

SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1326

AN ACT

To repeal sections 144.010, 262.900, 265.300, 267.565, 275.352, 277.020, 277.040, 281.065, 304.180, 340.381, 340.396, 442.571, and 537.325, RSMo, and to enact in lieu thereof seventeen new sections relating to agriculture, with an emergency clause for a certain section.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI,
AS FOLLOWS:

1 Section A. Sections 144.010, 262.900, 265.300, 267.565,
2 275.352, 277.020, 277.040, 281.065, 304.180, 340.381, 340.396,
3 442.571, and 537.325, RSMo, are repealed and seventeen new
4 sections enacted in lieu thereof, to be known as sections
5 144.010, 261.270, 261.272, 261.273, 261.275, 262.900, 265.300,
6 267.565, 277.020, 277.040, 281.065, 304.180, 340.381, 340.396,
7 442.571, 537.325, and 1, to read as follows:

8 144.010. 1. The following words, terms, and phrases when
9 used in sections 144.010 to 144.525 have the meanings ascribed to
10 them in this section, except when the context indicates a
11 different meaning:

12 (1) "Admission" includes seats and tables, reserved or

1 otherwise, and other similar accommodations and charges made
2 therefor and amount paid for admission, exclusive of any
3 admission tax imposed by the federal government or by sections
4 144.010 to 144.525;

5 (2) "Business" includes any activity engaged in by any
6 person, or caused to be engaged in by him, with the object of
7 gain, benefit or advantage, either direct or indirect, and the
8 classification of which business is of such character as to be
9 subject to the terms of sections 144.010 to 144.525. A person is
10 "engaging in business" in this state for purposes of sections
11 144.010 to 144.525 if such person "engages in business in this
12 state" or "maintains a place of business in this state" under
13 section 144.605. The isolated or occasional sale of tangible
14 personal property, service, substance, or thing, by a person not
15 engaged in such business, does not constitute engaging in
16 business within the meaning of sections 144.010 to 144.525 unless
17 the total amount of the gross receipts from such sales, exclusive
18 of receipts from the sale of tangible personal property by
19 persons which property is sold in the course of the partial or
20 complete liquidation of a household, farm or nonbusiness
21 enterprise, exceeds three thousand dollars in any calendar year.
22 The provisions of this subdivision shall not be construed to make
23 any sale of property which is exempt from sales tax or use tax on
24 June 1, 1977, subject to that tax thereafter;

25 (3) "Captive wildlife", includes but is not limited to
26 exotic partridges, gray partridge, northern bobwhite quail,
27 ring-necked pheasant, captive waterfowl, captive white-tailed
28 deer, captive elk, and captive furbearers held under permit

1 issued by the Missouri department of conservation for hunting
2 purposes. The provisions of this subdivision shall not apply to
3 sales tax on a harvested animal;

4 (4) "Gross receipts", except as provided in section
5 144.012, means the total amount of the sale price of the sales at
6 retail including any services other than charges incident to the
7 extension of credit that are a part of such sales made by the
8 businesses herein referred to, capable of being valued in money,
9 whether received in money or otherwise; except that, the term
10 "gross receipts" shall not include the sale price of property
11 returned by customers when the full sale price thereof is
12 refunded either in cash or by credit. In determining any tax due
13 under sections 144.010 to 144.525 on the gross receipts, charges
14 incident to the extension of credit shall be specifically
15 exempted. For the purposes of sections 144.010 to 144.525 the
16 total amount of the sale price above mentioned shall be deemed to
17 be the amount received. It shall also include the lease or
18 rental consideration where the right to continuous possession or
19 use of any article of tangible personal property is granted under
20 a lease or contract and such transfer of possession would be
21 taxable if outright sale were made and, in such cases, the same
22 shall be taxable as if outright sale were made and considered as
23 a sale of such article, and the tax shall be computed and paid by
24 the lessee upon the rentals paid;

25 (5) "Livestock", cattle, calves, sheep, swine, ratite
26 birds, including but not limited to, ostrich and emu, aquatic
27 products as defined in section 277.024, llamas, alpaca, buffalo,
28 elk and captive cervids documented as obtained from a legal

1 source and not from the wild, goats, horses, other equine, or
2 rabbits raised in confinement for human consumption;

3 (6) "Motor vehicle leasing company" shall be a company
4 obtaining a permit from the director of revenue to operate as a
5 motor vehicle leasing company. Not all persons renting or
6 leasing trailers or motor vehicles need to obtain such a permit;
7 however, no person failing to obtain such a permit may avail
8 itself of the optional tax provisions of subsection 5 of section
9 144.070, as hereinafter provided;

10 (7) "Person" includes any individual, firm, copartnership,
11 joint adventure, association, corporation, municipal or private,
12 and whether organized for profit or not, state, county, political
13 subdivision, state department, commission, board, bureau or
14 agency, except the state transportation department, estate,
15 trust, business trust, receiver or trustee appointed by the state
16 or federal court, syndicate, or any other group or combination
17 acting as a unit, and the plural as well as the singular number;

18 (8) "Purchaser" means a person who purchases tangible
19 personal property or to whom are rendered services, receipts from
20 which are taxable under sections 144.010 to 144.525;

21 (9) "Research or experimentation activities" are the
22 development of an experimental or pilot model, plant process,
23 formula, invention or similar property, and the improvement of
24 existing property of such type. Research or experimentation
25 activities do not include activities such as ordinary testing or
26 inspection of materials or products for quality control,
27 efficiency surveys, advertising promotions or research in
28 connection with literary, historical or similar projects;

1 (10) "Sale" or "sales" includes installment and credit
2 sales, and the exchange of properties as well as the sale thereof
3 for money, every closed transaction constituting a sale, and
4 means any transfer, exchange or barter, conditional or otherwise,
5 in any manner or by any means whatsoever, of tangible personal
6 property for valuable consideration and the rendering, furnishing
7 or selling for a valuable consideration any of the substances,
8 things and services herein designated and defined as taxable
9 under the terms of sections 144.010 to 144.525;

10 (11) "Sale at retail" means any transfer made by any person
11 engaged in business as defined herein of the ownership of, or
12 title to, tangible personal property to the purchaser, for use or
13 consumption and not for resale in any form as tangible personal
14 property, for a valuable consideration; except that, for the
15 purposes of sections 144.010 to 144.525 and the tax imposed
16 thereby: (i) purchases of tangible personal property made by
17 duly licensed physicians, dentists, optometrists and
18 veterinarians and used in the practice of their professions shall
19 be deemed to be purchases for use or consumption and not for
20 resale; and (ii) the selling of computer printouts, computer
21 output or microfilm or microfiche and computer-assisted photo
22 compositions to a purchaser to enable the purchaser to obtain for
23 his or her own use the desired information contained in such
24 computer printouts, computer output on microfilm or microfiche
25 and computer-assisted photo compositions shall be considered as
26 the sale of a service and not as the sale of tangible personal
27 property. Where necessary to conform to the context of sections
28 144.010 to 144.525 and the tax imposed thereby, the term "sale at

1 retail" shall be construed to embrace:

2 (a) Sales of admission tickets, cash admissions, charges
3 and fees to or in places of amusement, entertainment and
4 recreation, games and athletic events;

5 (b) Sales of electricity, electrical current, water and
6 gas, natural or artificial, to domestic, commercial or industrial
7 consumers;

8 (c) Sales of local and long distance telecommunications
9 service to telecommunications subscribers and to others through
10 equipment of telecommunications subscribers for the transmission
11 of messages and conversations, and the sale, rental or leasing of
12 all equipment or services pertaining or incidental thereto;

13 (d) Sales of service for transmission of messages by
14 telegraph companies;

15 (e) Sales or charges for all rooms, meals and drinks
16 furnished at any hotel, motel, tavern, inn, restaurant, eating
17 house, drugstore, dining car, tourist camp, tourist cabin, or
18 other place in which rooms, meals or drinks are regularly served
19 to the public;

20 (f) Sales of tickets by every person operating a railroad,
21 sleeping car, dining car, express car, boat, airplane, and such
22 buses and trucks as are licensed by the division of motor carrier
23 and railroad safety of the department of economic development of
24 Missouri, engaged in the transportation of persons for hire;

25 (12) "Seller" means a person selling or furnishing tangible
26 personal property or rendering services, on the receipts from
27 which a tax is imposed pursuant to section 144.020;

28 (13) The noun "tax" means either the tax payable by the

1 purchaser of a commodity or service subject to tax, or the
2 aggregate amount of taxes due from the vendor of such commodities
3 or services during the period for which he or she is required to
4 report his or her collections, as the context may require;

5 (14) "Telecommunications service", for the purpose of this
6 chapter, the transmission of information by wire, radio, optical
7 cable, coaxial cable, electronic impulses, or other similar
8 means. As used in this definition, "information" means knowledge
9 or intelligence represented by any form of writing, signs,
10 signals, pictures, sounds, or any other symbols.

