

Journal of the Senate

FIRST REGULAR SESSION

SIXTY-FOURTH DAY—WEDNESDAY, MAY 8, 2013

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“I am in perpetual anxiety lest...an accidental quarrel, a personal insult, an imprudent order...make a breach that can never afterward be healed.” (Benjamin Franklin 1774)

God of mercy, we pray in these closing days that we are known for who and what we are for and not just what we are against. May we trust that You would guide our steps and words to be clearly known for the openness and forgiven nature that we convey to one another and people we serve. So grant us patience and love to willingly protect the reputation and interest of others as we seek to do Your will this day and every day. And we would ask that you provide comfort and grace to Senator Holsman’s family as they hold a vigil for their dying Grandfather. Grant them mercy and remembrance of Your goodness. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Richard announced photographers KOMU-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

Absent—Senators—None

Absent with leave—Senator Holsman—1

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Nasheed offered Senate Resolution No. 930, regarding Julia Mize, which was adopted.

Senator Nasheed offered Senate Resolution No. 931, regarding Kathleen Ratcliffe, which was adopted.

Senator Nasheed offered Senate Resolution No. 932, regarding Gloria L. Taylor, which was adopted.

Senator Nasheed offered Senate Resolution No. 933, regarding Dawn Fuller, which was adopted.

Senator Dempsey offered Senate Resolution No. 934, regarding Johnathan “Jake” Pelikan, St. Charles, which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Parson, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SS** for **SCS** for **HB 542**, begs leave to report that it has considered the same and recommends that the bill do pass.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 77**.

With House Amendment No. 1

HOUSE AMENDMENT NO. 1

Amend Senate Bill No. 77, Page 1, Line 3 in the Title, by deleting all of said line and inserting in lieu thereof “to children.”; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

“160.775. 1. Every district shall adopt an antibullying policy by September 1, 2007.

2. “Bullying” means intimidation or harassment that causes a reasonable student to fear for his or her physical safety or property; **substantially interferes with the educational performance, opportunities, or benefits of any student without exception; or substantially disrupts the orderly operation of the school.** Bullying may consist of **but is not limited to** physical actions, including gestures, or oral, cyberbullying, electronic, or written communication, and any threat of retaliation for reporting of such acts. **Bullying is prohibited by students on school property, at any school function, or on a school bus. “Cyberbullying” is bullying as defined in this subsection through the transmission of a communication, including, but not limited to, a message, text, sound, or image by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager.**

3. Each district’s antibullying policy shall be founded on the assumption that all students need a safe learning environment. Policies shall treat **all** students equally and shall not contain specific lists of protected classes of students who are to receive special treatment. Policies may include age-appropriate differences

for schools based on the grade levels at the school. Each such policy shall contain a statement of the consequences of bullying.

4. Each district's antibullying policy shall require, **at a minimum, the following components:**

(1) A statement prohibiting bullying, defined no less inclusive than that in subsection 1 of this section;

(2) A statement requiring district employees to report any instance of bullying of which the employee has firsthand knowledge[. The district policy shall address training of employees in the requirements of the district policy.], **has reasonable cause to suspect that a student has been subject to bullying, or has received a report of bullying from a student. The policy shall be included in the student handbook. The school district administration shall notify the parents or legal guardians of the individual alleged in the report to be responsible for the bullying incident and the parents or legal guardians of the target of the bullying incident;**

(3) A procedure for reporting an act of bullying, including a provision that permits a person to report an act of harassment, intimidation, or bullying anonymously. However, this shall not be construed to permit formal disciplinary action solely on the basis of an anonymous report;

(4) A procedure for prompt investigation of reports of serious violations and complaints, identifying either the principal or the principal's certified staff designee as the person responsible for the investigation;

(5) The range of ways in which a school will respond once an incident of bullying is confirmed;

(6) A statement that prohibits reprisal or retaliation against any person who reports an act of bullying and the consequence and appropriate remedial action for a person who engages in reprisal or retaliation;

(7) A statement of how the policy is to be publicized;

(8) A process for discussing the district's antibullying policy with students and training school employees and volunteers who have significant contact with students in the requirements of the policy, including at a minimum the following statements:

(a) The policy shall be conspicuously posted throughout each school building in areas accessible to students and staff members;

(b) The school district annually shall provide information and any appropriate training to the school district staff regarding the policy;

(c) The school district shall give annual notice of the policy to students, parents or guardians, and staff;

(d) The school district shall provide education and information to students regarding bullying, including information regarding the school district policy prohibiting bullying, the harmful effects of bullying, and other applicable initiatives to prevent bullying;

(e) The administration of the school district shall implement programs and other initiatives to prevent bullying, to respond to such conduct in a manner that does not stigmatize the victim, and to make resources or referrals available to victims of bullying;

(f) The policy shall be reviewed at least annually for compliance with state and federal law.

5. Any student alleging to be the target of an incident of bullying who has completed all procedures required by the district’s reporting policy and continues to be subjected to bullying shall be informed by the district that he or she may seek other remedies. The information may include but not be limited to informing the target or the target’s parents or legal guardians of the possibility of civil action against the individual alleged to be responsible for the bullying and against the parents or legal guardians of that individual. The target and his or her parents shall also be informed that they may request intervention by any other county, state, or federal agency or office that is empowered to act on behalf of the target.

6. The state board of education is authorized to promulgate rules and regulations to implement this section and shall develop model policies to assist local school districts in developing policies for the prevention of bullying no later than September 1, 2014. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 330**, entitled:

An Act to repeal sections 331.100, 332.093, 334.104, 334.735, 337.503, 344.040, 346.050, 346.055, 346.085, and 453.070, RSMo, and to enact in lieu thereof nineteen new sections relating to professional licenses.

With House Amendment Nos. 2 and 3.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 330, Page 10, Section 334.104, Line 45, by inserting immediately after the first occurrence of the word “**clinics**” the following

“, provider-based rural health clinics where the provider is a critical access hospital as provided in 42 U.S.C. 1395i-4,”; and

Further amend said bill, Page 14, Section 334.735, Line 24, by deleting all of said line and inserting in lieu thereof the following:

“facility as the] **with a** supervising physician [sixty-six percent of the time a physician assistant”; and

Further amend said Bill, Page, and Section, Line 32, by deleting the word “**supervision**” and inserting in lieu thereof the word “**supervising**”; and

Further amend said Bill, Page 15, Section 334.735, Line 86, by deleting the phrase “**(2) A**” and inserting

in lieu thereof the phrase “**(2) For a**”; and

Further amend said Bill, Page 16, Section 334.735, Lines 91-92, by deleting all of said lines and inserting in lieu thereof the following:

“to the minimum federal law shall be required [for the physician-physician assistant team in a rural health clinic if a waiver has been granted by the board. However, the board shall be able to void”; and

Further amend said Bill, Page, and Section, Line 114, by deleting the word “**and**”; and

Further amend said Bill, Page, and Section, Line 116, by inserting immediately after the word “perform;” the word “**and**”; and

Further amend said Bill, Page 18, Section 334.735, Line 185, by deleting the first instance of the word “**a**” and inserting in lieu thereof the word “**the**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 330, Page 19, Section 337.503, Line 4, by deleting all of said line and inserting in lieu thereof the following:

“**under this chapter** when promulgating regulations or when”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 9**, entitled:

An Act to repeal sections 178.550, 192.300, 196.311, 267.655, 304.180, 304.184, 348.521, 442.571, 442.576, 570.030, 578.009, and 578.012, RSMo, and to enact in lieu thereof seventeen new sections relating to agriculture, with penalty provisions.

With House Amendment Nos. 1, 2, 3, 6, House Amendment No. 1 to House Amendment No. 7, and House Amendment No. 7, as amended.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 9, Page 20, Section 578.012, Line 13, by inserting after all of said section and line the following:

“644.029. The department shall allow an appropriate schedule of compliance for a permittee to make upgrades or changes to its facilities that are necessary to meet new water quality requirements. For publicly owned treatment works, schedules of compliance shall be consistent with affordability findings made under section 644.145. For privately owned treatment works, schedules of compliance shall be negotiated with the facilities recognizing their financial capabilities and shall reflect statewide performance expectations. The department shall incorporate new water quality requirements into existing permits at the time of permit renewal unless there are compelling reasons to implement these requirements earlier through permit modifications. All new permit applicants may be required to meet any new water quality standards or classifications prescribed by the

commission.

Section 1. The provisions of section 444.771 shall not apply to any business entity located in any county of the first classification with more than seventy thousand but fewer than eighty-three thousand inhabitants and with a city of the fourth classification with more than thirteen thousand five hundred but fewer than sixteen thousand inhabitants as the county seat.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 9, Page 10, Section 262.795, Line 13, by inserting after all of said section and line, the following:

“262.975. 1. The department of agriculture may contract with an internet website development company to build and maintain the “Missouri International Agricultural Exchange” website. Such website shall contain content approved by the department to promote Missouri agricultural products and services to international agricultural buyers.

2. The exchange shall allow Missouri-based agricultural sellers to post their products produced in this state on the website at no charge to assist in marketing such products to international buyers. All sellers shall be required to register through the website and show proof of Missouri residency and other information as required by the department. Except for advertising under subdivision (2) of subsection 3 of this section, only agricultural products and services produced in this state shall be allowed on the exchange website.

3. The state of Missouri shall have exclusive rights of ownership of all website content produced on the Missouri international agricultural exchange website, including but not limited to all creative materials, copyrights, photographs, or illustrations contained on the website. Subject to department approval, the website developer is authorized to:

(1) Use all informational content provided by the department of agriculture, add to such content, and apply search engine optimization to the website content to achieve a high search engine ranking;

(2) Sell advertising on the exchange website to any entity that will benefit from marketing to international agriculture producers and buyers. The website developer shall be solely responsible for all costs associated with the development, marketing, and maintenance of the exchange website, with the website developer retaining all advertising revenues obtained from such exchange website to provide the financing for such exchange website;

(3) Prohibit the sale of advertising to any entity on the exchange website that is not related to agriculture or furthers the interest of hate content, obscenity and sexual material, bombs, spyware, adult content, political content, antigroup content and violence, discrimination, political campaigns or causes, public advocacy or lobbying, copyrighted works, counterfeit designer goods, drug and drug paraphernalia, fake documents, gambling, hacking and cracking sites, miracle cures, prostitution, scams, phishing for personal information, tobacco and cigarettes and traffic devices, and other types of advertising deemed not appropriate by the director; and

(4) Ensure that all website content shall be named a “.com” domain to allow for advertisement.

4. The website developer shall:

(1) Have proven experience and expertise in search engine optimization, as determined by the department or the department of economic development;

(2) Provide evidence of prior website development projects produced by the website developer which increased search engine rankings for the client.

5. The department of agriculture, in consultation with the department of economic development, shall review all applications and award one annual contract for the development, design, marketing, and maintenance of the exchange website, with annual renewals for continuing upgrades, marketing, and maintenance of the website. The department of agriculture shall have the authority to terminate any contract under this section at the department's discretion. Any website developer under contract with the department of agriculture may have a contract terminated for failure to operate under the department's guidelines for the exchange website. If a contract is terminated, the department shall immediately assume ownership of all site-related domain names. If a contract is terminated, the department shall award a new contract in accordance with the procedures for awarding the initial contract under this section.

6. The department of agriculture may promulgate rules necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 9, Page 1, Section A, Line 5, by inserting immediately after said line the following:

“135.305. A Missouri wood energy producer shall be eligible for a tax credit on taxes otherwise due under chapter 143, except sections 143.191 to 143.261, as a production incentive to produce processed wood products in a qualified wood-producing facility using Missouri forest product residue. The tax credit to the wood energy producer shall be five dollars per ton of processed material. The credit may be claimed for a period of five years and is to be a tax credit against the tax otherwise due. No new tax credits, provided for under sections 135.300 to 135.311, shall be authorized after June 30, [2013] **2019. In no event shall the aggregate amount of all tax credits allowed under sections 135.300 to 135.311 exceed three million dollars in any given fiscal year.**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 9, Page 1, Section A, Line 5, by inserting after all of said section and line the following:

“**135.1590. 1. This section shall be known and may be cited as the “Show-Me Milk and Infrastructure Stabilization Act”.**”

2. As used in this section, the following terms mean:

(1) “Authority”, the Missouri agricultural and small business development authority established in chapter 348;

(2) “Qualified milk producer”, any resident taxpayer actively engaged in business as a producer of grade A milk.

3. For all taxable years beginning on or after January 1, 2013, a qualified milk producer shall be allowed a tax credit against the state tax liability incurred under chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265,

in an amount equal to the total aggregate allowable credit per year divided by the number of qualified grade A dairies as determined by the Missouri state milk board. The maximum credit allowed to a qualified milk producer shall not exceed twenty-five thousand dollars per year.

4. Taxpayers shall apply for the milk production tax credit by submitting an application to the authority, on a form provided by the authority. As part of the application, the taxpayer shall provide his or her producer identification number and documentation as to the amount of milk produced by his or her operation during the tax credit allowance period.

5. On or before January 1, 2016, the authority shall issue a report, and make such report available for public inspection, on the total number of pounds of milk produced by each qualified milk producer in each of the three preceding calendar years.

6. The total aggregate amount of tax credits authorized under this section shall not exceed five million dollars in a calendar year.

7. Any individual or business entity may assign, transfer, or sell tax credits allowed in this section. All tax credits allowed under this section must be used in the year in which they are issued. Tax credits earned by a partnership, limited liability company, S-corporation, or other pass-through entity may be allocated to the partners, members, or shareholders of such entity for their direct use in accordance with the provisions of any agreement among such partners, members, or shareholders.

8. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset three years after January 1, 2013, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset one year after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

**HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 7**

Amend House Amendment No. 7 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 9, Page 2, Line 17, by inserting after all of said line the following:

“Further amend said bill, Pages 4-5, Section 192.300, Lines 1-35, by deleting all of said section and lines

from the bill and inserting in lieu thereof the following:

“192.300. **1.** The county commissions [and], **with approval of** the county health center boards of the several counties, may make and promulgate orders, ordinances, rules or regulations, respectively as will tend to enhance the public health and prevent the entrance of infectious, contagious, communicable or dangerous diseases into such county, but any orders, ordinances, rules or regulations shall not be in conflict with any rules or regulations authorized and made by the department of health and senior services in accordance with this chapter, **or by the department of natural resources under chapters 640, 643, and 644,** or by the department of social services under chapter 198. The county commissions [and] , **with the approval of** the county health center boards of the several counties, may establish reasonable fees to pay for any costs incurred in carrying out such orders, ordinances, rules or regulations, however, the establishment of such fees shall not deny personal health services to those individuals who are unable to pay such fees or impede the prevention or control of communicable disease. Fees generated shall be deposited in the county treasury. All fees generated under the provisions of this section shall be used to support the public health activities for which they were generated. After the promulgation and adoption of such orders, ordinances, rules or regulations by such county commission [or],**with the approval of the** county health board, such commission [or],**with the approval of the** county health board, shall make and enter an order or record declaring such orders, ordinances, rules or regulations to be printed and available for distribution to the public in the office of the county clerk, and shall require a copy of such order to be published in some newspaper in the county in three successive weeks, not later than thirty days after the entry of such order, ordinance, rule or regulation. Any person, firm, corporation or association which violates any of the orders or ordinances adopted, promulgated and published by such county commission is guilty of a misdemeanor and shall be prosecuted, tried and fined as otherwise provided by law. The county commission [or],**with the approval of the** county health board of any such county, has full power and authority to initiate the prosecution of any action under this section.

2. In regards to any orders, ordinances, rules, or regulations pertaining to the production, harvesting, storage, drying or raising of agricultural commodities, including the raising of livestock, the county commission, with approval of the county health center board, shall:

(1) Not assess a fee greater than two hundred dollars to carry out such orders, ordinances, rules, or regulations; or

(2) Not impose requirements on land application that are more stringent than imposed by a permit issued by the department of natural resources.

3. Any orders, ordinances, rules, or regulations pertaining to the production or raising of livestock, adopted by the county commission, with approval of the county health center board, shall be administered by county staff who are certified as concentrated animal feeding operators by the department of natural resources.”; and

Further amend said bill, Page 10, Section 262.795, Line 2, by deleting the word “**agricultural**” and inserting in lieu thereof the word “**agriculture**”; and

Further amend said bill and page, Section 267.655, Line 3 by inserting immediately after the first occurrence of the word “**the**” the word “**department**”; and

Further amend said bill, Pages 11-15, Sections 304.180 and 304.184, by deleting all of said sections from the bill; and

Further amend said bill, Page 15, Section 442.571, Line 4, by deleting the words “**one-half of**”; and

Further amend said bill, page, section and line, by inserting after the word “**no**” the word “**such**”; and

Further amend said bill and section, Page 16, Line 13, by inserting after the word “**All**” the word “**such**”; and

Further amend said bill and section, Page 16, Line 16, by deleting the words “**one-half of**”; and

Further amend said bill, Page 18, Section 570.030, Line 37, by placing an opening bracket “[“ before the word “**Any**”; and

Further amend said bill, page and section, Line 38, by placing a closing bracket “]” immediately after “**(k)**”; and

Further amend said bill, section, and page by renumbering the paragraphs accordingly; and”;

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 9, Page 1, Section A, Line 5, by inserting after all of said section and line the following:

“44.080. 1. Each political subdivision of this state shall establish a local organization for disaster planning in accordance with the state emergency operations plan and program. The executive officer of the political subdivision shall appoint a coordinator who shall have direct responsibility for the organization, administration and operation of the local emergency management operations, subject to the direction and control of the executive officer or governing body. Each local organization for emergency management shall be responsible for the performance of emergency management functions within the territorial limits of its political subdivision, and may conduct these functions outside of the territorial limits as may be required pursuant to the provisions of this law.

2. In carrying out the provisions of this law, each political subdivision may:

(1) Appropriate and expend funds, make contracts, obtain and distribute equipment, materials, and supplies for emergency management purposes; provide for the health and safety of persons; the safety of property; and direct and coordinate the development of disaster plans and programs in accordance with the policies and plans of the federal and state governments; [and]

(2) Appoint, provide, or remove rescue teams, auxiliary fire and police personnel and other emergency operations teams, units or personnel who may serve without compensation[.]; **and**

(3) Adopt orders or resolutions with penalties as these specifically relate to the actual or impending occurrence of a natural disaster of major proportions within the county when the safety and welfare of the inhabitants of such county are jeopardized. Such orders or resolutions may include the issuance of burn ban orders carrying penalties as specified in subsection 2 of section 44.130 if the U.S. Drought Monitor has designated the county as an area of severe, extreme, or exceptional drought. The political subdivision may consult the state fire marshal regarding the necessity for a burn ban order. The violations of such order or resolution shall be an infraction, except that state agencies responsible for fire management or suppression activities and persons conducting agricultural burning using best management practices shall not be subject to the provisions of this subsection. The ability of an individual, organization, or corporation to sell fireworks shall not be

affected by the issuance of a burn ban order.

49.266. 1. The county commission in all counties of the first, second or fourth classification may by order or ordinance promulgate reasonable regulations concerning the use of county property, the hours, conditions, methods and manner of such use and the regulation of pedestrian and vehicular traffic and parking thereon.

2. The county commission in all counties may, by order, promulgate reasonable regulations concerning its emergency management functions and operations and conditions controls, as they specifically relate to the actual occurrence of a natural disaster within the county when the safety or welfare of the inhabitants of such county are threatened by actual or impending circumstances. The regulations may include the issuance of burn ban orders carrying penalties as specified in subsection 2 of section 44.130 and monetary fines as established by the county commission, if the U.S. Drought Monitor has designated the county as an area of severe, extreme, or exceptional drought. The political subdivision may consult the state fire marshal regarding the necessity for a burn ban order. State agencies responsible for fire management or suppression activities and persons conducting agricultural burning using best management practices shall not be subject to the provisions of this subsection. The ability of an individual, organization, or corporation to sell fireworks shall not be affected by the issuance of a burn ban order.

3. Violation of any regulation so adopted is an infraction or may be as provided in subsection 2 of section 44.130 as specified in the adopted regulation.

[3.] **4. The regulations so adopted shall be codified, printed and made available for public use and adequate signs concerning smoking, traffic and parking regulations shall be posted.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 148**, entitled:

An Act to repeal sections 301.140, as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402, merged with conference committee substitute for house committee substitute for senate substitute for senate committee substitute for senate bill no. 470, merged with conference committee substitute for house committee substitute for senate bill no. 568, merged with conference committee substitute for senate bill no. 611, ninety-sixth general assembly, second regular session, 301.140, as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402, ninety-sixth general assembly, second regular session, and 301.193, RSMo, and to enact in lieu thereof three new sections relating to salvage motor vehicles.

With House Amendment No. 1.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 148, Page 1, Section A, Line 11, by inserting immediately after said line the following:

“137.090. **1.** All tangible personal property of whatever nature and character situate in a county other than the one in which the owner resides shall be assessed in the county where the owner resides; except that, houseboats, cabin cruisers, floating boat docks, and manufactured homes, as defined in section 700.010, used for lodging shall be assessed in the county where they are located, and tangible personal property belonging to estates shall be assessed in the county in which the probate division of the circuit court has jurisdiction. Tangible personal property, other than motor vehicles as the term is defined in section 301.010, used exclusively in connection with farm operations of the owner and kept on the farmland, shall not be assessed by a city, town or village unless the farmland is totally within the boundaries of the city, town or village. No tangible personal property shall be simultaneously assessed in more than one county.

2. The assessed valuation of any tractor or trailer as defined in section 301.010 owned by an individual, partner, or member and used in interstate commerce must be apportioned to Missouri based on the ratio of miles traveled in this state to miles traveled in the United States in interstate commerce during the preceding tax year or on the basis of the most recent annual mileage figures available.

137.095. 1. The real and tangible personal property of all corporations operating in any county in the state of Missouri and in the city of St. Louis, and subject to assessment by county or township assessors, shall be assessed and taxed in the county in which the property is situated on the first day of January of the year for which the taxes are assessed, and every general or business corporation having or owning tangible personal property on the first day of January in each year, which is situated in any other county than the one in which the corporation is located, shall make return to the assessor of the county or township where the property is situated, in the same manner as other tangible personal property is required by law to be returned, except that all motor vehicles which are the property of the corporation and which are subject to regulation under chapter 390 shall be assessed for tax purposes in the county in which the motor vehicles are based.

2. For the purposes of subsection 1 of this section, the term “based” means the place where the vehicle is most frequently dispatched, garaged, serviced, maintained, operated or otherwise controlled, except that leased passenger vehicles shall be assessed at the residence of the driver or, if the residence of the driver is unknown, at the location of the lessee.

3. The assessed valuation of any tractor or trailer as defined in section 301.010 owned by a corporation and used in interstate commerce must be apportioned to Missouri based on the ratio of miles traveled in this state to miles traveled in the United States in interstate commerce during the preceding tax year or on the basis of the most recent annual mileage figures available.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 43**, entitled:

An Act to repeal sections 302.700, as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402, merged with conference committee substitute for house committee substitute for senate substitute for senate committee substitute for senate bill no. 470, merged with conference committee substitute for house committee

substitute no. 2 for senate committee substitute for senate bill no. 480, merged with conference committee substitute for house committee substitute for senate bill no. 568, ninety-sixth general assembly, second regular session, 302.720, 302.735, 302.740, 302.755, 304.180, and 304.820, RSMo, and to enact in lieu thereof seven new sections relating to commercial motor vehicles, with penalty provisions.

