN LUECKE

01/05/2012 Introduced and Read First Time (H) (H32)  
 01/09/2012 Read Second Time (H) (H37)  
 01/12/2012 Referred: International Trade & Job Creation (H) (H68)  
 01/25/2012 Public Hearing Completed (H)  
 01/25/2012 Executive Session Completed (H)  
 01/25/2012 Voted Do Pass - Consent (H)  
 01/26/2012 Reported Do Pass by Consent (H) (H174)  
 01/26/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 02/06/2012 Rules - Executive Session Completed (H)  
 02/06/2012 Rules - Voted Do Pass - Consent (H)  
 02/06/2012 Rules - Reported Do Pass Consent (H) (H229)  
 02/14/2012 Perfected by Consent (H) (H321)  
 02/15/2012 Third Read and Passed (H) (H337)  
 02/16/2012 S First Read--HB 1185-Parkinson and Kelley (126) (S284-285)  
 03/08/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S435)

EFFECTIVE: August 28, 2012

\*\*\* HB 1186 \*\*\*

HCS HB 1186 &amp; 1147

4875H.02P

HOUSE HANDLER: Parkinson

HCS/HBs 1186 & 1147 - 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. The Director of the Department of Revenue shall neither supply nor permit the use of language interpreters, but sign language interpreters may be provided when requested by persons who are deaf or hard of hearing.

STEPHEN WITTE

01/05/2012 Introduced and Read First Time (H) (H32)  
 01/09/2012 Read Second Time (H) (H37)  
 01/11/2012 Referred: International Trade & Job Creation (H) (H58)  
 01/25/2012 Public Hearing Completed (H)  
 01/25/2012 Executive Session Completed (H)  
 01/25/2012 HCS Voted Do Pass (H)

01/26/2012 HCS Reported Do Pass (H) (H174)  
 01/26/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 02/06/2012 Rules - Executive Session Completed (H)  
 02/06/2012 Rules - Voted Do Pass (H)  
 02/06/2012 Rules - Reported Do Pass (H) (H229)  
 02/14/2012 Taken Up for Perfection (H) (H314)  
 02/14/2012 Laid Over (H)  
 02/20/2012 Taken Up for Perfection (H) (H370)  
 02/20/2012 HCS Adopted (H)  
 02/20/2012 Perfected (H) (H371)  
 02/23/2012 Third Read and Passed (H) (H417)  
 02/23/2012 S First Read--HCS for HBs 1186 & 1147 (S330)  
 03/08/2012 Second Read and Referred S Transportation Committee (S435)  
 03/28/2012 Hearing Conducted S Transportation Committee

EFFECTIVE: August 28, 2012

\*\*\* HB 1188 \*\*\*

4141L.01P

SENATE SPONSOR: Schmitt

HOUSE HANDLER: Allen

HB 1188 – This act allows school boards to authorized a school nurse to maintain a supply of asthma-related rescue medications at the school. To obtain the medication, the school must obtain a prescription from a licensed physician, physician's assistant, or nurse practitioner. A school nurse or other employee trained and supervised by the nurse may use the medication on a student he or she believes to be having a life-threatening asthma episode. A trained employee will be held harmless from civil liability if the medication is administered in good faith and according to standard medical practices.

MICHAEL RUFF

SCA 1 - THIS SENATE COMMITTEE AMENDMENT DELETES AN UNNECESSARY USE OF THE WORD "FOR" THAT APPEARS ON LINE 2 OF SECTION 167.635.

01/05/2012 Introduced and Read First Time (H) (H32)  
 01/09/2012 Read Second Time (H) (H37)  
 01/25/2012 Referred: Health Care Policy (H) (H165)  
 02/01/2012 Public Hearing Completed (H)  
 02/08/2012 Executive Session Completed (H)  
 02/08/2012 Voted Do Pass - Consent (H)  
 02/08/2012 Reported Do Pass by Consent (H) (H274)  
 02/08/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 02/13/2012 Rules - Executive Session Completed (H)  
 02/13/2012 Rules - Voted Do Pass - Consent (H)  
 02/13/2012 Rules - Reported Do Pass Consent (H) (H302)  
 02/20/2012 Perfected by Consent (H) (H376)  
 02/22/2012 Third Read and Passed (H) (H402)  
 02/23/2012 S First Read--HB 1188-Allen, et al (S327-328)  
 03/08/2012 Second Read and Referred S Education Committee (S435)  
 03/21/2012 Hearing Conducted S Education Committee  
 03/28/2012 Voted Do Pass (w/SCA#1) S Education Committee - (4141L01.01S)  
 04/05/2012 Reported from S Education Committee to Floor w/SCA 1 (S631)  
 04/16/2012 S Formal Calendar H Bills for Third Reading--HB 1188-Allen, et al, with SCA 1 (Schmitt)

EFFECTIVE: August 28, 2012

\*\*\* HB 1190 \*\*\*

4653L.01P

HOUSE HANDLER: Allen

HB 1190 - This act repeals provisions requiring police-record sharing among municipal law enforcement officers in charter counties, the Highway Patrol, and law enforcement agencies in the unincorporated areas of the county.

MEGHAN LUECKE

01/05/2012 Introduced and Read First Time (H) (H32)  
 01/09/2012 Read Second Time (H) (H37)  
 01/19/2012 Referred: Crime Prevention and Public Safety (H) (H125)

02/22/2012 Public Hearing Completed (H)  
 02/27/2012 Executive Session Completed (H)  
 02/27/2012 Voted Do Pass - Consent (H)  
 02/27/2012 Reported Do Pass by Consent (H) (H436)  
 02/27/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/01/2012 Rules - Executive Session Completed (H)  
 03/01/2012 Rules - Voted Do Pass - Consent (H)  
 03/01/2012 Rules - Reported Do Pass Consent (H) (H479)  
 03/19/2012 Perfected by Consent - Pursuant to House Rules (H) (H607)  
 03/28/2012 Third Read and Passed (H) (H751)  
 03/28/2012 S First Read--HB 1190-Allen, et al (S534)  
 04/05/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S631)

EFFECTIVE: August 28, 2012

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\*\*\* HB 1191 \*\*\*

4633L.01P

HOUSE HANDLER: Ruzicka

HB 1191 - The act requires that any interest earned on moneys in the State Park Earnings Fund be retained in the fund.

The act creates the Renewable Energy Pilot Program for State Parks. In consultation with the Public Service Commission (PSC), the Department of Natural Resources must develop a pilot program where 100% of the energy needs of a selected state park is met with energy from renewable resources. The department may contract for the energy with any electric utility, regardless if its rates are regulated by the PSC or not, and no such contract shall impact any regulatory authority of the PSC. The department must select the state park by August 28, 2013 and should strive to complete the pilot program by August 28, 2018. Starting August 28, 2012, the department must annually report to the General Assembly if the goal of the pilot program has been met, and if not, the report must provide an explanation and suggest alternatives. If the program is not completed by August 28, 2018, the requirement to annually report continues indefinitely.

ERIKA JAQUES

01/05/2012 Introduced and Read First Time (H) (H32)  
 01/09/2012 Read Second Time (H) (H37)  
 01/19/2012 Referred: Tourism and Natural Resources (H125)  
 01/26/2012 Public Hearing Completed (H)  
 02/02/2012 Executive Session Completed (H)  
 02/02/2012 Voted Do Pass (H)  
 02/09/2012 Reported Do Pass (H) (H288)  
 02/09/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 02/23/2012 Rules - Executive Session Completed (H)  
 02/23/2012 Rules - Voted Do Pass (H)  
 02/23/2012 Rules - Reported Do Pass (H) (H428)  
 03/21/2012 Perfected with Amendments (H) (H650)  
 03/22/2012 Third Read and Passed (H) (H671-672)  
 03/22/2012 S First Read--HB 1191-Ruzicka (H502)  
 03/29/2012 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S574)

EFFECTIVE: August 28, 2012

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\*\*\* HB 1192 \*\*\*

4938H.01P

HOUSE HANDLER: Koenig

HB 1192 – This act requires the board of the Missouri Higher Education Savings Program to study investment plans of other states. The board must contract with or negotiate to provide benefit options like other states' qualified plans for the purpose of offering additional options for members of the plan for any new contracts entered into after August 28, 2012.

MICHAEL RUFF

01/05/2012 Introduced and Read First Time (H) (H32)  
 01/09/2012 Read Second Time (H) (H37)  
 01/11/2012 Referred: Financial Institutions (H) (H58)  
 02/01/2012 Public Hearing Completed (H)

02/01/2012 Executive Session Completed (H)  
 02/01/2012 Voted Do Pass (H)  
 02/02/2012 Reported Do Pass (H) (H217)  
 02/02/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 02/13/2012 Rules - Executive Session Completed (H)  
 02/13/2012 Rules - Voted Do Pass (H)  
 02/13/2012 Rules - Reported Do Pass (H) (H302)  
 02/15/2012 Perfected (H) (H336)  
 02/20/2012 Third Read and Passed (H) (H367-368)  
 02/20/2012 S First Read--HB 1192-Koenig, et al (S294)  
 03/08/2012 Second Read and Referred S Education Committee (S435)  
 03/21/2012 Hearing Conducted S Education Committee  
 03/28/2012 Voted Do Pass S Education Committee

EFFECTIVE: August 28, 2012

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\*\*\* HB 1193 \*\*\*      SCS HCS HB 1193

4964S.06C

SENATE SPONSOR: Engler

HOUSE HANDLER: Frederick

**SCS/HCS/HB 1193 - LIMITATION ON QUANTITY AND OUT-OF-STATE PRESCRIPTIONS**

A pharmacist, in good faith, may sell and dispense controlled substances to any person upon a prescription of a practitioner located in another state, provided that:

- (1) The prescription was issued according to and in compliance with the applicable laws of that state and the United States; and
- (2) The quantity limitations in this state apply to patients located in this state. SECTION 195.060

Currently, the quantity of Schedule III, IV or V controlled substances dispensed at any one time is limited to a 90-day supply with the ability to increase the amount up to 3 months under certain circumstances. This act provides that such supply limitations shall not apply if the prescription is issued by a practitioner located in another state according to and in compliance with the applicable laws of that state and the United States and dispensed to a patient located or residing in another state. SECTION 195.080

**PRESCRIPTION DRUG MONITORING ACT**

This act establishes the Prescription Drug Monitoring Act. The Department of Health and Senior Services is required to establish and maintain a program to monitor the prescribing and dispensing of all Schedule II through Schedule IV controlled substances by all licensed professionals who prescribe or dispense these substances in Missouri. The provisions of this act shall be funded with federal or private moneys.

A dispenser shall electronically submit to the department information for each prescription and specify the frequency of the submissions. The department may 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 paper format or by other approved means. The department shall reimburse each dispenser for the fees and other direct costs of transmitting the information required by this act.

All submitted prescription information shall be kept confidential with specified exceptions. This act authorizes the release of non-personal, general information for statistical, educational, and research purposes. The department shall review the dispensation information and, if there is reasonable cause to believe a violation of law or breach of professional standards may have occurred, the department shall notify the appropriate law enforcement or professional regulatory entity and provide dispensation information required for an investigation.

Dispensers who knowingly fail to submit the required information or who knowingly submit incorrect dispensation information shall be subject to a \$1,000 administrative penalty per violation. Any persons authorized to have dispensation information who knowingly disclose such information or who use it in a manner and for a purpose in violation of the act shall be guilty of a Class A misdemeanor.

The department shall create and implement an educational course regarding the provisions of this act and, when appropriate, shall work with associations for impaired professionals to ensure the intervention, treatment, and ongoing monitoring of patients who have been identified as being addicted to substances monitored by the act.

The Bureau of Narcotics and Dangerous drugs within the department shall establish, beginning January

1, 2014, a two -year statewide pilot project for the reporting of fraudulently obtained prescription controlled substances. The bureau shall submit on or before February 1, 2014, a report to the General Assembly detailing the specified information regarding the pilot project.

The provisions of the act regarding the pilot project shall expire three years from the effective date and the other provisions of the act shall expire six years from the effective date of this act. SECTIONS 195.450 TO 195.477

#### PHYSICIAN ASSISTANT PRESCRIPTIONS

Under current law, physician assistants who are authorized to prescribe controlled substances shall register with the federal Drug Enforcement Administration and the State Bureau of Narcotics and Dangerous Drugs and shall include such registration numbers on prescriptions for controlled substances. This amendment requires the physician assistants to only include the registration number from the Drug Enforcement Administration on the prescriptions. SECTION 334.747

This act is identical to SS#2/SCS/SB 710 (2012).

ADRIANE CROUSE

01/05/2012 Introduced and Read First Time (H) (H32)  
 01/09/2012 Read Second Time (H) (H37)  
 01/12/2012 Referred: Professional Registration & Licensing (H) (H68)  
 01/25/2012 Public Hearing Completed (H)  
 02/08/2012 Executive Session Completed (H)  
 02/08/2012 HCS Voted Do Pass (H)  
 02/09/2012 HCS Reported Do Pass (H) (H288)  
 02/09/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 02/15/2012 Rules - Executive Session Completed (H)  
 02/15/2012 Rules - Voted Do Pass (H)  
 02/15/2012 Rules - Reported Do Pass (H) (H343)  
 02/27/2012 Taken Up for Perfection (H) (H436)  
 02/27/2012 Laid Over (H)  
 03/06/2012 Taken Up for Perfection (H)  
 03/06/2012 HCS Adopted (H)  
 03/06/2012 Perfected (H) (H509)  
 03/08/2012 Third Read and Passed (H) (H563-564)  
 03/08/2012 S First Read--HCS for HB 1193 (S436)  
 03/22/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (H503)  
 03/26/2012 Hearing Conducted S Financial and Governmental Organizations and Elections Committee  
 04/02/2012 SCS Voted Do Pass S Financial and Governmental Organizations and Elections Committee - 4964S.06C  
 04/05/2012 Reported from S Financial and Governmental Organizations and Elections Committee to Floor w/SCS (S630)  
 04/11/2012 Bill Placed on Informal Calendar (S656)  
 04/16/2012 S Informal Calendar H Bills for Third Reading--HCS for HB 1193, with SCS (Engler)

EFFECTIVE: August 28, 2012

\*\*\* HB 1212 \*\*\*

HCS HB 1212

4450L.02P

HOUSE HANDLER: Smith

HCS/HB 1212 - 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 removes the references to the specified highways and expands the weight limitation to agricultural products so that any vehicle or combination of vehicles hauling livestock or agricultural products (excluding local log trucks) may have a total gross weight not to exceed 85,500 pounds on any highway of this state. The expanded gross weight limits shall not apply to vehicles operated on the interstates. Any vehicle hauling greater than 80,000 pounds must apply annually for a permit from the Department of Transportation and pay a \$25 fee. Upon renewal, the applicant must submit a list of roads traveled and the number of miles traveled on each road during the year. The act also allows a vehicle weighing 85,500 pounds or less to haul milk from a farm to a processing facility on highways other than the interstate highway system.

STEPHEN WITTE

01/09/2012 Introduced and Read First Time (H) (H39)  
 01/10/2012 Read Second Time (H) (H47)  
 01/12/2012 Referred: Agriculture Policy (H) (H68)  
 01/24/2012 Public Hearing Completed (H)  
 02/14/2012 Executive Session Completed (H)  
 02/14/2012 HCS Voted Do Pass (H)  
 02/20/2012 HCS Reported Do Pass (H) (H373)  
 02/20/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/01/2012 Rules - Executive Session Completed (H)  
 03/01/2012 Rules - Voted Do Pass (H)  
 03/01/2012 Rules - Reported Do Pass (H) (H479)  
 03/06/2012 HCS Adopted (H)  
 03/06/2012 Perfected (H) (H511)  
 03/07/2012 Referred: Fiscal Review (H) (H546)  
 03/08/2012 Executive Session Completed (H)  
 03/08/2012 Voted Do Pass (H)  
 03/08/2012 Reported Do Pass (H) (H561)  
 03/08/2012 Third Read and Passed (H) (H568)  
 03/08/2012 S First Read--HCS for HB 1212 (S438)  
 03/22/2012 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (H503)  
 03/28/2012 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee

EFFECTIVE: August 28, 2012

\*\*\* HB 1214 \*\*\*

HCS HB 1214

4863H.03P

HOUSE HANDLER: Torpey

HCS/HB 1214 - This act requires Missouri small business technology development centers to manage a virtual network for entrepreneurs. The small business technology development centers are required to seek private sector funding for this virtual network and disclose the name of donors to this network. The small business technology development centers are required to report on the development of the network to the chairs and ranking minority members of certain legislative committees by September 2012.

EMILY KALMER

01/09/2012 Introduced and Read First Time (H) (H39)  
 01/10/2012 Read Second Time (H) (H47)  
 01/11/2012 Referred: Small Business (H) (H58)  
 02/15/2012 Public Hearing Completed (H)  
 02/29/2012 Executive Session Completed (H)  
 02/29/2012 HCS Voted Do Pass (H)  
 02/29/2012 HCS Reported Do Pass (H) (H459)  
 02/29/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/05/2012 Rules - Executive Session Completed (H)  
 03/05/2012 Rules - Voted Do Pass (H)  
 03/05/2012 Rules - Reported Do Pass (H) (H496)  
 03/07/2012 HCS Adopted (H)  
 03/07/2012 Perfected with Amendments (H) (H530)  
 03/08/2012 Third Read and Passed (H) (H573)  
 03/08/2012 S First Read--HCS for HB 1214 (S438)  
 03/22/2012 Second Read and Referred S Small Business, Insurance and Industry Committee (H503)  
 04/10/2012 Hearing Conducted S Small Business, Insurance and Industry Committee

EFFECTIVE: August 28, 2012

\*\*\* HB 1219 \*\*\*

5103L.01T

SENATE SPONSOR: Lager

HOUSE HANDLER: Elmer

HB 1219 - 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 except in adverse impact cases. In those cases, states shall follow federal anti-discrimination law.

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 individuals employed by employers, and tax exempt private membership clubs (that are not labor organizations) from the definition.

Parties to a discrimination case under the MHRA may demand a jury trial.

The court may award the plaintiff actual and punitive damages, and court costs and attorneys fees to the prevailing party. Damages may include future pecuniary losses, emotional pain, suffering, inconvenience, mental anguish, loss of enjoyment of life and other nonpecuniary losses.

Damages awarded for employment cases under the MHRA and whistleblower actions shall not exceed back pay, interest on back pay, other equitable relief, court costs, and fees of \$50,000 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 except for in discriminatory housing practices cases. The damage caps shall not apply in housing 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 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 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), and SB 852 (2010), SB 188 (2011), and SB 592 (2012).

CHRIS HOGERTY

01/10/2012 Introduced and Read First Time (H) (H47)  
 01/11/2012 Read Second Time (H) (H57)  
 01/11/2012 Referred: Workforce Development & Workplace Safety (H) (H58)  
 01/17/2012 Public Hearing Continued (H)  
 01/23/2012 Public Hearing Completed (H)  
 01/23/2012 Executive Session Completed (H)  
 01/23/2012 Voted Do Pass (H)  
 01/24/2012 Reported Do Pass (H) (H153)  
 01/24/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 01/30/2012 Rules - Executive Session Completed (H)  
 01/30/2012 Rules - Voted Do Pass (H)  
 01/30/2012 Rules - Reported Do Pass (H) (H185)  
 02/01/2012 Taken Up for Perfection (H) (H204)  
 02/01/2012 Laid Over (H)  
 02/07/2012 Taken Up for Perfection (H) (H245)  
 02/07/2012 Perfected with Amendments (H) (H249)  
 02/09/2012 Third Read and Passed (H) (H284)  
 02/13/2012 S First Read--HB 1219-Elmer, et al (S248-249)  
 03/01/2012 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S385)  
 03/06/2012 Hearing Conducted S Commerce, Consumer Protection, Energy and the Environment Committee  
 03/06/2012 Voted Do Pass S Commerce, Consumer Protection, Energy and the Environment Committee  
 03/06/2012 Reported from S Commerce, Consumer Protection, Energy and the Environment Committee to Floor (S403-404)  
 03/07/2012 Referred S Ways & Means & Fiscal Oversight Committee (S414)  
 03/08/2012 Voted Do Pass S Ways & Means & Fiscal Oversight Committee  
 03/08/2012 Reported from S Ways & Means & Fiscal Oversight Committee to Floor (S422)  
 03/08/2012 S Third Read and Passed (S422)



03/08/2012 Truly Agreed To and Finally Passed (H577)  
 03/08/2012 Signed by House Speaker (H577)  
 03/08/2012 Signed by Senate President (S439)  
 03/08/2012 Delivered to Governor (H577)  
 03/16/2012 Vetoed by Governor (H608-609)

EFFECTIVE: August 28, 2012

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\*\*\* HB 1220 \*\*\* HCS HB 1220

5026L.02P

HOUSE HANDLER: Hubbard

HCS/HB 1220 - This act establishes a two-year pilot project to encourage visitation between mothers in prison and their children.

The program requires a collaboration between the Department of Corrections and the Children's Division of the Department of Social Services to provide transportation for visits to the mother once a month, with a focus on children who live 50 or more miles away from the prison where their mother is located.

The Corrections Department and the Social Services Department may promulgate rules to implement the program.

The project is to be funded by existing appropriations or moneys appropriated for the project.

The departments of corrections and social services must report to the Governor and General Assembly by February 1, 2016, on the program.

MEGHAN LUECKE

01/10/2012 Introduced and Read First Time (H) (H48)  
 01/11/2012 Read Second Time (H) (H57)  
 01/24/2012 Referred: Urban Issues (H152)  
 01/30/2012 Public Hearing Completed (H)  
 01/30/2012 Public Hearing Completed (H)  
 02/06/2012 Executive Session Completed (H)  
 02/06/2012 HCS Voted Do Pass (H)  
 02/09/2012 HCS Reported Do Pass (H) (H288)  
 02/09/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 02/15/2012 Rules - Executive Session Completed (H)  
 02/15/2012 Rules - Voted Do Pass (H)  
 02/15/2012 Rules - Reported Do Pass (H) (H343)  
 03/06/2012 HCS Adopted (H)  
 03/06/2012 Perfected with Amendments (H) (H509)  
 03/07/2012 Referred: Fiscal Review (H) (H546)  
 03/08/2012 Executive Session Completed (H)  
 03/08/2012 Voted Do Pass (H)  
 03/08/2012 Reported Do Pass (H) (H561)  
 03/08/2012 Third Read and Passed (H) (H564-565)  
 03/08/2012 S First Read--HCS for HB 1220 (S437)  
 03/22/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (H503)

EFFECTIVE: August 28, 2012

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\*\*\* HB 1221 \*\*\*

4773L.01P

HOUSE HANDLER: Black

HB 1221 - This act designates a portion of Highway 8 in St. Francois County as the "Chief of Police Jerry E. Hicks Memorial Highway".

STEPHEN WITTE

01/10/2012 Introduced and Read First Time (H) (H48)  
 01/11/2012 Read Second Time (H) (H57)  
 02/15/2012 Referred: Transportation (H) (H341)  
 02/21/2012 Public Hearing Completed (H)  
 02/21/2012 Executive Session Completed (H)  
 02/21/2012 Voted Do Pass - Consent (H)

02/22/2012 Reported Do Pass by Consent (H) (H407)  
 02/22/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/20/2012 Rules - Executive Session Completed (H)  
 03/20/2012 Rules - Voted Do Pass - Consent (H)  
 03/20/2012 Rules - Reported Do Pass Consent (H) (H631)  
 03/27/2012 Perfected by Consent - Pursuant to House Rules (H) (H735)  
 03/28/2012 Third Read and Passed (H) (H769)  
 03/28/2012 S First Read--HB 1221-Black, et al (S540)  
 04/05/2012 Second Read and Referred S Transportation Committee (S632)  
 04/11/2012 Hearing Conducted S Transportation Committee

EFFECTIVE: August 28, 2012

\*\*\* HB 1231 \*\*\*

4514L.01P

HOUSE HANDLER: Cauthorn

HB 1231 - Currently, the Commissioner of Administration is required to give preference to certain commodities in making purchases. This act included forest products and bricks that have been processed in the state.

CHRIS HOGERTY

01/10/2012 Introduced and Read First Time (H) (H48)  
 01/11/2012 Read Second Time (H) (H57)  
 02/06/2012 Referred: Transportation Funding & Public Institutions (H228)  
 02/14/2012 Public Hearing Completed (H)  
 02/21/2012 Executive Session Completed (H)  
 02/21/2012 Voted Do Pass - Consent (H)  
 02/21/2012 Reported Do Pass by Consent (H) (H386)  
 02/21/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/01/2012 Rules - Executive Session Completed (H)  
 03/01/2012 Rules - Voted Do Pass - Consent (H)  
 03/01/2012 Rules - Reported Do Pass Consent (H) (H479)  
 03/19/2012 Perfected by Consent - Pursuant to House Rules (H) (H607)  
 03/28/2012 Third Read and Passed (H) (H752)  
 03/28/2012 S First Read--HB 1231-Cauthorn, et al (S535)  
 04/05/2012 Second Read and Referred S Small Business, Insurance and Industry Committee (S631)  
 04/17/2012 Hearing Scheduled S Small Business, Insurance and Industry Committee

EFFECTIVE: August 28, 2012

\*\*\* HB 1236 \*\*\*

4872L.01P

HOUSE HANDLER: Entlicher

HB 1236 - This act modifies the paperwork requirements for the formation of a new political party and the nomination of independent candidates.

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

This act is identical to SCS/SB 84 (2005), SB 726 (2006), SB 138 (2007), SB 797 (2008), SB 70 (2009), and SB 679 (2010).

CHRIS HOGERTY

01/10/2012 Introduced and Read First Time (H) (H49)  
 01/11/2012 Read Second Time (H) (H57)  
 02/01/2012 Referred: Elections (H) (H204)  
 02/07/2012 Public Hearing Completed (H)  
 02/14/2012 Executive Session Completed (H)  
 02/14/2012 Voted Do Pass - Consent (H)  
 02/14/2012 Reported Do Pass by Consent (H) (H319)  
 02/14/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H319)  
 02/23/2012 Rules - Executive Session Completed (H)

02/23/2012 Rules - Voted Do Pass - Consent (H)  
 02/23/2012 Rules - Reported Do Pass Consent (H) (H428)  
 03/06/2012 Perfected by Consent - Pursuant to House Rules (H) (H518)  
 03/08/2012 Third Read and Passed (H) (H582)  
 03/19/2012 S First Read--HB 1236-Entlicher, et al (S448)  
 03/22/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (H503)  
 04/02/2012 Hearing Conducted S Financial and Governmental Organizations and Elections Committee  
 04/10/2012 Voted Do Pass S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2012

\*\*\* HB 1250 \*\*\*

5114L.01P

HOUSE HANDLER: Ruzicka

HB 1250 - This act allows certain third class cities to eliminate, by ordinance or order, primary elections for mayor and councilmen offices. Any person wishing to become a candidate for these offices must file a statement of candidacy with the city clerk in order to be placed on the ballot.

MEGHAN LUECKE

01/10/2012 Introduced and Read First Time (H) (H50)  
 01/11/2012 Read Second Time (H) (H57)  
 01/12/2012 Referred: Elections (H) (H68)  
 01/31/2012 Public Hearing Completed (H)  
 01/31/2012 Executive Session Completed (H)  
 01/31/2012 Voted Do Pass - Consent (H)  
 01/31/2012 Reported Do Pass by Consent (H) (H195)  
 01/31/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 02/06/2012 Rules - Executive Session Completed (H)  
 02/06/2012 Rules - Voted Do Pass - Consent (H)  
 02/06/2012 Rules - Reported Do Pass Consent (H) (H229)  
 02/14/2012 Perfected by Consent (H) (H321)  
 02/15/2012 Third Read and Passed (H) (H338)  
 02/16/2012 S First Read--HB 1250-Ruzicka, et al (S285)  
 03/08/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S435)  
 04/02/2012 Hearing Conducted S Financial and Governmental Organizations and Elections Committee  
 04/10/2012 Voted Do Pass S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2012

\*\*\* HB 1251 \*\*\*

5116L.01P

HOUSE HANDLER: Ruzicka

HB 1251 - Under current law, the authority expires on September 1, 2012 for the Department of Natural Resources to impose an annual per customer fee for connections to a public water system. This act extends the expiration date to September 1, 2017.

ERIKA JAQUES

01/10/2012 Introduced and Read First Time (H) (H50)  
 01/11/2012 Read Second Time (H) (H57)  
 01/12/2012 Referred: Tourism and Natural Resources (H68)  
 01/26/2012 Public Hearing Completed (H)  
 02/02/2012 Executive Session Completed (H)  
 02/02/2012 Voted Do Pass - Consent (H)  
 02/02/2012 Reported Do Pass by Consent (H) (H218)  
 02/02/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 02/06/2012 Rules - Executive Session Completed (H)  
 02/06/2012 Rules - Voted Do Pass - Consent (H)  
 02/06/2012 Rules - Reported Do Pass Consent (H) (H229)  
 02/14/2012 Perfected by Consent (H) (H321)  
 02/15/2012 Third Read and Passed (H) (H339)  
 02/16/2012 S First Read--HB 1251-Ruzicka (S285)

03/08/2012 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S435)

04/17/2012 Hearing Scheduled S Commerce, Consumer Protection, Energy and the Environment Committee

EFFECTIVE: August 28, 2012

\*\*\* HB 1256 \*\*\*

HCS HB 1256

5067L.06P

HOUSE HANDLER: Diehl

HCS HB 1256 Diehl, John

C O M M I T T E E

HCS HB 1256 -- JUDICIAL PROCEDURES

SPONSOR: Cox (Diehl)

COMMITTEE ACTION: Voted "do pass" by the Committee on Judiciary by a vote of 8 to 2.

This substitute changes the laws regarding judicial procedures.

CRIMINAL CASE SURCHARGE (Sections 56.807 and 488.026, RSMo)

Currently, a \$4 surcharge is assessed in all criminal cases including any violation of a county ordinance and any criminal or traffic law including infractions for deposit into the Missouri Prosecuting Attorneys and Circuit Attorneys' Retirement System Fund except under certain circumstances. The substitute removes the provision which specifies that no surcharge will be assessed against a person who has pled guilty and paid his or her fine through a fine collection center and requires this individual to pay the \$4 surcharge.

ADMINISTRATIVE FINES OR COSTS (Section 67.136)

Any local governmental agency is allowed to utilize collection agencies to collect any court or administrative fines or costs associated with a criminal conviction or entry of a civil judgment.

GREENE COUNTY ASSOCIATE CIRCUIT COURT JUDGES (Section 67.2010)

Associate circuit court judges in Greene County are allowed to hear and determine county ordinance violations.

FOSTER CARE LICENSURE INFORMATION (Section 210.567)

The substitute changes 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 Division of Family Services within the Department of Social Services must make a report available for each foster home that is licensed and for each foster home renewing an existing license which includes:

- (1) The names of all persons 18 years of age or older licensed to operate the foster home and the amount of state funds paid to the operator for foster care services;
- (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 and how those concerns were resolved;
- (4) A description of a person's ability to perform the minimum competency requirements of a foster parent;
- (5) A list of all references provided by each person, stating the reference's name, how and when the reference was contacted, and a brief description of the reference's opinion of the person;
- (6) The number of the operator's previous care assignments, if any; and
- (7) Any history of previous complaints involving the foster care operator or the foster child.

The report must not contain the address of any residence or any personal information not otherwise required which could be used by another to threaten, harm, harass, or embarrass any person.

JUVENILE COURT JURISDICTION (Section 211.031)

The age when the juvenile court will have jurisdiction over a child involving a state or local traffic violation is changed from a child up to 15 1/2 years of age to a child up to 15 years of age.

TERMINATION OF PARENTAL RIGHTS (Sections 211.093, 211.177, 452.374, and 452.402)

The substitute prohibits a person who commits an act of rape from obtaining custody or visitation rights to the child who is the product of the rape.

PERFECTION OF SECURITY INTERESTS (Section 400.9-311)

The filing of a financing statement is necessary to perfect a security interest in collateral that is inventory held for sale or lease by a person or leased by that person as lessor and that person is in the business of selling goods of that kind.

ADOPTION PROCEEDINGS (Section 453.030, 453.050, and 453.080)

A written consent to adoption is allowed to be executed in front of a judge and requires the judge to advise the consenting birth parent of the consequences of the consent. A consent to adoption is final when executed unless the consenting party, prior to a final decree of adoption, alleges and proves by clear and convincing evidence that the consent was not freely and voluntarily given. The consenting party bears the burden of proving the consent was not freely and voluntarily given. A consent to an adoption must have been

executed not more than six months prior to the date the petition for adoption is filed.

The substitute requires a court conducting a final adoption hearing to determine whether the court has received and reviewed an investigation report required under Section 453.070, if any, and an investigation and social study required under Section 211.455, if any.

By January 1, 2013, the Missouri Supreme Court must develop a standardized form to be used in all adoption cases which includes a checklist to verify that all the documents and procedures required by law have been submitted, followed, and reviewed by the judge prior to the entry of a final order. The form and attachments must be included as part of the adoption record.

#### QUALIFIED SPOUSAL TRUSTS (Section 456.950)

The substitute changes the requirements for a qualified spousal trust to allow the trust to consist of both property held in one trust for both spouses and property held in two shares in one trust for each spouse.

#### MISSOURI UNIFORM TRUST CODE (Section 456.8-808)

The substitute changes the laws regarding the Missouri Uniform Trust Code by allowing a trust instrument to appoint a trust protector who is expressly granted one or more powers over the trust in the trust instrument.

The substitute:

- (1) Specifies the express powers that may be granted to a trust protector;
- (2) Specifies when a trust protector has no power to modify a trust;
- (3) Specifies the trust protector must not exercise a power that would result in a taxable gift for federal gift tax purposes or cause the inclusion of any assets of the trust in the trust protector's gross estate for federal estate tax purposes;
- (4) Specifies that a trust protector is not a trustee or fiduciary, has no duty to the beneficiaries of the trust, is not liable or accountable as a trustee or fiduciary when performing or declining to perform the express powers given in the trust instrument, and is not liable for the acts or omissions of any fiduciary or beneficiary under the trust instrument;
- (5) Exonerates a trust protector from all liability for his or her acts or omissions, or arising from any exercise or non-exercise of the express powers given in the trust instrument unless clear and convincing evidence establishes the acts or omissions were in bad faith or with reckless indifference;
- (6) Authorizes a trust protector to exercise the express powers granted in the trust instrument at any time after the trust protector acquires knowledge of his or her appointment as trust protector and of the powers granted;
- (7) Allows the trust protector to receive from the assets of the trust reasonable compensation and reimbursement of reasonable costs and expenses incurred in determining whether to carry out and in carrying out the express powers of the trust instrument;
- (8) Allows the trust protector to receive from the assets of the trust reimbursement of reasonable costs and expenses, including attorney fees, from defending any claim made against the trust protector arising from his or her acts or omissions while acting in that capacity;
- (9) Prohibits the trust protector from exercising the express powers of the trust instrument for his or her own personal benefit;
- (10) Specifies that a trustee must not be liable for any loss resulting directly or indirectly from any act taken or omitted as a result of the written direction of the trust protector or the failure of the trust protector to provide consent, unless there is bad faith or reckless indifference on the part of the trustee;
- (11) Specifies when the trust protector is entitled to receive information regarding the administration of the trust;
- (12) Allows a trust protector to resign by giving 30 days' written notice to the trustee and any successor trust protector;
- (13) Grants any successor trust protector the same powers expressly granted in the trust instrument to the resigning trust protector unless those powers are expressly modified for the successor trust protector; and
- (14) Specifies that a trust protector of a trust having its principal place of administration in Missouri submits personally to the jurisdiction of the courts of Missouri while the trust is being administered in this state.

#### COURT AUTOMATION FUND (Section 476.055)

Currently, the provisions regarding the statewide court automation fund fee assessed in certain court cases expire on September 1, 2013. The substitute extends the expiration date to September 1, 2018. The Court Automation Committee is required to complete its duties by September 1, 2020, when the provisions regarding the Statewide Court Automation Fund expire. Currently, the committee must complete its duties by September 1, 2015, when the provisions regarding the fund expire.

#### ADMINISTRATIVE ADJUDICATION SYSTEM (Section 479.011)

Any home rule city with more than 155,000 but less than 200,000 inhabitants may establish an administrative adjudication system.

#### MUNICIPAL ORDINANCE VIOLATIONS (Section 479.040)

Currently, a city, town, or village with less than 400,000 residents can choose to have violations of its municipal ordinances heard and determined by either a county municipal court or an associate circuit court,

and once the choice is made, all municipal ordinance violations will be heard by that court. The substitute authorizes a city, town, or village to elect to have violations involving an accused with special needs due to mental disorder or mental illness, or whose special needs, circumstances, and charges cannot adequately be accommodated by the municipal court to be heard and determined by the associate circuit court or county municipal court. The associate circuit court or county municipal court must be able to provide adequate accommodations and resources for specifically handling these matters and must consent to the transfer.

#### ST. LOUIS CITY CIRCUIT CLERK (Section 483.015)

Currently, the circuit clerk in the 22nd Judicial Circuit for the City of St. Louis is elected by the qualified voters of the city. The substitute requires him or her to be appointed by a majority of the circuit judges and associate circuit judges of the circuit court, en banc. The clerk must be removable for cause by a majority of the circuit judges and associate judges of the circuit, en banc, in accordance with Supreme Court administrative rules governing court personnel. The elected circuit clerk that is holding office when these provisions become effective must continue to hold office for the duration of his or her elected term.

#### SURCHARGE IN CIVIL COURT CASES (Section 488.426)

The circuit court in any circuit, except the circuit court in Jackson County or the circuit court in any circuit that reimburses the state for the salaries of family court commissioners under Section 487.020 is allowed to change the surcharge in civil actions to any amount up to \$15. Currently, the only exception allowed is the circuit court in Jackson County.

The circuit court in Jackson County or the circuit court in any circuit that reimburses the state for the salaries of family court commissioners is authorized to change the surcharge in civil actions to any amount up to \$20.

#### CHARGES FOR LAW ENFORCEMENT SERVICES (Section 488.5320)

Currently, law enforcement officers are allowed to charge for their services rendered in criminal cases and in all contempt or attachment proceedings except for cases disposed of by a traffic violation bureau. The substitute removes the exception and allows them to also charge for cases in a traffic violation bureau. However, those cases disposed of by a traffic violation bureau must be distributed so that one-half of the charges collected are deposited into the newly-created MODEX Fund for the operational support and expansion costs of the MODEX system and one-half of the charges collected are deposited into the inmate security fund of the county or municipal political subdivision where the citation originated. If the county or municipal political subdivision has not established an inmate security fund, the funds must be deposited in the MODEX Fund.

#### PROPERTY EXEMPT FROM ATTACHMENT (Sections 513.430 and 513.440)

Currently, each head of a family may exempt from attachment \$350 for each of the person's unmarried dependent children under 18 years old. The substitute increases the age to a child under 21 years old. The substitute specifies how fraud will be defined when determining if certain funds must be held exempt from a bankruptcy proceeding.

#### LANDOWNER LIABILITY TO TRESPASSERS (Sections 537.345, 537.346, and 537.351)

The substitute changes the laws regarding a landowner's liability as it applies to an individual trespassing on the owner's land by:

- (1) Defining "trespasser," as it applies to these provisions, as any person who enters on the property of another without permission and without an invitation, express or implied, regardless of whether actual notice of trespass was given or the land was posted with signs or purple markings in accordance with Sections 569.140 and 569.145; and
- (2) Specifying that a possessor of real property owes no duty of care to a trespasser, except to refrain from harming the trespasser by an intentional, willful, or wanton act and may use justifiable force to repel a criminal trespasser. However, a possessor of real property may be subject to liability for physical injury or death to a trespasser in specified situations, including if the trespasser is a child who is harmed by a dangerous artificial condition on the land, the possessor knew or should have known that trespassers consistently intrude upon a limited area of the land where the trespasser was harmed by a dangerous artificial condition on the land, or the possessor knew of the trespasser's presence on the land and failed to exercise ordinary care as to active operations carried out on the land.

#### CONDUCT AT PUBLIC MEETINGS (Section 537.528)

Currently, any action seeking monetary damage against a person for conduct or speech at a public hearing or meeting is subject to a special motion to dismiss, a motion for judgment on the pleadings, or a motion for summary judgment so it can be considered on an expedited basis to prevent the unnecessary expense of litigation. The substitute allows any action against a person for conduct or speech at a public hearing or meeting to be subject to these special motions.

#### SENTENCING ADVISORY COMMISSION (Section 558.019)

The substitute specifies that the provisions regarding the Sentencing Advisory Commission cannot be construed to allow the commission to issue recommended sentences in specific cases pending in the courts of this state.

#### RESTITUTION (Sections 559.100, 559.105, and 570.120)

The substitute requires restitution to be paid through the office of the prosecuting or circuit attorney. Each prosecuting or circuit attorney who takes action to collect restitution must assess the person paying restitution an administrative handling cost of \$25 for restitution in an amount of less than \$100, \$50 for an amount between \$100 and \$249, and an additional fee of 10% of the total restitution for an amount of \$250 or more. The maximum fee for administrative handling costs cannot exceed \$75. A \$2 installment cost must also be assessed for each installment payment, except for the first installment, until the amount of restitution is paid in full.

The moneys collected by the prosecuting or circuit attorney must be deposited into the newly created Administrative Handling Cost Fund to be expended by the prosecuting or circuit attorney for office supplies and equipment, capital outlay, trial preparation expenses, additional staff, and employees' salaries. In addition to the administrative handling cost, the prosecuting or circuit attorney must collect \$5 for each crime victim to whom restitution is paid to be deposited into the Missouri Office of Prosecution Services Fund. Court-ordered restitution may be taken from an inmate's account at the Department of Corrections while the inmate is incarcerated; and upon release from imprisonment, the payment of any unpaid balance may be collected as a condition of conditional release or parole.

FISCAL NOTE: No impact on General Revenue Fund in FY 2013, FY 2014, and FY 2015. Estimated Net Income on Other State Funds of Unknown in FY 2013, FY 2014, and FY 2015.

PROPOSERS: Supporters say that the bill applies a \$4 fee to fines collected through the fine collection center for the benefit of the prosecuting attorneys' retirement fund to relieve the financial burden from counties as much as possible.

Testifying for the bill were Representative Diehl; and Robert McCulloch, St. Louis County Prosecuting Attorney.

OPPOSERS: There was no opposition voiced to the committee.

01/11/2012 Introduced and Read First Time (H) (H59)  
 01/12/2012 Read Second Time (H) (H66)  
 01/19/2012 Referred: Judiciary (H) (H125)  
 01/25/2012 Public Hearing Completed (H)  
 03/07/2012 Executive Session Completed (H)  
 03/07/2012 HCS Voted Do Pass (H)  
 03/08/2012 HCS Reported Do Pass (H) (H589)  
 03/08/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/29/2012 Rules - Executive Session Completed (H)  
 03/29/2012 Rules - Voted Do Pass (H)  
 03/29/2012 Rules - Reported Do Pass (H) (H849)  
 04/10/2012 Taken Up for Perfection (H) (H979)  
 04/10/2012 Laid Over (H)  
 04/11/2012 HCS Adopted (H)  
 04/11/2012 Perfected with Amendments (H)  
 04/12/2012 Third Read and Passed (H)  
 04/12/2012 S First Read--HCS for HB 1256

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\*\*\* HB 1258 \*\*\*

HCS HB 1258, 1259, & 1260

5156L.02P

HOUSE HANDLER: Kelly

HCS/HBs 1258, 1259 & 1260- This act modifies provisions relating to the acknowledgment of paternity and consent to an adoption.

#### ACKNOWLEDGMENT OF PATERNITY

Under this act, a mother can execute a voluntary acknowledgment of paternity if her parental rights have not been voluntarily or involuntarily terminated or the mother's consent to adoption or waiver of consent has not been accepted or approved by a court of competent jurisdiction. A court may order the Bureau of Vital Statistics within the Department of Health and Senior Services to rescind any amended birth certificate if it was issued based upon an acknowledgment of paternity made by a mother in violation of the provisions of this act. SECTION 193.215

#### CONSENT TO ADOPTION

Consent to the adoption of a child is not required of a man who has reason to believe he is the biological father of a newborn child but who has not provided consistent prenatal financial support to the mother and consistent payment for prenatal, natal, and postnatal medical care for the mother and baby unless actively thwarted from doing so by the mother and is not required of a man whose consent is not required under Section 453.030, RSMo, the current statute specifying when the consent of a man is required. Such consent under Section 453.030 is required of a man who is, under the law:

(1) Presumed to be the father;  
 (2) Has filed an action to establish paternity in court no later than 15 days after the birth of a child; or  
 (3) Has filed with the putative father registry a notice of intent to claim paternity or an acknowledgment of paternity and has filed an action to establish paternity in court no later than 15 days after the birth of a child.  
 SECTION 453.040

A man whose consent to adoption is not required under Sections 453.030 and 453.040 waives his right to intervene in an action for termination of parental rights, for adoption or to file a paternity action for a child after a petition for adoption or termination of parental rights has been filed unless he can establish that he previously developed a consistent and substantial relationship with the child, including by providing:

- (1) Consistent prenatal financial support;
- (2) Consistent payment of prenatal and natal medical care for the mother and baby;
- (3) Consistent child support payments commensurate with his ability to pay;
- (4) Consistent contact and visitation with the child; and
- (5) Assistance with educational and medical care of the child. SECTION 453.045

**ADRIANE CROUSE**

01/11/2012 Introduced and Read First Time (H) (H59)  
 01/12/2012 Read Second Time (H) (H66)  
 01/19/2012 Referred: Children and Families (H) (H125)  
 01/25/2012 Public Hearing Completed (H)  
 02/08/2012 Executive Session Completed (H)  
 02/08/2012 HCS Voted Do Pass - Consent (H)  
 02/14/2012 HCS Reported Do Pass by Consent (H) (H318)  
 02/14/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 02/23/2012 Rules - Executive Session Completed (H)  
 02/23/2012 Rules - Voted Do Pass - Consent (H)  
 02/23/2012 Rules - Reported Do Pass Consent (H) (H428)  
 03/06/2012 Perfected by Consent - Pursuant to House Rules (H) (H518)  
 03/08/2012 Third Read and Passed (H) (H583)  
 03/19/2012 S First Read--HCS for HBs 1258, 1259 & 1260 (S447)  
 03/22/2012 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (H503)

EFFECTIVE: August 28, 2012

\*\*\* HB 1261 \*\*\*

4655L.01P

HOUSE HANDLER: Swearingen

HB 1261 - This act designates the pedestrian and bicycle path on the Heart of America Bridge in Kansas City as the "Bob Watts Memorial Bicycle & Pedestrian Bridge".