11 Telecommunications service does not include the following if such
12 services are separately stated on the customer's bill or on
13 records of the seller maintained in the ordinary course of
14 business:

15 (a) Access to the internet, access to interactive computer
16 services or electronic publishing services, except the amount
17 paid for the telecommunications service used to provide such
18 access;

19 (b) Answering services and one-way paging services;

20 (c) Private mobile radio services which are not two-way
21 commercial mobile radio services such as wireless telephone,
22 personal communications services or enhanced specialized mobile
23 radio services as defined pursuant to federal law; or

24 (d) Cable or satellite television or music services; and

25 (15) "Product which is intended to be sold ultimately for
26 final use or consumption" means tangible personal property, or
27 any service that is subject to state or local sales or use taxes,
28 or any tax that is substantially equivalent thereto, in this

1 state or any other state.

2 2. For purposes of the taxes imposed under sections 144.010
3 to 144.525, and any other provisions of law pertaining to sales
4 or use taxes which incorporate the provisions of sections 144.010
5 to 144.525 by reference, the term "manufactured homes" shall have
6 the same meaning given it in section 700.010.

7 3. Sections 144.010 to 144.525 may be known and quoted as
8 the "Sales Tax Law".

9 261.270. 1. The provisions of sections 261.270 to 261.275
10 shall be known and may be cited as the "Missouri Dairy
11 Revitalization Act of 2014".

12 2. There is hereby created in the state treasury the
13 "Missouri Dairy Industry Revitalization Fund", which shall
14 consist of moneys appropriated to the fund. The state treasurer
15 shall be custodian of the fund. In accordance with sections
16 30.170 and 30.180, the state treasurer may approve disbursements
17 of the fund. Upon appropriation by the general assembly, moneys
18 in the fund shall be used solely to enhance and improve
19 Missouri's dairy and dairy processing industries in the manner
20 provided for in sections 261.270 to 261.275. Notwithstanding the
21 provisions of section 33.080 to the contrary, any moneys
22 remaining in the fund at the end of the biennium shall not revert
23 to the credit of the general revenue fund. The state treasurer
24 shall invest moneys in the fund in the same manner as other funds
25 are invested. Any interest and moneys earned on such investments
26 shall be credited to the fund.

27 3. Each fiscal year the University of Missouri shall
28 conduct research or contract with an independent research company

1 to conduct research to determine the estimated sales tax revenue
2 generated in the state from sales of dairy products. The cost
3 for such calculation shall be paid out of the Missouri dairy
4 industry revitalization fund. The estimated sales tax revenue
5 generated in the state from the sales of dairy products shall be
6 calculated and provided to the department of agriculture by
7 October first of each year.

8 4. Moneys appropriated from the general revenue fund to the
9 Missouri dairy industry revitalization fund shall not exceed
10 forty percent of the estimated sales tax revenue generated in the
11 state from sales of dairy products during the preceding fiscal
12 year calculated under subsection 3 of this section and shall be
13 expended in the following order of priority:

14 (1) First, to the dairy producer margin insurance premium
15 assistance program created in section 261.272;

16 (2) Second, to the Missouri dairy scholars program created
17 in section 261.273; and

18 (3) Third, to the commercial agriculture program created in
19 section 261.275.

20 261.272. 1. The department of agriculture shall establish
21 and administer, through the Missouri agricultural and small
22 business development authority, a dairy producer margin insurance
23 premium assistance program for the purpose of assisting dairy
24 producers who participate in the federal margin protection
25 program for dairy producers as contained in the federal
26 Agricultural Act of 2014.

27 2. All dairy producers in the state who participate in the
28 federal margin protection program for dairy producers shall be

1 eligible to apply to participate in the dairy producer margin
2 insurance premium assistance program. Dairy producers shall
3 apply with the Missouri agricultural and small business
4 development authority by January first of each year. The
5 department of agriculture shall promulgate rules and regulations
6 to implement the dairy producer margin insurance premium
7 assistance program.

8 3. Participating dairy producers who have paid their annual
9 federal premium payment in accordance with the federal
10 Agricultural Act of 2014 and who provide proof of such payment to
11 the Missouri agricultural and small business development
12 authority shall be eligible to have a portion of their premium
13 payment reimbursed. Eligible dairy producers shall receive
14 seventy percent of their federal premium payment up to a maximum
15 premium reimbursement rate of thirty-four cents per hundredweight
16 of milk.

17 4. The University of Missouri and the Missouri agricultural
18 and small business development authority shall provide risk
19 management training for Missouri dairy producers annually.

20 261.273. 1. There is hereby established the "Missouri
21 Dairy Scholars Program", which shall be administered by the
22 department of agriculture. The program shall, upon
23 appropriation, provide scholarships, subject to the eligibility
24 criteria enumerated in this section, for eligible students in an
25 agriculture-related degree program who make a commitment to work
26 in the agriculture industry in Missouri as a condition of
27 receiving such scholarship.

28 2. Subject to appropriation, each year the department of

1 agriculture shall make available to eligible students up to
2 eighty scholarships in the amount of five thousand dollars to
3 assist with the cost of eligible students' tuition and fees at a
4 two-year or four-year college or university in Missouri. Such
5 amount shall be paid out of the Missouri dairy industry
6 revitalization fund created in section 261.270.

7 3. As used in this section, the term "eligible student"
8 shall mean an individual who:

9 (1) Is a United States citizen and a Missouri resident who
10 attended a Missouri high school;

11 (2) Is pursuing or has attained an agriculture-related
12 degree approved by the department of agriculture and offered by a
13 two-year or four-year college or university in Missouri;

14 (3) Signs an agreement with the department of agriculture
15 in which the recipient agrees to work in the agriculture industry
16 in Missouri for at least two years for every one year the
17 recipient received the Missouri dairy scholars scholarship;

18 (4) Has graduated from high school with a cumulative grade
19 point average of at least two and one-half on a four-point scale
20 or equivalent;

21 (5) Maintains a cumulative grade point average of at least
22 two and one-half on a four-point scale or equivalent while
23 enrolled in the college or university program; and

24 (6) Works on a dairy farm or has a dairy-related internship
25 for at least three months of each year the recipient receives the
26 Missouri dairy scholars scholarship.

27 261.275. The University of Missouri's commercial
28 agriculture program shall conduct an annual study of the dairy

1 industry and shall develop a dairy-specific plan for how to grow
2 and enhance the dairy and dairy processing industries in
3 Missouri. The results of such study shall be reported to the
4 department of agriculture and all agriculture-related legislative
5 committee chairpersons by January first of each year. The costs
6 for such study shall be subject to appropriations and shall be
7 paid out of the Missouri dairy industry revitalization fund
8 created in section 261.270.