With House Amendment Nos. 1, 2, 3, 4 and 5.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 43, Page 23, Section 304.820, Line 59, by inserting after all of said line the following:

“565.087. 1. A person commits the crime of assault of an employee of a mass transit system while in the scope of his or her duties in the first degree if such person attempts to kill or knowingly causes or attempts to cause serious physical injury to an employee of a mass transit system while in the scope of his or her duties.

2. As used in this section, “mass transit system” includes employees of public bus and light rail companies.

3. Assault of an employee of a mass transit system in the first degree is a class B felony.

565.088. 1. A person commits the crime of assault of an employee of a mass transit system while in the scope of his or her duties in the second degree if such person:

(1) Knowingly causes or attempts to cause physical injury to an employee of a mass transit system while in the scope of his or her duties by means of a deadly weapon or dangerous instrument;

(2) Knowingly causes or attempts to cause physical injury to an employee of a mass transit system while in the scope of his or her duties by means other than a deadly weapon or dangerous instrument;

(3) Recklessly causes serious physical injury to an employee of a mass transit system while in the scope of his or her duties;

(4) While in an intoxicated condition or under the influence of controlled substances or drugs, operates a motor vehicle in this state and when so operating, acts with criminal negligence to cause physical injury to an employee of a mass transit system while in the scope of his or her duties;

(5) Acts with criminal negligence to cause physical injury to an employee of a mass transit system while in the scope of his or her duties by means of a deadly weapon or dangerous instrument;

(6) Purposely or recklessly places an employee of a mass transit system while in the scope of his or her duties in apprehension of immediate serious physical injury; or

(7) Acts with criminal negligence to create a substantial risk of death or serious physical injury to an employee of a mass transit system while in the scope of his or her duties.

2. As used in this section, “mass transit system” includes employees of public bus and light rail companies.

3. Assault of an employee of a mass transit system while in the scope of his or her duties in the second degree is a class C felony unless committed under subdivision (2), (5), (6), or (7) of subsection 1 of this section in which case it is a class D felony.

565.089. 1. A person commits the crime of assault of an employee of a mass transit system while

in the scope of his or her duties in the third degree if:

(1) Such person recklessly causes physical injury to an employee of a mass transit system while in the scope of his or her duties;

(2) Such person purposely places an employee of a mass transit system while in the scope of his or her duties in apprehension of immediate physical injury;

(3) Such person knowingly causes or attempts to cause physical contact with an employee of a mass transit system while in the scope of his or her duties without the consent of the employee of the mass transit system.

2. As used in this section, “mass transit system” includes employees of public bus and light rail companies.

3. Assault of an employee of a mass transit system while in the scope of his or her duties in the third degree is a class B misdemeanor.”; and

Further amend said title, enacting clause and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 43, Page 17, Section 302.755, Line 78, by inserting immediately after said line the following:

“ 302.767. Notwithstanding sections 302.700, 302.720, 302.735, 302.740, 302.755 to the contrary, the department of revenue shall have until July 8, 2015, to comply with the provisions of 49 CFR 383, 384, and 385 pertaining to the commercial driver’s license testing and commercial learner’s permit standards rule issued by the federal motor carrier safety administration.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 43, Page 1, Section A, Line 10, by inserting after all of said section and line, the following:

“302.060. 1. The director shall not issue any license and shall immediately deny any driving privilege:

(1) To any person who is under the age of eighteen years, if such person operates a motor vehicle in the transportation of persons or property as classified in section 302.015;

(2) To any person who is under the age of sixteen years, except as hereinafter provided;

(3) To any person whose license has been suspended, during such suspension, or to any person whose license has been revoked, until the expiration of one year after such license was revoked;

(4) To any person who is an habitual drunkard or is addicted to the use of narcotic drugs;

(5) To any person who has previously been adjudged to be incapacitated and who at the time of application has not been restored to partial capacity;

(6) To any person who, when required by this law to take an examination, has failed to pass such examination;

(7) To any person who has an unsatisfied judgment against such person, as defined in chapter 303, until

such judgment has been satisfied or the financial responsibility of such person, as defined in section 303.120, has been established;

(8) To any person whose application shows that the person has been convicted within one year prior to such application of violating the laws of this state relating to failure to stop after an accident and to disclose the person's identity or driving a motor vehicle without the owner's consent;

(9) To any person who has been convicted more than twice of violating state law, or a county or municipal ordinance where the defendant was represented by or waived the right to an attorney in writing, relating to driving while intoxicated; except that, after the expiration of ten years from the date of conviction of the last offense of violating such law or ordinance relating to driving while intoxicated, a person who was so convicted may petition the circuit court of the county in which such last conviction was rendered and the court shall review the person's habits and conduct since such conviction, including the results of a criminal history check as defined in section 302.010. If the court finds that the petitioner has not been convicted, pled guilty to or been found guilty of, and has no pending charges for any offense related to alcohol, controlled substances or drugs and has no other alcohol-related enforcement contacts as defined in section 302.525 during the preceding ten years and that the petitioner's habits and conduct show such petitioner to no longer pose a threat to the public safety of this state, the court [may] **shall** order the director to issue a license to the petitioner if the petitioner is otherwise qualified pursuant to the provisions of sections 302.010 to 302.540. No person may obtain a license pursuant to the provisions of this subdivision through court action more than one time;

(10) To any person who has pled guilty to or been convicted of the crime of involuntary manslaughter while operating a motor vehicle in an intoxicated condition, or to any person who has been convicted twice within a five-year period of violating state law, county or municipal ordinance of driving while intoxicated, or any other intoxication-related traffic offense as defined in section 577.023, except that, after the expiration of five years from the date of conviction of the last offense of violating such law or ordinance, a person who was so convicted may petition the circuit court of the county in which such last conviction was rendered and the court shall review the person's habits and conduct since such conviction, including the results of a criminal history check as defined in section 302.010. If the court finds that the petitioner has not been convicted, pled guilty to, or been found guilty of, and has no pending charges for any offense related to alcohol, controlled substances, or drugs and has no other alcohol-related enforcement contacts as defined in section 302.525 during the preceding five years, and that the petitioner's habits and conduct show such petitioner to no longer pose a threat to the public safety of this state, the court [may] **shall** order the director to issue a license to the petitioner if the petitioner is otherwise qualified pursuant to the provisions of sections 302.010 to 302.540;

(11) To any person who is otherwise disqualified pursuant to the provisions of sections 302.010 to 302.780, chapter 303, or section 544.046;

(12) To any person who is under the age of eighteen years, if such person's parents or legal guardians file a certified document with the department of revenue stating that the director shall not issue such person a driver's license. Each document filed by the person's parents or legal guardians shall be made upon a form furnished by the director and shall include identifying information of the person for whom the parents or legal guardians are denying the driver's license. The document shall also contain identifying information of the person's parents or legal guardians. The document shall be certified by the parents or legal guardians to be true and correct. This provision shall not apply to any person who is legally emancipated. The parents

or legal guardians may later file an additional document with the department of revenue which reinstates the person's ability to receive a driver's license.

2. Any person whose license is reinstated under the provisions of [subdivisions (9) and (10)] **subdivision (9) or (10)** of subsection 1 of this section shall be required to file proof with the director of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement. The ignition interlock device required for reinstatement under this subsection and for obtaining a limited driving privilege under paragraph (a) or (b) of subdivision (8) of subsection 3 of section 302.309 shall have photo identification technology and global positioning system features. The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. If the monthly monitoring reports show that the ignition interlock device has registered any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended for an additional six months. If the person fails to maintain such proof with the director, the license shall be suspended for the remainder of the six-month period or until proof as required by this section is filed with the director. Upon the completion of the six-month period, the license shall be shown as reinstated, if the person is otherwise eligible.

3. Any person who petitions the court for reinstatement of his or her license pursuant to subdivision (9) or (10) of subsection 1 of this section shall make application with the Missouri state highway patrol as provided in section 43.540, and shall submit two sets of fingerprints collected pursuant to standards as determined by the highway patrol. One set of fingerprints shall be used by the highway patrol to search the criminal history repository and the second set shall be forwarded to the Federal Bureau of Investigation for searching the federal criminal history files. At the time of application, the applicant shall supply to the highway patrol the court name and case number for the court where he or she has filed his or her petition for reinstatement. The applicant shall pay the fee for the state criminal history check pursuant to section 43.530 and pay the appropriate fee determined by the Federal Bureau of Investigation for the federal criminal history record. The Missouri highway patrol, upon receipt of the results of the criminal history check, shall forward a copy of the results to the circuit court designated by the applicant and to the department. Notwithstanding the provisions of section 610.120, all records related to any criminal history check shall be accessible and available to the director and the court.

[302.060. 1. The director shall not issue any license and shall immediately deny any driving privilege:

- (1) To any person who is under the age of eighteen years, if such person operates a motor vehicle in the transportation of persons or property as classified in section 302.015;
- (2) To any person who is under the age of sixteen years, except as hereinafter provided;
- (3) To any person whose license has been suspended, during such suspension, or to any person whose license has been revoked, until the expiration of one year after such license was revoked;
- (4) To any person who is an habitual drunkard or is addicted to the use of narcotic drugs;
- (5) To any person who has previously been adjudged to be incapacitated and who at the time of application has not been restored to partial capacity;

(6) To any person who, when required by this law to take an examination, has failed to pass such examination;

(7) To any person who has an unsatisfied judgment against such person, as defined in chapter 303, until such judgment has been satisfied or the financial responsibility of such person, as defined in section 303.120, has been established;

(8) To any person whose application shows that the person has been convicted within one year prior to such application of violating the laws of this state relating to failure to stop after an accident and to disclose the person's identity or driving a motor vehicle without the owner's consent;

(9) To any person who has been convicted more than twice of violating state law, or a county or municipal ordinance where the defendant was represented by or waived the right to an attorney in writing, relating to driving while intoxicated; except that, after the expiration of ten years from the date of conviction of the last offense of violating such law or ordinance relating to driving while intoxicated, a person who was so convicted may petition the circuit court of the county in which such last conviction was rendered and the court shall review the person's habits and conduct since such conviction, including the results of a criminal history check as defined in section 302.010. If the court finds that the petitioner has not been convicted, pled guilty to or been found guilty of, and has no pending charges for any offense related to alcohol, controlled substances or drugs and has no other alcohol-related enforcement contacts as defined in section 302.525 during the preceding ten years and that the petitioner's habits and conduct show such petitioner to no longer pose a threat to the public safety of this state, the court may order the director to issue a license to the petitioner if the petitioner is otherwise qualified pursuant to the provisions of sections 302.010 to 302.540. No person may obtain a license pursuant to the provisions of this subdivision through court action more than one time;

(10) To any person who has pled guilty to or been convicted of the crime of involuntary manslaughter while operating a motor vehicle in an intoxicated condition, or to any person who has been convicted twice within a five-year period of violating state law, county or municipal ordinance of driving while intoxicated, or any other intoxication-related traffic offense as defined in section 577.023, except that, after the expiration of five years from the date of conviction of the last offense of violating such law or ordinance, a person who was so convicted may petition the circuit court of the county in which such last conviction was rendered and the court shall review the person's habits and conduct since such conviction, including the results of a criminal history check as defined in section 302.010. If the court finds that the petitioner has not been convicted, pled guilty to, or been found guilty of, and has no pending charges for any offense related to alcohol, controlled substances, or drugs and has no other alcohol-related enforcement contacts as defined in section 302.525 during the preceding five years, and that the petitioner's habits and conduct show such petitioner to no longer pose a threat to the public safety of this state, the court may order the director to issue a license to the petitioner if the petitioner is otherwise qualified pursuant to the provisions of sections 302.010 to 302.540;

(11) To any person who is otherwise disqualified pursuant to the provisions of sections 302.010 to 302.780, chapter 303, or section 544.046;

(12) To any person who is under the age of eighteen years, if such person's parents or legal guardians file a certified document with the department of revenue stating that the director shall not

issue such person a driver’s license. Each document filed by the person’s parents or legal guardians shall be made upon a form furnished by the director and shall include identifying information of the person for whom the parents or legal guardians are denying the driver’s license. The document shall also contain identifying information of the person’s parents or legal guardians. The document shall be certified by the parents or legal guardians to be true and correct. This provision shall not apply to any person who is legally emancipated. The parents or legal guardians may later file an additional document with the department of revenue which reinstates the person’s ability to receive a driver’s license.

2. Any person whose license is reinstated under the provisions of subdivisions (9) and (10) of subsection 1 of this section shall be required to file proof with the director of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement. The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. If the person fails to maintain such proof with the director, the license shall be suspended for the remainder of the six-month period or until proof as required by this section is filed with the director. Upon the completion of the six-month period, the license shall be shown as reinstated, if the person is otherwise eligible.

3. Any person who petitions the court for reinstatement of his or her license pursuant to subdivision (9) or (10) of subsection 1 of this section shall make application with the Missouri state highway patrol as provided in section 43.540, and shall submit two sets of fingerprints collected pursuant to standards as determined by the highway patrol. One set of fingerprints shall be used by the highway patrol to search the criminal history repository and the second set shall be forwarded to the Federal Bureau of Investigation for searching the federal criminal history files. At the time of application, the applicant shall supply to the highway patrol the court name and case number for the court where he or she has filed his or her petition for reinstatement. The applicant shall pay the fee for the state criminal history check pursuant to section 43.530 and pay the appropriate fee determined by the Federal Bureau of Investigation for the federal criminal history record. The Missouri highway patrol, upon receipt of the results of the criminal history check, shall forward a copy of the results to the circuit court designated by the applicant and to the department. Notwithstanding the provisions of section 610.120, all records related to any criminal history check shall be accessible and available to the director and the court.]”; and

“302.302. 1. The director of revenue shall put into effect a point system for the suspension and revocation of licenses. Points shall be assessed only after a conviction or forfeiture of collateral. The initial point value is as follows:

(1) Any moving violation of a state law or county or municipal or federal traffic ordinance or regulation not listed in this section, other than a violation of vehicle equipment provisions or a court-ordered supervision as provided in section 302.303 2 points

(except any violation of municipal stop sign ordinance where no accident is involved 1 point)

(2) Speeding

In violation of a state law 3 points

In violation of a county or municipal ordinance 2 points

- (3) Leaving the scene of an accident in violation of section 577.060 12 points
 In violation of any county or municipal ordinance 6 points
 - (4) Careless and imprudent driving in violation of subsection 4 of section 304.016 4 points
 In violation of a county or municipal ordinance 2 points
 - (5) Operating without a valid license in violation of subdivision (1) or (2) of subsection 1 of section 302.020:
 - (a) For the first conviction 2 points
 - (b) For the second conviction 4 points
 - (c) For the third conviction 6 points
 - (6) Operating with a suspended or revoked license prior to restoration of operating privileges 12 points
 - (7) Obtaining a license by misrepresentation 12 points
 - (8) For the first conviction of driving while in an intoxicated condition or under the influence of controlled substances or drugs 8 points
 - (9) For the second or subsequent conviction of any of the following offenses however combined: driving while in an intoxicated condition, driving under the influence of controlled substances or drugs or driving with a blood alcohol content of eight-hundredths of one percent or more by weight 12 points
 - (10) For the first conviction for driving with blood alcohol content eight-hundredths of one percent or more by weight
 - In violation of state law 8 points
 - In violation of a county or municipal ordinance or federal law or regulation 8 points
 - (11) Any felony involving the use of a motor vehicle 12 points
 - (12) Knowingly permitting unlicensed operator to operate a motor vehicle.4 points
 - (13) For a conviction for failure to maintain financial responsibility pursuant to county or municipal ordinance or pursuant to section 303.025 4 points
 - (14) Endangerment of a highway worker in violation of section 304.585 4 points
 - (15) Aggravated endangerment of a highway worker in violation of section 304.585 12 points
 - (16) For a conviction of violating a municipal ordinance that prohibits tow truck operators from stopping at or proceeding to the scene of an accident unless they have been requested to stop or proceed to such scene by a party involved in such accident or by an officer of a public safety agency 4 points
2. The director shall, as provided in subdivision (5) of subsection 1 of this section, assess an operator points for a conviction pursuant to subdivision (1) or (2) of subsection 1 of section 302.020, when the director issues such operator a license or permit pursuant to the provisions of sections 302.010 to 302.340.

3. An additional two points shall be assessed when personal injury or property damage results from any violation listed in subdivisions (1) to (13) of subsection 1 of this section and if found to be warranted and certified by the reporting court.

4. When any of the acts listed in subdivision (2), (3), (4) or (8) of subsection 1 of this section constitutes both a violation of a state law and a violation of a county or municipal ordinance, points may be assessed for either violation but not for both. Notwithstanding that an offense arising out of the same occurrence could be construed to be a violation of subdivisions (8), (9) and (10) of subsection 1 of this section, no person shall be tried or convicted for more than one offense pursuant to subdivisions (8), (9) and (10) of subsection 1 of this section for offenses arising out of the same occurrence.

5. The director of revenue shall put into effect a system for staying the assessment of points against an operator. The system shall provide that the satisfactory completion of a driver-improvement program or, in the case of violations committed while operating a motorcycle, a motorcycle-rider training course approved by the state highways and transportation commission, by an operator, when so ordered and verified by any court having jurisdiction over any law of this state or county or municipal ordinance, regulating motor vehicles, other than a violation committed in a commercial motor vehicle as defined in section 302.700 or a violation committed by an individual who has been issued a commercial driver's license or is required to obtain a commercial driver's license in this state or any other state, shall be accepted by the director in lieu of the assessment of points for a violation pursuant to subdivision (1), (2) or (4) of subsection 1 of this section or pursuant to subsection 3 of this section. **The operator shall be given the option to complete the driver-improvement program through an online or in-person course.** A court using a centralized violation bureau established under section 476.385 may elect to have the bureau order and verify completion of a driver-improvement program or motorcycle-rider training course as prescribed by order of the court. For the purposes of this subsection, the driver-improvement program shall meet or exceed the standards of the National Safety Council's eight-hour "Defensive Driving Course" or, in the case of a violation which occurred during the operation of a motorcycle, the program shall meet the standards established by the state highways and transportation commission pursuant to sections 302.133 to 302.137. The completion of a driver-improvement program or a motorcycle-rider training course shall not be accepted in lieu of points more than one time in any thirty-six-month period and shall be completed within sixty days of the date of conviction in order to be accepted in lieu of the assessment of points. Every court having jurisdiction pursuant to the provisions of this subsection shall, within fifteen days after completion of the driver-improvement program or motorcycle-rider training course by an operator, forward a record of the completion to the director, all other provisions of the law to the contrary notwithstanding. The director shall establish procedures for record keeping and the administration of this subsection."; and

"302.304. 1. The director shall notify by ordinary mail any operator of the point value charged against the operator's record when the record shows four or more points have been accumulated in a twelve-month period.

2. In an action to suspend or revoke a license or driving privilege under this section points shall be accumulated on the date of conviction. No case file of any conviction for a driving violation for which points may be assessed pursuant to section 302.302 may be closed until such time as a copy of the record of such conviction is forwarded to the department of revenue.

3. The director shall suspend the license and driving privileges of any person whose driving record shows the driver has accumulated eight points in eighteen months.

4. The license and driving privilege of any person whose license and driving privilege have been suspended under the provisions of sections 302.010 to 302.540 except those persons whose license and driving privilege have been suspended under the provisions of subdivision (8) of subsection 1 of section 302.302 or has accumulated sufficient points together with a conviction under subdivision (10) of subsection 1 of section 302.302 and who has filed proof of financial responsibility with the department of revenue, in accordance with chapter 303, and is otherwise eligible, shall be reinstated as follows:

(1) In the case of an initial suspension, thirty days after the effective date of the suspension;

(2) In the case of a second suspension, sixty days after the effective date of the suspension;

(3) In the case of the third and subsequent suspensions, ninety days after the effective date of the suspension.

Unless proof of financial responsibility is filed with the department of revenue, a suspension shall continue in effect for two years from its effective date.

5. The period of suspension of the driver's license and driving privilege of any person under the provisions of subdivision (8) of subsection 1 of section 302.302 or who has accumulated sufficient points together with a conviction under subdivision (10) of subsection 1 of section 302.302 shall be thirty days, followed by a sixty-day period of restricted driving privilege as defined in section 302.010. Upon completion of such period of restricted driving privilege, upon compliance with other requirements of law and upon filing of proof of financial responsibility with the department of revenue, in accordance with chapter 303, the license and driving privilege shall be reinstated. If a person, otherwise subject to the provisions of this subsection, files proof of installation with the department of revenue that any vehicle operated by such person is equipped with a functioning, certified ignition interlock device, [then the] **there shall be no** period of suspension [shall be fifteen days, followed by a seventy-five day]. **However, in lieu of a suspension the person shall instead complete a ninety-day** period of restricted driving privilege. If the person fails to maintain such proof of the device with the director of revenue as required, the restricted driving privilege shall be terminated. Upon completion of such [seventy-five day] **ninety-day** period of restricted driving privilege, upon compliance with other requirements of law, and upon filing of proof of financial responsibility with the department of revenue, in accordance with chapter 303, the license and driving privilege shall be reinstated. However, if the monthly monitoring reports during such [seventy-five day] **ninety-day** period indicate that the ignition interlock device has registered a **confirmed** blood alcohol concentration level above the alcohol setpoint established by the department of transportation or such reports indicate that the ignition interlock device has been tampered with or circumvented, then the license and driving privilege of such person shall not be reinstated until the person completes an additional [seventy-five day] **thirty-day** period of restricted driving privilege [without any such violations].

6. If the person fails to maintain proof of financial responsibility in accordance with chapter 303, or, if applicable, if the person fails to maintain proof that any vehicle operated is equipped with a functioning, certified ignition interlock device installed pursuant to subsection 5 of this section, the person's driving privilege and license shall be resuspended.

7. The director shall revoke the license and driving privilege of any person when the person's driving record shows such person has accumulated twelve points in twelve months or eighteen points in twenty-four months or twenty-four points in thirty-six months. The revocation period of any person whose license and driving privilege have been revoked under the provisions of sections 302.010 to 302.540 and who has filed

proof of financial responsibility with the department of revenue in accordance with chapter 303 and is otherwise eligible, shall be terminated by a notice from the director of revenue after one year from the effective date of the revocation. Unless proof of financial responsibility is filed with the department of revenue, except as provided in subsection 2 of section 302.541, the revocation shall remain in effect for a period of two years from its effective date. If the person fails to maintain proof of financial responsibility in accordance with chapter 303, the person's license and driving privilege shall be rerevoked. Any person whose license and driving privilege have been revoked under the provisions of sections 302.010 to 302.540 shall, upon receipt of the notice of termination of the revocation from the director, pass the complete driver examination and apply for a new license before again operating a motor vehicle upon the highways of this state.