This provision is contained in SB 833 (2012) and SCS/SBs 767, 653, 754, 705, 441, 528, 831, 833 & 847 (2012).

**STEPHEN WITTE**

01/11/2012 Introduced and Read First Time (H) (H59)  
 01/12/2012 Read Second Time (H) (H66)  
 02/07/2012 Referred: Transportation (H) (H250)  
 02/14/2012 Public Hearing Completed (H)  
 02/21/2012 Executive Session Completed (H)  
 02/21/2012 Voted Do Pass - Consent (H)  
 02/22/2012 Reported Do Pass by Consent (H) (H407)  
 02/22/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/20/2012 Rules - Executive Session Completed (H)  
 03/20/2012 Rules - Voted Do Pass - Consent (H)  
 03/20/2012 Rules - Reported Do Pass Consent (H) (H631)  
 03/27/2012 Perfected by Consent - Pursuant to House Rules (H) (H735)  
 03/28/2012 Third Read and Passed (H) (H770)  
 03/28/2012 S First Read--HB 1261-Swearingen, et al (S540)  
 04/05/2012 Second Read and Referred S Transportation Committee (S632)  
 04/11/2012 Hearing Conducted S Transportation Committee

EFFECTIVE: August 28, 2012



\*\*\* HB 1264 \*\*\*

4921L.01P

HOUSE HANDLER: Fallert

HB 1264 - Under the terms of this act, no penalties shall be assessed, nor any tickets issued, for a person 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

01/11/2012 Introduced and Read First Time (H) (H59)  
 01/12/2012 Read Second Time (H) (H66)  
 02/02/2012 Referred: Transportation (H) (H216)  
 02/07/2012 Public Hearing Completed (H)  
 02/21/2012 Executive Session Completed (H)  
 02/21/2012 Voted Do Pass - Consent (H)  
 02/22/2012 Reported Do Pass by Consent (H) (H407)  
 02/22/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/20/2012 Rules - Executive Session Completed (H)  
 03/20/2012 Rules - Voted Do Pass - Consent (H)  
 03/20/2012 Rules - Reported Do Pass Consent (H) (H631)  
 03/27/2012 Perfected by Consent - Pursuant to House Rules (H) (H735)  
 03/28/2012 Third Read and Passed (H) (H771)  
 03/28/2012 S First Read--HB 1264-Fallert, et al (S541)  
 04/05/2012 Second Read and Referred S Transportation Committee (S632)  
 04/18/2012 Hearing Scheduled S Transportation Committee

EFFECTIVE: August 28, 2012

\*\*\* HB 1266 \*\*\*

4850L.01P

HOUSE HANDLER: Denison

HB 1266 - This act provides that the regal fritillary is selected for and shall be known as the official butterfly of the state of Missouri.

JIM ERTLE

01/11/2012 Introduced and Read First Time (H) (H59)  
 01/12/2012 Read Second Time (H) (H66)  
 01/19/2012 Referred: Tourism and Natural Resources (H125)  
 02/09/2012 Public Hearing Completed (H)  
 02/23/2012 Executive Session Completed (H)  
 02/23/2012 Voted Do Pass - Consent (H)  
 02/23/2012 Reported Do Pass by Consent (H) (H425)  
 02/23/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H425)  
 03/01/2012 Rules - Executive Session Completed (H)  
 03/01/2012 Rules - Voted Do Pass - Consent (H)  
 03/01/2012 Rules - Reported Do Pass Consent (H) (H479)  
 03/19/2012 Perfected by Consent - Pursuant to House Rules (H) (H607)  
 03/28/2012 Taken Up for Third Reading (H) (H752)  
 03/28/2012 Laid Over - Third Reading (H)  
 03/28/2012 Taken Up for Third Reading (H) (H779)  
 03/28/2012 Third Read and Passed (H) (H806)  
 03/29/2012 S First Read--HB 1266-Denison, et al (S570)  
 04/05/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S633)  
 04/16/2012 Hearing Scheduled S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2012

\*\*\* HB 1267 \*\*\*

4851L.01P

HOUSE HANDLER: Denison

HB 1267 - Beginning July 1, 2012, children older than 15 years of age who are in the foster care system or the Division of Youth Services program within the Children's Division of the Department of Social Services shall receive a visit to a state university or community or technical college in Missouri before being adopted or

terminated by foster care or completing the division's custody or training. The visit shall include an entry application process, financial support application and availability, career options with academic or technical training, a campus tour, and other information and experience desired by the child.

ADRIANE CROUSE

01/11/2012 Introduced and Read First Time (H) (H59)  
 01/12/2012 Read Second Time (H) (H66)  
 02/08/2012 Referred: Children and Families (H) (H271)  
 03/07/2012 Public Hearing Completed (H)  
 03/07/2012 Executive Session Completed (H)  
 03/07/2012 Voted Do Pass - Consent (H)  
 03/07/2012 Reported Do Pass by Consent (H) (H547)  
 03/07/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/20/2012 Rules - Executive Session Completed (H)  
 03/20/2012 Rules - Voted Do Pass - Consent (H)  
 03/20/2012 Rules - Reported Do Pass Consent (H) (H631)  
 03/27/2012 Perfected by Consent - Pursuant to House Rules (H) (H735)  
 03/28/2012 Third Read and Passed (H) (H772-773)  
 03/28/2012 S First Read--HB 1267-Denison, et al (S541)  
 04/05/2012 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S632)

EFFECTIVE: August 28, 2012

\*\*\* HB 1269 \*\*\*

5032L.01P

HOUSE HANDLER: Brattin

HB 1269 - This act modifies provisions relating to the "CASS COUNTY - THE BURNT DISTRICT" special license plate. Under current law, 80% of the \$25 annual contribution fee is distributed to the Cass County public safety and 20% of the fee is distributed to the Cass County parks and recreation department. Under the terms of the act, the distribution of the annual contribution fee is modified so that 70% of the fee is distributed to public safety, 15% is distributed to the Cass County Historical Society, and 15% is distributed to the Cass County parks and recreation department.

The act further specifies that prior to the issuance of the specialty personalized plate, the Department of Revenue must be in receipt of an application as prescribed by the department director and be accompanied by a list of at least 200 potential applicants, the proposed art design for the specialty plate, and an application fee not to exceed \$5,000. The act provides that the special license plate shall be redesigned unless the organization pays the department director in advance for all redesigned plate fees.

STEPHEN WITTE

01/11/2012 Introduced and Read First Time (H) (H59)  
 01/12/2012 Read Second Time (H) (H66)  
 01/19/2012 Referred: Transportation (H) (H125)  
 01/24/2012 Public Hearing Completed (H)  
 01/31/2012 Executive Session Completed (H)  
 01/31/2012 Voted Do Pass - Consent (H)  
 02/01/2012 Reported Do Pass by Consent (H) (H205)  
 02/01/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 02/06/2012 Rules - Executive Session Completed (H)  
 02/06/2012 Rules - Voted Do Pass - Consent (H)  
 02/06/2012 Rules - Reported Do Pass Consent (H) (H230)  
 02/14/2012 Perfected by Consent (H) (H321)  
 02/15/2012 Third Read and Passed (H) (H340)  
 02/16/2012 S First Read--HB 1269-Brattin, et al (S285)  
 03/08/2012 Second Read and Referred S Transportation Committee (S435)  
 03/28/2012 Hearing Conducted S Transportation Committee

EFFECTIVE: August 28, 2012

\*\*\* HB 1272 \*\*\*

HCS HB 1272

4062H.03P

HOUSE HANDLER: Kelley

HCS/HB 1272 - This act specifies that gross negligence will be the standard of proof in a court action brought against a public or private jail, correctional center, detention center, or any other type of correctional

facility or its employees as a result of a death by suicide of an inmate.

MIKE HAMMANN

01/11/2012 Introduced and Read First Time (H) (H60)  
 01/12/2012 Read Second Time (H) (H66)  
 02/02/2012 Referred: Corrections (H) (H216)  
 02/08/2012 Public Hearing Completed (H)  
 02/08/2012 Executive Session Completed (H)  
 02/08/2012 HCS Voted Do Pass (H)  
 02/09/2012 HCS Reported Do Pass (H) (H286)  
 02/09/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/08/2012 Rules - Executive Session Completed (H)  
 03/08/2012 Rules - Voted Do Pass (H)  
 03/08/2012 Rules - Reported Do Pass (H) (H591)  
 04/04/2012 Taken Up for Perfection (H) (H917)  
 04/04/2012 Laid Over (H)  
 04/04/2012 Taken Up for Perfection (H)  
 04/04/2012 HCS Adopted (H)  
 04/04/2012 Perfected with Amendments (H) (H919)  
 04/11/2012 Third Read and Passed (H) (H987)  
 04/11/2012 S First Read--HCS for HB 1272 (S654)  
 04/12/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2012

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\*\*\* HB 1273 \*\*\*

4640L.01P

HOUSE HANDLER: Kelley

HB 1273 – This act requires the State Board of Education to promulgate rules and regulations authorizing local school boards to lease advertising space on the interior and exterior of school buses.

The State Board of Education's regulations must prohibit advertising that: contains obscenity, sexual material, gambling, tobacco products, alcohol, political campaigns or causes, public advocacy or lobbying, or religion; promotes the use of drugs or any illegal activity or antisocial behavior; contains general content that is harmful, discriminatory, false, misleading or deceptive, not age-appropriate, as described in the act; contains an endorsement by a school district for a product or service.

A local school board may adopt a policy for advertising on the school buses operated in the district, which must comply with the State Board of Education's rules and regulations. Any private owners of school buses used in a district under a contract with the district may lease space on their school buses to the district. The school bus owners-operators must receive ten percent of the total value of the contract. A school district may solicit offers from commercial advertisers for the use of space on the school buses that service the district. This act also contains requirements that must be included in a contract or lease agreement.

All school bus advertisements must be painted or affixed by decal on a school bus in a manner that does not interfere with state and federal requirements for school bus markings, lights, signs, and other parts of a school bus, as described in the act. Advertisements cannot be placed on the front, rear, or driver's side of the school bus. School districts will retain the advertising revenue after payment is made to the private owners. Fifty percent of the district's revenue must be used for fuel costs.

MICHAEL RUFF

01/11/2012 Introduced and Read First Time (H) (H60)  
 01/12/2012 Read Second Time (H) (H66)  
 01/26/2012 Referred: Urban Issues (H173)  
 02/06/2012 Public Hearing Completed (H)  
 02/13/2012 Executive Session Scheduled - Bill Not Heard  
 02/20/2012 Executive Session Completed (H)  
 02/20/2012 Voted Do Pass (H)  
 03/21/2012 Reported Do Pass (H) (H660)  
 03/21/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/29/2012 Rules - Executive Session Completed (H)  
 03/29/2012 Rules - Voted Do Pass (H)  
 03/29/2012 Rules - Reported Do Pass (H) (H849)  
 04/04/2012 Perfected (H) (H941)

04/05/2012 Third read and passed (H) (H967)  
04/05/2012 S First Read--HB 1273-Kelly (126), et al (S637)  
04/12/2012 Second Read and Referred S Education Committee

EFFECTIVE: August 28, 2012

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\*\*\* HB 1278 \*\*\* HCS HB 1278 & 1152

4530L.04P

HOUSE HANDLER: Long

HCS/HBs 1278 & 1152 - This act modifies provisions of law regarding certain tax credits.

The Public Safety Officer Surviving Spouse Tax Credit program currently sunsets on August 28, 2013. This act extends the sunset to December 31, 2017, unless reauthorized by the passage of a bill or concurrent resolution within four years after the sunset date. (Section 135.090)

The Children in Crisis Tax Credit program currently provides an income tax credit for contributions to child advocacy centers, crisis care centers, and entities that receive funding from the Court-Appointed Special Advocate Fund. This act extends the sunset on this tax credit program from August 28, 2012 to December 31, 2016, unless reauthorized by the passage of a bill or concurrent resolution within four years after the sunset date. (Section 135.327)

This act extends the sunset from December 2013 to December 2017 on the section of law that creates the tax credit for certain taxpayers who modify their homes to make them accessible for a disabled resident. This tax credit program may be reauthorized by passage of a bill or concurrent resolution within four years after the sunset date.

Currently, the Rebuilding Communities tax credit program has a ten million dollar annual cap. If there are tax credits remaining under the cap, up to 100,000 dollars of this tax credit cap shall first be used for the residential dwelling accessibility tax credit. This act repeals the requirement that tax credits under the Rebuilding Communities tax credit cap be provided to the residential dwelling accessibility tax credit. (Sections 135.535 and 135.562)

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 these provisions until December 31, 2016, unless reauthorized by the passage of a bill or concurrent resolution within four years after the sunset date. (Section 135.630)

This act modifies the sunset of the tax credit for donations to food pantries, so that the program that expired August 28, 2011 expires December 31, 2016. The act allows tax credits for donations to food pantries that occurred on or after January 1, 2012. This tax credit program may be reauthorized by passage of a bill or concurrent resolution within four years after the sunset date. (Section 135.647)

The act requires the Joint Committee on Legislative Research to conduct a review under the Sunset Act of any tax credit program by September 1st of the calendar year before the year in which tax credit authorizations or issuance will be prohibited.

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 modifies which taxpayers are eligible to claim this tax credit and extends the sunset on the residential treatment agency tax credit from August 28, 2012, to December 31, 2016. This tax credit program may be reauthorized by passage of a bill or concurrent resolution within four years after the sunset date. (Section 135.1150)

The act creates an income tax credit equal to fifty percent of the amount of an eligible donation made, on or after January 1, 2012, to a qualifying developmental disability care provider. Qualifying developmental disability care provider are care providers that provide assistance to people with developmental disabilities and are under contract with the Department of Social Services or the Department of Mental Health. 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 Social Services for the tax credits. The provisions of this act shall automatically sunset December 31, 2016. This tax credit

program may be reauthorized by passage of a bill or concurrent resolution within four years after the sunset date. (Section 135.1180)

The act places this new tax credit program under the requirements of the Tax Credit Accountability Act of 2004. (Section 135.800)

The provision regarding the food pantry tax credit has an emergency clause.

Provisions of this act are similar to provisions in SCS/SB 548 (2012), SB 471 (2012), SB 481 (2012), SB 532 (2012), SB 582 (2012), and SB 708 (2012).

EMILY KALMER

01/11/2012 Introduced and Read First Time (H) (H60)  
 01/12/2012 Read Second Time (H) (H66)  
 02/02/2012 Referred: Children and Families (H) (H216)  
 02/15/2012 Public Hearing Completed (H)  
 03/07/2012 Executive Session Completed (H)  
 03/07/2012 HCS Voted Do Pass (H)  
 03/07/2012 HCS Reported Do Pass (H) (H547)  
 03/07/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/22/2012 Rules - Executive Session Completed (H)  
 03/22/2012 Rules - Voted Do Pass (H)  
 03/22/2012 Rules - Reported Do Pass (H) (H691)  
 03/27/2012 HCS Adopted (H)  
 03/27/2012 Perfected (H) (H730)  
 03/28/2012 Referred: Fiscal Review (H) (H818)  
 03/29/2012 Executive Session Completed (H)  
 03/29/2012 Voted Do Pass (H)  
 03/29/2012 Reported Do Pass (H) (H825)  
 03/29/2012 Third Read and Passed (H) (H832-833)  
 03/29/2012 Emergency Clause Adopted (H) (H833)  
 03/29/2012 S First Read--HCS for HBs 1278 & 1152 (S573)  
 04/05/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S633)

EFFECTIVE: Varies

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\*\*\* HB 1296 \*\*\*

5072L.01P

HOUSE HANDLER: Davis

HB 1296 - This act establishes the child custody and visitation rights of a deploying military parent. A deploying parent is a military parent who has received written orders to deploy with the United States Army, Navy, Air Force, Marine Corps, Coast Guard, National Guard, or any other reserve component.

This act provides that if a deploying parent is required to be separated from a child, a court shall not enter a final order modifying the terms of custody or visitation contained in an existing order until 90 days after the deployment ends. Deployment or the potential for future deployment shall not be the sole factor supporting a change in circumstances or grounds sufficient to support a permanent modification of the custody or visitation terms established in an existing order.

#### EXISTING COURT ORDERS

This act provides that a custody or visitation order may be temporarily modified to make reasonable accommodation for the parties due to the deployment. Such temporary order shall also specify the terms of custody or visitation during the deployment and for when there is leave time for the deploying parent. Procedures are delineated for the deploying parent to obtain an expedited hearing in any custody or visitation matters.

This act requires the nondeploying parent to provide 30-day advance notice to the court and to the deploying parent of any change of address and contact information, except in instances where there is a valid order of protection in effect requiring the confidentiality of the nondeploying parent's contact information. In such instances the information shall only be given to the court.

#### AFTER DEPLOYMENT

A temporary modification shall automatically end no later than 30 days after the return of the deploying

parent and the original terms of the custody or visitation order in place at the time of deployment are automatically reinstated.

The court may also conduct an expedited or emergency hearing within 10 days of the filing of a motion regarding custody or visitation upon return of the deploying parent in cases alleging an immediate danger or irreparable harm to the child. The nondeploying parent shall bear the burden of showing that reentry of the custody or visitation order in effect before the deployment is no longer in the child's best interests.

The court shall set any nonemergency motion by the nondeploying parent for hearing within 30 days of the filing of the motion and this shall take precedence on the court's docket.

#### DELEGATION OF VISITATION RIGHTS

Upon motion of the deploying parent or upon motion of a family member of the deploying parent with his or her consent, the court may delegate his or her visitation rights, or a portion of such rights, to a family member with a close and substantial relationship to the minor child or children for the duration of the deployment if it is in the best interest of the child. Such rights shall terminate by operation of law upon the end of the deployment, as set forth under the act. There is a rebuttable presumption that delegation of rights shall not be permitted in instances of domestic violence on the part of the family member seeking the delegated visitation rights.

#### ADDITIONAL PROVISIONS

This act specifies certain obligations the nondeploying and deploying parent have toward each other under any order entered. A deploying parent is required to provide a copy of his or her orders to the nondeploying parent promptly and without delay prior to the deployment.

This act prohibits a court from counting any time periods during which the deploying parent did not exercise visitation due to military duties when determining whether a parent failed to exercise such rights. This act also specifies that any absence of a child from the state during a deployment after an order for custody has been entered must be denominated as a temporary absence for the purposes of the Uniform Child Custody Jurisdiction and Enforcement Act.

This act specifies how the court may award attorney's fees and court costs.

This act is substantially similar to SB 731(2012).

#### ADRIANE CROUSE

01/12/2012 Introduced and Read First Time (H) (H71)  
 01/17/2012 Read Second Time (H) (H80)  
 02/07/2012 Referred: Veterans (H) (H250)  
 02/14/2012 Public Hearing Completed (H)  
 02/21/2012 Executive Session Completed (H)  
 02/21/2012 Voted Do Pass (H)  
 02/21/2012 Reported Do Pass (H) (H387)  
 02/21/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/01/2012 Rules - Executive Session Completed (H)  
 03/01/2012 Rules - Voted Do Pass (H)  
 03/01/2012 Rules - Reported Do Pass (H) (H479)  
 03/26/2012 Perfected with Amendments (H) (H711)  
 03/29/2012 Third Read and Passed (H) (H825-826)  
 03/29/2012 S First Read--HB 1296-Davis, et al (S872)  
 04/05/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S633)

EFFECTIVE: August 28, 2012

\*\*\* HB 1300 \*\*\*

HCS HB 1300

5283L.02P

HOUSE HANDLER: Franz

HCS/HB 1300 - Currently, county assessors are required to use the trade-in value published in the October issue of the National Automobile Dealers' Association Official Used Car Guide as the recommended guide for information for determining the value of motor vehicles for personal property tax purposes. This act requires a county assessor to use the lowest trade-in value published in the October issue of one nationally-recognized guide for establishing the value of motor vehicles. This guide will be approved by the State Tax Commission in conjunction with the association representing the majority of assessors in Missouri.

This act is similar to SCS/SB 591 (2012) and HB 955 (2011).

EMILY KALMER

01/12/2012 Introduced and Read First Time (H) (H71)  
 01/17/2012 Read Second Time (H) (H80)  
 01/26/2012 Referred: General Laws (H) (H173)  
 01/31/2012 Public Hearing Completed (H)  
 02/08/2012 Executive Session Completed (H)  
 02/08/2012 HCS Voted Do Pass (H)  
 02/15/2012 HCS Reported Do Pass (H) (H342)  
 02/15/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 02/23/2012 Rules - Executive Session Completed (H)  
 02/23/2012 Rules - Voted Do Pass (H)  
 02/23/2012 Rules - Reported Do Pass (H) (H428)  
 03/19/2012 HCS Adopted (H)  
 03/19/2012 Perfected with Amendments (H) (H604)  
 03/22/2012 Third Read and Passed (H) (H672-673)  
 03/22/2012 S First Read--HCS for HB 1300 (H502)  
 03/29/2012 Second Read and Referred S Transportation Committee (S574)  
 04/04/2012 Hearing Conducted S Transportation Committee

EFFECTIVE: August 28, 2012

\*\*\* HB 1308 \*\*\*

HCS HB 1308

5101L.03P

HOUSE HANDLER: Wells

HCS/HB 1308 - Currently, irrevocable standby letters of credit issued by a federal home loan bank possessing the highest credit rating by at least one nationally recognized rating agency are listed as acceptable collateral for public deposits. This act removes the reference to credit ratings.

This act is similar to SB 635 (2012).

CHRIS HOGERTY

01/12/2012 Introduced and Read First Time (H) (H72)  
 01/17/2012 Read Second Time (H) (H80)  
 01/25/2012 Referred: Financial Institutions (H) (H165)  
 02/01/2012 Public Hearing Completed (H)  
 02/01/2012 Executive Session Completed (H)  
 02/01/2012 HCS Voted Do Pass (H)  
 02/07/2012 HCS Reported Do Pass (H) (H251)  
 02/07/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 02/13/2012 Rules - Executive Session Completed (H)  
 02/13/2012 Rules - Voted Do Pass (H)  
 02/13/2012 Rules - Reported Do Pass (H) (H302)  
 02/22/2012 Taken Up for Perfection (H) (H395)  
 02/22/2012 Laid Over (H)  
 02/22/2012 Taken Up for Perfection (H) (H397)  
 02/22/2012 HCS Adopted (H)  
 02/22/2012 Perfected (H) (H397)  
 02/23/2012 Third Read and Passed (H) (H418)  
 02/23/2012 S First Read--HCS for HB 1308 (S330)  
 03/08/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S435)  
 03/26/2012 Hearing Conducted S Financial and Governmental Organizations and Elections Committee  
 04/02/2012 Voted Do Pass S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2012

\*\*\* HB 1311 \*\*\*

HCS HB 1311

5033H.03P

HOUSE HANDLER: Silvey

HCS/HB 1311 - 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 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 thirty-seven million dollars of new facility investment and create at least thirty new jobs with wages of at least 150 percent of the county average wage 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 five million dollars of new facility investment over a one year period and create at least five new jobs with wages of at least 150 percent of the county average wage over a two 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 is similar to Senate Bill 584 (2012), a provision of Senate Bill 8 (1st Ex. Session), Senate Bill 217 (2011), and Senate Bill 868 (2010).

EMILY KALMER

01/12/2012 Introduced and Read First Time (H) (H72)  
 01/17/2012 Read Second Time (H) (H80)  
 01/19/2012 Referred: Economic Development (H) (H125)  
 01/24/2012 Public Hearing Completed (H)  
 01/24/2012 Executive Session Completed (H)  
 01/24/2012 HCS Voted Do Pass (H)  
 01/26/2012 HCS Reported Do Pass (H) (H174)  
 01/26/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 02/06/2012 Rules - Executive Session Completed (H)  
 02/06/2012 Rules - Voted Do Pass (H)  
 02/06/2012 Rules - Reported Do Pass (H) (H230)  
 02/08/2012 HCS Adopted (H)  
 02/08/2012 Perfected (H) (H262)  
 02/08/2012 Referred: Fiscal Review (H) (H270)  
 02/09/2012 Executive Session Completed (H)  
 02/09/2012 Voted Do Pass (H)  
 02/09/2012 Reported Do Pass (H) (H280)  
 02/09/2012 Third Read and Passed (H) (H280-281)  
 02/09/2012 S First Read--HCS for HB 1311 (S235)  
 03/01/2012 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S385)  
 04/04/2012 Hearing Conducted S Jobs, Economic Development and Local Government Committee

EFFECTIVE: August 28, 2012



HB 1315 - This act specifies that state employees who are or may become members of the United States Coast Guard Auxiliary may be granted a leave of absence while they are performing United States Coast Guard or United States Coast Guard Auxiliary duties. Employees on leave will not lose time, pay or regular leave. They also will not receive impairment of efficiency ratings or any other rights or benefits to which they are otherwise entitled. Leave granted is not to exceed 15 working days in any fiscal year unless the employee is responding to a state or national emergency in Missouri or on a navigable waterway adjacent to the state. Before any salary is paid for the leave period, the employee must file with the appointing authority or supervisory agency evidence of his or her emergency participation.

Employees cannot be discharged from employment or otherwise discriminated against due to being a member or their service in the United States Coast Guard Auxiliary.

This act requires employers with 50 or more employees to grant a leave of absence to employees who are or may become members of the United States Coast Guard Auxiliary and performing duties associated therewith. Such employees on leave will not lose time, regular leave, or any other rights or benefits to which the employee is otherwise entitled. The leave cannot be for more than 15 working days in any calendar year unless the employee is responding to a state or national emergency in Missouri or on a navigable waterway adjacent to the state. The employer is not required to pay a salary to the employee during this leave of absence. Employers have the right to request that an employee be exempted from responding to a specific mission, which must be honored.

The Attorney General is required to enforce this act.

MIKE HAMMANN

01/12/2012 Introduced and Read First Time (H) (H72)  
 01/17/2012 Read Second Time (H) (H80)  
 02/08/2012 Referred: General Laws (H) (H271)  
 03/06/2012 Public Hearing Completed (H)  
 03/08/2012 Executive Session Completed (H)  
 03/08/2012 Voted Do Pass - Consent (H)  
 03/08/2012 Reported Do Pass by Consent (H) (H588)  
 03/08/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/20/2012 Rules - Executive Session Completed (H)  
 03/20/2012 Rules - Voted Do Pass - Consent (H)  
 03/20/2012 Rules - Reported Do Pass Consent (H) (H631)  
 03/27/2012 Perfected by Consent - Pursuant to House Rules (H) (H735)  
 03/28/2012 Third Read and Passed (H) (H773)  
 03/28/2012 S First Read--HB 1315-McCaherty, et al (S541)  
 04/05/2012 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S632)

EFFECTIVE: August 28, 2012

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\*\*\* HB 1317 \*\*\* HCS#2 HB 1317

4789L.03P

HOUSE HANDLER: Riddle

HCS#2/HB 1317 - This act adds the act of recklessly causing seriously physical injury to a child which causes abusive head trauma to the Class C felony of child abuse.

In addition, this act makes child abuse a Class B felony if the person inflicts serious physical injury on a child less than two years of age.

MEGHAN LUECKE

01/17/2012 Introduced and Read First Time (H) (H97)  
 01/18/2012 Read Second Time (H) (H105)  
 01/25/2012 Referred: General Laws (H) (H165)  
 02/07/2012 Public Hearing Completed (H)  
 02/14/2012 Executive Session Completed (H)  
 02/14/2012 HCS Voted Do Pass (H)  
 02/15/2012 HCS Reported Do Pass (H) (H342)  
 02/15/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 02/23/2012 Rules - Executive Session Completed (H)  
 02/23/2012 Rules - Voted to Return to Committee of Origin (H)

02/23/2012 Rules - Returned to the Committee of Origin (H) (H428)  
 02/28/2012 Public Hearing Completed (H)  
 02/28/2012 Executive Session Completed (H)  
 02/28/2012 HCS Voted Do Pass (H)  
 02/29/2012 HCS Reported Do Pass (H) (H458)  
 02/29/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/01/2012 Rules - Executive Session Completed (H)  
 03/01/2012 Rules - Voted Do Pass (H)  
 03/01/2012 Rules - Reported Do Pass (H) (H479)  
 03/06/2012 HCS Adopted (H)  
 03/06/2012 Perfected (H) (H505)  
 03/08/2012 Third Read and Passed (H) (H561-562)  
 03/08/2012 S First Read--HCS#2 for HB 1317 (S436)  
 03/22/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (H503)  
 04/16/2012 Hearing Scheduled S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2012

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\*\*\* HB 1318 \*\*\*

HOUSE HANDLER: Riddle

HB 1318 - This act provides that no state employee, regardless of job classification, who is working in a maximum or medium security mental health facility or any portion of a mental health facility which has maximum or medium security shall be mandated to work more than 12 hours in any 24-hour period unless it is under a state of emergency declared by the Governor.

ADRIANE CROUSE

01/17/2012 Introduced and Read First Time (H) (H97)  
 01/18/2012 Read Second Time (H) (H105)  
 01/26/2012 Referred: General Laws (H) (H173)  
 02/07/2012 Public Hearing Completed (H)  
 02/14/2012 Executive Session Completed (H)  
 02/14/2012 Voted Do Pass (H)  
 02/15/2012 Reported Do Pass (H) (H342)  
 02/15/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 02/23/2012 Rules - Executive Session Completed (H)  
 02/23/2012 Rules - Voted Do Pass (H)  
 02/23/2012 Rules - Reported Do Pass (H) (H428)  
 02/29/2012 Perfected (H)  
 02/29/2012 Referred: Fiscal Review (H)  
 03/01/2012 Executive Session Completed (H)  
 03/01/2012 Voted Do Pass (H)  
 03/01/2012 Reported Do Pass (H) (H466)  
 03/01/2012 Third Read and Passed (H) (H467-468)  
 03/01/2012 S First Read--HB 1318-Riddle, et al (S377)  
 03/08/2012 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S436)

EFFECTIVE: August 28, 2012

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\*\*\* HB 1319 \*\*\*

HCS HB 1319, 1045 &amp; 1369

4792L.04P

HOUSE HANDLER: Riddle

HCS/HBs 1319, 1045 & 1369 - This act reenacts a provision that was rescinded from law by HB 294 (2011). The provision authorizes the use of certain otherwise unlawful weapons if the weapons are being dealt with as curios, ornaments, or keepsakes.

Under current law, a person must be at least 21 years of age to apply for a concealed carry endorsement. This act allows the following types of people who are 18 years of age or older to apply for an endorsement - members of the United States Armed Forces, those honorably discharged from the armed forces, or a member of a military academy or the ROTC. Such persons 18 years of age or older may also transport a concealable firearm in the passenger compartment of a motor vehicle without committing the crime of unlawful use of weapons.

This act allows holders of a concealed carry endorsement to briefly and openly display the firearm to another person unless the display is in an angry or threatening manner and not in self defense.

Under this act, a person who has been adjudged mentally incapacitated or defective or involuntarily committed to a mental institution may petition for a removal of any disqualification on shipping, transporting, receiving, purchasing, possessing, or transferring a firearm imposed by federal or state law. The petition is to be filed in the circuit court in the petitioner's place of residence or where letters of guardianship or other disqualifying order was entered. Prior to issuing a determination, the court must hold a hearing on the matter. The court's decision is appealable, but a person may not file another petition for one year from the date of the court's denial.

The petition process under current law for those adjudged incapacitated or involuntarily committed who wish to purchase, possess, or transfer a firearm is repealed.

Training requirements for concealed carry endorsement applicants were increased in HB 294 (2011). This act adopts a grandfather clause for those who were issued a firearms safety training certificate prior to the date the standards were increased, so these certificate-holders can receive a concealed carry endorsement without having to retake a training course.

Provisions of this act are identical to SB 489 (2012).  
MEGHAN LUECKE

01/17/2012 Introduced and Read First Time (H) (H97)  
01/18/2012 Read Second Time (H) (H105)  
01/25/2012 Referred: General Laws (H) (H166)  
02/21/2012 Public Hearing Completed (H)  
02/21/2012 Executive Session Completed (H)  
02/21/2012 HCS Voted Do Pass (H)  
02/23/2012 HCS Reported Do Pass (H) (H425)  
02/23/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H425)  
03/05/2012 Rules - Executive Session Completed (H)  
03/05/2012 Rules - Voted Do Pass (H)  
03/05/2012 Rules - Reported Do Pass (H) (H496)  
03/07/2012 HCS Adopted (H) (H541)  
03/07/2012 Perfected with Amendments (H) (H541)  
03/08/2012 Third Read and Passed (H) (H577-578)  
03/19/2012 S First Read--HCS for HBs 1319, 1045 & 1369 (S449)  
03/29/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S574)

EFFECTIVE: August 28, 2012

\*\*\* HB 1324 \*\*\*

HCS HB 1324

5193L.04P

HOUSE HANDLER: Loehner

HCS/HB 1324 - The act provides that agriculture is the foundation and stabilizing force of Missouri's economy. Individuals have the right to raise livestock in conformance with state and local laws in effect as of either August 28, 2012, or the start date of their livestock operations, whichever is later.

ERIKA JAQUES

01/17/2012 Introduced and Read First Time (H) (H97)  
01/18/2012 Read Second Time (H) (H105)  
01/19/2012 Referred: Agriculture Policy (H) (H125)  
01/31/2012 Public Hearing Completed (H)  
02/07/2012 Executive Session Completed (H)  
02/07/2012 HCS Voted Do Pass (H)  
02/09/2012 HCS Reported Do Pass (H) (H286)  
02/09/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
02/23/2012 Rules - Executive Session Completed (H)  
02/23/2012 Rules - Voted Do Pass (H)  
02/23/2012 Rules - Reported Do Pass (H) (H428)  
03/21/2012 HCS Adopted (H)  
03/21/2012 Perfected (H) (H651)  
03/22/2012 Third Read and Passed (H) (H670-671)  
03/22/2012 S First Read--HCS for HB 1324 (S502)

03/29/2012 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S574)

04/04/2012 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee

EFFECTIVE: August 28, 2012

\*\*\* HB 1325 \*\*\*

HCS HB 1325

4797L.03P

HOUSE HANDLER: Cox

HCS/HB 1325 - This act allows the Governor to grant an easement to the City of Sedalia to construct a fire station on the property.

This act is similar to SB 578 (2012).

MEGHAN LUECKE

01/17/2012 Introduced and Read First Time (H) (H97)  
 01/18/2012 Read Second Time (H) (H105)  
 01/26/2012 Referred: Local Government (H) (H173)  
 02/15/2012 Public Hearing Completed (H)  
 02/22/2012 Executive Session Completed (H)  
 02/22/2012 Voted Do Pass - Consent (H)  
 02/23/2012 Reported Do Pass by Consent (H) (H426)  
 02/23/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/01/2012 Rules - Executive Session Completed (H)  
 03/01/2012 Rules - Voted to Return to Committee of Origin (H)  
 03/01/2012 Rules - Returned to the Committee of Origin (H) (H479)  
 03/07/2012 HCS Voted Do Pass - Consent (H)  
 03/07/2012 HCS Reported Do Pass by Consent (H) (H549)  
 03/07/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/20/2012 Rules - Executive Session Completed (H)  
 03/20/2012 Rules - Voted Do Pass - Consent (H)  
 03/20/2012 Rules - Reported Do Pass Consent (H) (H631)  
 03/27/2012 Perfected by Consent - Pursuant to House Rules (H) (H735)  
 03/28/2012 Third Read and Passed (H) (H774)  
 03/28/2012 S First Read--HCS for HB 1325 (S542)  
 04/05/2012 Second Read and Referred S General Laws Committee (S632)

EFFECTIVE: August 28, 2012

\*\*\* HB 1326 \*\*\*

4550L.01P

HOUSE HANDLER: Cox

HB 1326 - This act establishes the Business Premises Safety Act. Businesses are prohibited from restricting any person from lawfully possessing a firearm in a motor vehicle, except for vehicles owned or leased by the business. Businesses will not be liable for injuries or damages resulting from compliance with this provision.

This act provides that, generally, businesses will have no duty to guard against the criminal acts of a third party. There are two exceptions where a reasonable duty of care to protect against the acts will be imposed. If the business knows or has reason to know that the acts are occurring or are about to occur on the premises and pose imminent probability of injury to a person, the business has a duty. If the same criminal acts have occurred on the premises within the prior 24 months and it is reasonably foreseeable that they will occur again, the business will have a duty.

In an action for damages against a business, persons injured by the conduct of a third party will have the burden to prove a breach by the business of a duty created under this act. For cases involving past criminal activities, remedial actions by the business will be inadmissible to show negligence or breach of a duty by the business.

This act does not apply to commercial residential operations.

MIKE HAMMANN

01/17/2012 Introduced and Read First Time (H) (H97)  
 01/18/2012 Read Second Time (H) (H105)

01/25/2012 Referred: General Laws (H) (H166)  
 02/21/2012 Public Hearing Completed (H)  
 02/28/2012 Executive Session Completed (H)  
 02/28/2012 Voted Do Pass (H)  
 03/01/2012 Reported Do Pass (H) (H476)  
 03/01/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/08/2012 Rules - Executive Session Completed (H)  
 03/08/2012 Rules - Voted Do Pass (H)  
 03/08/2012 Rules - Reported Do Pass (H) (H591)  
 03/21/2012 Perfected (H) (H647)  
 03/22/2012 Third Read and Passed (H) (H669-670)  
 03/22/2012 S First Read--HB 1326-Cox, et al (S501)  
 03/29/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S574)

EFFECTIVE: August 28, 2012

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\*\*\* HB 1329 \*\*\*

HCS HB 1329

5214L.02P

HOUSE HANDLER: Silvey

SCS/HCS/HB 1329 - This act modifies the process for issuing temporary permits to motor vehicle owners. Under the terms of the act, the director of revenue is authorized to allow others to produce weather resistant, nontearing temporary permits that allow buyers of motor vehicle or trailers to operate such vehicles for a 30 day period. The temporary permit may be purchased by the motor vehicle buyer from the central office or from an authorized agent of the department. A motor vehicle buyer may also purchase a temporary permit from a motor vehicle dealer. The price paid by a registered dealer for a temporary permit shall not exceed \$5.00 per permit (current law sets the amount at \$7.50). The director shall direct motor vehicle dealers and authorized agents to obtain temporary permits from an authorized producer.

Under the act, amounts received by the director for temporary permits shall constitute state revenue while amounts received by an authorized producer shall not constitute state revenue. Amounts received by motor vehicle dealers or authorized agents for temporary permits purchased from an authorized producer shall not constitute state revenue. The act specifically provides that general revenue funds or other state funds shall not be used to compensate motor vehicle dealers and other producers for their role in producing temporary permits. Dealers may not charge more than \$5.00 for each permit it issues (down from \$7.50).

Under the act, each temporary permit issued shall be fastened to the rear of the motor vehicle in a manner and place on the motor vehicle consistent with placement of regular registration plates.

The act allows the director to reissue and extend the use of a temporary permit during the time period a title and registration are being obtained.

Under the terms of the act, upon the issuance of a temporary permit, the director shall make the temporary permit information immediately available to the law enforcement community of the state of Missouri (Section 301.140).

The provisions contained in this act are similar to those contained in SB 818 (2012).

STEPHEN WITTE

01/17/2012 Introduced and Read First Time (H) (H97)  
 01/18/2012 Read Second Time (H) (H105)  
 01/19/2012 Referred: Budget (H) (H125)  
 01/24/2012 Public Hearing Completed (H)  
 01/31/2012 Executive Session Completed (H)  
 01/31/2012 HCS Voted Do Pass (H)  
 02/01/2012 HCS Reported Do Pass (H) (H205)  
 02/01/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 02/06/2012 Rules - Executive Session Completed (H)  
 02/06/2012 Rules - Voted Do Pass (H)  
 02/06/2012 Rules - Reported Do Pass (H) (H230)  
 02/08/2012 HCS Adopted (H) (H264)  
 02/08/2012 Perfected with Amendments (H) (H264)  
 02/09/2012 Third Read and Passed (H) (H281-282)  
 02/09/2012 S First Read--HCS for HB 1329 (S235)

03/01/2012 Second Read and Referred S Small Business, Insurance and Industry Committee (S385)  
 03/27/2012 Hearing Conducted S Small Business, Insurance and Industry Committee  
 04/03/2012 SCS Voted Do Pass S Small Business, Insurance and Industry Committee - 5214S.04C

EFFECTIVE: August 28, 2012

\*\*\* HB 1331 \*\*\*

5027L.01P

HOUSE HANDLER: Jones

SCS/HB 1331 - Currently when employees transfer between the Missouri State Employees' Retirement System and the Missouri Department of Transportation and Highway Patrol Employees' Retirement System, the value of the employees' accrued benefits are transferred as well. This act will change the computation of accrued benefits to exclude amounts for previously transferred service not subject to asset transfer. Any prior payments already made that should have been excluded must be returned.

Members of the General Assembly and statewide elected officials, who first take office on or after January 1, 2013, will no longer have retirement benefits determined based on a different formula than other state employees who are under the year 2000 plan.

Currently, employees hired after January 1, 2011, and covered under the Missouri State Employees' Retirement System must contribute four percent of their salary into the system. If a member leaves the system before becoming eligible for normal retirement, their contributions are refunded with interest of four percent per year. This act changes the interest rate so that it is equal to the investment rate for the fifty-two week treasury bills issued by the United States Department of Treasury.

Currently, the beneficiary of any MOSERS member who made contributions into the MOSERS system will upon the member's death receive a refund of the contribution less any retirement benefits received by the member. This act will include the interest credited to the member's contributions in the refund. Interest credited to the contributions will cease upon retirement or death.

This act contains the perfected version of SS/SB 492 and language from SCS/SB 625.

MIKE HAMMANN

01/17/2012 Introduced and Read First Time (H) (H97)  
 01/18/2012 Read Second Time (H) (H105)  
 01/25/2012 Referred: Retirement (H) (H166)  
 02/13/2012 Public Hearing Completed (H)  
 02/13/2012 Executive Session Completed (H)  
 02/13/2012 Voted Do Pass (H)  
 02/23/2012 Reported Do Pass (H) (H427)  
 02/23/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/01/2012 Rules - Executive Session Completed (H)  
 03/01/2012 Rules - Voted Do Pass (H)  
 03/01/2012 Rules - Reported Do Pass (H) (H479)  
 03/06/2012 Perfected (H) (H514)  
 03/08/2012 Third Read and Passed (H) (H569)  
 03/08/2012 S First Read--HB 1331-Jones (117), et al (S438-439)  
 03/22/2012 Second Read and Referred S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee (H503)  
 04/05/2012 Hearing Conducted S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee  
 04/12/2012 SCS Voted Do Pass S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee - 5027S.02C

EFFECTIVE: August 28, 2012

\*\*\* HB 1337 \*\*\*

5217L.01P

HOUSE HANDLER: Stream

HB 1337 – Beginning in school year 2014-2015, a student cannot receive a certificate of graduation from a public or private school unless he or she has satisfactorily passed a course in cardiopulmonary resuscitation.

Beginning in school year 2014-2015, schools serving grades nine through twelve must provide their

students instruction in cardiopulmonary resuscitation, as described in the act.

A teacher of the cardiopulmonary resuscitation course does not need be a certified trainer if the instruction is not designed to result in certification of students. Instruction that is designed to result in certification must be taught by an authorized cardiopulmonary instructor.