9 262.900. 1. As used in this section, the following terms
10 mean:

11 (1) "Agricultural products", an agricultural,
12 horticultural, viticultural, or vegetable product, growing of
13 grapes that will be processed into wine, bees, honey, fish or
14 other aquacultural product, planting seed, livestock, a livestock
15 product, a forestry product, poultry or a poultry product, either
16 in its natural or processed state, that has been produced,
17 processed, or otherwise had value added to it in this state;

18 (2) "Blighted area", that portion of the city within which
19 the legislative authority of such city determines that by reason
20 of age, obsolescence, inadequate, or outmoded design or physical
21 deterioration have become economic and social liabilities, and
22 that such conditions are conducive to ill health, transmission of
23 disease, crime or inability to pay reasonable taxes;

24 (3) "Department", the department of agriculture;

25 (4) "Domesticated animal", cattle, calves, sheep, swine,
26 ratite birds including but not limited to ostrich and emu,
27 llamas, alpaca, buffalo, elk documented as obtained from a legal
28 source and not from the wild, goats, or horses, other equines, or

1 rabbits raised in confinement for human consumption;

2 (5) "Grower UAZ", a type of UAZ:

3 (a) That can either grow produce, raise livestock, or
4 produce other value-added agricultural products;

5 (b) That does not exceed fifty laying hens, six hundred
6 fifty broiler chickens, or thirty domesticated animals;

7 (6) "Livestock", cattle, calves, sheep, swine, ratite birds
8 including but not limited to ostrich and emu, aquatic products as
9 defined in section 277.024, llamas, alpaca, buffalo, elk and
10 captive cervids documented as obtained from a legal source and
11 not from the wild, goats, or horses, other equines, or rabbits
12 raised in confinement for human consumption;

13 (7) "Locally grown", a product that was grown or raised in
14 the same county or city not within a county in which the UAZ is
15 located or in an adjoining county or city not within a county.
16 For a product raised or sold in a city not within a county,
17 locally grown also includes an adjoining county with a charter
18 form of government with more than nine hundred fifty thousand
19 inhabitants and those adjoining said county;

20 (8) "Processing UAZ", a type of UAZ:

21 (a) That processes livestock [or], poultry, or produce for
22 human consumption;

23 (b) That meets federal and state processing laws and
24 standards;

25 (c) Is a qualifying small business approved by the
26 department;

27 (9) "Meat", any edible portion of livestock or poultry
28 carcass or part thereof;

1 (10) "Meat product", anything containing meat intended for
2 or capable of use for human consumption, which is derived, in
3 whole or in part, from livestock or poultry;

4 (11) "Mobile unit", the same as motor vehicle as defined in
5 section 301.010;

6 (12) "Poultry", any domesticated bird intended for human
7 consumption;

8 [(12)] (13) "Qualifying small business", those enterprises
9 which are established within an Urban Agricultural Zone
10 subsequent to its creation, and which meet the definition
11 established for the Small Business Administration and set forth
12 in Section 121.301 of Part 121 of Title 13 of the Code of Federal
13 Regulations;

14 [(13)] (14) "Value-added agricultural products", any
15 product or products that are the result of:

16 (a) Using an agricultural product grown in this state to
17 produce a meat or dairy product in this state;

18 (b) A change in the physical state or form of the original
19 agricultural product;

20 (c) An agricultural product grown in this state which has
21 had its value enhanced by special production methods such as
22 organically grown products; or

23 (d) A physical segregation of a commodity or agricultural
24 product grown in this state that enhances its value such as
25 identity preserved marketing systems;

26 [(14)] (15) "Urban agricultural zone" or "UAZ", a zone
27 within a metropolitan statistical area as defined by the United
28 States Office of Budget and Management that has one or more of

1 the following entities that is a qualifying small business and
2 approved by the department, as follows:

3 (a) Any organization or person who grows produce or other
4 agricultural products;

5 (b) Any organization or person that raises livestock or
6 poultry;

7 (c) Any organization or person who processes livestock or
8 poultry;

9 (d) Any organization that sells at a minimum seventy-five
10 percent locally grown food;

11 [(15)] (16) "Vending UAZ", a type of UAZ:

12 (a) That sells produce, meat, or value-added locally grown
13 agricultural goods;

14 (b) That is able to accept food stamps under the provisions
15 of the Supplemental Nutrition Assistance Program as a form of
16 payment; and

17 (c) Is a qualifying small business that is approved by the
18 department for an UAZ vendor license.

19 2. (1) A person or organization shall submit to any
20 incorporated municipality an application to develop an UAZ on a
21 blighted area of land. Such application shall demonstrate or
22 identify on the application:

23 (a) If the person or organization is a grower UAZ,
24 processing UAZ, vending UAZ, or a combination of all three types
25 of UAZs provided in this paragraph, in which case the person or
26 organization shall meet the requirements of each type of UAZ in
27 order to qualify;

28 (b) The number of jobs to be created;

1 (c) The types of products to be produced; and

2 (d) If applying for a vending UAZ, the ability to accept
3 food stamps under the provisions of the Supplemental Nutrition
4 Assistance Program if selling products to consumers.

5 (2) A municipality shall review and modify the application
6 as necessary before either approving or denying the request to
7 establish an UAZ.

8 (3) Approval of the UAZ by such municipality shall be
9 reviewed five and ten years after the development of the UAZ.
10 After twenty-five years, the UAZ shall dissolve.
11 If the municipality finds during its review that the UAZ is not
12 meeting the requirements set out in this section, the
13 municipality may dissolve the UAZ.

14 3. The governing body of any municipality planning to seek
15 designation of an urban agricultural zone shall establish an
16 urban agricultural zone board. The number of members on the
17 board shall be seven. One member of the board shall be appointed
18 by the school district or districts located within the area
19 proposed for designation of an urban agricultural zone. Two
20 members of the board shall be appointed by other affected taxing
21 districts. The remaining four members shall be chosen by the
22 chief elected officer of the municipality. The four members
23 chosen by the chief elected officer of the municipality shall all
24 be residents of the county or city not within a county in which
25 the UAZ is to be located, and at least one of such four members
26 shall have experience in or represent organizations associated
27 with sustainable agriculture, urban farming, community gardening,
28 or any of the activities or products authorized by this section

1 for UAZs.

2 4. The school district member and the two affected taxing
3 district members shall each have initial terms of five years. Of
4 the four members appointed by the chief elected official, two
5 shall have initial terms of four years, and two shall have
6 initial terms of three years. Thereafter, members shall serve
7 terms of five years. Each member shall hold office until a
8 successor has been appointed. All vacancies shall be filled in
9 the same manner as the original appointment. For inefficiency or
10 neglect of duty or misconduct in office, a member of the board
11 may be removed by the applicable appointing authority.

12 5. A majority of the members shall constitute a quorum of
13 such board for the purpose of conducting business and exercising
14 the powers of the board and for all other purposes. Action may
15 be taken by the board upon a vote of a majority of the members
16 present.

17 6. The members of the board annually shall elect a chair
18 from among the members.

19 7. The role of the board shall be to conduct the activities
20 necessary to advise the governing body on the designation of an
21 urban agricultural zone and any other advisory duties as
22 determined by the governing body. The role of the board after
23 the designation of an urban agricultural zone shall be review and
24 assessment of zone activities.

25 8. Prior to the adoption of an ordinance proposing the
26 designation of an urban agricultural zone, the urban agricultural
27 board shall fix a time and place for a public hearing and notify
28 each taxing district located wholly or partially within the

1 boundaries of the proposed urban agricultural zone. The board
2 shall send, by certified mail, a notice of such hearing to all
3 taxing districts and political subdivisions in the area to be
4 affected and shall publish notice of such hearing in a newspaper
5 of general circulation in the area to be affected by the
6 designation at least twenty days prior to the hearing but not
7 more than thirty days prior to the hearing. Such notice shall
8 state the time, location, date, and purpose of the hearing. At
9 the public hearing any interested person or affected taxing
10 district may file with the board written objections to, or
11 comments on, and may be heard orally in respect to, any issues
12 embodied in the notice. The board shall hear and consider all
13 protests, objections, comments, and other evidence presented at
14 the hearing. The hearing may be continued to another date
15 without further notice other than a motion to be entered upon the
16 minutes fixing the time and place of the subsequent hearing.

17 9. Following the conclusion of the public hearing required
18 under subsection 8 of this section, the governing authority of
19 the municipality may adopt an ordinance designating an urban
20 agricultural zone.