8. If, prior to conviction for an offense that would require suspension or revocation of a person's license under the provisions of this section, the person's total points accumulated are reduced, pursuant to the provisions of section 302.306, below the number of points required for suspension or revocation pursuant to the provisions of this section, then the person's license shall not be suspended or revoked until the necessary points are again obtained and accumulated.

9. If any person shall neglect or refuse to surrender the person's license, as provided herein, the director shall direct the state highway patrol or any peace or police officer to secure possession thereof and return it to the director.

10. Upon the issuance of a reinstatement or termination notice after a suspension or revocation of any person's license and driving privilege under the provisions of sections 302.010 to 302.540, the accumulated point value shall be reduced to four points, except that the points of any person serving as a member of the Armed Forces of the United States outside the limits of the United States during a period of suspension or revocation shall be reduced to zero upon the date of the reinstatement or termination of notice. It shall be the responsibility of such member of the Armed Forces to submit copies of official orders to the director of revenue to substantiate such overseas service. Any other provision of sections 302.010 to 302.540 to the contrary notwithstanding, the effective date of the four points remaining on the record upon reinstatement or termination shall be the date of the reinstatement or termination notice.

11. No credit toward reduction of points shall be given during periods of suspension or revocation or any period of driving under a limited driving privilege granted by a court or the director of revenue.

12. Any person or nonresident whose license or privilege to operate a motor vehicle in this state has been suspended or revoked under this or any other law shall, before having the license or privilege to operate a motor vehicle reinstated, pay to the director a reinstatement fee of twenty dollars which shall be in addition to all other fees provided by law.

13. Notwithstanding any other provision of law to the contrary, if after two years from the effective date of any suspension or revocation issued under this chapter, the person or nonresident has not paid the reinstatement fee of twenty dollars, the director shall reinstate such license or privilege to operate a motor vehicle in this state.

14. No person who has had a license to operate a motor vehicle suspended or revoked as a result of an assessment of points for a violation under subdivision (8), (9) or (10) of subsection 1 of section 302.302 shall have that license reinstated until such person has participated in and successfully completed a substance abuse traffic offender program defined in section 302.010, or a program determined to be comparable by the department of mental health. Assignment recommendations, based upon the needs

assessment as described in subdivision [(22)] **(24)** of section 302.010, shall be delivered in writing to the person with written notice that the person is entitled to have such assignment recommendations reviewed by the court if the person objects to the recommendations. The person may file a motion in the associate division of the circuit court of the county in which such assignment was given, on a printed form provided by the state courts administrator, to have the court hear and determine such motion pursuant to the provisions of chapter 517. The motion shall name the person or entity making the needs assessment as the respondent and a copy of the motion shall be served upon the respondent in any manner allowed by law. Upon hearing the motion, the court may modify or waive any assignment recommendation that the court determines to be unwarranted based upon a review of the needs assessment, the person's driving record, the circumstances surrounding the offense, and the likelihood of the person committing a like offense in the future, except that the court may modify but may not waive the assignment to an education or rehabilitation program of a person determined to be a prior or persistent offender as defined in section 577.023 or of a person determined to have operated a motor vehicle with fifteen-hundredths of one percent or more by weight in such person's blood. Compliance with the court determination of the motion shall satisfy the provisions of this section for the purpose of reinstating such person's license to operate a motor vehicle. The respondent's personal appearance at any hearing conducted pursuant to this subsection shall not be necessary unless directed by the court.

15. The fees for the program authorized in subsection 14 of this section, or a portion thereof to be determined by the department of mental health, shall be paid by the person enrolled in the program. Any person who is enrolled in the program shall pay, in addition to any fee charged for the program, a supplemental fee in an amount to be determined by the department of mental health for the purposes of funding the substance abuse traffic offender program defined in section 302.010 and section 577.001 or a program determined to be comparable by the department of mental health. The administrator of the program shall remit to the division of alcohol and drug abuse of the department of mental health on or before the fifteenth day of each month the supplemental fee for all persons enrolled in the program, less two percent for administrative costs. Interest shall be charged on any unpaid balance of the supplemental fees due the division of alcohol and drug abuse pursuant to this section and shall accrue at a rate not to exceed the annual rate established pursuant to the provisions of section 32.065, plus three percentage points. The supplemental fees and any interest received by the department of mental health pursuant to this section shall be deposited in the mental health earnings fund which is created in section 630.053.

16. Any administrator who fails to remit to the division of alcohol and drug abuse of the department of mental health the supplemental fees and interest for all persons enrolled in the program pursuant to this section shall be subject to a penalty equal to the amount of interest accrued on the supplemental fees due the division pursuant to this section. If the supplemental fees, interest, and penalties are not remitted to the division of alcohol and drug abuse of the department of mental health within six months of the due date, the attorney general of the state of Missouri shall initiate appropriate action of the collection of said fees and interest accrued. The court shall assess attorney fees and court costs against any delinquent program.

17. Any person who has had a license to operate a motor vehicle suspended or revoked as a result of an assessment of points for a [violation under subdivision (9) of subsection 1 of section 302.302] **conviction for an intoxication-related traffic offense as defined under section 577.023, and who has a prior alcohol-related enforcement contact as defined under section 302.525**, shall be required to file proof with the director of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement of the license. The ignition

interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. If the monthly monitoring reports show that the ignition interlock device has registered any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended for an additional six months. If the person fails to maintain such proof with the director, the license shall be resuspended or revoked and the person shall be guilty of a class A misdemeanor.

[302.304. 1. The director shall notify by ordinary mail any operator of the point value charged against the operator's record when the record shows four or more points have been accumulated in a twelve-month period.

2. In an action to suspend or revoke a license or driving privilege under this section points shall be accumulated on the date of conviction. No case file of any conviction for a driving violation for which points may be assessed pursuant to section 302.302 may be closed until such time as a copy of the record of such conviction is forwarded to the department of revenue.

3. The director shall suspend the license and driving privileges of any person whose driving record shows the driver has accumulated eight points in eighteen months.

4. The license and driving privilege of any person whose license and driving privilege have been suspended under the provisions of sections 302.010 to 302.540 except those persons whose license and driving privilege have been suspended under the provisions of subdivision (8) of subsection 1 of section 302.302 or has accumulated sufficient points together with a conviction under subdivision (10) of subsection 1 of section 302.302 and who has filed proof of financial responsibility with the department of revenue, in accordance with chapter 303, and is otherwise eligible, shall be reinstated as follows:

(1) In the case of an initial suspension, thirty days after the effective date of the suspension;

(2) In the case of a second suspension, sixty days after the effective date of the suspension;

(3) In the case of the third and subsequent suspensions, ninety days after the effective date of the suspension.

Unless proof of financial responsibility is filed with the department of revenue, a suspension shall continue in effect for two years from its effective date.

5. The period of suspension of the driver's license and driving privilege of any person under the provisions of subdivision (8) of subsection 1 of section 302.302 or who has accumulated sufficient points together with a conviction under subdivision (10) of subsection 1 of section 302.302 shall be thirty days, followed by a sixty-day period of restricted driving privilege as defined in section 302.010. Upon completion of such period of restricted driving privilege, upon compliance with other requirements of law and upon filing of proof of financial responsibility with the department of revenue, in accordance with chapter 303, the license and driving privilege shall be reinstated.

6. If the person fails to maintain proof of financial responsibility in accordance with chapter 303, the person's driving privilege and license shall be resuspended.

7. The director shall revoke the license and driving privilege of any person when the person's

driving record shows such person has accumulated twelve points in twelve months or eighteen points in twenty-four months or twenty-four points in thirty-six months. The revocation period of any person whose license and driving privilege have been revoked under the provisions of sections 302.010 to 302.540 and who has filed proof of financial responsibility with the department of revenue in accordance with chapter 303 and is otherwise eligible, shall be terminated by a notice from the director of revenue after one year from the effective date of the revocation. Unless proof of financial responsibility is filed with the department of revenue, except as provided in subsection 2 of section 302.541, the revocation shall remain in effect for a period of two years from its effective date. If the person fails to maintain proof of financial responsibility in accordance with chapter 303, the person's license and driving privilege shall be rerevoked. Any person whose license and driving privilege have been revoked under the provisions of sections 302.010 to 302.540 shall, upon receipt of the notice of termination of the revocation from the director, pass the complete driver examination and apply for a new license before again operating a motor vehicle upon the highways of this state.

8. If, prior to conviction for an offense that would require suspension or revocation of a person's license under the provisions of this section, the person's total points accumulated are reduced, pursuant to the provisions of section 302.306, below the number of points required for suspension or revocation pursuant to the provisions of this section, then the person's license shall not be suspended or revoked until the necessary points are again obtained and accumulated.

9. If any person shall neglect or refuse to surrender the person's license, as provided herein, the director shall direct the state highway patrol or any peace or police officer to secure possession thereof and return it to the director.

10. Upon the issuance of a reinstatement or termination notice after a suspension or revocation of any person's license and driving privilege under the provisions of sections 302.010 to 302.540, the accumulated point value shall be reduced to four points, except that the points of any person serving as a member of the Armed Forces of the United States outside the limits of the United States during a period of suspension or revocation shall be reduced to zero upon the date of the reinstatement or termination of notice. It shall be the responsibility of such member of the Armed Forces to submit copies of official orders to the director of revenue to substantiate such overseas service. Any other provision of sections 302.010 to 302.540 to the contrary notwithstanding, the effective date of the four points remaining on the record upon reinstatement or termination shall be the date of the reinstatement or termination notice.

11. No credit toward reduction of points shall be given during periods of suspension or revocation or any period of driving under a limited driving privilege granted by a court or the director of revenue.

12. Any person or nonresident whose license or privilege to operate a motor vehicle in this state has been suspended or revoked under this or any other law shall, before having the license or privilege to operate a motor vehicle reinstated, pay to the director a reinstatement fee of twenty dollars which shall be in addition to all other fees provided by law.

13. Notwithstanding any other provision of law to the contrary, if after two years from the effective date of any suspension or revocation issued under this chapter, the person or nonresident has not paid the reinstatement fee of twenty dollars, the director shall reinstate such license or

privilege to operate a motor vehicle in this state.

14. No person who has had a license to operate a motor vehicle suspended or revoked as a result of an assessment of points for a violation under subdivision (8), (9) or (10) of subsection 1 of section 302.302 shall have that license reinstated until such person has participated in and successfully completed a substance abuse traffic offender program defined in section 302.010, or a program determined to be comparable by the department of mental health. Assignment recommendations, based upon the needs assessment as described in subdivision (22) of section 302.010, shall be delivered in writing to the person with written notice that the person is entitled to have such assignment recommendations reviewed by the court if the person objects to the recommendations. The person may file a motion in the associate division of the circuit court of the county in which such assignment was given, on a printed form provided by the state courts administrator, to have the court hear and determine such motion pursuant to the provisions of chapter 517. The motion shall name the person or entity making the needs assessment as the respondent and a copy of the motion shall be served upon the respondent in any manner allowed by law. Upon hearing the motion, the court may modify or waive any assignment recommendation that the court determines to be unwarranted based upon a review of the needs assessment, the person's driving record, the circumstances surrounding the offense, and the likelihood of the person committing a like offense in the future, except that the court may modify but may not waive the assignment to an education or rehabilitation program of a person determined to be a prior or persistent offender as defined in section 577.023 or of a person determined to have operated a motor vehicle with fifteen-hundredths of one percent or more by weight in such person's blood. Compliance with the court determination of the motion shall satisfy the provisions of this section for the purpose of reinstating such person's license to operate a motor vehicle. The respondent's personal appearance at any hearing conducted pursuant to this subsection shall not be necessary unless directed by the court.

15. The fees for the program authorized in subsection 14 of this section, or a portion thereof to be determined by the department of mental health, shall be paid by the person enrolled in the program. Any person who is enrolled in the program shall pay, in addition to any fee charged for the program, a supplemental fee in an amount to be determined by the department of mental health for the purposes of funding the substance abuse traffic offender program defined in section 302.010 and section 577.001 or a program determined to be comparable by the department of mental health. The administrator of the program shall remit to the division of alcohol and drug abuse of the department of mental health on or before the fifteenth day of each month the supplemental fee for all persons enrolled in the program, less two percent for administrative costs. Interest shall be charged on any unpaid balance of the supplemental fees due the division of alcohol and drug abuse pursuant to this section and shall accrue at a rate not to exceed the annual rate established pursuant to the provisions of section 32.065, plus three percentage points. The supplemental fees and any interest received by the department of mental health pursuant to this section shall be deposited in the mental health earnings fund which is created in section 630.053.

16. Any administrator who fails to remit to the division of alcohol and drug abuse of the department of mental health the supplemental fees and interest for all persons enrolled in the program pursuant to this section shall be subject to a penalty equal to the amount of interest accrued on the supplemental fees due the division pursuant to this section. If the supplemental fees, interest, and penalties are not remitted to the division of alcohol and drug abuse of the department of mental

health within six months of the due date, the attorney general of the state of Missouri shall initiate appropriate action of the collection of said fees and interest accrued. The court shall assess attorney fees and court costs against any delinquent program.

17. Any person who has had a license to operate a motor vehicle suspended or revoked as a result of an assessment of points for a violation under subdivision (9) of subsection 1 of section 302.302 shall be required to file proof with the director of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement of the license. The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. If the person fails to maintain such proof with the director, the license shall be resuspended or revoked and the person shall be guilty of a class A misdemeanor.]”; and

“[302.309. 1. Whenever any license is suspended pursuant to sections 302.302 to 302.309, the director of revenue shall return the license to the operator immediately upon the termination of the period of suspension and upon compliance with the requirements of chapter 303.

2. Any operator whose license is revoked pursuant to these sections, upon the termination of the period of revocation, shall apply for a new license in the manner prescribed by law.

3. (1) All circuit courts, the director of revenue, or a commissioner operating under section 478.007 shall have jurisdiction to hear applications and make eligibility determinations granting limited driving privileges. Any application may be made in writing to the director of revenue and the person’s reasons for requesting the limited driving privilege shall be made therein.

(2) When any court of record having jurisdiction or the director of revenue finds that an operator is required to operate a motor vehicle in connection with any of the following:

- (a) A business, occupation, or employment;
- (b) Seeking medical treatment for such operator;
- (c) Attending school or other institution of higher education;
- (d) Attending alcohol or drug treatment programs;
- (e) Seeking the required services of a certified ignition interlock device provider; or
- (f) Any other circumstance the court or director finds would create an undue hardship on the operator;

the court or director may grant such limited driving privilege as the circumstances of the case justify if the court or director finds undue hardship would result to the individual, and while so operating a motor vehicle within the restrictions and limitations of the limited driving privilege the driver shall not be guilty of operating a motor vehicle without a valid license.

(3) An operator may make application to the proper court in the county in which such operator resides or in the county in which is located the operator’s principal place of business or employment. Any application for a limited driving privilege made to a circuit court shall name the director as a party defendant and shall be served upon the director prior to the grant of any limited privilege, and shall be accompanied by a copy of the applicant’s driving record as certified by the director. Any

applicant for a limited driving privilege shall have on file with the department of revenue proof of financial responsibility as required by chapter 303. Any application by a person who transports persons or property as classified in section 302.015 may be accompanied by proof of financial responsibility as required by chapter 303, but if proof of financial responsibility does not accompany the application, or if the applicant does not have on file with the department of revenue proof of financial responsibility, the court or the director has discretion to grant the limited driving privilege to the person solely for the purpose of operating a vehicle whose owner has complied with chapter 303 for that vehicle, and the limited driving privilege must state such restriction. When operating such vehicle under such restriction the person shall carry proof that the owner has complied with chapter 303 for that vehicle.

(4) No limited driving privilege shall be issued to any person otherwise eligible under the provisions of paragraph (a) of subdivision (6) of this subsection on a license revocation resulting from a conviction under subdivision (9) of subsection 1 of section 302.302, or a license denial under paragraph (a) or (b) of subdivision (8) of this subsection, until the applicant has filed proof with the department of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of limited driving privilege.

(5) The court order or the director's grant of the limited or restricted driving privilege shall indicate the termination date of the privilege, which shall be not later than the end of the period of suspension or revocation. A copy of any court order shall be sent by the clerk of the court to the director, and a copy shall be given to the driver which shall be carried by the driver whenever such driver operates a motor vehicle. The director of revenue upon granting a limited driving privilege shall give a copy of the limited driving privilege to the applicant. The applicant shall carry a copy of the limited driving privilege while operating a motor vehicle. A conviction which results in the assessment of points pursuant to section 302.302, other than a violation of a municipal stop sign ordinance where no accident is involved, against a driver who is operating a vehicle pursuant to a limited driving privilege terminates the privilege, as of the date the points are assessed to the person's driving record. If the date of arrest is prior to the issuance of the limited driving privilege, the privilege shall not be terminated. Failure of the driver to maintain proof of financial responsibility, as required by chapter 303, or to maintain proof of installation of a functioning, certified ignition interlock device, as applicable, shall terminate the privilege. The director shall notify by ordinary mail the driver whose privilege is so terminated.

(6) Except as provided in subdivision (8) of this subsection, no person is eligible to receive a limited driving privilege who at the time of application for a limited driving privilege has previously been granted such a privilege within the immediately preceding five years, or whose license has been suspended or revoked for the following reasons:

(a) A conviction of violating the provisions of section 577.010 or 577.012, or any similar provision of any federal or state law, or a municipal or county law where the judge in such case was an attorney and the defendant was represented by or waived the right to an attorney in writing, until the person has completed the first thirty days of a suspension or revocation imposed pursuant to this chapter;

(b) A conviction of any felony in the commission of which a motor vehicle was used;

(c) Ineligibility for a license because of the provisions of subdivision (1), (2), (4), (5), (6), (7),

(8), (9), (10) or (11) of section 302.060;

(d) Because of operating a motor vehicle under the influence of narcotic drugs, a controlled substance as defined in chapter 195, or having left the scene of an accident as provided in section 577.060;

(e) Due to a revocation for the first time for failure to submit to a chemical test pursuant to section 577.041 or due to a refusal to submit to a chemical test in any other state, if such person has not completed the first ninety days of such revocation;

(f) Violation more than once of the provisions of section 577.041 or a similar implied consent law of any other state; or

(g) Due to a suspension pursuant to subsection 2 of section 302.525 and who has not completed the first thirty days of such suspension, provided the person is not otherwise ineligible for a limited driving privilege; or due to a revocation pursuant to subsection 2 of section 302.525 if such person has not completed such revocation.

(7) No person who possesses a commercial driver's license shall receive a limited driving privilege issued for the purpose of operating a commercial motor vehicle if such person's driving privilege is suspended, revoked, cancelled, denied, or disqualified. Nothing in this section shall prohibit the issuance of a limited driving privilege for the purpose of operating a noncommercial motor vehicle provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege.

(8) (a) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of ten years, as prescribed in subdivision (9) of subsection 1 of section 302.060, to apply for a limited driving privilege pursuant to this subsection if such person has served at least three years of such disqualification or revocation. Such person shall present evidence satisfactory to the court or the director that such person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding three years and that the person's habits and conduct show that the person no longer poses a threat to the public safety of this state. The court or the director shall review the results of a criminal history check prior to granting any limited privilege under this subdivision. If the court or the director finds that the petitioner has been convicted, pled guilty to, or been found guilty of, or has a pending charge for any offense related to alcohol, controlled substances, or drugs, or has any other alcohol-related enforcement contact as defined in section 302.525 during the preceding three years, the court or the director shall not grant a limited driving privilege to the applicant.

(b) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege or convicted of involuntary manslaughter while operating a motor vehicle in an intoxicated condition, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of five years because of two convictions of driving while intoxicated, as prescribed in subdivision (10) of subsection 1 of section 302.060, to apply for a limited driving privilege pursuant to this subsection if such person has served at least two years of such disqualification or revocation. Such person shall present

evidence satisfactory to the court or the director that such person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding two years and that the person's habits and conduct show that the person no longer poses a threat to the public safety of this state. The court or the director shall review the results of a criminal history check prior to granting any limited privilege under this subdivision. If the court or director finds that the petitioner has been convicted, pled guilty to, or been found guilty of, or has a pending charge for any offense related to alcohol, controlled substances, or drugs, or has any other alcohol-related enforcement contact as defined in section 302.525 during the preceding two years, the court or the director shall not grant a limited driving privilege to the applicant. Any person who is denied a license permanently in this state because of an alcohol-related conviction subsequent to a restoration of such person's driving privileges pursuant to subdivision (9) of section 302.060 shall not be eligible for limited driving privilege pursuant to the provisions of this subdivision.

(9) A DWI docket or court established under section 478.007 may grant a limited driving privilege to a participant in or graduate of the program who would otherwise be ineligible for such privilege under another provision of law. The DWI docket or court shall not grant a limited driving privilege to a participant during his or her initial forty-five days of participation.

4. Any person who has received notice of denial of a request of limited driving privilege by the director of revenue may make a request for a review of the director's determination in the circuit court of the county in which the person resides or the county in which is located the person's principal place of business or employment within thirty days of the date of mailing of the notice of denial. Such review shall be based upon the records of the department of revenue and other competent evidence and shall be limited to a review of whether the applicant was statutorily entitled to the limited driving privilege.

5. Any person who petitions a court or makes application with the director for a limited driving privilege pursuant to paragraph (a) or (b) of subdivision (8) of subsection 3 of this section shall make application with the Missouri state highway patrol as provided in section 43.540 and shall submit two sets of fingerprints collected pursuant to standards as determined by the highway patrol. One set of fingerprints shall be used by the highway patrol to search the criminal history repository and the second set shall be forwarded to the Federal Bureau of Investigation for searching the federal criminal history files. At the time of application, the applicant shall supply to the highway patrol the court name and case number for the court where he or she has filed his or her petition for limited driving privileges. The applicant shall pay the fee for the state criminal history record information pursuant to section 43.530 and pay the appropriate fee determined by the Federal Bureau of Investigation for the federal criminal history record. The Missouri highway patrol, upon receipt of the results of the criminal history check, shall forward the results to the circuit court designated by the applicant and to the department. Notwithstanding the provisions of section 610.120, all records related to any criminal history check shall be accessible and available to the director and the court.

6. The director of revenue shall promulgate rules and regulations necessary to carry out the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are

subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2001, shall be invalid and void.]

302.309. 1. Whenever any license is suspended pursuant to sections 302.302 to 302.309, the director of revenue shall return the license to the operator immediately upon the termination of the period of suspension and upon compliance with the requirements of chapter 303.

2. Any operator whose license is revoked pursuant to these sections, upon the termination of the period of revocation, shall apply for a new license in the manner prescribed by law.

3. (1) All circuit courts, the director of revenue, or a commissioner operating under section 478.007 shall have jurisdiction to hear applications and make eligibility determinations granting limited driving privileges, **except as provided under subdivision (8) of this subsection**. Any application may be made in writing to the director of revenue and the person's reasons for requesting the limited driving privilege shall be made therein.