MICHAEL RUFF

01/17/2012 Introduced and Read First Time (H) (H97)  
 01/18/2012 Read Second Time (H) (H105)  
 01/25/2012 Referred: Elementary and Secondary Education (H) (H166)  
 02/15/2012 Re-referred to Committee (H)  
 02/15/2012 Referred: Health Care Policy (H) (H342)  
 02/22/2012 Public Hearing Completed (H)  
 02/22/2012 Executive Session Completed (H)  
 02/22/2012 Voted Do Pass - Consent (H)  
 02/22/2012 Reported Do Pass by Consent (H) (H406)  
 02/22/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/01/2012 Rules - Executive Session Completed (H)  
 03/01/2012 Rules - Voted Do Pass - Consent (H)  
 03/01/2012 Rules - Reported Do Pass Consent (H) (H479)  
 03/19/2012 Perfected by Consent - Pursuant to House Rules (H) (H607)  
 03/28/2012 Third Read and Passed (H) (H753)  
 03/28/2012 S First Read--HB 1337-Stream (S537)  
 04/05/2012 Second Read and Referred S Education Committee (S631)

EFFECTIVE: August 28, 2012

\*\*\* HB 1340 \*\*\*

HCS HB 1340

5188L.02P

HOUSE HANDLER: Dugger

HCS/HB 1340 - This act allows a county commission to appoint an interim county official to the offices of county clerk, auditor, or assessor when a vacancy occurs. The interim appointee serves until the Governor appoints a successor.

MEGHAN LUECKE

01/17/2012 Introduced and Read First Time (H) (H97)  
 01/18/2012 Read Second Time (H) (H105)  
 02/01/2012 Referred: Elections (H) (H204)  
 02/07/2012 Public Hearing Completed (H)  
 02/14/2012 Executive Session Completed (H)  
 02/14/2012 HCS Voted Do Pass - Consent (H)  
 02/14/2012 HCS Reported Do Pass by Consent (H) (H319)  
 02/14/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 02/23/2012 Rules - Executive Session Completed (H)  
 02/23/2012 Rules - Voted Do Pass - Consent (H)  
 02/23/2012 Rules - Reported Do Pass Consent (H) (H428)  
 03/06/2012 Perfected by Consent - Pursuant to House Rules (H) (H518)  
 03/08/2012 Third Read and Passed (H) (H584)  
 03/19/2012 S First Read--HCS for HB 1340 (S447)  
 03/22/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (H503)  
 04/02/2012 Hearing Conducted S Financial and Governmental Organizations and Elections Committee  
 04/10/2012 Voted Do Pass S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2012

\*\*\* HB 1341 \*\*\*

5277L.01P

HOUSE HANDLER: Dugger

HB 1341 - Under current law, a customer of an electric company is not eligible to receive a monetary incentive offered by the company for an energy efficiency program if the customer has received a tax credit for low-income housing or historic preservation. The act makes an exception to this restriction for low-income programs and their participants.

This act is similar to SB 753 (2012).

ERIKA JAQUES

01/17/2012 Introduced and Read First Time (H) (H97)  
 01/18/2012 Read Second Time (H) (H105)  
 02/01/2012 Referred: Utilities (H) (H204)  
 02/07/2012 Public Hearing Completed (H)  
 02/07/2012 Executive Session Completed (H)  
 02/07/2012 Voted Do Pass (H)  
 02/14/2012 Executive Session Completed (H)  
 02/14/2012 Voted Do Pass - Consent (H)  
 02/15/2012 Reported Do Pass by Consent (H) (H343)  
 02/15/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 02/23/2012 Rules - Executive Session Completed (H)  
 02/23/2012 Rules - Voted Do Pass (H)  
 02/28/2012 Rules - Executive Session Completed (H)  
 02/28/2012 Rules - Bill Reconsidered  
 02/28/2012 Rules - Voted Do Pass - Consent (H)  
 02/28/2012 Rules - Reported Do Pass Consent (H) (H448)  
 03/26/2012 Perfected by Consent - Pursuant to House Rules (H) (H713)  
 03/28/2012 Third Read and Passed (H) (H760)  
 03/28/2012 S First Read--HB 1341-Dugger, et al (S538-539)  
 04/05/2012 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment  
 Committee (S632)

EFFECTIVE: August 28, 2012

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\*\*\* HB 1345 \*\*\*

4493L.01P

HOUSE HANDLER: Cauthorn

HB 1345 - This act allows the Secretary of State to enter into agreements with nonprofit organizations to print and distribute copies of the Blue Book.

CHRIS HOGERTY

01/18/2012 Introduced and Read First Time (H) (H113)  
 01/19/2012 Read Second Time (H) (H125)  
 02/02/2012 Referred: Transportation Funding & Public Institutions (H216)  
 02/14/2012 Public Hearing Completed (H)  
 02/21/2012 Executive Session Completed (H)  
 02/21/2012 Voted Do Pass - Consent (H)  
 02/21/2012 Reported Do Pass by Consent (H) (H386)  
 02/21/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/20/2012 Rules - Executive Session Completed (H)  
 03/20/2012 Rules - Voted Do Pass - Consent (H)  
 03/20/2012 Rules - Reported Do Pass Consent (H) (H631)  
 03/27/2012 Perfected by Consent - Pursuant to House Rules (H) (H735)  
 03/28/2012 Third Read and Passed (H) (H775)  
 03/28/2012 S First Read--HB 1345-Cauthorn, et al (S542)  
 04/05/2012 Second Read and Referred S General Laws Committee (S632)

EFFECTIVE: August 28, 2012

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\*\*\* HB 1347 \*\*\*

5336L.01P

HOUSE HANDLER: Franz

HB 1347 - The Commissioner of the Office of Administration shall give a 5 point bid preference on bids for products and services manufactured, produced, or assembled by a qualified veteran-owned business headquartered in Missouri.

This act is identical to HB 442 (2011).

CHRIS HOGERTY

01/18/2012 Introduced and Read First Time (H) (H113)  
 01/19/2012 Read Second Time (H) (H125)



01/26/2012 Referred: Veterans (H) (H173)  
 02/07/2012 Public Hearing Completed (H)  
 02/07/2012 Executive Session Completed (H)  
 02/07/2012 Voted Do Pass - Consent (H)  
 02/07/2012 Reported Do Pass by Consent (H) (H252)  
 02/07/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 02/13/2012 Rules - Executive Session Completed (H)  
 02/13/2012 Rules - Voted Do Pass - Consent (H)  
 02/13/2012 Rules - Reported Do Pass Consent (H) (H302)  
 02/20/2012 Perfected by Consent (H) (H376)  
 02/22/2012 Third Read and Passed (H) (H403)  
 02/23/2012 S First Read--HB 1347-Franz (S328)  
 03/08/2012 Second Read and Referred S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs  
 Committee (S435)

EFFECTIVE: August 28, 2012

\*\*\* HB 1349 \*\*\*

5081L.01P

HOUSE HANDLER: Jones

HB 1349 - Currently, a Missouri bank or trust company is authorized to transfer fiduciary obligations consisting only of irrevocable life insurance trusts to the Missouri trust office of an out-of-state bank with trust powers or an out-of-state trust company. This act allows a bank or trust company created under the laws of this or any other state or national bank with authorized trust authority to transfer those obligations to any bank or trust company with authorized trust authority.

MIKE HAMMANN

01/18/2012 Introduced and Read First Time (H) (H113)  
 01/19/2012 Read Second Time (H) (H125)  
 01/25/2012 Referred: Financial Institutions (H) (H166)  
 02/01/2012 Public Hearing Completed (H)  
 02/01/2012 Executive Session Completed (H)  
 02/01/2012 Voted Do Pass (H)  
 02/07/2012 Reported Do Pass (H) (H251)  
 02/07/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 02/13/2012 Rules - Executive Session Completed (H)  
 02/13/2012 Rules - Voted Do Pass (H)  
 02/13/2012 Rules - Reported Do Pass (H) (H302)  
 02/27/2012 Perfected with Amendments (H) (H436)  
 03/05/2012 Third Read and Passed (H) (H491-492)  
 03/05/2012 S First Read--HB 1349-Jones (117), et al (S395)  
 03/08/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S436)

EFFECTIVE: August 28, 2012

\*\*\* HB 1361 \*\*\*

HCS HB 1361

5285L.02P

HOUSE HANDLER: Pollock

HCS/HB 1361 - The act allows telecommunications providers, broadband service providers, and rural electric cooperatives to enter into written agreements to attach equipment to other telecommunications providers' or rural electric cooperatives' poles for the purpose of deploying electric smart grid or broadband technology. The act does not confer any additional authority or duty to the Public Service Commission to regulate pole attachments. Certain provisions of the act also apply to cable television providers and other transmitters of information not capable of providing broadband service except the laws in effect as of August 28, 2012, shall continue to govern with regard to easements with these entities.

Under the act, a service provider wishing to attach equipment to another provider's pole must give prior notice to the pole owner and the pole owner has 15 business days in which to respond. The 15-day timeframe does not apply when the pole owner is engaged in large-scale emergency repairs or disaster recovery. The pole owner must let the attaching service provider know whether any modifications are necessary to the pole before the attachment can be made, in accordance with applicable safety and reliability codes.

The service provider attaching equipment to another's pole is responsible for any damages caused by the attachment and must pay the reasonable costs of any necessary repairs to ensure the safety and reliability of the pole owner's system is not affected. A pole owner may charge a penalty and retroactive pole attachment fees to anyone who attaches equipment to any of its poles without having given the required prior notice. The penalty amount can be set by the parties involved, or in the case of disagreement, the penalty is 25% of the pole attachment fee for up to 12 months.

Pole owners may charge reasonable fees for attaching equipment to their poles. The fee can be agreed upon by the parties involved but must be set on a per-pole basis and should not exceed the reasonable costs to the pole owner. Existing contracts for pole attachments are not affected by the act but after they expire, any new contract must comply with the act's requirements and the new pole attachment fee may not exceed the old pole attachment fee by more than 10% per year except in certain circumstances when the old fee was determined to be too low.

When the parties cannot agree on a pole attachment fee, they may request mediation. If mediation does not resolve the matter, the pole owner sets the fee and the other party may file a petition in circuit court.

The act provides procedures for a pole owner for collecting past-due pole attachment fees that it believes are owed. If a pole owner prevails in a court action to recover past-due fees, it may be awarded past-due attachment fees, interest and penalties, and reasonable attorney fees.

The act provides that for any easement or right-of-way interest acquired by a pole owner before August 28, 2006, for the location of its poles, the pole owner does not have to get permission or otherwise seek approval from the easement holder for any attachments to the pole, unless the easement or contract specifically requires otherwise. This provision does not apply to cable service providers.

Property owners may seek reasonable compensation for any decrease in the use or value of their property caused by pole attachments. Additionally, property owners may request from a rural electric cooperative pole owner a one-time compensation payment of \$500 per mile for the distance the attached line crosses their land. Any such payment must be at least \$100 per parcel and is only applicable in certain circumstances as specified in the act.

The act does not limit a property owner's right to compensation for damages as relating to pole attachments under the act.

The act includes a non-severability clause.

The act is similar to SB 891 (2012).

#### ERIKA JAQUES

01/18/2012 Introduced and Read First Time (H) (H114)  
 01/19/2012 Read Second Time (H) (H125)  
 01/25/2012 Referred: Utilities (H) (H166)  
 01/31/2012 Public Hearing Completed (H)  
 02/14/2012 Executive Session Completed (H)  
 02/14/2012 HCS Voted Do Pass (H)  
 02/14/2012 HCS Reported Do Pass (H) (H319)  
 02/14/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/01/2012 Rules - Executive Session Completed (H)  
 03/01/2012 Rules - Voted Do Pass (H)  
 03/01/2012 Rules - Reported Do Pass (H) (H479)  
 03/27/2012 Taken Up for Perfection (H) (H724)  
 03/27/2012 Laid Over (H) (H735)  
 04/03/2012 Taken Up for Perfection (H) (H890)  
 04/03/2012 HCS Adopted (H)  
 04/03/2012 Perfected with Amendments (H) (H892)  
 04/05/2012 Third read and passed (H) (H955-956)  
 04/05/2012 S First Read--HCS for HB 1361 (S635)  
 04/12/2012 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee  
 04/17/2012 Hearing Scheduled S Commerce, Consumer Protection, Energy and the Environment Committee

EFFECTIVE: August 28, 2012

\*\*\* HB 1363 \*\*\*

HCS HB 1363

4395H.03P

HOUSE HANDLER: Schieffer

HCS/HB 1363 - The act requires the State Fair Commission to permit livestock breeders and qualifying 4-H and Future Farmers of America (FFA) members to exhibit livestock at the Missouri State Fair. The act also requires the governing bodies of any national, state, or local fair, exposition or pet show at which livestock or domestic animals are exhibited, to permit livestock breeders, pet owners, and qualifying 4-H and FFA members to exhibit their animals. The act gives authority to the State Fair Commission and governing bodies of fairs, expositions, or pet shows to establish rules and fees for their events.

ERIKA JAQUES

01/18/2012 Introduced and Read First Time (H) (H114)  
 01/19/2012 Read Second Time (H) (H125)  
 02/07/2012 Referred: Agriculture Policy (H) (H250)  
 02/21/2012 Public Hearing Completed (H)  
 02/28/2012 Executive Session Completed (H)  
 02/28/2012 HCS Voted Do Pass - Consent (H)  
 02/28/2012 HCS Reported Do Pass by Consent (H) (H446)  
 02/28/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/20/2012 Rules - Executive Session Completed (H)  
 03/20/2012 Rules - Voted Do Pass - Consent (H)  
 03/20/2012 Rules - Reported Do Pass Consent (H) (H631)  
 03/27/2012 Perfected by Consent - Pursuant to House Rules (H) (H735)  
 03/28/2012 Third Read and Passed (H) (H776)  
 03/28/2012 S First Read--HCS for HB 1363 (S542)  
 04/05/2012 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S632)

EFFECTIVE: August 28, 2012

\*\*\* HB 1373 \*\*\*

HCS HB 1373

4156L.02P

HOUSE HANDLER: Asbury

HCS/HB 1373 - This act allows and establishes procedures for counties to decrease their annual budgets no more than twice each fiscal year when faced with unanticipated funding of two percent or greater.

The budget reduction may not affect any one independently affected officeholder unless all officeholders who receive funds from the same budget category have negotiated ways to cover the shortfall. Also, the reductions may not impact any dedicated fund created by law.

This act causes the statute, which allows a county to amend the annual budget when it receives additional refunds or when it experiences a decline in funds, to expire on July 1, 2015.

Charter counties may follow procedures in their charters for amending their budgets rather than the provisions of this act.

This act is similar to provisions of SCS/SB 692 (2012), HCS/SS/SCS/SB 580 (2010), and HB 1793 (2010).

MEGHAN LUECKE

01/19/2012 Introduced and Read First Time (H) (H126)  
 01/23/2012 Read Second Time (H) (H139)  
 01/25/2012 Referred: Local Government (H) (H166)  
 02/01/2012 Public Hearing Completed (H)  
 02/08/2012 Executive Session Completed (H)  
 02/08/2012 HCS Voted Do Pass (H)  
 02/22/2012 Executive Session Completed (H)  
 02/22/2012 HCS Voted Do Pass - Consent (H)  
 02/23/2012 HCS Reported Do Pass by Consent (H) (H426)  
 02/23/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/01/2012 Rules - Executive Session Completed (H)  
 03/01/2012 Rules - Voted Do Pass - Consent (H)  
 03/01/2012 Rules - Reported Do Pass Consent (H) (H479)

03/19/2012 Perfected by Consent - Pursuant to House Rules (H) (H607)  
 03/28/2012 Third Read and Passed (H) (H754)  
 03/28/2012 S First Read--HCS for HB 1373 (S537)  
 04/05/2012 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S631)

EFFECTIVE: August 28, 2012

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\*\*\* HB 1383 \*\*\* HCS HB 1383

5279L.04P

HOUSE HANDLER: Cox

HCS/HB 1383 - This act requires state departments and divisions that accept federal grants of over one million dollars to post information relating to the grant on the Missouri accountability portal, including the amount, origin, and purpose of the grant; any amount being transferred to another department or division; the purpose for such transfer; and how secondary recipient used the funds and the impact of that use.

Departments and divisions receiving federal grants are required to notify the Office of Administration of whether such funds may be used for the alternatives to abortion services program or the alternatives to abortion services program.

The Governor shall submit a daily report stating the amounts withheld from the state operating budget to be posted on the portal.

This act is similar to SB 272 (2011) and SS/SCS/SB 467 (2012).

This act contains an emergency clause.

CHRIS HOGERTY

01/19/2012 Introduced and Read First Time (H) (H126)  
 01/23/2012 Read Second Time (H) (H139)  
 02/01/2012 Refer: Spec Stand Com Government Oversight & Accountability (H204)  
 02/13/2012 Public Hearing Completed (H)  
 03/05/2012 Executive Session Completed (H)  
 03/05/2012 HCS Voted Do Pass (H)  
 03/19/2012 HCS Reported Do Pass (H) (H607)  
 03/19/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/29/2012 Rules - Executive Session Completed (H)  
 03/29/2012 Rules - Voted Do Pass (H)  
 03/29/2012 Rules - Reported Do Pass (H) (H849)  
 04/11/2012 HCS Adopted (H)  
 04/11/2012 Perfected with Amendments (H)  
 04/12/2012 Third read and passed (H)  
 04/12/2012 Emergency Clause Defeated (H)  
 04/12/2012 S First Read--HCS for HB 1383

EFFECTIVE: Emergency Clause

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\*\*\* HB 1395 \*\*\* HCS HB 1395

4644H.04P

HOUSE HANDLER: Korman

HCS/HB 1395 - SECTIONS 59.319 to 60.620 - LAND SURVEY PROGRAM - Under current law, \$1 of a \$4 fee collected by county recorders is remitted to the state for purposes of administering state land survey duties by the Department of Natural Resources. The act creates the Missouri Land Survey Fund and directs the fee revenue into this fund. No more than 10% of this fee revenue may be used for state and department administrative cost allocation.

The act changes the name of the state land survey authority to the land survey program and updates statutory references in numerous places.

The act modifies several of the land survey duties of the Department of Natural Resources. It directs the department to provide the framework for all geodetic positioning activities in the state. Under current law, the department's regulations for land surveyors are advisory in nature. The act removes the advisory nature of the department's regulations, making the department's regulations enforceable.

The act changes the name of the Land Survey Advisory Committee to the Land Survey Commission and increases the membership on the Commission from 5 to 7. It limits members to three consecutive terms. The act adds a few additional duties to the Commission: providing recommendations on the operation of the land survey program and the selection of the state land surveyor. It also requires the Attorney General to advise the Commission upon its request and represent the Commission in legal proceedings.

The act allows revenue from sales of the department's surveying information to be deposited in the Department of Natural Resources Revolving Services Fund and expands what the Fund may be used for, which includes computer hardware and software and personnel related to retail services provided by the land survey program to the public.

These sections are similar to SB 814 (2012) and sections in SB 889 (2012).

#### SECTION 640.100 - SAFE DRINKING WATER

Under current law, the authority expires on September 1, 2012 for the Department of Natural Resources to impose an annual per customer fee for connections to a public water system. This act extends the expiration date to September 1, 2017.

This section is identical to HB 1251 (2012) and the same section in SB 889 (2012).

ERIKA JAQUES

01/19/2012 Introduced and Read First Time (H) (H127)  
 01/23/2012 Read Second Time (H) (H139)  
 02/01/2012 Referred: General Laws (H) (H204)  
 02/14/2012 Public Hearing Completed (H)  
 02/28/2012 Executive Session Completed (H)  
 02/28/2012 HCS Voted Do Pass (H)  
 03/01/2012 HCS Reported Do Pass (H) (H476)  
 03/01/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/08/2012 Rules - Executive Session Completed (H)  
 03/08/2012 Rules - Voted Do Pass (H)  
 03/08/2012 Rules - Reported Do Pass (H) (H591)  
 03/27/2012 Taken Up for Perfection (H)  
 03/27/2012 Laid Over (H) (H723)  
 03/27/2012 Taken Up for Perfection (H)  
 03/27/2012 HCS Adopted (H)  
 03/27/2012 Perfected with Amendments (H) (H725)  
 03/29/2012 Third Read and Passed (H) (H828-829)  
 03/29/2012 S First Read--HCS for HB 1395 (S573)  
 04/05/2012 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S633)

EFFECTIVE: August 28, 2012

\*\*\* HB 1400 \*\*\*

HCS HB 1400

4238H.03P

HOUSE HANDLER: Richardson

SCS/HCS/HB 1400 - Currently, political subdivisions and public entities can invest funds not immediately needed in certificates of deposit. The act allows such entities to invest the funds in any deposit account.

The Division of Finance is required to establish an internal policy to ensure the professional conduct of Division employees who participate in examinations or who make determinations about the operations of persons or entities under the Division's jurisdiction. The policy shall include procedures to mitigate conflicts of interest.

The act allows disclosure of facts and information obtained in the course of the Division's examinations and investigations when undergoing a state audit when the Director of Finance has entered an agreement of confidentiality with the State Auditor. Such agreement shall provide for the redaction of certain information including nonpublic personal or proprietary commercial and financial information, trade secrets, information that could prejudice the performance or security of the Division, information protected under any recognized privilege, and identifying bank information.

Currently, security interests in property subject to certain federal or state filing requirements can only be perfected by following such requirements. There is an exception for property held as inventory by a person in the business of selling or leasing goods of that kind. This act removes persons in the business of leasing goods of that kind from the exception.

The following provisions of this act relate to mortgage loan brokers making loans on manufactured homes or modular units. The restriction against charging points or fees on residential real estate loans shall no longer apply to these individuals. Missouri licensed residential mortgage loan brokers with 75% or more of their gross income in Missouri coming from loans secured by manufactured homes or modular units will not be required to maintain an office in the state. They still must obtain a certificate of authority from the Secretary of State and file an irrevocable consent to Missouri venue for actions brought against them. The Division of Finance may assess reasonable costs for certain investigations against mortgage loan brokers conducting business but not having an office in the state.

The act contains an emergency clause.

This act is similar to SB 890 (2012), HB 1309 (2012), and SB 726 (2012).

MIKE HAMMANN

01/19/2012 Introduced and Read First Time (H) (H128)  
 01/23/2012 Read Second Time (H) (H139)  
 02/02/2012 Referred: Financial Institutions (H) (H217)  
 02/08/2012 Public Hearing Completed (H)  
 02/20/2012 Executive Session Completed (H)  
 02/20/2012 HCS Voted Do Pass (H)  
 02/21/2012 HCS Reported Do Pass (H) (H386)  
 02/21/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/01/2012 Rules - Executive Session Completed (H)  
 03/01/2012 Rules - Voted Do Pass (H)  
 03/01/2012 Rules - Reported Do Pass (H) (H479)  
 03/21/2012 HCS Adopted (H)  
 03/21/2012 Perfected (H) (H657)  
 03/22/2012 Third Read and Passed (H) (H673-674)  
 03/22/2012 S First Read--HCS for HB 1400 (H502)  
 03/29/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S574)  
 04/02/2012 Hearing Conducted S Financial and Governmental Organizations and Elections Committee  
 04/10/2012 SCS Voted Do Pass S Financial and Governmental Organizations and Elections Committee - 4238S.05C

EFFECTIVE: Emergency Clause

\*\*\* HB 1402 \*\*\*

HCS HB 1402

4948L.03P

HOUSE HANDLER: Burlison

HCS/HB 1402 - This act modifies provisions relating to the regulation of household goods movers. The provisions relating to household goods carriers are similar to the ones contained in the perfected version of SB 470 (2012) and the truly agreed to version of CCS/SS/SCS/HCS/HB 430 (2011) and in SB 58 (2011). The act also contains provisions which are similar to the ones contained in SB 656 (2012) regarding the use of public streets by commercial motor vehicles.

HOUSEHOLD GOODS CARRIERS - 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 carriers 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, 2012, 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).

Beginning August 28, 2012, 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).

Under this act, the state highways and transportation commission is authorized to enter into interagency agreements with the Regional Taxicab Commission to deal with any public safety issues that may arise as a result of the act's deregulation provisions (Sections 390.051 and 390.061).

**USE OF PUBLIC STREETS BY COMMERCIAL MOTOR VEHICLES** - 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. This provision is contained in SB 656 (Section 304.120).

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 portion of the act is identical to SB 656 (2012) and SB 277 (2011)(Section 537.293).

STEPHEN WITTE

01/19/2012 Introduced and Read First Time (H) (H128)  
 01/23/2012 Read Second Time (H) (H139)  
 01/25/2012 Referred: Transportation (H) (H166)  
 01/31/2012 Public Hearing Completed (H)  
 02/07/2012 Executive Session Completed (H)  
 02/07/2012 HCS Voted Do Pass (H)  
 02/21/2012 Committee Vote to Reconsider (H)  
 03/01/2012 Executive Session Completed (H)  
 03/01/2012 HCS Voted Do Pass (H)  
 03/01/2012 HCS Reported Do Pass (H) (H478)  
 03/01/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/22/2012 Rules - Executive Session Completed (H)  
 03/22/2012 Rules - Voted Do Pass (H)  
 03/22/2012 Rules - Reported Do Pass (H) (H691)  
 03/27/2012 HCS Adopted (H)  
 03/27/2012 Perfected with Amendments (H) (H729)  
 03/29/2012 Third Read and Passed (H) (H835)  
 03/29/2012 S First Read--HCS for HB 1402 (S574)  
 04/05/2012 Second Read and Referred S Transportation Committee (S634)  
 04/18/2012 Hearing Scheduled S Transportation Committee

EFFECTIVE: August 28, 2012

\*\*\* HB 1403 \*\*\*

5100L.02P

HOUSE HANDLER: Schatz

HB 1403 Schatz, Dave Jones, Timothy et al

P E R F E C T E D

HB 1403 -- WORKERS' COMPENSATION AND THE SECOND INJURY FUND (Schatz)

COMMITTEE OF ORIGIN: Committee on Workforce Development and Workplace Safety

This bill changes the laws regarding workers' compensation and the Second Injury Fund. In its main provisions, the bill:

- (1) Specifies that every employer who is subject to the workers' compensation provisions of Chapter 287, RSMo, must be liable to furnish compensation for the personal injury or death of an employee by occupational disease arising out of and in the course of the employee's employment and that an occupational disease is exclusively covered under workers' compensation laws;
- (2) Specifies that an employee will not be liable for a co-employee's workplace injury or death for which compensation is recoverable under the workers' compensation laws, except that an employee will not be released from liability for injury or death if the employee engaged in an affirmative negligent act that purposefully and dangerously caused or increased the risk of injury;
- (3) Suspends workers' compensation benefits to an incarcerated individual and requires that an employee must be entitled to legally work in the United States to receive benefits;
- (4) 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, but prohibits payment of transportation expenses for a greater distance than 250 miles each way from the place of treatment;
- (5) Eliminates the current \$40 per week benefit paid out of the fund to an injured employee who is receiving physical rehabilitation;
- (6) Requires an employee to submit to appropriate vocational testing and a vocational rehabilitation assessment scheduled by the Attorney General on behalf of the fund if the employer has not obtained a vocational rehabilitation assessment. An employee must also submit to a reasonable medical examination at the request of the Attorney General on behalf of the fund;
- (7) Specifies that when a third person is liable to an employee or a dependent of an employee when there is a finding that an occupational disease was caused by toxic exposure as defined in the bill and the employee or dependents were compensated under Chapter 287, the employer will not be subrogated to the rights of the



employee or the dependents against the third person when the employer caused the occupational disease;

(8) Changes the interest rate paid on delinquent benefit payments from 10% per year to a rate set by the Director of the Department of Revenue equal to the adjusted prime rate charged by banks;

(9) Eliminates a claim for permanent partial disability against the fund after the effective date of the bill and specifies that a claim for permanent total disability will only be allowed after the effective date for instances when:

(a) There exists a medically documented preexisting permanent disability caused by military duty or a preexisting permanent partial disability;

(b) The preexisting disability equals a minimum of 50 weeks of compensation according to the medical standards that are used in determining the compensation; and

(c) Subsequent work-related injury occurs and, when combined with the elements of the prior injury, results in permanent total disability;

(10) Specifies that the employer at the time of the last work-related injury is only liable for the disability resulting from that injury;

(11) Limits when the State Treasurer may enter into agreed statements of fact and compromise settlements that would affect the fund. A settlement is capped at \$60,000 for a claim other than a permanent total disability claim filed prior to the effective date of the bill and capped at 200 times the employee's permanent total disability rate as of the date of the injury for a permanent total disability claim. The State Treasurer, with the advice and consent of the Attorney General and with the express authorization of a majority of the Second Injury Fund Commission, may enter into a compromise settlement in any amount;

(12) Allows the State Treasurer, with the advice and consent of the Attorney General and the express authorization of a majority of the Second Injury Fund Commission, to enter into compromise settlements with dependents of claimants arising from Missouri Supreme Court's decision in *Schoemehl v. Treasurer of Missouri*, 217 S.W.3d 900 (Mo. 2007);

(13) Eliminates a payment from the fund relating to the death and injury of an employee of an uninsured employer after the effective date of the bill;

(14) Requires a yearly actuarial study of the fund with the first one to be completed by July 1, 2013.

Currently, the actuarial study is required every three years;

(15) Specifies that no compensation will be payable from the fund if an employee elects to pursue workers' compensation claims under the laws of another state which has jurisdiction;

(16) Suspends the life payments paid out of the fund to an injured employee when the employee is able to obtain suitable gainful employment or to be self-employed in view of the nature and severity of the injury and allows the Director of the Division of Workers' Compensation within the Department of Labor and Industrial Relations to suspend the life payments paid out of the fund to any injured employee when the employee becomes eligible to receive Social Security benefits. The combined sum of the amount of monthly payments from the fund and the monthly Social Security benefits cannot be less than the monthly life payments from the fund the employee has been receiving;

(17) Establishes a priority for paying any liabilities of the fund as follows:

(a) Expenses relating to the legal defense of the fund;

(b) Permanent total disability awards in the order in which the claims are settled or finally adjudicated;

(c) Permanent partial disability awards in the order in which the claims are settled or finally adjudicated;

(d) Medical expenses incurred prior to July 1, 2011; and

(e) Interest on unpaid awards;

(18) Changes the provisions regarding the calculation of the costs of administering the workers' compensation provisions. Currently, a 2% tax is levied on insurance carriers when the balance of the Workers' Compensation Fund estimated to be on hand on December 31 is less than 110% of the previous year's expenses. The bill requires that amount actually to be on hand on July 1 of the year of the determination and the determination is to be made on October 31;

(19) Repeals a provision allowing a loan to be made to the Missouri Employers Mutual Insurance Company;

(20) Establishes a supplemental surcharge on employers not to exceed 1.5% to financially maintain the fund when the Director of the Division of Workers' Compensation determines that usual collections are inadequate. If funds continue to fall short, the Second Injury Fund Commission must determine the shortfall to be collected with an additional supplemental surcharge not to exceed 1.5%. These provisions expire December 31, 2019; and

(21) Establishes the Second Injury Fund Commission composed of the Governor, Attorney General, President Pro Tem of the Senate, and Speaker of the House of Representatives to review and annually establish the surcharge amount.

The provisions which establish the type of claims to be paid out of the fund, limitations on settlement agreements, and allowable interest under workers' compensation laws contain an emergency clause.

FISCAL NOTE: Estimated Net Cost on General Revenue Fund of Less than \$848,870 in FY 2013, FY 2014, and FY 2015. Estimated Net Effect on Other State Funds of a cost of Unknown to an income of More than \$100,000 in FY 2013, FY 2014, and FY 2015.

01/19/2012 Introduced and Read First Time (H) (H128)  
 01/23/2012 Read Second Time (H) (H139)  
 02/01/2012 Referred: Workforce Development & Workplace Safety (H) (H204)  
 02/13/2012 Public Hearing Continued (H)  
 02/20/2012 Public Hearing Continued (H)  
 02/27/2012 Public Hearing Completed (H)  
 03/05/2012 Executive Session Completed (H)  
 03/05/2012 Voted Do Pass (H)  
 03/06/2012 Reported Do Pass (H) (H518)  
 03/06/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/08/2012 Rules - Executive Session Completed (H)  
 03/08/2012 Rules - Voted Do Pass (H)  
 03/08/2012 Rules - Reported Do Pass (H) (H591)  
 04/03/2012 Perfected with Amendments (H) (H882)  
 04/04/2012 Referred: Fiscal Review (H) (H941)  
 04/05/2012 Executive Session Completed (H)  
 04/05/2012 Voted Do Pass (H)  
 04/05/2012 Reported Do Pass (H) (H953)  
 04/11/2012 Third Read and Passed (H) (H985)  
 04/11/2012 Emergency Clause Defeated (H) (H986)  
 04/11/2012 S First Read--HB 1403-Schatz, et al (S654)  
 04/12/2012 Second Read and Referred S Small Business, Insurance and Industry Committee  
 04/17/2012 Hearing Scheduled S Small Business, Insurance and Industry Committee

\*\*\* HB 1404 \*\*\*

5147L.01P

HOUSE HANDLER: Reiboldt

HB 1404 - This act designates the month of December as "Pet Breeders Appreciation Month."

JIM ERTLE

01/19/2012 Introduced and Read First Time (H) (H128)  
 01/23/2012 Read Second Time (H) (H139)  
 01/25/2012 Referred: Agriculture Policy (H) (H166)  
 02/07/2012 Public Hearing Completed (H)  
 02/14/2012 Executive Session Completed (H)  
 02/14/2012 Voted Do Pass - Consent (H)  
 02/14/2012 Reported Do Pass by Consent (H) (H318)  
 02/14/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 02/23/2012 Rules - Executive Session Completed (H)  
 02/23/2012 Rules - Voted Do Pass - Consent (H)  
 02/23/2012 Rules - Reported Do Pass Consent (H) (H428)  
 03/06/2012 Perfected by Consent - Pursuant to House Rules (H) (H518)  
 03/08/2012 Third Read and Passed (H) (H585)  
 03/19/2012 S First Read--HB 1404-Reiboldt, et al (S448)  
 03/22/2012 Second Read and Referred S General Laws Committee (H503)

EFFECTIVE: August 28, 2012

\*\*\* HB 1407 \*\*\*

HCS HB 1407

4905L.03P

HOUSE HANDLER: Gray

HCS/HB 1407 - This act establishes in the Department of Health and Senior Services a "Sickle Cell Standing Committee" to act as a subcommittee of the Missouri genetic advisory committee.

The Sickle Cell Standing Committee shall consist of 19 members, which are listed under the act. The act lists the duties and studies to be conducted by the committee including:

- (1) Assessing the impact of sickle cell disease on urban communities;
- (2) Examining the existing services and resources addressing the needs of persons with sickle cell disease; and
- (3) Developing recommendations to provide educational services to schools on the traits of sickle cell disease and their effects.

The committee shall hold a minimum of one meeting at three urban regions in the state to seek public input and shall submit a report of its findings and any recommendations to the General Assembly and the Governor no later than December 31, 2012.

After December 31, 2012, the committee shall continue to meet at the request of the chair and at a minimum of once annually for the purpose of continuing the study of sickle cell disease in the state and to provide an annual supplemental report on the findings to the Governor and General Assembly.

ADRIANE CROUSE

01/19/2012 Introduced and Read First Time (H) (H128)  
 01/23/2012 Read Second Time (H) (H139)  
 02/08/2012 Referred: Health Care Policy (H) (H271)  
 02/22/2012 Public Hearing Completed (H)  
 03/07/2012 Executive Session Completed (H)  
 03/07/2012 HCS Voted Do Pass - Consent (H)  
 03/07/2012 HCS Reported Do Pass by Consent (H) (H549)  
 03/07/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/20/2012 Rules - Executive Session Completed (H)  
 03/20/2012 Rules - Voted Do Pass - Consent (H)  
 03/20/2012 Rules - Reported Do Pass Consent (H) (H631)  
 03/27/2012 Perfected by Consent - Pursuant to House Rules (H) (H735)  
 03/28/2012 Third Read and Passed (H) (H777)  
 03/28/2012 S First Read--HCS for HB 1407 (S542)  
 04/05/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S632)  
 04/16/2012 Hearing Scheduled S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2012

\*\*\* HB 1408 \*\*\*

4914L.01P

HOUSE HANDLER: Gray

HB 1408 - This act designates July 3rd of each year as "Organ Donor Recognition Day."

JIM ERTLE

01/19/2012 Introduced and Read First Time (H) (H128)  
 01/23/2012 Read Second Time (H) (H139)  
 02/15/2012 Referred: Tourism and Natural Resources (H341)  
 03/08/2012 Public Hearing Completed (H)  
 03/08/2012 Executive Session Completed (H)  
 03/08/2012 Voted Do Pass - Consent (H)  
 03/08/2012 Reported Do Pass by Consent (H) (H589)  
 03/08/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/20/2012 Rules - Executive Session Completed (H)  
 03/20/2012 Rules - Voted Do Pass - Consent (H)  
 03/20/2012 Rules - Reported Do Pass Consent (H) (H631)  
 03/27/2012 Perfected by Consent - Pursuant to House Rules (H) (H735)  
 03/28/2012 Third Read and Passed (H) (H778)  
 03/28/2012 S First Read--HB 1408-Walton Gray, et al (S542)  
 04/05/2012 Second Read and Referred S General Laws Committee (S632)

EFFECTIVE: August 28, 2012

\*\*\* HB 1424 \*\*\*

5003L.01P

HOUSE HANDLER: Marshall

HB 1424 - This act allows the Missouri State Highway Patrol to sell surplus watercraft, 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 act is identical to SB 690 (2012).  
MEGHAN LUECKE

01/19/2012 Introduced and Read First Time (H) (H129)  
01/23/2012 Read Second Time (H) (H139)  
02/23/2012 Referred: Crime Prevention and Public Safety (H) (H425)  
02/29/2012 Public Hearing Completed (H)  
03/05/2012 Executive Session Completed (H)  
03/05/2012 Voted Do Pass - Consent (H)  
03/05/2012 Reported Do Pass by Consent (H) (H496)  
03/05/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
03/20/2012 Rules - Executive Session Completed (H)  
03/20/2012 Rules - Voted Do Pass - Consent (H)  
03/20/2012 Rules - Reported Do Pass Consent (H) (H631)  
03/27/2012 Perfected by Consent - Pursuant to House Rules (H) (H735)  
03/28/2012 Third Read and Passed (H) (H781)  
03/28/2012 S First Read--HB 1424-Marshall, et al (S543)  
04/05/2012 Second Read and Referred S General Laws Committee (S632)

EFFECTIVE: August 28, 2012

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\*\*\* HB 1441 \*\*\*

5000L.01P

HOUSE HANDLER: Fisher

HB 1441 - This act modifies various workers' compensation and unemployment compensation provisions.

#### WORKERS' COMPENSATION

The Division of Workers' Compensation is allowed to determine the manner in which an application is made for hearings on compensation disputes.

The act allows documents relating to the outcome of hearings and notices to be sent by electronic means to the parties in dispute and the employer's insurer when the employee has representation.

#### UNEMPLOYMENT COMPENSATION

Currently, during periods of retraining, unemployment claimants are required to submit a written certification with each claim certifying that they are in a retraining. This act requires that the certification be submitted quarterly.

A provision requiring an employer's contribution rate to include a temporary debt indebtedness.

Currently, employers may be assessed a credit instrument and financing agreement repayment surcharge when the unemployment compensation fund uses moneys from the proceeds of such credit instruments or moneys advanced under financial agreements. This act requires over-collected amounts to be deposited into the unemployment insurance trust fund and credited to the employer's experience account.

The act requires employers with 50 or more workers to report wage information to the division in an electronic format instead of on magnetic tape or diskette.

The division is required to give notice to employers of estimated payments and delinquent contributions by registered or certified mail to the last known address of the employer. Personal service to the last known principal place of business address is repealed.

The act allows the division to file a lien on delinquent payments to attach to the employer's real or personal property.

Currently, state and federal officials and agencies may receive disclosures of otherwise confidential material to the extent required by federal law. This act allows disclosures to the extent needed to fulfill its official duties.

CHRIS HOGERTY

01/19/2012 Introduced and Read First Time (H) (H131)  
01/23/2012 Read Second Time (H) (H139)  
02/02/2012 Referred: Workforce Development & Workplace Safety (H) (H217)

02/13/2012 Public Hearing Completed (H)  
 02/13/2012 Executive Session Completed (H)  
 02/13/2012 Voted Do Pass - Consent (H)  
 02/13/2012 Reported Do Pass by Consent (H) (H301)  
 02/13/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 02/15/2012 Rules - Executive Session Completed (H)  
 02/15/2012 Rules - Voted Do Pass - Consent (H)  
 02/15/2012 Rules - Reported Do Pass Consent (H) (H343)  
 02/23/2012 Perfected by Consent (H) (H429)  
 02/28/2012 Third Read and Passed (H) (H445-446)  
 02/28/2012 S First Read--HB 1441-Fisher (S347)  
 03/08/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S436)

EFFECTIVE: August 28, 2012

\*\*\* HB 1442 \*\*\*

HCS HB 1442

5150L.05P

HOUSE HANDLER: Smith

HCS/HB 1442 - Currently, when a vacancy occurs in the office of United States Senator and other statewide elected officials, other than Governor and Lieutenant Governor, the vacancy shall be filled by appointment by the Governor. This act provides that when there is a vacancy in the office of United States Senator, Lieutenant Governor, Attorney General, Secretary of State, State Auditor, or State Treasurer, the Governor shall appoint an acting officer until a successor is elected at the next scheduled election for that office or at a special election as described in the act.

No person appointed by the Governor to fill the vacancy is eligible to be a candidate for the office to which the person was appointed in the immediately following election for the office but may be a candidate for that office after one intervening election has been held. In the case of an impeachment trial for these offices, the acting officer will supervise these offices until the impeached officer is reinstated after acquittal, or, if such impeached officer is convicted, for the remainder of the term or until a special election winner takes office.

This act contains a referendum clause.

JIM ERTLE

01/19/2012 Introduced and Read First Time (H) (H131)  
 01/23/2012 Read Second Time (H) (H139)  
 01/25/2012 Referred: Elections (H) (H166)  
 01/31/2012 Public Hearing Completed (H)  
 02/07/2012 Executive Session Completed (H)  
 02/07/2012 HCS Voted Do Pass (H)  
 02/07/2012 HCS Reported Do Pass (H) (H251)  
 02/07/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 02/13/2012 Rules - Executive Session Completed (H)  
 02/13/2012 Rules - Voted Do Pass (H)  
 02/13/2012 Rules - Reported Do Pass (H) (H302)  
 02/22/2012 HCS Adopted (H)  
 02/22/2012 Perfected with Amendments (H) (H405)  
 02/22/2012 Referred: Fiscal Review (H) (H405)  
 02/23/2012 Executive Session Completed (H)  
 02/23/2012 Voted Do Pass (H)  
 02/23/2012 Reported Do Pass (H) (H414)  
 02/23/2012 Third Read and Passed (H) (H419)  
 02/23/2012 S First Read--HCS for HB 1442 (S331)  
 03/08/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S435)  
 04/02/2012 Hearing Scheduled But Not Heard S Financial and Governmental Organizations and Elections Committee  
 04/16/2012 Hearing Scheduled S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: Referendum Clause

\*\*\* HB 1444 \*\*\*

HCS HB 1444

4882L.04P

HOUSE HANDLER: Smith

HCS HB 1444 Smith, Jason Wells, Don et al

C O M M I T T E E

HCS HB 1444 -- CONFISCATED ANIMALS

SPONSOR: Wright (Smith, 150)

COMMITTEE ACTION: Voted "do pass" by the Committee on Emerging Issues in Animal Agriculture by a vote of 12 to 0.

This substitute changes the law regarding the confiscation of animals. In its main provisions, the substitute:

- (1) Removes a public health official from the individuals authorized to seek a warrant to enter property to inspect, care for, or impound neglected or abused animals;
- (2) Includes dogs confiscated for multiple biting incidents or involved in dog fighting to those animals covered under these provisions;
- (3) Specifies that no animal may be sterilized before the completion of the disposition hearing;
- (4) Includes a third party agreed upon by the law enforcement agency, a veterinarian, and the animal owner to the authorized people who can care for impounded animals;
- (5) Specifies that an animal owner is only responsible for the impounded animal's care and keeping prior to a disposition hearing if the court determines that the animal was lawfully taken and will not be returned to the owner;
- (6) Requires a reasonable bond or security to be posted for the care of the animals after the completion of the disposition hearing if the court decides that the animals were lawfully taken and the owner would like to prevent disposition of the animals while the case proceeds;
- (7) Specifies that all animals impounded must receive proper care as determined by state law and regulations. Any facility or organization will be liable to the owner for damages for any negligent acts or abuse of the animal while in its custody;
- (8) Allows an owner to demand the return of the animals if he or she is acquitted or there is a final discharge without a conviction, and any organization or individual with custody of the animals must immediately return them to the owner. The animal owner is not liable for any costs incurred relating to the placement and care of the animals while the charges were pending; and
- (9) Specifies that any person or entity that euthanizes, other than as permissible under the provisions of the substitute, or sterilizes an animal prior to a disposition hearing or during any period for which a reasonable bond was secured for the animal's care will be guilty of a class B misdemeanor. Each individual animal for which a violation occurs is a separate offense. Any second or subsequent violation is a class A misdemeanor and any entity licensed under state law will be subject to licensure sanction by its governing body.

FISCAL NOTE: No impact on state funds in FY 2013, FY 2014, and FY 2015.