21 10. The real property of the UAZ shall not be subject to
22 assessment or payment of ad valorem taxes on real property
23 imposed by the cities affected by this section, or by the state
24 or any political subdivision thereof, for a period of up to
25 twenty-five years as specified by ordinance under subsection 9 of
26 this section, except to such extent and in such amount as may be
27 imposed upon such real property during such period, as was
28 determined by the assessor of the county in which such real

1 property is located, or, if not located within a county, then by
2 the assessor of such city, in an amount not greater than the
3 amount of taxes due and payable thereon during the calendar year
4 preceding the calendar year during which the urban agricultural
5 zone was designated. The amounts of such tax assessments shall
6 not be increased during such period so long as the real property
7 is used in furtherance of the activities provided under the
8 provisions of subdivision (13) of subsection 1 of this section.
9 At the conclusion of the period of abatement provided by the
10 ordinance, the property shall then be reassessed. If only a
11 portion of real property is used as an UAZ, then only that
12 portion of real property shall be exempt from assessment or
13 payment of ad valorem taxes on such property, as provided by this
14 section.

15 11. If the water services for the UAZ are provided by the
16 municipality, the municipality may authorize a grower UAZ to pay
17 wholesale water rates[. If available,] for the cost of water
18 consumed on the UAZ [and]. If available, the UAZ may pay fifty
19 percent of the standard cost to hook onto the water source.

20 12. (1) Any local sales tax revenues received from the
21 sale of agricultural products sold in the UAZ, or any local sales
22 tax revenues received by a mobile unit associated with a vending
23 UAZ selling agricultural products in the municipality in which
24 the vending UAZ is located, shall be deposited in the urban
25 agricultural zone fund established in subdivision (2) of this
26 subsection. An amount equal to one percent shall be retained by
27 the director of revenue for deposit in the general revenue fund
28 to offset the costs of collection.

1 (2) There is hereby created in the state treasury the
2 "Urban Agricultural Zone Fund", which shall consist of money
3 collected under subdivision (1) of this subsection. The state
4 treasurer shall be custodian of the fund. In accordance with
5 sections 30.170 and 30.180, the state treasurer may approve
6 disbursements. The fund shall be a dedicated fund and, upon
7 appropriation, shall be used for the purposes authorized by this
8 section. Notwithstanding the provisions of section 33.080 to the
9 contrary, any moneys remaining in the fund at the end of the
10 biennium shall not revert to the credit of the general revenue
11 fund. The state treasurer shall invest moneys in the fund in the
12 same manner as other funds are invested. Any interest and moneys
13 earned on such investments shall be credited to the fund. Fifty
14 percent of fund moneys shall be made available to school
15 districts. The remaining fifty percent of fund moneys shall be
16 allocated to municipalities that have urban agricultural zones
17 based upon the municipality's percentage of local sales tax
18 revenues deposited into the fund. The municipalities shall, upon
19 appropriation, provide fund moneys to urban agricultural zones
20 within the municipality for improvements. School districts may
21 apply to the department for money in the fund to be used for the
22 development of curriculum on or the implementation of urban
23 farming practices under the guidance of the University of
24 Missouri extension service and a certified vocational
25 agricultural instructor. The funds are to be distributed on a
26 competitive basis within the school district or districts in
27 which the UAZ is located pursuant to rules to be promulgated by
28 the department, with special consideration given to the relative

1 number of students eligible for free and reduced-price lunches
2 attending the schools within such district or districts.

3 13. Any rule or portion of a rule, as that term is defined
4 in section 536.010, that is created under the authority delegated
5 in this section shall become effective only if it complies with
6 and is subject to all of the provisions of chapter 536 and, if
7 applicable, section 536.028. This section and chapter 536 are
8 nonseverable and if any of the powers vested with the general
9 assembly pursuant to chapter 536 to review, to delay the
10 effective date, or to disapprove and annul a rule are
11 subsequently held unconstitutional, then the grant of rulemaking
12 authority and any rule proposed or adopted after August 28, 2013,
13 shall be invalid and void.

14 14. The provisions of this section shall not apply to any
15 county with a charter form of government and with more than three
16 hundred thousand but fewer than four hundred fifty thousand
17 inhabitants.

18 265.300. The following terms as used in sections 265.300 to
19 265.470, unless the context otherwise indicates, mean:

20 (1) "Adulterated", any meat or meat product under one or
21 more of the circumstances listed in Title XXI, Chapter 12,
22 Section 601 of the United States Code as now constituted or
23 hereafter amended;

24 (2) "Capable of use as human food", any carcass, or part or
25 product of a carcass, of any animal unless it is denatured or
26 otherwise identified, as required by regulation prescribed by the
27 director, to deter its use as human food, or is naturally
28 inedible by humans;

1 (3) "Cold storage warehouse", any place for storing meat or
2 meat products which contains at any one time over two thousand
3 five hundred pounds of meat or meat products belonging to any one
4 private owner other than the owner or operator of the warehouse;

5 (4) "Commercial plant", any establishment in which
6 livestock or poultry are slaughtered for transportation or sale
7 as articles of commerce intended for or capable of use for human
8 consumption, or in which meat or meat products are prepared for
9 transportation or sale as articles of commerce, intended for or
10 capable of use for human consumption;

11 (5) "Director", the director of the department of
12 agriculture of this state, or his authorized representative;

13 (6) "Livestock", cattle, calves, sheep, swine, ratite birds
14 including but not limited to ostrich and emu, aquatic products as
15 defined in section 277.024, llamas, alpaca, buffalo, elk and
16 captive cervids documented as obtained from a legal source and
17 not from the wild, goats, or horses, other equines, or rabbits
18 raised in confinement for human consumption;

19 (7) "Meat", any edible portion of livestock or poultry
20 carcass or part thereof;

21 (8) "Meat product", anything containing meat intended for
22 or capable of use for human consumption, which is derived, in
23 whole or in part, from livestock or poultry;

24 (9) "Misbranded", any meat or meat product under one or
25 more of the circumstances listed in Title XXI, Chapter 12,
26 Section 601 of the United States Code as now constituted or
27 hereafter amended;

28 (10) "Official inspection mark", the symbol prescribed by

1 the director stating that an article was inspected and passed or
2 condemned;

3 (11) "Poultry", any domesticated bird intended for human
4 consumption;

5 (12) "Prepared", slaughtered, canned, salted, rendered,
6 boned, cut up, or otherwise manufactured or processed;

7 (13) "Unwholesome":

8 (a) Processed, prepared, packed or held under unsanitary
9 conditions;

10 (b) Produced in whole or in part from livestock or poultry
11 which has died other than by slaughter.

12 267.565. Unless the context requires otherwise, as used in
13 sections 267.560 to 267.660, the following terms mean:

14 (1) "Accredited approved veterinarian", a veterinarian who
15 has been accredited by the United States Department of
16 Agriculture and approved by the state department of agriculture
17 and who is duly licensed under the laws of Missouri to engage in
18 the practice of veterinary medicine, or a veterinarian domiciled
19 and practicing veterinary medicine in a state other than
20 Missouri, duly licensed under laws of the state in which he
21 resides, accredited by the United States Department of
22 Agriculture, and approved by the chief livestock sanitary
23 official of that state;

24 (2) "Animal", an animal of the equine, bovine, porcine,
25 ovine, caprine, or species domesticated or semidomesticated;

26 (3) "Approved laboratory", a laboratory approved by the
27 department;

28 (4) "Approved vaccine" or "bacterin", a vaccine or bacterin

1 produced under the license of the United States Department of
2 Agriculture and approved by the department for the immunization
3 of animals against infectious and contagious disease;

4 (5) "Bird", a bird of the avian species;

5 (6) "Certified free herd", a herd of cattle, swine, goats
6 or a flock of sheep or birds which has met the requirements and
7 the conditions set forth in sections 267.560 to 267.660 and as
8 required by the department and as recommended by the United
9 States Department of Agriculture, and for such status for a
10 specific disease and for a herd of cattle, swine, goats or flock
11 of sheep or birds in another state which has met those minimum
12 requirements and conditions under the supervision of the
13 livestock sanitary authority of the state in which said animals
14 or birds are domiciled, and as recommended by the United States
15 Department of Agriculture for such status for a specific disease;