(2) When any court of record having jurisdiction or the director of revenue finds that an operator is required to operate a motor vehicle in connection with any of the following:

- (a) A business, occupation, or employment;
- (b) Seeking medical treatment for such operator;
- (c) Attending school or other institution of higher education;
- (d) Attending alcohol or drug treatment programs;
- (e) Seeking the required services of a certified ignition interlock device provider; or
- (f) Any other circumstance the court or director finds would create an undue hardship on the operator[;],

the court or director may grant such limited driving privilege as the circumstances of the case justify if the court or director finds undue hardship would result to the individual, and while so operating a motor vehicle within the restrictions and limitations of the limited driving privilege the driver shall not be guilty of operating a motor vehicle without a valid license.

(3) An operator may make application to the proper court in the county in which such operator resides or in the county in which is located the operator's principal place of business or employment. Any application for a limited driving privilege made to a circuit court shall name the director as a party defendant and shall be served upon the director prior to the grant of any limited privilege, and shall be accompanied by a copy of the applicant's driving record as certified by the director. Any applicant for a limited driving privilege shall have on file with the department of revenue proof of financial responsibility as required by chapter 303. Any application by a person who transports persons or property as classified in section 302.015 may be accompanied by proof of financial responsibility as required by chapter 303, but if proof of financial responsibility does not accompany the application, or if the applicant does not have on file with the department of revenue proof of financial responsibility, the court or the director has discretion to grant the limited driving privilege to the person solely for the purpose of operating a vehicle whose owner has complied with chapter 303 for that vehicle, and the limited driving privilege must state such restriction. When operating such vehicle under such restriction the person shall carry proof that the owner has complied with chapter 303 for that vehicle.

(4) No limited driving privilege shall be issued to any person otherwise eligible under the provisions

of paragraph (a) of subdivision (6) of this subsection on a license revocation resulting from a conviction under subdivision (9) of subsection 1 of section 302.302, or a license denial under paragraph (a) or (b) of subdivision (8) of this subsection, or a license revocation under paragraph (h) of subdivision (6) of this subsection, until the applicant has filed proof with the department of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of limited driving privilege. The ignition interlock device required for obtaining a limited driving privilege under paragraph (a) or (b) of subdivision (8) of this subsection shall have photo identification technology and global positioning system features.

(5) The court order or the director's grant of the limited or restricted driving privilege shall indicate the termination date of the privilege, which shall be not later than the end of the period of suspension or revocation. The court order or the director's grant of the limited or restricted driving privilege shall also indicate whether a functioning, certified ignition interlock device is required as a condition of operating a motor vehicle with the limited driving privilege. A copy of any court order shall be sent by the clerk of the court to the director, and a copy shall be given to the driver which shall be carried by the driver whenever such driver operates a motor vehicle. The director of revenue upon granting a limited driving privilege shall give a copy of the limited driving privilege to the applicant. The applicant shall carry a copy of the limited driving privilege while operating a motor vehicle. A conviction which results in the assessment of points pursuant to section 302.302, other than a violation of a municipal stop sign ordinance where no accident is involved, against a driver who is operating a vehicle pursuant to a limited driving privilege terminates the privilege, as of the date the points are assessed to the person's driving record. If the date of arrest is prior to the issuance of the limited driving privilege, the privilege shall not be terminated. Failure of the driver to maintain proof of financial responsibility, as required by chapter 303, or to maintain proof of installation of a functioning, certified ignition interlock device, as applicable, shall terminate the privilege. The director shall notify by ordinary mail the driver whose privilege is so terminated.

(6) Except as provided in subdivision (8) of this subsection, no person is eligible to receive a limited driving privilege [who] **whose license** at the time of application [for a limited driving privilege has previously been granted such a privilege within the immediately preceding five years, or whose license] has been suspended or revoked for the following reasons:

(a) A conviction of violating the provisions of section 577.010 or 577.012, or any similar provision of any federal or state law, or a municipal or county law where the judge in such case was an attorney and the defendant was represented by or waived the right to an attorney in writing, until the person has completed the first thirty days of a suspension or revocation imposed pursuant to this chapter;

(b) A conviction of any felony in the commission of which a motor vehicle was used;

(c) Ineligibility for a license because of the provisions of subdivision (1), (2), (4), (5), (6), (7), (8), (9), (10) or (11) of **subsection 1 of** section 302.060;

(d) Because of operating a motor vehicle under the influence of narcotic drugs, a controlled substance as defined in chapter 195, or having left the scene of an accident as provided in section 577.060;

(e) Due to a revocation for [the first time for] failure to submit to a chemical test pursuant to section 577.041 or due to a refusal to submit to a chemical test in any other state, [if] **unless** such person has [not] completed the first ninety days of such revocation[;

(f) Violation more than once of the provisions of section 577.041 or a similar implied consent law of

any other state] **and files proof of installation with the department of revenue that any vehicle operated by such person is equipped with a functioning, certified ignition interlock device, provided the person is not otherwise ineligible for a limited driving privilege;**

[(g)] (f) Due to a suspension pursuant to subsection 2 of section 302.525 and who has not completed the first thirty days of such suspension, provided the person is not otherwise ineligible for a limited driving privilege; or

[(h)] (g) Due to a revocation pursuant to subsection 2 of section 302.525 if such person has not completed the first forty-five days of such revocation, provided the person is not otherwise ineligible for a limited driving privilege.

(7) No person who possesses a commercial driver's license shall receive a limited driving privilege issued for the purpose of operating a commercial motor vehicle if such person's driving privilege is suspended, revoked, cancelled, denied, or disqualified. Nothing in this section shall prohibit the issuance of a limited driving privilege for the purpose of operating a noncommercial motor vehicle provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege.

(8) (a) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of ten years, as prescribed in subdivision (9) of **subsection 1 of section 302.060**, to apply for a limited driving privilege pursuant to this subsection [if such person has served at least forty-five days of such disqualification or revocation]. Such person shall present evidence satisfactory to the court or the director that such [person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding forty-five days and that the] person's habits and conduct show that the person no longer poses a threat to the public safety of this state. **A circuit court shall grant a limited driving privilege to any individual who otherwise is eligible to receive a limited driving privilege, has filed proof of installation of a certified ignition interlock device, and has had no alcohol-related enforcement contacts since the alcohol-related enforcement contact that resulted in the person's license denial.**

(b) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege or convicted of involuntary manslaughter while operating a motor vehicle in an intoxicated condition, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of five years because of two convictions of driving while intoxicated, as prescribed in subdivision (10) of **subsection 1 of section 302.060**, to apply for a limited driving privilege pursuant to this subsection [if such person has served at least forty-five days of such disqualification or revocation]. Such person shall present evidence satisfactory to the court or the director that such [person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding forty-five days and that the] person's habits and conduct show that the person no longer poses a threat to the public safety of this state. Any person who is denied a license permanently in this state because of an alcohol-related conviction subsequent to a restoration of such person's driving privileges pursuant to subdivision (9) of section 302.060 shall not be eligible for limited driving privilege pursuant to the provisions of this subdivision. **A circuit court shall grant a limited driving privilege to any individual**

who otherwise is eligible to receive a limited driving privilege, has filed proof of installation of a certified ignition interlock device, and has had no alcohol-related enforcement contacts since the alcohol-related enforcement contact that resulted in the person's license denial.

(9) A DWI docket or court established under section 478.007 may grant a limited driving privilege to a participant in or graduate of the program who would otherwise be ineligible for such privilege under another provision of law. The DWI docket or court shall not grant a limited driving privilege to a participant during his or her initial forty-five days of participation.

4. Any person who has received notice of denial of a request of limited driving privilege by the director of revenue may make a request for a review of the director's determination in the circuit court of the county in which the person resides or the county in which is located the person's principal place of business or employment within thirty days of the date of mailing of the notice of denial. Such review shall be based upon the records of the department of revenue and other competent evidence and shall be limited to a review of whether the applicant was statutorily entitled to the limited driving privilege.

5. The director of revenue shall promulgate rules and regulations necessary to carry out the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2001, shall be invalid and void."; and

"302.525. 1. The license suspension or revocation shall become effective fifteen days after the subject person has received the notice of suspension or revocation as provided in section 302.520, or is deemed to have received the notice of suspension or revocation by mail as provided in section 302.515. If a request for a hearing is received by or postmarked to the department within that fifteen-day period, the effective date of the suspension or revocation shall be stayed until a final order is issued following the hearing; provided, that any delay in the hearing which is caused or requested by the subject person or counsel representing that person without good cause shown shall not result in a stay of the suspension or revocation during the period of delay.

2. The period of license suspension or revocation under this section shall be as follows:

(1) If the person's driving record shows no prior alcohol-related enforcement contacts during the immediately preceding five years, the period of suspension shall be thirty days after the effective date of suspension, followed by a sixty-day period of restricted driving privilege as defined in section 302.010 and issued by the director of revenue. The restricted driving privilege shall not be issued until he or she has filed proof of financial responsibility with the department of revenue, in accordance with chapter 303, and is otherwise eligible. The restricted driving privilege shall indicate whether a functioning, certified ignition interlock device is required as a condition of operating a motor vehicle. A copy of the restricted driving privilege shall be given to the person and such person shall carry a copy of the restricted driving privilege while operating a motor vehicle. In no case shall restricted driving privileges be issued pursuant to this section or section 302.535 until the person has completed the first thirty days of a suspension under this section. If a person otherwise subject to the provisions of this subdivision files proof of installation with the department of revenue that any vehicle [operated] **that he or she operates** is equipped with a functioning,

certified ignition interlock device, [then the] **there shall be no** period of suspension [shall be fifteen days, followed by a seventy-five day]. **However, in lieu of a suspension the person shall instead complete a ninety-day** period of restricted driving privilege. Upon completion of such [seventy-five day] **ninety-day** period of restricted driving privilege, [upon] compliance with other requirements of law, and [upon] filing of proof of financial responsibility with the department of revenue, in accordance with chapter 303, the license and driving privilege shall be reinstated. However, if the monthly monitoring reports during such [seventy-five day] **ninety-day** period indicate that the ignition interlock device has registered a **confirmed** blood alcohol concentration level above the alcohol setpoint established by the department of transportation or such reports indicate that the ignition interlock device has been tampered with or circumvented, then the license and driving privilege of such person shall not be reinstated until the person completes an additional [seventy-five day] **thirty-day** period of restricted driving privilege [without any such violations]. If the person fails to maintain such proof of the device with the director of revenue as required, the restricted driving privilege shall be terminated;

(2) The period of revocation shall be one year if the person's driving record shows one or more prior alcohol-related enforcement contacts during the immediately preceding five years;

(3) In no case shall restricted driving privileges be issued under this section to any person whose driving record shows one or more prior alcohol-related enforcement contacts until the person has completed the first thirty days of a suspension under this section and has filed proof with the department of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of the restricted driving privilege. If the person fails to maintain such proof the restricted driving privilege shall be terminated.

3. For purposes of this section, "alcohol-related enforcement contacts" shall include any suspension or revocation under sections 302.500 to 302.540, any suspension or revocation entered in this or any other state for a refusal to submit to chemical testing under an implied consent law, and any conviction in this or any other state for a violation which involves driving while intoxicated, driving while under the influence of drugs or alcohol, or driving a vehicle while having an unlawful alcohol concentration.

4. Where a license is suspended or revoked under this section and the person is also convicted on charges arising out of the same occurrence for a violation of section 577.010 or 577.012 or for a violation of any county or municipal ordinance prohibiting driving while intoxicated or alcohol-related traffic offense, both the suspension or revocation under this section and any other suspension or revocation arising from such convictions shall be imposed, but the period of suspension or revocation under sections 302.500 to 302.540 shall be credited against any other suspension or revocation arising from such convictions, and the total period of suspension or revocation shall not exceed the longer of the two suspension or revocation periods.

5. Any person who has had a license to operate a motor vehicle revoked under this section or suspended under this section with one or more prior alcohol-related enforcement contacts showing on their driver record shall be required to file proof with the director of revenue that any motor vehicle operated by that person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement. The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. If the monthly monitoring reports show that the ignition interlock device has registered any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department

of transportation or that the person has tampered with or circumvented the ignition interlock device, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended for an additional six months. If the person fails to maintain such proof with the director, the license shall be resuspended or revoked, as applicable.

[302.525. 1. The license suspension or revocation shall become effective fifteen days after the subject person has received the notice of suspension or revocation as provided in section 302.520, or is deemed to have received the notice of suspension or revocation by mail as provided in section 302.515. If a request for a hearing is received by or postmarked to the department within that fifteen-day period, the effective date of the suspension or revocation shall be stayed until a final order is issued following the hearing; provided, that any delay in the hearing which is caused or requested by the subject person or counsel representing that person without good cause shown shall not result in a stay of the suspension or revocation during the period of delay.

2. The period of license suspension or revocation under this section shall be as follows:

(1) If the person's driving record shows no prior alcohol-related enforcement contacts during the immediately preceding five years, the period of suspension shall be thirty days after the effective date of suspension, followed by a sixty-day period of restricted driving privilege as defined in section 302.010 and issued by the director of revenue. The restricted driving privilege shall not be issued until he or she has filed proof of financial responsibility with the department of revenue, in accordance with chapter 303, and is otherwise eligible. In no case shall restricted driving privileges be issued pursuant to this section or section 302.535 until the person has completed the first thirty days of a suspension under this section;

(2) The period of revocation shall be one year if the person's driving record shows one or more prior alcohol-related enforcement contacts during the immediately preceding five years;

(3) In no case shall restricted driving privileges be issued under this section to any person whose driving record shows one or more prior alcohol-related enforcement contacts until the person has completed the first thirty days of a suspension under this section and has filed proof with the department of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of the restricted driving privilege. If the person fails to maintain such proof the restricted driving privilege shall be terminated.

3. For purposes of this section, "alcohol-related enforcement contacts" shall include any suspension or revocation under sections 302.500 to 302.540, any suspension or revocation entered in this or any other state for a refusal to submit to chemical testing under an implied consent law, and any conviction in this or any other state for a violation which involves driving while intoxicated, driving while under the influence of drugs or alcohol, or driving a vehicle while having an unlawful alcohol concentration.

4. Where a license is suspended or revoked under this section and the person is also convicted on charges arising out of the same occurrence for a violation of section 577.010 or 577.012 or for a violation of any county or municipal ordinance prohibiting driving while intoxicated or alcohol-related traffic offense, both the suspension or revocation under this section and any other suspension or revocation arising from such convictions shall be imposed, but the period of suspension or revocation under sections 302.500 to 302.540 shall be credited against any other suspension or revocation arising from such convictions, and the total period of suspension or revocation shall not

exceed the longer of the two suspension or revocation periods.

5. Any person who has had a license to operate a motor vehicle revoked under this section or suspended under this section with one or more prior alcohol-related enforcement contacts showing on their driver record shall be required to file proof with the director of revenue that any motor vehicle operated by that person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement. The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. If the person fails to maintain such proof with the director, the license shall be resuspended or revoked, as applicable.]; and

Further amend said bill, Page 23, Section 304.820, Line 59, by inserting after all of said section and line, the following:

“476.385. 1. The judges of the supreme court may appoint a committee consisting of at least seven associate circuit judges, who shall meet en banc and establish and maintain a schedule of fines to be paid for violations of sections 210.104, 577.070, and 577.073, and chapters 252, 301, 302, 304, 306, 307 and 390, with such fines increasing in proportion to the severity of the violation. The associate circuit judges of each county may meet en banc and adopt the schedule of fines and participation in the centralized bureau pursuant to this section. Notice of such adoption and participation shall be given in the manner provided by supreme court rule. Upon order of the supreme court, the associate circuit judges of each county may meet en banc and establish and maintain a schedule of fines to be paid for violations of municipal ordinances for cities, towns and villages electing to have violations of its municipal ordinances heard by associate circuit judges, pursuant to section 479.040; and for traffic court divisions established pursuant to section 479.500. The schedule of fines adopted for violations of municipal ordinances may be modified from time to time as the associate circuit judges of each county en banc deem advisable. No fine established pursuant to this subsection may exceed the maximum amount specified by statute or ordinance for such violation.

2. In no event shall any schedule of fines adopted pursuant to this section include offenses involving the following:

- (1) Any violation resulting in personal injury or property damage to another person;
- (2) Operating a motor vehicle while intoxicated or under the influence of intoxicants or drugs;
- (3) Operating a vehicle with a counterfeited, altered, suspended or revoked license;
- (4) Fleeing or attempting to elude an officer.

3. There shall be a centralized bureau to be established by supreme court rule in order to accept pleas of not guilty or guilty and payments of fines and court costs for violations of the laws and ordinances described in subsection 1 of this section, made pursuant to a schedule of fines established pursuant to this section. The centralized bureau shall collect, with any plea of guilty and payment of a fine, all court costs which would have been collected by the court of the jurisdiction from which the violation originated.

4. If a person elects not to contest the alleged violation, the person shall send payment in the amount of the fine and any court costs established for the violation to the centralized bureau. Such payment shall be payable to the central violations bureau, shall be made by mail or in any other manner established by the centralized bureau, and shall constitute a plea of guilty, waiver of trial and a conviction for purposes of

section 302.302, and for purposes of imposing any collateral consequence of a criminal conviction provided by law. By paying the fine and costs, the person also consents to attendance **either online or in person** at any driver-improvement program or motorcycle-rider training course ordered by the court and consents to verification of such attendance as directed by the bureau. Notwithstanding any provision of law to the contrary, the prosecutor shall not be required to sign any information, ticket or indictment if disposition is made pursuant to this subsection. In the event that any payment is made pursuant to this section by credit card or similar method, the centralized bureau may charge an additional fee in order to reflect any transaction cost, surcharge or fee imposed on the recipient of the credit card payment by the credit card company.

5. If a person elects to plead not guilty, such person shall send the plea of not guilty to the centralized bureau. The bureau shall send such plea and request for trial to the prosecutor having original jurisdiction over the offense. Any trial shall be conducted at the location designated by the court. The clerk of the court in which the case is to be heard shall notify in writing such person of the date certain for the disposition of such charges. The prosecutor shall not be required to sign any information, ticket or indictment until the commencement of any proceeding by the prosecutor with respect to the notice of violation.

6. In courts adopting a schedule of fines pursuant to this section, any person receiving a notice of violation pursuant to this section shall also receive written notification of the following:

(1) The fine and court costs established pursuant to this section for the violation or information regarding how the person may obtain the amount of the fine and court costs for the violation;

(2) That the person must respond to the notice of violation by paying the prescribed fine and court costs, or pleading not guilty and appearing at trial, and that other legal penalties prescribed by law may attach for failure to appear and dispose of the violation. The supreme court may modify the suggested forms for uniform complaint and summons for use in courts adopting the procedures provided by this section, in order to accommodate such required written notifications.

7. Any moneys received in payment of fines and court costs pursuant to this section shall not be considered to be state funds, but shall be held in trust by the centralized bureau for benefit of those persons or entities entitled to receive such funds pursuant to this subsection. All amounts paid to the centralized bureau shall be maintained by the centralized bureau, invested in the manner required of the state treasurer for state funds by sections 30.240, 30.250, 30.260 and 30.270, and disbursed as provided by the constitution and laws of this state. Any interest earned on such fund shall be payable to the director of the department of revenue for deposit into a revolving fund to be established pursuant to this subsection. The state treasurer shall be the custodian of the revolving fund, and shall make disbursements, as allowed by lawful appropriations, only to the judicial branch of state government for goods and services related to the administration of the judicial system.

8. Any person who receives a notice of violation subject to this section who fails to dispose of such violation as provided by this section shall be guilty of failure to appear provided by section 544.665; and may be subject to suspension of driving privileges in the manner provided by section 302.341. The centralized bureau shall notify the appropriate prosecutor of any person who fails to either pay the prescribed fine and court costs, or plead not guilty and request a trial within the time allotted by this section, for purposes of application of section 544.665. The centralized bureau shall also notify the department of revenue of any failure to appear subject to section 302.341, and the department shall thereupon suspend the license of the driver in the manner provided by section 302.341, as if notified by the court.

9. In addition to the remedies provided by subsection 8 of this section, the centralized bureau and the courts may use the remedies provided by sections 488.010 to 488.020 for the collection of court costs payable to courts, in order to collect fines and court costs for violations subject to this section.”; and

“577.041. 1. If a person under arrest, or who has been stopped pursuant to subdivision (2) or (3) of subsection 1 of section 577.020, refuses upon the request of the officer to submit to any test allowed pursuant to section 577.020, then evidence of the refusal shall be admissible in a proceeding pursuant to section 565.024, 565.060, or 565.082, or section 577.010 or 577.012. The request of the officer shall include the reasons of the officer for requesting the person to submit to a test and also shall inform the person that evidence of refusal to take the test may be used against such person and that the person’s license shall be immediately revoked upon refusal to take the test. If a person when requested to submit to any test allowed pursuant to section 577.020 requests to speak to an attorney, the person shall be granted twenty minutes in which to attempt to contact an attorney. If upon the completion of the twenty-minute period the person continues to refuse to submit to any test, it shall be deemed a refusal. In this event, the officer shall, on behalf of the director of revenue, serve the notice of license revocation personally upon the person and shall take possession of any license to operate a motor vehicle issued by this state which is held by that person. The officer shall issue a temporary permit, on behalf of the director of revenue, which is valid for fifteen days and shall also give the person a notice of such person’s right to file a petition for review to contest the license revocation.

2. The officer shall make a certified report under penalties of perjury for making a false statement to a public official. The report shall be forwarded to the director of revenue and shall include the following:

(1) That the officer has:

(a) Reasonable grounds to believe that the arrested person was driving a motor vehicle while in an intoxicated or drugged condition; or

(b) Reasonable grounds to believe that the person stopped, being under the age of twenty-one years, was driving a motor vehicle with a blood alcohol content of two-hundredths of one percent or more by weight; or

(c) Reasonable grounds to believe that the person stopped, being under the age of twenty-one years, was committing a violation of the traffic laws of the state, or political subdivision of the state, and such officer has reasonable grounds to believe, after making such stop, that the person had a blood alcohol content of two-hundredths of one percent or greater;

(2) That the person refused to submit to a chemical test;

(3) Whether the officer secured the license to operate a motor vehicle of the person;

(4) Whether the officer issued a fifteen-day temporary permit;

(5) Copies of the notice of revocation, the fifteen-day temporary permit and the notice of the right to file a petition for review, which notices and permit may be combined in one document; and

(6) Any license to operate a motor vehicle which the officer has taken into possession.

3. Upon receipt of the officer’s report, the director shall revoke the license of the person refusing to take the test for a period of one year; or if the person is a nonresident, such person’s operating permit or privilege shall be revoked for one year; or if the person is a resident without a license or permit to operate a motor vehicle in this state, an order shall be issued denying the person the issuance of a license or permit for a

period of one year.