PROPOSERS: Supporters say that the bill will protect the owners from losing their investment if the animal is unlawfully seized. Owners are being charged unreasonable costs to care for their animals while the charges go through the hearing process.

Testifying for the bill were Representative Smith (150); Missouri Federation of Animal Owners; and Missouri Farm Bureau.

OPPOSERS: Those who oppose the bill say that there is a statute already in place that governs the process for seized and confiscated dogs and it is working. The bill will increase the cost for local and municipal law enforcement and shelters. Shelters will not be able to incur these additional costs.

Testifying against the bill were Brian Williams, Humane Society of Missouri; and Missouri Alliance for Animal Legislation.

OTHERS: Others testifying on the bill described the process the Department of Agriculture follows when it seizes dogs for neglect or abuse.

Testifying on the bill was Department of Agriculture.

01/19/2012 Introduced and Read First Time (H) (H131)  
 01/23/2012 Read Second Time (H) (H139)  
 01/25/2012 Referred: Emerging Issues in Animal Agriculture (H) (H166)  
 01/31/2012 Public Hearing Completed (H)  
 02/07/2012 Executive Session Completed (H)  
 02/07/2012 HCS Voted Do Pass (H)  
 02/22/2012 HCS Reported Do Pass (H) (H406)  
 02/22/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/29/2012 Rules - Executive Session Completed (H)  
 03/29/2012 Rules - Voted Do Pass (H)  
 03/29/2012 Rules - Reported Do Pass (H) (H849)  
 04/11/2012 HCS Adopted (H)  
 04/11/2012 Perfected with Amendments (H)  
 04/12/2012 Third read and passed (H)  
 04/12/2012 S First Read--HCS for HB 1444

\*\*\* HB 1449 \*\*\*

HCS HB 1449

5244L.02P

HOUSE HANDLER: Berry

HCS/HB 1449 - If Kansas prohibits tax credits or economic incentives for job creation or relocation for jobs that relocate to Kansas from a location in Missouri that is within thirty miles of the Kansas/Missouri border, this act prohibits tax credits from being issued under sections of law that create the Business Use Incentives for Large-Scale Development program, the New/Expanded Business Facility tax credit program, the Enterprise Zone tax benefit program, the Enhanced Enterprise Zone tax benefit program, the Business Extension Service Team Fund, the Quality Jobs program, and the Automotive Manufacturing Jobs Acts for jobs that relocate to Missouri from a location in Kansas that is within thirty miles of the Kansas/Missouri border.

This act requires the director of the Department of Economic Development to determine whether Kansas has enacted legislation that is substantially similar to this act. The director is required to notify the Revisor of Statutes within thirty days after August 28, 2014, of the director's determination. If the director determines that Kansas has not enacted substantially similar legislation, then a provision of law will become effective that requires Missouri to spend a dollar and fifty cents for promoting economic development in Jackson, Platte, Clay, and Cass counties for every dollar that Kansas spends in Johnson, Leavenworth, and Wyandotte counties.

EMILY KALMER

01/19/2012 Introduced and Read First Time (H) (H132)  
 01/23/2012 Read Second Time (H) (H139)  
 02/07/2012 Referred: International Trade & Job Creation (H) (H250)  
 02/15/2012 Public Hearing Completed (H)  
 03/01/2012 Executive Session Completed (H)  
 03/01/2012 HCS Voted Do Pass (H)  
 03/01/2012 HCS Reported Do Pass (H) (H477)  
 03/01/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/05/2012 Rules - Executive Session Completed (H)  
 03/05/2012 Rules - Voted Do Pass (H)  
 03/05/2012 Rules - Reported Do Pass (H) (H496)  
 03/07/2012 HCS Adopted (H)  
 03/07/2012 Perfected (H) (H541)  
 03/08/2012 Referred: Fiscal Review (H) (H586)  
 03/08/2012 Executive Session Continued  
 03/19/2012 Executive Session Completed (H)  
 03/19/2012 Voted Do Pass (H)  
 03/19/2012 Reported Do Pass (H) (H602)  
 03/19/2012 Third Read and Passed (H) (H605-606)  
 03/19/2012 S First Read--HCS for HB 1449 (S453)  
 03/29/2012 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S574)

EFFECTIVE: August 28, 2012

\*\*\* HB 1457 \*\*\*

HCS HB 1457

5413L.02P

HOUSE HANDLER: Crawford

HCS/HB 1457 - This act exempts any county with a charter form of government from a provision requiring certain qualifications for candidates for county treasurer. The provision that charter counties are exempted from under this act also prohibits county sheriffs, marshals, clerks, collectors, or a deputy of any of these officials from becoming a candidate for county treasurer and requires elected treasurers to remain a resident of the county during the term of office.

This act creates a new requirement that any treasurer candidate in a non-charter county provide a signed affidavit from a surety company indicating that the candidate meets the bond requirements for office.

MEGHAN LUECKE

01/23/2012 Introduced and Read First Time (H) (H143)  
 01/24/2012 Read Second Time (H) (H151)  
 01/25/2012 Referred: Elections (H) (H166)

01/31/2012 Public Hearing Completed (H)  
 02/07/2012 Executive Session Completed (H)  
 02/07/2012 HCS Voted Do Pass - Consent (H)  
 02/08/2012 HCS Reported Do Pass by Consent (H) (H274)  
 02/08/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 02/13/2012 Rules - Executive Session Completed (H)  
 02/13/2012 Rules - Voted Do Pass - Consent (H)  
 02/13/2012 Rules - Reported Do Pass Consent (H) (H302)  
 02/20/2012 Perfected by Consent (H) (H376)  
 02/22/2012 Third Read and Passed (H) (H404)  
 02/23/2012 S First Read--HCS for HB 1457 (S328)  
 03/08/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S435)  
 03/26/2012 Hearing Conducted S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2012

\*\*\* HB 1458 \*\*\*

HCS HB 1458

5451L.06P

HOUSE HANDLER: Hinson

HCS/HB 1458 - This act modifies provisions relating to emergency services.

#### 911 SERVICE OVERSIGHT (190.411, 190.415, & 190.445)

This act renames the "Advisory Committee for 911 Service Oversight" to the "911 Service Oversight Board" and moves provisions relating to the board to Chapter 190 from Chapter 650.

Several members who currently serve on the advisory committee are removed. Definitions associated with the committee are repealed.

#### COMPETENCY OF LICENSED DRIVERS (302.291)

This act adds licensed emergency medical technicians to the list of people who can report to the Director of Revenue that a person is not competent or qualified to be a licensed driver or that a person has a disorder or condition that may inhibit his or her ability to drive.

#### MISSOURI YELLOW DOT PROGRAM (302.800)

This act establishes a "Missouri Yellow Dot Program" in the Department of Revenue.

Participants in the program place a yellow dot on the rear window of their vehicles. They keep a health information card in their glove compartment that contains health information.

The Department of Revenue must develop, implement, and advertise the program, and is given rulemaking authority under this act.

The program will automatically expire on August 28, 2018.

#### FIREWORKS CLASSIFICATIONS (320.106, 320.131, 320.136)

This act updates references to fireworks classifications in the Code of Federal Regulations and removes references to American Pyrotechnics Association standards.

These provision have an emergency clause and are identical to SB 838 (2012).

#### FIRE EDUCATION FUND (320.202)

This act provides that fees collected by the state fire marshal be deposited in the "Fire Education Fund" rather than in the general revenue.

#### FIRE PROTECTION DISTRICT DIRECTORS (321.015, 321.130, & 321.162)

Under current law, a person who is a paid employee or officer of the state or one of its political subdivisions may not be a fire protection district director unless the fire protection district is located in certain specified counties. This act adds Boone County and certain first class counties to the list of counties.

This act also provides that directors found guilty of felonies must forfeit their office. In addition, no person may appear on the ballot as a candidate for district director nor may such person serve as director who is in



arrears for unpaid county taxes.

Current law requires elected fire protection district directors to attend certain training programs. This act provides that elected and appointed directors must attend the training.

#### FIRE PROTECTION DISTRICT REGULATION OF NEW CONSTRUCTION (321.228)

This act prohibits a fire protection district from enforcing any regulations dealing with new residential construction if the city, town, village, or county in which the construction is located has already adopted regulations for such construction.

Fire protection districts, do, however, have final regulatory authority over the location and specifications of fire hydrants and fire lanes and may inspect of certain dwellings. They may not collect a fee for such services.

#### ANEMOMETER TOWERS (Section 1)

The act requires certain safety marking of anemometer towers (wind speed testing towers) that are located outside of city limits and that are 50 feet or more in height. The top third of any such tower must be striped orange and white, each outside guy wire must have 2 attached marker balls, the vegetation around guy wire anchor points must contrast with surrounding vegetation, and guy wires must have safety sleeves.

The act does not supercede any other state or federal law that regulates the appearance of the anemometer tower. Owners of anemometer towers in existence as of August 28, 2012, are given one year to comply with the act's requirements.

A violation of the act is a Class B misdemeanor.

This provision is contained in SB 769 (2012).

#### FIRE EXTINGUISHING EQUIPMENT (Section 2)

This act requires any company that installs, inspects, or service fire extinguishing equipment to file a \$25,000 security bond with the Division of Fire Safety.

#### WIRELESS SERVICE PROVIDER ENHANCED 911 ADVISORY BOARD

This act repeals provisions relating to the "Wireless Service Provider Enhanced 911 Advisory Board". The board was tasked with assisting with the implementation of a federal order regarding 911 service and wireless phones.

Statutory authority for a fund created to support the implementation efforts is also repealed under this act as is a 50 cent fee imposed on each wireless telephone number.

MEGHAN LUECKE

01/23/2012 Introduced and Read First Time (H) (H143)  
 01/24/2012 Read Second Time (H) (H151)  
 02/02/2012 Referred: Local Government (H) (H217)  
 02/08/2012 Public Hearing Completed (H)  
 02/29/2012 Executive Session Completed (H)  
 02/29/2012 HCS Voted Do Pass (H)  
 03/22/2012 HCS Reported Do Pass (H) (H690)  
 03/22/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/29/2012 Rules - Executive Session Completed (H)  
 03/29/2012 Rules - Voted Do Pass (H)  
 03/29/2012 Rules - Reported Do Pass (H) (H849)  
 04/11/2012 HCS Adopted (H)  
 04/11/2012 Perfected with Amendments (H)  
 04/12/2012 Third read and passed (H)  
 04/12/2012 Emergency Clause Adopted (H)  
 04/12/2012 S First Read (w/EC)--HCS for HB 1458

EFFECTIVE: Varies

The Court Automation Committee may use moneys in the fund for court automation. Collection of the fee is set to expire on September 1, 2013. The Committee is to cease use of the fund no later than September 1, 2015. Unexpended moneys remaining in the fund will be transferred to the general revenue fund on September 1, 2013.

This act extends collection of the court fee until September 1, 2018. The Committee's use of money in the fund is extended until September 2, 2020.

MIKE HAMMANN

01/23/2012 Introduced and Read First Time (H) (H143)  
 01/24/2012 Read Second Time (H) (H151)  
 02/06/2012 Referred: Judiciary (H) (H228)  
 02/15/2012 Public Hearing Completed (H)  
 03/07/2012 Executive Session Completed (H)  
 03/07/2012 Voted Do Pass - Consent (H)  
 03/08/2012 Reported Do Pass by Consent (H) (H589)  
 03/08/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/20/2012 Rules - Executive Session Completed (H)  
 03/20/2012 Rules - Voted Do Pass - Consent (H)  
 03/20/2012 Rules - Reported Do Pass Consent (H) (H632)  
 03/27/2012 Perfected by Consent - Pursuant to House Rules (H) (H735)  
 03/28/2012 Third Read and Passed (H) (H780)  
 03/28/2012 S First Read--HB 1460-Jones (117), et al (S543)  
 04/05/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S632)  
 04/11/2012 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2012

\*\*\* HB 1462 \*\*\*

HCS#2 HB 1462

5483H.02P

HOUSE HANDLER: Cauthorn

HCS#2/HB 1462 - Under current law, a producer is eligible to receive payments from the Missouri Qualified Biodiesel Producer Incentive Fund for 60 months unless it fails to receive the full amount due to a lack of appropriations, in which case it is eligible for up to 24 additional months. This act removes the 24-month limitation and allows a producer's eligibility to receive payments to continue indefinitely until the full amount has been received.

ERIKA JAQUES

01/23/2012 Introduced and Read First Time (H) (H143)  
 01/24/2012 Read Second Time (H) (H151)  
 02/08/2012 Referred: Agriculture Policy (H) (H271)  
 02/21/2012 Public Hearing Completed (H)  
 02/28/2012 Executive Session Completed (H)  
 02/28/2012 HCS Voted Do Pass - Consent (H)  
 02/28/2012 HCS Reported Do Pass by Consent (H) (H446)  
 02/28/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/01/2012 Rules - Executive Session Completed (H)  
 03/01/2012 Rules - Voted to Return to Committee of Origin (H)  
 03/01/2012 Rules - Returned to the Committee of Origin (H) (H479)  
 03/06/2012 Executive Session Completed (H)  
 03/06/2012 HCS Voted Do Pass - Consent (H)  
 03/06/2012 HCS Reported Do Pass by Consent (H) (H517)  
 03/06/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/20/2012 Rules - Executive Session Completed (H)  
 03/20/2012 Rules - Voted Do Pass - Consent (H)  
 03/20/2012 Rules - Reported Do Pass Consent (H) (H632)  
 03/27/2012 Perfected by Consent - Pursuant to House Rules (H) (H735)  
 03/28/2012 Third Read and Passed (H) (H782)  
 03/28/2012 S First Read--HCS#2 for HB 1462 (S543)  
 04/05/2012 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S632)  
 04/11/2012 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee

EFFECTIVE: August 28, 2012

\*\*\* HB 1466 \*\*\*

4570L.02P

HOUSE HANDLER: Nasheed

HB 1466 – This act creates the "Math and Science Tutoring Act" to establish a pilot program for the establishment and support of nonprofit math and science tutoring centers in the St. Louis City School District. The tutoring centers will provide services to schools at any grade level whose schoolwide average assessment scores are less than fifty percent proficient. The programs must utilize master teachers who are state certified and exhibit leadership, collaboration, distinguished teaching, and continued professional growth. Services must complement the student's school math and science assignments during the school day and for extended hours on nights, weekends, and during the summer. The center must provide transportation for the student's return trip after a tutoring session.

Three hundred thousand dollars will be appropriated by the General Assembly to start up the centers. The Workforce Development Division with the Department of Economic Development must develop an application process to certify approved math and science tutoring centers for the distribution of appropriated funds.

Beginning January 1, 2013, any business in the state engaged in an occupation categorized as a science, technology, engineering, or mathematics occupation may make a donation to a tutoring center and retain half of the value of its donation from its withholding tax.

This program will sunset after six years unless reauthorized by the General Assembly.

MICHAEL RUFF

01/23/2012 Introduced and Read First Time (H) (H144)  
 01/24/2012 Read Second Time (H) (H151)  
 01/26/2012 Referred: Urban Issues (H173)  
 02/06/2012 Public Hearing Completed (H)  
 02/13/2012 Executive Session Scheduled - Bill Not Heard  
 02/20/2012 Executive Session Completed (H)  
 02/20/2012 Voted Do Pass (H)  
 02/21/2012 Reported Do Pass (H) (H387)  
 02/21/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/01/2012 Rules - Executive Session Completed (H)  
 03/01/2012 Rules - Voted Do Pass (H)  
 03/01/2012 Rules - Reported Do Pass (H) (H479)  
 03/06/2012 Perfected (H) (H516)  
 03/07/2012 Referred: Fiscal Review (H) (H546)  
 03/08/2012 Executive Session Continued  
 03/19/2012 Executive Session Completed (H)  
 03/19/2012 Voted Do Pass (H)  
 03/19/2012 Reported Do Pass (H) (H602)  
 03/19/2012 Third Read and Passed (H) (H604-605)  
 03/19/2012 S First Read--HB 1466-Jones (63), et al (S453)  
 03/29/2012 Second Read and Referred S Education Committee (S574)  
 04/04/2012 Hearing Conducted S Education Committee

EFFECTIVE: August 28, 2012

\*\*\* HB 1477 \*\*\*

HCS HB 1477

5432H.02P

HOUSE HANDLER: Brown

HCS/HB 1477 - Under current law, certain manufacturers and processors of animal feed are by definition not considered grain dealers under the Missouri Grain Dealer law if, among other things, such individuals do not purchase more than \$100,000 worth of grain a year. This act replaces the \$100,000 threshold with a 50,000 bushel threshold.

This act is identical to HB 1073 (2012) and similar to SCS/SB 631 (2012).

ERIKA JAQUES

01/24/2012 Introduced and Read First Time (H) (H154)  
 01/25/2012 Read Second Time (H) (H163)

02/02/2012 Referred: Agri-Business (H) (H217)  
 02/21/2012 Public Hearing Completed (H)  
 02/28/2012 Executive Session Completed (H)  
 02/28/2012 HCS Voted Do Pass - Consent (H)  
 03/07/2012 HCS Reported Do Pass by Consent (H) (H546)  
 03/07/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/20/2012 Rules - Executive Session Completed (H)  
 03/20/2012 Rules - Voted Do Pass - Consent (H)  
 03/20/2012 Rules - Reported Do Pass Consent (H) (H632)  
 03/27/2012 Perfected by Consent - Pursuant to House Rules (H) (H735)  
 03/28/2012 Third Read and Passed (H) (H783)  
 03/28/2012 S First Read--HCS for HB 1477 (S543)  
 04/05/2012 Second Read and Referred S Agriculture, Food Production and Outdoor Resources Committee (S632)  
 04/11/2012 Hearing Conducted S Agriculture, Food Production and Outdoor Resources Committee

EFFECTIVE: August 28, 2012

\*\*\* HB 1484 \*\*\*

5316L.01P

HOUSE HANDLER: McCaherty

HB 1484 McCaherty, John Nolte, Jerry

C O M M I T T E E

HB 1484 -- PAPERLESS DOCUMENTS AND FORMS ACT

SPONSOR: McCaherty

COMMITTEE ACTION: Voted "do pass by consent" by the Committee on Transportation Funding and Public Institutions by a vote of 8 to 0.

This bill establishes the Paperless Documents and Forms Act which authorizes the Department of Revenue to use technology to make filing certain forms and sending certain notifications more efficient. In its main provisions, the bill:

- (1) Requires the department to develop and implement, beginning no later than January 1, 2013, and by January 1, 2019, a method by which all documents and forms provided to the public by the department relating to taxes and fees are available in an electronic format online and are capable of electronic submission to the department except those that require a notary or authorization by a third party;
- (2) Allows the department director to use electronic notification of specified information when the taxpayer has consented to its use and provides an e-mail address in lieu of and in full satisfaction of any requirement to provide the notification by mail;
- (3) Allows the current 3% timely discount to a supplier who remits the excise tax on motor fuel only if the supplier pays the total tax due electronically and files the required monthly report electronically in an approved format;
- (4) Adds 2% to the required amount of the motor fuel tax when the report is not filed electronically unless the taxpayer can establish by a preponderance of evidence that the failure was due to reasonable cause and not willful neglect;
- (5) Requires, for all tax years beginning on or after January 1, 2012, a tax preparer who filed more than 10 individual income tax returns in the previous year to file returns electronically or in a paper format with a two-dimensional barcode in a department director-approved format. Any preparer who fails to meet this requirement will be liable for a \$50 penalty for each individual income tax return filed unless the preparer can establish by a preponderance of evidence that the failure was due to reasonable cause and not willful neglect;
- (6) Requires, for all tax years beginning on or after January 1, 2012, a tax preparer who filed more than 10 corporate income and corporate franchise tax returns in the previous year to electronically file returns in a department director-approved format. Any preparer who fails to meet these requirements will be liable for a \$50 penalty for each corporate income and franchise tax return filed unless the preparer can establish by a preponderance of evidence that the failure was due to reasonable cause and not willful neglect;
- (7) Requires, for all tax years beginning on or after January 1, 2013, the department director to require an employer who withholds taxes of \$4,000 or more in each of at least six months during the previous year to electronically submit the withholding tax returns in a department director-approved format and to use an electronic funds payment system for all payments. Any employer who fails to meet these requirements will be liable for a penalty of 2% of the tax unless the employer can establish by a preponderance of evidence that the failure was due to reasonable cause and not willful neglect;
- (8) Prohibits a tax preparer or software company from charging a separate fee for the electronic filing of electronic tax returns required under these provisions; and

(9) Requires, beginning on or after January 1, 2014, the department director to require sales tax returns to be submitted electronically in a department director-approved format and to use an electronic funds payment system for the payment of sales taxes where the seller's aggregate state sales tax was \$4,000 or more in each of at least six months during the prior year. Any seller failing to file electronically and making electronic payment must add 2% to the required amount unless the seller can establish by a preponderance of evidence that the failure was due to a reasonable cause and not willful neglect.

FISCAL NOTE: Estimated Net Income on General Revenue Fund of \$0 in FY 2013, More than \$100,000 in FY 2014, and More than \$100,000 in FY 2015. Estimated Net Income on Other State Funds of \$0 in FY 2013, More than \$100,000 in FY 2014, and More than \$100,000 in FY 2015.

PROPOSERS: Supporters say that the bill will reduce the amount of paper work for the Department of Revenue. Currently, everything is done on paper forms and the bill will allow it to do electronic notifications and accept online forms creating a huge cost savings.

Testifying for the bill were Representative McCaherty; and Department of Revenue.

OPPOSERS: There was no opposition voiced to the committee.

01/24/2012 Introduced and Read First Time (H) (H155)  
 01/25/2012 Read Second Time (H) (H163)  
 02/08/2012 Referred: Transportation Funding & Public Institutions (H271)  
 02/14/2012 Public Hearing Completed (H)  
 02/28/2012 Executive Session Completed (H)  
 02/28/2012 Voted Do Pass - Consent (H)  
 02/28/2012 Reported Do Pass by Consent (H) (H447)  
 02/28/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/20/2012 Rules - Executive Session Completed (H)  
 03/20/2012 Rules - Voted Do Pass - Consent (H)  
 03/20/2012 Rules - Reported Do Pass Consent (H) (H632)  
 03/27/2012 Perfected by Consent - Pursuant to House Rules (H) (H735)  
 03/28/2012 Third Read and Passed (H) (H762)  
 03/28/2012 S First Read--HB 1484-McCaherty and Nolte (S539)  
 04/05/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S632)

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\*\*\* HB 1492 \*\*\*

5499L.01P

HOUSE HANDLER: Molendorp

HB 1492 - 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

01/24/2012 Introduced and Read First Time (H) (H155)  
 01/25/2012 Read Second Time (H) (H163)  
 02/08/2012 Referred: Local Government (H) (H271)

02/15/2012 Public Hearing Completed (H)  
 02/22/2012 Executive Session Completed (H)  
 02/22/2012 Voted Do Pass - Consent (H)  
 02/23/2012 Reported Do Pass by Consent (H) (H426)  
 02/23/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/01/2012 Rules - Executive Session Completed (H)  
 03/01/2012 Rules - Voted Do Pass - Consent (H)  
 03/01/2012 Rules - Reported Do Pass Consent (H) (H479)  
 03/19/2012 Perfected by Consent - Pursuant to House Rules (H) (H607)  
 03/28/2012 Third Read and Passed (H) (H755)  
 03/28/2012 S First Read--HB 1492-Molendorp and Brattin (S538)  
 04/05/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S631)

EFFECTIVE: August 28, 2012

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\*\*\* HB 1495 \*\*\*

HCS HB 1495

5377L.02P

HOUSE HANDLER: Nance

SCS/HCS/HB 1495 - Current Missouri law allows insurers and others to share information related to insurance fraud investigations without being subject to civil liability for libel. This act expands the immunity afforded to insurers and others for filing reports and furnishing other information related to an insurance fraud investigation so that the insurer will not be subject to civil liability of any kind, including libel and slander.

Additionally, the act provides that no civil cause of action of any nature shall arise against a person for furnishing or receiving information related to suspected or anticipated fraudulent insurance acts to or from:

- (1) Law enforcement officials, agents and employees;
- (2) Persons subject to Section 375.991;
- (3) Federal and state agencies, the NAIC, the National Insurance Crime Bureau, or any other organization established to detect and prevent fraudulent insurance acts.

This act is identical to SCS/SB 697 (2012).

STEPHEN WITTE

01/25/2012 Introduced and Read First Time (H) (H167)  
 01/26/2012 Read Second Time (H) (H172)  
 02/02/2012 Referred: Insurance Policy (H) (H217)  
 02/14/2012 Public Hearing Completed (H)  
 02/13/2012 Executive Session Completed (H)  
 02/13/2012 HCS Voted Do Pass (H)  
 02/14/2012 HCS Reported Do Pass (H) (H319)  
 02/14/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 02/23/2012 Rules - Executive Session Completed (H)  
 02/23/2012 Rules - Voted Do Pass (H)  
 02/23/2012 Rules - Reported Do Pass (H) (H428)  
 03/06/2012 HCS Adopted (H)  
 03/06/2012 Perfected (H) (H511)  
 03/08/2012 Third Read and Passed (H) (H566)  
 03/08/2012 S First Read--HCS for HB 1495 (S439)  
 03/22/2012 Second Read and Referred S Small Business, Insurance and Industry Committee (H503)  
 04/03/2012 Hearing Conducted S Small Business, Insurance and Industry Committee  
 04/10/2012 SCS Voted Do Pass S Small Business, Insurance and Industry Committee - 5377S.03C

EFFECTIVE: August 28, 2012

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\*\*\* HB 1498 \*\*\*

HCS HB 1498

5490L.02P

HOUSE HANDLER: Hough

HCS/HB 1498 - Under current law, anyone who possesses a license to sell liquor in the original package may apply for an additional license to sell liquor on Sundays from 9 a.m. until midnight. In addition, various laws give certain specified establishments, such as airline clubs, places of amusement, and restaurant bars,

the opportunity to apply for a license to sell liquor by the drink at retail on Sundays.

This act allows any liquor license holder to apply for a license to sell liquor at retail on Sundays from 9 a.m. until midnight except certain establishments in St. Louis and Kansas City that can apply for such licenses under different statutory authority. The statutory authority for such establishments in St. Louis and Kansas City is modified so that they do not have to serve food in addition to liquor.

The cost of the general Sunday license is \$200. In addition, this act repeals statutes that allowed Sunday liquor licenses for specific types of license holders because those licensees can apply for the Sunday license under this act.

Opening times for other establishments that have a license to serve liquor seven days a week are changed to 9 a.m.

In addition, caterers who have a special license to sell intoxicating liquor by the drink at retail may also sell intoxicating liquor in the original package under this act.

In addition, this act allows holders of a license to sell alcohol by the drink at retail to utilize table tap dispensing systems at their establishments. These dispensing systems allow patrons, upon the authorization of an employee at the establishment, to dispense their own beer. Only 32 ounces of beer per patron may be dispensed per authorization. No law or rule shall be interpreted as allowing distributors, manufacturers, or wholesalers to furnish or service such dispensing systems.

This act is similar to SCS/SB 615 and contains provisions identical to SB 31 (2011).  
MEGHAN LUECKE

01/25/2012 Introduced and Read First Time (H) (H167)  
01/26/2012 Read Second Time (H) (H172)  
02/06/2012 Referred: General Laws (H) (H228)  
02/28/2012 Public Hearing Completed (H)  
03/01/2012 Executive Session Completed (H)  
03/01/2012 HCS Voted Do Pass (H)  
03/01/2012 HCS Reported Do Pass (H) (H477)  
03/01/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
03/22/2012 Rules - Executive Session Completed (H)  
03/22/2012 Rules - Voted Do Pass (H)  
03/22/2012 Rules - Reported Do Pass (H) (H691)  
03/28/2012 HCS Adopted (H)  
03/28/2012 Perfected (H) (H744)  
03/29/2012 Third Read and Passed (H) (H844)  
04/02/2012 S First Read--HCS for HB 1498 (S583-584)  
04/05/2012 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S634)

EFFECTIVE: August 28, 2012

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\*\*\* HB 1504 \*\*\*

5509L.02P

HOUSE HANDLER: Richardson

SCS/HB 1504 - This act modifies provisions of law regarding sales taxes.

**METROPOLITAN PARK AND RECREATION DISTRICT**  
(Sections 67.750, 67.1706, 67.1712, 67.1715, 67.1721, 67.1742, and 67.1754)

This act authorizes any county that is part of the Metropolitan Park and Recreation district to impose an additional sales tax up to 3/16th of one percent, if the voters of St. Louis County and at least one of the other counties approve the tax. Sixty percent of the additional tax is to go to the Gateway Arch grounds and other regional park and trail improvements with specific amounts allocated at different times to the Arch and to other park projects. Forty percent of the additional tax is to go to the county for local and county park improvements. This additional tax would not apply to the sale of food and prescription drugs.

The act requires that any contract concerning capital improvements or maintenance activities in the Gateway Arch grounds area be approved by the Metropolitan Park and Recreation district, the federal government, and any public or private not-for-profit entities that directly provide supplemental funding for the

contract. Capital improvements and maintenance activities must be constructed and performed according to a comprehensive agreement approved by the Metropolitan Park and Recreation district before the public vote on the additional sales tax.

Any county that approved the additional sales tax is required to submit a proposal to reauthorize this tax to the county voters at a general election no later than 23 years after the additional sales tax is effective.

These provisions of the act have an emergency clause.

**JACKSON COUNTY PARKS, TRAILS, AND GREENWAYS DISTRICT**  
(Sections 67.5000 to 67.5038)

This amendment authorizes Jackson County to create a parks, trails, and greenways district and impose an additional sales tax of one-tenth of one cent, if the voters of Jackson County approve the creation of the district and the tax. The parks, trails, and greenways district will be responsible for planning, developing, operating, and maintaining trails, open space, greenways, and parks throughout Jackson County. This amendment does not modify any existing recreation system or public parks system that exists within the district.

Among other powers, the district has the power to issue tax-exempt bonds, enter into contracts, lease, purchase, and hold property, establish and collect charges for using district facilities, employ staff, and appoint advisory committees. The district also has the power to enter into agreements with public authorities to pay for alterations to highways, street or roads, when the highway, street or road affects trails or parks of the district. The district does not have the power of eminent domain.

The one-tenth of one cent sales tax will be distributed between the district, the county, and the cities in the county, with forty-five percent going to the district, fifteen percent going to the county, and forty percent going to the cities in proportion to each city's local sales tax contribution. The sales tax revenues may not be paid to any special allocation fund established under the Real Property Tax Increment Allocation Redevelopment Act.

The district is governed by a seven member board, with one member chosen by the presiding commissioner or elected county executive of the county, two members appointed by the mayor of the largest city, and four members appointed on a rotating basis by the mayors of the next five most populous cities in the county.

The district is required to follow state bidding requirements for all construction and maintenance purchases above ten thousand dollars.

**SALES AND USE TAX PAYMENT BY COMMON CARRIERS**  
(Section 144.805)

This act also extends the expiration date from December 31, 2013, to December 31, 2023 on provisions regarding the payment by common carriers of sales and use tax on aviation fuel and tangible personal property.

**LIBRARY DISTRICT SALES TAX**  
(Section 182.802)

This act also authorizes any public library district located in Pemiscot County to impose a one-half cent sales tax upon approval of the voters.

EMILY KALMER

01/25/2012 Introduced and Read First Time (H) (H167)  
01/26/2012 Read Second Time (H) (H172)  
02/28/2012 Referred: General Laws (H) (H446)  
03/01/2012 Public Hearing Completed (H)  
03/01/2012 Executive Session Completed (H)  
03/01/2012 Voted Do Pass (H)  
03/01/2012 Reported Do Pass (H) (H477)  
03/01/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
03/05/2012 Rules - Executive Session Completed (H)  
03/05/2012 Rules - Voted Do Pass (H)  
03/05/2012 Rules - Reported Do Pass (H) (H497)  
03/07/2012 Perfected with Amendments (H) (H537)  
03/07/2012 Referred: Fiscal Review (H) (H546)



03/08/2012 Executive Session Completed (H)  
 03/08/2012 Voted Do Pass (H)  
 03/08/2012 Reported Do Pass (H) (H561)  
 03/08/2012 Third Read and Passed (H) (H576)  
 03/08/2012 Emergency Clause Adopted (H) (H576)  
 03/19/2012 S First Read--HB 1504-Richardson (S448-449)  
 03/29/2012 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S574)  
 04/04/2012 Hearing Conducted S Jobs, Economic Development and Local Government Committee  
 04/11/2012 SCS Voted Do Pass S Jobs, Economic Development and Local Government Committee - 5509S.03C

EFFECTIVE: Varies

\*\*\* HB 1512 \*\*\*

5396L.01P

HOUSE HANDLER: Curtman

HB 1512 - This act creates the Civil Liberties Defense Act. This act mandates that any court, arbitration, tribunal, or administrative agency ruling shall be unenforceable if based on a foreign law that does not grant the parties the same rights as the parties have under the United States and Missouri constitutions.

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.

The act does not apply to a business entity that subjects itself to a foreign law in a jurisdiction outside the United States. The act does not authorize courts to adjudicate religious matters.

This act is similar to SB 676 (2012) and SB 308 (2011).

MIKE HAMMANN

01/25/2012 Introduced and Read First Time (H) (H168)  
 01/26/2012 Read Second Time (H) (H172)  
 02/02/2012 Referred: Judiciary (H) (H217)  
 02/08/2012 Public Hearing Completed (H)  
 02/15/2012 Executive Session Completed (H)  
 02/15/2012 Voted Do Pass (H)  
 02/20/2012 Reported Do Pass (H) (H373)  
 02/20/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/08/2012 Rules - Executive Session Completed (H)  
 03/08/2012 Rules - Voted Do Pass (H)  
 03/08/2012 Rules - Reported Do Pass (H) (H591)  
 03/27/2012 Perfected (H) (H723)  
 03/29/2012 Third Read and Passed (H) (H829-830)  
 03/29/2012 S First Read--HB 1512-Curtman, et al (S573)  
 04/05/2012 Second Read and Referred S General Laws Committee (S633)

EFFECTIVE: August 28, 2012

\*\*\* HB 1513 \*\*\*

4940H.01P

HOUSE HANDLER: Franz

HB 1513 - The act provides that the laws of the state do not give equal or greater rights, privileges, or legal status to animals than that which is given to people under the law. The act does not limit animal welfare laws.

ERIKA JAQUES

01/25/2012 Introduced and Read First Time (H) (H168)  
 01/26/2012 Read Second Time (H) (H172)

02/01/2012 Referred: General Laws (H) (H204)  
 02/07/2012 Public Hearing Completed (H)  
 02/08/2012 Executive Session Completed (H)  
 02/08/2012 Voted Do Pass (H)  
 02/09/2012 Reported Do Pass (H) (H287)  
 02/09/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 02/23/2012 Rules - Executive Session Completed (H)  
 02/23/2012 Rules - Voted Do Pass (H)  
 02/23/2012 Rules - Reported Do Pass (H) (H428)  
 03/06/2012 Perfected (H) (H514)  
 03/08/2012 Third Read and Passed (H) (H571)  
 03/08/2012 S First Read--HB 1513-Franz, et al (S437)  
 03/22/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (H503)

EFFECTIVE: August 28, 2012

\*\*\* HB 1515 \*\*\*

HCS HB 1515

5415L.04P

HOUSE HANDLER: Schad

HCS/HB 1515 - This act modifies provisions related to crime.

#### CHILD ABUSE

Under current law, mandated child abuse reporters in schools must forward alleged reports of sexual abuse of students by school employees to the Children's Division of the Department of Social Services within 24 hours of receiving the information. This act requires the person to make the report as required by the law regarding mandated reporters, which requires immediate reporting to the Children's Division.

This act removes a provision from the mandated reporters law that allows a person to satisfy the law by causing a report to be made rather than directly reporting to the Children's Division.

Current law requires mandated reports who work at a medical institution, school facility, or other private or public agency to notify the person in charge or designated agent who is then responsible for reporting to the Children's Division. This act repeals that provision and replaces it with a provision that allows two or more persons who are required to report and who know about the same instance of child abuse to make a joint report.

This act specifies that the mandated reporter requirements are individual and no person may be sanctioned for reporting although agencies may establish internal procedures consistent with the statute.

#### AMBER ALERT SYSTEM

This act requires the "Amber Alert System Oversight Committee" to adopt the criteria and procedures for police safety alerts for when another police officer is injured and the perpetrator has fled the scene.

#### WATER PATROL PERMITS

This act specifies that holders of permits issued by the Water Patrol to host an event may not knowingly violate the permit's terms.

#### DOMESTIC VIOLENCE

This act modifies provisions relating to domestic violence and makes various changes to the domestic violence chapter as follows:

- (1) Provides for the consistent use of the terms "person" rather than "adult" and the use of "domestic violence" rather than "abuse" in the domestic violence chapter as well as in the criminal domestic assault provisions in Sections 565.072 to 565.074;
- (2) Gives priority to both ex parte and full orders of protection over other non-emergency actions;
- (3) Requires a court to deny the ex parte order and dismiss the petition if the petitioner is not authorized to seek relief and provides that an immediate and present danger of domestic violence to the child on whose behalf the petition is filed constitutes good cause for an ex parte order;
- (4) Provides that service on a custodial parent, guardian or guardian ad litem for a juvenile respondent

will require the person to bring the respondent to court;

(5) Specifies that a petition for domestic violence relief must meet statutory requirements for a hearing to be held; and

(6) Requires court review for a motion to dismiss an order of protection to take place in camera rather than in open court.

Also, current law provides for an exception to the requirement for public notice of a name change for instances where the person changing his or her name is a victim of domestic violence. This act extends such exception to prohibit publication on CaseNet or through other any system operated by the judiciary that is designed to provide public case information electronically.

#### DNA PROFILING ANALYSIS

Under current law, a surcharge of \$30 is assessed in criminal cases in which a defendant is found guilty of a felony, a surcharge of \$60 is assessed if the defendant is found guilty of a Class A or B felony or an unclassified felony under Chapter 195, and \$15 is assessed if the defendant is found guilty of a misdemeanor. The money goes into the "DNA Profiling Analysis Fund".

The surcharge was set to expire on August, 28, 2013. This act repeals the expiration date.

In addition, this act repeals a provision that redirects the funds to the state's general revenue if such revenue did not increase by two percent or more from the previous fiscal year.

Current law requires people who move to Missouri under an interstate compact or other reciprocal agreement to provide a DNA sample if the offense committed in the other jurisdiction would be considered an offense requiring the collection of a DNA sample under Missouri law. Under this act, a DNA sample is collected from any person found guilty of any felony offense who moves to Missouri pursuant to an interstate compact or similar agreement.

This act requires offenders to provide a DNA sample at the time of registering as a sex offender.

When a prosecutor declines to prosecute someone whose DNA was collected at the time of arrest, the arresting agency is required under current law to notify the crime laboratory within 90 days. The crime lab must expunge the DNA records and sample unless the person is otherwise obligated to submit a sample.

This act specifies that the arresting agency has 60 days upon receiving notification by the prosecuting attorney to contact the crime lab. The crime lab then has 90 days from receiving notice by the arresting agency to determine whether the person arrested has any other offenses or arrests on record that would require the person to submit a DNA sample. If the person does not have any other qualifying arrests or offenses, then the crime lab must destroy the DNA records and sample.

In addition, current law requires the crime lab to expunge DNA records and samples when charges are withdrawn, cases are dismissed, or people are found not guilty within 30 days of receiving notice. This act extends that time period to 90 days.

#### LAW ENFORCEMENT AUDITS OF FEDERAL SEIZURES

Under current law, law enforcement agencies involved in the federal forfeiture system must procure an independent audit of the federal seizures at the end of each fiscal year.

This act requires law enforcement agencies to file a report regarding such seizures each year by January 31 for the previous calendar year with the Department of Public Safety and the State Auditor's Office.

#### SAM PRATT'S LAW

This act allows a court to impose as a condition of release of a person charged with the abuse, neglect, or death of a child that the person may not provide child care services for compensation while the case is pending.

#### SENTENCING ADVISORY COMMISSION

This act repeals a provision requiring the Sentencing Advisory Commission to publish a revised system of recommended sentences for felony offenses every two years. In addition, the act states that the statute shall

not be construed as allowing the commission to issue recommended sentences in specific pending cases.

#### ELDER ABUSE

Under current law, a person who recklessly and purposely causes serious injury to an elderly person commits the crime of second degree elder abuse. This act makes it so a person who recklessly or purposely causes such injury has committed the crime.

This act adds undue influence to the types of acts that, when committed against an elderly or disabled person, constitute the crime of financial exploitation.

Undue influence is defined under the act to mean influence by a person who has authority over the elderly or disabled person in order to take unfair advantage of the person's vulnerable state of mind, neediness, pain, or agony. It includes improper use of various types of fiduciary authority.

This act makes it an unlawful violation of the financial exploitation statute to fail to remit to a nursing facility in which a Medicaid eligible person resides all money owing the facility resident from any source.

This act allows the Department of Social Services to release records regarding the income or assets of a resident of a facility licensed under Chapter 198 to prosecuting attorneys who are investigating or prosecuting an offense of financial exploitation.

If a person admits to or is found guilty of failing to remit money owed to a facility licensed under Chapter 198, the court can order the offender to make restitution to the facility as a condition of sentence and/or probation. Any order or agreement for restitution must allow the prosecuting attorney to receive ten percent of each payment toward the restitution as reimbursement for the cost of enforcement.

#### HOUSE OF WORSHIP PROTECTION ACT

Under this act, a person commits the crime of disturbing a house of worship if such person intentionally and unreasonably disturbs a building used for religious purposes by using profanity, rude or indecent behavior, or making noise. A person commits the crime if they engage in such behavior within the house of worship or so close to the building that the services are disturbed.

A person also commits the crime if he or she intentionally injures, intimidates, or interferes with any person exercising the right to religious freedom or who is seeking access to a house of worship.

A first offense is a Class B misdemeanor, a second is a Class A misdemeanor, and a third or subsequent offense is a Class D felony.

Under this act, a person aggrieved by the prohibited conduct may also bring a civil action for injunctive relief, compensatory and punitive damages, costs, and attorneys' fees.

This act also allows victims of the crime of institutional vandalism to bring a civil action for injunctive relief, compensatory and punitive damages, costs, and attorneys' fees.

#### FALSE STATEMENTS

This act creates the crime of false identification to a law enforcement officer. A person commits the Class B misdemeanor by representing himself or herself as another person to a on-duty police officer upon a lawful stop, detention, or arrest to evade the court or the police officer.

Noone may be convicted of false identification to a law enforcement officer unless certain evidence is present proving the falsity of the statement that is currently required for other crimes involving false statements.

It is a defense to the crime that the defendant retracted the false representation before the officer, or anyone else, substantially relied on it.

In addition, the crime of making a false declaration is modified so that a person commits the Class B misdemeanor if he or she provides a verbal false statement regarding his or her identity which he or she believes or knows is not true.

Under current law, the crime of making a false report to a law enforcement officer is a Class B

misdemeanor.

This act adds the element that the false report be made with an intent to deceive and provides that the offense is a Class D felony when the crime that was falsely reported is a felony.

#### OPEN RECORDS LAW

This act extends an exception to the open records law that allows law enforcement, public safety, first response, and public health agencies to close operational guidelines and policies for responding to or preventing terrorism. The exception was due to sunset on December 31, 2012. Under this act, it will sunset on December 31, 2016.

This act specifies when crime scene photographs and video recordings that depict or describe a deceased person who has been dismembered, decapitated, or mutilated. The custodian of records must give the deceased person's next of kin at least two weeks notice before releasing such records. These provisions do not apply to disclosure of such records to an attorney representing a defendant.

#### CYBER CRIME INVESTIGATION FUND

Under current law, the "Cyber Crime Investigation Fund" is set to expire on September 1, 2012. The associated program administered by the Department of Public Safety will expire on June 5, 2012. This act extends the expiration date of the fund and the program to August 28, 2022.

This act contains provisions identical to SB 871 (2012) and SB 689 (2012) and similar to SB 755 (2012) and SB 789 (2012).

MEGHAN LUECKE

01/25/2012 Introduced and Read First Time (H) (H168)  
 01/26/2012 Read Second Time (H) (H172)  
 02/15/2012 Referred: Crime Prevention and Public Safety (H) (H341)  
 02/29/2012 Public Hearing Completed (H)  
 03/08/2012 Executive Session Completed (H)  
 03/08/2012 HCS Voted Do Pass (H)  
 03/21/2012 Committee Vote to Reconsider (H)  
 03/21/2012 HCS Voted Do Pass (H)  
 03/21/2012 HCS Reported Do Pass (H) (H658)  
 03/21/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/22/2012 Rules - Executive Session Completed (H)  
 03/22/2012 Rules - Voted Do Pass (H)  
 03/22/2012 Rules - Reported Do Pass (H) (H691)  
 04/04/2012 HCS Adopted (H)  
 04/04/2012 Perfected with Amendments (H) (H934)  
 04/04/2012 Referred: Fiscal Review (H) (H941)  
 04/05/2012 Executive Session Completed (H)  
 04/05/2012 Voted Do Pass (H)  
 04/05/2012 Reported Do Pass (H) (H953)  
 04/05/2012 Third Read and Passed (H) (H961-962)  
 04/05/2012 S First Read--HCS for HB 1515 (S636)  
 04/12/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2012

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\*\*\* HB 1517 \*\*\*

5170L.01P

HOUSE HANDLER: Nolte

HB 1517 - This act authorizes the issuance of a military medallion, medal, and certificate of appreciation to any veteran who served in World War II, the Korean Conflict, or the Vietnam War as a member of the Missouri National Guard regardless of whether the veteran is or ever was a legal Missouri resident.