16 (7) "Condition", upon examination of any animal or bird in
17 this state by the state veterinarian or his or her duly
18 authorized representative, the findings of which indicate the
19 presence or suspected presence of a toxin in such animal or bird
20 that warrants further examination or observation for confirmation
21 of the presence or nonpresence of such toxin;

22 (8) "Department" or "department of agriculture", the
23 department of agriculture of the state of Missouri, and when by
24 this law the said department of agriculture is charged to perform
25 a duty, it shall be understood to authorize the performance of
26 such duty by the director of agriculture of the state of
27 Missouri, or by the state veterinarian of the state of Missouri
28 or his duly authorized deputies acting under the supervision of

1 the director of agriculture;

2 (9) "Holding period", restriction of movement of animals or
3 birds into or out of a premise under such terms and conditions as
4 may be designated by order of the state veterinarian or his or
5 her duly authorized representative prior to confirmation of a
6 contagious disease or condition;

7 (10) "Infected animal" or "infected bird", an animal or
8 bird which shows a positive reaction to any recognized
9 serological test or growth on culture or any other recognized
10 test for the detection of any disease of livestock or poultry as
11 approved by the department or when clinical symptoms and history
12 justifies designating such animal or bird as being infected with
13 a contagious or infectious disease;

14 (11) "Isolated" or "isolation", a condition in which
15 animals or birds are quarantined to a certain designated premises
16 and quarantined separately and apart from any other animals or
17 birds on adjacent premises;

18 (12) "Licensed market", a market as defined and licensed
19 under chapter 277;

20 (13) "Livestock", horses, cattle, swine, sheep, goats,
21 ratite birds including but not limited to ostrich and emu,
22 aquatic products as defined in section 277.024, llamas, alpaca,
23 buffalo, elk and captive cervids documented as obtained from a
24 legal source and not from the wild and raised in confinement for
25 human consumption or animal husbandry, poultry and other
26 domesticated animals or birds;

27 (14) "Official health certificate" is a legal record
28 covering the requirements of the state of Missouri executed on an

1 official form of the standard size from the state of origin and
2 approved by the proper livestock sanitary official of the state
3 of origin or an equivalent form provided by the United States
4 Department of Agriculture and issued by an approved, accredited,
5 licensed, graduate veterinarian;

6 (15) "Public stockyards", any public stockyards located
7 within the state of Missouri and subject to regulations of the
8 United States Department of Agriculture or the Missouri
9 department of agriculture;

10 (16) "Quarantine", a condition in which an animal or bird
11 of any species is restricted in movement to a particular premises
12 under such terms and conditions as may be designated by order of
13 the state veterinarian or his duly authorized deputies;

14 (17) "Traders" or "dealers", any person, firm or
15 corporation engaged in the business of buying, selling or
16 exchange of livestock on any basis other than on a commission
17 basis at any sale pen, concentration point, farm, truck or other
18 conveyance including persons, firms or corporations employed as
19 an agent of the vendor or purchaser excluding public stockyards
20 under federal supervision or markets licensed under sections
21 267.560 to 267.660 and under the supervision of the department,
22 breed association sales or any private farm sale.

23 277.020. The following terms as used in this chapter mean:

24 (1) "Livestock", cattle, swine, sheep, ratite birds
25 including but not limited to ostrich and emu, aquatic products as
26 defined in section 277.024, llamas, alpaca, buffalo, elk and
27 captive cervids documented as obtained from a legal source and
28 not from the wild and raised in confinement for human consumption

1 or animal husbandry, goats and poultry, equine and exotic
2 animals;

3 (2) "Livestock market", a place of business or place where
4 livestock is concentrated for the purpose of sale, exchange or
5 trade made at regular or irregular intervals, whether at auction
6 or not, except this definition shall not apply to any public farm
7 sale or purebred livestock sale, or to any sale, transfer, or
8 exchange of livestock from one person to another person for
9 movement or transfer to other farm premises or directly to a
10 licensed market;

11 (3) "Livestock sale", the business of mediating, for a
12 commission, or otherwise, sale, purchase, or exchange
13 transactions in livestock, whether or not at a livestock market;
14 except the term "livestock sale" shall not apply to order buyers,
15 livestock dealers or other persons acting directly as a buying
16 agent for any third party;

17 (4) "Person", individuals, partnerships, corporations and
18 associations;

19 (5) "State veterinarian", the state veterinarian of the
20 Missouri state department of agriculture.

21 277.040. 1. Any person engaged in establishing or
22 operating a livestock sale or market for the purpose aforesaid
23 shall file with the state veterinarian of the state department of
24 agriculture an application for a license to transact such
25 business under the provisions of this chapter. The application
26 shall state the nature of the business and the city, township and
27 county, and the complete post office address at which the
28 business is to be conducted, together with any additional

1 information that the state veterinarian requires, and a separate
2 license shall be secured for each place where a sale is to be
3 conducted such as is defined and required to be licensed under
4 the provisions of this chapter.

5 2. The state veterinarian shall then issue to the
6 applicant a license upon payment of an annual license fee to be
7 fixed by rule or regulation entitling the applicant to conduct a
8 livestock sale or market for the period of the license year or
9 for any unexpired portion thereof, unless the license is revoked
10 as herein provided.

11 3. All license fees collected under this chapter shall not
12 yield revenue greater than the total cost of administering this
13 chapter during the ensuing year. All license fees collected
14 shall be made payable to the order of the state treasurer and
15 deposited with him to the credit of the "Livestock Sales and
16 Markets Fees Fund" hereby created, subject to appropriation by
17 the general assembly, to inure to the use and benefit of the
18 animal health division of the department of agriculture.

19 4. No business entity, whether a proprietorship,
20 partnership or corporation shall be issued a livestock market
21 license if any such proprietor, partner or, if a corporation, any
22 officer or major shareholder thereof, participated in the
23 violation of any provision of this chapter within the preceding
24 five years, which resulted in the revocation of a livestock
25 market license.

26 281.065. 1. The director shall not issue a certified
27 commercial applicator's license until the applicant or the
28 employer of the applicant has furnished evidence of financial

1 responsibility with the director consisting either of a surety
2 bond or a liability insurance policy or certification thereof,
3 protecting persons who may suffer legal damages as a result of
4 the operations of the applicant; except that, such surety bond or
5 liability insurance policy need not apply to damages or injury to
6 crops, plants or land being worked upon by the applicant.

7 Following the receipt of the initial license, the certified
8 commercial applicator shall not be required to furnish evidence
9 of financial responsibility to the department for the purpose of
10 license renewal unless upon request. Annual renewals for surety
11 bonds or liability insurance must be maintained at the business
12 location from which the certified commercial applicator is
13 licensed. Valid surety bonds or liability insurance certificates
14 shall be available for inspection by the director or his or her
15 designee at a reasonable time during regular business hours or,
16 upon a request in writing, the director shall be furnished a copy
17 of the surety bond or liability insurance certificate within ten
18 working days of receipt of the request.