4. If a person's license has been revoked because of the person's refusal to submit to a chemical test, such person may petition for a hearing before a circuit division or associate division of the court in the county in which the arrest or stop occurred. The person may request such court to issue an order staying the revocation until such time as the petition for review can be heard. If the court, in its discretion, grants such stay, it shall enter the order upon a form prescribed by the director of revenue and shall send a copy of such order to the director. Such order shall serve as proof of the privilege to operate a motor vehicle in this state and the director shall maintain possession of the person's license to operate a motor vehicle until termination of any revocation pursuant to this section. Upon the person's request the clerk of the court shall notify the prosecuting attorney of the county and the prosecutor shall appear at the hearing on behalf of the director of revenue. At the hearing the court shall determine only:

(1) Whether or not the person was arrested or stopped;

(2) Whether or not the officer had:

(a) Reasonable grounds to believe that the person was driving a motor vehicle while in an intoxicated or drugged condition; or

(b) Reasonable grounds to believe that the person stopped, being under the age of twenty-one years, was driving a motor vehicle with a blood alcohol content of two-hundredths of one percent or more by weight; or

(c) Reasonable grounds to believe that the person stopped, being under the age of twenty-one years, was committing a violation of the traffic laws of the state, or political subdivision of the state, and such officer had reasonable grounds to believe, after making such stop, that the person had a blood alcohol content of two-hundredths of one percent or greater; and

(3) Whether or not the person refused to submit to the test.

5. If the court determines any issue not to be in the affirmative, the court shall order the director to reinstate the license or permit to drive.

6. Requests for review as provided in this section shall go to the head of the docket of the court wherein filed.

7. No person who has had a license to operate a motor vehicle suspended or revoked pursuant to the provisions of this section shall have that license reinstated until such person has participated in and successfully completed a substance abuse traffic offender program defined in section 577.001, or a program determined to be comparable by the department of mental health or the court. Assignment recommendations, based upon the needs assessment as described in subdivision [(23)] (24) of section 302.010, shall be delivered in writing to the person with written notice that the person is entitled to have such assignment recommendations reviewed by the court if the person objects to the recommendations. The person may file a motion in the associate division of the circuit court of the county in which such assignment was given, on a printed form provided by the state courts administrator, to have the court hear and determine such motion pursuant to the provisions of chapter 517. The motion shall name the person or entity making the needs assessment as the respondent and a copy of the motion shall be served upon the respondent in any manner allowed by law. Upon hearing the motion, the court may modify or waive any assignment recommendation that the court determines to be unwarranted based upon a review of the needs

assessment, the person's driving record, the circumstances surrounding the offense, and the likelihood of the person committing a like offense in the future, except that the court may modify but may not waive the assignment to an education or rehabilitation program of a person determined to be a prior or persistent offender as defined in section 577.023, or of a person determined to have operated a motor vehicle with fifteen-hundredths of one percent or more by weight in such person's blood. Compliance with the court determination of the motion shall satisfy the provisions of this section for the purpose of reinstating such person's license to operate a motor vehicle. The respondent's personal appearance at any hearing conducted pursuant to this subsection shall not be necessary unless directed by the court.

8. The fees for the substance abuse traffic offender program, or a portion thereof to be determined by the division of alcohol and drug abuse of the department of mental health, shall be paid by the person enrolled in the program. Any person who is enrolled in the program shall pay, in addition to any fee charged for the program, a supplemental fee to be determined by the department of mental health for the purposes of funding the substance abuse traffic offender program defined in section 302.010 and section 577.001. The administrator of the program shall remit to the division of alcohol and drug abuse of the department of mental health on or before the fifteenth day of each month the supplemental fee for all persons enrolled in the program, less two percent for administrative costs. Interest shall be charged on any unpaid balance of the supplemental fees due the division of alcohol and drug abuse pursuant to this section and shall accrue at a rate not to exceed the annual rates established pursuant to the provisions of section 32.065, plus three percentage points. The supplemental fees and any interest received by the department of mental health pursuant to this section shall be deposited in the mental health earnings fund which is created in section 630.053.

9. Any administrator who fails to remit to the division of alcohol and drug abuse of the department of mental health the supplemental fees and interest for all persons enrolled in the program pursuant to this section shall be subject to a penalty equal to the amount of interest accrued on the supplemental fees due the division pursuant to this section. If the supplemental fees, interest, and penalties are not remitted to the division of alcohol and drug abuse of the department of mental health within six months of the due date, the attorney general of the state of Missouri shall initiate appropriate action of the collection of said fees and interest accrued. The court shall assess attorney fees and court costs against any delinquent program.

10. Any person who has had a license to operate a motor vehicle revoked [more than once for violation of the provisions of this section] **under this section and who has a prior alcohol-related enforcement contact, as defined in section 302.525**, shall be required to file proof with the director of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of license reinstatement. Such ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. **If the monthly monitoring reports show that the ignition interlock device has registered any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended for an additional six months.** If the person fails to maintain such proof with the director as required by this section, the license shall be rerevoked and the person shall be guilty of a class A misdemeanor.

11. The revocation period of any person whose license and driving privilege has been revoked under this section and who has filed proof of financial responsibility with the department of revenue in accordance

with chapter 303 and is otherwise eligible, shall be terminated by a notice from the director of revenue after one year from the effective date of the revocation. Unless proof of financial responsibility is filed with the department of revenue, the revocation shall remain in effect for a period of two years from its effective date. If the person fails to maintain proof of financial responsibility in accordance with chapter 303, the person's license and driving privilege shall be rerevoked and the person shall be guilty of a class A misdemeanor.”; and

“Section B. Because immediate action is necessary to ensure the safety of the citizens of this state, the repeal and reenactment of section 302.309 of this act, and the repeal of section 302.309 of this act, is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 302.309 of this act, and the repeal of section 302.309 of this act, shall be in full force and effect July 1, 2013, or upon its passage and approval, whichever later occurs.

Section C. The repeal and reenactment of sections 302.060, 302.302, 302.304, 302.525, 476.385, and 577.041, and the repeal of sections 302.060, 302.304, and 302.525 of this act shall become effective on March 3, 2014.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 43, Page 23, Section 304.820, Line 59, by inserting after all of said section and line the following:

“Section 1. 1. Any state department or agency that owns or licenses computerized data that includes personal information shall disclose any breach of the security of the system following notification of the breach in the security of such data to any resident of Missouri whose unencrypted or encrypted personal information was or is reasonably believed to have been acquired by an unauthorized person. Such disclosure shall be made in the most expedient time possible and without unreasonable delay.

2. Any state department or agency that maintains computerized data that includes personal information that the state department or agency does not own shall notify the owner or licensee of such personal information of any breach of the security of the data immediately following discovery, if the personal information was or is reasonably believed to have been acquired by an unauthorized person.

3. For purposes of this section, the following terms shall mean:

(1) “Breach of the security of the system”, unauthorized acquisition of computerized data that compromises the security, confidentiality, or integrity of personal information maintained by the state department or agency. Good faith acquisition of personal information by an employee or agent of the state department or agency for the purposes of the state department or agency is not a breach of the security of the system, provided that the personal information is not used or subject to further unauthorized disclosure;

(2) “Personal information”, an individual’s first name or first initial and last name, in combination with any one or more of the following data elements:

(a) Social Security number;

(b) Driver's license number or Missouri identification card number;

(c) Account number, credit card number, or debit card number, in combination with any required security code, access code, or password that would permit access to an individual's financial account;

(d) Concealed carry endorsement or permit;

(3) "Unauthorized person", any person or agency who does not have written permission by a Missouri resident to access such resident's personal information.

4. For purposes of this section, a state department or agency includes any entity contracting with a state department or agency.

5. (1) For purposes of this section, notice shall be provided in writing to the Missouri resident within five business days of discovery of the breach.

(2) The provisions of this section include breaches made by any state department or agency prior to the effective date of this section. The notice for any breach which occurred prior to the effective date of this section shall be provided to the Missouri resident within thirty days of the effective date of this section.

6. Notwithstanding any other provision of law, nothing in this section shall be construed as authorizing the disclosure or release of any personal information by any state department or agency."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Bill No. 43, Page 23, Section 304.820, Line 59, by inserting after said line the following:

"Section 1. The portion of interstate highway 70 in Montgomery County between mile marker 165.0 and 166.0 shall be designated the "Graham's Picnic Rock Highway". The department of transportation shall erect and maintain appropriate signs designating such highway. The signs shall not be erected until the next lane widening or pavement replacement project within that portion of the highway."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 47**.

Bill ordered enrolled.

PRIVILEGED MOTIONS

Senator Wallingford moved that the Senate refuse to concur in **HA 1** to **SCS** for **SB 36** and request the House to recede from its position and take up and pass the bill, which motion prevailed.

Senator Munzlinger moved that the Senate refuse to concur in **HCS** for **SCS** for **SB 17**, as amended, and

request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Pearce moved that the Senate refuse to concur in **HCS** for **SCS** for **SB 9**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Wasson moved that the Senate refuse to concur in **HCS** for **SB 330**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Brown, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **SB 106**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 106

The Conference Committee appointed on Senate Committee Substitute for Senate Bill No. 106, with House Amendments Nos. 1, 2, and 3, House Amendment No. 1 to House Amendment No. 4, House Amendment No. 4 as amended, and House Amendment No. 5, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Committee Substitute for Senate Bill No. 106, as amended;
2. The Senate recede from its position on Senate Committee Substitute for Senate Bill No. 106;
3. That the attached Conference Committee Substitute for Senate Committee Substitute for Senate Bill No. 106 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Dan Brown

/s/ David Pearce

/s/ Will Kraus

/s/ Scott Sifton

/s/ Jason Holsman

FOR THE HOUSE:

/s/ Charlie Davis

/s/ Sheila Solon

/s/ T.J. McKenna

Senator Brown moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Justus	Keaveny
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Walsh—30		

NAYS—Senators—None

Absent—Senators

Dempsey Wallingford Wasson—3

Absent with leave—Senator Holsman—1

Vacancies—None

On motion of Senator Brown, **CCS** for **SCS** for **SB 106**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 106

An Act to repeal sections 8.012 and 253.048, RSMo, and to enact in lieu thereof six new sections relating to current and former military personnel.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Walsh—31	

NAYS—Senators—None

Absent—Senators

Wallingford Wasson—2

Absent with leave—Senator Holsman—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Munzlinger moved that the Senate refuse to concur in **HCS** for **SB 43**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Kraus, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SCS** for **SB 117**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 117

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute

for Senate Bill No. 117, with House Amendment Nos. 1 & 2, House Amendment No. 1 to House Amendment No. 3, House Amendment No. 3, as amended, House Amendment No. 1 to House Amendment No. 4, and House Amendment No. 4, as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 117, as amended;
2. The Senate recede from its position on Senate Committee Substitute for Senate Bill No. 117;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 117 be Third Read and Finally Passed.

FOR THE SENATE:

- /s/ Will Kraus
- /s/ Dan Brown
- /s/ David Pearce
- /s/ Jolie L. Justus
- /s/ Joseph P. Keaveny

FOR THE HOUSE:

- /s/ Charlie Davis
- /s/ Dean Dohrman
- /s/ Stephen Webber

Senator Kraus moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Walsh—31	

NAYS—Senators—None

Absent—Senators

Wallingford Wasson—2

Absent with leave—Senator Holsman—1

Vacancies—None

On motion of Senator Kraus, **CCS** for **HCS** for **SCS** for **SB 117**, entitled:

**CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 117**

An Act to repeal sections 8.012 and 253.048, RSMo, and to enact in lieu thereof four new sections relating to military affairs.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Justus
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Keaveny	Kehoe	Kraus	Lager	LeVota	Libla	McKenna	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senators

Lamping Wallingford—2

Absent with leave—Senator Holsman—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HOUSE BILLS ON THIRD READING

HCS for **HB 17**, with **SCS**, entitled:

An Act to appropriate money for capital improvement and other purposes for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, from the funds herein designated for the period beginning July 1, 2013 and ending June 30, 2015.

Was taken up by Senator Schaefer.

SCS for **HCS** for **HB 17**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 17**

An Act to appropriate money for capital improvement and other purposes for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, from the funds herein designated for the period beginning July 1, 2013 and ending June 30, 2015.

Was taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HB 17** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **HCS** for **HB 17** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp

Sater Schaaf Schaefer Schmitt Sifton Walsh Wasson—31

NAYS—Senators—None

Absent—Senators

Silvey Wallingford—2

Absent with leave—Senator Holsman—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Nieves assumed the Chair.

HB 18, introduced by Representative Stream, with **SCS**, entitled:

An Act to appropriate money for purposes for the several departments and offices of state government; for the purchase of equipment; for planning, expenses, and for capital improvement projects involving the maintenance, repair, replacement, and improvement of state buildings and facilities, including installation, modification, and renovation of facility components, equipment or systems; for grants, refunds, distributions, planning, expenses, and capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions; and to transfer money among certain funds, from the funds designated for the fiscal period beginning July 1, 2013 and ending June 30, 2015.

Was taken up by Senator Schaefer.

SCS for **HB 18**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 18

An Act to appropriate money for purposes for the several departments and offices of state government; for the purchase of equipment; for planning, expenses, and for capital improvement projects involving the maintenance, repair, replacement, and improvement of state buildings and facilities, including installation, modification, and renovation of facility components, equipment or systems; for grants, refunds, distributions, planning, expenses, and capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions; and to transfer money among certain funds, from the funds designated for the fiscal period beginning July 1, 2013 and ending June 30, 2015.

Was taken up.

Senator Schaefer moved that **SCS** for **HB 18** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **HB 18** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown Chappelle-Nadal Cunningham Curls Dempsey Dixon Emery Justus

Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Holsman—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HCS for **HB 19**, with SCS, entitled:

An Act to appropriate money for purposes for the several departments and offices of state government; for planning and capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions; to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, from the funds herein designated for the fiscal period beginning July 1, 2013 and ending June 30, 2015.

Was taken up by Senator Schaefer.

SCS for **HCS** for **HB 19**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 19

An Act to appropriate money for purposes for the several departments and offices of state government; for planning and capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions; and to transfer money among certain funds to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, from the funds herein designated for the fiscal period beginning July 1, 2013 and ending June 30, 2015.

Was taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HB 19** be adopted.

Senator Schaefer offered **SS** for **SCS** for **HCS** for **HB 19**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 19

An Act to appropriate money for purposes for the several departments and offices of state government;

for planning and capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions; and to transfer money among certain funds to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, from the funds herein designated for the fiscal period beginning July 1, 2013 and ending June 30, 2015.

Senator Schaefer moved that **SS** for **SCS** for **HCS** for **HB 19** be adopted, which motion prevailed.

Senator Justus requested unanimous consent of the Senate to allow a law enforcement officer to enter the Chamber with side arms, which request was granted.

On motion of Senator Schaefer, **SS** for **SCS** for **HCS** for **HB 19** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Justus
Keaveny	Kehoe	Lager	Lamping	LeVota	Libla	McKenna	Munzlinger
Parson	Pearce	Richard	Romine	Rupp	Sater	Schaaf	Schaefer
Schmitt	Sifton	Wallingford	Walsh	Wasson—29			

NAYS—Senators

Kraus	Nasheed	Nieves	Silvey—4
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Absent—Senators—None

Absent with leave—Senator Holsman—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

The Senate observed a moment of silence in memory of Harold Raymond “Sam” Myers.

THIRD READING OF SENATE BILLS

SS for **SCS** for **SB 210**, introduced by Senator Lamping, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 210

An Act to repeal sections 162.081 and 162.083, RSMo, and to enact in lieu thereof five new sections relating to the common core state standards initiative, with an emergency clause.

Was taken up.

On motion of Senator Lamping, **SS** for **SCS** for **SB 210** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Justus	Keaveny	Kehoe
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Kraus	Lager	Lamping	LeVota	Libla	McKenna	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Wasson—30		

NAYS—Senators

Chappelle-Nadal Curls Walsh—3

Absent—Senators—None

Absent with leave—Senator Holsman—1

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Justus	Keaveny	Kehoe
Lager	Lamping	LeVota	Libla	McKenna	Munzlinger	Nasheed	Nieves
Parson	Pearce	Richard	Romine	Rupp	Sater	Schaaf	Schaefer
Schmitt	Silvey	Wallingford	Wasson—28				

NAYS—Senators

Chappelle-Nadal Curls Sifton Walsh—4

Absent—Senator Kraus—1

Absent with leave—Senator Holsman—1

Vacancies—None

On motion of Senator Lamping, title to the bill was agreed to.

Senator Lamping moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SCS for SB 411, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 411**

An Act to repeal sections 302.720, 302.735, 302.740, 302.755, and 304.820, RSMo, and section 302.700 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402 merged with conference committee substitute for house committee substitute for senate substitute for senate committee substitute for senate bill no. 470 merged with conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480 merged with conference committee substitute for house committee substitute for senate bill no. 568, ninety-sixth general assembly, second regular session, and to enact in lieu thereof six

new sections relating to the operation of commercial motor vehicles, with an existing penalty provision.

Was called from the Informal Calendar and taken up by Senator Kehoe.

On motion of Senator Kehoe, **SCS** for **SB 411** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Holsman—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Kehoe, title to the bill was agreed to.

Senator Kehoe moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HOUSE BILLS ON THIRD READING

Senator Munzlinger moved that **SS** for **SCS** for **HB 542**, as amended, be called from the Informal Calendar and taken up for 3rd reading and final passage, which motion prevailed.

SS for **SCS** for **HB 542**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Keaveny
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senator McKenna—1

Absent—Senator Justus—1

Absent with leave—Senator Holsman—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Photographers from ABC-17 were given permission to take pictures in the Senate Chamber.

REFERRALS

President Pro Tem Dempsey referred **HCS** for **HCR 17** and **HCR 34** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SCS** for **SB 114**.

With House Amendment No. 1 to House Amendment No. 1 and House Amendment No. 1, as amended.

HOUSE AMENDMENT NO. 1 TO HOUSE AMENDMENT NO. 1

Amend House Amendment No. 1 to Senate Substitute for Senate Committee Substitute for Senate Bill No. 114, Page 2, Line 41, by inserting after all of said line, the following:

“(3) Notwithstanding the provisions of subdivision (1) of this subsection, a small brewer may terminate or refuse to continue a franchise with any beer wholesaler without having good cause for termination after a three year period from the date of appointment provided the small brewer first pays compensation to the wholesaler for fair market value. Notwithstanding any provision of this section to the contrary, for purposes of this subsection, the term “brewer” shall mean any person or entity engaged primarily in business as a brewer or manufacturer of beer, and the term “small brewer” shall mean a brewer with an annual volume of less than two hundred thousand barrels of malt beverage and whose case equivalent sales of twenty-four--twelve ounce units in the affected wholesaler’s assigned geographic territory is less than .017 during the measuring period. “Case equivalent sales” means the product derived by dividing the number of cases of twenty-four—twelve ounce units of the brewer’s malt beverage sold by the wholesaler during the measuring period by the total population in the wholesaler’s assigned geographic territory. For the purposes of this subsection, the term “measuring period” shall mean the twelve month calendar period immediately before the date on which the wholesaler receives notice of the termination or refusal to continue the franchise. Prior to the effective date of the termination or refusal to continue, the small brewer shall pay the wholesaler an amount equal to the fair market value of the distribution rights which will be lost or diminished by reason of the termination or refusal to continue the franchise plus the actual laid in cost of any inventory on hand and any costs associated with storage of the product until removed by the brewer. For purposes of this subsection, “fair market value” shall be determined in accordance with the provisions of the written agreement, if any, between the brewer and wholesaler, or if the written agreement between them does not specify how fair market value is determined, then “fair market value” shall be determined by agreement of the brewer and wholesaler. However, if the parties cannot so determine within thirty days after the notice of termination or refusal to continue the franchise, then the matter shall be submitted to mandatory arbitration before a panel of three neutral arbitrators conducted pursuant to chapter 435 or the Federal Arbitration Act, if the latter

so applies, with the parties to the arbitration each to bear their own attorneys' fees and costs of the arbitration. Unless otherwise agreed to by the parties after the dispute arises, the arbitration proceedings shall be conducted in the wholesaler's assigned territory. For the purpose of this subsection, the term "annual volume" shall mean: (1) the aggregate number of barrels of beer, under trademarks owned by that brewery and brewed, directly or indirectly, by or on behalf of the brewer during the measuring period, on a worldwide basis, plus (2) the aggregate number of barrels of beer brewed, during the measuring period, directly or indirectly, by or on behalf of any person or entity which, at any time during the measuring period, controlled, was controlled by or was under common control with the brewer, on a worldwide basis. Annual volume shall not include beer brewed under contract for any other brewer. There shall be no double counting of the same barrels of beer under clauses one and two of this subparagraph. Nothing contained in this subsection shall relieve a brewer from the obligation to satisfy the notice requirements set forth in section 407.405."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 114, Page 7, Section 316.150, Line 18, by inserting after all of said section and line, the following:

"407.400. As used in sections 407.400 to 407.420:

(1) "Franchise" means a written or oral arrangement for a definite or indefinite period, in which a person grants to another person a license to use a trade name, trademark, service mark, or related characteristic, and in which there is a community of interest in the marketing of goods or services at wholesale, retail, by lease, agreement, or otherwise[, including]; **"franchise" specifically includes**, but is not limited to, a commercial relationship of definite duration or continuing indefinite duration, between a "wholesaler", such wholesaler being a person as defined in this section, licensed pursuant to the provisions of chapter 311 to sell at wholesale, intoxicating liquor, as defined in section 311.020, to retailers, duly licensed in this state, and a "supplier", being a person engaged in the business as a manufacturer, distiller, rectifier or out-of-state solicitor whose brands of intoxicating liquor are distributed through duly licensed wholesalers in this state, and wherein a wholesaler is granted the right to offer, sell, and distribute within this state or any designated area thereof such of the supplier's brands of intoxicating liquor, or all of them, as may be specified, **with or without the grant of a license to use a trade name, trademark, service mark, or related characteristic, and whether or not there is a community of interest in the marketing of goods or services**; except that, the term "franchise" shall not apply to persons engaged in sales from warehouses or like places of storage, other than wholesalers as above described, leased departments of retail stores, places of original manufacture, nor shall the term "franchise" apply to a commercial relationship that does not contemplate the establishment or maintenance of a place of business within the state of Missouri. As used herein "place of business" means a fixed, geographical location at which goods, products or services are displayed or demonstrated for sale. **It is the general assembly's intent to make clear that this subdivision was correctly interpreted as set forth in the Missouri cases of High Life Sales Company v. Brown-Forman Corporation, 823 S.W.2d 493(Mo. 1992) and Brown-Forman Distillers Corp. v McHenry, 566 S.W.2d 194 (Mo. 1978), rather than in Missouri Beverage Company, Inc. v. Shelton Brothers, Inc., 796 F. Supp. 2d 988 (W.D. Mo. 2011), aff'd. 11-2456 (8th Cir. February 28, 2012). Further, the general assembly declares that this subdivision was not correctly interpreted in Missouri Beverage Company, Inc. v Shelton Brothers, Inc., 796 F. Supp 2d 988 (W.D. Mo. 2011), aff'd 11-2456 (8th Cir. February**

28, 2012);

(2) The term “goods” includes any personal property, real property, or any combination thereof;

(3) The term “other property” includes a franchise, license distributorship, or other similar right, privilege, or interest;

(4) The term “person” includes an individual, corporation, trust, estate, partnership, unincorporated association, or any other legal or commercial entity;

(5) The term “pyramid sales scheme” includes any plan or operation for the sale or distribution of goods, services or other property wherein a person for a consideration acquires the opportunity to receive a pecuniary benefit, which is not primarily contingent on the volume or quantity of goods, services, or other property sold or distributed or to be sold or distributed to persons for purposes of resale to consumers, and is based upon the inducement of additional persons, by himself or herself or others, regardless of number, to participate in the same plan or operation; and

(6) The term “sale or distribution” includes the acts of leasing, renting or consigning.