MIKE HAMMANN

01/25/2012 Introduced and Read First Time (H) (H168)  
 01/26/2012 Read Second Time (H) (H172)  
 02/01/2012 Referred: Veterans (H) (H204)  
 02/07/2012 Public Hearing Completed (H)  
 02/07/2012 Executive Session Completed (H)  
 02/07/2012 Voted Do Pass - Consent (H)

02/07/2012 Reported Do Pass by Consent (H) (H252)  
 02/07/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 02/13/2012 Rules - Executive Session Completed (H)  
 02/13/2012 Rules - Voted Do Pass - Consent (H)  
 02/13/2012 Rules - Reported Do Pass Consent (H) (H302)  
 02/20/2012 Perfected by Consent (H) (H376)  
 02/22/2012 Third Read and Passed (H) (H405)  
 02/23/2012 S First Read--HB 1517-Nolte, et al (S328)  
 03/08/2012 Second Read and Referred S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs  
 Committee (S435)

EFFECTIVE: August 28, 2012

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\*\*\* HB 1518 \*\*\* HCS HB 1518 & 1522

5450L.03P

HOUSE HANDLER: Grisamore

HCS/HBs 1518 & 1522 - This act modifies provisions relating to temporary behavior analysts, temporary assistant behavior analysts, provisional behavior analysts, provisional assistant behavior analysts, and the Behavior Analysts Advisory Board.

The Behavior Analyst Advisory Board will review all applications for any behavior analyst license. The board will also recommend to the State Committee of Psychologists rules for promulgation regarding all types of behavior analyst licenses.

Submission of a fee set by the State Committee of Psychologists will be required before a temporary license is issued.

The requirements for submission of a passport photograph, passage of an examination, and board certification are eliminated for provisional licenses. To receive a provisional license, the applicant must pay the appropriate fee, hold a bachelors or graduate degree, have completed course work for licensure as either a behavior analyst or assistant behavior analyst, and completed supervised field experience under a licensed behavior analyst. Those holding provisional licenses may only practice under the supervision of licensed behavior analyst. Provisional licenses will terminate upon issuance of a permanent license, a finding of cause to discipline, termination of supervision, or one year after issuance. Provisional licenses may only be renewed for one additional year.

No person shall hold themselves out as having a temporary or provisional license unless they meet the applicable requirements. Individual holding a temporary or provisional license shall limit their practice to their respective areas of competence and not practice in another area without obtaining additional training, education, and experience.

Temporary licensed behavior analysts, provisionally licensed assistant behavior analysts, and provisionally licensed behavior analysts shall be reimbursed by insurances the same as assistant behavior analysts.

This act is similar to SB 803 (2012).

MIKE HAMMANN

01/25/2012 Introduced and Read First Time (H) (H168)  
 01/26/2012 Read Second Time (H) (H172)  
 02/01/2012 Referred: Special Standing Committee on Disability Services (H204)  
 02/06/2012 Public Hearing Completed (H)  
 02/13/2012 Executive Session Completed (H)  
 02/13/2012 HCS Voted Do Pass (H)  
 02/23/2012 Committee Vote to Reconsider (H)  
 02/23/2012 HCS Voted Do Pass - Consent (H)  
 02/28/2012 HCS Reported Do Pass by Consent (H) (H447)  
 02/28/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/20/2012 Rules - Executive Session Completed (H)  
 03/20/2012 Rules - Voted Do Pass - Consent (H)  
 03/20/2012 Rules - Reported Do Pass Consent (H) (H632)  
 03/27/2012 Perfected by Consent - Pursuant to House Rules (H) (H735)  
 03/28/2012 Third Read and Passed (H) (H784)

03/28/2012 S First Read--HCS for HBs 1518 & 1522 (S544)  
 04/05/2012 Second Read and Referred S Financial and Governmental Organizations and Elections  
 Committee (S632)  
 04/16/2012 Hearing Scheduled S Financial and Governmental Organizations and Elections Committee  
 EFFECTIVE: August 28, 2012

\*\*\* HB 1524 \*\*\* HCS#2 HB 1524

5554L.05P

HOUSE HANDLER: Phillips

HCS #2/HB 1524 - This act modifies the law governing the establishment, improvement and maintenance of private roads.

This act establishes a process for establishing a plan of maintenance for private roads when adjoining homeowners or homeowners who hold easements to use private roads are unable to agree in writing upon a plan of maintenance for a private road. If the homeowners are unable to agree to a plan of maintenance, one or more of the homeowners may petition the circuit court for an order establishing a plan of maintenance.

Under the terms of the act, the cost of the maintenance plan for a private road must be apportioned among the homeowners according to the use and benefit to the residential property benefitted by the access as mutually agreed by the homeowners or as ordered by the court. The method of apportionment established by the homeowners or ordered by the court may be based on equal division, residential assessed value, usage or benefit or other methods.

The act provides that a court may implement the same procedures to order a plan of maintenance for establishing or widening a private road. The act further provides that the court may appoint disinterested commissioners to determine a maintenance plan and the apportionment of costs.

If homeowners are unable to agree upon the designation of a supervisor to complete a maintenance plan, then the commissioners appointed by the court shall designate a supervisor. The appointed supervisor shall be compensated in the same manner as the commissioners.

Under the act, any agreement executed by all owners for, or final order approving, a plan of maintenance shall be recorded with the county recorder of deeds. Under the terms of the act, adjoining landowners or holders of an easement to use a private road may bring an action to enforce the maintenance plan, whether as mutually agreed or as ordered by the court.

The act allows a prior agreement or court order establishing a plan of maintenance to be amended or modified and may be restated at any time by a recorded agreement signed by all the homeowners or other benefitted owners. A court proceeding to amend, modify, or restate a plan of maintenance shall not be filed sooner than 7 years from the entry of a prior order unless there is prima facie evidence showing that the real property benefitted by the private road has been developed or divided in a manner rendering the plan of maintenance obsolete or showing that the existing apportionment of the use and benefit is inequitable.

For the purposes of obtaining a maintenance order, the act defines "private road" as any private road established under chapter 228 or any easement of access which provides a mean of ingress and egress by motor vehicle for any owners of residences from such homes to a public road. The act specifies that private roads do not include roads owned by the United States, the state of Missouri, or other political subdivisions. The act also specifies that the provisions of law that pertain to the establishment and maintenance of private roads shall not apply to roads created by or included in any recorded plat referencing or referenced in an indenture or declaration creating an owner's association, regardless of whether such road is designated as a common element. In addition, the private road statutes shall not apply to any land or property owned or operated by any railroad regulated by the Federal Railroad Administration.

STEPHEN WITTE

01/25/2012 Introduced and Read First Time (H) (H169)  
 01/26/2012 Read Second Time (H) (H172)  
 02/14/2012 Referred: Rural Community Development (H) (H318)  
 02/21/2012 Public Hearing Completed (H)  
 02/21/2012 Executive Session Completed (H)  
 02/21/2012 HCS Voted Do Pass - Consent (H)  
 02/21/2012 HCS Reported Do Pass by Consent (H) (H386)  
 02/21/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)

02/28/2012 Rules - Executive Session Completed (H)  
 02/28/2012 Rules - Voted to Return to Committee of Origin (H)  
 02/28/2012 Rules - Returned to the Committee of Origin (H) (H448)  
 03/06/2012 Executive Session Completed (H)  
 03/06/2012 HCS Voted Do Pass - Consent (H)  
 03/06/2012 HCS Reported Do Pass by Consent (H) (H518)  
 03/06/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/08/2012 Rules - Executive Session Completed (H)  
 03/08/2012 Rules - Voted Do Pass - Consent (H)  
 03/08/2012 Rules - Reported Do Pass Consent (H) (H591)  
 03/26/2012 Perfected by Consent - Pursuant to House Rules (H) (H713)  
 03/28/2012 Third Read and Passed (H) (H761)  
 03/28/2012 S First Read--HCS for HB 1524 (S539)  
 04/05/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S632)  
 04/16/2012 Hearing Scheduled S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2012

\*\*\* HB 1525 \*\*\*

HCS HB 1525

5562L.07P

HOUSE HANDLER: Fuhr

SCS/HCS/HB 1525 - This act modifies provisions relating to probation, parole and conditional release.

#### EARNED COMPLIANCE CREDITS

Under this act, the Division of Probation and Parole must award earned compliance credits to offenders placed on probation, parole, or conditional release beginning October 1, 2012. The credits are equal to thirty days of time served for every calendar month the offender remains in compliance with the terms of probation, parole, or conditional release. The credits reduce the duration of the term, but may be suspended or rescinded if the offender violates probation or parole. The offender must serve at least two years of the sentence on probation, parole, or conditional release. Only certain offenders of Class C and D felonies or drug crimes who are not on lifetime supervision may earn the credits. In addition, the court may limit eligibility for offenders of certain felonies.

#### ADMINISTRATIVE JAIL SANCTIONS

This act also allows the Division of Probation and Parole to place offenders in jail for short periods of time when a probation and parole officer believes an offender has violated a condition of release unless the offender's order of release includes detention as a condition of the probation or parole. The first period of detention may be no longer than 48 hours and the offender may only spend up to 360 hours in jail in a calendar year.

The department must reimburse counties at a rate determined by the department, but no less than \$30 per day per offender, for the period of detention. The department must certify to the counties before imposing a period of detention that there are enough funds to cover the cost of reimbursement. If there is not enough funding to cover the reimbursement or the jail does not have enough space, then the jail may refuse to accept offenders for detention. Once released from the period of detention, the offender can continue the probation or parole term unless new or additional information is brought forward that the offender was involved in the commission of a crime.

#### MANDATORY PLACEMENT IN 120-DAY PROGRAM FOR FIRST REVOCATION

Under this act, the court must order the Department of Corrections to place certain offenders in one of the department's 120-day programs before revoking the offender's probation upon a determination by the court that the offender committed a violation of the terms of release.

Offenders who are on probation or parole for Class C or D felony offenses or a drug offense, have not been placed in a 120 day program during the same sentence, and whose probation or parole violation does not fall within certain specified types of offenses are eligible for placement in one of the alternative programs. The court may also limit eligibility for offenders of certain Class C and D felonies.

Once the offender has completed the program, the court must continue the term of probation, parole, or conditional release without modifying, enlarging, or extending the term based on the same violation.

Time served in the alternative program is to be credited against the offender's sentence.



**SENTENCING AND CORRECTIONS OVERSIGHT COMMISSION**

This act creates a 13-member commission to oversee the implementation, and to calculate the effects, of this act. The duties of the commission also include determining ways to reinvest any cost savings realized from the passage of this act to pay for evidence-based practices to reduce recidivism and examining how restitution is collected for crime victims.

The Governor and Missouri Supreme Court chief justice have the authority to appoint certain members to the commission, which serve staggered four-year terms. In addition, this act requires the chairs and ranking minority members of the Senate Judiciary Committee and the House Appropriations - Public Safety Committee, the directors of the Missouri State Public Defender System, Missouri Office of Prosecution Services, Missouri Department of Corrections, and the Board of Probation and Parole to serve as voting, ex officio members on the commission. The Judiciary chair and the Appropriations chair shall serve as co-chairs of the commission.

This act requires the commission to issue a report on December 31, 2012, and each year thereafter, to the Speaker of the House, Senate President Pro Tem, Missouri Supreme Court Chief Justice, and the Governor.

The commission's first meeting must occur before February 28, 2013 and the members must meet at least twice a year, only receiving compensation for their actual and necessary expenses. Staff and consultants may be employed by the commission.

The provisions establishing the commission will expire on August 28, 2018.

This act is similar to SS/SCS/SB 699 (2012).

MEGHAN LUECKE

01/25/2012 Introduced and Read First Time (H) (H169)  
 01/26/2012 Read Second Time (H) (H172)  
 01/26/2012 Referred: Crime Prevention and Public Safety (H) (H173)  
 02/08/2012 Public Hearing Completed (H)  
 02/15/2012 Executive Session Completed (H)  
 02/15/2012 HCS Voted Do Pass (H)  
 02/20/2012 HCS Reported Do Pass (H) (H373)  
 02/20/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/01/2012 Rules - Executive Session Completed (H)  
 03/01/2012 Rules - Voted Do Pass (H)  
 03/01/2012 Rules - Reported Do Pass (H) (H480)  
 03/06/2012 HCS Adopted (H)  
 03/06/2012 Perfected (H) (H508)  
 03/08/2012 Third Read and Passed (H) (H562-563)  
 03/08/2012 S First Read--HCS for HB 1525 (S436)  
 03/22/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (H503)  
 04/11/2012 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee  
 04/11/2012 SCS Voted Do Pass S Judiciary and Civil and Criminal Jurisprudence Committee (5562S.08C)

EFFECTIVE: August 28, 2012

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\*\*\* HB 1527 \*\*\*

HCS HB 1527

5278L.03P

HOUSE HANDLER: Elmer

HCS/HB 1527- Currently any motor vehicle less than \$3,000 in value is exempt from execution or attachment. This act requires that all motor vehicles owned by a debtor be considered together and only their aggregate value less than \$3,000 shall be exempt. Mobile homes used as principal residences cannot be attached to real property to be exempt. The exemption for local public assistance benefits is broadened to include all public assistance benefits. The age for dependents included in the head of household exemption calculation is raised from eighteen to twenty-one.

This act is similar to SB 683 (2012).

MIKE HAMMANN

01/26/2012 Introduced and Read First Time (H) (H175)  
 01/30/2012 Read Second Time (H) (H184)

02/01/2012 Referred: Judiciary (H) (H204)  
 02/08/2012 Public Hearing Scheduled, Bill not Heard (H)  
 02/15/2012 Public Hearing Completed (H)  
 02/29/2012 Executive Session Completed (H)  
 03/01/2012 HCS Voted Do Pass - Consent (H)  
 03/01/2012 HCS Reported Do Pass by Consent (H) (H477)  
 03/01/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/20/2012 Rules - Reported Do Pass Consent (H) (H632)  
 03/27/2012 Perfected by Consent - Pursuant to House Rules (H) (H735)  
 03/28/2012 Third Read and Passed (H) (H815)  
 03/29/2012 S First Read--HCS for HB 1527 (S571)  
 04/05/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S633)  
 04/11/2012 Hearing Conducted S Judiciary and Civil and Criminal Jurisprudence Committee

EFFECTIVE: August 28, 2012

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\*\*\* HB 1541 \*\*\* HCS HB 1541

5077L.03P

HOUSE HANDLER: Jones

HCS/HB 1541 - This act provides medical freedom of conscience protection for medical professionals and health care institutions with respect to the provision and participation of specified medical procedures or research. "Specified medical procedures or research" is defined as abortion, abortion-inducing drugs, contraception, sterilization, assisted reproduction, human cloning, human embryonic stem-cell research, human somatic cell nuclear transfer, non-therapeutic benefit fetal tissue research, and fetal experimentation, including any phase of patient medical care, treatment, procedure, patient referral, counseling, therapy, testing, diagnosis, prognosis, surgery, research, instruction, or the prescribing or administering of any device, drug, or medication related to the enumerated medical procedures or research. The definition for health care institution is in the act as well as a full list of medical professionals covered under these protections including any individual who may be asked to participate in any way in a medical service.

No medical professional or health care institution shall be civilly, criminally, or administratively liable for declining to participate in or provide specified medical procedures or research that violates the professional's or institution's conscience. However, a health care institution shall provide a consent form to be signed by a patient before admission to the institution stating that it reserves the right to decline to provide such specified medical procedures or research.

"Conscience" is defined as religious, moral or ethical principles. For purposes of this act, a health care institution's conscience shall be determined by reference to its existing or proposed religious, moral, or ethical guidelines, mission statement, constitution, bylaws, articles of incorporation, regulations, or other relevant documents. A medical professional's conscience means a sincere and meaningful belief in God or in relation to a supreme being, or a belief which, though not so derived, occupies in the life of its possessor a place parallel to that filled by God among adherents to religious faiths.

It shall be unlawful for a medical professional or health care institution to be discriminated against in any manner based on the professional or institution declining to participate in specified medical procedures or research that violate the professional's or institution's conscience. The act prescribes the list of prohibited discrimination against a medical professional or institution including denying, depriving or disqualifying with respect to licensure, benefits, or staff privileges as well as denying any form of aid, assistance, grants or benefits, privilege or authorization to the professional or institution.

A cause of action for damages or injunctive relief, or both, may be brought for the violation of any provision of this act. It shall not be a defense to any claim arising out of the violation of this act that such violation was necessary to prevent additional burden or expense on any other medical professional, health care institution, individual or patient. Upon a finding of a violation of this act, the aggrieved party shall be entitled to treble damages, including pain and suffering, the costs of the action and reasonable attorney's fees. In no case shall recovery be less than five thousand dollars for each violation in addition to the costs of the action and reasonable attorney's fees.

Nothing in the act shall be construed to authorize any medical professional or health care institution to withhold emergency medical treatment or services necessary to save the life of a patient under the professional's or institution's care. Nor shall the act be construed to relieve a medical professional from any duty which may exist under current law to inform a patient of the risks, prognosis, medical options and

resources available to the patient, including information required to be given under the abortion regulation chapter.

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 contains a severability clause.

This act is substantially similar to SCS/SB 657 (2012).

ADRIANE CROUSE

01/26/2012 Introduced and Read First Time (H) (H176)  
 01/30/2012 Read Second Time (H) (H184)  
 02/01/2012 Referred: Health Care Policy (H) (H204)  
 02/08/2012 Public Hearing Completed (H)  
 02/29/2012 Executive Session Completed (H)  
 02/29/2012 HCS Voted Do Pass (H)  
 02/29/2012 HCS Reported Do Pass (H) (H458)  
 02/29/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/08/2012 Rules - Executive Session Completed (H)  
 03/08/2012 Rules - Voted Do Pass (H)  
 03/08/2012 Rules - Reported Do Pass (H) (H591)  
 03/27/2012 HCS Adopted (H)  
 03/27/2012 Perfected with Amendments (H) (H724)  
 03/29/2012 Third Read and Passed (H) (H831-832)  
 03/29/2012 S First Read--HCS for HB 1541 (S573)  
 04/05/2012 Second Read and Referred S General Laws Committee (S633)  
 04/11/2012 Hearing Conducted S General Laws Committee

EFFECTIVE: August 28, 2012

\*\*\* HB 1545 \*\*\*

5165L.01P

HOUSE HANDLER: Kirkton

HB 1545 - This act designates December 4th of each year as "PKS Day" in recognition of the disorder known as Pallister-Killian Mosaic Syndrome.

JIM ERTLE

01/26/2012 Introduced and Read First Time (H) (H176)  
 01/30/2012 Read Second Time (H) (H184)  
 02/23/2012 Referred: Health Care Policy (H) (H425)  
 02/29/2012 Public Hearing Completed (H)  
 02/29/2012 Executive Session Completed (H)  
 02/29/2012 Voted Do Pass - Consent (H)  
 02/29/2012 Reported Do Pass by Consent (H) (H458)  
 02/29/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/20/2012 Rules - Reported Do Pass Consent (H) (H632)  
 03/27/2012 Perfected by Consent - Pursuant to House Rules (H) (H735)  
 03/28/2012 Third Read and Passed (H) (H786)  
 03/28/2012 S First Read--HB 1545-Kirkton, et al (S544)  
 04/05/2012 Second Read and Referred S General Laws Committee (S632)

EFFECTIVE: August 28, 2012

\*\*\* HB 1549 \*\*\*

HCS HB 1549

5444L.03P

HOUSE HANDLER: Richardson

HCS HB 1549 Richardson, Todd Long, Thomas et al

C O M M I T T E E

HCS HB 1549 -- NO-CALL LIST

SPONSOR: Franz (Richardson)

COMMITTEE ACTION: Voted "do pass" by the Committee on General Laws by a vote of 12 to 0.

This substitute changes the laws regarding the state's No-call List to allow a residential subscriber to have his or her wireless telephone number added to the list. Currently, the definition of "residential subscriber" is a person who has subscribed to residential telephone service from a local exchange company or the other

persons living or residing with the person. The substitute changes it to a person who, for primarily personal and familial use, has subscribed to residential telephone service, wireless service or similar service, or the other persons living or residing with the person.

Currently, the definition of "telephone solicitation" is any voice communication over a telephone line from a live operator, through the use of ADAD equipment or by other means for the purpose of encouraging the purchase or rental of, or investment in, property, goods or services, but does not include specified communications. The substitute changes it to any voice, facsimile, short messaging service (SMS), or multimedia messaging service (MMS) for that purpose.

FISCAL NOTE: No impact on state funds in FY 2013, FY 2014, and FY 2015.

PROPOSERS: Supporters say that the bill will allow the Attorney General's Office to have a No-Call List that actually works by adding cell phone numbers to the current list that presently only consists of land-line telephone numbers. Since January, over 800 Missourians have attempted to register their cell phone numbers on the list, but the law doesn't allow the Attorney General's Office to add these numbers. Today, cell phone use is more prevalent and the law needs to be expanded to include these telephone numbers. Testifying for the bill were Representative Richardson; and Office of the Attorney General.

OPPOSERS: There was no opposition voiced to the committee.

OTHERS: Others testifying on the bill say that the bill should include language regarding short messaging service and multimedia messaging service in order to accurately reflect current technology.

Testifying on the bill was Missouri Cable Telecommunications Association.

01/26/2012 Introduced and Read First Time (H) (H176)  
 01/30/2012 Read Second Time (H) (H184)  
 02/02/2012 Referred: General Laws (H) (H217)  
 02/14/2012 Public Hearing Completed (H)  
 02/21/2012 Executive Session Completed (H)  
 02/21/2012 HCS Voted Do Pass (H)  
 02/23/2012 HCS Reported Do Pass (H) (H426)  
 02/23/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/01/2012 Rules - Executive Session Completed (H)  
 03/01/2012 Rules - Voted Do Pass (H)  
 03/01/2012 Rules - Reported Do Pass (H) (H480)  
 04/11/2012 HCS Adopted (H)  
 04/11/2012 Perfected (H)  
 04/12/2012 Third read and passed (H)  
 04/12/2012 S First Read--HCS for HB 1549

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\*\*\* HB 1560 \*\*\*

5334L.02P

HOUSE HANDLER: Diehl

HB 1560 - This act requires that the circuit clerk for the twenty-second judicial circuit be appointed by a majority of the judges of that circuit. The circuit clerk shall be removable for cause by a majority of the circuit judges.

This act is similar to SB 788 (2012), HB 1025 (2011) and SB 53 (2005).

MIKE HAMMANN

01/30/2012 Introduced and Read First Time (H) (H186)  
 01/31/2012 Read Second Time (H) (H193)  
 02/15/2012 Referred: Judiciary (H) (H341)  
 02/22/2012 Public Hearing Completed (H)  
 03/07/2012 Executive Session Completed (H)  
 03/07/2012 Voted Do Pass - Consent (H)  
 03/08/2012 Reported Do Pass by Consent (H) (H589)  
 03/08/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/20/2012 Rules - Executive Session Completed (H)  
 03/20/2012 Rules - Voted Do Pass - Consent (H)  
 03/20/2012 Rules - Reported Do Pass Consent (H) (H632)  
 03/27/2012 Perfected by Consent - Pursuant to House Rules (H) (H735)  
 03/28/2012 Third Read and Passed (H) (H814)  
 03/29/2012 S First Read--HB 1560-Diehl, et al (S571)  
 04/05/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S633)  
 04/16/2012 Hearing Scheduled S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: August 28, 2012

\*\*\* HB 1563 \*\*\* HCS HB 1563

5569H.02P

HOUSE HANDLER: Sater

HCS/HB 1563 - This act allows a pharmacy to sell, purchase, or trade prescription drugs to pharmacies not licensed in Missouri if the total dollar amount of the sales, purchases, or trades are in compliance with the rules of the Board of Pharmacy, but in no event exceed 5% of the pharmacy's total annual prescription drug sales. Pharmacies must establish and maintain inventories and records of all transactions regarding prescription drugs for two years. This information must be readily available upon request by the Board of Pharmacy. The Board is authorized to promulgate rules regarding these provisions.

The Board of Pharmacy is authorized to promulgate rules allowing the distribution of drugs by out-of-state pharmacies in the event of an emergency or to alleviate a supply shortage.

MIKE HAMMANN

01/30/2012 Introduced and Read First Time (H) (H186)  
 01/31/2012 Read Second Time (H) (H193)  
 02/29/2012 Referred: Professional Registration & Licensing (H) (H457)  
 03/07/2012 Public Hearing Completed (H)  
 03/07/2012 Executive Session Completed (H)  
 03/07/2012 HCS Voted Do Pass - Consent (H)  
 03/08/2012 HCS Reported Do Pass by Consent (H) (H589)  
 03/08/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/20/2012 Rules - Executive Session Completed (H)  
 03/20/2012 Rules - Voted Do Pass - Consent (H)  
 03/20/2012 Rules - Reported Do Pass Consent (H) (H632)  
 03/27/2012 Perfected by Consent - Pursuant to House Rules (H) (H735)  
 03/28/2012 Third Read and Passed (H) (H787)  
 03/28/2012 S First Read--HCS for HB 1563 (S544)  
 04/05/2012 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S632)

EFFECTIVE: August 28, 2012

\*\*\* HB 1576 \*\*\* HCS HB 1576

5298L.02P

HOUSE HANDLER: Largent

HCS/HB 1576 - This act allows any state-licensed foster parent to purchase health insurance for himself or herself and his or her dependents from the Missouri Consolidated Health Care Plan at the total premium rate established for state employees at his or her own expense. The Department of Social Services shall provide an eligible foster parent with the appropriate documentation to qualify him or her to purchase the plan.

Any licensed foster parent providing temporary foster care for children with a documented history of presenting behaviors or diagnoses that render the child unable to effectively function outside of a highly structured environment is eligible to purchase the state health insurance plan. A foster parent who is seeking to adopt a foster child or who is related to the foster child shall not be eligible to purchase the plan.

ADRIANE CROUSE

01/31/2012 Introduced and Read First Time (H) (H196)  
 02/01/2012 Read Second Time (H) (H204)  
 02/06/2012 Referred: Children and Families (H) (H228)  
 02/08/2012 Public Hearing Completed (H)  
 02/08/2012 Executive Session Completed (H)  
 02/08/2012 Voted Do Pass - Consent (H)  
 02/15/2012 Committee Vote to Reconsider (H)  
 02/15/2012 HCS Voted Do Pass - Consent (H)  
 02/16/2012 HCS Reported Do Pass by Consent (H) (H350)  
 02/16/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 02/23/2012 Rules - Executive Session Completed (H)  
 02/23/2012 Rules - Voted Do Pass - Consent (H)  
 02/23/2012 Rules - Reported Do Pass Consent (H) (H428)

03/06/2012 Perfected by Consent - Pursuant to House Rules (H) (H518)  
 03/08/2012 Third Read and Passed (H) (H586)  
 03/19/2012 S First Read--HCS for HB 1576 (S447)  
 03/22/2012 Second Read and Referred S Small Business, Insurance and Industry Committee (H503)  
 04/10/2012 Hearing Scheduled But Not Heard S Small Business, Insurance and Industry Committee  
 04/17/2012 Hearing Scheduled S Small Business, Insurance and Industry Committee

EFFECTIVE: August 28, 2012

\*\*\* HB 1577 \*\*\*

5395L.01P

HOUSE HANDLER: Largent

HB 1577 – 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) and HB 419 (2011).

MICHAEL RUFF

01/31/2012 Introduced and Read First Time (H) (H196)  
 02/01/2012 Read Second Time (H) (H204)  
 02/08/2012 Referred: Children and Families (H) (H271)  
 02/15/2012 Public Hearing Completed (H)  
 02/22/2012 Executive Session Completed (H)  
 02/22/2012 Voted Do Pass - Consent (H)  
 02/22/2012 Reported Do Pass by Consent (H) (H406)  
 02/22/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/01/2012 Rules - Executive Session Completed (H)  
 03/01/2012 Rules - Voted Do Pass - Consent (H)  
 03/01/2012 Rules - Reported Do Pass Consent (H) (H480)  
 03/19/2012 Perfected by Consent - Pursuant to House Rules (H) (H607)  
 03/28/2012 Third Read and Passed (H) (H756)  
 03/28/2012 S First Read--HB 1577-Largent, et al (S538)  
 04/05/2012 Second Read and Referred S Education Committee (S631)

EFFECTIVE: August 28, 2012

\*\*\* HB 1593 \*\*\*

5419L.03P

HOUSE HANDLER: Jones

HB 1593 - This act creates the Missouri Angel Investment Incentive Act and modifies language relating to the New Markets tax credit.

Currently, under a provision of the New Markets tax credit program, no new equity investments may be accepted after July 1, 2010, unless the general assembly adopts a concurrent resolution authorizing the Department of Economic Development to approve investments for the program and specifying the amount of tax credits available for the next fiscal year. This act repeals this provision, so that taxpayers may again make new equity investments in specialized financial institutions called Community Development Entities and be provided with tax credits for these investments.

The Missouri Angel Investment Incentive Act provides tax credits to investors in certain companies. Under this program businesses may apply to regional Small Business and Technology Development centers to be designated a qualified business. Each quarter, the regional Small Business and Technology Development centers allocate tax credits to these qualified businesses. The tax credit will be equal to fifty percent of the investor's investment in the business. The tax credits may be transferred once to an individual, or carried forward until the credit is used. No more than six million dollars in tax credits may be allowed each tax year. The Department of Revenue is prohibited from allowing tax credits of more than fifty thousand dollars per qualified business or more than two hundred fifty thousand dollars per investor or owner of a entity investor.

Qualified businesses are required to report to the regional Small Business and Technology Development centers before the center issues the tax credit and annually. The home office of the Small Business and Technology Development center is required to report annually to the Department of Revenue. Each regional Small Business and Technology Development center is required to report annually to the Governor, the director of the Department of Economic Development, the Senate Committee on Commerce, Consumer Protection, Energy, and the Environment, and the House Committee on Economic Development.

The provisions of law creating the Missouri Angel Investment Incentive Act expire on December 31, 2022.  
EMILY KALMER

02/01/2012 Introduced and Read First Time (H) (H206)  
 02/02/2012 Read Second Time (H) (H215)  
 02/07/2012 Referred: Economic Development (H) (H250)  
 02/14/2012 Public Hearing Completed (H)  
 03/20/2012 Executive Session Completed (H)  
 03/20/2012 Voted Do Pass (H)  
 03/21/2012 Reported Do Pass (H) (H658)  
 03/21/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/22/2012 Rules - Executive Session Completed (H)  
 03/22/2012 Rules - Voted Do Pass (H)  
 03/22/2012 Rules - Reported Do Pass (H) (H691)  
 03/28/2012 Perfected with Amendments (H) (H748)  
 03/28/2012 Referred: Fiscal Review (H) (H818)  
 04/02/2012 Executive Session Completed (H)  
 04/02/2012 Voted Do Pass (H)  
 04/02/2012 Reported Do Pass (H) (H871)  
 04/02/2012 Third Read and Passed (H) (H872-873)  
 04/02/2012 S First Read--HB 1593-Jones (89), et al (S588)  
 04/05/2012 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S634)

EFFECTIVE: August 28, 2012

\*\*\* HB 1608 \*\*\*

HCS HB 1608

4398L.03P

HOUSE HANDLER: McNary

HCS/HB 1608 – This act repeals provisions and sections of law regarding unfunded and obsolete programs and establishes expiration dates for specified provisions.

The act provides that the Women's Heart Health Program shall expire three years after the effective date of the act (Section 191.425). Current law allowing the Department of Social Services to make available for

purchase a health insurance policy through the Medicaid Program shall expire one year after the effective date of the act (Section 208.178).

Provisions within current law regarding the requirement that the MO HealthNet Division develop pay-for-performance payment program guidelines are repealed (Section 208.153).

Current law requires the Missouri on-site surveyor evaluation process to be part of the process ensuring uniformity of application of regulation standards in long-term care facilities in the state. This act repeals the provision requiring the on-site surveyor evaluation process to be part of ensuring such uniformity (Section 198.527).

The act further repeals a number of current law provisions including the following:

(1) A duplicating equipment unit and a records management center established by the Commissioner of Administration (Sections 37.115, 37.125, 37.300, 37.310, 37.320, 37.330, 37.340, 37.360, 37.370, and 37.390);

(2) The central registry for not-for-profit human services providers in the Office of Administration (Section 37.500);

(3) The Veterans' Historical Education Trust Fund (Sections 42.014 and 42.015);

(4) The Missouri Senior Cadets Program (Section 160.375);

(5) The Research-based Reform Program (Section 160.542);

(6) The Persistence to Graduation Fund (Section 160.950);

(7) The Disability Freeze Fund (Section 161.182);

(8) The Student Suicide Prevention Grant Program (Section 161.235);

(9) The Volunteer and Parents Incentive Program (Section 161.800);

(10) The New Schools Pilot Project (Section 162.1010);

(11) The Missouri Preschool Plus Grant Program (Section 162.1168);

(12) The Model School Wellness Program (Section 167.229);

(13) The Extended Day Child Care Program Act (Sections 167.290 - 167.310);

(14) The Alternative Education Act (Sections 167.320 - 167.332);

(15) The Missouri Teacher Corps Program (Section 168.430);

(16) The Missouri Prospective Teacher Loan Program (Sections 168.550 - 168.595);

(17) The Missouri Critical Teacher Shortage Forgivable Loan Program (Section 168.600);

(18) Allowing certain teachers who retired prior to July 1, 1957, to be employed by the Department of Elementary and Secondary Education as a special advisor and supervisor in connection with state educational problems (Section 169.580);

(19) Technology grants to school districts from the State Board of Education within the Department of Elementary and Secondary Education (Section 170.254);



(20) Requiring the Coordinating Board for Higher Education to request appropriations based on the number of students receiving Pell grants (Section 173.053);

(21) The Student Loan Default State Risk Sharing Program (Section 173.055);

(22) The Undergraduate Scholarship Program (Section 173.198);

(23) The Graduate Fellowship Program (Section 173.199);

(24) The Missouri Educational Employees' Memorial Scholarship Program (Section 173.267);

(25) The requirement that Missouri promote research and applied projects and the provisions regarding the Higher Education Research Fund (Sections 173.500 - 173.565);

(26) The Higher Education Artistic Scholarship Program (Section 173.724);

(27) The Higher Education Graduate Study Scholarship Program (Section 173.727);

(28) The Missouri Fibromyalgia Awareness Initiative Program and the Missouri Fibromyalgia Panel (Section 191.390);

(29) The requirement that licensed physicians providing obstetrical or gynecological care to a pregnant woman counsel all patients as to the perinatal effects of cigarettes, alcohol, and controlled substances and that the Department of Health and Senior Services establish a toll-free information line to provide information on resources for substance abuse treatment, establish protocols based on a risk assessment profile to be used by health care providers to identify high risk pregnancies, and conduct periodic tests on a sample of women or infants at the time of delivery (Sections 191.727, 191.733, 191.735, 191.741, and 191.745);

(30) The requirement that the Attorney General annually report to the General Assembly and the Governor on specified information regarding the MO HealthNet Fraud Unit within the Attorney General's Office and the Provider Integrity Unit within the Department of Social Services (Section 191.909);

(31) An osteoporosis prevention and education program (Sections 192.640 - 192.644);

(32) A state systemic lupus erythematosus program in the Department of Health and Senior Services (Section 192.729);

(33) The local registrar's fee for the transmission of records to the State Registrar (Sections 193.295 and 193.305);

(34) A demonstration project designed to establish a licensure category for health care facilities that wish to provide treatment to persons with Alzheimer's disease or Alzheimer's-related dementia (Section 198.086);

(35) The Aging-in-place Pilot Program (Section 198.531);

(36) Housing assistance to parents of children who are at imminent danger of removal and placement or who are in the custody of the Department of Social Services (Section 207.150);

(37) A pilot project created by the Director of the Division of Medical Services within the Department of Social Services to provide up to 1,000 recipients of unemployment compensation with medical assistance (Section 208.179);

(38) The requirement that the Director of the MO HealthNet Division within the Department of Social Services implement a program to make certain nonaggregated Medicaid data available through its website and submit specified reports to the General Assembly and the MO HealthNet Oversight Committee on the program (Section 208.192);

(39) A pilot project premium offset program for making standardized private health insurance coverage available to qualified individuals (Section 208.202);

- (40) The Elders Volunteer for Elders Project Act (Sections 208.309 - 208.315);
- (41) Pilot programs that promote community renewal and revitalization to enhance the quality of life for community residents and the Youth Build St. Louis Program (Section 208.335);
- (42) The Transitional Benefits Demonstration Project (Sections 208.500 - 208.507);
- (43) Collaborative agency agreements to create a one-stop shop for elderly citizens to apply for all available elderly services and programs (Section 208.612);
- (44) An unmet needs report to be devised and implemented by the Division of Aging (Section 208.615);
- (45) The Welfare to Work Protection Act (Sections 208.700 - 208.720);
- (46) The Corrections Officer Certification Commission (Section 217.105);
- (47) The Missouri Regimented Discipline program (Section 217.378);
- (48) Sustainable agriculture demonstration projects within the Department of Agriculture (Section 261.105);
- (49) Requiring the Department of Agriculture to develop standards and labeling for organic farming and provisions regarding the Organic Production and Certification Fee Fund (Sections 261.110 and 261.120);
- (50) Allowing the Director of the Department of Agriculture to pay part of the cash premiums offered by agricultural fairs (Section 262.460);
- (51) A requirement that each bedding manufacturer, renovator, or sanitizer must register and obtain an initial permit and permit number from the Department of Health and Senior Services (Section 421.028);
- (52) The Grandparents as Foster Parents Program (Sections 453.322 and 453.325);
- (53) The Commission on Judicial Resources (Section 476.415);
- (54) The developmental disability stipend and the Family Support Loan Program Fund under the Family Services Support Program for Developmental Disability (Sections 633.180 and 633.185);
- (55) The Department of Social Services to include in its budget recommendation moneys for loans for physicians and nurses who serve in medically underserved areas of the state, health care initiatives, and transitional Medicaid expenses of certain Aid to Families with Dependant Children recipients (Section 660.016);
- (56) Certain caseload standards for employees of the Department of Social Services (Sections 660.019 - 660.021);
- (57) The Combined Senior Citizen Services Center/Residential Health Care Facility/Child Day Care Center Community Grants Program (Sections 660.530 - 660.545); and
- (58) Allowing an area agency on aging to establish a volunteer transportation program for health care-related purposes (Section 660.725).

JIM ERTLE

02/01/2012 Introduced and Read First Time (H) (H208)  
 02/02/2012 Read Second Time (H) (H215)  
 02/08/2012 Referred: Downsizing State Government (H) (H271)  
 02/23/2012 Public Hearing Completed (H)  
 03/01/2012 Executive Session Completed (H)  
 03/01/2012 HCS Voted Do Pass (H)  
 03/07/2012 Executive Session Completed (H)  
 03/07/2012 HCS Reported Do Pass (H) (H548)  
 03/07/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/20/2012 Rules - Executive Session Completed (H)  
 03/20/2012 Rules - No Action Taken (H)

03/22/2012 Rules - Executive Session Completed (H)  
 03/22/2012 Rules - Voted Do Pass (H)  
 03/22/2012 Rules - Reported Do Pass (H) (H692)  
 04/04/2012 HCS Adopted (H)  
 04/04/2012 Perfected with Amendments (H) (H935)  
 04/05/2012 Third read and passed (H) (H962-963)  
 04/05/2012 S First Read--HCS for HB 1608 (S636)  
 04/12/2012 Second Read and Referred S General Laws Committee

EFFECTIVE: August 28, 2012

\*\*\* HB 1615 \*\*\*

5201L.01P

HOUSE HANDLER: Oxford

HB 1615 - Currently, any action seeking monetary damage against a person for conduct or speech at a public hearing or meeting is subject to a special motion to dismiss, a motion for judgment on the pleadings, or a motion for summary judgment so it can be considered on an expedited basis to prevent the unnecessary expense of litigation. This act allows any action against a person for conduct or speech at a public hearing or meeting to be subject to these special motions.

MIKE HAMMANN

02/01/2012 Introduced and Read First Time (H) (H208)  
 02/02/2012 Read Second Time (H) (H215)  
 02/14/2012 Referred: Judiciary (H) (H318)  
 02/22/2012 Public Hearing Completed (H)  
 02/22/2012 Executive Session Completed (H)  
 02/22/2012 Voted Do Pass - Consent (H)  
 02/22/2012 Reported Do Pass by Consent (H) (H406)  
 02/22/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H406)  
 03/20/2012 Rules - Executive Session Completed (H)  
 03/20/2012 Rules - Voted Do Pass - Consent (H)  
 03/20/2012 Rules - Reported Do Pass Consent (H) (H632)  
 03/27/2012 Perfected by Consent - Pursuant to House Rules (H) (H735)  
 03/28/2012 Third Read and Passed (H) (H788)  
 03/28/2012 S First Read--HB 1615-Oxford, et al (S544)  
 04/05/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S632)

EFFECTIVE: August 28, 2012

\*\*\* HB 1621 \*\*\*

4902L.02P

HOUSE HANDLER: Brown

HB 1621 - This act makes it an unlawful employment practice for an employer to not hire or to fire, discriminate against, or otherwise adversely affect an employee because he or she has a concealed carry endorsement or uses a firearm for lawful purposes.

MEGHAN LUECKE

02/01/2012 Introduced and Read First Time (H) (H209)  
 02/02/2012 Read Second Time (H) (H215)  
 02/06/2012 Referred: General Laws (H) (H228)  
 02/21/2012 Public Hearing Completed (H)  
 02/28/2012 Executive Session Completed (H)  
 02/28/2012 Voted Do Pass (H)  
 03/01/2012 Reported Do Pass (H) (H477)  
 03/01/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/05/2012 Rules - Executive Session Completed (H)  
 03/05/2012 Rules - Voted Do Pass (H)  
 03/05/2012 Rules - Reported Do Pass (H) (H497)  
 03/07/2012 Perfected (H) (H532)  
 03/08/2012 Third Read and Passed (H) (H574)  
 03/08/2012 S First Read--HB 1621-Brown (116), et al (S439)  
 03/22/2012 Second Read and Referred S General Laws Committee (H503)  
 04/11/2012 Hearing Conducted S General Laws Committee

EFFECTIVE: August 28, 2012

\*\*\* HB 1623 \*\*\*

HCS HB 1623

4664H.04P

HOUSE HANDLER: Ellinger

HCS HB 1623 Ellinger, Rory Carlson, Susan et al

P E R F E C T E D

HCS HB 1623 -- ECONOMIC DEVELOPMENT TAX BOARDS (Ellinger)

COMMITTEE OF ORIGIN: Committee on Economic Development

Currently, an economic development tax board established by a city consists of five members. This substitute specifies that a board must consist of at least five members but may be increased to nine. The number of members must be designated in the order or ordinance imposing the sales tax authorized under Section 67.1305, RSMo. One member of a five-member board or two members of a nine-member board must be appointed by the school districts within any economic development plan or the area funded by the sales tax. Three members of a five-member board or five members of a nine-member board must be appointed by the chief elected officer of the city with the consent of the majority of its governing body. One member of a five-member board or two members of a nine-member board must be appointed by the governing body of the county in which the city is located. If a board is already in existence, any increase in the number of members must be designated in an order or ordinance. The substitute also specifies the terms and election cycle for appointing the additional members.

FISCAL NOTE: No impact on state funds in FY 2013, FY 2014, and FY 2015.

02/01/2012 Introduced and Read First Time (H) (H209)  
 02/02/2012 Read Second Time (H) (H215)  
 02/20/2012 Referred: Economic Development (H) (H372)  
 02/28/2012 Public Hearing Completed (H)  
 02/28/2012 Executive Session Completed (H)  
 02/28/2012 HCS Voted Do Pass (H)  
 03/06/2012 Executive Session Completed (H)  
 03/06/2012 HCS Voted Do Pass - Consent (H)  
 03/07/2012 HCS Reported Do Pass by Consent (H) (H548)  
 03/07/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/20/2012 Rules - Executive Session Completed (H)  
 03/20/2012 Rules - Voted Do Pass - Consent (H)  
 03/20/2012 Rules - Reported Do Pass Consent (H) (H632)  
 03/27/2012 Perfected by Consent - Pursuant to House Rules (H) (H735)  
 03/28/2012 Third Read and Passed (H) (H789)  
 03/28/2012 S First Read--HCS for HB 1623 (S545)  
 04/05/2012 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S632)

\*\*\* HB 1630 \*\*\*

4674L.01P

HOUSE HANDLER: Franz

HB 1630 - This act provides that only one person may be appointed to the Missouri Highways and Transportation Commission from the same congressional district. The act further provides that an appointee must be a citizen of the United States. In the event a member of the commission is found, by a unanimous vote of the other commissioners, to have moved out of the district from which he or she was appointed, his or her office will be forfeited and considered vacant. The act specifies that a commissioner may complete his or her term if the composition or configuration of his or her congressional district changes during the commissioner's term.