19 2. The amount of the surety bond or liability insurance
20 required by this section shall be not less than [twenty-five]
21 fifty thousand dollars [for property damage and bodily injury
22 insurance, each separately and] for each occurrence. Such surety
23 bond or liability insurance shall be maintained at not less than
24 that sum at all times during the licensed period. The director
25 shall be notified by the surety or insurer within twenty days
26 prior to any cancellation or reduction [at the request of the
27 bond- or policyholder or any cancellation of such] of the surety
28 bond or liability insurance [by the surety or insurer, as long as

1 the total and aggregate of the surety and insurer for all claims
2 shall be limited to the face of the bond or liability insurance
3 policy]. If the surety bond or liability insurance policy which
4 provides the financial responsibility for the [applicant]
5 certified commercial applicator is provided by the employer of
6 the [applicant] certified commercial applicator, the employer of
7 the [applicant] certified commercial applicator shall immediately
8 notify the director upon the termination of the employment of the
9 [applicant] certified commercial applicator or when a condition
10 exists under which the [applicant] certified commercial
11 applicator is no longer provided bond or insurance coverage by
12 the employer. The [applicant] certified commercial applicator
13 shall then immediately execute a surety bond or an insurance
14 policy to cover the financial responsibility requirements of this
15 section and [shall furnish the director with evidence of
16 financial responsibility as required by this section] the
17 certified commercial applicator or the applicator's employer
18 shall maintain the surety bond or liability insurance certificate
19 at the business location from which the certified commercial
20 applicator is licensed. The director may accept a liability
21 insurance policy or surety bond in the proper sum which has a
22 deductible clause in an amount not exceeding one thousand
23 dollars; except that, if the bond- or policyholder has not
24 satisfied the requirement of the deductible amount in any prior
25 legal claim, such deductible clause shall not be accepted by the
26 director unless the bond- or policyholder [furnishes the director
27 with] executes and maintains a surety bond or liability insurance
28 which shall satisfy the amount of the deductible as to all claims

1 that may arise in his or her application of pesticides.

2 3. If the surety [furnished] becomes unsatisfactory, the
3 bond- or policyholder shall[, upon notice,] immediately execute a
4 new bond or insurance policy and maintain the surety bond or
5 liability insurance certificate at the business location from
6 which the certified commercial applicator is licensed if he or
7 she fails to do so, the director shall cancel his or her license,
8 or deny the license of an applicant, and give him or her notice
9 of cancellation or denial, and it shall be unlawful thereafter
10 for the applicant to engage in the business of using pesticides
11 until the bond or insurance is brought into compliance with the
12 requirements of subsection 1 of this section. If the bond- or
13 policyholder does not execute a new bond or insurance policy
14 within sixty days of expiration of such bond or policy, the
15 licensee shall be required to satisfy all the requirements for
16 licensure as if never before licensed.

17 4. Nothing in sections 281.010 to 281.115 shall be
18 construed to relieve any person from liability for any damage to
19 the person or lands of another caused by the use of pesticides
20 even though such use conforms to the rules and regulations of the
21 director.

22 304.180. 1. No vehicle or combination of vehicles shall be
23 moved or operated on any highway in this state having a greater
24 weight than twenty thousand pounds on one axle, no combination of
25 vehicles operated by transporters of general freight over regular
26 routes as defined in section 390.020 shall be moved or operated
27 on any highway of this state having a greater weight than the
28 vehicle manufacturer's rating on a steering axle with the maximum

1 weight not to exceed twelve thousand pounds on a steering axle,
 2 and no vehicle shall be moved or operated on any state highway of
 3 this state having a greater weight than thirty-four thousand
 4 pounds on any tandem axle; the term "tandem axle" shall mean a
 5 group of two or more axles, arranged one behind another, the
 6 distance between the extremes of which is more than forty inches
 7 and not more than ninety-six inches apart.

8 2. An "axle load" is defined as the total load transmitted
 9 to the road by all wheels whose centers are included between two
 10 parallel transverse vertical planes forty inches apart, extending
 11 across the full width of the vehicle.

12 3. Subject to the limit upon the weight imposed upon a
 13 highway of this state through any one axle or on any tandem axle,
 14 the total gross weight with load imposed by any group of two or
 15 more consecutive axles of any vehicle or combination of vehicles
 16 shall not exceed the maximum load in pounds as set forth in the
 17 following table:

18

19 Distance in feet between the extremes
 20 of any group of two or more consecutive
 21 axles, measured to the nearest foot,
 22 except where indicated otherwise Maximum load in pounds

23 feet	24 2 axles	25 3 axles	26 4 axles	27 5 axles	28 6 axles
4	34,000				
5	34,000				
6	34,000				
7	34,000				
8	34,000	34,000			

1	More than 8	38,000	42,000			
2	9	39,000	42,500			
3	10	40,000	43,500			
4	11	40,000	44,000			
5	12	40,000	45,000	50,000		
6	13	40,000	45,500	50,500		
7	14	40,000	46,500	51,500		
8	15	40,000	47,000	52,000		
9	16	40,000	48,000	52,500	58,000	
10	17	40,000	48,500	53,500	58,500	
11	18	40,000	49,500	54,000	59,000	
12	19	40,000	50,000	54,500	60,000	
13	20	40,000	51,000	55,500	60,500	66,000
14	21	40,000	51,500	56,000	61,000	66,500
15	22	40,000	52,500	56,500	61,500	67,000
16	23	40,000	53,000	57,500	62,500	68,000
17	24	40,000	54,000	58,000	63,000	68,500
18	25	40,000	54,500	58,500	63,500	69,000
19	26	40,000	55,500	59,500	64,000	69,500
20	27	40,000	56,000	60,000	65,000	70,000
21	28	40,000	57,000	60,500	65,500	71,000
22	29	40,000	57,500	61,500	66,000	71,500
23	30	40,000	58,500	62,000	66,500	72,000
24	31	40,000	59,000	62,500	67,500	72,500
25	32	40,000	60,000	63,500	68,000	73,000
26	33	40,000	60,000	64,000	68,500	74,000
27	34	40,000	60,000	64,500	69,000	74,500
28	35	40,000	60,000	65,500	70,000	75,000

1	36	60,000	66,000	70,500	75,500
2	37	60,000	66,500	71,000	76,000
3	38	60,000	67,500	72,000	77,000
4	39	60,000	68,000	72,500	77,500
5	40	60,000	68,500	73,000	78,000
6	41	60,000	69,500	73,500	78,500
7	42	60,000	70,000	74,000	79,000
8	43	60,000	70,500	75,000	80,000
9	44	60,000	71,500	75,500	80,000
10	45	60,000	72,000	76,000	80,000
11	46	60,000	72,500	76,500	80,000
12	47	60,000	73,500	77,500	80,000
13	48	60,000	74,000	78,000	80,000
14	49	60,000	74,500	78,500	80,000
15	50	60,000	75,500	79,000	80,000
16	51	60,000	76,000	80,000	80,000
17	54	60,000	78,000	80,000	80,000
18	55	60,000	78,500	80,000	80,000
19	56	60,000	79,500	80,000	80,000
20	57	60,000	80,000	80,000	80,000

21

22 Notwithstanding the above table, two consecutive sets of tandem
 23 axles may carry a gross load of thirty-four thousand pounds each
 24 if the overall distance between the first and last axles of such
 25 consecutive sets of tandem axles is thirty-six feet or more.

26 4. Whenever the state highways and transportation
 27 commission finds that any state highway bridge in the state is in
 28 such a condition that use of such bridge by vehicles of the

1 weights specified in subsection 3 of this section will endanger
2 the bridge, or the users of the bridge, the commission may
3 establish maximum weight limits and speed limits for vehicles
4 using such bridge. The governing body of any city or county may
5 grant authority by act or ordinance to the state highways and
6 transportation commission to enact the limitations established in
7 this section on those roadways within the purview of such city or
8 county. Notice of the weight limits and speed limits established
9 by the commission shall be given by posting signs at a
10 conspicuous place at each end of any such bridge.

11 5. Nothing in this section shall be construed as permitting
12 lawful axle loads, tandem axle loads or gross loads in excess of
13 those permitted under the provisions of Section 127 of Title 23
14 of the United States Code.

15 6. Notwithstanding the weight limitations contained in this
16 section, any vehicle or combination of vehicles operating on
17 highways other than the interstate highway system may exceed
18 single axle, tandem axle and gross weight limitations in an
19 amount not to exceed two thousand pounds. However, total gross
20 weight shall not exceed eighty thousand pounds, except as
21 provided in subsections 9 and 10 of this section.

22 7. Notwithstanding any provision of this section to the
23 contrary, the department of transportation shall issue a single-
24 use special permit, or upon request of the owner of the truck or
25 equipment, shall issue an annual permit, for the transporting of
26 any concrete pump truck or well-drillers' equipment. The
27 department of transportation shall set fees for the issuance of
28 permits pursuant to this subsection. Notwithstanding the

1 provisions of section 301.133, concrete pump trucks or well-
2 drillers' equipment may be operated on state-maintained roads and
3 highways at any time on any day.