407.413. 1. If more than one franchise for the same brand or brands of intoxicating liquor is granted to different wholesalers in this state, it is a violation of sections 407.400 to 407.420 for any supplier to discriminate between the wholesalers with respect to any of the terms, provisions, and conditions of these franchises.

2. (1) Notwithstanding the terms, provisions and conditions of any franchise, no supplier shall unilaterally terminate or refuse to continue or change substantially the condition of any franchise with the wholesaler unless the supplier has first established good cause for such termination, noncontinuance or change.

(2) This subsection does not apply to a “supplier”, being a person engaged in the business as a manufacturer, distiller, rectifier, or out-of-state solicitor whose brands of intoxicating liquor are distributed through duly licensed wholesalers in this state who sells less than ten thousand cases of distilled spirits in the state, or who sells less than ten thousand cases of wine in the state, the volume thresholds being measured for the twelve months immediately preceding the date on which the wholesaler receives notice of the termination, noncontinuance, or change, provided such supplier of distilled spirits shall be obligated nevertheless, prior to the effective date of the termination, noncontinuance, or change, to pay to the wholesaler an amount equal to the fair market value of the distribution rights which will be lost or diminished by reason of the termination, noncontinuance, or change, including without limitation the actual laid in cost of any inventory on hand, and provided further that this exception shall only apply to a termination, noncontinuance, or change concerning distilled spirits that is less than the volume threshold set forth in this sentence. The exception in the preceding sentence shall not affect a supplier’s obligation to satisfy the notice requirements set forth in section 407.405. For purposes of this subsection, “fair market value” shall be determined in accordance with the provisions of the written agreement, if any, between the supplier and wholesaler, or if the written agreement between them does not specify how fair market value is determined, then for a supplier of distilled spirits that sells less than ten thousand cases of distilled spirits in the state in the twelve months immediately preceding the date on which the wholesaler receives notice of the termination, noncompliance, or change, “fair market value” shall be determined by agreement of the supplier and wholesaler, but if the parties cannot so determine within thirty days after the notice, then

the matter shall be submitted to mandatory arbitration before a panel of three neutral arbitrators conducted pursuant to chapter 435 or the Federal Arbitration Act if the latter so applies, with the parties to the arbitration each to bear their own attorneys' fees and costs of the arbitration.

3. Any wholesaler may bring an action in a court of competent jurisdiction against a supplier for violation of any of the provisions of this section and may recover damages sustained by such wholesaler together with the costs of the action and reasonable attorney's fees.

4. In any action brought by a wholesaler against a supplier for termination, noncontinuance or substantial change in violation of the provisions of this section, it is a complete defense for the supplier to prove that the termination, noncontinuance or change was done in good faith and for good cause.

5. As used in this section, "good faith" is the duty of each party to any franchise and all officers, employees or agents thereof to act in a fair and equitable manner towards each other, and "good cause" means the following:

(1) Failure by the wholesaler to comply substantially with the provisions of an agreement or understanding with the supplier, which provisions are both essential and reasonable;

(2) Use of bad faith or failure to observe reasonable commercial standards of fair dealing in the trade;
or

(3) Revocation or suspension for more than thirty-one days of a beer wholesaler's federal basic permit or of any state or local license required of a beer wholesaler for the normal operation of its business.

6. As to brewers and beer wholesalers, the provisions of this section shall only apply to agreements entered into on or after August 28, 1998, and to agreements which are renewed or substantially amended on or after August 28, 1998. As used in the preceding sentence, "substantially amended" means a written amendment that materially alters the fundamental business relationship between brewer and wholesaler. "Substantially amended" does not include changes or amendments that are contemplated in writing by the parties to an agreement."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SS** for **HCS** for **HJR**s **11** and **7**, as amended, and has taken up and passed **CCS** for **SS** for **HCS** for **HJR**s **11** and **7**.

On motion of Senator Richard, the Senate recessed until 2:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Kehoe.

RESOLUTIONS

Senator Nieves offered Senate Resolution No. 935, regarding Carol J. Voss, which was adopted.

Senator Nieves offered Senate Resolution No. 936, regarding the Fiftieth Anniversary of the Holy

Trinity Lutheran Church, Saint Clair, which was adopted.

Senator Nieves offered Senate Resolution No. 937, regarding Justin Campbell Broadbooks, Wildwood, which was adopted.

Senator Wasson offered Senate Resolution No. 938, regarding Betty Walker, Strafford, which was adopted.

Senator Libla offered Senate Resolution No. 939, regarding Cremer Jackson, Kennett, which was adopted.

Senator Cunningham offered Senate Resolution No. 940, regarding Rod Gorman, Rogersville, which was adopted.

Senator Romine offered Senate Resolution No. 941, regarding Janice L. Robinson, Festus, which was adopted.

Senator Schaaf offered Senate Resolution No. 942, regarding Kaystin Weisenberger, Columbia, which was adopted.

Senator Lamping offered Senate Resolution No. 943, regarding Madeline Miles Nathe, St. Louis, which was adopted.

HOUSE BILLS ON THIRD READING

Senator Lamping moved that **HCS** for **HB 199** be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

Senator Lamping offered **SS** for **HCS** for **HB 199**, entitled:

SENATE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 199

An Act to repeal 32.087, 77.030, 115.003, 115.005, 115.007, 115.121, 115.249, 115.259, 115.281, 115.299, 115.300, 115.341, 115.349, 115.383, 115.419, 115.423, 115.433, 115.436, 115.439, 115.449, 115.455, 115.456, 115.493, 115.607, 144.020, 144.021, 144.069, 144.071, 144.440, 144.450, 144.455, 144.525, 144.610, 144.613, 144.615, 190.335, 473.730, 473.733, and 473.737, RSMo, and to enact in lieu thereof forty-one new sections relating to elections, with an effective date for certain sections and an emergency clause for a certain sections.

Senator Lamping moved that **SS** for **HCS** for **HB 199** be adopted.

Senator Kraus assumed the Chair.

Senator Kehoe assumed the Chair.

Senator Schmitt offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for House Committee Substitute for House Bill No. 199, Page 16, Section 115.007, Line 9, by inserting immediately after said line the following:

“115.027. 1. Each board of election commissioners shall be composed of four members, appointed by the governor with the advice and consent of the senate. Two commissioners on each board shall be members

of one major political party, and two commissioners on each board shall be members of the other major political party. In no case shall more than two commissioners on a board be members of the same political party. When appointing commissioners, the governor shall designate one commissioner on each board to be chairman of the board and one commissioner on each board to be secretary of the board. The chairman and secretary of a board shall not be members of the same political party.

2. In jurisdictions with boards of election commissioners as the election authority, the governor may appoint to the board one representative from each established political party. The representative shall not be a member of the board for purposes of subsection 1 of this section. The state chair of each established political party shall submit a list of no more than four names from which the governor shall select the representative for that party. The representative shall not have voting status, and shall not be compensated, but shall be allowed to participate in discussions and be informed of any meeting of the board.

3. The governor shall not make any appointment, during the legislative interim, to the board of election commissioners in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants.”; and

Further amend the title and enacting clause accordingly.

Senator Schmitt moved that the above amendment be adopted, which motion prevailed.

Senator Munzlinger offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for House Committee Substitute for House Bill No. 199, Page 57, Section 190.335, Line 2, by inserting after all of said line the following:

“198.310. 1. For the purpose of purchasing nursing home district sites, erecting nursing homes and related facilities and furnishing the same, building additions to and repairing old buildings, the board of directors may borrow money and issue bonds for the payment thereof in the manner provided herein. The question of the loan shall be submitted by an order of the board of directors of the district. Notice of the submission of the question, the amount and the purpose of the loan shall be given as provided in section 198.250.

2. The question shall be submitted in substantially the following form:

Shall the Nursing Home District borrow money in the amount of dollars for the purpose of and issue bonds in payment thereof?

3. If [two-thirds] **constitutionally required percentage** the votes cast are for the loan, the board shall, subject to the restrictions of subsection 4, be vested with the power to borrow money in the name of the district, to the amount and for the purposes specified on the ballot, and issue the bonds of the district for the payment thereof.

4. The loans authorized by this section shall not be contracted for a period longer than twenty years, and the entire amount of the loan shall at no time exceed, including the existing indebtedness of the district, in the aggregate, ten percent of the value of taxable tangible property therein, as shown by the last completed assessment for state and county purposes, the rate of interest to be agreed upon by the parties, but in no case to exceed the highest legal rate allowed by contract; when effected, it shall be the duty of the directors to provide for the collection of an annual tax sufficient to pay the interest on the indebtedness as it falls due, and also to constitute a sinking fund for the payment of the principal thereof within the time the

principal becomes due.

198.345. Nothing in sections 198.200 to 198.350 shall prohibit a nursing home district from establishing and maintaining apartments for seniors that provide at a minimum housing[,] **and** services[, and emergency call buttons to the apartment residents] in any county of the third **or fourth** classification [without a township form of government and with more than twenty-eight thousand two hundred but fewer than twenty-eight thousand three hundred inhabitants or any county of the third classification without a township form of government and with more than nine thousand five hundred fifty but fewer than nine thousand six hundred fifty inhabitants] **within its corporate limits**. Such nursing home districts shall not lease such apartments for less than fair market rent as reported by the United States Department of Housing and Urban Development.”; and

Further amend the title and enacting clause accordingly.

Senator Munzlinger moved that the above amendment be adopted, which motion prevailed.

Senator Sifton offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for House Committee Substitute for House Bill No. 199, Page 16, Section 115.121, Lines 13-14 of said page, by striking all of the opening brackets “[”, closing brackets “]” and underlined language from said lines; and

Further amend said bill, page 22, section 115.341, lines 17-20 of said page, by striking all of said section from the bill; and

Further amend said bill, pages 22-24, section 115.349, by striking all of said section from the bill; and

Further amend said bill, page 60, section B, lines 24-25, by striking all of said section from the bill; and further amend said bill, and page, section C, line 26, by striking the “C”, and inserting in lieu thereof the following: “B”; and

further amend the title and enacting clause accordingly.

Senator Sifton moved that the above amendment be adopted.

Senator Lamping requested a roll call vote be taken on the adoption of **SA 3**. He was joined in his request by Senators McKenna, Richard, Schaefer and Sifton.

SA 3 failed of adoption by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Dixon	Justus	Keaveny	Kraus	LeVota	McKenna
Pearce	Schaaf	Sifton	Wallingford	Walsh—13			

NAYS—Senators

Brown	Cunningham	Dempsey	Emery	Kehoe	Lager	Lamping	Libla
Munzlinger	Nasheed	Nieves	Parson	Richard	Romine	Rupp	Sater
Schaefer	Schmitt	Silvey	Wasson—20				

Absent—Senators—None

Absent with leave—Senator Holsman—1

Vacancies—None

Senator Schmitt offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for House Committee Substitute for House Bill No. 199, Page 61, Section C, Line 1, by inserting after the word “community”, the following: “; because of the need to ensure fair representation on boards of election commissioners”; and further amend line 6, by inserting after the number “32.087”, the following: “; 115.027”; and further amend line 12, by inserting after the number “32.087”, the following: “; 115.027”.

Senator Schmitt moved that the above amendment be adopted, which motion prevailed.

Senator Schaefer offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend Senate Substitute for House Committee Substitute for House Bill No. 199, Page 2, Section A, Line 2, by inserting after all of said line the following:

“26.226. In case of death, resignation, removal from office, conviction after impeachment, or vacancy from any cause in the office of lieutenant governor, the governor shall, within thirty days, issue a writ of election to fill the vacancy for the remainder of the term in which such vacancy occurred and until the successor is elected, commissioned, and qualified. Such election shall be held at the next general election. The candidates for the election shall be nominated and placed on the ballot in accordance with the provisions of sections 115.305 to 115.405. In the case of impeachment, the office shall remain vacant until such impeachment is determined. If acquitted, the lieutenant governor shall be reinstated in office. During any period of time when the office of lieutenant governor is vacant, the chief administrative assistant of the vacating lieutenant governor shall perform all ministerial duties during the period of such vacancy, provided however, that any duties of the lieutenant governor as president of the senate shall be performed by the president pro tempore of the senate during the period of such vacancy.”; and

Further amend said bill, page 61, Section C, line 1 by inserting after the word “community” the following: “; because of the need to determine how to fill a vacancy in the office of lieutenant governor”; and further amend line 8 by inserting after the word “sections” the following: “26.226,”; and further amend line 14 by inserting after the word “sections” the following: “26.226,”; and

Further amend the title and enacting clause accordingly.

Senator Schaefer moved that the above amendment be adopted, which motion prevailed.

Senator Lamping offered **SA 6**, which was read:

SENATE AMENDMENT NO. 6

Amend Senate Substitute for House Committee Substitute for House Bill No. 199, Pages 12-13, Section 77.030, by striking said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Lamping moved that the above amendment be adopted, which motion prevailed.

Senator Sater offered SA 7:

SENATE AMENDMENT NO. 7

Amend Senate Substitute for House Committee Substitute for House Bill No. 199, Page 13, Section 77.030, Line 15, by inserting immediately after said line, the following:

“78.090. 1. Candidates to be voted for at all general municipal elections at which a mayor and councilmen are to be elected under the provisions of sections 78.010 to [78.420] **78.400** shall be nominated by a primary election, **except as provided in this section**, and no other names shall be placed upon the general ballot except those selected in the manner herein prescribed. The primary election for such nomination shall be held on the first Tuesday after the first Monday in February preceding the municipal election.

2. (1) In lieu of conducting a primary election under this section, any city organized under sections 78.010 to 78.400 may, by order or ordinance, provide for the elimination of the primary election and the conduct of elections for mayor and councilman as provided in this subsection.

(2) Any person desiring to become a candidate for mayor or councilman shall file with the city clerk a signed statement of such candidacy, stating whether such person is a resident of the city and a qualified voter of the city, that the person desires to be a candidate for nomination to the office of mayor or councilman to be voted upon at the next municipal election for such office, that the person is eligible for such office, that the person requests to be placed on the ballot, and that such person will serve if elected. Such statement shall be sworn to or affirmed before the city clerk.

(3) Under the requirements of section 115.023, the city clerk shall notify the requisite election authority who shall cause the official ballots to be printed, and the names of the candidates shall appear on the ballots in the order that their statements of candidacy were filed with the city clerk. Above the names of the candidates shall appear the words “Vote for (number to be elected)”. The ballot shall also include a warning that voting for more than the total number of candidates to be elected to any office invalidates the ballot.”; and

Further amend the title and enacting clause accordingly.

Senator Sater moved that the above amendment be adopted, which motion prevailed.

Senator Lamping moved that **SS for HCS for HB 199**, as amended, be adopted, which motion prevailed.

On motion of Senator Lamping, **SS for HCS for HB 199**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Emery	Keaveny	Kehoe
Lager	Lamping	Libla	Munzlinger	Nasheed	Nieves	Parson	Richard
Romine	Sater	Schaaf	Schaefer	Silvey	Wallingford	Wasson—23	

NAYS—Senators

Curls	Justus	Kraus	LeVota	McKenna	Pearce	Sifton	Walsh—8
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Absent—Senators

Rupp	Schmitt—2
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Absent with leave—Senator Holsman—1

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Keaveny	Kehoe	Kraus
Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed	Nieves	Parson
Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Silvey	Wallingford

Wasson—25

NAYS—Senators

Chappelle-Nadal	Curls	Justus	McKenna	Sifton	Walsh—6
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Absent—Senators

Rupp	Schmitt—2
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Absent with leave—Senator Holsman—1

Vacancies—None

On motion of Senator Lamping, title to the bill was agreed to.

Senator Lamping moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Senator Parson, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which were referred **HCS** for **HB 168**; **SS** for **HB 253**; and **SCS** for **SB 378**, begs leave to report that it has considered the same and recommends that the bills do pass.

PRIVILEGED MOTIONS

Senator Parson, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SB 23**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON HOUSE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 23

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 23, with House Amendment No. 1, House Amendment No. 1 to House Amendment No. 2, House Amendment No. 2 as amended, House Amendment No. 1 to House Amendment No. 3, House Amendment No. 3 as amended, House Amendment Nos. 4, 5, 6, 7, 8, 9, House Amendment No. 1 to House Amendment No. 11, House

Amendment No. 11 as amended, House Amendment Nos. 12, 13, 14, 16, 17, 18, 19, House Substitute Amendment No. 1 for House Amendment No. 20, House Amendment Nos. 21, 22, 23, & 24, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

- 1. That the House recede from its position on House Committee Substitute for Senate Bill No. 23, as amended;
- 2. That the Senate recede from its position on Senate Bill No. 23;
- 3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 23 be Third Read and Finally Passed.

FOR THE SENATE:
 /s/ Michael Parson
 /s/ Mike Kehoe
 /s/ Mike Cunningham
 Jolie Justus
 /s/ S. Kiki Curls

FOR THE HOUSE:
 /s/ Caleb Jones
 /s/ Lincoln Hough
 John Rizzo

Senator Parson moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Justus
Keaveny	Kehoe	Lager	Lamping	LeVota	Libla	McKenna	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater
Schaaf	Schaefer	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senator Kraus—1

Absent—Senator Schmitt—1

Absent with leave—Senator Holsman—1

Vacancies—None

On motion of Senator Parson, **CCS** for **HCS** for **SB 23**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
 HOUSE COMMITTEE SUBSTITUTE FOR
 SENATE BILL NO. 23

An Act to repeal sections 32.087, 33.080, 64.196, 67.1010, 71.285, 99.845, 137.090, 137.095, 137.720, 137.1018, 144.010, 144.020, 144.021, 144.030, 144.069, 144.071, 144.440, 144.450, 144.455, 144.525, 144.605, 144.610, 144.613, 144.615, 169.270, 169.291, 169.301, 169.324, 169.350, 184.800, 184.805, 184.810, 184.815, 184.820, 184.827, 184.830, 184.835, 184.840, 184.845, 184.850, 184.865, 198.345, 302.302, 302.341, 360.045, 374.150, 476.385, and 577.041, RSMo, and 302.060 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402, merged with conference committee substitute for house committee substitute no. 2

for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, and section 302.060 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402, ninety-sixth general assembly, second regular session, and section 302.304 as enacted by conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, and section 302.304 as enacted by conference committee substitute for house committee substitute for senate committee substitute for senate bills nos. 930 & 947, ninety-fourth general assembly, second regular session, and section 302.309 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402, ninety-sixth general assembly, second regular session, and section 302.309 as enacted by conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, and section 302.525 as enacted by conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, and section 302.525 as enacted by conference committee substitute for house committee substitute for senate committee substitute for senate bills nos. 930 & 947, ninety-fourth general assembly, second regular session, and to enact in lieu thereof sixty new sections relating to taxation, with penalty provisions, an emergency clause for certain sections, and an effective date for certain sections.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Justus
Keaveny	Kehoe	Lager	Lamping	LeVota	Libla	McKenna	Munzlinger
Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater	Schaaf
Schaefer	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senators

Kraus Nasheed—2

Absent—Senator Schmitt—1

Absent with leave—Senator Holsman—1

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Justus	Keaveny
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna	Munzlinger
Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater	Schaaf
Schaefer	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senator Chappelle-Nadal—1

Absent—Senators

Nasheed Schmitt—2

Absent with leave—Senator Holsman—1

Vacancies—None

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Wasson moved that **SB 148**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SB 148**, as amended, was taken up.

Senator Wasson moved that **HCS** for **SB 148**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Holsman—1

Vacancies—None

On motion of Senator Wasson, **HCS** for **148**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Holsman—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

Senator Kraus moved that **SS** for **SCS** for **SB 116**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SS** for **SCS** for **SB 116**, as amended, was taken up.

Senator Kraus moved that **HCS** for **SS** for **SCS** for **SB 116**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Holsman—1

Vacancies—None

On motion of Senator Kraus, **HCS** for **SS** for **SCS** for **SB 116**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senator Rupp—1

Absent with leave—Senator Holsman—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

Senator Brown moved that **SB 230**, with **HA 1**, be taken up for 3rd reading and final passage, which motion prevailed.

HA 1 was taken up.

Senator Brown moved that the above amendment be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Holsman—1

Vacancies—None

On motion of Senator Brown, **SB 230**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senator Nasheed—1

Absent with leave—Senator Holsman—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

Senator Pearce assumed the Chair.

Senator Kehoe assumed the Chair.

Senator Parson, on behalf of the conference committee appointed to act with a like committee from the House on **SS** for **HCS** for **HJRs 11** and **7**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

**CONFERENCE COMMITTEE REPORT ON
SENATE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE JOINT RESOLUTION NOS. 11 & 7**

The Conference Committee appointed on Senate Substitute for House Committee Substitute for House Joint Resolution Nos. 11 & 7, with Senate Amendment No. 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for House Committee Substitute for House Joint Resolution Nos. 11 & 7, as amended;
2. That the House recede from its position on House Committee Substitute for House Joint Resolution Nos. 11 & 7;
3. That the attached Conference Committee Substitute for Senate Substitute for House Committee Substitute for House Joint Resolution Nos. 11 & 7, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Jason Smith

/s/ Bill Reiboldt

/s/ Linda Black

FOR THE SENATE:

/s/ Mike Parson

/s/ Brian Munzlinger

/s/ Dan W. Brown, Sr.

Jolie Justus

Scott Sifton

Senator Parson moved that the above conference committee report be adopted.

At the request of Senator Parson, the above motion was withdrawn, which placed the bill back on the calendar.

Senator Pearce assumed the Chair.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 248**.

With House Amendment Nos. 1 and 2.

HOUSE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 248, Page 4, Section 67.457, Line 127, by inserting after all of said line the following:

“67.463. 1. At the hearing to consider the proposed improvements and assessments, the governing body shall hear and pass upon all objections to the proposed improvements and proposed assessments, if any, and may amend the proposed improvements, and the plans and specifications therefor, or assessments as to any property, and thereupon by ordinance or resolution the governing body of the city or county shall order that the improvement be made and direct that financing for the cost thereof be obtained as provided in sections 67.453 to 67.475.

2. After construction of the improvement has been completed in accordance with the plans and specifications therefor, the governing body shall compute the final costs of the improvement and apportion the costs among the property benefitted by such improvement in such equitable manner as the governing body shall determine, charging each parcel of property with its proportionate share of the costs, and by resolution or ordinance, assess the final cost of the improvement or the amount of general obligation bonds issued or to be issued therefor as special assessments against the property described in the assessment roll.

3. After the passage or adoption of the ordinance or resolution assessing the special assessments, the city clerk or county clerk shall mail a notice to each property owner within the district which sets forth a description of each parcel of real property to be assessed which is owned by such owner, the special assessment assigned to such property, and a statement that the property owner may pay such assessment in full, together with interest accrued thereon from the effective date of such ordinance or resolution, on or before a specified date determined by the effective date of the ordinance or resolution, or may pay such assessment in annual installments as provided in subsection 4 of this section.