STEPHEN WITTE

02/02/2012 Introduced and Read First Time (H) (H219)  
 02/06/2012 Read Second Time (H) (H227)  
 02/08/2012 Referred: Transportation Funding & Public Institutions (H271)  
 02/21/2012 Public Hearing Completed (H)  
 03/06/2012 Executive Session Completed (H)  
 03/06/2012 Voted Do Pass - Consent (H)  
 03/07/2012 Reported Do Pass by Consent (H) (H550)  
 03/07/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/20/2012 Rules - Executive Session Completed (H)

03/20/2012 Rules - Voted Do Pass - Consent (H)  
 03/20/2012 Rules - Reported Do Pass Consent (H) (H632)  
 03/27/2012 Perfected by Consent - Pursuant to House Rules (H) (H735)  
 03/28/2012 Third Read and Passed (H) (H790)  
 03/28/2012 S First Read--HB 1630-Franz (S545)  
 04/05/2012 Second Read and Referred S Transportation Committee (S632)  
 04/18/2012 Hearing Scheduled S Transportation Committee

EFFECTIVE: August 28, 2012

\*\*\* HB 1634 \*\*\*

5654L.01P

HOUSE HANDLER: Ruzicka

HB 1634 - The act repeals Section 260.255 which requires certain newspaper publishers to file a statement with the Department of Natural Resources declaring whether or not they have complied with recycled paper content percentage requirements as provided in the section.

This act is similar to provisions in SB 889 (2012).

ERIKA JAQUES

02/02/2012 Introduced and Read First Time (H) (H219)  
 02/06/2012 Read Second Time (H) (H227)  
 02/14/2012 Referred: Tourism and Natural Resources (H318)  
 02/23/2012 Public Hearing Completed (H)  
 02/23/2012 Executive Session Completed (H)  
 02/23/2012 Voted Do Pass - Consent (H)  
 02/23/2012 Reported Do Pass by Consent (H) (H427)  
 02/23/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/01/2012 Rules - Executive Session Completed (H)  
 03/01/2012 Rules - Voted Do Pass - Consent (H)  
 03/01/2012 Rules - Reported Do Pass Consent (H) (H480)  
 03/19/2012 Perfected by Consent - Pursuant to House Rules (H) (H607)  
 03/28/2012 Third Read and Passed (H) (H757)  
 03/28/2012 S First Read--HB 1634-Ruzicka (S538)  
 04/05/2012 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S631)

EFFECTIVE: August 28, 2012

\*\*\* HB 1636 \*\*\*

5570L.01P

HOUSE HANDLER: Fuhr

HB 1636 - Currently, municipalities that make an election to have violations of their ordinance heard by an associate circuit court or county municipal court must have all violations of their ordinances heard by such a court. This amendment allows municipalities to elect to have only violations by an accused with special needs due to mental illness or mental disorder heard by such courts. If the election is for an associate circuit court to handle such matters, the presiding judge of the circuit must consent to the election. If the election is for a county municipal court to handle such matters, a county contract must permit the election.

The prosecutor must make a designation of special needs on the information. The matter will be transferred back to the municipal court if the associate circuit court or county municipal court does not have established resources for handling such matters or the court determines the accused does not have special needs.

MIKE HAMMANN

02/02/2012 Introduced and Read First Time (H) (H219)  
 02/06/2012 Read Second Time (H) (H227)  
 02/15/2012 Referred: Judiciary (H) (H341)  
 02/22/2012 Public Hearing Completed (H)  
 02/29/2012 Executive Session Completed (H)  
 02/29/2012 Voted Do Pass - Consent (H)  
 02/29/2012 Reported Do Pass by Consent (H) (H459)  
 02/29/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/20/2012 Rules - Executive Session Completed (H)

03/20/2012 Rules - Voted Do Pass - Consent (H)  
 03/20/2012 Rules - Reported Do Pass Consent (H) (H632)  
 03/27/2012 Perfected by Consent - Pursuant to House Rules (H) (H735)  
 03/28/2012 Third Read and Passed (H) (H791)  
 03/28/2012 S First Read--HB 1636-Fuhr, et al (S545)  
 04/05/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S633)

EFFECTIVE: August 28, 2012

\*\*\* HB 1640 \*\*\* HCS HB 1640

4924L.03P

HOUSE HANDLER: Denison

HCS/HB 1640 - This act modifies or enacts various provisions relating to the regulation of motor vehicles.

**FEE OFFICES** - The act modifies the competitive bidding process used for fee offices. Under the terms of the act, the competitive bidding process shall give priority to organizations and entities located within the community where the office will be established. Current law does not contain the local community requirement. In addition, non-for-profit entities that awarded fee office contracts must submit an annual report to the director that contains:

- 1) The net receipts of the fee office;
- 2) An itemization of all expenditures and administrative fees paid including both operating expenses and charitable contributions; and
- 3) A list of all charities that benefit from the fees the fee office collects.

Non-for-profit fee offices must display at their business location all charitable entities that will benefit from fee office fees (Section 136.055).

**SALE AT RETAIL** This act modifies the definition of the term "sale at retail" to include registration with the director of revenue of motor vehicles, trailers, boats and outboard motors, regardless of whether the sale took place in this state (Section 144.010).

**SALES TAX EXEMPTIONS FOR CERTAIN MOTOR VEHICLES AND PARTS** - This act provides a sales tax exemption for materials, replacement parts and equipment purchased for the use on motor vehicles used by motor carriers in the transportation of persons or property. The current sales tax exemption only applies to motor vehicles that are engaged as common carriers of persons or property. 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 motor carriers in the transportation of persons or property. The current sales tax exemption only applies to motor vehicle and trailers used by common carriers (Section 144.030). In addition, the act modifies the definition of the term "common carrier" by removing the qualification that it must hold itself out to the general public to engage in the transportation of passengers or property (Section 390.020). These provisions are contained in the perfected version of SB 480 (2012).

**SALES TAX EXEMPTION FOR MANUFACTURING OR MINING EQUIPMENT** - This act adds any titled manufacturing or mining equipment used to establish new or to expand existing manufacturing, mining, or fabricating plants in the state to the list of items exempt from state and local sales and use taxes (Section 144.030).

**RECREATIONAL OFF-HIGHWAY VEHICLE** - This act modifies definition of recreational off-highway vehicle as found in Section 301.010. The act modifies the definition by increasing the width of the vehicle. The width of a recreational off-highway vehicle is increased from 60 inches to 64 inches (Section 301.010). A similar provision may be found in the perfected version of SB 714 (2012).

**TRANSPORTATION DEFINITIONS** - The act makes technical modifications to the terms "scrap processor" and "vanpool" as used in Chapter 301 (Section 301.010 and 301.218).

**FLEET VEHICLE LICENSE PLATES** - 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 driveway plate must provide certain information such as the business name, address, and driver license number. The applicant must provide proof of financial responsibility. In addition, the applicant must provide a picture of his or her place of business. The applicant must maintain a landline telephone at his or her place of business during the registration period. The act makes the use of a revoked driveway license plate a Class A misdemeanor (Section 301.069).

**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, must be issued for a motorcycle or trailer registration. This provision is also contained in HB 1451 (2012)(Sections 136.055, 301.032, 301.130, 301.140, 301.160, 301.290, 301.300, 301.301, and 301.302). The window sticker provisions have an effective date of January 1, 2013 (Section B).

**DISABLED PLACARDS** - This act modifies the law regarding disabled placards. The act removes the provision requiring a removable disability windshield placard to be renewed every four years (Section 301.142). The act further specifies that persons who are permanently disabled, regardless of age, are not required to provide physician's statements when renewing disabled license plates or windshield placards (Section 301.142).

**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).

**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).

**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).

**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 131 (2011), SB 167 (2011), SB 716 (2010), CCS/SS/SCS/HB 2111 (2010), and HB 979 (2009)(Section 301.580).

**TEMPORARY MOTORCYCLE INSTRUCTION PERMITS** - This act modifies the law with respect to the issuance of temporary motorcycle instruction permits. Under the act, the permit period is reduced from 6 months to 3 months and the act only allows the applicant to renew the permit 2 additional times, for a total maximum period of 9 months. Persons who are 16 years of age or older that receive such permits may not travel at any time from a half-hour after sunset to a half-hour before sunrise and such permit holders may not carry any passengers (Section 302.132). This provision is similar, but not identical, to SB 673 (2012).

**ENHANCED PENALTIES FOR MOTOR VEHICLE VIOLATIONS THAT OCCUR IN ACTIVE EMERGENCY ZONES** - 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 contained in SB 642 (2012), the truly agreed to version of HB 430 (2011), SCS/SB 260 (2011), HCS/SCS/SB 887 (2010), HCS/HB 1541 (2010), and HB 1693 (2010) (Sections 302.302, 304.890, 304.892, and 304.894).

**MISSOURI YELLOW DOT PROGRAM** - This act establishes the Missouri Yellow Dot Program within the Department of Revenue to provide emergency responders with critical health and emergency contact information about program participants so emergency responders may aid program participants when those individuals are involved in motor vehicle emergencies or accidents and are unable to communicate. The department must design Missouri yellow dot program materials including, a yellow decal designed by the department to be affixed to the rear driver's side window of the program participant's vehicle; a health information card providing space for an individual to attach a recent photograph and indicate the individual's name, emergency contact information, physician's names and contact information, medical conditions, recent surgeries, allergies, medications, and any other information the director deems relevant to emergency responders in the case of emergency; a yellow envelope designed by the director into which the health information card is to be inserted and placed into the program participant's glove compartment; and a program instruction sheet including an electronic mail address as required under this program. The department must provide sufficient program materials to other state departments or agencies seeking to distribute or make the materials available to interested persons. The department director must notify the Highway Patrol regarding the implementation of this program so that all emergency responders are informed about the program (section 302.800). This provision is also contained in HB 2077 (2012).

STEPHEN WITTE

02/02/2012 Introduced and Read First Time (H) (H219)  
 02/06/2012 Read Second Time (H) (H227)  
 02/08/2012 Referred: Transportation (H) (H271)  
 02/21/2012 Public Hearing Completed (H)  
 03/06/2012 Executive Session Completed (H)  
 03/06/2012 HCS Voted Do Pass (H)  
 03/07/2012 HCS Reported Do Pass (H) (H550)  
 03/07/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/22/2012 Rules - Executive Session Completed (H)  
 03/22/2012 Rules - Voted Do Pass (H)  
 03/22/2012 Rules - Reported Do Pass (H) (H692)  
 04/04/2012 HCS Adopted (H)  
 04/04/2012 Perfected with Amendments (H) (H917)  
 04/04/2012 Referred: Fiscal Review (H) (H941)  
 04/05/2012 Executive Session Completed (H)  
 04/05/2012 Voted Do Pass (H)  
 04/05/2012 Reported Do Pass (H) (H953)  
 04/05/2012 Third read and passed (H) (H960-961)  
 04/05/2012 S First Read--HCS for HB 1640 (S635-636)  
 04/12/2012 Second Read and Referred S Transportation Committee  
 04/18/2012 Hearing Scheduled S Transportation Committee

EFFECTIVE: Varies

\*\*\* HB 1641 \*\*\*

5686L.01P

HOUSE HANDLER: Pollock

HB 1641 - This act allows persons to obtain a Missouri Chapter American Red Cross specialty personalized license plates. In order to obtain the special license plate, a person must pay a \$25 emblem-use contribution to the American Red Cross Trust Fund, submit an application to the Department of Revenue accompanied by an emblem-use authorization statement, and pay a \$25 fee in addition to regular registration fees. The special license plate shall bear the words "PROUD SUPPORTER" at the bottom of the license plate. Prior to the issuance of the specialty plate, a list of at least 200 potential applicants for the plate, the proposed design of the plate, and an application fee not to exceed \$5,000 must be submitted to the Department of Revenue.

STEPHEN WITTE

02/02/2012 Introduced and Read First Time (H) (H219)  
 02/06/2012 Read Second Time (H) (H227)  
 02/13/2012 Referred: Transportation (H) (H300)  
 02/14/2012 Public Hearing Completed (H)  
 02/21/2012 Executive Session Completed (H)  
 02/21/2012 Voted Do Pass - Consent (H)  
 02/22/2012 Reported Do Pass by Consent (H) (H407)  
 02/22/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/01/2012 Rules - Executive Session Completed (H)  
 03/01/2012 Rules - Voted Do Pass - Consent (H)  
 03/01/2012 Rules - Reported Do Pass Consent (H) (H480)  
 03/19/2012 Perfected by Consent - Pursuant to House Rules (H) (H607)  
 03/28/2012 Third Read and Passed (H) (H758)  
 03/28/2012 S First Read--HB 1641-Pollock, et al (S538)  
 04/05/2012 Second Read and Referred S Transportation Committee (S632)  
 04/11/2012 Hearing Conducted S Transportation Committee

EFFECTIVE: August 28, 2012

\*\*\* HB 1644 \*\*\*

HCS HB 1644

5678L.02P

HOUSE HANDLER: Barnes

HCS/HB 1644 - Currently, after receiving an initial license and one license renewal the licensing renewal period for gambling boat operators is every two years. This act changes the license renewal period to every five years.

This act also modifies the licensing period from every year to every two years for a person who has an occupational license to work in certain jobs within a gambling boat and for a person who supplies gambling equipment.

This act is similar to SB 580 (2012).

EMILY KALMER

02/02/2012 Introduced and Read First Time (H) (H220)  
 02/06/2012 Read Second Time (H) (H227)  
 02/08/2012 Referred: General Laws (H) (H271)  
 02/28/2012 Public Hearing Completed (H)  
 03/01/2012 Executive Session Completed (H)  
 03/01/2012 HCS Voted Do Pass (H)  
 03/01/2012 HCS Reported Do Pass (H) (H477)  
 03/01/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/08/2012 Rules - Executive Session Completed (H)  
 03/08/2012 Rules - Voted Do Pass (H)  
 03/08/2012 Rules - Reported Do Pass (H) (H591)  
 03/21/2012 HCS Adopted (H)  
 03/21/2012 Perfected (H) (H647)  
 03/22/2012 Third Read and Passed (H) (H674-675)  
 03/22/2012 S First Read--HCS for HB 1644 (H502)  
 03/29/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S574)

04/05/2012 Hearing Conducted S Ways and Means and Fiscal Oversight Committee

EFFECTIVE: August 28, 2012

\*\*\* HB 1647 \*\*\* HCS HB 1647

5603L.02P

HOUSE HANDLER: Riddle

HCS/HB 1647 - Currently, fees that certain employers and business that store, use, produce, or transport petroleum and other hazardous materials pay to the Missouri Emergency Response Commission are set to sunset on August 28, 2012. This act extends that sunset to August 28, 2018.

Employers required to report hazardous substances, known as Tier II filers, may request the Commission to distribute the report to the local emergency planning committees and fire departments by paying a \$10 fee for each facility listed which shall not be applied to the employer's fee cap.

This act is identical to SB 868 (2012).

CHRIS HOGERTY

02/06/2012 Introduced and Read First Time (H) (H232)  
 02/07/2012 Read Second Time (H) (H242)  
 02/08/2012 Referred: Crime Prevention and Public Safety (H) (H271)  
 02/22/2012 Public Hearing Completed (H)  
 02/27/2012 Executive Session Scheduled - Bill Not Heard  
 03/05/2012 Executive Session Completed (H)  
 03/05/2012 HCS Voted Do Pass - Consent (H)  
 03/05/2012 HCS Reported Do Pass by Consent (H) (H496)  
 03/05/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/20/2012 Rules - Executive Session Completed (H)  
 03/20/2012 Rules - Voted Do Pass - not Consent (H)  
 03/20/2012 Rules - Reported Do Pass - not Consent (H) (H632)  
 03/26/2012 HCS Adopted (H)  
 03/26/2012 Perfected (H) (H711)  
 03/29/2012 Third Read and Passed (H) (H827-828)  
 03/29/2012 S First Read--HCS for HB 1647 (S872)  
 04/05/2012 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S633)  
 04/17/2012 Hearing Scheduled S Commerce, Consumer Protection, Energy and the Environment Committee

EFFECTIVE: August 28, 2012

\*\*\* HB 1651 \*\*\*

5533L.01P

HOUSE HANDLER: McGeoghegan

HB 1651 - This act designates each month of October as "Spinal Cord Injury Month."

JIM ERTLE

02/06/2012 Introduced and Read First Time (H) (H233)  
 02/07/2012 Read Second Time (H) (H242)  
 02/15/2012 Referred: Special Standing Committee on Disability Services (H341)  
 02/20/2012 Public Hearing Completed (H)  
 02/27/2012 Executive Session Completed (H)  
 02/27/2012 Voted Do Pass - Consent (H)  
 02/28/2012 Reported Do Pass by Consent (H) (H447)  
 02/28/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/20/2012 Rules - Executive Session Completed (H)  
 03/20/2012 Rules - Voted Do Pass - Consent (H)  
 03/20/2012 Rules - Reported Do Pass Consent (H) (H632)  
 03/27/2012 Perfected by Consent - Pursuant to House Rules (H) (H735)  
 03/28/2012 Third Read and Passed (H) (H792)  
 03/28/2012 S First Read--HB 1651-McGeoghegan, et al (S545)  
 04/05/2012 Second Read and Referred S General Laws Committee (S633)

EFFECTIVE: August 28, 2012

\*\*\* HB 1652 \*\*\*

5534L.01P

HOUSE HANDLER: McGeoghegan

HB 1652 - This act designates each month of May as "Fibromyalgia Month."

JIM ERTLE

02/06/2012 Introduced and Read First Time (H) (H233)  
 02/07/2012 Read Second Time (H) (H242)  
 02/15/2012 Referred: Special Standing Committee on Disability Services (H341)  
 02/20/2012 Public Hearing Completed (H)  
 02/27/2012 Executive Session Completed (H)  
 02/27/2012 Voted Do Pass - Consent (H)  
 02/28/2012 Reported Do Pass by Consent (H) (H447)  
 02/28/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/20/2012 Rules - Executive Session Completed (H)  
 03/20/2012 Rules - Voted Do Pass - Consent (H)  
 03/20/2012 Rules - Reported Do Pass Consent (H) (H633)  
 03/27/2012 Perfected by Consent - Pursuant to House Rules (H) (H735)  
 03/28/2012 Taken Up for Third Reading (H) (H792)  
 03/28/2012 Laid Over - Third Reading (H) (H792)  
 03/28/2012 Third Read and Passed (H) (H793)  
 03/28/2012 S First Read--HB 1652-McGeoghegan, et al (S545-546)  
 04/05/2012 Second Read and Referred S General Laws Committee (S633)

EFFECTIVE: August 28, 2012

\*\*\* HB 1659 \*\*\*

HCS HB 1659 &amp; 1116

5709H.03P

HOUSE HANDLER: Torpey

HCS/HBs 1659 & 1116 - The act authorizes the establishment of a land bank agency in Kansas City. This act also modifies provisions of law that apply to the sale of tax-delinquent property in certain first class counties and that govern land trusts in certain counties to provide for how these provisions will interact with land bank agency powers and operations.

The act allows the collector to send notices of tax sales and tax judgments in certain first class counties by first class mail.

The act authorizes Kansas City to create a land bank agency by adopting an ordinance or resolution. The board of commissioners of the land bank agency will have five or seven members, one member appointed by the county, one member appointed by the school district with the largest population in the county, and the remaining members appointed by Kansas City. Board members may only be reimbursed for expenses.

All property held by a land trust that is within Kansas City is required to be transferred to the land bank, within a year after the city adopts the ordinance or resolution creating the land bank agency. Land bank property and income are exempt from state and local taxes.

The land bank has the power to borrow money, issue bonds, contract, invest money, and acquire, develop, demolish, rehabilitate, lease, sell, or otherwise dispose of real estate. The land bank does not have the power of eminent domain. To carry out its functions the land bank may hire staff, and contract with political subdivisions for staffing services.

The land bank is authorized to acquire property by gift, transfer, exchange, foreclosure, or purchase. The land bank is prohibited from owning real estate outside the boundaries of Kansas City, but may accept transfers of real estate from political subdivisions.

If a land bank bids at a tax foreclosure sale in amount that equals the amount of the tax liens, plus interest and costs, the land bank shall be sold the property. If property inside Kansas City has been offered for sale at three different tax sales and has not sold, it is automatically transferred to the land bank.

After the land bank transfers property, for the next three years, the taxes on the real estate go to the land bank agency to fund its operations. The act also specifies how money from the sale of land bank property is distributed.

The land bank is subject to Missouri open meetings and open records laws.

Members of the board of the land bank and its employees are prohibited from having any interest in the land bank property, or from profiting from land bank operations.

The a land trust and the land bank agency are authorized to file a court complaint to quiet title to several parcels of property in one complaint. The act requires the court to hold a hearing within ninety days of filing the complaint and issue its final judgment within one hundred twenty days.

This act is similar to SB 795 (2012).

EMILY KALMER

02/06/2012 Introduced and Read First Time (H) (H233)  
 02/07/2012 Read Second Time (H) (H242)  
 02/07/2012 Referred: International Trade & Job Creation (H) (H250)  
 02/08/2012 Public Hearing Completed (H)  
 02/15/2012 Executive Session Completed (H)  
 02/15/2012 HCS Voted Do Pass (H)  
 02/21/2012 HCS Reported Do Pass (H) (H386)  
 02/21/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/01/2012 Rules - Executive Session Completed (H)  
 03/01/2012 Rules - Voted Do Pass (H)  
 03/01/2012 Rules - Reported Do Pass (H) (H480)  
 03/07/2012 HCS Adopted (H)  
 03/07/2012 Perfected (H) (H530)  
 03/08/2012 Third Read and Passed (H) (H572)  
 03/08/2012 S First Read--HCS for HBs 1659 & 1116 (S437-438)  
 03/22/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (H503)

EFFECTIVE: August 28, 2012

\*\*\* HB 1662 \*\*\*

5680L.01P

HOUSE HANDLER: Weter

HB 1662 - This act allows Christian County to establish a county drinking water supply lake authority.

This act is similar to HB 89 (2011) and SB 360 (2011).

MEGHAN LUECKE

02/07/2012 Introduced and Read First Time (H) (H253)  
 02/08/2012 Read Second Time (H) (H262)  
 02/23/2012 Referred: Rural Community Development (H) (H425)  
 03/06/2012 Public Hearing Completed (H)  
 03/06/2012 Executive Session Completed (H)  
 03/06/2012 Voted Do Pass - Consent (H)  
 03/06/2012 Reported Do Pass by Consent (H) (H518)  
 03/06/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/20/2012 Rules - Executive Session Completed (H)  
 03/20/2012 Rules - Voted Do Pass - Consent (H)  
 03/20/2012 Rules - Reported Do Pass Consent (H) (H633)  
 03/27/2012 Perfected by Consent - Pursuant to House Rules (H) (H735)  
 03/28/2012 Third Read and Passed (H) (H794-795)  
 03/29/2012 S First Read--HB 1662-Weter (S567-568)  
 04/05/2012 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment Committee (S633)  
 04/17/2012 Hearing Scheduled S Commerce, Consumer Protection, Energy and the Environment Committee

EFFECTIVE: August 28, 2012

\*\*\* HB 1665 \*\*\*

4720L.01P

HOUSE HANDLER: Jones

HB 1665 - This act designates each month of May as "Lupus Awareness Month."

JIM ERTLE

02/07/2012 Introduced and Read First Time (H) (H253)  
 02/08/2012 Read Second Time (H) (H262)  
 02/15/2012 Referred: Urban Issues (H341)  
 03/19/2012 Public Hearing Completed (H)  
 03/19/2012 Executive Session Completed (H)  
 03/19/2012 Voted Do Pass - Consent (H)  
 03/19/2012 Reported Do Pass by Consent (H) (H606)  
 03/19/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/20/2012 Rules - Executive Session Completed (H)  
 03/20/2012 Rules - Voted Do Pass - Consent (H)  
 03/20/2012 Rules - Reported Do Pass Consent (H) (H633)  
 03/27/2012 Perfected by Consent - Pursuant to House Rules (H) (H735)  
 03/28/2012 Third Read and Passed (H) (H795-796)  
 03/29/2012 S First Read--HB 1665-Jones (163), et al (S568)  
 04/05/2012 Second Read and Referred S General Laws Committee (S633)

EFFECTIVE: August 28, 2012

\*\*\* HB 1668 \*\*\*

5609L.03P

HOUSE HANDLER: Denison

HB 1668 - This act allows motorists to obtain United States Olympic Committee special license plates under certain conditions. In order to obtain the special license plates, motorists must pay a \$25 emblem use contribution to the United States Olympic Committee and pay a \$15 fee in addition to regular registration fees. The \$25 emblem-use contribution must be split equally between the Springfield Olympic community development program and the United States Olympic Committee. The special license plate shall bear the words "GO TEAM USA" at the bottom of the plate. Prior to the issuance of the specialty plate, a list of at least 200 potential applicants for the plate, the proposed design of the plate, and an application fee not to exceed \$5,000 must be submitted to the Department of Revenue.

STEPHEN WITTE

02/07/2012 Introduced and Read First Time (H) (H254)  
 02/08/2012 Read Second Time (H) (H262)  
 02/15/2012 Referred: Transportation (H) (H341)  
 02/21/2012 Public Hearing Completed (H)  
 02/21/2012 Executive Session Completed (H)  
 02/21/2012 Voted Do Pass - Consent (H)  
 02/22/2012 Reported Do Pass by Consent (H) (H407)  
 02/22/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/01/2012 Rules - Executive Session Completed (H)  
 03/01/2012 Rules - Voted Do Pass - Consent (H)  
 03/01/2012 Rules - Reported Do Pass Consent (H) (H480)  
 03/19/2012 Perfected by Consent - Pursuant to House Rules (H) (H607)  
 03/28/2012 Third Read and Passed (H) (H759)  
 03/28/2012 S First Read--HB 1668-Denison, et al (S538)  
 04/05/2012 Second Read and Referred S Transportation Committee (S632)  
 04/11/2012 Hearing Conducted S Transportation Committee

EFFECTIVE: August 28, 2012

\*\*\* HB 1680 \*\*\*

5549L.02P

HOUSE HANDLER: Davis

HB 1680 - This act changes the name of the Heroes at Home program to the Show-Me Heroes program. The program is expanded to include spouses of active duty United States military personnel and members of the United States military that have recently ended their service.

The Department of Economic Development will no longer be able to enter into contracts with qualified providers to operate the program. Financial assistance may be provided to families facing a financial crisis from overdue bills regardless of cause.

The Department of Economic Development is given the power to create rules for the implementation of

the Show-Me Heroes program.

MIKE HAMMANN

02/08/2012 Introduced and Read First Time (H) (H272)  
 02/09/2012 Read Second Time (H) (H280)  
 02/15/2012 Referred: Veterans (H) (H341)  
 02/28/2012 Public Hearing Completed (H)  
 02/28/2012 Executive Session Completed (H)  
 02/28/2012 Voted Do Pass - Consent (H)  
 02/28/2012 Reported Do Pass by Consent (H) (H447)  
 02/28/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/20/2012 Rules - Executive Session Completed (H)  
 03/20/2012 Rules - Voted Do Pass - Consent (H)  
 03/20/2012 Rules - Reported Do Pass Consent (H) (H633)  
 03/27/2012 Perfected by Consent - Pursuant to House Rules (H) (H735)  
 03/28/2012 Third Read and Passed (H) (H796-797)  
 03/29/2012 S First Read--HB 1680-Davis, et al (S568)  
 04/05/2012 Second Read and Referred S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs  
 Committee (S633)  
 04/12/2012 Hearing Conducted S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee

EFFECTIVE: August 28, 2012

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\*\*\* HB 1687 \*\*\*

5760H.01P

HOUSE HANDLER: Schieffer

HB 1687 - This act designates a portion of State Route C in Lincoln County as the "LCPL Patrick W. Schimmel Memorial Highway."

STEPHEN WITTE

02/08/2012 Introduced and Read First Time (H) (H273)  
 02/09/2012 Read Second Time (H) (H280)  
 02/15/2012 Referred: Transportation (H) (H341)  
 02/21/2012 Public Hearing Completed (H)  
 02/21/2012 Executive Session Completed (H)  
 02/21/2012 Voted Do Pass - Consent (H)  
 02/22/2012 Reported Do Pass by Consent (H) (H407)  
 02/22/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/20/2012 Rules - Executive Session Completed (H)  
 03/20/2012 Rules - Voted Do Pass - Consent (H)  
 03/20/2012 Rules - Reported Do Pass Consent (H) (H633)  
 03/27/2012 Perfected by Consent - Pursuant to House Rules (H) (H735)  
 03/28/2012 Third Read and Passed (H) (H797-798)  
 03/29/2012 S First Read--HB 1687-Schieffer, et al (S568)  
 04/05/2012 Second Read and Referred S Transportation Committee (S633)  
 04/11/2012 Hearing Scheduled But Not Heard S Transportation Committee

EFFECTIVE: August 28, 2012

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\*\*\* HB 1691 \*\*\*

5753L.01P

HOUSE HANDLER: Dugger

HB 1691 - This act allows an applicant for a salvage dealer license to list a wireless telephone number as the means for the public to contact the place of business.

STEPHEN WITTE

02/08/2012 Introduced and Read First Time (H) (H273)  
 02/09/2012 Read Second Time (H) (H280)  
 02/14/2012 Referred: Utilities (H) (H318)  
 02/21/2012 Public Hearing Completed (H)  
 02/28/2012 Executive Session Completed (H)  
 02/28/2012 Voted Do Pass (H)  
 03/06/2012 Reported Do Pass (H) (H518)  
 03/06/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)

03/20/2012 Rules - Executive Session Completed (H)  
 03/20/2012 Rules - Voted Do Pass (H)  
 03/20/2012 Rules - Reported Do Pass (H) (H633)  
 04/04/2012 Perfected (H) (H902)  
 04/05/2012 Third read and passed (H) (H958-959)  
 04/05/2012 S First Read--HB 1691-Dugger (S635)  
 04/12/2012 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment  
 Committee

EFFECTIVE: August 28, 2012

\*\*\* HB 1692 \*\*\*

5662L.01P

HOUSE HANDLER: Entlicher

HB 1692 - This act requires election judges to swear that they will support and defend the United States and Missouri constitutions.

CHRIS HOGERTY

02/08/2012 Introduced and Read First Time (H) (H273)  
 02/09/2012 Read Second Time (H) (H280)  
 02/15/2012 Referred: Elections (H) (H341)  
 02/28/2012 Public Hearing Completed (H)  
 02/28/2012 Executive Session Completed (H)  
 02/28/2012 Voted Do Pass - Consent (H)  
 02/28/2012 Reported Do Pass by Consent (H) (H447)  
 02/28/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/20/2012 Rules - Executive Session Completed (H)  
 03/20/2012 Rules - Voted Do Pass - Consent (H)  
 03/20/2012 Rules - Reported Do Pass Consent (H) (H633)  
 03/27/2012 Perfected by Consent - Pursuant to House Rules (H) (H735)  
 03/28/2012 Third Read and Passed (H) (H798-799)  
 03/29/2012 S First Read--HB 1692-Entlicher, et al (S568)  
 04/05/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S633)

EFFECTIVE: August 28, 2012

\*\*\* HB 1700 \*\*\*

HCS HB 1700

5002L.06P

HOUSE HANDLER: Schad

HCS/HB 1700 - This act modifies provisions relating to the sex offender registry.

#### SEX OFFENDER REGISTRY WEBSITE

This act removes the temporary, work, and school addresses of sex offenders and information related to vehicles owned by sex offenders from the sex offender registry website. In addition, it provides that the website shall only include a current photograph of the individual taken by the registering official rather than any photographs of the offender. Information concerning the status of the offender's term of incarceration, probation, or parole is added to the website.

This act excludes certain registered sex offenders from the website, including juvenile offenders and witnesses under active federal protection.

All of the above restrictions and requirements also apply to county law enforcement agency sex offender websites.

#### SEX OFFENDER REGISTRY

This act requires sex offenders to register with the chief county law enforcement official within five business days rather than three days.

This act requires the chief law enforcement official in the county to forward all copies of completed sex offender registration forms to cities, towns, villages, and campus law enforcement agencies within the county rather than allowing such entities to request copies of the forms.

Under current law, a person who is pardoned of the offense requiring registration does not have to



continue registering as a sex offender. This act limits the exception for out-of-state pardons, which must explicitly state that the person no longer has to register in order for the exception to apply.

Offenders found guilty of the following crimes no longer have to register as sex offenders under this act: second and third degree sexual misconduct; first and second degree promoting obscenity; furnishing pornographic materials to minors; public display of explicit sexual material; and coercing acceptance of obscene material.

This act repeals provisions barring nonresident workers and students and temporary residents from being able to petition for removal from the sex offender registry.

This act specifies that sex offenders who were found guilty before the enactment of the state or federal sex offender registry are only required to register if currently incarcerated or under the supervision of the Department of Corrections.

#### PETITION FOR REMOVAL FROM THE REGISTRY

This act modifies the petition process for removal from the sex offender registry. All persons on the registry may file a petition to seek removal from the registry in the circuit in which the offense was adjudicated. If the offense was adjudicated in another state, territory, country or federal, tribal, or military jurisdiction, then the person may file a petition in his or her county of residence. Those convicted outside of the state must be a Missouri resident for one year before filing a petition.

Those found guilty of kidnaping in certain circumstances, forcible rape and sodomy, sexual trafficking of a child and child molestation when it is classified as an Class A felony must wait 20 years from the date the person was required to register before making such a petition. Those found guilty of all other offenses requiring registration must wait 10 years. If there are multiple offenses requiring registration, then the offender must wait until all required time periods for petitioning have lapsed.

The court must enter an order directing the removal of the petitioner's name and information from the registry within three business days unless the petitioner has been found guilty of, or has pending charges of, failing to register, is required to register for other offenses, has pending charges for an offense requiring registration, or has not successfully completed supervised release, probation, parole, or any required treatment programs.

This act limits when a person whose petition has been denied may file another petition.

#### COUNTY LAW ENFORCEMENT NOTICE PROCEDURES

This act repeals a provision that allows the chief law enforcement officer in a county to publish sex offender information in the local newspaper.

Instead, such law enforcement officers may notify any school and child care facility that a sex offender is residing, working, or attending school within five miles of the facility.

#### RELEASE OF SEX OFFENDERS FROM DETENTION OR PROBATION

Under current law, the official in charge of a facility in which sex offenders are held must inform such offenders of their duty to register prior to release, complete each offender's initial registration form, and forward it within three business days to the chief law enforcement officer of the county in which the person expects to reside. If the residence is out-of-state, the official must forward the registration to the Highway Patrol. If the offender is on probation, only has to pay a fine, or is released from a county jail, the court must inform the offender of registration requirements and obtain the offender's expected address.

Under this act, the offender's registration must be forwarded to the Highway Patrol in addition to the local law enforcement agency even when the offender plans to live in Missouri. If the person does not plan to live in Missouri, the registration must be forwarded to the county law enforcement official in the county in which the correctional facility or mental health institution is located, or the county in which case was adjudicated if the person was not committed to such a facility, in addition to the Highway Patrol.

Under this act, a person who refuses to complete the registration or fails to register within five business days of release commits the crime of failure to register.

If the offender is on probation, the act requires that the court make it a condition of probation that the

offender report within five business days to the chief county law enforcement officer in the county in which the case was adjudicated.

#### SEX OFFENDER REGISTRATION REQUIREMENTS

This act requires offenders to provide their aliases, maiden names, nicknames, pseudonyms, ethnic or tribal names, any alias birth dates, location information if the individual is homeless, the name and address of any place where the individual serves as a volunteer or unpaid intern, the general areas in which the person works or travels for work if the person's place of employment is not fixed, the status of the person's parole, probation, or supervised release, passport and immigration numbers, and a physical description.

Offenders no longer have to provide a photocopy of the vehicle registration for each of their vehicles.

This act requires the Highway Patrol to maintain registration information in digitized form. In addition, the Highway Patrol must immediately notify all jurisdictions in which an offender is required to register when an offender's information is updated.

This act establishes procedures for checking the accuracy of information on the sex offender registry and making updates.

#### HIGHWAY PATROL NOTICE REQUIREMENTS

This act requires the Highway Patrol to notify any other jurisdiction where the offender will be working, attending school, or temporarily residing if so indicated on an initial or renewed registration form within three business days of receiving the form.

#### SEX OFFENDER REPORTING REQUIREMENTS

Under current law, registered offenders must inform the local law enforcement agency of changes to certain information within three business days. This act requires such offenders to report changes within five business days. This act also adds new categories of information that the offender must update, including vehicle information and temporary residence information.

This act repeals a provision requiring certain offenders to report every 90 days to verify their registration information.

Under current law, most registrants, other than those who must report every 90 days, must report, in person, twice a year. This act modifies that provision so that most offenders must report once a year in person and report by mail six months after the in-person visit. Persons on the registry for certain other offenses must report in person twice a year and report by mail 90 days after each in-person visit.

Current law requires Missouri sex offenders who work or attend school or training in another state to register in that state. This act adds those who work as a volunteer or unpaid intern to the list of people who must register in another state and removes from the list those in another state for training.

The registering law enforcement official must take a photograph of the offender at one annual in-person visit.

MEGHAN LUECKE

02/09/2012 Introduced and Read First Time (H) (H289)  
 02/13/2012 Read Second Time (H) (H297)  
 02/13/2012 Referred: Crime Prevention and Public Safety (H) (H300)  
 02/15/2012 Public Hearing Completed (H)  
 03/21/2012 Executive Session Completed (H)  
 03/21/2012 HCS Voted Do Pass (H)  
 03/21/2012 HCS Reported Do Pass (H) (H658)  
 03/21/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/22/2012 Rules - Executive Session Completed (H)  
 03/22/2012 Rules - Voted Do Pass (H)  
 03/22/2012 Rules - Reported Do Pass (H) (H692)  
 03/27/2012 HCS Adopted (H)  
 03/27/2012 Perfected with Amendments (H) (H728)  
 03/29/2012 Third read and passed (H) (H836)  
 03/29/2012 S First Read--HCS for HB 1700 (S573-574)  
 04/05/2012 Second Read and Referred S Judiciary and Civil and Criminal Jurisprudence Committee (S634)

EFFECTIVE: August 28, 2012

\*\*\* HB 1722 \*\*\*

HCS HB 1722

5683L.02P

HOUSE HANDLER: Thomson

HCS/HB 1722 – This act modifies provisions relating to proprietary schools.

Current law requires each proprietary school to annually apply to the Coordinating Board for Higher Education for a certificate of approval. This act allows a proprietary school in continuous operation for no less than five years to be able to apply for certification valid for two years. (Section 173.606)

This act modifies the fees for a certificate of approval. The base annual fee is set at \$.0013 per one dollar of net tuition and fees income with a maximum of five thousand dollars and a minimum of five hundred dollars per school. For a school having a certificate of approval for the sole purpose of recruiting Missouri students, the fee will be five hundred dollars plus the amount produced by the foundation calculation, with a maximum of five thousand dollars. The Coordinating Board may increase the base annual fee every five years, beginning in fiscal year 2013 by administrative rule based on the consumer price index. The Coordinating Board may also establish additional appropriate fees if necessary to generate funding sufficient to cover the entirety of costs associated with the operation of the certification program. (Section 173.608)

Currently, the Coordinating Board may require each proprietary school to file a security bond. This act increases the maximum amount of the security bond from twenty-five thousand dollars to one hundred thousand dollars. This act also limits the Coordinating Board's collection of data from proprietary schools to that which is necessary for the administration, supervision, and enforcement of the proprietary school laws. The Department of Higher Education must establish a system to electronically submit all data. Also, the Department of Higher Education must review new programs within ninety days of a proprietary school's submission of such program and must review a revised program submission within sixty days. If the Department fails to review the program within the established timeframe, the proprietary school may offer the program until the review is completed. If the Department finds an issue that needs correction, it must give the school ninety days' notice and allow for correction. (Section 173.612)

The members of the Proprietary School Advisory Committee will be appointed by the Commissioner of Higher Education, instead of the Coordinating Board. Also, members of the committee must be owners or managerial employees of proprietary schools. At least three members of the committee must represent schools that confer a degree and at least one of the three must represent a school that confers a baccalaureate degree or higher. (Section 173.614)

This act allows the Department of Higher Education to take action against any violation of the proprietary school laws that is authorized in section 407.020, relating to unlawful merchandising practices. (Section 173.618)

MICHAEL RUFF

02/14/2012 Introduced and Read First Time (H) (H321)  
 02/15/2012 Read Second Time (H) (H329)  
 02/15/2012 Referred: Higher Education (H) (H342)  
 02/21/2012 Public Hearing Completed (H)  
 02/28/2012 Executive Session Completed (H)  
 02/28/2012 HCS Voted Do Pass (H)  
 03/01/2012 HCS Reported Do Pass (H) (H477)  
 03/01/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/08/2012 Rules - Executive Session Completed (H)  
 03/08/2012 Rules - Voted Do Pass (H)  
 03/08/2012 Rules - Reported Do Pass (H) (H591)  
 03/28/2012 HCS Adopted (H)  
 03/28/2012 Perfected (H) (H744)  
 03/29/2012 Third Read and Passed (H) (H841)  
 04/02/2012 S First Read--HCS for HB 1722 (S583)  
 04/05/2012 Second Read and Referred S Education Committee (S634)  
 04/11/2012 Hearing Conducted S Education Committee

EFFECTIVE: August 28, 2012

\*\*\* HB 1731 \*\*\*

HCS HB 1731

5770H.03P

HOUSE HANDLER: Day

HCS/HB 1731 -This act requires that thirty and one-half percent of the money from the sale of lottery tickets be appropriated to education, with twenty-seven percent to general education and three and one-half percent to early childhood education and development programs.

The act also modifies how money from the Gaming Commission Fund is allocated. This act increases the amount of specified funding for the Missouri National Guard Trust Fund from four million dollars to five million five hundred thousand, removes the specific funding for the Early Childhood Development, Education and Care fund from this fund, and provides the net proceeds of the fund remaining after distribution to the specified funds go to the Veterans' Commission Capital Improvement Fund.

This act is similar to SB 793 (2012).

EMILY KALMER

02/14/2012 Introduced and Read First Time (H) (H322)  
 02/15/2012 Read Second Time (H) (H329)  
 02/15/2012 Referred: Veterans (H) (H341)  
 02/20/2012 Public Hearing Completed (H)  
 02/21/2012 Executive Session Completed (H)  
 02/21/2012 HCS Voted Do Pass (H)  
 02/21/2012 HCS Reported Do Pass (H) (H387)  
 02/21/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 02/23/2012 Rules - Executive Session Completed (H)  
 02/23/2012 Rules - Voted Do Pass (H)  
 02/23/2012 Rules - Reported Do Pass (H) (H428)  
 02/28/2012 HCS Adopted (H)  
 02/28/2012 Perfected with Amendments (H) (H445)  
 03/01/2012 Third Read and Passed (H) (H468-469)  
 03/01/2012 S First Read--HCS for HB 1731 (S377-378)  
 03/08/2012 Second Read and Referred S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee (S436)  
 04/19/2012 Hearing Scheduled S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee  
 EFFECTIVE: August 28, 2012

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\*\*\* HB 1737 \*\*\*

5865L.01P

HOUSE HANDLER: Gatschenberger

HB 1737 - This act designates a portion of Highway 64/40 in St. Charles County as the "Darrell B. Roegner Memorial Highway".

This act is identical to SB 847 (2012).

STEPHEN WITTE

02/15/2012 Introduced and Read First Time (H) (H344)  
 02/16/2012 Read Second Time (H) (H349)  
 02/27/2012 Referred: Transportation (H) (H436)  
 03/06/2012 Public Hearing Completed (H)  
 03/06/2012 Executive Session Completed (H)  
 03/06/2012 Voted Do Pass (H)  
 03/08/2012 Executive Session Completed (H)  
 03/08/2012 Voted Do Pass - Consent (H)  
 03/08/2012 Reported Do Pass by Consent (H) (H590)  
 03/08/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/20/2012 Rules - Executive Session Completed (H)  
 03/20/2012 Rules - Voted Do Pass - Consent (H)  
 03/20/2012 Rules - Reported Do Pass Consent (H) (H633)  
 03/27/2012 Perfected by Consent - Pursuant to House Rules (H) (H735)  
 03/28/2012 Third Read and Passed (H) (H799)  
 03/29/2012 S First Read--HB 1737-Gatschenberger (S568-569)  
 04/05/2012 Second Read and Referred S Transportation Committee (S633)  
 04/11/2012 Hearing Conducted S Transportation Committee  
 EFFECTIVE: August 28, 2012

\*\*\* HB 1738 \*\*\*

HCS HB 1738

4427L.06P

HOUSE HANDLER: Grisamore

HCS/HB 1738 - This act modifies the law regarding accessible parking. The act provides that when any political subdivision or owner of private property restripes a parking lot or constructs a new parking lot with 25 or more parking spaces, the lot and accessible signs must meet the minimum requirements of the federal Americans with Disabilities Act for the number of required accessible parking spaces but not less than one must be served by an access aisle that is a minimum of 96 inches wide and designated "van accessible". If any accessible space is 132 inches wide or wider, the adjacent access aisle must be a minimum of 60 inches wide. If any accessible space is less than 132 inches wide, the adjacent aisle must be a minimum of 96 inches wide. Under current law, any parking lot that is restriped or constructed must have one in every four accessible spaces served by an access aisle that is a minimum of 96 inches wide and designated "lift van accessible only".