4 8. Notwithstanding the provision of this section to the
5 contrary, the maximum gross vehicle limit and axle weight limit
6 for any vehicle or combination of vehicles equipped with an idle
7 reduction technology may be increased by a quantity necessary to
8 compensate for the additional weight of the idle reduction system
9 as provided for in 23 U.S.C. Section 127, as amended. In no case
10 shall the additional weight increase allowed by this subsection
11 be greater than five hundred fifty pounds. Upon request by an
12 appropriate law enforcement officer, the vehicle operator shall
13 provide proof that the idle reduction technology is fully
14 functional at all times and that the gross weight increase is not
15 used for any purpose other than for the use of idle reduction
16 technology.

17 9. [Notwithstanding subsection 3 of this section or any
18 other provision of law to the contrary, the total gross weight of
19 any vehicle or combination of vehicles hauling livestock may be
20 as much as, but shall not exceed, eighty-five thousand five
21 hundred pounds while operating on U.S. Highway 36 from St.
22 Joseph to U.S. Highway 63, on U.S. Highway 65 from the Iowa state
23 line to U.S. Highway 36, and on U.S. Highway 63 from the Iowa
24 state line to U.S. Highway 36, and on U.S. Highway 63 from U.S.
25 Highway 36 to Missouri Route 17. The provisions of this
26 subsection shall not apply to vehicles operated on the Dwight D.
27 Eisenhower System of Interstate and Defense Highways.

28 10.] Notwithstanding any provision of this section or any

1 other law to the contrary, the total gross weight of any vehicle
2 or combination of vehicles hauling milk from a farm to a
3 processing facility or livestock may be as much as, but shall not
4 exceed, eighty-five thousand five hundred pounds while operating
5 on highways other than the interstate highway system. The
6 provisions of this subsection shall not apply to vehicles
7 operated and operating on the Dwight D. Eisenhower System of
8 Interstate and Defense Highways.

9 340.381. 1. Sections 340.381 to 340.396 establish a
10 student loan forgiveness program for approved veterinary students
11 who practice in areas of defined need. Such program shall be
12 known as the "Dr. Merrill Townley Large Animal Veterinary Student
13 Loan Program".

14 2. There is hereby created in the state treasury the
15 "Veterinary Student Loan Payment Fund", which shall consist of
16 general revenue appropriated to the large animal veterinary
17 student loan program, voluntary contributions to support or match
18 program activities, money collected under section 340.396, and
19 funds received from the federal government. The state treasurer
20 shall be custodian of the fund and shall approve disbursements
21 from the fund in accordance with sections 30.170 and 30.180.
22 Upon appropriation, money in the fund shall be used solely for
23 the administration of sections 340.381 to 340.396.

24 Notwithstanding the provisions of section 33.080 to the contrary,
25 any moneys remaining in the fund at the end of the biennium shall
26 not revert to the credit of the general revenue fund. The state
27 treasurer shall invest moneys in the fund in the same manner as
28 other funds are invested. Any interest and moneys earned on such

1 investments shall be credited to the fund.

2 340.396. 1. Sections 340.381 to 340.396 shall not be
3 construed to require the department to enter into contracts with
4 individuals who qualify for education loans or loan repayment
5 programs when federal, state, and local funds are not available
6 for such purposes.

7 2. Sections 340.381 to 340.396 shall not be subject to the
8 provisions of sections 23.250 to 23.298.

9 [3. Sections 340.381 to 340.396 shall expire on June 30,
10 2013.]

11 442.571. 1. Except as provided in sections 442.586 and
12 442.591, no alien or foreign business shall acquire by grant,
13 purchase, devise, descent or otherwise agricultural land in this
14 state if the total aggregate alien and foreign ownership of
15 agricultural acreage in this state exceeds one percent of the
16 total aggregate agricultural acreage in this state. [No such] A
17 sale[,] or transfer[, or acquisition] of any agricultural land in
18 this state shall [occur unless such sale, transfer, or
19 acquisition is approved by] be submitted to the director of the
20 department of agriculture for review in accordance with
21 subsection 3 of this section only if there is no completed
22 Internal Revenue Service Form W-9 signed by the purchaser. No
23 person may hold agricultural land as an agent, trustee, or other
24 fiduciary for an alien or foreign business in violation of
25 sections 442.560 to 442.592, provided, however, that no security
26 interest in such agricultural land shall be divested or
27 invalidated by such violation.

28 2. Any alien or foreign business who acquires agricultural

1 land in violation of sections 442.560 to 442.592 remains in
2 violation of sections 442.560 to 442.592 for as long as he or she
3 holds an interest in the land, provided, however, that no
4 security interest in such agricultural land shall be divested or
5 invalidated by such violation.

6 3. **[All]** Subject to the provisions of subsection 1 of this
7 section, such proposed acquisitions by grant, purchase, devise,
8 descent, or otherwise of agricultural land in this state shall be
9 submitted to the department of agriculture to determine whether
10 such acquisition of agricultural land is conveyed in accordance
11 with the one percent restriction on the total aggregate alien and
12 foreign ownership of agricultural land in this state. The
13 department shall establish by rule the requirements for
14 submission and approval of requests under this subsection.

15 4. Any rule or portion of a rule, as that term is defined
16 in section 536.010, that is created under the authority delegated
17 in this section shall become effective only if it complies with
18 and is subject to all of the provisions of chapter 536 and, if
19 applicable, section 536.028. This section and chapter 536 are
20 nonseverable and if any of the powers vested with the general
21 assembly pursuant to chapter 536 to review, to delay the
22 effective date, or to disapprove and annul a rule are
23 subsequently held unconstitutional, then the grant of rulemaking
24 authority and any rule proposed or adopted after August 28, 2013,
25 shall be invalid and void.

26 537.325. 1. As used in this section, unless the context
27 otherwise requires, the following words and phrases shall mean:

28 (1) "Engages in an equine activity", riding, training,

1 assisting in medical treatment of, driving or being a passenger
2 upon an equine, whether mounted or unmounted, or any person
3 assisting a participant or any person involved in show
4 management. The term "engages in an equine activity" does not
5 include being a spectator at an equine activity, except in cases
6 where the spectator places himself in an unauthorized area;

7 (2) "Equine", a horse, pony, mule, donkey or hinny;

8 (3) "Equine activity":

9 (a) Equine shows, fairs, competitions, performances or
10 parades that involve any or all breeds of equines and any of the
11 equine disciplines, including, but not limited to, dressage,
12 hunter and jumper horse shows, grand prix jumping, three-day
13 events, combined training, rodeos, driving, pulling, cutting,
14 polo, steeplechasing, English and western performance riding,
15 endurance trail riding and western games and hunting;

16 (b) Equine training or teaching activities or both;

17 (c) Boarding equines;

18 (d) Riding, inspecting or evaluating an equine belonging to
19 another, whether or not the owner has received [some] or
20 currently receives monetary consideration or other thing of value
21 for the use of the equine or is permitting a prospective
22 purchaser of the equine to ride, inspect or evaluate the equine;

23 (e) Rides, trips, hunts or other equine activities [of any
24 type] however informal or impromptu that are sponsored by an
25 equine activity sponsor; and

26 (f) Placing or replacing horseshoes on an equine;

27 (4) "Equine activity sponsor", an individual, group, club,
28 partnership or corporation, whether or not operating for profit

1 or nonprofit, legal entity, or any employee thereof, which
2 sponsors, organizes or provides the facilities for, an equine
3 activity, including but not limited to pony clubs, 4-H clubs,
4 hunt clubs, riding clubs, school- and college-sponsored classes,
5 programs and activities, therapeutic riding programs and
6 operators, instructors and promoters of equine facilities,
7 including but not limited to stables, clubhouses, pony ride
8 strings, fairs and arenas at which the activity is held;

9 (5) "Equine professional", a person engaged for
10 compensation, or an employee of such a person engaged:

11 (a) In instructing a participant or renting to a
12 participant an equine for the purpose of riding, driving or being
13 a passenger upon the equine; or