4. The special assessments shall be assessed upon the property included therein concurrent with general property taxes, and shall be payable in substantially equal annual installments for a duration stated in the ballot measure prescribed in subsection 2 of section 67.457 or in the petition prescribed in subsection 3 of section 67.457, and, if authorized, an assessment in each year thereafter levied and collected in the same manner with the proceeds thereof used solely for maintenance of the improvement, taking into account such assessments and interest thereon, as the governing body determines. The first installment shall be payable after the first collection of general property taxes following the adoption of the assessment ordinance or resolution unless such ordinance or resolution was adopted and certified too late to permit its collection at such time. All assessments shall bear interest at such rate as the governing body determines, not to exceed the rate permitted for bonds by section 108.170. Interest on the assessment between the effective date of the ordinance or resolution assessing the assessment and the date the first installment is payable shall be added to the first installment. The interest for one year on all unpaid installments shall be added to each subsequent installment until paid. In the case of a special assessment by a city, all of the installments, together with the interest accrued or to accrue thereon, may be certified by the city clerk to the county clerk in one instrument at the same time. Such certification shall be good for all of the installments, and the interest thereon payable as special assessments.

5. Special assessments shall be collected and paid over to the city treasurer or county treasurer in the same manner as taxes of the city or county are collected and paid. In any **county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants and any** county of the first classification with more than one hundred thirty-five thousand four

hundred but fewer than one hundred thirty-five thousand five hundred inhabitants, the county collector may collect a fee as prescribed by section 52.260 for collection of assessments under this section.

67.469. A special assessment authorized under the provisions of sections 67.453 to 67.475 shall be a lien, from the date of the assessment, on the property against which it is assessed on behalf of the city or county assessing the same to the same extent as a tax upon real property. The lien may be foreclosed in the same manner as a tax upon real property by land tax sale pursuant to chapter 140 or [by judicial foreclosure proceeding], **if applicable to that county, chapter 141, or** at the option of the governing body, **by judicial foreclosure proceeding.** Upon the foreclosure of any such lien, whether by land tax sale or by judicial foreclosure proceeding, the entire remaining assessment may become due and payable and may be recoverable in such foreclosure proceeding at the option of the governing body.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 248, Page 4, Section 67.457, Line 127, by inserting after all of said Section and Line the following:

“67.469. A special assessment authorized under the provisions of sections 67.453 to 67.475 shall be a lien, from the date of the assessment, on the property against which it is assessed on behalf of the city or county assessing the same to the same extent as a tax upon real property. The lien may be foreclosed in the same manner as a tax upon real property by land tax sale pursuant to chapter 140 or [by judicial foreclosure proceeding], **if applicable to that county, chapter 141, or** at the option of the governing body, **by judicial foreclosure proceeding.** Upon the foreclosure of any such lien, whether by land tax sale or by judicial foreclosure proceeding, the entire remaining assessment may become due and payable and may be recoverable in such foreclosure proceeding at the option of the governing body.

67.1521. 1. A district may levy by resolution one or more special assessments against real property within its boundaries, upon receipt of and in accordance with a petition signed by:

(1) Owners of real property collectively owning more than fifty percent by assessed value of real property within the boundaries of the district; and

(2) More than fifty percent per capita of the owners of all real property within the boundaries of the district.

2. The special assessment petition shall be in substantially the following form:

The (insert name of district) Community Improvement District (“District”) shall be authorized to levy special assessments against real property benefitted within the District for the purpose of providing revenue for (insert general description of specific service and/or projects) in the district, such special assessments to be levied against each tract, lot or parcel of real property listed below within the district which receives special benefit as a result of such service and/or projects, the cost of which shall be allocated among this property by (insert method of allocation, e.g., per square foot of property, per square foot on each square foot of improvement, or by abutting foot of property abutting streets, roads, highways, parks or other improvements, or any other reasonable method) in an amount not to exceed dollars per (insert unit of measure). Such authorization to levy the special assessment shall expire on (insert date). The tracts of land located in the district which will receive special benefit from this service and/or projects are: (list of properties by common addresses and legal

descriptions).

3. The method for allocating such special assessments set forth in the petition may be any reasonable method which results in imposing assessments upon real property benefitted in relation to the benefit conferred upon each respective tract, lot or parcel of real property and the cost to provide such benefit.

4. By resolution of the board, the district may levy a special assessment rate lower than the rate ceiling set forth in the petition authorizing the special assessment and may increase such lowered special assessment rate to a level not exceeding the special assessment rate ceiling set forth in the petition without further approval of the real property owners; provided that a district imposing a special assessment pursuant to this section may not repeal or amend such special assessment or lower the rate of such special assessment if such repeal, amendment or lower rate will impair the district's ability to pay any liabilities that it has incurred, money that it has borrowed or obligations that it has issued.

5. Each special assessment which is due and owing shall constitute a perpetual lien against each tract, lot or parcel of property from which it is derived. Such lien may be foreclosed in the same manner as any other special assessment lien as provided in section 88.861. Notwithstanding the provisions of this subsection and section 67.1541 to the contrary, [in any county of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants,] the county collector may, upon certification by the district for collection, add each special assessment to the annual real estate tax bill for the property and collect the assessment in the same manner the collector uses for real estate taxes. [In said counties, each] **Any** special assessment remaining unpaid on the first day of January annually is delinquent and enforcement of collection of the delinquent bill by the county collector shall be governed by the laws concerning delinquent and back taxes. The lien may be foreclosed in the same manner as a tax upon real property by land tax sale under chapter 140 or, if applicable to that county, chapter 141.

6. A separate fund or account shall be created by the district for each special assessment levied and each fund or account shall be identifiable by a suitable title. The proceeds of such assessments shall be credited to such fund or account. Such fund or account shall be used solely to pay the costs incurred in undertaking the specified service or project.

7. Upon completion of the specified service or project or both, the balance remaining in the fund or account established for such specified service or project or both shall be returned or credited against the amount of the original assessment of each parcel of property pro rata based on the method of assessment of such special assessment.

8. Any funds in a fund or account created pursuant to this section which are not needed for current expenditures may be invested by the board in accordance with applicable laws relating to the investment of funds of the city in which the district is located.

9. The authority of the district to levy special assessments shall be independent of the limitations and authorities of the municipality in which it is located; specifically, the provisions of section 88.812 shall not apply to any district.

140.050. 1. Except as provided in section 52.361, the county clerk shall file the delinquent lists in the county clerk's office and within ten days thereafter make, under the seal of the commission, the lists into a back tax book as provided in section 140.060.

2. Except as provided in section 52.361, when completed, the clerk shall deliver the book **or an**

electronic copy thereof to the collector taking duplicate receipts therefor, one of which the clerk shall file in the clerk's office and the other the clerk shall file with the director of revenue. The clerk shall charge the collector with the aggregate amount of taxes, interest, and clerk's fees contained in the back tax book.

3. The collector shall collect such back taxes and may levy upon, seize and distrain tangible personal property and may sell such property for taxes.

4. In the city of St. Louis, the city comptroller or other proper officer shall return the back tax book together with the uncollected tax bills within thirty days to the city collector.

5. If any county commission or clerk in counties not having a county auditor fails to comply with section 140.040, and this section, to the extent that the collection of taxes cannot be enforced by law, the county commission or clerk, or their successors in office, shall correct such omissions at once and return the back tax book to the collector who shall collect such taxes.

140.115. Any person other than the owner or a mortgagee or other lienholder described in section 139.070 who pays the original taxes, as charged against the tract of land or town lot described in the back tax book together with interest from the day upon which the tax first became delinquent at the rate specified in section 140.100 shall not invoke a lien on said property or person without the knowledge and consent of the owner. Any such lien so invoked on said property or person without the knowledge and consent of the owner shall be null and void.

140.150. 1. All lands, lots, mineral rights, and royalty interests on which taxes or [neighborhood improvement district] special assessments are delinquent and unpaid are subject to sale to discharge the lien for the delinquent and unpaid taxes or unpaid special assessments as provided for in this chapter on the fourth Monday in August of each year.

2. No real property, lots, mineral rights, or royalty interests shall be sold for state, county or city taxes or special assessments without judicial proceedings, unless the notice of sale contains the names of all record owners thereof, or the names of all owners appearing on the land tax book and all other information required by law. Delinquent taxes or unpaid special assessments, penalty, interest and costs due thereon may be paid to the county collector at any time before the property is sold therefor. The collector shall send notices to the publicly recorded owner of record before any delinquent and unpaid taxes or unpaid special assessments as specified in this section subject to sale are published. The first notice shall be by first class mail. A second notice shall be sent by certified mail only if the assessed valuation of the property is greater than one thousand dollars. If the assessed valuation of the property is not greater than one thousand dollars, only the first notice shall be required. If any second notice sent by certified mail under this section is returned to the collector unsigned, then notice shall be sent before the sale by first class mail to both the owner of record and the occupant of the real property. The postage for the mailing of the notices shall be paid out of the county treasury, and such costs shall be added to the costs of conducting the sale, and the county treasury shall be reimbursed to the extent that such postage costs are recovered at the sale. The failure of the taxpayer or the publicly recorded owner to receive the notice provided for in this section shall not relieve the taxpayer or publicly recorded owner of any tax liability imposed by law.

3. The entry in the back tax book by the county clerk of the delinquent lands, lots, mineral rights, and royalty interests constitutes a levy upon the delinquent lands, lots, mineral rights, and royalty interests for the purpose of enforcing the lien of delinquent and unpaid taxes or unpaid special assessments [as provided in section 67.469], together with penalty, interest and costs.

140.160. 1. No proceedings for the sale of land and lots for delinquent taxes pursuant to this chapter or unpaid special assessments [as provided in section 67.469], relating to the collection of delinquent and back taxes and unpaid special assessments and providing for foreclosure sale and redemption of land and lots therefor, shall be valid unless initial proceedings therefor shall be commenced within three years after delinquency of such taxes and unpaid special assessments, and any sale held pursuant to initial proceedings commenced within such period of three years shall be deemed to have been in compliance with the provisions of said law insofar as the time at which such sales are to be had is specified therein; provided further, that in suits or actions to collect delinquent drainage and/or levee assessments on real estate such suits or actions shall be commenced within three years after delinquency, otherwise no suit or action therefor shall be commenced, had or maintained, except that the three-year limitation described in this subsection shall not be applicable if any written instrument conveys any real estate having a tax-exempt status, if such instrument causes such real estate to again become taxable real property and if such instrument has not been recorded in the office of the recorder in the county in which the real estate has been situated. Such three-year limitation shall only be applicable once the recording of the title has occurred.

2. The county auditor in all counties having a county auditor shall annually audit collections, deposits, and supporting reports of the collector and provide a copy of such audit to the county collector and to the governing body of the county. A copy of the audit may be provided to all applicable taxing entities within the county at the discretion of the county collector.

140.230. 1. When real estate has been sold for taxes or other debt by the sheriff or collector of any county within the state of Missouri, and the same sells for a greater amount than the debt or taxes and all costs in the case it shall be the duty of the sheriff or collector of the county, when such sale has been or may hereafter be made, to make a written statement describing each parcel or tract of land sold by him for a greater amount than the debt or taxes and all costs in the case together with the amount of surplus money in each case. The statement shall be subscribed and sworn to by the sheriff or collector making it before some officer competent to administer oaths within this state, and then presented to the county commission of the county where the sale has been or may be made; and on the approval of the statement by the commission, the sheriff or collector making the same shall pay the surplus money into the county treasury, take the receipt in duplicate of the treasurer for the surplus of money and retain one of the duplicate receipts himself and file the other with the county commission, and thereupon the commission shall charge the treasurer with the amount.

2. The treasurer shall place such moneys in the county treasury to be held for the use and benefit of the person entitled to such moneys or to the credit of the school fund of the county, to be held in trust for the term of three years for the publicly recorded owner or owners of the property sold at **the time of** the delinquent land tax auction or their legal representatives. At the end of three years, if such fund shall not be called for **as part of a redemption or collector's deed issuance**, then it shall become a permanent school fund of the county.

3. County commissions shall compel owners or agents to make satisfactory proof of their claims before receiving their money; provided, that no county shall pay interest to the claimant of any such fund.

140.290. 1. After payment shall have been made the county collector shall give the purchaser a certificate in writing, to be designated as a certificate of purchase, which shall carry a numerical number and which shall describe the land so purchased, each tract or lot separately stated, the total amount of the tax, with penalty, interest and costs, and the year or years of delinquency for which said lands or lots were

sold, separately stated, and the aggregate of all such taxes, penalty, interest and costs, and the sum bid on each tract.

2. If the purchaser bid for any tract or lot of land a sum in excess of the delinquent tax, penalty, interest and costs for which said tract or lot of land was sold, such excess sum shall also be noted in the certificate of purchase, in a separate column to be provided therefor. Such certificate of purchase shall also recite the name and address of the owner or reputed owner if known, and if unknown then the party or parties to whom each tract or lot of land was assessed, together with the address of such party, if known, and shall also have incorporated therein the name and address of the purchaser. Such certificate of purchase shall also contain the true date of the sale and the time when the purchaser will be entitled to a deed for said land, if not redeemed as in this chapter provided, and the rate of interest that such certificate of purchase shall bear, which rate of interest shall not exceed the sum of ten percent per annum. Such certificate shall be authenticated by the county collector, who shall record the same in a permanent record book in his office before delivery to the purchaser.

3. Such certificate shall be assignable, but no assignment thereof shall be valid unless endorsed on such certificate and acknowledged before some officer authorized to take acknowledgment of deeds and an entry of such assignment entered in the record of said certificate of purchase in the office of the county collector.

4. [For each certificate of purchase issued, including the recording of the same, the county collector shall be entitled to receive and retain a fee of fifty cents, to be paid by the purchaser and treated as a part of the cost of the sale, and so noted on the certificate. For noting any assignment of any certificate the county collector shall be entitled to a fee of twenty-five cents, to be paid by the person requesting such recital of assignment, and which shall not be treated as a part of the cost of the sale.] For each certificate of purchase issued, as a part of the cost of the sale, the purchaser shall pay to the collector the fee necessary to record such certificate of purchase in the office of the county recorder. The collector shall record the certificate of purchase before delivering such certificate of purchase to the purchaser.

5. No collector shall be authorized to issue a certificate of purchase to any nonresident of the state of Missouri, however, any nonresident as described in subsection 2 of section 140.190 may appoint an agent, and such agent shall comply with the provisions of section 140.190 pertaining to a nonresident.

6. This section shall not apply to any post-third-year tax sale, except for nonresidents as provided in subsection 5 of this section.

140.405. 1. Any person purchasing property at a delinquent land tax auction shall not acquire the deed to the real estate, as provided for in section 140.250 or 140.420, until the person meets the requirements of this section, except that such requirements shall not apply to post-third-year sales, which shall be conducted under subsection 4 of section 140.250. The purchaser shall obtain a title search report from a licensed attorney or licensed title company detailing the ownership and encumbrances on the property. Such title search report shall be declared invalid if the effective date is more than one hundred twenty days from the date the purchaser applies for a collector's deed under section 140.250 or 140.420.

2. At least ninety days prior to the date when a purchaser is authorized to acquire the deed, the purchaser shall notify the owner of record and any person who holds a publicly recorded unreleased deed of trust, mortgage, lease, lien, judgment, or any other publicly recorded claim upon that real estate of such person's right to redeem the property. Notice shall be sent by both first class mail and certified mail return receipt requested to such person's last known available address. If the certified mail return receipt is returned signed, the first class mail notice is not returned, the first class mail notice is refused where noted by the

United States Postal Service, or any combination thereof, notice shall be presumed received by the recipient. At the conclusion of the applicable redemption period, the purchaser shall make an affidavit in accordance with subsection 4 of this section.

3. If the owner of record or **the holder of** any other publicly recorded claim on the property intends to transfer ownership or execute any additional liens or encumbrances on the property, such owner shall first redeem such property under section 140.340. The failure to comply with redeeming the property first before executing any of such actions or agreements on the property shall require the owner of record or any other publicly recorded claim on the property to reimburse the purchaser for the total bid as recorded on the certificate of purchase and all the costs of the sale required in sections 140.150 to 140.405.

4. In the case that both the certified notice return receipt card is returned unsigned and the first class mail is returned for any reason except refusal, where the notice is returned undeliverable, then the purchaser shall attempt additional notice and certify in the purchaser's affidavit to the collector that such additional notice was attempted and by what means.

5. The purchaser shall notify the county collector by affidavit of the date that every required notice was sent to the owner of record and, if applicable, any other publicly recorded claim on the property. To the affidavit, the purchaser shall attach a copy of a valid title search report as described in subsection 1 of this section as well as completed copies of the following for each recipient:

- (1) **Notices of right to redeem sent by** first class mail;
- (2) **Notices of right to redeem sent by** certified mail [notice];
- (3) Addressed envelopes **for all notices**, as they appeared immediately before mailing;
- (4) Certified mail receipt as it appeared upon its return; and

(5) Any returned regular mailed envelopes. As provided in this section, at such time the purchaser notifies the collector by affidavit that all the ninety days' notice requirements of this section have been met, the purchaser is authorized to acquire the deed, provided that a collector's deed shall not be acquired before the expiration date of the redemption period as provided in section 140.340.

6. If any real estate is purchased at a third-offering tax auction and has a publicly recorded unreleased deed of trust, mortgage, lease, lien, judgment, or any other publicly recorded claim upon the real estate under this section, the purchaser of said property shall within forty-five days after the purchase at the sale notify such person of the person's right to redeem the property within ninety days from the postmark date on the notice. Notice shall be sent by both first class mail and certified mail return receipt requested to such person's last known available address. The purchaser shall notify the county collector by affidavit of the date the required notice was sent to the owner of record and, if applicable, **and the holder of** any other publicly recorded claim on the property, that such person shall have ninety days to redeem said property or be forever barred from redeeming said property.

7. If the county collector chooses to have the title search done then the county collector may charge the purchaser the cost of the title search before giving the purchaser a deed pursuant to section 140.420.

8. If the property is redeemed, the person redeeming the property shall pay the costs incurred by the purchaser in providing notice under this section. Recoverable costs on any property sold at a tax sale shall include the title search, postage, and costs for the recording of any certificate of purchase issued and for recording the release of such certificate of purchase and all the costs of the sale required in sections 140.150

to 140.405.

9. Failure of the purchaser to comply with this section shall result in such purchaser’s loss of all interest in the real estate.

140.460. 1. Such conveyance shall be executed by the county collector, under his hand and seal, [witnessed by the county clerk] and acknowledged before the county recorder or any other officer authorized to take acknowledgments and the same shall be recorded in the recorder’s office before delivery; a fee for recording shall be paid by the purchaser and shall be included in the costs of sale.

2. Such deed shall be prima facie evidence that the property conveyed was subject to taxation at the time assessed, that the taxes were delinquent and unpaid at the time of sale, of the regularity of the sale of the premises described in the deed, and of the regularity of all prior proceedings, that said land or lot had not been redeemed and that the period therefor had elapsed, and prima facie evidence of a good and valid title in fee simple in the grantee of said deed; and such deed shall be in the following form, as nearly as the nature of the case will admit, namely:

Whereas, A. B. did, on the day of, 20., produce to the undersigned, C. D., collector of the county of in the state of Missouri, a certificate of purchase, in writing, bearing date the day of 20., signed by E. F., who at the last mentioned date was collector of said county, from which it appears that the said A. B. did, on the day of, 20., purchase at public auction at the door of the courthouse in said county, the tract, parcel or lot of land lastly in this indenture described, and which lot was sold to for the sum of dollars and cents, being the amount due on the following tracts or lots of land, returned delinquent in the name of G. H., for nonpayment of taxes, costs and charges for the year, namely: (Here set out the lands offered for sale); which said lands have been recorded, among other tracts, in the office of said collector, as delinquent for the nonpayment of taxes, costs, and charges due for the year last aforesaid, and legal publication made of the sale of said lands; and it appearing that the said A. B. is the legal owner of said certificate of purchase and the time fixed by law for redeeming the land therein described having now expired, the said G. H. nor any person in his behalf having paid or tendered the amount due the said A. B. on account of the aforesaid purchase, and for the taxes by him since paid, and the said A. B., having demanded a deed for the tract of land mentioned in said certificate, and which was the least quantity of the tract above described that would sell for the amount due thereon for taxes, costs and charges, as above specified, and it appearing from the records of said county collector’s office that the aforesaid lands were legally liable for taxation, and has been duly assessed and properly charged on the tax book with the taxes for the years;

Therefore, this indenture, made this day of, 20., between the state of Missouri, by C. D., collector of said county, of the first part, and the said A. B., of the second part, Witnesseth: That the said party of the first part, for and in consideration of the premises, has granted, bargained and sold unto the said party of the second part, his heirs and assigns, forever, the tract or parcel of land mentioned in said certificate, situate in the county of, and state of Missouri, and described as follows, namely: (Here set out the particular tract or parcel sold), To have and to hold the said last mentioned tract or parcel of land, with the appurtenances thereto belonging, to the said party of the second part, his heirs and assigns forever, in as full and ample a manner as the collector of said county is empowered by law to sell the same.

In Testimony Whereof, the said C. D., collector of said county of, has hereunto set his hand,

and affixed his official seal, the day and year last above written.

Witness: (L.S.)

Collector of. County.

State of Missouri, County, ss:

Before me, the undersigned,, in and for said county, this day, personally came the above-named C. D., collector of said county, and acknowledged that he executed the foregoing deed for the uses and purposes therein mentioned.

In Witness Whereof, I have hereunto set my hand and seal this day of, 20.
. (L.S.)

140.470. [1.] In case circumstances should exist requiring any variation from the foregoing form, in the recital part thereof, the necessary change shall be made by the county collector executing such deed, and the same shall not be vitiated by any such change, provided the substance be retained.

[2. The county collector shall be entitled to demand and receive from the person applying therefor, for each tax deed, one dollar and fifty cents, which shall include the acknowledgment.]

140.665. Whenever the word “collector” is used in sections 140.050 to 140.660, as applicable to counties which have adopted township organization, it shall be construed to mean [“treasurer and ex officio collector”] “**collector-treasurer**”. Where applicable it shall also refer to the collector, or other proper officer, collecting taxes in any city or town. Where applicable the word “county” as used in sections 140.050 to 140.660 shall be construed “city” and the words “county clerk” shall be construed “city clerk or other proper officer”.

140.730. 1. Tangible personal property [taxes assessed] **subject to assessment** on and after January 1, 1946, and all personal taxes delinquent at that date, shall constitute a debt, as of the date on which such taxes were levied for which a personal judgment may be recovered against the party assessed with such taxes before any court of this state having jurisdiction.

2. All actions commenced pursuant to this law shall be prosecuted in the name of the state of Missouri, at the relation and to the use of the collector and against the person or persons named in the tax bill, and in one petition and in one count thereof may be included the said taxes for all such years as may be delinquent and unpaid, and said taxes shall be set forth in a tax bill or bills of said personal back taxes duly authenticated by the certificate of the collector and filed with the petition; and said tax bill or tax bills so certified shall be prima facie evidence that the amount claimed in said suit is just and correct, and all notices and process in suits pursuant to this chapter shall be sued and served in the same manner as in civil actions, and the general laws of this state as to practice and proceedings and appeals and writs of error in civil cases shall apply, as far as applicable, to the above actions; provided, however, that in no case shall the state, county, city or collector be liable for any costs nor shall any be taxed against them or any of them.