The act also makes various technical corrections to section 301.193.

STEPHEN WITTE

02/15/2012 Introduced and Read First Time (H) (H344)  
 02/16/2012 Read Second Time (H) (H349)  
 02/23/2012 Referred: Special Standing Committee on Disability Services (H426)  
 02/27/2012 Public Hearing Completed (H)  
 02/27/2012 Executive Session Completed (H)  
 02/27/2012 HCS Voted Do Pass - Consent (H)  
 03/05/2012 HCS Reported Do Pass by Consent (H) (H496)  
 03/05/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/20/2012 Rules - Executive Session Completed (H)  
 03/20/2012 Rules - Voted Do Pass - Consent (H)  
 03/20/2012 Rules - Reported Do Pass Consent (H) (H633)  
 03/27/2012 Perfected by Consent - Pursuant to House Rules (H) (H735)  
 03/28/2012 Taken Up for Third Reading (H) (H800)  
 03/28/2012 Laid Over - Third Reading (H) (H800)  
 03/28/2012 Taken Up for Third Reading (H) (H812)  
 03/28/2012 Third Read and Passed (H) (H812-813)  
 03/29/2012 S First Read--HCS for HB 1738 (S571)  
 04/05/2012 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S633)

EFFECTIVE: August 28, 2012

\*\*\* HB 1744 \*\*\*

5667L.01P

HOUSE HANDLER: Kelley

HB 1744 - This act designates each month of November as "Pancreatic Cancer Awareness Month."

JIM ERTLE

02/15/2012 Introduced and Read First Time (H) (H344)  
 02/16/2012 Read Second Time (H) (H349)  
 02/29/2012 Referred: Tourism and Natural Resources (H457)  
 03/08/2012 Public Hearing Completed (H)  
 03/08/2012 Executive Session Completed (H)  
 03/08/2012 Voted Do Pass - Consent (H)  
 03/08/2012 Reported Do Pass by Consent (H) (H590)  
 03/08/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/20/2012 Rules - Executive Session Completed (H)  
 03/20/2012 Rules - Voted Do Pass - Consent (H)  
 03/20/2012 Rules - Reported Do Pass Consent (H) (H633)  
 03/27/2012 Perfected by Consent - Pursuant to House Rules (H) (H735)  
 03/28/2012 Third Read and Passed (H) (H800)  
 03/29/2012 S First Read--HB 1744-Kelley (126), et al (S569)  
 04/05/2012 Second Read and Referred S General Laws Committee (S633)

EFFECTIVE: August 28, 2012

\*\*\* HB 1782 \*\*\*

5718L.01P

HOUSE HANDLER: Fitzwater

HB 1782 - This act designates a portion of Highway 21 in Iron County as the "Staff Sergeant Norman J. Inman Memorial Highway".

STEPHEN WITTE

02/20/2012 Introduced and Read First Time (H) (H377)  
 02/21/2012 Read Second Time (H) (H384)  
 02/29/2012 Referred: Transportation (H) (H458)  
 03/06/2012 Public Hearing Completed (H)  
 03/06/2012 Executive Session Completed (H)  
 03/06/2012 Voted Do Pass - Consent (H)  
 03/07/2012 Reported Do Pass by Consent (H) (H550)  
 03/07/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/20/2012 Rules - Executive Session Completed (H)  
 03/20/2012 Rules - Voted Do Pass - Consent (H)  
 03/20/2012 Rules - Reported Do Pass Consent (H) (H633)  
 03/27/2012 Perfected by Consent - Pursuant to House Rules (H) (H735)  
 03/28/2012 Third Read and Passed (H) (H801)  
 03/29/2012 S First Read--HB 1782-Fitzwater, et al (S569)  
 04/05/2012 Second Read and Referred S Transportation Committee (S633)  
 04/11/2012 Hearing Conducted S Transportation Committee

EFFECTIVE: August 28, 2012

\*\*\* HB 1789 \*\*\*

HCS HB 1789

5932L.03P

HOUSE HANDLER: Schad

HCS/HB 1789 – This act modifies provisions relating to travel hardships of public school students.

**BOUNDARY LINE CHANGE PROCEDURES:** Currently, school district boundary lines can be changed upon the submission of a petition, as described in current law, and upon the vote of the affected school districts. If one school district votes in favor of the boundary line change but the other district votes against it, the matter may be appealed to the State Board of Education, which must appoint a board of arbitration to determine whether to move the boundary line. This act prohibits a current or retired school administrator from serving on a board of arbitration. This act removes the requirement that a board of arbitration base its decision on the presence of actual educational harm to school-aged children. Instead, a board of arbitration must base its decision, in part, on a significant difference in the time involved in transporting students. (Section 162.431)

**ASSIGNMENT OF A PUPIL TO ANOTHER DISTRICT BASED ON TRANSPORTATION HARDSHIP:**

Currently, the Commissioner of Education may assign a pupil to another district based on an unusual or unreasonable transportation hardship. This act allows the parent or guardian of a child to apply, and requires the Commissioner to assign the pupil to another district, if the following conditions are met: the actual driving distance from the pupil's residence to the attendance center in his or her district of residence is at least ten miles by the shortest route; the attendance center to which the pupil would be assigned is at least five miles closer than the attendance center in the district of residence; the pupil's attendance will not cause the classroom in the receiving district to exceed the number of students per class determined as the minimum set by school improvement standards. The assignment will continue until the pupil completes the course of study in the receiving district, and will apply to any siblings. If a parent or guardian withdraws a pupil from a hardship assignment, the granting of any future application will be discretionary.

MICHAEL RUFF

02/21/2012 Introduced and Read First Time (H) (H387)  
 02/22/2012 Read Second Time (H) (H393)  
 02/23/2012 Referred: Elementary and Secondary Education (H) (H426)  
 02/29/2012 Public Hearing Completed (H)  
 03/07/2012 Executive Session Completed (H)  
 03/07/2012 HCS Voted Do Pass (H)  
 03/08/2012 HCS Reported Do Pass (H) (H588)  
 03/08/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/29/2012 Rules - Executive Session Completed (H)  
 03/29/2012 Rules - Voted Do Pass (H)

03/29/2012 Rules - Reported Do Pass (H) (H850)  
 04/04/2012 HCS Adopted (H)  
 04/04/2012 Perfected (H) (H938)  
 04/05/2012 Third Read and Passed (H) (H953-954)  
 04/05/2012 S First Read--HCS for HB 1789 (S634)  
 04/12/2012 Second Read and Referred S General Laws Committee

EFFECTIVE: August 28, 2012

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\*\*\* HB 1804 \*\*\*

5793L.01P

HOUSE HANDLER: Molendorp

HB 1804 - This act allows the city council of Kansas City to adopt an order or ordinance and seek voter approval to collect the city convention and tourism tax from hotel guests who are otherwise exempt by law from paying this tax and from paying state and local sales taxes.

EMILY KALMER

02/22/2012 Introduced and Read First Time (H) (H408)  
 02/23/2012 Read Second Time (H) (H414)  
 02/23/2012 Referred: Transportation Funding & Public Institutions (H426)  
 02/28/2012 Public Hearing Completed (H)  
 03/06/2012 Executive Session Completed (H)  
 03/06/2012 Voted Do Pass - Consent (H)  
 03/07/2012 Reported Do Pass by Consent (H) (H550)  
 03/07/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/20/2012 Rules - Executive Session Completed (H)  
 03/20/2012 Rules - Voted Do Pass - Consent (H)  
 03/20/2012 Rules - Reported Do Pass Consent (H) (H633)  
 03/27/2012 Perfected by Consent - Pursuant to House Rules (H) (H735)  
 03/28/2012 Third Read and Passed (H) (H802)  
 03/29/2012 S First Read--HB 1804-Molendorp, et al (S569)  
 04/05/2012 Second Read and Referred S Jobs, Economic Development and Local Government Committee (S633)

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\*\*\* HB 1807 \*\*\*

5957L.01P

HOUSE HANDLER: Marshall

HB 1807 - This act designates a portion of Interstate 29 in Platte County as the "Trooper Fred F. Guthrie Jr. Memorial Highway".

STEPHEN WITTE

02/22/2012 Introduced and Read First Time (H) (H408)  
 02/23/2012 Read Second Time (H) (H414)  
 02/27/2012 Referred: Transportation (H) (H436)  
 03/06/2012 Public Hearing Completed (H)  
 03/06/2012 Executive Session Completed (H)  
 03/06/2012 Voted Do Pass - Consent (H)  
 03/07/2012 Reported Do Pass by Consent (H) (H550)  
 03/07/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/20/2012 Rules - Executive Session Completed (H)  
 03/20/2012 Rules - Voted Do Pass - Consent (H)  
 03/20/2012 Rules - Reported Do Pass Consent (H) (H633)  
 03/27/2012 Perfected by Consent - Pursuant to House Rules (H) (H735)  
 03/28/2012 Third Read and Passed (H) (H804)  
 03/29/2012 S First Read--HB 1807-Marshall, et al (S569-570)  
 04/05/2012 Second Read and Referred S Transportation Committee (S633)  
 04/11/2012 Hearing Conducted S Transportation Committee

EFFECTIVE: August 28, 2012

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\*\*\* HB 1811 \*\*\*

5884L.01P

HOUSE HANDLER: Carter

HB 1811 - This act corrects a typographical error in Section 194.255 regarding the unsuitability of an anatomical gift for transplantation by changing the word "transportation" to "transplantation".

ADRIANE CROUSE

02/22/2012 Introduced and Read First Time (H) (H408)  
 02/23/2012 Read Second Time (H) (H414)  
 03/05/2012 Referred: Health Care Policy (H) (H493)  
 03/07/2012 Public Hearing Completed (H)  
 03/07/2012 Executive Session Completed (H)  
 03/07/2012 Voted Do Pass - Consent (H)  
 03/07/2012 Reported Do Pass by Consent (H) (H549)  
 03/07/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/20/2012 Rules - Executive Session Completed (H)  
 03/20/2012 Rules - Voted Do Pass - Consent (H)  
 03/20/2012 Rules - Reported Do Pass Consent (H) (H633)  
 03/27/2012 Perfected by Consent - Pursuant to House Rules (H) (H735)  
 03/28/2012 Third Read and Passed (H) (H817)  
 03/29/2012 S First Read--HB 1811-Carter (S872)  
 04/05/2012 Second Read and Referred S Health, Mental Health, Seniors and Families Committee (S633)

EFFECTIVE: August 28, 2012

\*\*\* HB 1820 \*\*\*

5883L.01P

HOUSE HANDLER: Asbury

HB 1820 - This act authorizes the governor to convey a piece of real property located in Macon, Missouri to the State Highways and Transportation Commission.

STEPHEN WITTE

02/23/2012 Introduced and Read First Time (H) (H429)  
 02/27/2012 Read Second Time (H) (H435)  
 03/01/2012 Referred: Local Government (H) (H475)  
 03/07/2012 Public Hearing Completed (H)  
 03/07/2012 Executive Session Completed (H)  
 03/07/2012 Voted Do Pass - Consent (H)  
 03/07/2012 Reported Do Pass by Consent (H) (H549)  
 03/07/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/20/2012 Rules - Executive Session Completed (H)  
 03/20/2012 Rules - Voted Do Pass - Consent (H)  
 03/20/2012 Rules - Reported Do Pass Consent (H) (H634)  
 03/27/2012 Perfected by Consent - Pursuant to House Rules (H) (H735)  
 03/28/2012 Third Read and Passed (H) (H785)  
 03/28/2012 S First Read--HB 1820-Asbury and Shively (S544-545)  
 04/05/2012 Second Read and Referred S General Laws Committee (S632)  
 04/17/2012 Hearing Scheduled S General Laws Committee

EFFECTIVE: August 28, 2012

\*\*\* HB 1827 \*\*\*

HCS HB 1827

5967L.03P

HOUSE HANDLER: Richardson

HCS/HB 1827 - This act establishes the Missouri Electronic Prior Authorization Committee in order to facilitate, monitor, and report to the General Assembly on Missouri-based efforts to contribute to the establishment of national electronic prior authorization standards. Prior authorization generally relates to the process of obtaining prior approval from an insurer for certain services or medications.

Such Missouri-based efforts to be analyzed by the committee include the Missouri-based electronic prior authorization pilot program established under the act and the study and dissemination of information by the committee of the efforts of the National Council on Prescription Drug Programs (NCPDP) to develop national electronic prior authorization standards that will be promulgated by the appropriate Missouri administrative regulations and effective as soon as practically possible.

The director of the Department of Insurance, Financial Institutions and Professional Registration shall be



chair of the committee. The list of the other members to be appointed to the committee are specified under the act.

The full list of the duties of the committee are prescribed under the act but include preparing a report at the end of each calendar year to be distributed to the General Assembly and Governor with a summary of the committee's progress and plans for the next calendar year. Such annual report shall continue until such time as the NCPDP has established national electronic prior authorization standards.

Upon the adoption of national electronic prior authorization standards by the NCPDP, the committee shall prepare a final report to be distributed to the General Assembly and Governor that identifies the appropriate Missouri administrative regulations, if any, that will need to be promulgated in order to make those standards effective as soon as practically possible, and advise the General Assembly and Governor if there are any legislative actions necessary to the furtherance of that end.

In consultation with the Department and the Missouri Electronic Prior Authorization Committee, a Missouri-based pharmacy benefits manager doing business nationally shall conduct an electronic prior authorization pilot program in Missouri, provided that there are adequate Missouri licensed physicians and an electronic prior authorization vendor capable and willing to participate in a Missouri-based pilot program. Such pilot program established under this section shall be operational by January 1, 2014.

This act is substantially similar to SB 812 (2012).

**ADRIANE CROUSE**

02/23/2012 Introduced and Read First Time (H) (H429)  
 02/27/2012 Read Second Time (H) (H435)  
 02/29/2012 Referred: Health Insurance (H) (H458)  
 03/06/2012 Public Hearing Completed (H)  
 03/08/2012 Executive Session Completed (H)  
 03/08/2012 HCS Voted Do Pass - Consent (H)  
 03/08/2012 HCS Reported Do Pass by Consent (H) (H589)  
 03/08/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/20/2012 Rules - Executive Session Completed (H)  
 03/20/2012 Rules - Voted Do Pass - Consent (H)  
 03/20/2012 Rules - Reported Do Pass Consent (H) (H634)  
 03/27/2012 Perfected by Consent - Pursuant to House Rules (H) (H735)  
 03/28/2012 Third Read and Passed (H) (H803)  
 03/29/2012 S First Read--HCS for HB 1827 (S569)  
 04/05/2012 Second Read and Referred S Small Business, Insurance and Industry Committee (S633)  
 04/17/2012 Hearing Scheduled S Small Business, Insurance and Industry Committee

EFFECTIVE: August 28, 2012

\*\*\* HB 1841 \*\*\*

HCS HB 1841

6009L.02P

HOUSE HANDLER: Jones

HCS/HB 1841 - The act modifies the definition of franchise under Missouri franchise law, specifically for agreements between alcohol wholesalers and suppliers so that a franchise may exist even without a license to use a trade name, trademark, or service mark and regardless if there is a community of interest in the marketing of the products. The act states the General Assembly's intention that judicial interpretation of cases involving the definition of franchise should rely on certain state cases as indicated as opposed to a recent federal court decision as specified.

This act is similar to SCS/SB 837 (2012).

**ERIKA JAQUES**

02/28/2012 Introduced and Read First Time (H) (H448)  
 02/29/2012 Read Second Time (H) (H453)  
 03/01/2012 Referred: Small Business (H) (H475)  
 03/07/2012 Public Hearing Completed (H)  
 03/07/2012 Executive Session Completed (H)  
 03/07/2012 HCS Voted Do Pass - Consent (H)  
 03/07/2012 HCS Reported Do Pass by Consent (H) (H549)  
 03/07/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/20/2012 Rules - Executive Session Completed (H)

03/20/2012 Rules - Voted Do Pass - Consent (H)  
 03/20/2012 Rules - Reported Do Pass Consent (H) (H634)  
 03/27/2012 Perfected by Consent - Pursuant to House Rules (H) (H735)  
 03/28/2012 Third Read and Passed (H) (H807)  
 03/29/2012 S First Read--HCS for HB 1841 (S570)  
 04/05/2012 Second Read and Referred S Commerce, Consumer Protection, Energy and the Environment  
 Committee (S633)  
 04/17/2012 Hearing Cancelled S Commerce, Consumer Protection, Energy and the Environment Committee

EFFECTIVE: August 28, 2012

\*\*\* HB 1864 \*\*\*

5965L.02P

HOUSE HANDLER: Johnson

HB 1864 - This act allows motorists to obtain Pony Express specialty license plates after making an annual emblem-use payment of \$25 to the Pony Express Museum and paying an additional \$25 fee in addition to regular registration fees. Prior to the issuance of the specialty plate, a list of at least 200 potential applicants for the plate, the proposed design of the plate, and an application fee not to exceed \$5,000 must be submitted to the Department of Revenue.

STEPHEN WITTE

02/29/2012 Introduced and Read First Time (H) (H460)  
 03/01/2012 Read Second Time (H) (H465)  
 03/01/2012 Referred: Transportation (H) (H475)  
 03/06/2012 Public Hearing Completed (H)  
 03/06/2012 Executive Session Completed (H)  
 03/06/2012 Voted Do Pass - Consent (H)  
 03/07/2012 Reported Do Pass by Consent (H) (H550)  
 03/07/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/20/2012 Rules - Executive Session Completed (H)  
 03/20/2012 Rules - Voted Do Pass - Consent (H)  
 03/20/2012 Rules - Reported Do Pass Consent (H) (H634)  
 03/27/2012 Perfected by Consent - Pursuant to House Rules (H) (H735)  
 03/28/2012 Third Read and Passed (H) (H808)  
 03/29/2012 S First Read--HB 1864-Johnson, et al (S570)  
 04/05/2012 Second Read and Referred S Transportation Committee (S633)  
 04/11/2012 Hearing Scheduled But Not Heard S Transportation Committee

EFFECTIVE: August 28, 2012

\*\*\* HB 1868 \*\*\*

6042L.02P

HOUSE HANDLER: Cauthorn

HB 1868 - This act designates a portion of Business Route 54 within the city limits of Mexico as the "Christopher S. 'Kit' Bond Highway".

STEPHEN WITTE

02/29/2012 Introduced and Read First Time (H) (H461)  
 03/01/2012 Read Second Time (H) (H465)  
 03/01/2012 Referred: Transportation (H) (H475)  
 03/06/2012 Public Hearing Completed (H)  
 03/06/2012 Executive Session Completed (H)  
 03/06/2012 Voted Do Pass - Consent (H)  
 03/07/2012 Reported Do Pass by Consent (H) (H550)  
 03/07/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/20/2012 Rules - Executive Session Completed (H)  
 03/20/2012 Rules - Voted Do Pass - Consent (H)  
 03/20/2012 Rules - Reported Do Pass Consent (H) (H634)  
 03/27/2012 Perfected by Consent - Pursuant to House Rules (H) (H735)  
 03/28/2012 Third Read and Passed (H) (H809)  
 03/29/2012 S First Read--HB 1868-Cauthorn (S570)  
 04/05/2012 Second Read and Referred S Transportation Committee (S633)  
 04/11/2012 Hearing Conducted S Transportation Committee

EFFECTIVE: August 28, 2012

\*\*\* HB 1875 \*\*\*

HCS HB 1875

6049H.02P

HOUSE HANDLER: Nance

HCS/HB 1875 - Under the terms of this act, any insurer which purchases a vehicle, other than abandoned vehicles, through the claims adjustment process for which the insurer is unable to obtain a negotiable title, may make application to the Department of Revenue for a salvage certificate of title or junking certificate.

The application may be made by the insurer or its designated salvage pool on a form provided by the department and signed under penalty of perjury. The application shall include a declaration that the insurer has made at least 2 written attempts to obtain the certificate of ownership, transfer documents, or other acceptable evidence of title, and be accompanied by proof of claims payment from the insurer, evidence that letters were delivered to the vehicle owner, a statement explaining the circumstances by which the property came into the insurer's possession, a description of the property including the year, make, model, vehicle identification number, and current location of the property, and a fee of \$8.50. The insurer shall, 30 days prior to making application for title, notify any owners or lienholders of record for the vehicle that the owners intends to apply for a certificate of title from the director for the vehicle.

Upon receipt of the application and supporting documents, the director shall search the records of the department, or initiate an inquiry with another state, if the evidence presented indicated the vehicle described in the application was registered or titled in another state, to verify the name and address of any owners and any lienholders. After 30 days from receipt of the application, if no valid lienholders have notified the department of the existence of a lien, the department shall issue a salvage certificate of title or junking certificate for the vehicle in the name of the insurer.

This act is similar to SB 879 (2012).

STEPHEN WITTE

03/01/2012 Introduced and Read First Time (H) (H480)  
 03/05/2012 Read Second Time (H) (H489)  
 03/06/2012 Referred: Insurance Policy (H) (H517)  
 03/08/2012 Public Hearing Completed (H)  
 03/08/2012 Executive Session Completed (H)  
 03/08/2012 HCS Voted Do Pass - Consent (H)  
 03/08/2012 HCS Reported Do Pass by Consent (H) (H589)  
 03/08/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/20/2012 Rules - Executive Session Completed (H)  
 03/20/2012 Rules - Voted Do Pass - Consent (H)  
 03/20/2012 Rules - Reported Do Pass Consent (H) (H634)  
 03/27/2012 Perfected by Consent - Pursuant to House Rules (H) (H735)  
 03/28/2012 Third Read and Passed (H) (H810)  
 03/29/2012 S First Read--HCS for HB 1875 (S570-571)  
 04/05/2012 Second Read and Referred S Transportation Committee (S633)  
 04/18/2012 Hearing Scheduled S Transportation Committee

EFFECTIVE: August 28, 2012

\*\*\* HB 1878 \*\*\*

6123L.01P

HOUSE HANDLER: Riddle

HB 1878 - This act designates a portion of Route 94 in Callaway County as the "AMVETS Memorial Highway".

STEPHEN WITTE

03/01/2012 Introduced and Read First Time (H) (H481)  
 03/05/2012 Read Second Time (H) (H489)  
 03/06/2012 Referred: Transportation (H) (H517)  
 03/08/2012 Public Hearing Completed (H)  
 03/08/2012 Executive Session Completed (H)  
 03/08/2012 Voted Do Pass - Consent (H)  
 03/08/2012 Reported Do Pass by Consent (H) (H590)  
 03/08/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)

03/20/2012 Rules - Executive Session Completed (H)  
 03/20/2012 Rules - Voted Do Pass - Consent (H)  
 03/20/2012 Rules - Reported Do Pass Consent (H) (H634)  
 03/27/2012 Perfected by Consent - Pursuant to House Rules (H) (H735)  
 03/28/2012 Third Read and Passed (H) (H811)  
 03/29/2012 S First Read--HB 1878-Riddle (S571)  
 04/05/2012 Second Read and Referred S Transportation Committee (S633)  
 04/11/2012 Hearing Conducted S Transportation Committee

EFFECTIVE: August 28, 2012

\*\*\* HB 1880 \*\*\*

6115H.01P

HOUSE HANDLER: Pollock

HB 1880 - This act requires the Department of Transportation to erect a sign at 1078 South Jefferson Street in the City of Lebanon recognizing the Independent Stave Company as a centennial business. The cost of erecting the sign and its maintenance are to be paid by private donations.

STEPHEN WITTE

03/01/2012 Introduced and Read First Time (H) (H481)  
 03/05/2012 Read Second Time (H) (H489)  
 03/05/2012 Referred: Transportation (H) (H493)  
 03/08/2012 Public Hearing Completed (H)  
 03/08/2012 Executive Session Completed (H)  
 03/08/2012 Voted Do Pass - Consent (H)  
 03/08/2012 Reported Do Pass by Consent (H) (H590)  
 03/08/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/20/2012 Rules - Executive Session Completed (H)  
 03/20/2012 Rules - Voted Do Pass - Consent (H)  
 03/20/2012 Rules - Reported Do Pass Consent (H) (H634)  
 03/27/2012 Perfected by Consent - Pursuant to House Rules (H) (H735)  
 03/28/2012 Third Read and Passed (H) (H763)  
 03/28/2012 S First Read--HB 1880-Pollock, et al (S539)  
 04/05/2012 Second Read and Referred S Transportation Committee (S632)  
 04/11/2012 Hearing Conducted S Transportation Committee

EFFECTIVE: August 28, 2012

\*\*\* HB 1909 \*\*\*

6173L.01P

HOUSE HANDLER: Hoskins

HB 1909 - This act extends the expiration date from December 31, 2013, to December 31, 2023, on provisions regarding the payment by common carriers of sales and use tax on aviation fuel and tangible personal property.

This act is similar to a provision of HB 1504 (2012).  
 EMILY KALMER

03/07/2012 Introduced and Read First Time (H) (H551)  
 03/08/2012 Read Second Time (H) (H560)  
 03/08/2012 Referred: Transportation (H) (H588)  
 03/20/2012 Public Hearing Completed (H)  
 03/20/2012 Executive Session Completed (H)  
 03/20/2012 Voted Do Pass (H)  
 03/20/2012 Reported Do Pass (H) (H630)  
 03/20/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/22/2012 Rules - Executive Session Completed (H)  
 03/22/2012 Rules - Voted Do Pass (H)  
 03/22/2012 Rules - Reported Do Pass (H) (H692)  
 03/27/2012 Perfected (H) (H722)  
 03/28/2012 Referred: Fiscal Review (H) (H818)  
 03/29/2012 Executive Session Completed (H)  
 03/29/2012 Voted Do Pass (H)  
 03/29/2012 Reported Do Pass (H) (H825)

03/29/2012 Third Read and Passed (H) (H837)  
 04/02/2012 S First Read--HB 1909-Hoskins (S582)  
 04/05/2012 Second Read and Referred S Transportation Committee (S634)  
 04/18/2012 Hearing Scheduled S Transportation Committee

EFFECTIVE: August 28, 2012

\*\*\* HB 2001 \*\*\*

HCS HB 2001

4001L.02P

HOUSE HANDLER: Silvey

## HCS/HB 2001 - Public Debt

	Governor	House
.		
GR	\$ 45,168,930	\$ 45,168,930
FEDERAL	0	0
OTHER	2,425,406	2,425,406
.		
TOTAL	<u>\$ 47,594,336</u>	<u>\$ 47,594,336</u>

	Senate	Final
.		
GR	\$	
FEDERAL		
OTHER		
.		
TOTAL	<u>\$</u>	<u></u>

DAN HAUG

02/06/2012 Introduced and Read First Time (H) (H230)  
 02/07/2012 Read Second Time (H) (H242)  
 02/08/2012 Referred: Budget (H) (H270)  
 03/05/2012 Public Hearing Completed (H)  
 03/07/2012 Executive Session Completed (H)  
 03/07/2012 HCS Voted Do Pass (H)  
 03/07/2012 HCS Reported Do Pass (H) (H546)  
 03/07/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/08/2012 Rules - Executive Session Completed (H)  
 03/08/2012 Rules - Voted Do Pass with Time Limit (H)  
 03/08/2012 Rules - Reported Do Pass with Time Limit (H) (H592)  
 03/20/2012 Taken Up for Perfection (H) (H615)  
 03/20/2012 Laid Over (H)  
 03/20/2012 Taken Up for Perfection (H) (H616)  
 03/20/2012 HCS Adopted (H)  
 03/20/2012 Perfected (H) (H628)  
 03/22/2012 Third Read and Passed (H) (H676)  
 03/26/2012 S First Read--HCS for HB 2001 (S508)  
 03/27/2012 Second Read and Referred S Appropriations Committee (S523)  
 04/12/2012 Hearing Conducted S Appropriations Committee  
 04/12/2012 Voted Do Pass S Appropriations Committee

EFFECTIVE: July 1, 2012

\*\*\* HB 2002 \*\*\*

HCS HB 2002

4002L.04P

HOUSE HANDLER: Silvey

## HCS/HB 2002 - Elementary and Secondary Education

	Governor	House
.		
GR	\$2,943,476,585	\$2,933,918,260
FEDERAL	977,388,317	1,077,754,530
OTHER	1,337,900,645	1,357,815,878
.		

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TOTAL \$5,258,765,547 \$5,369,488,668

. Senate Final

GR  
FEDERAL  
OTHER

.  
TOTAL  
DAN HAUG

- 02/06/2012 Introduced and Read First Time (H) (H230)
- 02/07/2012 Read Second Time (H) (H242)
- 02/08/2012 Referred: Budget (H) (H270)
- 03/05/2012 Public Hearing Completed (H)
- 03/07/2012 Executive Session Completed (H)
- 03/07/2012 HCS Voted Do Pass (H)
- 03/07/2012 HCS Reported Do Pass (H) (H546)
- 03/07/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)
- 03/08/2012 Rules - Executive Session Completed (H)
- 03/08/2012 Rules - Voted Do Pass with Time Limit (H)
- 03/08/2012 Rules - Reported Do Pass with Time Limit (H) (H592)
- 03/20/2012 Taken Up for Perfection (H) (H615)
- 03/20/2012 Laid Over (H)
- 03/20/2012 Taken Up for Perfection (H) (H617)
- 03/20/2012 HCS Adopted (H)
- 03/20/2012 Perfected with Amendments (H) (H628)
- 03/22/2012 Third Read and Passed (H) (H677)
- 03/26/2012 S First Read--HCS for HB 2002 (S508-508)
- 03/27/2012 Second Read and Referred S Appropriations Committee (S523)
- 04/12/2012 Hearing Conducted S Appropriations Committee
- 04/12/2012 SCS Voted Do Pass S Appropriations Committee (4002S.05C)

EFFECTIVE: July 1, 2012

\*\*\* HB 2003 \*\*\*

HCS HB 2003

4003L.03P

HOUSE HANDLER: Silvey

HCS/HB 2003 - Higher Education

	Governor	House
. GR	\$ 780,933,358	\$ 849,932,626
FEDERAL	6,271,020	7,064,316
OTHER	285,194,530	345,081,189
. TOTAL	\$1,072,398,908	\$1,202,078,131

. Senate Final

GR  
FEDERAL  
OTHER

.  
TOTAL  
DAN HAUG

- 02/06/2012 Introduced and Read First Time (H) (H230)
- 02/07/2012 Read Second Time (H) (H242)
- 02/08/2012 Referred: Budget (H) (H270)
- 03/05/2012 Public Hearing Completed (H)
- 03/07/2012 Executive Session Completed (H)
- 03/07/2012 HCS Voted Do Pass (H)
- 03/07/2012 HCS Reported Do Pass (H) (H546)

03/07/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/08/2012 Rules - Executive Session Completed (H)  
 03/08/2012 Rules - Voted Do Pass with Time Limit (H)  
 03/08/2012 Rules - Reported Do Pass with Time Limit (H) (H592)  
 03/20/2012 Taken Up for Perfection (H) (H615)  
 03/20/2012 Laid Over (H)  
 03/20/2012 Taken Up for Perfection (H) (H617)  
 03/20/2012 HCS Adopted (H)  
 03/20/2012 Perfected (H) (H628)  
 03/22/2012 Third Read and Passed (H) (H678)  
 03/26/2012 S First Read--HCS for HB 2003 (S509)  
 03/27/2012 Second Read and Referred S Appropriations Committee (S523)  
 04/12/2012 Hearing Conducted S Appropriations Committee  
 04/12/2012 SCS Voted Do Pass S Appropriations Committee (4003S.04C)

EFFECTIVE: July 1, 2012

\*\*\* HB 2004 \*\*\*

HCS HB 2004

4004L.03P

HOUSE HANDLER: Silvey

## HCS/HB 2004 - Revenue &amp; Transportation

REVENUE			
		Governor	House
GR	\$	90,149,786	\$ 87,032,730
FEDERAL		6,869,632	8,350,708
OTHER		355,101,450	355,221,990
		-----	-----
TOTAL	\$	452,120,868	\$ 450,605,428

		Senate	Final
GR			
FEDERAL			
OTHER			
		-----	-----
TOTAL			

TRANSPORTATION			
		Governor	House
GR	\$	9,094,129	\$ 9,594,129
FEDERAL		107,939,794	174,180,128
OTHER		1,960,187,389	1,966,258,703
		-----	-----
TOTAL	\$	2,077,221,312	\$2,150,032,960

		Senate	Final
GR			
FEDERAL			
OTHER			
		-----	-----
TOTAL			

DAN HAUG

02/06/2012 Introduced and Read First Time (H) (H230)  
 02/07/2012 Read Second Time (H) (H242)  
 02/08/2012 Referred: Budget (H) (H270)  
 03/05/2012 Public Hearing Completed (H)  
 03/07/2012 Executive Session Completed (H)

03/07/2012 HCS Voted Do Pass (H)  
 03/07/2012 HCS Reported Do Pass (H) (H546)  
 03/07/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/08/2012 Rules - Executive Session Completed (H)  
 03/08/2012 Rules - Voted Do Pass with Time Limit (H)  
 03/08/2012 Rules - Reported Do Pass with Time Limit (H) (H592)  
 03/20/2012 Taken Up for Perfection (H) (H615)  
 03/20/2012 Laid Over (H)  
 03/20/2012 Taken Up for Perfection (H) (H617)  
 03/20/2012 HCS Adopted (H)  
 03/20/2012 Perfected with Amendments (H) (H629)  
 03/22/2012 Third Read and Passed (H) (H679)  
 03/26/2012 S First Read--HCS for HB 2004 (S509)  
 03/27/2012 Second Read and Referred S Appropriations Committee (S523)  
 04/12/2012 Hearing Conducted S Appropriations Committee  
 04/12/2012 SCS Voted Do Pass S Appropriations Committee (4004S.04C)

EFFECTIVE: July 1, 2012

\*\*\* HB 2005 \*\*\*

HCS HB 2005

4005L.03P

HOUSE HANDLER: Silvey

## HCS/HB 2005 - Office of Administration

## OFFICE OF ADMINISTRATION

	Governor	House
.		
GR	\$112,519,746	\$ 112,775,780
FEDERAL	74,232,623	81,373,009
OTHER	56,092,938	59,373,932
.		
TOTAL	<u>\$242,845,307</u>	<u>\$ 253,552,721</u>

	Senate	Final
.		
GR		
FEDERAL		
OTHER		
.		
TOTAL	<u>                    </u>	<u>                    </u>

## EMPLOYEE BENEFITS

	Governor	House
.		
GR	\$496,403,471	\$497,422,879
FEDERAL	179,033,930	179,160,497
OTHER	154,974,710	155,462,297
.		
TOTAL	<u>\$830,412,111</u>	<u>\$832,045,673</u>

	Senate	Final
.		
GR		
FEDERAL		
OTHER		
.		
TOTAL	<u>                    </u>	<u>                    </u>

DAN HAUG

02/06/2012 Introduced and Read First Time (H) (H231)

02/07/2012 Read Second Time (H) (H242)



02/08/2012 Referred: Budget (H) (H270)  
 03/05/2012 Public Hearing Completed (H)  
 03/07/2012 Executive Session Completed (H)  
 03/07/2012 HCS Voted Do Pass (H)  
 03/07/2012 HCS Reported Do Pass (H) (H546)  
 03/07/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/08/2012 Rules - Executive Session Completed (H)  
 03/08/2012 Rules - Voted Do Pass with Time Limit (H)  
 03/08/2012 Rules - Reported Do Pass with Time Limit (H) (H592)  
 03/20/2012 Taken Up for Perfection (H) (H615)  
 03/20/2012 Laid Over (H)  
 03/20/2012 Taken Up for Perfection (H) (H617)  
 03/20/2012 HCS Adopted (H)  
 03/20/2012 Perfected with Amendments (H) (H629)  
 03/22/2012 Third Read and Passed (H) (H680)  
 03/26/2012 S First Read--HCS for HB 2005 (S509-510)  
 03/27/2012 Second Read and Referred S Appropriations Committee (S523)  
 04/12/2012 Hearing Conducted S Appropriations Committee  
 04/12/2012 SCS Voted Do Pass S Appropriations Committee (4005S.04C)

EFFECTIVE: July 1, 2012

\*\*\* HB 2006 \*\*\*

HCS HB 2006

4006L.03P

HOUSE HANDLER: Silvey

## HCS/HB 2006 - Agriculture, Natural Resources &amp; Conservation

. AGRICULTURE		
	Governor	House
GR	\$ 14,567,578	\$ 14,596,437
FEDERAL	4,488,200	4,500,772
OTHER	20,667,876	21,316,025
.		
TOTAL	\$ 39,723,654	\$ 40,413,234
.		
	Senate	Final
GR		
FEDERAL		
OTHER		
.		
TOTAL		
.		
. NATURAL RESOURCES		
	Governor	House
GR	\$ 9,459,195	\$ 9,366,601
FEDERAL	44,261,056	74,450,189
OTHER	253,337,611	509,094,332
.		
TOTAL	\$307,057,862	\$592,911,122
.		
	Senate	Final
GR		
FEDERAL		
OTHER		
.		
TOTAL		

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CONSERVATION

	Governor	House
GR	\$ 0	\$ 0
FEDERAL	0	0
OTHER	146,151,362	146,827,160
TOTAL	\$146,151,362	\$146,827,160

	Senate	Final
GR		
FEDERAL		
OTHER		
TOTAL		

DAN HAUG

02/06/2012 Introduced and Read First Time (H) (H231)  
 02/07/2012 Read Second Time (H) (H242)  
 02/08/2012 Referred: Budget (H) (H270)  
 03/05/2012 Public Hearing Completed (H)  
 03/07/2012 Executive Session Completed (H)  
 03/07/2012 HCS Voted Do Pass (H)  
 03/07/2012 HCS Reported Do Pass (H) (H546)  
 03/07/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/08/2012 Rules - Executive Session Completed (H)  
 03/08/2012 Rules - Voted Do Pass with Time Limit (H)  
 03/08/2012 Rules - Reported Do Pass with Time Limit (H) (H592)  
 03/20/2012 Taken Up for Perfection (H) (H615)  
 03/20/2012 Laid Over (H)  
 03/20/2012 Taken Up for Perfection (H) (H619)  
 03/20/2012 HCS Adopted (H)  
 03/20/2012 Perfected (H) (H629)  
 03/22/2012 Third Read and Passed (H) (H681)  
 03/26/2012 S First Read--HCS for HB 2006 (S510)  
 03/27/2012 Second Read and Referred S Appropriations Committee (S523)  
 04/12/2012 Hearing Conducted S Appropriations Committee  
 04/12/2012 SCS Voted Do Pass S Appropriations Committee (4006S.04C)

EFFECTIVE: July 1, 2012

\*\*\* HB 2007 \*\*\*

HCS HB 2007

4007L.03P

HOUSE HANDLER: Silvey

HCS/HB 2007 - Economic Development, Insurance &amp; Labor and Industrial Relations

ECONOMIC DEVELOPMENT

	Governor	House
GR	\$ 39,439,579	\$ 39,994,078
FEDERAL	183,013,606	271,931,564
OTHER	54,269,379	52,695,047
TOTAL	\$276,722,564	\$364,620,689

	Senate	Final
GR		
FEDERAL		
OTHER		
TOTAL		

INSURANCE		
	Governor	House
GR	\$ 0	\$ 0
FEDERAL	3,109,290	3,666,798
OTHER	37,064,622	37,007,548
TOTAL	\$ 40,173,912	\$ 40,674,346

	Senate	Final
GR		
FEDERAL		
OTHER		
TOTAL		

LABOR AND INDUSTRIAL RELATIONS		
	Governor	House
GR	\$ 1,749,360	\$ 1,601,120
FEDERAL	48,557,107	56,001,010
OTHER	62,504,014	66,679,664
TOTAL	\$112,810,481	\$124,281,794

	Senate	Final
GR		
FEDERAL		
OTHER		
TOTAL		

DAN HAUG

02/06/2012 Introduced and Read First Time (H) (H231)  
02/07/2012 Read Second Time (H) (H242)  
02/08/2012 Referred: Budget (H) (H270)  
03/05/2012 Public Hearing Completed (H)  
03/07/2012 Executive Session Completed (H)  
03/07/2012 HCS Voted Do Pass (H)  
03/07/2012 HCS Reported Do Pass (H) (H547)  
03/07/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
03/08/2012 Rules - Executive Session Completed (H)  
03/08/2012 Rules - Voted Do Pass with Time Limit (H)  
03/08/2012 Rules - Reported Do Pass with Time Limit (H) (H592)  
03/20/2012 Taken Up for Perfection (H) (H615)  
03/20/2012 Laid Over (H) (H620)  
03/20/2012 Taken Up for Perfection (H) (H622)  
03/20/2012 HCS Adopted (H) (H623)  
03/20/2012 Perfected with Amendments (H) (H629)  
03/22/2012 Third Read and Passed (H) (H682)  
03/26/2012 S First Read--HCS for HB 2007 (S510)  
03/27/2012 Second Read and Referred S Appropriations Committee (S523)  
04/12/2012 Hearing Conducted S Appropriations Committee  
04/12/2012 SCS Voted Do Pass S Appropriations Committee (4007S.04C)

EFFECTIVE: July 1, 2012

HOUSE HANDLER: Silvey

## HCS/HB 2008 - Public Safety

.	Governor	House
GR	\$ 83,512,373	\$ 83,433,751
FEDERAL	117,239,497	113,723,049
OTHER	368,438,313	370,968,716
.		
TOTAL	<u>\$569,190,183</u>	<u>\$572,125,516</u>

.	Senate	Final
GR		
FEDERAL		
OTHER		
.		
TOTAL	_____	_____
DAN HAUG		

02/06/2012 Introduced and Read First Time (H) (H231)  
 02/07/2012 Read Second Time (H) (H242)  
 02/08/2012 Referred: Budget (H) (H270)  
 03/05/2012 Public Hearing Completed (H)  
 03/07/2012 Executive Session Completed (H)  
 03/07/2012 HCS Voted Do Pass (H)  
 03/07/2012 HCS Reported Do Pass (H) (H547)  
 03/07/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/08/2012 Rules - Executive Session Completed (H)  
 03/08/2012 Rules - Voted Do Pass with Time Limit (H)  
 03/08/2012 Rules - Reported Do Pass with Time Limit (H) (H592)  
 03/20/2012 Taken Up for Perfection (H) (H615)  
 03/20/2012 Laid Over (H)  
 03/20/2012 Taken Up for Perfection (H) (H623)  
 03/20/2012 HCS Adopted (H)  
 03/20/2012 Perfected (H) (H629)  
 03/22/2012 Third Read and Passed (H) (H683)  
 03/26/2012 S First Read--HCS for HB 2008 (S510-511)  
 03/27/2012 Second Read and Referred S Appropriations Committee (S523)  
 04/12/2012 Hearing Conducted S Appropriations Committee  
 04/12/2012 SCS Voted Do Pass S Appropriations Committee (4008S.04C)

EFFECTIVE: July 1, 2012

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 \*\*\* HB 2009 \*\*\* HCS HB 2009

4009L.03P

HOUSE HANDLER: Silvey

## HCS/HB 2009 - Corrections

.	Governor	House
GR	\$606,722,529	\$607,965,605
FEDERAL	10,027,586	10,253,537
OTHER	53,501,117	53,083,675
.		
TOTAL	<u>\$672,251,229</u>	<u>\$671,302,817</u>

.	Senate	Final
GR		
FEDERAL		
OTHER		

TOTAL  
DAN HAUG

02/06/2012 Introduced and Read First Time (H) (H231)  
 02/07/2012 Read Second Time (H) (H242)  
 02/08/2012 Referred: Budget (H) (H270)  
 03/05/2012 Public Hearing Completed (H)  
 03/07/2012 Executive Session Completed (H)  
 03/07/2012 HCS Voted Do Pass (H)  
 03/07/2012 HCS Reported Do Pass (H) (H547)  
 03/07/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/08/2012 Rules - Executive Session Completed (H)  
 03/08/2012 Rules - Voted Do Pass with Time Limit (H)  
 03/08/2012 Rules - Reported Do Pass with Time Limit (H) (H592)  
 03/20/2012 Taken Up for Perfection (H) (H615)  
 03/20/2012 Laid Over (H)  
 03/20/2012 Taken Up for Perfection (H) (H624)  
 03/20/2012 HCS Adopted (H)  
 03/20/2012 Perfected with Amendments (H) (H629)  
 03/22/2012 Third Read and Passed (H) (H684)  
 03/26/2012 S First Read--HCS for HB 2009 (S511)  
 03/27/2012 Second Read and Referred S Appropriations Committee (S523)  
 04/12/2012 Hearing Conducted S Appropriations Committee  
 04/12/2012 SCS Voted Do Pass S Appropriations Committee (4009S.04C)