14 (b) In renting equipment or tack to a participant;

15 (6) "Inherent risks of equine or livestock activities",
16 those dangers or conditions which are an integral part of equine
17 or livestock activities, including but not limited to:

18 (a) The propensity of any equine or livestock to behave in
19 ways that may result in injury, harm or death to persons on or
20 around it;

21 (b) The unpredictability of any equine's or livestock's
22 reaction to such things as sounds, sudden movement and unfamiliar
23 objects, persons or other animals;

24 (c) Certain hazards such as surface and subsurface
25 conditions;

26 (d) Collisions with other equines, livestock, or objects;

27 (e) The potential of a participant to act in a negligent
28 manner that may contribute to injury to the participant or

1 others, such as failing to maintain control over the animal or
2 not acting within his ability;

3 (7) "Livestock", the same as used in section 277.020;

4 (8) "Livestock activity":

5 (a) Grazing, herding, feeding, branding, milking, or other
6 activity that involves the care or maintenance of livestock;

7 (b) A livestock show, fair, competition, or auction;

8 (c) A livestock training or teaching activity;

9 (d) Boarding livestock; and

10 (e) Inspecting or evaluating livestock;

11 (9) "Livestock activity sponsor", an individual, group,
12 club, partnership or corporation, whether or not operating for
13 profit or nonprofit, legal entity, or any employee thereof, which
14 sponsors, organizes or provides the facilities for, a livestock
15 activity;

16 (10) "Livestock facility", a property or facility at which
17 a livestock activity is held;

18 (11) "Livestock owner", a person who owns livestock that is
19 involved in livestock activity;

20 (12) "Participant", any person, whether amateur or
21 professional, who engages in an equine activity or a livestock
22 activity, whether or not a fee is paid to participate in the
23 equine activity or livestock activity.

24 2. Except as provided in subsection 4 of this section, an
25 equine activity sponsor, an equine professional, a livestock
26 activity sponsor, a livestock owner, a livestock facility, a
27 livestock auction market, any employee thereof, or any other
28 person or corporation shall not be liable for an injury to or the

1 death of a participant resulting from the inherent risks of
2 equine or livestock activities and, except as provided in
3 subsection 4 of this section, no participant or a participant's
4 representative shall make any claim against, maintain an action
5 against, or recover from an equine activity sponsor, [an] equine
6 professional, livestock activity sponsor, livestock owner,
7 livestock facility, livestock auction market, any employee
8 thereof, or any other person from injury, loss, damage or death
9 of the participant resulting from any of the inherent risks of
10 equine or livestock activities.

11 3. This section shall not apply to the horse racing
12 industry as regulated in sections 313.050 to 313.720. This
13 section shall not apply to any employer-employee relationship
14 governed by the provisions of, and for which liability is
15 established pursuant to, chapter 287.

16 4. The provisions of subsection 2 of this section shall not
17 prevent or limit the liability of an equine activity sponsor,
18 [an] equine professional, livestock activity sponsor, livestock
19 owner, livestock facility, livestock auction market, any employee
20 thereof, or any other person if the equine activity sponsor,
21 equine professional, livestock activity sponsor, livestock owner,
22 livestock facility, livestock auction market, any employee
23 thereof, or person:

24 (1) Provided the equipment or tack and knew or should have
25 known that the equipment or tack was faulty and such equipment or
26 tack was faulty to the extent that [it did cause] the equipment
27 or tack caused the injury; or

28 (2) Provided the equine or livestock and failed to make

1 reasonable and prudent efforts to determine the ability of the
2 participant to engage safely in the equine activity or livestock
3 activity and determine the ability of the participant to safely
4 manage the particular equine or livestock based on the
5 participant's age, obvious physical condition or the
6 participant's representations of his or her ability;

7 (3) Owns, leases, rents or otherwise is in lawful
8 possession and control of the land or facilities upon which the
9 participant sustained injuries because of a dangerous latent
10 condition which was known to the equine activity sponsor, equine
11 professional, livestock activity sponsor, livestock owner,
12 livestock facility, livestock auction market, any employee
13 thereof, or person and for which warning signs have not been
14 conspicuously posted;

15 (4) Commits an act or omission that constitutes willful or
16 wanton disregard for the safety of the participant and that act
17 or omission caused the injury;

18 (5) Intentionally injures the participant;

19 (6) Fails to use that degree of care that an ordinarily
20 careful and prudent person would use under the same or similar
21 circumstances.

22 5. The provisions of subsection 2 of this section shall not
23 prevent or limit the liability of an equine activity sponsor [or
24 an], equine professional, livestock activity sponsor, livestock
25 owner, livestock facility, livestock auction market, or any
26 employee thereof under liability provisions as set forth in any
27 other section of law.

28 6. Every equine activity sponsor and livestock activity

1 sponsor shall post and maintain signs which contain the warning
2 notice specified in this subsection. Such signs shall be placed
3 in a clearly visible location on or near stables, corrals or
4 arenas where the [equine professional] equine activity sponsor or
5 livestock activity sponsor conducts equine or livestock
6 activities if such stables, corrals or arenas are owned, managed
7 or controlled by the [equine professional] equine activity
8 sponsor or livestock activity sponsor. The warning notice
9 specified in this subsection shall appear on the sign in black
10 letters on a white background with each letter to be a minimum of
11 one inch in height. Every written contract entered into by an
12 equine professional [and], equine activity sponsor, livestock
13 activity sponsor, livestock owner, livestock facility, livestock
14 auction market, or any employee thereof for the providing of
15 professional services, instruction or the rental of equipment
16 [or], tack, or an equine to a participant, whether or not the
17 contract involves equine or livestock activities on or off the
18 location or site of the equine professional's [or], equine
19 activity sponsor's or livestock activity sponsor's business,
20 shall contain in clearly readable print the warning notice
21 specified in this subsection. The signs and contracts described
22 in this subsection shall contain the following warning notice:

23 WARNING

24 Under Missouri law, an equine activity sponsor, equine
25 professional, livestock activity sponsor, livestock owner,
26 livestock facility, livestock auction market, or any employee
27 thereof is not liable for an injury to or the death of a
28 participant in equine or livestock activities resulting from the

1 inherent risks of equine or livestock activities pursuant to the
2 Revised Statutes of Missouri.

3 Section 1. 1. No later than January 1, 2015, the
4 department of agriculture shall propose a rule regarding
5 renewable fuels and the labeling of motor fuel pumps.

6 2. Any rule or portion of a rule, as that term is defined
7 in section 536.010, that is created under the authority delegated
8 in this section shall become effective only if it complies with
9 and is subject to all of the provisions of chapter 536 and, if
10 applicable, section 536.028. This section and chapter 536 are
11 nonseverable, and if any of the powers vested with the general
12 assembly under chapter 536 to review, to delay the effective
13 date, or to disapprove and annul a rule are subsequently held
14 unconstitutional, then the grant of rulemaking authority and any
15 rule proposed or adopted after August 28, 2014, shall be invalid
16 and void.

17 [275.352. If a national referendum among beef
18 producers passes and a federal assessment on beef
19 producers is adopted pursuant to federal law, no state
20 fees shall be collected under the provisions of this
21 chapter, in excess of a commensurate amount credited
22 against the obligation to pay any such federal
23 assessment. Upon adoption of the federal assessment,
24 beef shall be exempt from the refund provision of
25 section 275.360.]

26 Section B. If any provision of section A of this act or the
27 application thereof to anyone or to any circumstance is held
28 invalid, the remainder of those sections and the application of
29 such provisions to others or other circumstances shall not be
30 affected thereby.

31 Section C. Because immediate action is necessary to ensure
32 the ability of citizens to obtain timely financing for the

1 purchase of agricultural land, the repeal and reenactment of
2 section 442.571 this act is deemed necessary for the immediate
3 preservation of the public health, welfare, peace, and safety,
4 and is hereby declared to be an emergency act within the meaning
5 of the constitution, and the repeal and reenactment of section
6 442.571 of this act shall be in full force and effect upon its
7 passage and approval.

8