3. For the purpose of this chapter, personal tax bills shall become delinquent on the first day of January following the year the taxes are due, and suits thereon may be instituted on and after the first day of February following, and within three years from said day. If the collector, after using due diligence, is unable to collect any personal property taxes charged in the delinquent tax list within three years following the year the taxes are due, the collector may remove such personal property taxes from the delinquent or back taxes books in the same manner as real estate is removed under section 137.260. Such abated amounts

shall be reported on the annual settlement made by a collector of revenue.

4. Said personal tax shall be presented and allowed against the estates of deceased or insolvent debtors, in the same manner and with like effect, as other indebtedness of said debtors. The remedy hereby provided for the collection of personal tax bills is cumulative, and shall not in any manner impair other methods existing or hereafter provided for the collection of the same.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 35**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 42**, entitled:

An Act to repeal sections 57.010, 57.104, 57.280, 221.070, 313.321, 488.5028, and 571.104, RSMo, and to enact in lieu thereof nine new sections relating to county criminal justice.

With House Amendment No. 1, House Amendment No. 1 to House Amendment No. 3, House Amendment No. 3, as amended, House Amendment Nos. 4 and 5.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 42, Page 3, Section 57.280, Lines 40-41, by deleting all of said lines and inserting in lieu thereof the following:

“duties]. **Beginning October 1, 2013, moneys in the fund shall be used to supplement the 2013 sheriff’s salary and any future increase in salary, benefit package and cost of living to an amount no greater than the annual salary of an associate circuit judge.** Any such”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO HOUSE AMENDMENT NO. 3

Amend House Amendment No. 3 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 42, Page 1 Line 20 by inserting after said line the following:

“Further amend said bill, Page 3, Section 57.280, Line 46, by inserting after the period on said line the following:

“**The provisions of this subsection shall not apply to any county with a charter form of government and with more than nine hundred fifty thousand inhabitants or any county with a charter form of government and with more than three hundred thousand but fewer than four hundred fifty thousand inhabitants.**”; and “; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 42, Page 8, Section 488.5029, Line 4, by striking the following: “the department of revenue and”; and

Further amend Line 10, by striking “departments” and inserting in lieu thereof the following: **“Department”**; and

Further amend Line 12, by striking the word “each” and inserting in lieu thereof the following: **“the”**; and

Further amend Lines 13-20, by striking all of said lines; and

Further amend said bill and section, Page 9, Lines 38-46, by striking all of said lines; and

Further amend said section by renumbering the subsections accordingly; and

Further amend Line 49, by striking “the department of revenue and”; and

Further amend Lines 54-55, by striking the following: “issuance, renewal, and suspension of a concealed carry endorsement and the”; and

Further amend Line 56, by inserting at the end of said line the word **“and”**; and

Further amend Lines 57-60, by striking all of said lines and inserting in lieu thereof the following:

“(5) The right of the debtor to apply in writing to the court in which the debt”; and

Further amend said bill, Pages 10-13, Section 571.104, by striking all of said section the bill.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 42, Page 13, Section 571.104, Line 122, by inserting after all of said section and line the following:

“590.205. 1. The POST commission shall establish minimum standards for school protection officer training instructors, training centers, and training programs.

2. The director shall develop and maintain a list of approved school protection officer training instructors, training centers, and training programs. The director shall not place any instructor, training center, or training program on its approved list unless such instructor, training center, or training program meets all of the POST commission requirements under this section and section 590.200. The director shall make this approved list available to every school district in the state. The required training to become a school protection officer shall be provided by those firearm instructors, private and public, who have successfully completed a Department of Public Safety POST certified law enforcement firearms instructor school.

3. Each person seeking entrance into a school protection officer training center or training program shall submit a fingerprint card and authorization for a criminal history background check to include the records of the Federal Bureau of Investigation to the training center or training program where such person is seeking entrance. The training center or training program shall cause a criminal history background check to be made and shall cause the resulting report to be forwarded to the school district where the elementary school teacher or administrator is seeking to be designated as a school protection officer.

4. No person shall be admitted to a school protection officer training center or training program unless such person submits proof to the training center or training program that he or she has a valid concealed carry endorsement.

5. A certificate of school protection officer training program completion may be issued to any applicant by any approved school protection officer training instructor. On the certificate of program completion the approved school protection officer training instructor shall affirm that the individual receiving instruction has taken and passed a school protection officer training program that meets the requirements of this section and section 590.200 and that the individual has a valid concealed carry endorsement. The instructor shall also provide a copy of such certificate to the director of the department of public safety.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 42, Page 9, Section 488.5029, Line 70, by inserting after all of said line the following:

“488.5320. 1. Sheriffs, county marshals or other officers shall be allowed a charge for their services rendered in criminal cases and in all proceedings for contempt or attachment, as required by law, the sum of seventy-five dollars for each felony case or contempt or attachment proceeding, ten dollars for each misdemeanor case, and six dollars for each infraction, [excluding] **including** cases disposed of by a [traffic] violations bureau established pursuant to law or supreme court rule. Such charges shall be charged and collected in the manner provided by sections 488.010 to 488.020 and shall be payable to the county treasury; **except that, those charges from cases disposed of by a violations bureau shall be distributed as follows: one-half of the charges collected shall be forwarded and deposited to the credit of the MODEX fund established in subsection 6 of this section for the operational cost of the Missouri data exchange (MODEX) system, and one-half of the charges collected shall be deposited to the credit of the inmate security fund, established in section 488.5026, of the county or municipal political subdivision from which the citation originated. If the county or municipal political subdivision has not established an inmate security fund, all of the funds shall be deposited in the MODEX fund.**

2. Notwithstanding subsection 1 of this section to the contrary, sheriffs, county marshals, or other officers in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants or in any city not within a county shall not be allowed a charge for their services rendered in cases disposed of by a violations bureau established pursuant to law or supreme court rule.

3. The sheriff receiving any charge pursuant to subsection 1 of this section shall reimburse the sheriff of any other county or the city of St. Louis the sum of three dollars for each pleading, writ, summons, order of court or other document served in connection with the case or proceeding by the sheriff of the other county or city, and return made thereof, to the maximum amount of the total charge received pursuant to subsection 1 of this section.

[3.] **4. The charges provided in subsection 1 of this section shall be taxed as other costs in criminal proceedings immediately upon a plea of guilty or a finding of guilt of any defendant in any criminal procedure. The clerk shall tax all the costs in the case against such defendant, which shall be collected and disbursed as provided by sections 488.010 to 488.020; provided, that no such charge shall be collected in**

any proceeding in any court when the proceeding or the defendant has been dismissed by the court; provided further, that all costs, incident to the issuing and serving of writs of scire facias and of writs of fieri facias, and of attachments for witnesses of defendant, shall in no case be paid by the state, but such costs incurred under writs of fieri facias and scire facias shall be paid by the defendant and such defendant's sureties, and costs for attachments for witnesses shall be paid by such witnesses.

[4.] **5.** Mileage shall be reimbursed to sheriffs, county marshals and guards for all services rendered pursuant to this section at the rate prescribed by the Internal Revenue Service for allowable expenses for motor vehicle use expressed as an amount per mile.

6. (1) There is hereby created in the state treasury the "MODEX Fund", which shall consist of money collected under subsection 1 of this section. The fund shall be administered by the Peace Officers Standards and Training Commission established in section 590.120. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the operational support and expansion of the MODEX system.

(2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

(3) The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 216**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 45**, entitled:

An Act to repeal sections 56.807, 487.020, 488.026, and 488.426, RSMo, and to enact in lieu thereof four new sections relating to judicial procedures.

With House Amendment Nos. 1, 2 and 3.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 45, Page 3, Section 56.807, Line 74 by inserting after said line the following:

"478.007. 1. Any circuit court, or any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants with a county municipal court established under section 66.010, may establish a docket or court to provide an alternative for the judicial system to dispose of cases in which a person has pleaded guilty to driving while intoxicated or driving with excessive blood alcohol content and:

(1) The person was operating a motor vehicle with at least fifteen-hundredths of one percent or more by weight of alcohol in such person's blood; or

(2) The person has previously pleaded guilty to or has been found guilty of one or more intoxication-related traffic offenses as defined by section 577.023; or

(3) The person has two or more previous alcohol-related enforcement contacts as defined in section 302.525.

2. This docket or court shall combine judicial supervision, drug testing, continuous alcohol monitoring, substance abuse traffic offender program compliance, and treatment of DWI court participants. The court may assess any and all necessary costs for participation in DWI court against the participant. Any money received from such assessed costs by a court from a defendant shall not be considered court costs, charges, or fines. This docket or court may operate in conjunction with a drug court established pursuant to sections 478.001 to 478.006.

3. If the division of probation and parole is otherwise unavailable to assist in the judicial supervision of any person who wishes to enter a DWI court, a court-approved private probation service may be utilized by the DWI court to fill the department's role. In such case, any and all necessary additional costs may be assessed against the participant. No person shall be rejected from participating in DWI court solely for the reason that the person does not reside in the city or county where the applicable DWI court is located but the DWI court can base acceptance into a treatment court program on its ability to adequately provide services for the person or handle the additional caseload.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 45, Page 4, Section 487.020, Line 32, by inserting after all of said section and line the following:

“478.320. 1. In counties having a population of thirty thousand or less, there shall be one associate circuit judge. In counties having a population of more than thirty thousand and less than one hundred thousand, there shall be two associate circuit judges. In counties having a population of one hundred thousand or more, there shall be three associate circuit judges and one additional associate circuit judge for each additional one hundred thousand inhabitants.

2. When the office of state courts administrator indicates in an annual judicial weighted workload model for three consecutive years or more the need for four or more full-time judicial positions in any judicial circuit having a population of one hundred thousand or more, there shall be one additional associate circuit judge position in such circuit for every four full-time judicial positions needed as indicated in the weighted workload model. In a multi-county circuit, the additional associate circuit judge positions shall be apportioned among the counties in the circuit on the basis of population, starting with the most populous county, then the next most populous county, and so forth.

3. For purposes of this section, notwithstanding the provisions of section 1.100, population of a county shall be determined on the basis of the last previous decennial census of the United States; and, beginning after certification of the year 2000 decennial census, on the basis of annual population estimates

prepared by the United States Bureau of the Census, provided that the number of associate circuit judge positions in a county shall be adjusted only after population estimates for three consecutive years indicate population change in the county to a level provided by subsection 1 of this section.

[3.] **4.** Except in circuits where associate circuit judges are selected under the provisions of sections 25(a) to (g) of article V of the constitution, the election of associate circuit judges shall in all respects be conducted as other elections and the returns made as for other officers.

[4.] **5.** In counties not subject to sections 25(a) to (g) of article V of the constitution, associate circuit judges shall be elected by the county at large.

[5.] **6.** No associate circuit judge shall practice law, or do a law business, nor shall he **or she** accept, during his **or her** term of office, any public appointment for which he **or she** receives compensation for his services.

[6.] **7.** No person shall be elected as an associate circuit judge unless he **or she** has resided in the county for which he **or she** is to be elected at least one year prior to the date of his **or her** election; provided that, a person who is appointed by the governor to fill a vacancy may file for election and be elected notwithstanding the provisions of this subsection.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 45, Page 5, Section 488.426, Line 20, by inserting after said line the following:

“Section 1. Any quasi-government entity created to provide information management products and services to criminal justice, municipal and county courts and other government agencies whose originating agency identifier was terminated by the federal bureau of investigations shall provide integration access to the contracted data for the political subdivision or its agency in a web service or file transfer protocol format on line in a timely manner upon written request at no additional charge as is required by the political subdivision or its agency.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

HOUSE BILLS ON THIRD READING

Senator Schmitt moved that **SS** for **HB 253**, as amended, be called from the Informal Calendar and taken up for 3rd reading and final passage, which motion prevailed.

SS for **HB 253**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus	Lager
Lamping	Libla	McKenna	Munzlinger	Nieves	Parson	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Silvey	Wallingford	Wasson—24

NAYS—Senators

Chappelle-Nadal	Curls	Justus	Keaveny	LeVota	Nasheed	Pearce	Sifton
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Walsh—9

Absent—Senators—None

Absent with leave—Senator Holsman—1

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus	Lager
Lamping	Libla	Munzlinger	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Wasson—24

NAYS—Senators

Chappelle-Nadal	Curls	Justus	Keaveny	LeVota	McKenna	Nasheed	Schaaf
Walsh—9							

Absent—Senators—None

Absent with leave—Senator Holsman—1

Vacancies—None

On motion of Senator Schmitt, title to the bill was agreed to.

Senator Schmitt moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

President Pro Tem Dempsey assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Rupp, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following reports:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HB 510**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HB 322**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Lager, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following report:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **HCS** for **HB 345**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Pearce, Chairman of the Committee on Education, submitted the following report:

Mr. President: Your Committee on Education, to which was referred **HCS** for **HB 134**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following reports:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HB 451**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HB 116**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Nieves, Chairman of the Committee on General Laws, submitted the following reports:

Mr. President: Your Committee on General Laws, to which was referred **HB 533**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on General Laws, to which was referred **HB 278**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on General Laws, to which was referred **HB 650**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following report:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **HCS** for **HB 440**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Wasson, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS** for **HB 110**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HB 625**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following reports:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HJR 16**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HCS for HB 320**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Kraus, Chairman of the Committee on Ways and Means, submitted the following reports:

Mr. President: Your Committee on Ways and Means, to which was referred **HCS for HB 175**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **HCS for HB 128**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Brown, Chairman of the Committee on Veterans' Affairs and Health, submitted the following reports:

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **HCS for HB 114**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **HB 450**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Kehoe, Chairman of the Committee on Transportation and Infrastructure, submitted the following reports:

Mr. President: Your Committee on Transportation and Infrastructure, to which was referred **HCS for HB 349**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation and Infrastructure, to which was referred **HB 85**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Lamping, Chairman of the Committee on Seniors, Families and Pensions, submitted the following reports:

Mr. President: Your Committee on Seniors, Families and Pensions, to which was referred **HCS** for **HB 418**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Pensions, to which was referred **HCS** for **HB 722**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Rupp, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following report:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HCS** for **HB 611**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 4**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

RESOLUTIONS

Senator Romine offered Senate Resolution No. 944, regarding Robin Lee Winter, Park Hills, which was adopted.

Senator Parson offered Senate Resolution No. 945, regarding Doyle Nimmo, which was adopted.

Senator Parson offered Senate Resolution No. 946, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Marvin Duggan, Buffalo, which was adopted.

Senator Lamping offered Senate Resolution No. 947, regarding Alexis Maria Jordan, St. Louis, which was adopted.

Senator Curls offered Senate Resolution No. 948, regarding Robert "Bob" Kessel, which was adopted.

INTRODUCTIONS OF GUESTS

Senator McKenna introduced to the Senate, fourth grade students from Dunklin R-V School District, Herculaneum.

Senator Pearce introduced to the Senate, Sidney Livo and fourth grade students from Santa Fe School, Waverly.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

 SIXTY-FIFTH DAY—THURSDAY, MAY 9, 2013

FORMAL CALENDAR

VETOED BILLS

HCS for SCS for SB 182-Kehoe, et al

THIRD READING OF SENATE BILLS

SCS for SB 378-Pearce

SENATE BILLS FOR PERFECTION

SB 375-Nieves, with SCS

SB 52-Munzlinger and Romine, with SCS

HOUSE BILLS ON THIRD READING

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| 1. HCS for HB 473 (Lager)
(In Fiscal Oversight) | 15. HB 510-Torpey and Wieland |
| 2. HCS for HB 215, with SCS (Dixon)
(In Fiscal Oversight) | 16. HB 322-Gosen, et al, with SCS (Rupp) |
| 3. HCS for HB 168 (Kraus) | 17. HCS for HB 345, with SCS |
| 4. HCS for HB 58 (Wasson) | 18. HCS for HB 134, with SCS (Schmitt) |
| 5. HB 409-Love and Remole (Parson)
(In Fiscal Oversight) | 19. HB 451-Fraker, et al (Sater) |
| 6. HB 339-Wieland, et al (Dempsey) | 20. HB 116-Dugger, with SCS (Dixon) |
| 7. HCS for HBs 593 & 695 (Schaaf) | 21. HB 533-Riddle, et al, with SCS
(Munzlinger) |
| 8. HB 142-Dugger, with SCS (Walsh) | 22. HB 278-Brattin, et al (Emery) |
| 9. HCS for HB 117, with SCS (Rupp) | 23. HB 650-Ross, et al, with SCS |
| 10. HB 148-Davis, et al, with SCS (Brown) | 24. HCS for HB 440, with SCS |
| 11. HB 103-Kelley (127), et al, with SCS
(Munzlinger) | 25. HCS for HB 110, with SCS (Kraus) |
| 12. HB 428-Schatz, with SCS (Wasson) | 26. HB 625-Burlison, with SCS |
| 13. HCS for HJRs 5 & 12, with SCS (Kraus) | 27. HJR 16-McCaherty, et al, with SCS
(Schaaf) |
| 14. HCS for HBs 48 & 216 (Kraus) | 28. HCS for HB 320 |
| | 29. HCS for HB 175, with SCS (Parson) |
| | 30. HCS for HB 128 (Rupp) |

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| 31. HCS for HB 114 | 34. HB 85-Kelley (127), et al |
| 32. HB 450-Carpenter, et al, with SCS
(Silvey) | 35. HCS for HB 418 |
| 33. HCS for HB 349 (Kehoe) | 36. HCS for HB 722, with SCS |
| | 37. HCS for HB 611, with SCS (Rupp) |

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS for SCS for SB 437-Pearce

SENATE BILLS FOR PERFECTION

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| SB 3-Rupp, with SA 1 (pending) | SB 272-Nieves, with SA 2 (pending) |
| SB 13-Schaefer, with SCS | SB 285-Romine |
| SB 21-Dixon | SB 291-Rupp |
| SB 22-Dixon | SB 292-Rupp |
| SB 30-Brown, with SCS | SB 308-Schaaf |
| SB 48-Lamping | SB 315-Pearce |
| SB 53-Lamping | SB 325-Nieves |
| SB 61-Keaveny, with SCA 1 (pending) | SB 339-Romine |
| SB 65-Dixon, with SCS | SB 343-Parson |
| SB 78-Lamping, with SCS, SS for SCS &
SA 1 (pending) | SB 364-Parson |
| SB 82-Schaefer, with SCS | SB 371-Munzlinger, with SCS |
| SB 109-Brown, with SCS | SB 377-Dixon |
| SB 133-Keaveny and Holsman, with SCS &
SA 1 (pending) | SB 383-Wallingford |
| SB 141-Dempsey | SB 396-Holsman and Chappelle-Nadal, with
SCS |
| SB 167-Sater and Wallingford, with SCS | SB 403-Rupp, with SCS |
| SB 174-Parson, with SCS | SB 410-Kehoe |
| SB 175-Wallingford | SB 419-Lager, with SCS |
| SB 207-Kehoe, et al, with SCS | SB 423-Nasheed |
| SB 231-Munzlinger, with SA 1 (pending) | SB 441-Dempsey |
| SB 239-Emery, with SCS & SA 2 (pending) | SB 448-Schmitt and Keaveny |
| SB 250-Schaaf, with SCS | SB 455-Nieves, with SCS |
| SB 259-Schaaf, with SCS | SJR 2-Lager |

HOUSE BILLS ON THIRD READING

HB 53-Gatschenberger (Rupp)	HB 274-Brattin, et al, with SCS (Brown)
HB 55-Flanigan and Allen, with SCS (Schaefer)	HB 346-Molendorp (Wasson)
HB 112-Burlison, with SA 2 (pending) (Brown)	HCS for HBs 374 & 434, with SCS (Dixon)
HB 184-Cox, et al (Parson)	HCS for HBs 404 & 614, with SCS (Kehoe)
HCS for HB 194 (Parson)	HB 432-Funderburk, et al, with SCS & SA 1 (pending) (Lager)
HB 196-Lauer, et al, with SCS, SA 1 & point of order (pending) (Romine)	HCS for HB 457, with SCS (Rupp)

SENATE BILLS WITH HOUSE AMENDMENTS

SS#2 for SCS for SBs 26, 11 & 31-Kraus, with HCS, as amended	SB 77-Lamping, with HA 1
SCS for SB 42-Munzlinger, with HCS, as amended	SS for SCS for SB 114-Schmitt, with HA 1, as amended
SCS for SB 45-Dixon, with HCS, as amended	SCS for SB 248-Wasson, with HA 1 & HA 2

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

SS#2 for SCS for SB 1-Rupp, with HCS, as amended	HCS for HB 3, with SCS (Schaefer)
SB 23-Parson, with HCS, as amended (Senate adopted CCR and passed CCS)	HCS for HB 4, with SCS (Schaefer)
SS for SB 34-Cunningham, with HCS, as amended	HCS for HB 5, with SCS (Schaefer)
SCS for SB 106-Brown, with HA 1, HA 2, HA 3, HA 4, as amended & HA 5 (Senate adopted CCR and passed CCS)	HCS for HB 6, with SCS, as amended (Schaefer)
SCS for SB 117-Kraus, with HCS, as amended (Senate adopted CCR and passed CCS)	HCS for HB 7, with SCS, as amended (Schaefer)
HCS for HB 1, with SCS (Schaefer)	HCS for HB 8, with SCS (Schaefer)
HCS for HB 2, with SCS (Schaefer)	HCS for HB 9, with SCS (Schaefer)
	HCS for HB 10, with SCS (Schaefer)
	HCS for HB 11, with SCS, as amended (Schaefer)
	HCS for HB 12, with SCS (Schaefer)
	HCS for HB 13, with SCS (Schaefer)

HB 307-Riddle, et al, with SS for SCS,
as amended (Schmitt)
HCS#2 for HB 698, with SCS, as amended
(Schmitt)

HCS for HJR 11 & 7, with SS, as amended
(Parson)
(House adopted CCR and passed CCS)

Requests to Recede or Grant Conference

SCS for SB 9-Pearce, with HCS,
as amended
(Senate requests House recede
or grant conference)
SCS for SB 17-Munzlinger and Romine,
with HCS, as amended
(Senate requests House recede
or grant conference)
SCS for SB 36-Wallingford and Sifton, with HA 1
(Senate requests House recede &
take up and pass bill)
SB 43-Munzlinger, with HCS, as amended
(Senate requests House recede
or grant conference)

SCS for SB 157 & SB 102-Sater, with HCS,
as amended
(Senate requests House recede
or grant conference)
SS for SB 262-Curls, with HCS, as amended
(Senate requests House recede
or grant conference)
SB 330-Wasson, with HCS, as amended
(Senate requests House recede
or grant conference)

RESOLUTIONS

Reported from Committee

HCR 7-Pfautsch, et al (Richard)
HCR 16-Walton Gray, et al
(Chappelle-Nadal)
HCR 25-Allen

HCR 28-Lynch, et al
SCR 3-Walsh
SCR 4-Schmitt, et al
SCR 15-Romine

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