EFFECTIVE: July 1, 2012

\*\*\* HB 2010 \*\*\*

HCS HB 2010

4010L.03P

HOUSE HANDLER: Silvey

HCS/HB 2010 - Mental Health & Health

. MENTAL HEALTH		
	Governor	House
GR	\$ 600,827,041	\$ 599,065,245
FEDERAL	672,934,552	730,106,688
OTHER	43,427,054	54,716,177
TOTAL	\$1,317,188,647	\$1,383,888,110
. Senate Final		
GR		
FEDERAL		
OTHER		
TOTAL		
. HEALTH		
	Governor	House
GR	\$ 275,383,403	\$ 274,874,015
FEDERAL	732,526,785	742,301,052
OTHER	18,627,990	18,952,087
TOTAL	\$1,026,538,178	\$1,036,127,154
. Senate Final		

GR  
FEDERAL  
OTHER.  
TOTAL  
DAN HAUG

02/06/2012 Introduced and Read First Time (H) (H231)  
 02/07/2012 Read Second Time (H) (H242)  
 02/08/2012 Referred: Budget (H) (H270)  
 03/05/2012 Public Hearing Completed (H)  
 03/07/2012 Executive Session Completed (H)  
 03/07/2012 HCS Voted Do Pass (H)  
 03/07/2012 HCS Reported Do Pass (H) (H547)  
 03/07/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/08/2012 Rules - Executive Session Completed (H)  
 03/08/2012 Rules - Voted Do Pass with Time Limit (H)  
 03/08/2012 Rules - Reported Do Pass with Time Limit (H) (H592)  
 03/20/2012 Taken Up for Perfection (H) (H615)  
 03/20/2012 Laid Over (H)  
 03/20/2012 Taken Up for Perfection (H) (H626)  
 03/20/2012 HCS Adopted (H)  
 03/20/2012 Perfected with Amendments (H) (H629)  
 03/22/2012 Third Read and Passed (H) (H685)  
 03/26/2012 S First Read--HCS for HB 2010 (S511)  
 03/27/2012 Second Read and Referred S Appropriations Committee (S523)  
 04/12/2012 Hearing Conducted S Appropriations Committee  
 04/12/2012 SCS Voted Do Pass S Appropriations Committee (4010S.04C)

EFFECTIVE: July 1, 2102

\*\*\* HB 2011 \*\*\*

HCS HB 2011

4011L.03P

HOUSE HANDLER: Silvey

## HCS/HB 2011 - Social Services

.	Governor	House
GR	\$1,554,666,906	\$1,497,536,860
FEDERAL	4,146,072,503	4,289,066,411
OTHER	2,305,366,217	2,407,772,932
.		
TOTAL	\$8,006,105,626	\$8,194,376,203

.	Senate	Final
GR		
FEDERAL		
OTHER		
.		
TOTAL		
DAN HAUG		

02/06/2012 Introduced and Read First Time (H) (H231)  
 02/07/2012 Read Second Time (H) (H242)  
 02/08/2012 Referred: Budget (H) (H270)  
 03/05/2012 Public Hearing Completed (H)  
 03/07/2012 Executive Session Completed (H)  
 03/07/2012 HCS Voted Do Pass (H)  
 03/07/2012 HCS Reported Do Pass (H) (H547)  
 03/07/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/08/2012 Rules - Executive Session Completed (H)  
 03/08/2012 Rules - Voted Do Pass with Time Limit (H)  
 03/08/2012 Rules - Reported Do Pass with Time Limit (H) (H592)

03/20/2012 Taken Up for Perfection (H) (H615)  
 03/20/2012 Laid Over (H)  
 03/20/2012 Taken Up for Perfection (H) (H622)  
 03/20/2012 Laid Over (H)  
 03/20/2012 Taken Up for Perfection (H) (H628)  
 03/20/2012 HCS Adopted (H)  
 03/20/2012 Perfected with Amendments (H) (H630)  
 03/22/2012 Third Read and Passed (H) (H686)  
 03/26/2012 S First Read--HCS for HB 2011 (S511)  
 03/27/2012 Second Read and Referred S Appropriations Committee (S523)  
 04/12/2012 Hearing Conducted S Appropriations Committee  
 04/12/2012 SCS Voted Do Pass S Appropriations Committee (4011S.04C)

EFFECTIVE: July 1, 2012

\*\*\* HB 2012 \*\*\*

HCS HB 2012

4012L.03P

HOUSE HANDLER: Silvey

HCS/HB 2012 - Elected Officials, Judiciary, Public Defender &amp; General Assembly

. ELECTED OFFICIALS		
	Governor	House
GR	\$ 49,542,193	\$ 49,522,090
FEDERAL	19,933,406	19,963,802
OTHER	42,447,188	42,540,285
.		
TOTAL	<u>\$111,922,787</u>	<u>\$112,026,177</u>
. SENATE		
	Senate	Final
GR	\$	
FEDERAL		
OTHER		
.		
TOTAL	<u>\$</u>	<u></u>
. JUDICIARY		
	Governor	House
GR	\$173,877,559	\$ 170,814,312
FEDERAL	10,514,504	10,549,761
OTHER	13,610,326	13,626,679
.		
TOTAL	<u>\$198,002,389</u>	<u>\$ 194,990,752</u>
. SENATE		
	Senate	Final
GR	\$	
FEDERAL		
OTHER		
.		
TOTAL	<u>\$</u>	<u></u>
. PUBLIC DEFENDER		
	Governor	House
GR	\$34,961,291	\$ 36,321,545
FEDERAL	125,000	125,000
OTHER	2,981,451	2,980,952

**MISSOURI SENATE  
WEEKLY BILL STATUS REPORT**

.			
TOTAL	\$38,067,742	\$ 39,427,497	

.	Senate		Final
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GR  
FEDERAL  
OTHER

.			
TOTAL			

GENERAL ASSEMBLY

.	Governor		House
---	----------	--	-------

GR	\$32,072,769	\$ 32,036,389	
FEDERAL	0	0	
OTHER	293,033	292,509	

.			
TOTAL	\$32,365,802	\$ 32,328,898	

.	Senate		Final
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GR  
FEDERAL  
OTHER

.			
TOTAL			

DAN HAUG

02/06/2012 Introduced and Read First Time (H) (H232)  
 02/07/2012 Read Second Time (H) (H242)  
 02/08/2012 Referred: Budget (H) (H270)  
 03/05/2012 Public Hearing Completed (H)  
 03/07/2012 Executive Session Completed (H)  
 03/07/2012 HCS Voted Do Pass (H)  
 03/07/2012 HCS Reported Do Pass (H) (H547)  
 03/07/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/08/2012 Rules - Executive Session Completed (H)  
 03/08/2012 Rules - Voted Do Pass with Time Limit (H)  
 03/08/2012 Rules - Reported Do Pass with Time Limit (H) (H592)  
 03/20/2012 Taken Up for Perfection (H) (H615)  
 03/20/2012 Laid Over (H) (H616)  
 03/20/2012 Taken Up for Perfection (H) (H621)  
 03/20/2012 Laid Over (H)  
 03/20/2012 Taken Up for Perfection (H) (H627)  
 03/20/2012 HCS Adopted (H)  
 03/20/2012 Perfected with Amendments (H) (H630)  
 03/22/2012 Third Read and Passed (H) (H687)  
 03/26/2012 S First Read--HCS for HB 2012 (S511-512)  
 03/27/2012 Second Read and Referred S Appropriations Committee (S523)  
 04/12/2012 Hearing Conducted S Appropriations Committee  
 04/12/2012 SCS Voted Do Pass S Appropriations Committee (4012S.04C)

EFFECTIVE: July 1, 2012

\*\*\* HB 2013 \*\*\*

HCS HB 2013

4013L.03P

HOUSE HANDLER: Silvey

HCS/HB 2013 - Statewide Leasing

.	Governor		House
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**MISSOURI SENATE  
WEEKLY BILL STATUS REPORT**

GR	\$114,859,219	\$115,188,843
FEDERAL	21,875,132	21,896,084
OTHER	12,706,520	12,723,989
.		
TOTAL	<u>\$149,440,871</u>	<u>\$149,808,916</u>

.	Senate	Final
GR		
FEDERAL		
OTHER		
.		
TOTAL	<u>                    </u>	<u>                    </u>

DAN HAUG

02/06/2012 Introduced and Read First Time (H) (H232)  
 02/07/2012 Read Second Time (H) (H242)  
 02/08/2012 Referred: Budget (H) (H270)  
 03/05/2012 Public Hearing Completed (H)  
 03/07/2012 Executive Session Completed (H)  
 03/07/2012 HCS Voted Do Pass (H)  
 03/07/2012 HCS Reported Do Pass (H)  
 03/07/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/08/2012 Rules - Executive Session Completed (H)  
 03/08/2012 Rules - Voted Do Pass with Time Limit (H)  
 03/08/2012 Rules - Reported Do Pass with Time Limit (H) (H593)  
 03/20/2012 Taken Up for Perfection (H) (H616)  
 03/20/2012 Laid Over (H)  
 03/20/2012 Taken Up for Perfection (H) (H627)  
 03/20/2012 HCS Adopted (H)  
 03/20/2012 Perfected (H) (H630)  
 03/22/2012 Third Read and Passed (H) (H688)  
 03/26/2012 S First Read--HCS for HB 2013 (S512)  
 03/27/2012 Second Read and Referred S Appropriations Committee  
 04/12/2012 Hearing Conducted S Appropriations Committee  
 04/12/2012 SCS Voted Do Pass S Appropriations Committee (4013S.04C)

EFFECTIVE: July 1, 2012

\*\*\* HB 2014 \*\*\* HCS HB 2014

4014L.02P

SENATE SPONSOR: Schaefer

HOUSE HANDLER: Silvey

HCS/HB 2014 - Supplemental Appropriations - Various Departments

.	Governor	House
GR	\$ 72,302,576	\$ 70,120,783
FEDERAL	62,878,278	60,830,247
OTHER	493,371	193.371
.		
TOTAL	<u>\$135,674,225</u>	<u>\$131,144,401</u>

.	Senate	Final
GR	\$	
FEDERAL		
OTHER		
.		
TOTAL	<u>\$</u>	<u>                    </u>

DAN HAUG

02/02/2012 Introduced and Read First Time (H) (H218)  
 02/06/2012 Read Second Time (H) (H227)

02/06/2012 Referred: Budget (H) (H228)  
 02/08/2012 Public Hearing Completed (H)  
 02/08/2012 Executive Session Completed (H)  
 02/08/2012 HCS Voted Do Pass (H)  
 02/08/2012 HCS Reported Do Pass (H) (H273)  
 02/08/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 02/15/2012 Rules - Executive Session Completed (H)  
 02/15/2012 Rules - Voted Do Pass (H)  
 02/15/2012 Rules - Reported Do Pass (H) (H343)  
 02/21/2012 HCS Adopted (H)  
 02/21/2012 Perfected (H) (H385)  
 02/23/2012 Third read and passed (H) (H415)  
 02/23/2012 S First Read--HCS for HB 2014 (S328-329)  
 02/27/2012 Second Read and Referred S Appropriations Committee (S340)  
 03/05/2012 Hearing Conducted S Appropriations Committee  
 03/05/2012 Voted Do Pass S Appropriations Committee  
 04/05/2012 Reported from S Appropriations Committee to Floor (S631)  
 04/16/2012 S Formal Calendar H Bills for Third Reading--HCS for HB 2014 (Schaefer)

EFFECTIVE: upon approval

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\*\*\* HCR 1 \*\*\*

4028L.011

HOUSE HANDLER: Jones

01/04/2012 Offered (H) (H11)  
 01/04/2012 Adopted (H) (H11)  
 01/04/2012 Reported to the Senate (S52)  
 01/09/2012 S adopted (S71 / H66)  
 01/11/2012 S Escort Committee Appointed: Mayer, Dempsey, Stouffer, Pearce, Parson, Callahan, Justus, Green, Chappelle-Nadal, McKenna (S81 / H66)  
 01/12/2012 H Escort Committee Appointed: Fraker, Redmon, Cookson, Loehner, Denison, Swinger, Harris, Lampe, Schupp and McCann Beatty (H67)  
 01/17/2012 H conferees appointed: (CORRECTED) Fraker, Redmon, Lauer, McGhee, Cookson, Loehner, Denison, Swinger, Harris, Lampe, Schupp, McCann Beatty (H81 / S93)

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\*\*\* HCR 2 \*\*\*

4029L.011

HOUSE HANDLER: Jones

01/04/2012 Offered (H) (H11-12)  
 01/04/2012 Adopted (H) (H12)  
 01/04/2012 Reported to the Senate (S52)  
 01/09/2012 S adopted (S71 / H67)  
 01/11/2012 S Escort Committee Appointed: Mayer, Goodman, Schmitt, Ridgeway, Schaefer, Justus, Keaveny, Wright-Jones, Curls, McKenna (S81 / H67)  
 01/12/2012 H Escort Committee Appointed: Jones (117), Franz, Day, Lant, Barnes, Sifton, Webber, Carlson, Colona, Rizzo (H67 / S94)

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\*\*\* HCR 3 \*\*\*

HCS HCR 3

4695L.02C

HOUSE HANDLER: Scharnhorst

HCS/HCR 3 - This concurrent resolution submits a request for a federal balanced budget amendment to the U.S. Constitution and urges the U.S. Congress to submit the proposed amendment to the states for ratification and inclusion in the U.S. Constitution.

This resolution is similar to HCR 3 (2011).

JIM ERTLE

01/04/2012 Introduced and Read First Time (H) (H12)  
 01/05/2012 Read Second Time (H) (H28)

01/05/2012 Referred: Budget (H) (H29)  
 01/24/2012 Public Hearing Completed (H)  
 01/31/2012 Executive Session Completed (H)  
 01/31/2012 HCS Voted Do Pass (H)  
 01/31/2012 HCS Reported Do Pass (H) (H194)  
 02/01/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 02/06/2012 Rules - Executive Session Completed (H)  
 02/06/2012 Rules - Voted Do Pass (H)  
 02/06/2012 Rules - Reported Do Pass (H) (H229)  
 02/13/2012 HCS Adopted (H)  
 02/13/2012 Third Read and Passed with Amendments (H) (H300)  
 02/14/2012 S First Read--HCS for HCR 3 (S255)  
 02/15/2012 Second Read and Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S268)

EFFECTIVE: upon approval

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\*\*\* HCR 7 \*\*\*

4079L.011

HOUSE HANDLER: Rowland

HCR 7 - This concurrent resolution reaffirms Missouri's sovereignty under the Tenth Amendment to the United States Constitution and demands the federal government to stop all activities beyond the scope its constitutionally-delegated powers.

This concurrent resolution is identical to HCR 12 (2011), SCR 34 (2010), HCR 29 (2010) and HCR 13 (2009).

MIKE HAMMANN

01/05/2012 Offered (H) (H28)  
 02/02/2012 Referred: General Laws (H) (H216)  
 03/06/2012 Public Hearing Completed (H)  
 03/08/2012 Executive Session Completed (H)  
 03/08/2012 Voted Do Pass (H)  
 03/21/2012 Reported Do Pass (H) (H659)  
 03/21/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/29/2012 Rules - Executive Session Completed (H)  
 03/29/2012 Rules - Voted Do Pass (H)  
 03/29/2012 Rules - Reported Do Pass (H) (H848)  
 04/10/2012 Adopted (H) (H979)  
 04/11/2012 Reported to The Senate (S) (S651)  
 04/12/2012 Referred S Rules, Joint Rules, Resolutions and Ethics Committee  
 04/17/2012 Hearing Scheduled S Rules, Joint Rules, Resolutions and Ethics Committee

EFFECTIVE: Upon approval

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\*\*\* HCR 8 \*\*\*

5020L.011

SENATE SPONSOR: Munzlinger

HOUSE HANDLER: Guernsey

HCR 8 - This resolution disapproves the regulation filed by the State Tax Commission on December 23, 2011, that establishes new values for certain agricultural and horticultural property based on the land's productive capability. The State Tax Commission is required to set the value for each of the eight grades of agricultural land based upon productive capability for use by county assessors to determine property tax liabilities.

Section 137.021, RSMo, authorizes the General Assembly to disapprove any regulation containing new agricultural land values by a concurrent resolution adopted within the first sixty calendar days of the session following promulgation of such regulation.

This resolution also recommends the State Tax Commission review the current procedure for determining and establishing agricultural values.

This resolution is similar to SCR 19 (2012).

EMILY KALMER

01/10/2012 Introduced and Read First Time (H) (H47)

01/11/2012 Read Second Time (H) (H57)  
 01/26/2012 Referred: Ways and Means (H) (H173)  
 02/09/2012 Public Hearing Completed (H)  
 02/09/2012 Executive Session Completed (H)  
 02/09/2012 Voted Do Pass (H)  
 02/09/2012 Reported Do Pass (H) (H288)  
 02/09/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 02/13/2012 Rules - Executive Session Completed (H)  
 02/13/2012 Rules - Voted Do Pass (H)  
 02/13/2012 Rules - Reported Do Pass (H) (H301)  
 02/20/2012 Taken Up for Third Reading (H) (H372)  
 02/20/2012 Laid Over - Third Reading (H) (H372)  
 02/21/2012 Taken Up for Third Reading (H) (H384)  
 02/21/2012 Third Read and Passed (H) (H384-385)  
 02/21/2012 S First Read--HCR 8-Guernsey, et al (S300)  
 02/22/2012 Second Read and Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S310)  
 02/28/2012 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee  
 02/29/2012 Voted Do Pass S Rules, Joint Rules, Resolutions and Ethics Committee  
 02/29/2012 Reported from S Rules, Joint Rules, Resolutions and Ethics Committee to Floor (S354)  
 03/01/2012 S Third Read and Passed (S378-379)  
 03/01/2012 Truly Agreed To and Finally Passed (H483)  
 03/01/2012 Signed by House Speaker (H483)  
 03/01/2012 Signed by Senate President (S385)  
 03/01/2012 Delivered to Governor (H483)

EFFECTIVE: upon approval

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\*\*\* HCR 11 \*\*\*

4064L.011

HOUSE HANDLER: Kelley

HCR 11 - This resolution designates October 3, 2012, as "Missouri Animal Agriculture Day" and encourages Missourians to commemorate the day by consuming Missouri-raised meat, fish, and wild game.

ERIKA JAQUES

01/12/2012 Offered (H) (H66)  
 02/02/2012 Referred: Agri-Business (H) (H216)  
 02/21/2012 Public Hearing Completed (H)  
 02/28/2012 Executive Session Completed (H)  
 02/28/2012 Voted Do Pass (H)  
 03/05/2012 Reported Do Pass (H) (H494)  
 03/05/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/08/2012 Rules - Executive Session Completed (H)  
 03/08/2012 Rules - Voted Do Pass (H)  
 03/08/2012 Rules - Reported Do Pass (H) (H590)  
 04/02/2012 Adopted (H) (H872)  
 04/02/2012 Reported to The Senate (S587-588)  
 04/03/2012 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S595)

EFFECTIVE: Upon Approval

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\*\*\* HCR 12 \*\*\*

4236L.011

HOUSE HANDLER: Davis

HCR 12 - This resolution designates the Honor and Remember Flag as the state emblem for service and sacrifice by members of the armed forces.

MIKE HAMMANN

01/12/2012 Offered (H) (H66)  
 01/19/2012 Referred: Veterans (H) (H124)  
 02/07/2012 Public Hearing Completed (H)  
 02/07/2012 Executive Session Completed (H)  
 02/07/2012 Voted Do Pass (H)  
 02/07/2012 Reported Do Pass (H) (H251)  
 02/07/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)

02/13/2012 Rules - Executive Session Completed (H)  
 02/13/2012 Rules - Voted Do Pass (H)  
 02/13/2012 Rules - Reported Do Pass (H) (H301)  
 02/22/2012 Adopted (H) (H393)  
 02/22/2012 Reported to the Senate (S308)  
 02/23/2012 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S330)

EFFECTIVE: upon approval

\*\*\* HCR 13 \*\*\*

5226L.011

SENATE SPONSOR: Purgason

HOUSE HANDLER: Loehner

HCR 13 - The resolution encourages the Governor and the state's congressional delegation to demand that federal agencies with jurisdiction over in-stream activities review their current policy decisions and base future policy decisions and practices on sound, unbiased scientific research and historically effective landowner practices.

ERIKA JAQUES

01/17/2012 Offered (H) (H80)  
 01/19/2012 Referred: Tourism and Natural Resources (H124)  
 01/26/2012 Public Hearing Completed (H)  
 02/02/2012 Executive Session Completed (H)  
 02/02/2012 Voted Do Pass (H)  
 02/02/2012 Reported Do Pass (H) (H217)  
 02/02/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 02/06/2012 Rules - Executive Session Completed (H)  
 02/06/2012 Rules - Voted Do Pass (H)  
 02/06/2012 Rules - Reported Do Pass (H) (H229)  
 02/13/2012 Adopted (H) (H298)  
 02/14/2012 Reported to The Senate (S255-256)  
 02/15/2012 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S268)

EFFECTIVE: upon approval

\*\*\* HCR 22 \*\*\*

4907L.011

HOUSE HANDLER: Gray

HCR 22 - This concurrent resolution encourages the Missouri Veterans Commission to reach out to women veterans in Missouri so that they will bring their specific needs and concerns to the attention of agency officials. The resolution also formally honors all women veterans in Missouri.

MIKE HAMMANN

01/19/2012 Offered (H) (H122)  
 02/08/2012 Referred: Veterans (H) (H270)  
 02/14/2012 Public Hearing Completed (H)  
 02/14/2012 Executive Session Completed (H)  
 02/14/2012 Voted Do Pass (H)  
 02/14/2012 Reported Do Pass (H) (H319)  
 02/14/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/01/2012 Rules - Executive Session Completed (H)  
 03/01/2012 Rules - Voted Do Pass (H)  
 03/01/2012 Rules - Reported Do Pass (H) (H478)  
 03/20/2012 Adopted (H) (H616)  
 03/20/2012 Reported to The Senate (S470-471)  
 03/21/2012 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S478)  
 04/17/2012 Hearing Scheduled S Rules, Joint Rules, Resolutions and Ethics Committee

EFFECTIVE: Upon approval

\*\*\* HCR 25 \*\*\*

5376L.011

HOUSE HANDLER: Allen

HCR 25 – This resolution recognizes the important health and educational services that professional school nurses provide. It also urges each school district in Missouri to recognize the dedication of

professional school nurses and the valuable role they play in Missouri schools.

MICHAEL RUFF

01/30/2012 Offered (H) (H184)  
 02/15/2012 Referred: Health Care Policy (H) (H340)  
 02/22/2012 Public Hearing Completed (H)  
 03/07/2012 Executive Session Completed (H)  
 03/07/2012 Voted Do Pass (H)  
 03/07/2012 Reported Do Pass (H) (H549)  
 03/07/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/22/2012 Rules - Executive Session Completed (H)  
 03/22/2012 Rules - Voted Do Pass (H)  
 03/22/2012 Rules - Reported Do Pass (H) (H691)  
 04/02/2012 Adopted (H) (H872)  
 04/02/2012 Reported to The Senate (S587)  
 04/03/2012 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S595)

EFFECTIVE: Upon approval

\*\*\* HCR 30 \*\*\*

HCS HCR 30

4445H.03C

HOUSE HANDLER: Hampton

HCS/HCR 30 - This resolution strongly urges the U.S. Army Corps of Engineers to: re-examine the flood control operations for the Missouri and Mississippi Rivers, manage the rivers to avoid flooding disasters like those experienced in 2011, and rebuild the damaged levees as quickly as possible. The resolution also encourages communities to restore prime agricultural lands that were damaged by the flooding and strongly encourages Missouri's congressional delegation to support Missouri River management policies that minimize flood events.

This resolution is similar to SCR 25 (2012).

ERIKA JAQUES

02/07/2012 Offered (H) (H242)  
 02/08/2012 Referred: Agri-Business (H) (H270)  
 02/21/2012 Public Hearing Completed (H)  
 02/28/2012 Executive Session Completed (H)  
 02/28/2012 HCS Voted Do Pass (H)  
 03/05/2012 HCS Reported Do Pass (H) (H494)  
 03/05/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/08/2012 Rules - Executive Session Completed (H)  
 03/08/2012 Rules - Voted Do Pass (H)  
 03/08/2012 Rules - Reported Do Pass (H) (H590)  
 04/02/2012 Adopted (H) (H872)  
 04/02/2012 Reported to the Senate (S585-586)  
 04/03/2012 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S595)

EFFECTIVE: Upon approval

\*\*\* HCR 31 \*\*\*

5548L.011

HOUSE HANDLER: Schieffer

HCR 31 Schieffer, Ed Guernsey, Casey et al  
 I N T R O D U C E D

02/07/2012 Offered (H) (H242)  
 03/05/2012 Referred: Agri-Business (H) (H493)  
 03/08/2012 Public Hearing Completed (H)  
 03/26/2012 Executive Session Completed (H)  
 03/26/2012 Voted Do Pass (H)  
 03/27/2012 Reported Do Pass (H)  
 03/27/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H730)  
 03/29/2012 Rules - Executive Session Completed (H)  
 03/29/2012 Rules - Voted Do Pass (H)  
 03/29/2012 Rules - Reported Do Pass (H) (H848)

04/10/2012 Adopted (H) (H979)  
 04/11/2012 Reported to The Senate (S) (S651-652)  
 04/12/2012 Referred S Rules, Joint Rules, Resolutions and Ethics Committee  
 04/17/2012 Hearing Scheduled S Rules, Joint Rules, Resolutions and Ethics Committee

EFFECTIVE: Upon approval

\*\*\* HCR 32 \*\*\* HCS HCR 32

5627H.02C

HOUSE HANDLER: Cookson

HCS/HCR 32 - The resolution calls on Congress to enact legislation that directs at least 40% of the moneys in the Land and Water Conservation Fund to be annually allocated to the state assistance part of the program.

ERIKA JAQUES

02/08/2012 Offered (H) (H262)  
 02/14/2012 Referred: Tourism and Natural Resources (H318)  
 02/23/2012 Public Hearing Completed (H)  
 02/23/2012 Executive Session Completed (H)  
 02/23/2012 HCS Voted Do Pass (H)  
 02/27/2012 HCS Reported Do Pass (H) (H437)  
 02/27/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/01/2012 Rules - Executive Session Completed (H)  
 03/01/2012 Rules - Voted Do Pass (H)  
 03/01/2012 Rules - Reported Do Pass (H) (H478)  
 03/06/2012 HCS Adopted (H) (H512)  
 03/06/2012 S First Read--HCS for HCR 32 (S402-403)  
 03/07/2012 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S415)

EFFECTIVE: upon approval

\*\*\* HCR 36 \*\*\*

4847L.02I

HOUSE HANDLER: Asbury

HCR 36 - This concurrent resolution expresses the respect and admiration of the General Assembly for the people of Israel, commends the people of Israel for their dedication to democratic ideals, affirms the shared values and commitment to freedom and democracy, and reaffirms the importance of projects of mutual economic benefit.

This resolution is similar to SCR 14 (2012)

JIM ERTLE

02/14/2012 Offered (H) (H311)  
 02/15/2012 Referred: General Laws (H) (H340)  
 03/06/2012 Public Hearing Completed (H)  
 03/08/2012 Executive Session Completed (H)  
 03/08/2012 Voted Do Pass (H)  
 03/21/2012 Reported Do Pass (H) (H660)  
 03/21/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/29/2012 Rules - Executive Session Completed (H)  
 03/29/2012 Rules - Voted Do Pass (H)  
 03/29/2012 Rules - Reported Do Pass (H) (H848)  
 04/10/2012 Adopted (H) (H979)  
 04/11/2012 Reported to The Senate (S) (S652-653)  
 04/12/2012 Referred S Rules, Joint Rules, Resolutions and Ethics Committee  
 04/17/2012 Hearing Scheduled S Rules, Joint Rules, Resolutions and Ethics Committee

EFFECTIVE: Upon approval

\*\*\* HCR 37 \*\*\*

5541L.01I

SENATE SPONSOR: Pearce

HOUSE HANDLER: Barnes

HCR 37 - This resolution supports increased acquisition and delivery of North American oil resources for domestic refining and urges Congress to: support increased delivery of oil from Canada to the U.S.; enact

legislation that deems the Keystone XL pipeline to be in the national interest; and ask the U.S. Secretary of State to approve the Keystone XL pipeline project.

This HCR is similar to SCR 21 (2012).

ERIKA JAQUES

02/14/2012 Offered (H) (H311)  
 02/15/2012 Referred: General Laws (H) (H340)  
 02/28/2012 Public Hearing Completed (H)  
 03/01/2012 Executive Session Completed (H)  
 03/01/2012 Voted Do Pass (H)  
 03/01/2012 Reported Do Pass (H) (H476)  
 03/01/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/08/2012 Rules - Executive Session Completed (H)  
 03/08/2012 Rules - Voted Do Pass (H)  
 03/08/2012 Rules - Reported Do Pass (H) (H590)  
 03/20/2012 Adopted (H) (H616)  
 03/20/2012 Reported to The Senate--HCR 37-Barnes, et al (S471-472)  
 03/21/2012 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S478)  
 04/03/2012 Hearing Conducted S Rules, Joint Rules, Resolutions and Ethics Committee  
 04/03/2012 Voted Do Pass S Rules, Joint Rules, Resolutions and Ethics Committee  
 04/04/2012 Reported from S Rules, Joint Rules, Resolutions and Ethics Committee to Floor (S613)  
 04/12/2012 S adopted

EFFECTIVE: upon approval

\*\*\* HCR 41 \*\*\*

5818L.02I

HOUSE HANDLER: Curtman

HCR 41 - This concurrent resolution declares the General Assembly's strong opposition to the newest regulation concerning the coverage of FDA-approved forms of contraception, sterilization procedures and patient education and counseling under the federal Patient Protection and Affordable Care Act as contrary to the laws of Missouri.

ADRIANE CROUSE

02/15/2012 Offered (H) (H328)  
 02/16/2012 Referred: Rules (H) (H350)  
 02/20/2012 Public Hearing Completed (H)  
 02/20/2012 Executive Session Completed (H)  
 02/20/2012 Voted Do Pass (H)  
 02/20/2012 Reported Do Pass (H) (H375)  
 02/22/2012 Taken Up for Perfection (H) (H393)  
 02/22/2012 Laid Over (H) (H395)  
 02/22/2012 Taken Up for Perfection (H) (H395)  
 02/22/2012 Adopted (H) (H397)  
 02/23/2012 Reported to The Senate (S325-327)  
 02/27/2012 Referred S Rules, Joint Rules, Resolutions and Ethics Committee (S340)

EFFECTIVE: upon approval

\*\*\* HCR 42 \*\*\*

5782L.02I

HOUSE HANDLER: Rowland

HCR 42 - This concurrent resolution endorses the "Deaf and Hard of Hearing Children's Bill of Rights" in order to provide a foundational, centralized, guiding document that clarifies the state's interpretation of existing laws and practices relating to the education of children who are deaf and hard of hearing. The Chief Clerk of the Missouri House of Representatives is instructed to prepare properly prescribed copies of the resolution for each member of the Missouri Congressional Delegation.

ADRIANE CROUSE

02/15/2012 Offered (H) (H328)  
 03/06/2012 Referred: Special Standing Committee on Disability Services (H517)  
 03/19/2012 Public Hearing Completed (H)  
 03/26/2012 Executive Session Completed (H)



03/26/2012 Voted Do Pass (H)  
 03/27/2012 Reported Do Pass (H) (H733)  
 03/27/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/29/2012 Rules - Executive Session Completed (H)  
 03/29/2012 Rules - Voted Do Pass (H)  
 03/29/2012 Rules - Reported Do Pass (H) (H848)  
 04/10/2012 Adopted (H) (H979)  
 04/11/2012 Reported to The Senate (S) (S653-654)  
 04/12/2012 Referred S Rules, Joint Rules, Resolutions and Ethics Committee  
 04/17/2012 Hearing Scheduled S Rules, Joint Rules, Resolutions and Ethics Committee

EFFECTIVE: Upon approval

\*\*\* HCR 53 \*\*\*

6296L.011

HOUSE HANDLER: Schoeller

HCR 53 - This act revises the summary statement for House Committee Substitute #2 for Senate Joint Resolution #2 (2011).

CHRIS HOGERTY

03/29/2012 Introduced and Read First Time (H) (H850)  
 03/30/2012 Read Second Time (H) (H864)  
 03/30/2012 Referred: Elections (H) (H864)  
 04/03/2012 Public Hearing Completed (H)  
 04/03/2012 Executive Session Completed (H)  
 04/03/2012 Voted Do Pass (H)  
 04/03/2012 Reported Do Pass (H) (H894)  
 04/03/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 04/05/2012 Rules - Executive Session Completed (H)  
 04/05/2012 Rules - Voted Do Pass (H)  
 04/05/2012 Rules - Reported Do Pass (H) (H970)  
 04/11/2012 Third Read and Passed (H) (H1003)  
 04/11/2012 S First Read (S655)  
 04/12/2012 Second Read and Referred S Rules, Joint Rules, Resolutions and Ethics Committee  
 04/17/2012 Hearing Scheduled S Rules, Joint Rules, Resolutions and Ethics Committee

EFFECTIVE: Upon approval

\*\*\* HJR 41 \*\*\*

HCS HJR 41

4478L.02P

HOUSE HANDLER: Nasheed

HCS/HJR 41 - 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 SJR 43 (2012), the perfected version of SJR 12 (2011) and HJR 70 (2010), and similar to SJR 15 (2007) and SJR 46 (2008).

JIM ERTLE

12/22/2011 Prefiled (H)  
 01/04/2012 Read First Time (H) (H12)  
 01/05/2012 Read Second Time (H) (H28)  
 01/19/2012 Referred: Elections (H) (H124)  
 01/31/2012 Public Hearing Completed (H)  
 02/07/2012 Executive Session Completed (H)  
 02/07/2012 HCS Voted Do Pass (H)  
 02/08/2012 HCS Reported Do Pass (H) (H273)  
 02/08/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 02/15/2012 Rules - Executive Session Completed (H)  
 02/15/2012 Rules - Voted Do Pass (H)  
 02/15/2012 Rules - Reported Do Pass (H) (H343)  
 02/21/2012 HCS Adopted (H)

02/21/2012 Perfected (H) (H385)  
 02/21/2012 Referred: Fiscal Review (H) (H385)  
 02/23/2012 Executive Session Completed (H)  
 02/23/2012 Voted Do Pass (H)  
 02/23/2012 Reported Do Pass (H) (H414)  
 02/23/2012 Third read and passed (H) (H416)  
 02/23/2012 S First Read--HCS for HJR 41 (S328)  
 03/08/2012 Second Read and Referred S Financial and Governmental Organizations and Elections Committee (S435)  
 03/26/2012 Hearing Conducted S Financial and Governmental Organizations and Elections Committee  
 04/10/2012 Voted Do Pass S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: upon voter approval

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\*\*\* HJR 43 \*\*\*      HCS HJR 43

4953H.04P

HOUSE HANDLER: Burlison

HCS/HJR 43 - 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 a growth factor, if the amount of appropriations made in the previous fiscal year is greater than the amount of appropriations made in fiscal year 2008. The growth factor for increasing appropriations is a sum of the rate of inflation, the annual percentage change in state population, and one and one-half percent of the previous fiscal year total state general revenue collections. In any fiscal year where net general revenue collections exceed total state general revenue appropriations by more than one and a half percent of total general revenue appropriations, the excess over one and a half percent and up to two and one-half percent will be appropriated for reduction of state general obligation debt. In any fiscal year where net general revenue collections exceed total state general revenue appropriations by more than two and one-half percent, the excess over two and one-half percent will be transferred partially to the newly created cash operating reserve fund and partially to the newly created taxpayer protection stabilization fund. Funds will remain in the taxpayer protection stabilization fund until the commissioner of administration determines that the fund has a sufficient amount to reduce all state individual income tax rates by one quarter of one percent. The general assembly may appropriate funds from the taxpayer protection stabilization fund in any fiscal year in which the commission of administration determines that state general revenue appropriations will exceed projected net general revenue. 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 and allows the appropriation of revenues in excess of the appropriation limitation to fully fund the school foundation formula as established by statute.

The amendment makes the provisions of this constitutional amendment subject to the state sunset statutes, so that the General Assembly is required to reauthorize this constitutional amendment by five years after the date the voters approve this amendment.

This proposed constitutional amendment is similar to SJR 46 (2012), SJR 20 (2011), SJR 35 (2010), SJR 13 (2009), and SJR 50 (2008).

EMILY KALMER

01/04/2012 Introduced and Read First Time (H) (H12)  
 01/05/2012 Read Second Time (H) (H28)  
 01/05/2012 Referred: Budget (H) (H29)  
 01/11/2012 Public Hearing Completed (H)  
 01/11/2012 Executive Session Completed (H)  
 01/11/2012 HCS Voted Do Pass (H)  
 01/11/2012 HCS Reported Do Pass (H) (H58)  
 01/11/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H) (H58)  
 01/12/2012 Rules - Executive Session Completed (H)  
 01/12/2012 Rules - Voted Do Pass (H)  
 01/12/2012 Rules - Reported Do Pass (H) (H69)  
 01/18/2012 Taken Up for Perfection (H) (H105)  
 01/18/2012 Laid Over (H) (H105)  
 01/18/2012 Taken Up for Perfection (H) (H109)  
 01/18/2012 HCS Adopted (H)  
 01/18/2012 Perfected with Amendments (H) (H112)  
 01/18/2012 Referred: Fiscal Review (H) (H112)

01/19/2012 Voted Do Pass H Fiscal Review Committee  
 01/19/2012 Reported from H Fiscal Review (H123)  
 01/19/2012 Third read and passed (H) (H123-124)  
 01/19/2012 S First Read--HCS for HJR 43 (S120)  
 03/01/2012 Second Read and Referred S Ways and Means and Fiscal Oversight Committee (S385)  
 04/05/2012 Hearing Conducted S Ways and Means and Fiscal Oversight Committee

EFFECTIVE: upon voter approval

\*\*\* HJR 45 \*\*\*

4235L.01P

HOUSE HANDLER: Solon

HJR 45 - 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 will be deposited in the Veterans' Commission Capital Improvements Trust Fund. Money from these tickets will not be governed by appropriation of the general assembly.

This House joint resolution is similar to SJR 28 (2012) and SCS/SJR 18 (2011).  
 EMILY KALMER

01/05/2012 Introduced and Read First Time (H) (H29)  
 01/09/2012 Read Second Time (H) (H37)  
 01/11/2012 Referred: Veterans (H) (H58)  
 01/24/2012 Public Hearing Completed (H)  
 01/24/2012 Executive Session Completed (H)  
 01/24/2012 Voted Do Pass (H)  
 01/25/2012 Reported Do Pass (H) (H166)  
 01/25/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 02/06/2012 Rules - Executive Session Completed (H)  
 02/06/2012 Rules - Voted Do Pass (H)  
 02/06/2012 Rules - Reported Do Pass (H) (H229)  
 02/27/2012 Perfected (H) (H435)  
 02/28/2012 Referred: Fiscal Review (H) (H446)  
 03/01/2012 Executive Session Completed (H)  
 03/01/2012 Voted Do Pass (H)  
 03/01/2012 Reported Do Pass (H) (H466)  
 03/01/2012 Third Read and Passed (H) (H466-467)  
 03/01/2012 S First Read--HJR 45-Solon, et al (S377)  
 03/08/2012 Second Read and Referred S Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs Committee (S436)

EFFECTIVE: Upon voter approval

\*\*\* HJR 47 \*\*\*

HCS HJR 47

5062L.02P

HOUSE HANDLER: Dugger

HCS/HJR 47 - Upon voter approval, petitions for initiatives proposing constitutional changes shall be signed by 5 1/4% 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 and petitions proposing laws shall be signed by 3 1/4% instead of 5% of such voters. Similarly, petitions for a referendum shall be signed by 3 1/4% 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.  
 CHRIS HOGERTY

01/09/2012 Introduced and Read First Time (H) (H38)  
 01/10/2012 Read Second Time (H) (H46)  
 02/06/2012 Referred: Elections (H) (H228)  
 02/14/2012 Public Hearing Completed (H)  
 02/14/2012 Executive Session Completed (H)  
 02/14/2012 HCS Voted Do Pass (H)  
 02/15/2012 HCS Reported Do Pass (H) (H342)  
 02/15/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/01/2012 Rules - Executive Session Completed (H)  
 03/01/2012 Rules - Voted Do Pass (H)  
 03/01/2012 Rules - Reported Do Pass (H) (H478)

04/10/2012 HCS Adopted (H)  
 04/10/2012 Perfected (H) (H978)  
 04/11/2012 Referred: Fiscal Review (H)  
 04/12/2012 Executive Session Completed (H)  
 04/12/2012 Voted Do Pass (H)  
 04/12/2012 Reported Do Pass (H)  
 04/12/2012 Third read and passed (H)  
 04/12/2012 S First Read--HCS for HJR 47

EFFECTIVE: Upon voter approval

\*\*\* HJR 49 \*\*\*

4422L.01P

HOUSE HANDLER: Brattin

HJR 49 - If passed by a majority of voters, this constitutional amendment would affirm certain rights regarding the possession, purchase, and manufacture of ammunition and arms-related mechanical parts.  
 MEGHAN LUECKE

01/10/2012 Introduced and Read First Time (H) (H47)  
 01/11/2012 Read Second Time (H) (H57)  
 01/19/2012 Referred: General Laws (H) (H124)  
 03/06/2012 Public Hearing Completed (H)  
 03/08/2012 Executive Session Completed (H)  
 03/08/2012 Voted Do Pass (H)  
 03/21/2012 Reported Do Pass (H) (H660)  
 03/21/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/29/2012 Rules - Executive Session Completed (H)  
 03/29/2012 Rules - Voted Do Pass (H)  
 03/29/2012 Rules - Reported Do Pass (H) (H848)  
 04/10/2012 Perfected (H) (H978)  
 04/11/2012 Referred: Fiscal Review (H)  
 04/12/2012 Executive Session Completed (H)  
 04/12/2012 Voted Do Pass (H)  
 04/12/2012 Reported Do Pass (H)  
 04/12/2012 Third read and passed (H)  
 04/12/2012 S First Read--HJR 49-Brattin, et al

EFFECTIVE: Upon voter approval

\*\*\* HJR 52 \*\*\*

5118L.01P

HOUSE HANDLER: Ruzicka

HJR 52 - If approved by the voters, the constitutional amendment requires a 2/3rds majority to approve any ballot initiative relating to the opportunity to harvest bird, fish, game, wildlife, or forestry resources. The 2/3rds majority requirement does not apply to ballot initiatives relating to conservation sales taxes.

ERIKA JAQUES

01/10/2012 Introduced and Read First Time (H) (H47)  
 01/11/2012 Read Second Time (H) (H57)  
 02/06/2012 Referred: Tourism and Natural Resources (H228)  
 02/09/2012 Public Hearing Completed (H)  
 02/09/2012 Executive Session - No Action Taken  
 02/23/2012 Executive Session Completed (H)  
 02/23/2012 Voted Do Pass (H)  
 02/23/2012 Reported Do Pass (H) (H427)  
 02/23/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/01/2012 Rules - Executive Session Completed (H)  
 03/01/2012 Rules - Voted Do Pass (H)  
 03/01/2012 Rules - Reported Do Pass (H) (H478)  
 03/26/2012 Perfected (H) (H711)  
 03/27/2012 Referred: Fiscal Review (H) (H730)  
 03/29/2012 Executive Session Completed (H)  
 03/29/2012 Voted Do Pass (H)  
 03/29/2012 Reported Do Pass (H) (H825)

03/29/2012 Third Read and Passed (H) (H845)  
 04/02/2012 S First Read--HJR 52-Ruzicka (S582)  
 04/05/2012 Second Read and Referred S Financial and Governmental Organizations and Elections  
 Committee (S634)  
 04/16/2012 Hearing Scheduled S Financial and Governmental Organizations and Elections Committee

EFFECTIVE: Upon voter approval

\*\*\* HJR 71 \*\*\*

5378L.01P

HOUSE HANDLER: Elmer

HJR 71 - Upon approval of the voters, this constitutional amendment exempts all personal property of any active duty military person who is a citizen of Missouri from taxation. The property is exempt from taxation, if the property is not being used, while the person is stationed outside of the United States.

EMILY KALMER

01/26/2012 Introduced and Read First Time (H) (H174)  
 01/30/2012 Read Second Time (H) (H184)  
 02/15/2012 Referred: Tax Reform (H) (H340)  
 03/07/2012 Public Hearing Scheduled, Bill not Heard (H)  
 03/21/2012 Public Hearing Completed (H)  
 03/21/2012 Executive Session Completed (H)  
 03/21/2012 Voted Do Pass (H)  
 03/21/2012 Reported Do Pass (H) (H660)  
 03/21/2012 Referred: Rules - Pursuant to Rule 25(32)(f) (H)  
 03/29/2012 Rules - Executive Session Completed (H)  
 03/29/2012 Rules - Voted Do Pass (H)  
 03/29/2012 Rules - Reported Do Pass (H) (H848)  
 04/10/2012 Perfected (H) (H979)  
 04/11/2012 Referred: Fiscal Review (H)  
 04/12/2012 Executive Session Completed (H)  
 04/12/2012 Voted Do Pass (H)  
 04/12/2012 Reported Do Pass (H)  
 04/12/2012 Third read and passed (H)  
 04/12/2012 S First Read--HJR 71-Elmer, et al

EFFECTIVE: Upon voter approval

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